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RAINBOW TOURISM GROUP LIMITED

Draft

# RAINBOW TOURISM GROUP

## CODE OF CONDUCT

(Amendment - July 2006)

FORM OF CONTRACT OF  
LABOUR AND SOCIAL SECURITY  
1  
26 SEP 2006 *Qan*  
8 BAG 7707, CAUSEWAY  
ZAMBASHE TEL 780071

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MINISTRY OF LABOUR AND SOCIAL WELFARE

26 SEP 2003

B PAG 7107, CAUSEWAY  
ZIMBABWE TEL 700371

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## SECTION 1

### DISCIPLINARY PROCEDURES

#### 1.0 General Framework

##### 1.1 Preamble

This code of conduct is a guideline of rules and procedures intended to promote disciplined work behaviour. It outlines the standards of the conduct and discipline. This code shall be guided by the laws of natural justice,

covering both the employer and the employee which include:

- i. The right for the individual to hear the allegations against him and to respond thereto;
- ii. Parties have the right to representation by a maximum of two (2) representatives of own choice;
- iii. Right to call witnesses and have them questioned by all present save for other witnesses;
- iv. Right to appeal if not satisfied;
- v. Right of employer to institute disciplinary measures when employees are suspected of acts of misconduct;
- vi. Fairness and consistency in its application;
- vii. The necessity and value of discipline and grievances being handled as close as possible to the place of work;
- viii. The right for an employee to raise a grievance against the employer or any other employee.

##### 1.1.a Scope:

This code shall cover all Rainbow Tourism Group (Private) Limited employees.

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## **employees**

## 1. NAME OF THE TRADE LABOUR AND INDUSTRY

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## 1.2 Definition and classification of offences

The definitions given here are not exhaustive;

MINOR

#### **1.2.1 Poor time keeping - Minor**

- a. Reporting late for work
  - b. Leaving early
  - c. Extended or unauthorised breaks during working hours.

## FINANCIAL TRADE LABOUR AND SOCIAL WELFARE

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EAST, TOWNE, KELLOGG, IDAHO



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#### 1.2.2 Loafing- Minor

Spending time idly or hanging about doing nothing when one should be working, or socialising at length with another employee, guest or member of the public.

#### 1.2.3 Inefficiency - Minor

An employee is inefficient if he/she is unable to do his/her work with the level of skill and speed, which would be reasonably expected of an employee qualified for the job.

#### 1.2.4 Incompetence - Minor

An employee is incompetent if he/she turns in unsatisfactory work.

### SERIOUS

#### 1.2.5 Absence without reasonable excuse for 1 day (AWOL) - Serious

Absence without official leave: being away from work without reasonable excuse/ cause.

#### 1.2.6 Horseplay- Serious

An employee commits misconduct if he/she engages in rowdy, noisy behaviour that may affect the concentration of other employees and/ or peace of others.

#### 1.2.7 Abusive language- Serious

An employee uses abusive language or insulting language.

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**1.2.8 Chewing a chewing gum on duty- Serious**

It is an offence for an employee to chew a chewing gum on duty or at the work place

**1.2.9 Concealing one's defective work- Serious**

An employee commits an act of misconduct if he/she conceals work, which is defective.

**VERY SERIOUS**

**1.2.10 Sleeping on duty- Very serious**

Sleeping on duty encompasses both sleeping at one's work station e.g. reception desk, and sleeping in some hidden place such that one cannot be found at his work place.

**1.2.11 Neglect of duty- Very serious**

An employee neglects his/her duty if he/she does not perform his/her job at all, or abandons it, or does not care whether his/her job is done or not without reasonable excuse.

**1.2.12 Loss, damage or misuse of company property- Very serious**

This is an act, commission or omission on the part of an employee whereby loss or damage is caused to company property; or through misuse by an act or omission an employee causes loss or damage to company property.

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GOVERNMENT OF ZIMBABWE

- 1.2.13 Intimidation- Very serious**  
An employee intimidates another if by any unlawful means or obstructs another from performing his/her duties or compels another to act or refrain from acting against his/her will.
- 1.2.14 Usury (Chimbadzo) - Very serious**  
It is misconduct for an employee to be involved in or perpetrate illegal money lending or borrowing on the company premises.
- 1.2.15 Absence without reasonable excuse for 2 to 4 days (AWOL) - Very serious**  
Absence without official leave: being away from work without reasonable excuse/ cause.
- 1.2.16 Making use of company facilities and/ or equipment that is meant for guests without permission- Very serious**  
It is an offence for an employee to make use of company facilities and/ or equipment that is meant for guests without the permission from the employer.
- 1.2.17 Smoking in areas designated "NO SMOKING"- Very serious**  
Any employee commits an offence by smoking in areas designated "NO SMOKING" on employer's property.
- 1.2.18 Committing an offence while a final warning is still in effect- Very serious**  
An employee commits a very serious offence if he/she commits a serious offence while a final written warning is still effective.

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MAN OF RECORDS  
DISCOURSES RECORDS

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**1.2.19 Malingering- Very serious**

An employee malingers if he/she obtains leave by false pretences or obtains or endeavours to obtain a medical certificate by false pretences in order to obtain such leave.

**1.2.20 Aiding misconduct- Very serious**

An employee is guilty of misconduct if he/she enables, assists, encourages or permits any person to commit any misconduct in this Code or refuses to give any information within his/her knowledge concerning the misconduct.

**1.2.21 Private work/ business- Very serious**

An employee commits a very serious offence if he/she is engaged in any business or work without informing the employer.

**1.2.22 Failure to comply with standing instructions/ follow established procedures- Very serious**

It is a very serious offence for an employee to fail to comply with standing instructions or follow established procedures.

**1.2.23 Gambling in any form on employer's premises- Very serious**

It is an offence to gamble, i.e. to play for money at games of chance, in any form on the employer's premises, whether an employee is on duty or off duty.

MAN OF RECORDS  
DISCOURSES RECORDS

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DISCOURSES RECORDS



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DISCOURSES/CLAYNE

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## GROSS

### 1.2.24 Gross Incompetence- *Gross*

An employee is incompetent if he consistently turns in unsatisfactory work.

### 1.2.25 Driving without a licence/authority- *Gross*

Any employee commits a serious offence if he/she drives any vehicle belonging to the employer or guest without authority and/or a valid driver's licence even though no accident/ damage was caused.

### 1.2.26 Disobeying safety rules - *Gross*

It is misconduct for an employee to disobey or disregard safety rules and regulations for both employees and guests.

### 1.2.27 Disregarding communication channels- *Gross*

It is an offence for an employee to disregard or bypass standard communication procedures. No contact, communication or comments should be made to the media or the general public without written clearance from the office of the Chief Executive.

### 1.2.28 Inconsistent conduct or omission- *Gross*

An employee commits a serious offence if he/she is engaged in any act, conduct or omission, which is inconsistent with the fulfilment of the express or implied conditions of his contract of employment.

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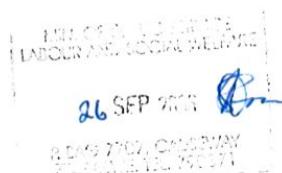
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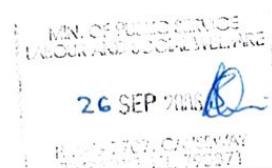


- 1.2.29 **Failure to obey a lawful instruction given by a person in authority- Gross**  
An employee disobeys a lawful instruction if he/she shows a clear intention that he will not carry out the instruction.
- 1.2.30 **Unlawful collective job action- Gross**  
It is a misconduct for an employee to instigate or take part in a strike, sit-out or work-in in order to force management to a demand whether related or unrelated to conditions of employment without following correct dispute settlement procedures.
- 1.2.31 **Absence from work for 5 or more consecutive days- Gross**  
An employee commits a gross offence if he/she absents himself from work without permission or valid reason for 5 or more consecutive days.
- 1.2.32 **Consumption of alcohol or drugs- Gross**  
It is an offence for an employee to consume or to be under the influence of intoxicating substances, i.e. alcohol, or any drug prohibited by law whilst on duty.
- 1.2.33 **Possession of or dealing in illegal drugs whilst on duty or on company premises- Gross**  
An employee is in possession of illegal drugs or trafficking in illegal drugs while at workplace, he has in his/her possession or control, or manufactures, sells or otherwise deals or attempts so to any drug, which is prohibited by law.



- 1.2.34 **Bribery- Gross**  
Is when an employee takes or offers a bribe in order to do or refrain from doing anything for anyone in relation to his/her duties.



- 1.2.34 Bribery- Gross**  
Is when an employee takes or offers a bribe in order to do or refrain from doing anything for anyone in relation to his/her duties.
- 1.2.35 Falsification of documents- Gross**  
It is misconduct if an employee falsifies any documents presented to the employer.
- 1.2.36 Theft- Gross**  
Unlawfully and intentionally appropriating property belonging or in possession of the employer, other employee's or guests with the intention of permanently depriving the other of it.
- 1.2.37 Sexual harassment- Gross**  
An employee engages in unwelcome sexually determined behaviour towards any employee, or guest whether verbally or otherwise such as making physical contact or advances, sexually coloured remarks, or displaying phonographic materials in the workplace.
- 1.2.38 Soliciting for goods, tips or foreign currency from guests- Gross**  
It is an offence to solicit i.e. to request for any goods, tips or foreign currency from guests on or off the company premises.
- 1.2.39 Insolence- Gross**  
It is a misconduct for an employee to be rude and unobliging towards the guest/ member of the public who have dealing with the employer.
-   
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- 1.2.40 Unfair labour practice(s)- Gross**



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|--------|---|
| 1.2.40 | <b>Unfair labour practice(s)- Gross</b><br>This is an offence as stipulated in the Labour Relations Act for employer, Trade Union, or Workers Committee, It includes victimisation, discrimination, nepotism/ favouritism on employment or promotions.                  |
| 1.2.41 | <b>Criminal conviction- Gross</b><br>An employee is guilty of misconduct if he/she is convicted of any criminal offence in which dishonesty or violence are central.  |
| 1.2.42 | <b>Sexual conduct with a guest/ fellow employees- Gross</b><br>It is misconduct for an employee to engage in conduct of a sexual or other conduct based on sex, with guests or fellow employees at the workplace. This includes physical, verbal or non-verbal conduct. |
| 1.2.43 | <b>Sabotage- Gross</b><br>It amounts to sabotage if an employee deliberately inflicts harm or damage to employers property.   |
| 1.2.44 | <b>Possession of dangerous weapons- Gross</b><br>It is misconduct for an employee to have in his/her possession dangerous weapons or implements that could be used as dangerous weapons, such as firearms or knives, on company premises.                               |
| 1.2.45 | <br><b>False evidence- Gross</b><br>This is deliberately giving untrue misleading information or testimony whether verbally or in writing.   |

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**1.2.45 False evidence- Gross**

This is deliberately giving untrue misleading information or testimony whether verbally or in writing.

**1.2.46 Breach of confidence- Gross**

It is a breach of confidence for an employee who has access to confidential matters to disclose any such classified information to unauthorised persons.

**1.2.47 Fighting- Gross**

This is an exchange of blows between two or more employees.

**1.2.48 Assault- Gross**

This is where an employee does a physical or verbal act which causes reasonable fear or the infliction of physical violence to another person and actually strikes or touches in an angry, vengeful or insolent manner.

**1.2.49 Lack of skill which an employee held himself out to possess- Gross**

An employee commits a gross offence if he lacks skills he expressly or by implication holds himself out to possess.

**1.2.50 Fraud- Gross**

An employee commits fraud if he/she makes a false statement of claim, whether oral or written, or makes a false representation by word or conduct in order to obtain material advantage for himself or another.

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### 1.3 ADMINISTRATION

- a) The designated officer is the manager. His office is the first port of call; he can settle the misconduct if the accused is accepting the responsibility. Where the accused is not accepting responsibility, the designated officer shall convene a hearing. The designated officer is the hearing officer.
- b) The following are categories of disciplinary action varying with the gravity of cases:

#### NATURE OF OFFENCE AND DISCIPLINARY PROCEDURES

TYPE OF OFFENCE	1 <sup>ST</sup> BREACH	2 <sup>ND</sup> BREACH	3 <sup>RD</sup> BREACH	4 <sup>TH</sup> BREACH
Minor	Verbal warning	Written warning	Final written warning	Dismissal
Serious	Written warning	Final written warning	Dismissal	
Very Serious	Final written warning	dismissal		
Gross	Dismissal			

#### Duration of warning

Verbal warning	-	3 months
Written warning	-	6 months
Final written warning	-	9 months

At the discretion of the hearing authority the following penalties may be imposed separately or concurrently suspension, demotion, transfer.

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### 2.0 Disciplinary Procedure

- 2.1 The complainant shall investigate each particular act of alleged misconduct of which he/she is aware or which has been reported to

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## 2.0 Disciplinary Procedure

2.1 The complainant shall investigate each particular act of alleged misconduct of which he/she is aware or which has been reported to him/her and he/she shall,

- a. notify the person alleged to have committed an act of misconduct of the nature of the alleged misconduct.
- b. afford the person alleged to have committed misconduct the opportunity of making written representation in his defence.
- c. Gather such evidence, whether oral, or written as may be appropriate.

2.2. When the complainant has completed the investigation, he/she shall refer the case for appropriate action.

2.2a upon receiving the complainants report, the designated officer shall:

- i. call the parties for a consideration of the mitigating and aggravating factors before meting out a penalty, where the employee is accepting liability.
- ii. convene a hearing where the employee is partially accepting or totally disputing the commission of the act of misconduct.

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## 2.2 Hierarchy and Hearing Procedure

### 2.3(i) Notice period for a hearing

Minimum notice period for a hearing shall be three (3) days.

### 2.3 (ii) Minute Secretary

A minute secretary (for minute taking only) shall be present at a hearing.

### 2.3(iii) Internal procedures for a disciplinary hearing must be completed within thirty (30) calendar days from date of first hearing

#### 2.3.1a The designated officer for any employee is the human resources practitioner of at least the same level

#### 2.3.1b. For sections 2.3.2 to 2.3.9

Any hearing must be completed within two (2) days from the date of commencement of hearing proceedings. The minutes of the hearing must be circulated to the parties complainant, respondent and respondent's witness for signatures and thereafter the determination within a further three (3) days and any appeal must be noted within a further three (3) days.

MIN. OF 2 DAYS  
FOR HEARING PROCEEDINGS

26 SEP 2013

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### 2.3.2 The first hearing stage for an employee is:

Designated officer

Employee - Respondent

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LABOUR AND SOCIAL WELFARE

26 SEP 2013

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REG. 2007-00001

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**2.3.2 The first hearing stage for an employee is:**

Designated officer

Employee - Respondent

Complainant

Complaint's representative (optional)

Respondent's representative - maximum of two (optional)

Minute secretary

**2.3.3 The first appeal stage for an employee is:**

Head of unit/ division

Respondent

Appellant

Representatives

An oral hearing on appeal shall be held only on request and fresh evidence will not be accepted on appeal.

**2.3.4 The second appeal for an employee is the Head of the Group.**

**2.3.5 The third appeal stage for an employee shall be in accordance with the Labour Act.**

**2.3.6 The first hearing stage for a Manager is:**

Designated officer

Complainant

Respondent

Representatives

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REG. 2007-00001

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## Representatives

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P.L.A.L. 2007, CALIFORNIA  
LABOR AND SOCIAL WELFARE

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- 2.3.7 The appeal stage for a Manager is:

Head of unit/ division

Appellant

Respondent

Representative

- 2.3.8 The first hearing stage for corporate office manager/ unit heads/  
Corporate Executives is the Designated Officer.

- 2.3.9 The appeal stage for Corporate office Manager/Unit Head/  
Corporate Executive is the Human Resources Committee Board.

- 2.4 If a matter is not determined within thirty (30) calendar days of the date of first hearing, the employee or employer concerned shall be guided by the Labour Act.

- 2.5 A written record or summary of all proceedings and decisions taken in terms of this code shall be kept for a period of not less than three (3) years.

- 2.6 For offences/cases that involve the police investigations the procedures in the code of conduct will be followed regardless of whether police investigations have been concluded or not.

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26 SEP 2013

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PARK AVENUE, SOCIETY FOR  
THE PROTECTION OF ANIMALS

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## 2.7 PENALTIES

### 2.7.1 FACTORS TO BE CONSIDERED

The action to be taken in disciplining an employee will depend not only on the seriousness of the offence, but on the disciplinary and service record of the employee. Certain factors may either aggravate or mitigate an offence for example length of service, seniority, breach of trust.

Whenever a **designated officer** decides, because of considerations such as those above to impose lenient or more severe penalties than usual in relation to the type of offence, he or she should make a brief note to that effect on the case record. All the cases dealt with will be dealt with in good faith.

### 2.7.2 WARNINGS

The objective of a warning shall be to give an employee an opportunity to take corrective action before any final disciplinary action is taken against him.

- a. The warning system shall be in accordance with the schedule of disciplinary action in terms hereof.
- b. Before a warning is given the alleged offence must be investigated in order to establish whether or not the employee is guilty in terms of the Code and whether or not it is necessary to give a warning at all taking into account any previous offences.

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26 SEP 2013

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THE PROTECTION OF ANIMALS

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GOVERNMENT OF PUNJAB

- c. A written warning shall clearly state
  - i. Brief particulars of the act of misconduct
  - ii. Particulars of any previous warnings
  - iii. That the offence shall not be repeated
  - iv. The action to be taken if the offence is repeated
- d. The employee shall be required to acknowledge receipt of the warning letter by signing the office copy. Any warning given in the presence of witnesses shall be deemed effective.
- e. In the event of an employee refusing to sign acknowledgement of warning this must be recorded on the warning letter in the presence of witnesses.

#### 2.7.3 SUSPENSION

- a. Whenever an employee is to be suspended from carrying out his duties as a precautionary measure in order to facilitate an investigation of an alleged offence or following arrest and pending prosecution for a crime allegedly committed within the employment;
- b. The suspension shall be with or without wages, salary or benefits for the duration of such suspension, and shall last until the conclusion of the disciplinary proceedings.
- c. The employee shall be notified of such suspension by letter stating:
  - i. that the employee is being suspended;
  - ii. conditions of the suspension
  - iii. the offence which has led to the suspension;
- d. The employer shall first satisfy himself from the facts known at the time that there is a real danger if the employee is not suspended forthwith, from carrying out his duties, he is likely to interfere with the investigation by destroying evidence or threatening any employee who might testify against him in the course of the investigation.

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suspended forthwith, from carrying out his duties, he is likely to interfere with the investigation by destroying evidence or threatening any employee who might testify against him in the course of the investigation.

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LABOUR & SOCIAL SECURITY

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26 SEP 2013 *Ram*

26 SEP 2013 *Ram*

- e. Any action to be taken against the employee at the conclusion of the investigation shall be in accordance with the disciplinary action provided for in the Code.
- f. If the action which led to the suspension results in the termination of employment, the employee shall not be paid any wages or salary and any benefits for the whole period he was on suspension but shall be paid all wages or salaries and any benefits which had accrued to him before the date of suspension **but less amount owed to the company**.
- g. If the action taken against an employee does not result in the termination of employment, the employee shall be reinstated in his employment and shall be entitled to be paid all wages or salaries and benefits which would have been due to him from the date of suspension up to the date of reinstatement, had he not been on suspension.
- h. Where an employee is on suspension following arrest and prosecution for any criminal offences in which dishonesty or violence are central and is convicted and sentenced to an imprisonment term, his employment shall be terminated with effect from the date of suspension and he shall be paid all the wages or salaries and any benefits which accrued to him before the date of suspension. The payment shall be done less whatever will be owed to the employer. However, if the employee is not convicted or the charge is withdrawn for insufficiency of evidence to prosecute the fact that he was not convicted or the charge was withdrawn shall not bar the employer from taking appropriate disciplinary action against the employee for the offences in terms of this Code.

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#### 2.7.4 DEMOTION

- a. An employee who has failed to show or attain or maintain the ability, capability, efficiency or proficiency required of him in his employment shall first be warned of his shortcomings in accordance with that warning system in terms of the Code before he can be demoted at a wage applicable to that position.
- b. The employer shall specify the period of review if any.
- c. An employee being demoted shall be given seven (7) days written notice of intention to demote.

#### 2.7.5 DEDUCTIONS

- a. The Employer may deduct from wages or salaries of employee for loss or damage intentionally or negligently caused upon employer's property by the offending employee.
- b. The nature and amount of the deductions shall be indicated on the employee's payslip

#### 2.7.6 TRANSFER

Transfer may be used as disciplinary action in respect of any act of misconduct either as the only disciplinary action taken against an employee or in combination with some other disciplinary action.

An employee being transferred shall be given one (1) month's written notice of the intention to transfer, unless a shorter notice period is agreed to by the employee.

#### 2.7.7 WITHDRAWAL OF PRIVILEGE

The employer may withdraw, suspend, reduce or vary any discretionary privileges enjoyed by an employee as a disciplinary action in appropriate circumstances of misconduct.

THE EMPLOYMENT RELATIONS ACT  
TERMINATION OF EMPLOYMENT

26 SEP 2017  22

EMPLOYMENT RELATIONS ACT  
TERMINATION OF EMPLOYMENT

#### 2.7.8 TERMINATION OF EMPLOYMENT

Termination of employment in terms of the Code shall be:

- a. Instant termination (summary dismissal); or
- b. Termination after giving due notice of the intention.



### **2.7.8 TERMINATION OF EMPLOYMENT**

Termination of employment in terms of the Code shall be:

- a. Instant termination (summary dismissal); or
- b. Termination after giving due notice of the intention.

### **2.8 Precedent Forms for the Disciplinary Procedure**

#### **2.8.1 DISCIPLINARY PROCEDURE COMPLAINT FORM (3 copies)**

1. Employee's (Respondent's) file
2. Employer's copy
3. Employee's (Respondent's) copy

**Unit:** .....

To ..... Date.....  
In terms of the Code of Conduct, I am charging you with

.....  
.....

(attach additional sheets of paper if necessary)

You are hereby summoned for a disciplinary hearing at .....  
on..... 20.....

together with representatives of your choice (or any witness of your choice).

Signed ..... Designation .....

Received and understood by ..... Date:.....  
(Employee/Respondent)

Witness: Signature ..... Date:.....

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LABOUR & SOCIAL DEVELOPMENT

26 SEP 2013

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EDUCATION, GOVERNMENT OF  
THE NETHERLANDS

#### **2.8.2 WARNING FORMS:**

##### **A. VERBAL WARNING**

1. Date .....

2. Name of unit .....

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LABOUR AND SOCIAL WORKERS

26 SEP 2018 *[Signature]*

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R 2017767, GAIL RAY  
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### 2.8.2 WARNING FORMS:

#### A. VERBAL WARNING

1. Date .....
2. Name of unit .....
3. Respondent's Name .....
4. Department .....
5. Job Title .....
6. Date and time of offence .....
7. Location of offence .....
8. Offence for which verbal warning was given.....

Period for which verbal warning is valid: 3 months

This form is a record of the verbal warning

Circulation:

Manager

Personal File

Respondent

I acknowledge receipt of this verbal warning on the .....day of 20.....

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LABOUR AND SOCIAL WORKERS

26 SEP 2018 *[Signature]*

R 2017767, GAIL RAY  
[Redacted]

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### 2.8.1 WARNING FORM:

#### A. WRITTEN WARNING

1. Date .....
2. Name of unit .....
3. Respondent's Name .....
4. Department .....
5. Job Title .....
6. Date and time of offence .....
7. Location of offence .....
8. Offence for which written warning was given.....  
.....
9. Particulars of any previous warnings .....
10. This offence shall not be repeated. Should you repeat this offence or commit another in terms of this Code of Conduct within the period of validity of this warning, the subsequent offence may attract higher level of gravity in terms of disciplinary action to be taken against you. Period for which written warning is valid: 6 months.

#### Disciplinary Action Taken In The Presence Of The Following:

1. Respondent .....
2. Designated Officer .....
3. Respondent's Representative .....

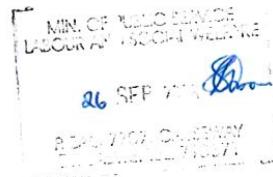
#### CIRCULATION:

Manager

Employee's Copy

Personal file

I acknowledge receipt of this warning on the ..... day of 20.....



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### 2.8.2 WARNING FORM:

#### B. FINAL WRITTEN WARNING

1. Date .....



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26 SEP 2017 [Signature]

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**2.8.2 WARNING FORM:  
B.FINAL WRITTEN WARNING**

1. Date .....
2. Name of unit .....
3. Respondent's Name .....
4. Department .....
5. Job Title .....
6. Date and time of offence .....
7. Location of offence .....
8. Offence for which final written warning was given.....  
.....  
.....
9. Particulars of any previous warnings .....
10. This offence shall not be repeated. Should you repeat this offence or commit another in terms of this Code of Conduct within the period of validity of this warning, the subsequent offence may attract higher level of gravity in terms of disciplinary action to be taken against you. Period for which written warning is valid: 9 months.

**Disciplinary Action Taken In The Presence Of The Following:**

1. Respondent .....
2. Designated Officer .....
3. Respondent's Representative.....

**CIRCULATION**

Manager  
Employees copy  
Personnel file

**Respondent**  
I acknowledge receipt of this warning on the ..... day of 20.....

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26 SEP 2017 [Signature]

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26 SEP 2007 *[Signature]*

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2.8.2(d) APPEAL FORM:

**APPEAL FORM**  
(this form shall be in duplicate)

APPEAL TO:

NAME OF APPELLANT .....

UNIT ..... DEPARTMENT .....

DATE.....

(State reasons for the appeal-Any additional points to those made at the previous hearing to be included)

Signed: .....

Received by: ..... Date: .....

NOTICE OF DEMOTION

1. Date .....
2. Name of unit .....
3. Respondent's name .....
4. Department .....
5. Job Title .....

Notice is hereby given to the above named that: having failed to show or to attain or to maintain the ability, capability, efficiency or proficiency required of you in your employment, and having been warned of your shortcomings in accordance with the warning system in terms of the Code, you are hereby given seven (7) days written notice of the intention to demote you.

Upon the expiry of this notice you will be demoted to the position of .....

At a wage/salary of \$ .....

Disciplinary Action Taken In The Presence Of The Following:

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LABOUR AND SOCIAL SECURITY

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26 SEP 2007 *[Signature]*

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**Disciplinary Action Taken In The Presence Of The Following:**

MIN. OF PUBLIC SERVICE  
LABOUR & SOCIAL AFFAIRS

27

26 SEP 2013 *[Signature]*

R. LEG. T/2013, C/2013  
Labour & Social Affairs  
Ministry of Public Service

1. Respondent .....
2. Designated Officer.....
3. Respondent's Representative .....

**CIRCULATION:**

Manager  
Employee's copy  
Personnel File

Respondent

I acknowledge receipt of this notice on the .....day of 20.....

Signed.....

MIN. OF PUBLIC SERVICE  
LABOUR & SOCIAL AFFAIRS

28

26 SEP 2013 *[Signature]*

R. LEG. T/2013, C/2013  
Labour & Social Affairs  
Ministry of Public Service

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EMPLOYEE'S NAME  
EMPLOYEE NUMBER

28

26 SEP 2012 [Signature]

BUSINESS UNIT  
Zonal Office

### NOTICE OF INTENTION TO TRANSFER

1. Date .....
2. Name of unit.....
3. Respondent's name .....
4. Department .....

Notice is hereby given to the above named that: having been found guilty of the offence of .....

..... in terms of the Code, you are hereby given thirty(30) days written notice of the intention to transfer.

Upon the expiry of this notice period you will be transferred to .....

#### Disciplinary Action Taken In The Presence Of The Following:

1. Respondent .....
2. Designated Officer .....
3. Respondent's Representative .....

(Optional) I waive the notice period from 30 days to.....days, and agree to be transferred within .....days of receipt of this notice.

#### CIRCULATION

Manager

Personal file

Respondent

I acknowledge receipt of this notice on the .....day of .....20.....

Signed .....

EMPLOYEE'S NAME  
EMPLOYEE NUMBER

29

26 SEP 2012 [Signature]

BUSINESS UNIT  
Zonal Office

26 SEP 2013 *Qmar*R&D ZONE, GURGAON  
Sector 10, Noida - 201301

## SECTION 11

### GRIEVANCE PROCEDURE

#### 1. Introduction

- 1.1 A grievance is any feeling of dissatisfaction or injustice by an employee in connection with the employee's work or employment situation.
- 1.2 An employee may submit grievances without any prejudice whatsoever regarding his employment conditions.
- 1.3 It is important that grievances be resolved at an early stage and this must be done equitably and speedily. An unresolved grievance can give rise to a dispute at which stage the solution could be much more difficult.

#### 2. PROCEDURE

##### 2.0 INDIVIDUAL GRIEVANCE

###### 2.1 Stage 1

Where an employee believes he has a grievance he shall express it in writing. The direct manager will attempt to resolve the grievance within 48 hours or such longer period as may be necessary, extended with the concurrence of the employee concerned.

###### Stage 1(a)

If after the investigation the direct manager is of the opinion that the employee has no valid grievance, he shall discuss the matter with the employee and inform him accordingly. If the employee is not satisfied he shall so indicate to the direct manager and request that his grievance be referred the next level of management.

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DEPARTMENT OF LABOUR26 SEP 2013 *Qmar*

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Sector 10, Noida - 201301

###### Stage I(b)

If however the direct manager is of the opinion that the employee has a valid grievance he shall discuss the matter with

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LABOUR AND SOCIAL SECURITY POLICY

#### **Stage I(b)**

If however the direct manager is of the opinion that the employee has a valid grievance he shall discuss the matter with the aggrieved employee and let him know how he proposes to redress the grievance and if the employee is not satisfied, he shall so indicate to the direct manager and deal with his grievance in terms of stage II hereof.

#### **Stage II**

Where the direct manager is unable to resolve the grievance within the stipulated time or extended time the employee may refer the grievance to the next managerial level.

#### **Stage III**

If the grievance is not resolved at stage II the employee shall give details of the grievance in writing within 24 hours. The written grievance shall be submitted to the manager with copies to the employee's representative, personnel officer.

#### **Stage IV**

Within 24 hours of receipt of the written grievance, management shall have an investigation into the grievance, conducted and respond accordingly.

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SOCIAL SECURITY  
LABOUR AND SOCIAL SECURITY POLICY

26 SFP 2001

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SOCIAL SECURITY  
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LABOUR AND MIGRATION DEPT.

26 SEP 2013

26 SEP 2013

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### SECTION III

#### ACTION CODE

Offence	1 <sup>st</sup> Breach	2 <sup>nd</sup> Breach	3 <sup>rd</sup> Breach	4 <sup>th</sup> Breach
<b>Minor Offences</b>				
Poor time keeping 1.2.1	Verbal warning	Written warning	Final written warning	Dismissal
Loafing 1.2.2	Verbal warning	Written warning	Final written warning	Dismissal
Inefficiency 1.2.3	Verbal warning	Written warning	Final written warning	Dismissal
Incompetence 1.2.4	Verbal	Written warning	Final written warning	Dismissal
Offence	1 <sup>st</sup> Breach	2 <sup>nd</sup> Breach	3 <sup>rd</sup> Breach	4 <sup>th</sup> Breach
<b>Serious</b>				
Absence without leave for 1 day 1.2.5	Written warning	Final written warning	Dismissal	
Horseplay 1.2.6	Written warning	Final written warning	Dismissal	
Abusive language 1.2.7	Written warning	Final written warning	Dismissal	
Chewing a gum 1.2.8	Written warning	Final written warning	Dismissal	
Concealing one's defective work 1.2.9	Written warning	Final written warning	Dismissal	

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26 SEP 2013

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26 SEP 2020 *Ram*BULAWAYO DISTRICT  
DISCIPLINARY ACTION

Offence	1 <sup>st</sup> Breach	2 <sup>nd</sup> Breach	3 <sup>rd</sup> Breach	4 <sup>th</sup> Breach
<b>Very serious</b> Sleeping on duty 1.2.10	Final written warning	Dismissal		
Neglect of duty 1.2.11	Final written warning	Dismissal		
Loss, damage or misuse of company property 1.2.12	Final written warning	Dismissal		
Intimidation 1.2.13	Final written warning	Dismissal		
Usury (Chimbadzo) 1.2.14	Final written warning	Dismissal		
Absence without reasonable excuse 1.2.15	Final written warning	Dismissal		
Making use of company facilities that is meant for guests without permission 1.2.16	Final written warning	Dismissal		
Smoking in areas designated "NO SMOKING" 1.2.17	Final written warning	Dismissal		
Committing an offence while a final warning is still in effect 1.2.18	Final written warning	Dismissal		

1.2.19  
DISCIPLINARY ACTION 3326 SEP 2020 *Ram*BULAWAYO DISTRICT  
DISCIPLINARY ACTION

Malingering 1.2.19	Final written warning	Dismissal		
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26 SEP 2015

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Malingering 1.2.19	Final written warning	Dismissal		
Aiding misconduct 1.2.20	Final written warning	Dismissal		
Private work/ business 1.2.21	Final written warning	Dismissal		
Failure to obey a lawful instruction 1.2.22	Final written warning	Dismissal		
Gambling in any form at Employer's premises 1.2.23	Final written warning	Dismissal		
Offence	1 <sup>st</sup> Breach	2 <sup>nd</sup> Breach	3 <sup>rd</sup> Breach	4 <sup>th</sup> Breach
<u>Gross</u> <u>Gross incompetence</u> 1.2.24	Dismissal			
Driving without a licence/ authority 1.2.25	Dismissal			
Disobeying safety rules 1.2.26	Dismissal			
Disregarding communication channels 1.2.27	Dismissal			

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LABOUR ACT - DISCIPLINE POLICY

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26 SEP 2015

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Disregarding communication channels 1.2.27	Dismissal			
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Inconsistent conduct or omission 1.2.28	Dismissal			
<b>Gross</b> Failure to obey lawful instructions given by a person in authority 1.2.29	Dismissal			
Unlawful job collective action 1.2.30	Dismissal			
Absence for duty for 5 days 1.2.31	Dismissal			
Consumption of alcohol or drugs 1.2.32	Dismissal			
Possession or dealing in illegal drugs 1.2.32	Dismissal			
Bribery 1.2.34	Dismissal			
Falsification of documents 1.2.35	Dismissal			
Theft 1.2.36	Dismissal			
Sexual harassment 1.2.37	Dismissal			

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Theft 1.2.36	Dismissal			
Sexual harassment 1.2.37	Dismissal			

1.2.36-1.2.37  
DISMISSAL

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26 SEP 2003

2 PM - 2707, CALIFORNIA  
EX-101-102-111

Soliciting for goods, etc from guests 1.2.38	Dismissal			
Insolence 1.2.39	Dismissal			
Unfair labour practices 1.2.40	Dismissal			
Criminal conviction 1.2.41	Dismissal			
Sexual conduct with guests/fellow employees 1.2.42	Dismissal			
Sabotage 1.2.43	Dismissal			
Possession of dangerous weapons 1.2.44	Dismissal			
False evidence 1.2.45	Dismissal			
Breach of confidence 1.2.46	Dismissal			
Fighting 1.2.47	Dismissal			
Assault 1.2.48	Dismissal			
Lack of a skill which an employee held himself to possess 1.2.49	Dismissal			
Fraud 1.2.450	Dismissal			

1.2.45-1.2.49  
DISMISSAL

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26 SEP 2003

2 PM - 2707, CALIFORNIA  
EX-101-102-111