

## Code of conduct

### Aims of the code

This code has been implemented to regulate conduct in the workplace. The primary aim of this code is to correct unacceptable behaviour rather than to punish employees. For this reason progressive discipline will be applied, except in instances of serious misconduct where dismissal is a possibility.

### The code constitutes guidelines

The sanctions contained in this code offer guidelines of how misconduct will be treated. Employees' attention is drawn to the fact that, depending on the severity of the misconduct and the circumstances surrounding it, a deviation from the indicated sanction may be appropriate and justified.

An example or two will suffice to illustrate the fact that the code offers guidelines only. The code makes provision for a verbal warning in the event of a first instance of sleeping on duty. However, the circumstances may warrant a different sanction if an employee is caught sleeping, such as in the case where a security guard sleeps on duty and consequently fails to perform his duties; a verbal warning is not sufficient and this misconduct may result in a final warning or a dismissal. Likewise, in cases of negligence the code provides for a written warning. However, gross negligence may result in a final warning or dismissal.

### Application of the code

Related offences have been grouped into categories for easy reference and also to indicate which type of offence will lead to progressive discipline. The categories are:

- attendance related offences;
- offences related to the damage or loss of company property;
- safety related offences;
- violence related offences;
- offences related to alcohol, drugs and other prohibited substances;
- offences related to theft;
- offences related to dishonesty and fraud;
- security related offences;
- offences related to disorderly behaviour;
- offences related to traffic rules and the use of company vehicles;
- offences related to unprotected or illegal industrial action; and
- offences related to unsatisfactory work performance.

In each category a number of offences have been included, each indicating the sanction which may follow in the event of a transgression. However, note should be taken that each offence in a category is related and the

transgression of more than one offence in a particular category will lead to progressive discipline. The following may serve as an illustration:

If an employee has been guilty of reporting late for duty, he or she would have received a verbal warning. If this employee makes him- or herself guilty of sleeping on duty while the verbal warning for lateness is still valid, the second transgression, namely sleeping on duty, will result in a written warning and not a verbal warning as indicated in the code. The reason for this is that the employee is guilty of a related offence in which case progressive discipline is applied.

Separate warnings or other sanctions will be applied for different categories of offences. However, if an employee has received several warnings for unrelated offences, in other words for offences from different categories, the warnings can be jointly considered in order to decide on an appropriate sanction should that employee be found guilty of another offence.

## **Sanctions**

The sanctions contained in this code range from verbal warnings to dismissal. Verbal and written warnings will be accompanied by counselling. In the event of dismissal being the appropriate sanction, management may consider suspension without pay as an alternative to dismissal. Whether dismissal will be substituted by suspension without pay will depend entirely on the severity of the offence, the circumstances and the service record of the employee.

Verbal and written warnings may be issued by an employee's immediate superior. In all cases that may lead to a final written warning or a dismissal a disciplinary hearing will be held.

An employee who is notified to attend a disciplinary hearing, has the right to be present at that hearing and to present his or her case. He or she may be assisted and represented by a co-employee or union representative. The employee further has the right to an interpreter, the right to call witnesses and the right to cross-examine witnesses called by management.

## **Incapacity and poor work performance**

The code regulates misconduct and does not include instances of incapacity and poor work performance, the reason being that incapacity or poor work performance is seldom the fault of the employee.

In the event of physical incapacity the circumstances will be evaluated and management will take all reasonable steps to assist an employee to improve his or her health in order to continue with employment. If the incapacity is of an unreasonable duration which results in lengthy absences or poor work performance and assistance from the company has achieved no or unsatisfactory results, termination of services may be considered. However, before such termination an employee will be given an opportunity in the form of a hearing to state his or her case. The employee has in this instance the same rights as he or she would have in the case of a disciplinary hearing.

Where an employee performs poorly, in other words he or she does not meet the required standards of performance, management will investigate the circumstances. Training or a transfer to another position will be considered if it is reasonably possible. If poor performance persists even after training, assistance or other measures implemented by management, termination of services may be considered. Before such termination an employee will be given an opportunity in the form of a hearing to state his or her case. In this instance the employee has the same rights as he or she would have in the case of a disciplinary hearing.

If an investigation into incapacity or poor work performance proves that an employee has been guilty of misconduct and that this misconduct is the cause of or an aggravating factor to the incapacity or poor work performance, such employee may be charged with misconduct and the appropriate sanction will be imposed. Misconduct that leads to incapacity or poor work performance is considered serious misconduct and may invite a sanction of a final written warning or dismissal.

## Knowledge of the code

It is the responsibility of every employee to familiarise him- or herself with the contents of the code and to ensure that the code is properly understood. Where an employee does not understand the code and the consequences it incorporates, he or she must consult with the Personnel Department to obtain the necessary clarification.

In order to assist employees to familiarise themselves with the code, the company undertakes to do the following:

- upon appointment of an employee, the code will be discussed and explained to him or her;
- once a year a staff meeting will be held to discuss and explain the code to all employees;
- in the event of any amendments to the code, employees will be notified in advance by way of staff meetings and written notification;
- the code will be posted on notice boards throughout the workplace;
- a copy of the code will be kept by each departmental head and employees have free access to it;
- a copy of the code will be kept in the Personnel Department and employees have free access to it; and
- at the request of an employee, a copy of the code will be supplied to him or her free of charge.

## CODE OF CONDUCT

Offence	1st offence	2nd offence	3rd offence	4th offence	5th offence
<i>Attendance</i>					

1. Absent from work without leave (awol) for a whole shift or day.	Final Written warning	Dismissal			
2. Awol for two shifts or days.	Dismissal				
3. Awol for three shifts or days.	Dismissal				
4. Unauthorised absence from the workplace for less than a shift or a day.	Written warning	Final written warning	Dismissal		
5. Reporting late for duty or leaving work early.	Verbal warning	Written warning	Second written warning	Final written warning	Dismissal
6. Extended lunch breaks or rest periods without permission.	Verbal warning	Written warning	Second written warning	Final written warning	Dismissal
7. Addressing or attending unauthorised meetings on company premises during working time.	Verbal warning	Written warning	Second written warning	Final written warning	Dismissal
8. Sleeping on duty.	Written warning	Second written warning	Final written warning	Dismissal	

<b>Damage of company property</b>					
1. Wilful loss of or damage to company property.	Final written warning	Dismissal			
2. Negligent* loss of or damage of company property.	Written warning	Final written warning	Dismissal		
3. Wilful misuse of company property.	Final written warning	Dismissal			
4. Negligent* misuse of company property.	Written warning	Final written warning	Dismissal		
* In cases of gross negligence a final written warning may be issued.					

Offence	1st offence	2nd offence	3rd offence	4th offence	5th offence
<b>Safety</b>					
1. Smoking in a non-smoking area.	Final written warning	Dismissal			

2. Operating or using machines, vehicles, tools or equipment without authorisation.	Final written warning	Dismissal			
3. Recklessness.	Final written warning	Dismissal			
4. Activation of a fire alarm without a valid reason.	Final written warning	Dismissal			
5. Tampering with or damaging of fire or safety equipment.	Final written warning	Dismissal			
6. Failure/refusal to carry out safety instructions or to wear protective clothing/equipment where required.	Written warning	Final written warning	Dismissal		
7. Infringement of any safety rule.	Final written warning	Dismissal			
8. Failure to report an accident/safety incident.	Written warning	Final written warning	Dismissal		
9. Failure to maintain a tidy and safe working place.	Written warning	Second written warning	Final written warning	Dismissal	

Offence	1st offence	2nd offence	3rd offence	4th offence	5th offence
<b>Violence</b>					
1. Threats of violence/assault/intimidation.	Final written warning	Dismissal			
2. Assault or attempted assault to any other person.	Dismissal				

3. Physically violent behaviour.	Dismissal				
4. Unprovoked fighting.	Dismissal				
5. Riotous behaviour.	Dismissal				
6. Intimidation.	Dismissal				
7. Possession/brandishing of a firearm or any other dangerous weapon.	Dismissal				
8. Provocation which could lead to assault/ fighting.	Final written warning	Dismissal			

Offence	1st offence	2nd offence	3rd offence	4th offence	5th offence
<b>Alcohol and drugs</b>					
1. Unauthorised possession of dagga, alcohol, narcotics or intoxicating substances on company premises.	Dismissal				
2. On company premises whilst under the influence of intoxicating substances.	Dismissal				
3. Unauthorised use of alcohol, narcotics or intoxicating substances on company premises.	Dismissal				
4. Drinking on duty.	Dismissal				
5. Giving or selling to other employees alcohol, dagga, narcotics or any other intoxicating substance while on company premises.	Dismissal				

<b>Theft</b>					
1. Unauthorised possession of company property or the property of other employees.	Dismissal				
2. Theft of company property or the property of other employees.	Dismissal				
3. Removal of company property or the property of another	Dismissal				

employee without authorisation.					
4. Being in possession of company property or the property of another employee upon leaving company premises or upon reaching the clocking out station or security area.	Dismissal				

Offence	1st offence	2nd offence	3rd offence	4th offence	5th offence
<b><i>Fraud and dishonesty</i></b>					
1. Fraudulent clocking procedures.	Dismissal				
2. Falsifying clock cards, medical certificates or any other documents.	Dismissal				
3. Giving or receiving or attempt to give or receive any bribe.	Dismissal				
4. Applying or attempt to apply any company funds for wrongful use.	Dismissal				
5. Making false statements and declarations.	Dismissal				
6. Conducting unauthorised private work during working hours.	Dismissal				
7. Misrepresentation.	Dismissal				
8. Fraudulent non-disclosure of relevant information	Dismissal				
9. Disclosure of confidential information.	Dismissal				
10. Conflict of interest, eg making secret profits or working in competition with employer.	Dismissal				
11. Non-disclosure of gifts received or offered.	Dismissal				

Offence	1st offence	2nd offence	3rd offence	4th offence	5th offence
<b><i>Security</i></b>					

1. Unauthorised entry/exit to/from company premises.	Written warning	Second written warning	Final written warning	Dismissal	
2. Unauthorised possession of radios, tape recorders, cameras, video cameras or any item that could possibly create an opportunity for disclosure of confidential information or industrial sabotage of any kind.	Final written warning	Dismissal			
3. Refusal/failure to clearly display ID card or employee identification whilst on company premises.	Verbal warning	Written warning	Second written warning	Final written warning	Dismissal
4. Refusing/failure to comply with security instructions, standards and procedures.	Written warning	Final written warning	Dismissal		
5. Interfering with security staff in the execution of their duties.	Written warning	Final written warning	Dismissal		
6. Failure to return a temporary ID card or other form of employee identification.	Verbal warning	Written warning	Dismissal		

Offence	1st offence	2nd offence	3rd offence	4th offence	5th offence
<b><i>Disorderly behaviour</i></b>					
1. Engaging in indecent behaviour or immoral acts or office politics.	Final written warning	Dismissal			
2. Refusal/failure to obey a reasonable and lawful instruction.	Final written warning	Dismissal			
3. Use of abusive language.	Written warning	Second written warning	Final written warning	Dismissal	
4. Insubordination.	Written warning	Second written warning	Final written warning	Dismissal	
5. Horseplay or practical jokes.	Verbal warning	Written warning	Second written warning	Final written warning	Dismissal
6. Distribution without authorisation of literature or communication of any kind on company premises that can lead to conflict or unharmonious relations.	Final written warning	Dismissal			



8. Gambling on company premises.	Written warning	Second written warning	Final written warning	Dismissal	
9. Failing to report an offence committed in employee's presence or of which he/she was aware.	Written warning	Final written warning	Dismissal		
10. Conduct which can lead to unharmonious relationships within the workplace.	Written warning	Final written warning	Dismissal		

Offence	1st offence	2nd offence	3rd offence	4th offence	5th offence
<b><i>Company vehicles and traffic</i></b>					
1. Driving/operating a company vehicle without authorisation.	Final written warning	Dismissal			
2. Driving a company vehicle without a valid driver's licence.	Dismissal				
3. Negligent driving.	Written warning	Final written warning	Dismissal		
4. Reckless driving.	Dismissal				
5. Unauthorised passenger on a company vehicle.	Verbal warning	Written warning	Second written warning	Final written warning	Dismissal
6. Misuse of a company vehicle.	Written warning	Final written warning	Dismissal		
7. Failing to comply with company and/or statutory traffic regulations.	Final written warning	Dismissal			

Offence	1st offence	2nd offence	3rd offence	4th offence	5th offence
<b>Industrial action</b>					
1. Unprotected (illegal) strike, sympathy strike, picketing or protest action (stay-away).	Dismissal				
2. Incitement to participate in an unprotected (illegal) strike or other industrial action.	Dismissal				
3. Misconduct of whatever nature during a strike or other industrial action.	Dismissal				
4. Work stoppage without a justifiable and/or legitimate reason.	Dismissal				

<b>Unsatisfactory work performance</b>					
1. Passing time idly.	Verbal warning	Written warning	Second written warning	Final written warning	Dismissal
2. Failing without reasonable cause to complete a task.	Written warning	Final written warning	Dismissal		
3. Performance of work of an unacceptable standard with regard to quality and/or quantity.	Written warning	Final written warning	Dismissal		
4. Non-compliance with established procedures or standing instructions.	Written warning	Final written warning	Dismissal		