**MacVille Disciplinary / Dismissal Policy**

**Part 1**

* An employee’s contract of employment may be terminated by either the employer or the employee giving the notice required by the applicable Award or the Industrial Relations Act 1990.
* Where the prescribed notice is not given, the employee shall be paid wages in lieu of notice, or the employer may withhold wages due to the employee, as the case may be, equivalent to the notice not given or received.

**Part 2**

* Notwithstanding Part 1 above, where any employee is guilty of misconduct, the contract of employment may be terminated instantaneously. In such cases there is no requirement for the giving of notice nor payment in lieu of notice.
* Where it is alleged that an employee is guilty of misconduct, the employee shall be provided with details of the allegation/s and be given a reasonable opportunity to respond to allegations prior to a decision being made to either terminate the employment or to issue a written warning.

**Part 3**

* Where it is alleged that an employee’s capacity or performance is unsatisfactory, then the following procedure should be followed. The existence of this procedure shall not prevent an employee being dismissed in accordance with Part 2 above.
* The initial discussion and direction will be provided on an informal basis by the Business manager or other authorised person. The employee shall be advised that such discussion forms part of the process arising out of Clause 3.1.
* If the problem/s persist the Business manager or other authorised person will discuss with employee:
  1. *the matter/s of concern;*
  2. *actions necessary to resolve the concerns; and*
  3. *a timetable for improvement to be evidenced.*
* Input including explanations will be sought from the employee.
* As a result of this discussion the Business manager or other authorised person will notify the employee in writing regarding those matters in question discussed per Clause 3.5 above.
* The notice will detail:
  1. *the matter/s of concern;*
  2. *actions necessary to resolve the concerns;*
  3. *a timetable for improvement to be evidenced.*
* This notice will be signed and confirmed by the employee to record the discussion in (3) above. If there is a disagreement as to the content of the notice the employee shall have the opportunity for their view to be placed on the record.
* Appropriate monitoring and counselling shall then be provided to the employee by the Business manager or other authorised person.
* Where the problem/s are not rectified through the use of the above process, the employee’s contract of employment may be terminated.

**Part 4**

* At any meeting or discussion forming part of the process in Part 2 or 3, the employee may be accompanied by a Union representative or other person of the employee’s choosing.

**Part 5**

* On request a dismissed employee will be provided with a written statement of reasons for dismissal.

**Style Guide**

**I. Font**

: All font must be black-coloured

**Heading**

*(Arial Black / 16pt / Black / Bold)*

**Heading 2**

*(Arial Black / 12pt / Black / Bold)*

Normal text

(*Arial / 11pt / Black)*

*List Paragraph*

(*Arial Narrow / 11pt / Black / Italic)*

**II. Bullet and numbering standards**

**[Heading 2]**

* [Bullet(Normal) text] (hanging indent 1.9cm)
  + 1. *[List Paragraph1] (hanging indent 3.17cm)*
    2. *[List Paragraph2]*

**III. Spacing**

### **Document Spacing**

: The entire paper should be at least 12pt, including the heading and bibliography.

### **Paragraph Spacing**

: Papers should have no extra spacing after paragraphs.

### **IV. Heading**

: In the upper right corner of the first page of your document, the date, section (or topic), and the version of the paper, each on a separate line. Make sure to change the date and paper version when you revise it. Font style should be Arial, 8pt, Grey, Italic.

**V. Margin**

|  |  |
| --- | --- |
| * Top: 2cm | * Bottom: 2cm |
| * Left: 1.6cm | * Right: 1.6cm |
| * Gutter: 0cm | * Gutter position: Left |
| * Header: 1.25cm | * Footer: 1.25cm |