

COP102

DISCIPLINARY POLICY

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1. POLICY INTRODUCTION

This policy sets out the process to be followed should an employee's conduct or behavior be unacceptable, and therefore a disciplinary issue, and to ensure fair treatment for all.

2. SCOPE

This policy applies to all National Ambulance employees.

3. ROLES & RESPONSIBILITIES:

Chief Executive Officer: is responsible to form a investigation committee if required on behalf of the HR & Compensation Committee Chair or Risk and Compliances Committee Chair.

Line Managers: are responsible to deal with routine disciplinary matters and report the incidents to the HR Department.

HR & Corporate Services Manager: is responsible to initiate the formal disciplinary process (Read Point 4.1 Principles for further information). HR Representative is responsible to notify the concerned employee in writing regarding the details of applicable disciplinary action.

4. STANDARD OF EMPLOYEE CONDUCT AND BEHAVIOUR

The standard of conduct and behaviour expected of employees is laid out in individual employment contracts, Code of Conduct and other Company policies and procedures. Should situations arise where an employee's conduct or behaviour is called into question then the matter will be investigated and, where required, appropriate action taken.

4.1. PRINCIPLES

- Employee's Line Manager will be the first point of contact to deal with routine disciplinary matters
- A Disciplinary team consisting of HR and Line Manager shall be informed each time a disciplinary process is initiated.
- All disciplinary misbehaviour will be first referred to the HR & Corporate Service Manager by the employee Line Manager and then whenever, deemed applicable, HR & Corporate Service Manager will initiate a formal disciplinary process.
- Disciplinary misbehaviour will be categorised as general or gross misconduct and will be investigated accordingly.
- No disciplinary actions will be taken until the matter has been fully investigated.
- While all misconducts are reported to HR, typically general misconduct will be addressed by the Line manager. However, all gross misconduct must be taken to the HR & Corporate Service Manager for a formal hearing.

- Before Disciplinary action is taken an interview will be held with the employee to provide him/her with an opportunity to present his/her case and dispute any allegations. If the employee failed to attend the disciplinary interview, the disciplinary team may proceed with the hearing without the employee.
- The employee will be given every opportunity to present any other relevant evidence, in any format or medium to substantiate any of their actions or statements before any disciplinary action or penalty is imposed.
- Disciplinary action will depend on the seriousness of the offence and the degree of culpability of the employee.
- Disciplinary actions will emphasize corrective and developmental actions rather than punishing the employee.
- National Ambulance will endeavor to ensure that an employee is charged or exonerated within reasonable timeframe from the discovery of any misconduct and in line with the UAE Labour law.
- For the purpose of calculating the payroll related impact of the penalty, only the basic salary will be considered.
- The application of the prescribed penalties will not appear to be arbitrary; instead will result from careful consideration of all facts and circumstances.
- The employee will be notified in writing of: the nature of the disciplinary action imposed, the reasons for its imposition, its impact on their monthly salary (if any) and career with National Ambulance (if any), and disciplinary actions that they may be liable in the event of a repeat offence/misbehavior.

4.2. GENERAL AND GROSS MISCONDUCT

If an employee is accused or suspected of general misconduct, he/she normally will be issued a written warning for a first offence and Human Resource may also recommend withholding or deferring promotion and any overtime/extra duty payments.

4.3. GENERAL MISCONDUCT WILL INCLUDE (BUT NOT LIMITED TO)

- Failure to disclose involvement in a criminal case or any other case that relates to honors, integrity or public order in the UAE as well as outside the UAE.
- Unsatisfactory record of attendance or reliability.
- Persistent tardiness.
- Poor standard of personal hygiene and National Ambulance uniform standard.
- Breaches of rules and procedures not amounting to gross misconduct.
- Unauthorized and/or excessive personal use of the means of electronic communication at National Ambulance, including the telephone system, electronic mail, internet, fax, etc.
- Failure to work in a co-operative manner with colleagues.
- Demonstration of actions or behaviors that impair the efficiency of management and/or colleagues.
- Failing to deal promptly, efficiently and politely with third parties with whom an employee has dealings on behalf of National Ambulance

4.4. GROSS MISCONDUCT

Is a conduct so serious that it effectively breaches the contract of employment and so justifies National Ambulance in taking severe disciplinary action against the employee.

The following list of examples (illustrative and not exhaustive) of offences will normally be regarded as gross misconduct:

- Serious breach of confidentiality and non-disclosure agreement.
- The Breach of patient's information security.
- Breach of the acceptable usage of National Ambulance assets.
- Fighting or assault on another employee or endangering the well-being of management and fellow employees.
- Deliberate damage to National Ambulance's property.
- Consuming alcohol on National Ambulance's property or incapability due to intoxication from alcohol.
- Being under the influence of illegal drugs or deliberate abuse of other controlled substances
- An act or omission at work which results in unacceptable loss, damage or injury.
- Repeated willful disobedience of a reasonable instruction.
- Offensive behavior of a serious nature, including racial discrimination or sexual harassment.
- Use of expletives towards line manager(s) or colleagues.
- Theft, fraud, deliberate falsification of records.
- Deliberate disregard of a safety regulation or requirements.
- Improper use of the employee's position for his/her or another's private advantage, or an attempt to do so.
- Deliberate contravention of National Ambulance's financial policies.
- Bringing National Ambulance into disrepute.
- Criminal activities outside work where, in the reasonable opinion of management, such conduct is incompatible with the individual's employment.
- Any disciplinary decision will be advised to the employee concerned in writing within 7 - 10 calendar days

5. WARNINGS AND FORMAL HEARING

5.1. WARNINGS

Warnings are primarily corrective measures rather punitive. Hence, every warning shall clearly include the following:

- Facts and evidence that support and validate the warning
- A clear explanation of the warning
- A clear description of the required behavioral standards
- An adequate, correct and fair record of the disciplinary process
- An opportunity for the employee to put forth their point of view and to be fairly heard

The degree to which the above components are to be elaborated or formalized, shall depend on the degree and nature of the breach of the company's policies and procedures.

Generally, the following levels and order of warning would be followed while dealing with a misconduct:

- Verbal warning/counseling.

- First written warning (warning letter to be retained in employee's file for a minimum of 3 months).
- Second written warning (warning letter to be retained in employee's file for a minimum of 6 months).
- Final written warning (warning letter to be retained in employee's file for a minimum of 9 months)

5.2. DISMISSAL.

Without prejudice to the above order of warnings, National Ambulance may choose to apply the appropriate level of warning based on the seriousness of the misconduct.

The written warning letter will be jointly issued by Human Resources and the line manager of the concerned employee.

The written warning will be given to the employee in original, and a copy will be filed in the employee's personal file. This will be done by Human Resources.

5.3. FORMAL HEARING

A formal "hearing" will be held by Human Resources and the employee will be provided a fair and reasonable opportunity to present their point of view.

The Line Manager and HR & CS Manager may include the company legal officer if required and no member of the hearing team should have been directly involved in the situation that gave rise to the hearing, in order to avoid any actual or perceived personal involvement, bias or subjectivity.

Hearings will be documented and signed by all members of the team as well as the employee.

Where legal action is required, disciplinary process shall await the applicable court's decision.

5.4. EMPLOYEE SUSPENSION:

In cases of disciplinary issues of a serious nature or issues related to safety, it may be necessary to protect the safety and security of the workplace by suspending the involved employees and thus isolating them from the workplace until the investigation and the outcome has been concluded.

Suspension pending an enquiry is suggested for cases where it is felt that the continued presence of the employee at the work place will hinder work/or cause further damage/disrepute to the company or lead to further erosion of discipline, or may alter evidence.

Where suspension is required, the employee will be on full pay (basic plus allowances) during the entire period of suspension. The employee, however, will not be able to avail any additional

Benefits (e.g. Education Allowance, Mobile Allowance) during the suspension period. However, if on investigation, it is proven that the employee is guilty and will have to be suspended from duty till the time a disciplinary action is taken; the company reserves the right to suspend the employee with no pay.

All efforts will be made to reduce the suspension period and reach to an appropriate conclusion of the issue.

5.5. GRIEVANCES

It is recognized that employees may feel that he/she has been unfairly dealt by his/her line manager(s) or the organisation in general. In such instances, National Ambulance will endeavour to ensure that its employees:

Will be given a fair hearing by their line manager(s) or head of operating unit concerning any grievances they may wish to raise. They may also raise the concern directly with Human Resources in case the grievance involves the employee's line manager(s).

Have the right to appeal to National Ambulance Executive and HR & Compensation Committee Chair against a decision made by their line manager(s).

All grievances will be treated as highly confidential and will not be discussed with third parties other than those directly involved in the grievance process and records will be kept in the custody of Human Resources.

In case of an appeal against a disciplinary action handed to an employee, the appeal must be recorded within 72 hours of official notification.

Employees are advised to follow proper channels for raising a grievance as highlighted in grievance process.

5.6. DISMISSAL

If the employee is to be summarily dismissed the date of dismissal will be once all processes have been completed including any review if so requested.

5.7. DURATION AND REMOVAL OF WARNINGS

Following completion of the relevant period, a warning will no longer be active and will normally be disregarded for the purposes of any future disciplinary action. Records of disciplinary warning will, however, be retained on file.

5.8. EMPLOYEES UNDER PROBATION

Employees who are under probation are not covered by this procedure. If a probationary employee has issues of misconduct then he or she will normally be seen by his or her manager, informed of the case, and warned that failure to meet standards will result in dismissal. If there is doubt about the employee's ability to meet company conduct and behaviour expectations then the employee can be dismissed in accordance with the Employment Contract, or the probation period extended if deemed appropriate.

Further Resources & Information

If you require further information you can review the following:

- Employment Contract
- National Ambulance Company Code of Conduct
- National Ambulance Company policies and procedure documents

6. RELEVANT LEGISLATION

International, federal or local legislation and circulars relevant to this Policy. Full detail on this legislation can be found in QHP109 Legal Register.

Code, Name of Legislation	Jurisdiction
Law 8 for 198D from ACT #102-112 &120	

7. RELATED POLICIES AND FORMS

List related policies and procedures to the created/updated policy.

Policy & Procedure /Form
COP202 Code of Conduct
Employment contract
ITP102 Acceptable Usage of Assets policy

8. FEEDBACK

Any feedback or suggestions for improvement to this Policy, Processes or Procedures can be submitted to qhse@nationalambulance.ae

9. DOCUMENT CONTROL AND OWNERSHIP

A review and update of this document will take place as necessary, when changes occur that identify the need to revise this Policy such as changes in roles and responsibilities, release of new legislative or technical guidance, or identification of a new policy area.

This document ownership for editing is identified as:

- HR and Corporate Service Manager / Head of Emiratization Program

This controlled document is managed / overseen by [Procurement and Tendering Committee and/or Audit and Risk Management Committee and/or HR and Compensation Committee].

Change Brief

Version No.	Date	Change
1	12-June-2012	New Form
2	July 2012	Addition of Individual Action Plan Form, Merging of Individual Action Plan to the Disciplinary Action Policy
3	December 2012	Re-Write
4	February 2017	Reviewed against updated legal register, NO changes required
5	September 2019	Rewrite
6	December 2020	Added the following points under the Gross Misconduct: Serious breach of confidentiality and non-disclosure agreement <ul style="list-style-type: none">• The breach of patient's information security.• Breach of the acceptable usage of National Ambulance assets• Added the ITP102 Acceptable Usage of Assets policy under the related policy section.• Added Labor Law Art 102 – 112 / 120

CEO Approval

Board Member Verification

**Ministerial Resolution No (28/1) of 1981
Issuing the Standard Disciplinary Code to Guide
Employers in
Making Disciplinary Regulations Applicable in their
Undertaking**

Ministerial Resolution No (28/1) of 1981
Issuing the Standard Disciplinary Code to Guide Employers in
Making Disciplinary Regulations Applicable in their Undertaking

The Minister of Labor and Social Affairs,

Having perused:

Law No. (1) of 1972 on the Competences of the Ministries and Powers of Ministers, as amended;

Law No. (8) of 1980 on the regulating Labor Relations; and

Acting on the submissions made by the Undersecretary,

Resolved:

Article (1)

The attached disciplinary code shall guide employers in making the disciplinary regulations applicable in their undertaking.

Article (2)

Employers shall furnish the competent labor department at the Ministry of Labor and Social Affairs with the disciplinary code proposed to be applicable to the workers in their undertaking for approval by the said department before entry into force. Employers shall further approve any such amendments as they deem necessary to such regulation before these amendments are in force.

Article (3)

Employers shall display the disciplinary code in a conspicuous place in the workplace upon approval by the competent labor department in Arabic and, if necessary, in another language easily understood by the worker.

Article (4)

This Resolution shall be published in the Official Gazette and shall be effective as from the date of its issue.

Saif Al Jarwan,
Minister of Labor and Social Affairs

Issued on: 19/04/1981

Standard Disciplinary Code

Type of Violation	Disciplinary Degree				Remarks
	1 st Incident	2 nd Incident	3 rd Incident	4 th Incident	
1. Violation related to work Time					
1 - Tardiness for up to 15 minutes without acceptable excuse or permission (if such tardiness does not result in crippling other labor).	Written Warning	10% of daily pay Deduction	Quarter of a day pay Deduction	Half a day pay Deduction	If the incident reoccurs upon the elapse of six months of the date of the previous incident, it shall be treated as first time incident.
2 - Tardiness for up to 15 minutes without acceptable excuse or permission (if such tardiness does not result in crippling other labor).	10% of daily pay Deduction	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	2- If the same incident reoccurs more than four times within six months of the date of first incident, the disciplinary action for the fifth and subsequent incidents shall be double as much as the disciplinary action of the fourth incident (not exceeding five day pay).
3 - Tardiness for up to 15 minutes without acceptable excuse or permission (if such tardiness does not result in crippling other labor).	10% of daily pay Deduction	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	
4 - Tardiness for up to 15 minutes without acceptable excuse or permission (if such tardiness does not result in the crippling of other labor).	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	
5 - Tardiness exceeding 30 to 60 minutes without acceptable excuse or permission (if such tardiness does not result in crippling other labor).	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	Two day pay Deduction	1. if the incident reoccurs upon the elapse of six months of the date of the previous incident, it shall be treated as first time incident.
6 - Tardiness exceeding 30 to 60 minutes without acceptable excuse or permission (if such tardiness does not result in crippling other labor).	3/4 day pay Deduction	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	2. If the same incident reoccurs more than four times within six months of the date of first incident, the employee may be discharged and be paid his/he

					remunerations
7 - Tardiness exceeding one hour without acceptable excuse or permission (whether or not delay will result in crippling other labor).	An employee may be precluded from entrance and will be an unauthorized absent or may be allowed to enter and deprived of delay hours and be subject to the disciplinary of first unauthorized absence.				3. For violation (9) if an employee leaves office or departs over an hour before time, the employee may be denied his/her pay for this hour and be subject to disciplinary action of first unauthorized absence.
8 - Unauthorized absence	One day pay Deduction	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	
	An employee is denied the pay of absence days				
9 - Unauthorized leave of office or departure before time without permit or acceptable excuse.	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	4. An employee shall be warned in writing when imposing a disciplinary penalty thereon when committing a violation for the fourth time that he/she will be discharged if he/she commits the same violation for the fifth time within six (6) months of the date of violation
10- Stay in or return to work place outside working hours without permit or acceptable excuse.	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	

(B) Violations related to Work Regulations					
Type of Violation	Disciplinary Degree				Remarks
	1 st Incident	2 nd Incident	3 rd Incident	4 th Incident	

11 - Exit through no-exit places if the establishment's instructions so require.	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	1. If the incident reoccurs upon the elapse of six months of the date of previous incident of the same kind, it shall be treated as a first time incident.
12 - Reception of non-employee visitors at work place without Management's permit.	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	2. If the same incident reoccurs more than four times within six months of the date of first incident, an employee is discharged and paid due remunerations and bonus, save only violations No. 13, 14, 15, 16 and 17; in which case, double disciplinary of the fourth incident is imposed (not exceeding 5 days).
13 - Talking on work-irrelevant issues if this could cripple work progress.	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	
14 - Reading a non-work material during working hours if this could cripple work progress.	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	
15 - Eating at unallocated dining place or time.	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	
16 - Sleeping during working hours	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	3. an employee shall be warned in writing on imposition of disciplinary for fourth incident that he/she will be discharged if he/she commits the same incident for a fifth time
17 - Labor rambling or non-existence in their work places during working hours.	Quarter of a day pay Deduction	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	
18 - Bringing and distributing publications or prints without permit.	Half a day pay Deduction	Deduction One day pay	Deduction Two day pay	Deduction Three day pay	
19 - Collecting funds, aids or signatures without permit.	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	

20 - Use of Establishment's phone sets for personal purposes without permit.	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	within six months of the date of the fourth incident.
21 - Non information of change of social status and address within one week without an acceptable excuse.	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	
22 - Writing statements or phrases or placarding advertising on the establishment's walls or other walls in the work place without permit.	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	1. If the incident reoccurs upon the elapse of six months of the date of previous incident of the same kind, it shall be treated as a first time incident.
23 - Handover of daily work card after his/her workmates without acceptable reason.	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	
24 - Making false allegations on bosses and workmates, leading to crippling of work.	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	

25 - Breach of instructions on proven stamping of an employee's daily work card on attendance and leave or manipulation thereof.	Half a day pay Deduction	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	2. If the same incident reoccurs more than four times within six months of the date of first incident, an employee is discharged and paid bonus and remunerations for violations which fourth commitment disciplinary is not up to discharge..
26 -Breach of or non-adherence to work orders.	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	Five day pay Deduction	
27 - Intended decrease of production	Half a day pay Deduction	Two day pay Deduction	Three day pay Deduction	Five day pay Deduction	
28 - Excessive consumption of services without an acceptable cause.	Half a day pay Deduction	Two day pay Deduction	Three day pay Deduction	Five day pay Deduction	3. an employee shall be warned in writing on imposition of disciplinary for fourth incident that he/she will be
29 - Breach of work instructions, provided that instructions are issued in Arabic together with another employee-apprehensible language, placarded in an eminent place.	Two day pay Deduction	Three day pay Deduction	Five day pay Deduction	Discharge, preservation of bonus and remunerations	
30 - Incitement to breach orders or work and labor safety related instructions if the same are	Five day pay Deduction	Discharge in accordance			

placarded in an eminent place in Arabic and another employee-apprehensible language or the employee, if illiterate, is made aware thereof.		with clause (d) of Article (120) of Law No. (8) of 1980.			discharged if he/she commits the same incident for a fifth time within six months of the date of the fourth incident
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31 - Sleeping during working hours in such cases that require ongoing wakefulness.	Deduction of Three day pay		Discharge, preservation of end-of-service benefit		1. If the incident reoccurs upon the elapse of six months of the date of previous incident of the same kind, it shall be treated as a first time incident.
32 - An employee's unexcused rejection to fulfill his/her key duties and to carry on another work, provided that this work does not materially differ from his/her original work	Discharge in accordance with clause (e) of Article (120) of Law No. (8) of 1980.				2. If the same incident reoccurs more than four times within six months of the date of first incident, an employee is discharged and paid bonus and remunerations for violations which fourth commitment disciplinary is not up to discharge.
33 - Use of work materials and devices for private purposes	Warning	Five day pay Deduction	Discharge, preservation of end-of-service benefit		
34 - Gross negligence of action, which may cause severe damage to properties and individuals.	Discharge, preservation of end-of-service benefit				3. an employee shall be warned in writing on imposition of

35 - Abuse or damage to the establishment's machinery, devices or supplies.	Five day pay Deduction	Discharge, preservation of end-of-service benefit			disciplinary for fourth incident that he/she will be discharged if he/she commits the same incident for a fifth time within six months of the date of the fourth incident.
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c. Violations related attitude and Conduct:					
1 - Bringing of unlicensed items or effecting commercial transactions in the work place.	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	Five day pay Deduction	
2 - Smoking during working hours in no-smoking work places.	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	Five day pay Deduction	1. If the incident reoccurs upon the elapse of six months of the date of previous incident of the same kind, it shall be treated as a first time incident.
3 - Quarrel with workmates or making trouble in work place.	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	Five day pay Deduction	
4 - Assault on the employer, a manager in charge or a workmate.	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	Five day pay Deduction	2. If the same incident reoccurs more than four times within six months of the date of first incident, an employee is discharged and paid bonus and remunerations for incidents which fourth commitment disciplinary is not up to
5 - Refraining from medical examination when so requested by the establishment's physician without an acceptable excuse.	Deduction of One day pay	Deduction of Two day pay	Deduction of Three day pay	Deduction of Five day pay	
6 - Feign Illness	Deduction of One day pay	Deduction of Two day pay	Deduction of Three day pay	Deduction of Five day pay	

					discharge., where it is sufficient to impose double the disciplinary of fourth incident (not exceeding five days).
7 - Breach of order or ethics during presence in clinic or the establishment hospital or examination.	Deduction of One day pay	Deduction of Two day pay	Deduction of Three day pay	Deduction of Five day pay	3. an employee shall be warned in writing on imposition of disciplinary for fourth incident that he/she will be discharged if he/she commits the same incident for a fifth time within six months of the date of the fourth incident.
8 - An employee's disposal to third parties of medication and treatment means personally allocated to them.	Deduction of One day pay	Deduction of Two day pay	Deduction of Three day pay	Deduction of Five day pay	
9 - Violation of relevant health instructions in work places.	One day pay Deduction	Two day pay Deduction	Three day pay Deduction	Five day pay Deduction	
10 - Rejection of search on leave of office.	Two day pay Deduction	Deduction of Three day pay	Deduction of Five day pay	Deduction of Five day pay. Discharge and preservation of end-of-service benefit	
11 - No handover of cash to the establishment's account on due time without an acceptable excuse.	Deduction Five day pay	Discharge, preservation of end-of-service benefit			
12 - An employee's acceptance of cash or gifts from any person in order to urge him/her to do an establishment-related act.	Discharge, preservation of end-of-service benefit				
13 - An employee's giving cash or gifts to an employee or laborer in the establishment to affect him/her to exploit the same with regard to the establishment's business.	Discharge, preservation of end-of-service benefit				