



Code of Conduct

CONTENTS

1. TITLE	-	3
2. OBJECTIVES	-	3
3. DEFINITION OF TERMS	-	3-4
4. REVISION OR AMENDMENT OF CODE	-	4
5. APPLICATION	-	4
6. RIGHTS OF MANAGEMENT	-	5
7. RIGHTS OF EMPLOYEES	-	5
8. CLASSIFICATION OF OFFENCES	-	5
Category A Offences	-	5-6
Category B Offences	-	6-7
Category C Offences	-	7-8
Category D Offences	-	9 - 10
9. PROCEDURES ON MISCONDUCT	-	11
10.1 Verbal Warnings	-	11
10.2 Written Warnings	-	11
10.3 Validity of Warnings	-	11
10.4 Disciplinary Hearing Procedures	-	12
10.5 Disciplinary Committee Composition	-	13
10.6 Functions of Disciplinary Committee	-	13
10.7 Disciplinary Hearing Proceedings	-	14
10.8 Role of Chairman	-	14
10.9 Role of Secretariat	-	14
10.10 Legal Representation	-	14
10. SUSPENSION	-	15
Suspension pending a Disciplinary Hearing	-	15
Suspension as a form of punishment	-	15
11. APPEAL PROCEDURES	-	15-16
12. GRIEVANCE HANDLING PROCEDURES	-	16-17

13. FORMS

First Written Warning	-	18	
Second Written Warning	-		19
Final Written Warning	-	20	
Notification To Attend A Hearing	-		21
Notice Of Appeal	-	22	
Grievance Form	-	23	

1.0 DISCIPLINARY AND GRIEVANCE HANDLING PROCEDURES

1.1 These are the Disciplinary and Grievance Handling Procedures adopted for Harare Institute of Technology (HIT) in accordance with the Labour Act (Chapter 28:01) and the HIT Act, (Chapter 25:26).

2.0 TITLE

2.1 The Harare Institute of Technology Disciplinary and Grievance Procedures shall henceforth be referred to in its short form as the Code.

3.0 OBJECTIVES

The objectives of this Code shall be to:

- 3.1 Ensure that discipline is exercised and grievances are resolved in a fair and consistent manner;**
- 3.2 Provide management with procedures of exercising discipline among employees;**
- 3.3 Assist employees with procedures of expressing grievances and having them resolved amicably;**
- 3.3 Educate employees on the standard of conduct that is expected of them;**
- 3.4 Promote the expeditious resolution of disputes thereby creating harmony and increased productivity;**
- 3.5 Equate an offence to the resultant corrective action allowing for mitigation or aggravating factors; and**
- 3.6 Set up a simple system of appeal for employees aggrieved by any disciplinary action taken against them in terms of the provisions of this Code.**

4.0 DEFINITION OF TERMS

- i. “Administration” means any member of Senior Administration, Vice Chancellor, Pro Vice Chancellor, Registrar, Finance Director, Librarian, Deputy Librarian, Deputy Registrar, Deputy Finance Director, Deans, Departmental Chairpersons, Directors and Senior Proctor.**
- ii. “Association Representatives” means any person from the Board recognized associations which include, Academic Staff Association, Administrators Staff Association, Secretarial and Clerical Staff Association, Technicians and Technologists Association and Workers Committee.**
- iii. “Chairperson” means the Chairperson of the Disciplinary Committee.**
- iv. “Committee” means the Disciplinary Committee established in terms of this code.**
- v. “Board” means the Board of the Harare Institute of Technology.**

- vi. **“Dean” means any person appointed as Dean of School and shall include any person acting in that capacity.**
- vii. **“Discipline” means measures taken to correct a person’s behaviour or enforce obedience.**
- viii. **“Employee” means an employee or worker of HIT receiving or entitled to receive any remuneration in respect of such employment or work.**
- ix. **“Grievance” means real or imagined cause for complaining or protesting against unfair treatment.**
- x. **“Grievance Handling Committee” means a committee appointed by the Registrar in terms of this Code.**
- xi. **“Head of Department” means any person responsible for a department/section of the Institution.**
- xii. **“Sexual Harassment” means intimidation, bullying or coercion of a sexual nature, or the unwelcome or inappropriate promise of rewards in exchange for sexual favours.**
- xiii. **“Supervisor” means a person who is directly responsible to a Head of Department for the supervision of work and staff in a section and includes an immediate supervisor.**
- xiv. **“Verbal warning” means an oral reprimand given to an employee who has committed a minor act of misconduct. It can however be recorded for record purposes.**
- xv. **“Written warning” means a written reprimand issued to an employee who has committed a misconduct that is serious in nature or to an employee who has repeatedly committed offences even though they may be light in nature.**

5.0 REVISION OR AMENDMENT

- 5.1 **This Code shall remain in force until such a time that it is revised and/or amended by mutual agreement of the HIT Works Council and that any such revisions and/or amendment is approved by the Ministry of Labour and Social Services.**

6.0 APPLICATION

- 6.1 **This Code shall apply to all HIT academic and non-academic staff including those on:**

- i. **permanent employment terms;**
- ii. **probation; and**
- iii. **temporary employment terms (contract).**

7.0 RIGHTS OF MANAGEMENT

The rights of management shall be as follows:

- 7.1 To establish and determine performance standards in the work situation;**
- 7.2 To exercise discipline and resolve grievance of employees in order to promote and maintain set standards of conduct and performance;**
- 7.3 To ensure that Institute policies comply with the laws of Zimbabwe;**
- 7.4 To act in good faith in its relationship with the employee representatives; and**
- 7.5 To insist that discipline is exercised and grievances are expressed according to procedures set up in this Code.**

8.0 RIGHTS OF EMPLOYEES

The rights of employees shall be as follows:

- 8.1 To associate with or belong to a Workers Committee or Trade Union;**
- 8.2 To know the standards of conduct and performance set up by management and expected of them at the workplace;**
- 8.3 To receive just, open and consistent treatment from management in its exercise of discipline and resolving of grievances;**
- 8.4 To suggest amendments and modifications to this Code through the Works Council;**
- and**
- 8.5 To exercise the above mentioned rights freely without fear of prejudice or victimization from management.**

9.0 CLASSIFICATION OF OFFENCES

- 9.1 Typical examples of misconduct are listed in order of increasing severity in Category A to D of this Code.**

9.1.1 Category A Offences

- 9.1.2 These are minor offences which are not serious enough to warrant a written warning on first breach. The employee must be verbally warned and advised that his record has been endorsed accordingly. Table 1 outlines examples of offences which are classified as Category A as well as the related penalties.**

Table 1: Category A Offences and Related Penalties

Nature of Offence	1st Breach	2nd Breach	3rd Breach	Final Breach
i. Poor Time Keeping	Verbal Warning (VW)	First Written Warning (First WW)	Final Written Warning (Final WW)	Dismissal

ii.	Absence from work during working hours without permission	VW	First WW	Final WW	Dismissal
iii.	Poor Performance	VW	First WW	Final WW	Dismissal
iv.	Horseplay and noise making	VW	First WW	Final WW	Dismissal
v.	Passing time idly, loitering or loafing to the detriment of the work at hand	VW	First WW	Final WW	Dismissal
vi.	Interference with or disruption of work of other employees	VW	First WW	Final WW	Dismissal

9.1.4 The offences listed above are explained in detail below:

- i. **Poor time keeping:** This includes reporting for duty late, leaving work early without authorization, arriving at meetings late, taking extended tea and lunch breaks.
- ii. **Absence from work during working hours without permission:** Unauthorised absence from work during working hours.
- iii. **Poor performance:** Persistent failure to perform work to the required standard or failure to complete given tasks within the given time.
- iv. **Horseplay:** Engaging in unacceptable noisy and/or physical behaviour that may affect the concentration of other employees.
- v. **Passing time idly, loitering or loafing to the detriment of the work at hand:** Loitering or idling at the work place.
- vi. **Interference with or disruption of work of other employees:** Deliberately interjecting or interfering with another employee's work to cause sub performance by that employee.

9.2 Category B Offences

9.2.1 These are offences of a more serious nature than those in category A and include repeats of category A Offences and warrant a first written warning on first breach. Table 2 outlines examples of offences which are classified as Category B as well as the related penalties.

Table 2: Category B Offences and Related Penalties

Nature of Offence	1 st Breach	2 nd Breach	Final Breach
i. A repeat of Category A offences within three months.	First WW	Final WW	Dismissal
ii. Insulting a fellow employee	First WW	Final WW	Dismissal
iii. Intimidation	First WW	Final WW	Dismissal

iv.	Absence from work for two consecutive working days without reasonable excuse	First WW	Final WW	Dismissal
v.	Hindering or obstructing any employee in the discharge of his/her duties	First WW	Final WW	Dismissal
vi.	Doing unauthorized/ private business during working hours	First WW	Final WW	Dismissal
vii.	Failure to wear proper attire whilst on duty including uniforms	First WW	Final WW	Dismissal
viii.	Smoking in prohibited areas	First WW	Final WW	Dismissal
ix.	Violating safety and health procedures where no damage to life and property arises	First WW	Final WW	Dismissal

9.2.3 The offences listed above are explained in detail below:

- i. A repeat of Category A offences within three months.
- ii. Insulting a fellow employee: Using abusive language towards a fellow employee.
- iii. Intimidation: Using threats towards a fellow employee *or a subordinate*.
- iv. Absence from work for two consecutive working days without reasonable excuse: Not reporting for duty for two consecutive days without permission or valid reason.
- v. Hindering or obstructing any employee in the discharge of his/her duties: Willfully or deliberately interfering with another employee's work to cause sub-performance.
- vi. Doing unauthorized/ private business during working hours: Engaging in personal business or work without permission, whether or not it is for gain during working hours.
- vii. Failure to wear proper attire whilst on duty including uniforms: This includes failure to wear protective clothing, uniforms or wearing casual attire where formal dressing is required.
- viii. Smoking in prohibited areas: Smoking in areas like class rooms, boardrooms, workshops, offices etc.
- ix. Violating safety and health procedures where no damage to life and property arises: Disregarding safety instructions/protective clothing or equipment when this is essential for the task being undertaken.

9.3 Category C Offences

- ### 9.3.1
- These are relatively serious offences which include repeats of any offences in category A or B and they merit a Final written warning on first breach. Table 3 outlines examples of offences which are classified as Category C as well as the related penalties.

Table 3: Category C Offences and Related Penalties

Offence	1 st Breach	2 nd Breach
i. A combination of category A and B unrelated within three months.	Final WW	Dismissal
ii. Rudeness and discourtesy to persons in authority at HIT, fellow employees or members of the public	Final WW	Dismissal
iii. Absenteeism for three to four consecutive working days without permission or reasonable excuse	Final WW	Dismissal
iv. Insubordination	Final WW	Dismissal
v. Misuse of Institute property	Final WW	Dismissal
vi. Negligent damage or loss of Institute property	Final WW	Dismissal
vii. Abuse of sick leave benefits	Final WW	Dismissal
viii. Inefficiency and Incompetence	Final WW	Dismissal
ix. Substantial neglect of duty	Final WW	Dismissal
x. Going on unauthorized leave or extending leave without approval	Final WW	Dismissal
xi. Violating Safety, Health and Environmental rules and procedures where the danger to life or property may arise	Final WW	Dismissal
xii. Engaging in political activities during working hours	Final WW	Dismissal
xiii. Sabotage	Final WW	Dismissal

9.3.3 The offences listed above are explained in detail below:

- i. A combination of category A and B unrelated within three months.
- ii. Rudeness and discourtesy to a *client*, a colleague or one's superior: This constitutes any act of disrespect and can be expressed either by words or conduct.
- iii. Absenteeism for three to four consecutive working days without permission or reasonable excuse: Taking time off for three to four consecutive working days without being granted leave
- iv. Insubordination: Willfully refusing to obey a lawful instruction from a superior
- v. Misuse of Institute property: Using Institute property for purposes it is not intended to be used.
- vi. Negligent damage or loss of Institute property: Being careless with Institute property resulting in damage or loss of the Institute property.
- vii. Abuse of sick leave benefits: Obtaining leave by falsely pretending to be sick.
- viii. Inefficiency and incompetence: Continued inability to perform work up to required standard
- ix. Substantial neglect of duty: An employee neglects his duties if he does not perform his job at all or poorly performs it, or does not care whether his job is done or not.
- x. Going on unauthorized leave or extending leave without approval: Proceeding to go on leave without the approval of the leave application or overstaying on leave without the written consent of the Head of Department.
- xi. Violating Safety, Health and Environmental rules and procedures where no damage to life or property arises: Failure to observe Safety and Health regulations *without reasonable cause*.

- xii. **Engaging in political activities during working hours:** This takes the form of attending rallies, campaigning for political parties, distribution of posters or any political material during working hours.
- xiii. **Sabotage:** Willful and deliberately destroying the *Institute's* property to disrupt production or cause loss to the Institute.

9.4 Category D Offences

- 9.4.1** These are very serious offences which may lead to a suspension pending a disciplinary hearing. Offences in this category warrant a dismissal on first breach. Table 4 outlines examples of offences which are classified as Category D as well as the related penalties.

Table 4: Category D Offences and Related Penalties

Nature of Offence	1st Breach
1. Absence from duty without official leave	Dismissal
2. Possession of firearms or other dangerous weapons on Institute premises	Dismissal
3. Breach of Confidence	Dismissal
4. Incitement or taking part in an unlawful industrial action	Dismissal
5. Theft	Dismissal
6. Fraud	Dismissal
7. Corruption/ Bribery	Dismissal
8. Drunkenness on duty or being found in possession of alcohol or illegal drugs	Dismissal
9. Failure to disclose past criminal record	Dismissal
10. Criminal conviction in a court of law	Dismissal
11. Conflict of interest	Dismissal
12. Lack of skill/ qualification which the employee implied he/she possessed	Dismissal
13. Sexual harassment	Dismissal
14. Inappropriate relationships	Dismissal
15. Sleeping on duty	Dismissal
16. Indulging in acts which put the Institute into disrepute	Dismissal
17. Physical fighting at the workplace	Dismissal
18. Engaging in extraneous employment without getting approval from the Institute authorities	Dismissal
19. Violating Safety, Health and Environmental rules and procedures where damage to life or property results	Dismissal
20. Any act of conduct or omission inconsistent with the fulfillment of the express or implied conditions of his or her contract	Dismissal

- 9.4.3** The offences listed are explained in detail below:

- i. **Absence from duty without official leave:** Being away from work for 5 or more consecutive working days without permission and reasonable excuse.
- ii. **Possession of firearms or other dangerous weapons on Institute premises:** It is not permitted to bring firearms or other dangerous weapons on Institute premises without official permission for specific purposes or following procedures laid down for specific purposes e.g Security, Cash in Transit.
- iii. **Breach of confidence:** Unauthorized exposure of confidential information
- iv. **Incitement or taking part in an unlawful industrial action:** Engaging in any type or industrial action without following the proper procedures as laid down in the Labour Act Chapter 28:01.
- v. **Theft:** Unlawfully taking the property of another employee or of the Institute with the intention of permanently depriving the ownership. Any proven attempt to commit theft shall be treated as theft.
- vi. **Fraud:** Making a false and/or fraudulent representation whether written, oral or by conduct which causes and actual prejudice or which is potentially prejudicial to another person or to the Institute.
- vii. **Corruption/ Bribery:** Unlawfully and intentionally agreeing to accept bribes or proposing bribes in return for doing or refraining from doing something in relation to an employee's duties.
- viii. **Drunkenness on duty or being found in possession of alcohol or illegal drugs:** Consuming any intoxicating substance during working hours at the workplace or being found in a state of drunkenness or intoxication likely to interfere with the normal execution of one's duties.
- ix. **Failure to disclose past criminal record:** Not declaring past criminal offences prior to signing an employment contract with the Institute.
- x. **Criminal conviction in a court of law:** Being convicted of a criminal offence and sentenced to imprisonment for more than six months.
- xi. **Conflict of interest:** Failure to declare interest with any party or firm doing or about to enter into contract with the Institute
- xii. **Lack of skill/ qualification which the employee implied he/she possessed:** Failure to produce proof of qualification or skill which the employee claimed to have.
- xiii. **Sexual harassment:** Unwelcome sexual advances or verbal or physical conduct of a sexual nature which has the purpose or effect of unreasonably interfering with the individual's work or academic performance, undermine job security or creating an intimidating, hostile, abusive or offensive working or learning environment.
- xiv. **Inappropriate relationships:** Having an intimate/ sexual relationship with an HIT or student which has an effect of compromising the academic integrity of the teaching, research and examination systems of the university, e.g. relationships between lecturers and students.
- xv. **Sleeping on duty:** Falling asleep whilst on duty.
- xvi. **Indulging in acts which put the Institute into disrepute:** Any act, conduct or omission which brings the Institute's name into disrepute.
- xvii. **Physical fighting at the workplace:** Physically exchanging blows or use of other harmful weapons with the intention to cause bodily harm.
- xviii. **Engaging in extraneous employment without getting approval from the Institute authorities:** Entering into full time employment with another company without terminating one's contract with the Institute

- xix. Violating Safety, Health and Environmental rules and procedures where damage to life or property results: Failure to observe Safety and Health regulations resulting in the injury of a person/s or damage to Institute property.**
- xx. Any act of conduct or omission inconsistent with the fulfillment of the express or implied conditions of his or her contract: This means any type of behavior that is contradictory to the employee's contract of employment or conditions of service.**

10.0 PROCEDURES ON MISCONDUCT

- i. An allegation of misconduct may be leveled against any employee by any other person through the immediate supervisor except in cases where the supervisor is the complainant in which case the supervisor shall proceed forthwith in terms of this Code.**
- ii. The immediate supervisor shall inform the alleged offender in writing of the nature of the act of misconduct and shall solicit a written response from the employee.**
- iii. The immediate supervisor will look into the case and should he be satisfied that the employee indeed committed a misconduct case he shall proceed to either issue a verbal or written warning or refer the matter to the Registrar to initiate a Disciplinary Hearing process through the Human Resources Section.**

10.1 Verbal Warnings

Issued by immediate Supervisor;

- 10.1.1 If a worker is involved in misconduct which is covered in Category A, a verbal warning will be given by the immediate supervisor in the presence of a Workers Committee Representative. Such a warning shall be issued immediately i.e. within 3 working days of the discovery of the alleged misconduct.**

10.2 Written Warnings

Issued by immediate Supervisor;

- 10.2.1 If a verbal warning fails to bring about an improvement in the behaviour of the employee concerned or the employee commits offenses listed in Category B and C, the immediate supervisor, after obtaining a written response requested in terms of Section 10.0 (ii) from the employee and is satisfied that there was a contravention, shall invite a Workers Committee Representative to witness the issuing of a written warning.**

10.2.2 After explaining the stipulated objectives and the nature of the contravention, the immediate superior shall read out the warning form and shall answer any queries raised so as to ensure that the employee fully understands what she/he contravened.

10.2.3 Subsequently either form APD2 or APD3 (which records the details of the written warning) shall be signed by the employee, his/her representative and by the immediate supervisor then forwarded to Human Resources for filing. Such warning shall be issued as soon as possible but within 5 working days of the discovery of the alleged misconduct.

10.3 Validity of Warnings

First Written Warning	-	3 months
Second Written Warning	-	6 months
Final Written warning	-	12 months

Warnings shall be retained in the employee's personal file for information and record purposes. Verbal warnings may also be recorded and placed in the same file.

10.4 Disciplinary Hearing Procedures

10.4.1 If there is no improvement after a written warning or if the employee commits offenses listed from Category C to D or any offence which is deemed to be serious, the immediate supervisor shall submit a detailed report of the incident to the Head of Department for onward transmission to the Registrar through Human Resources. The Registrar will then instruct Human Resources to carry out an investigation into the alleged offence before convening a Disciplinary Committee for a Hearing.

10.4.2 The Human Resources Department shall compile all the relevant documents required for the Hearing. The Disciplinary Hearing papers should include the following:

- i. Report from the Head of Department/ or complainant;
- ii. Report from the alleged offender;
- iii. Report/s from any witness/es; and
- iv. Any other evidence available.

10.4.3 The Documents shall be submitted to the Registrar who considers the case. If on the face of the written statements the alleged offender has no case to answer, the matter will end there. If however the Registrar is convinced that the employee has a case to answer he shall request the Human Resources Section to organize a Disciplinary Hearing.

10.4.4 The Human Resources Department shall give the alleged offender at least three (3) working days' notice of the proceedings against him. The notice shall specify:

- i. The details of the charge he/ she is facing;
- ii. The date, time and venue of the Disciplinary Hearing;

- iii. That the alleged offender shall have the right to appear in person before the employer or the employer's representative or Disciplinary Authority as the case may be and be represented by either a fellow employee, workers committee member or a legal practitioner; and
- iv. Advise the offender of his right to call witnesses and have them cross examined

10.4.5 The Notice of Hearing shall be served to the employee personally or it can be signed for by any adult at the employee's place of residence.

10.4.6 At a Hearing the employee shall have the right to:

- i. Present evidence in his defence;
- ii. Be informed of the decision and reasons that led to the decision and
- iii. Address in mitigation before the ultimate penalty is imposed.

10.4.7 Where the alleged offender fails to appear in person for the Disciplinary Hearing without reasonable excuse the Hearing will continue in his absence and a determination passed.

11.0 DISCIPLINARY COMMITTEE COMPOSITION

11.1 There is hereby established a Disciplinary Committee in accordance with Section 26 of the HIT Act, Chapter 25:26 whose composition shall be as follows:-

- i. Pro-Vice Chancellor or his nominee as the Chairperson – representing the employer;
- ii. A senior member of the academic or administrative staff – representing the employee;
- iii. A member of the academic, technical or administrative staff of similar status to the person being charged – representing the employee;
- iv. The Chairperson or Head of Department or Dean of the School or Faculty in which the person being charged works - representing the employer; and
- v. One member appointed by the Institute Board to be the Secretary and non-voting member of the Committee.

11.2 All matters to be decided at any meeting of the Staff Disciplinary Committee shall be decided by a simple majority and in the event of an equality of votes the Chairperson or his nominee shall have a casting vote in addition to his or her deliberative vote.

12.0 FUNCTIONS OF STAFF DISCIPLINARY COMMITTEE

In accordance with the HIT Act (Chapter 25:26) the functions of the Staff Disciplinary Committee shall be:

12.1 To investigate any breach of a Statute, Regulation or Ordinance or other misconduct on the part of any member of staff of the Institute and to recommend to the Vice Chancellor the punishment to be imposed on or order to be made in respect of, the member if it finds him guilty of such misconduct.

12.2 In addition the Staff Disciplinary Committee shall be responsible for the following:

12.2.1 To accord the alleged offender a platform to be heard before a penalty can be imposed.

12.2.2 Based on the oral and documentary evidence submitted to them the Disciplinary Committee may in addition to the penalty listed against the offence in this Code recommend any one or more of the following forms of punishment;

- i. Transfer of the employee;**
- ii. Demotion of the employee;**
- iii. Fine the employee an amount commensurate with the amount prejudiced to the Institute;**
- iv. Removal of certain privileges;**
- v. Suspension without pay;**
- vi. Suspension with reduced pay for a definite period; and**
- vii. Dropping of the charges completely.**

13.0 DISCIPLINARY HEARING PROCEEDINGS

13.1 Role of Chairman

The following shall be the responsibilities of the Chairman of the Disciplinary Committee:

- i. Chair the meeting and maintain orderly proceedings;**
- ii. Explain why all parties are present and establish if they have all the documents pertaining to the case;**
- iii. Stress that everyone should speak honestly and frankly concerning the facts and assure everyone present that what they say will not be held against them or result in him/her being victimized or ostracized in the work place;**
- iv. Ensure that the alleged offender understands the alleged offence;**
- v. Confirm that all witnesses are registered at the beginning of the Hearing;**
- vi. Ensure that the principles of natural justice are not only followed but are seen to be implemented;**
- vii. Avoid discussion of matters not related to the misconduct under consideration;**
- viii. Assist the Committee in deciding appropriate discipline as laid down in Disciplinary Procedure;**
- ix. Summarize points and facts and resolving discrepancies in information supplied by parties;**
- x. Adjourn the meeting in the event that fresh evidence needs to be gathered or consultations need to be made;**
- xi. Allow the defense to make a final statement highlighting mitigating factors;**
- xii. Give a chance to Disciplinary Committee members to make a final statement concerning the allegations and pass their judgment;**

- xiii. Ensure that copies of the record of proceedings are forwarded to the Registrar and placed in the employee's personal file; and
- xiv. Ask the employee concerned to leave the room while the Committee takes a decision.

13.2 Role of Secretariat

The Secretariat shall be appointed by the Institute Board in accordance with Section 26 of the HIT Act. The role of the Secretariat shall be to:

- i. Ensure that all the documentary evidence is available as well as inviting witnesses to the Hearing;
- ii. Act in attendance and produce record of proceedings as well as giving advice where necessary;
- iii. Ensure that the recommendations if approved are effected;
- iv. Have the minutes signed by the Chairperson and one Workers Representative;
- v. Ensure that all records are forwarded to Human Resources for filing.

13.3 Legal Representation

Legal representation is allowed and the employee must give at least three days' notice to the Institution.

14.0 SUSPENSION

14.1 Suspension pending a Disciplinary Hearing

14.1.1 Where the Institute has good cause to believe that an employee has committed a misconduct falling under Category D on the Offences list of this Code or where the Institute feels that the presence of the employee at the workplace may interfere with investigations the Institute may suspend such an employee with or without salary and benefits. The notice of suspension should cite the grounds for the suspension, duration of the suspension and whether the suspension is with or without pay.

14.1.2 A Disciplinary Hearing should be held within fourteen (14) days from the date the suspension was effected.

14.1.3 Where the Disciplinary Hearing does not result in the employee being dismissed from employment, the employee shall be reinstated in accordance with the determination of the Disciplinary Committee. The employee shall be advised of such outcome in writing.

14.1.4 Where the Disciplinary Hearing results in the dismissal of the employee the Institute shall serve the employee with a notice in writing advising him/her of the decision made by the Disciplinary Committee and terminating his/her employment.

14.2 Suspension as a form of punishment

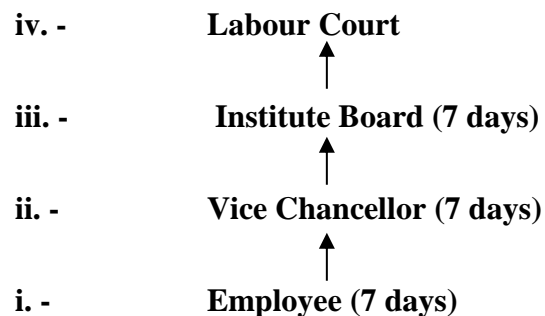
14.2.1 Where the suspension of an employee is a penalty passed by the Disciplinary Committee the employee shall be advised in writing and the advice shall also state the

duration of the suspension, the offence resulting in this suspension and whether the suspension is with or without pay.

15.0 APPEAL PROCEDURES

- 15.1** Any employee who is aggrieved from any case of misconduct or by any decision of the disciplinary procedure may lodge an appeal within seven (7) working days of receipt of such warning or decision by the Disciplinary Committee by completing an APD5 form.

The appeal process is as follows:



- 15.2** The employee shall have seven (7) days within which to appeal to the next stage.

- 15.3** The Vice Chancellor may call for a formal hearing to hear the appeal or decide from the record submitted. He shall respond to the appeal within seven (7) working days of receipt of the appeal.

- 15.4** Should the aggrieved employee or party be not happy with the decision made by the Vice Chancellor he shall proceed to submit his appeal to the Institute Board which shall also deal with the appeal within seven (7) working days of receiving it.

- 15.5** If the aggrieved employee or party is still not satisfied with the Institute Board's decision he shall then appeal to the Labour Court within twenty one (21) days.

16.0 GRIEVANCE HANDLING PROCEDURES

- 16.1** There shall be a Grievance Handling Committee which shall be composed of the following membership:-

- i.** An independent chairperson selected from the Institution's senior administration.
- ii.** One other member appointed by the Registrar.

iii. One employee representative.

iv. Senior Assistant Registrar/ School Administrator – Secretary

16.2 Where an employee has a grievance he will complete the APD 6 form and follow the following procedures:

16.3 Approach his immediate Supervisor for redress.

16.4 If the immediate Supervisor fails to resolve the matter then the employee will write the details of the grievance and highlight previous attempts to have it resolved. This report will be forwarded to the Head of Department with a copy to Human Resources.

16.5 Upon receipt of the detailed report from the Complainant, the Head of Department may attempt to resolve the matter. If the Head of Department resolves or fails to resolve the matter, he or she shall forward the matter to Human Resources through a memo providing all necessary information and reports on investigations he would have carried out.

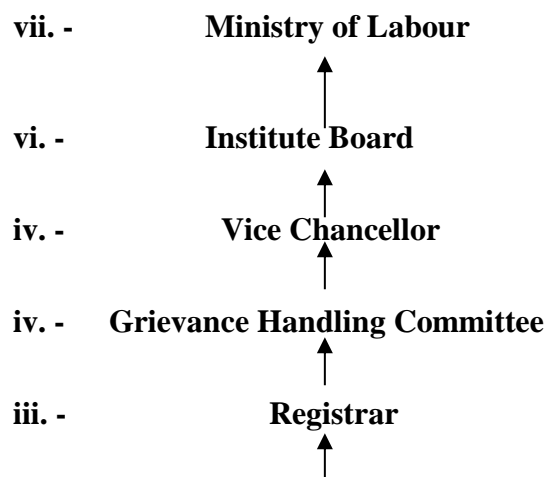
16.6 If still the employee is aggrieved after resolution by the Head of Department he/she may refer the matter to the Registrar through Human Resources.


16.7 If the Registrar determines the matter, and the employee is still aggrieved, the employee shall have the right to request the Registrar to constitute a Grievance Handling Committee in terms of 16.1 for resolution.

16.8 The Committee will reserve the right to call the complainant and any other person to shed light on the matter.

16.9 The Grievance Handling Committee shall investigate, make decisions and submit recommendations to the Registrar who shall determine the matter.

16.10 A grievance should pass through the following stages;



- ii. - Head of Department
 - i. - Immediate Supervisor
- 

16.11 Nothing contained in this section will prohibit the employee from seeking redress through other legally constituted channels governed in terms of the laws of the Republic of Zimbabwe.

Appendix 1

**HARARE INSTITUTE OF TECHNOLOGY
FIRST WRITTEN WARNING FORM
(To be completed in triplicate)**

1. Department:

2.(a) Name of alleged offender:

Grade:

(b) Name of immediate supervisor:

Grade:

3. Details of contravention:

.....

.....

.....

.....

.....

.....

.....

.....

4. Ihereby issue.....
(Name of supervisor) (Name of offender)

With a First Written Warning which will be in force for three (3) months.

Signed: Date:
Supervisor

Signed: Date:
Offender

Signed: Date:
Workers Committee Member

Distribution:
1 copy to Offender
1 copy to Supervisor
1 copy to Human Resources

Appendix 2

HARARE INSTITUTE OF TECHNOLOGY

SECOND WRITTEN WARNING FORM

(Issued by Immediate Supervisor)

(To be completed in triplicate)

1. Department:
2. (a) Name of Immediate Superior:
Grade:
(b) Name of Offender:
Grade:
3. Brief details of the case:
.....
.....
.....
.....
.....
.....
4. Ihereby issue.....
(name of supervisor) (name of offender)

With a Second Written Warning which will be in force for six (6) months.

Signed: Date:
(Supervisor)Signed: Date:
(Offender)Signed: Date:
(Workers Committee Member)

Distribution: 1 copy to Offender
1 copy to Supervisor
1 copy to Human Resources

Appendix 3

HARARE INSTITUTE OF TECHNOLOGY
FINAL WRITTEN WARNING
(Issued by Disciplinary Committee)
(To be completed in sets of five (5))

1. Name of Offender.....

Department:

Grade:

2. Summary of Case:

.....
.....
.....
.....
.....
.....

3. I, on behalf of the Disciplinary Committee,
(Chairperson of Disciplinary Committee)

do hereby issue a Final Written Warning in terms of the HIT Disciplinary Procedures
This warning will be in force for twelve (12) months.

Effective from:

Signature: Date:
(Chairperson of Disciplinary Hearing)

Acknowledgement: Date:
(Offender)

Signed: Date:
(Workers Committee Member)

Distribution: 1 copy to PVC
 1 copy to Registrar
 1 copy to Offender
 1 copy to Supervisor
 1 copy to Human Resource

APD 4

Appendix 4

HARARE INSTITUTE OF TECHNOLOGY
NOTIFICATION OF PARTY TO ATTEND DISCIPLINARY HEARING
(To be completed in duplicate)

To:
(Offender)

You are hereby notified to appear before the Disciplinary Committee on:

.....at.....Hours
(date of proceedings) (time)

At
.....
(venue)

To answer the following charges:

1. details of the alleged offence(s)

.....
.....
.....
.....
.....
.....

Issued by:
(Human Resources)

Date:

Acknowledgement of receipt:
(Offender)

Date:

NB: Additional documents may be attached.

Distribution: 1 copy to be returned to Human Resources
1 copy to Offender

Appendix 5

HARARE INSTITUTE OF TECHNOLOGY
NOTICE OF APPEAL
(To be completed in triplicate)

1. (a) Name of Applicant.....
- (b) Office to which Appeal is directed:
.....
- (c) Grounds For Appeal:
.....
.....
.....
.....
.....
.....
.....
.....
- (d) Signed: Date:
(Appellant)
2. Name of Officer Accepting Appeal:
.....

Signature: Date:

NB: I. Appeal should be acknowledged on each instance within 48 hours.
II. This form is designed only for internal use.
III. Additional documents may be attached.

Distribution: 1 copy to Vice Chancellor
1 copy to Human Resources
1 copy to Appellant

Appendix 6

HARARE INSTITUTE OF TECHNOLOGY
GRIEVANCE FORM

(To be completed in triplicate)

(a) Name of Complainant.....

(b) Office to which Grievance is directed:

.....

(c) Details of the Grievance:

.....

.....

.....

.....

.....

(d) Signed: Date:
 (Appellant)

Name of Officer receiving the Grievance:

.....

Signature: Date:

- NB:
- I. Grievance should be acknowledged on each instance within 48 hours.
 - II. This form is designed only for internal use.
 - III. Additional documents may be attached.

Distribution: 1 copy to Head of Department
 1 copy to Registrar
 1 copy to Appellant