

## **GRIEVANCE AND DISCIPLINARY PROCEDURES**

### **DISCIPLINARY PROCEDURE**

#### **SUMMARY**

Below is a brief outline of the procedure followed should there be a problem on your Site.

#### **First Warning**

*Minor discrepancy i.e. - Lateness, work standards slipping, use of mobile phone on site, unauthorised breaks etc.*

The Supervisor will have a "chat" with the employee involved and explain the problem, they will also try to establish why the problem is occurring and explain that if no improvement is seen by a given date (generally 1-2 weeks) then the matter will have to be taken further.

Personnel will be advised that this "chat" has occurred so it can be noted on the personnel file.

#### **First Written Warning**

*More serious issue i.e. – No improvement, poor attendance, or Health & Safety carelessness.*

Under the above circumstances a Written Warning will be issued. The Supervisor will inform the employee that they will be receiving a Written Warning and they may have someone present if they wish. This will be an independent witness present (a work colleague or ideally your Manager) to verify that all parties are fairly treated, and that the employee is fully aware of the reasons for the Written Warning.

The Supervisor will clearly give the reason for the Warning and outline what improvements are expected. The date of the expected improvements will be written on the Warning and a further date arranged to review the situation, it may be 1 week time or 1 month depending on what is agreed to be a reasonable time to improve without compromising our service.

The Supervisor will outline the Appeals procedure (see reverse of the Warning). The employee has 7 days to Appeal if they wish to. The top copy of the Written Warning must be signed by the Supervisor and the employee, send that copy to personnel it will be placed on the employee's personnel file for 3 months. The employee keeps the copy of the Warning with the review date written on it.

#### **Final Written Warning**

*Very serious issue i.e. – Improvements not seen, wilful neglect of property or safety precautions.*

Under the above circumstances a Final Written Warning will be issued. The process for this is the same as a Written Warning; the employee will be advised that they may have a witness (fellow employee of Approved Spotless) present and the Site Manager will also be present. Again the Supervisor will be clear and a review date set, both parties must sign the Written Warning, one copy which will be sent to Personnel and kept on file for a 12 month period, and one copy issued to the employee. Again, the employee will be reminded of the Appeals procedure

#### **Suspension / Gross Misconduct**

*Examples such as repeated poor performance, safety issues, unauthorised absence, customer complaints etc.*

If all the above has been followed and an improvement is not seen or the initial incident is very serious i.e. dishonesty, not turning up for work, malicious attack including verbal abuse, drunkenness or fraudulent record keeping then the employee is to be suspended until an investigation takes place. The employee should not carry on working but should leave the premises at once. Where possible the Supervisor will have a witness present (preferably the Site Manager). The employee will be clearly informed of the reasons for suspension. Personnel will be informed immediately so that an investigation can be undertaken, and the employee will receive written confirmation of the suspension and the outcome of the investigation.

Again, the employee will be reminded of the Appeals procedure.

## **DISCIPLINARY PROCEDURE**

- 1) To ensure fair treatment when any Employee becomes liable to disciplinary action because of failure to meet required standards of conduct, attendance or job performance, the following procedure will be observed as soon as possible after the need for disciplinary action becomes apparent:
  - A minor breach of discipline or failure to meet standards is, in the first instance, raised by the Supervisor or Manager. At this stage, the Supervisor or Manager draws attention to a problem and gives an informal warning.
  - A repetition of the breach of discipline or a continued failure to meet standards justifies a formal warning from the Manager. A letter is sent giving a brief account of the problem and the action to which the Employee may be liable for any further breach or continued failure to meet standards. Depending upon the seriousness of the problem the Manager may state in the letter that any continuation or repetition will lead to dismissal. If the Employee wishes at this stage, an interview may be requested with the Manager and the Employee may be accompanied by a fellow employee to speak on his/her behalf at the interview.
  - If there is a further repetition of the breach of discipline or still no improvement, the Employee may be demoted or the employment terminated with or without notice or money in lieu of notice (in the discretion of the Company) depending upon the breach or breaches concerned. The circumstances may in the opinion of the Manager justify a further warning, but such warning shall specify that continuation or repetition will result in dismissal.
  - The Company reserves the right in certain circumstances to suspend the Employee with or without pay for up to 14 days pending Police Investigations, Court proceedings, or the operation of the Grievance Procedure.
  
- 2) In cases of gross misconduct an Employee is liable to instant dismissal without notice. Examples of circumstances warranting dismissal without notice are: -
  - Any gross industrial misconduct or a criminal offence against the Company or its Employees, or prejudicial to the conduct of the Company's business.
  - Dishonesty or misappropriation of any customers, fellow Employee's, or the Company's property.
  - Malicious attack on any fellow Employee.
  - The making of false entries on time/work sheets. Any other falsification of time/work sheets or Company documents or records.
  - Continued unauthorised from work.
  - Being under the influence of intoxicants or drugs when reporting for work or during the working day.
  - Serious misconduct or serious breach of the Company's regulations (including its written safety regulations or established safety regulations) or established safety precautions and/or practices.
  - Gross negligence resulting in the loss of or damage to the property of the Company, its customers, or other persons.
  - Failure to carry out reasonable instructions or duties without justification.
  
- 3) Examples of behaviour justifying no more than one written warning prior to dismissal are: -
  - Serious neglect of work, such as serious negligence in the assessment of a job requirement and its cost.
  - Wilful neglect of written or established safety precautions and/or practices.
  
- 4) Examples justifying two written warnings include unsatisfactory work or conduct such as: -
  - Unsatisfactory attendance record.
  - Persistently bad timekeeping.
  - Unsatisfactory workmanship.
  - Carelessness over good housekeeping and safety to self and others.

- 5) Notice of dismissal is given by the appropriate Manager, but only with the prior approval of the Service Manager, a Director or Managing Director, and only after careful investigation. It is always confirmed in writing.

Any objections the Employee may wish to make against disciplinary action will follow the normal Grievance Procedure.

### **GRIEVANCE PROCEDURE**

If there is a work-related grievance an Employee wishes to raise with the Company, the procedure set out below should be followed. In any of the interviews it describes, the Employee may be accompanied, if so desired, by any one other person, who need not be a fellow Employee.

- a) A discussion with the Manager should be requested. This request, which may be in writing, (and any written request for a further meeting) should set out the grievance and should also state whether it is desired to bring someone to the meeting to speak for the Employee. This will be a fellow employee.
- b) The Manager will offer a date and time for the discussion to take place within seven working days of the request being received and will make a written record of the discussion. As soon as practicably possible one copy will be given to the Employee and will name their Manager next in line who will also receive a copy. If for any reason this information is omitted the Employer should immediately request it from the manager.

This paragraph applies equally to the discussion in which a Manager informs an Employee of dismissal or intended dismissal. If the Employee considers the dismissal, or intended dismissal, to be unfair the matter may be pursued as a grievance in the following manner.

- c) If the Employee is not satisfied with the discussion the Manager should be informed in writing with three working days of the discussion (and in the case of summary dismissal or dismissal with salary in lieu of notice, within two working days of the interview in which the Manager's decision is advised to the Employee).
- d) If the grievance is to be pursued or if the Employee considers that a dismissal or intended dismissal, is unfair, the Employee should write to the Manager next in line, and named as in paragraph (b), within seven working days of the discussion with the Employee's Manager (or in a case of summary dismissal, or dismissal with salary in lieu of notice, within two working days). Further consideration of the grievance should be requested together with reasons why the request is made.
- e) Within seven working days of the further request being received either the Manager next in line to whom the Employee has written or a Senior Management representative will discuss the matter with the Employee (and a fellow employee as a witness if requested, to represent the employee). A written record of this meeting will be made, and copies passed to the Employee and the Manager.
- f) If still dissatisfied the Employee may appeal within seven working days after receiving the record of the last meeting (or in the case of summary dismissal or dismissal with salary in lieu of notice, within two working days) by sending a complaint in writing to the Service manager, or Director or managing Director responsible for the Employee" (or to whom the Employee reports). The matter will be carefully considered by the appropriate Service Manager, Director or Managing Director concerned as soon as reasonably possible after receipt of the complaint, and appropriate action will then be taken forthwith.
- g) Proper use of this procedure will not prejudice in any way the Employee's career with the Company.
- h) If the Grievance Procedure is used in respect of actual dismissal and, during its course the dismissal is revoked, employment shall be deemed to have been suspended with pay for the period after dismissal has taken effect and until the final decision of revocation has been confirmed.
- i) Any salary in lieu of notice will be withheld pending the outcome of any reference under the Grievance Procedure.
- j) Acas helpline offer free and impartial advice.

### **SUMMARY OF**



## GRIEVANCE PROCEDURE

### Time Span

1.	Employee request Interview	
2. Within 7 working days of receiving the request	1st Interview with Manager	
3. As soon as reasonably possible	Report on Interview Manager	
4. Within 3 working days of 1st Interview	If Employee not Satisfied complaint to Manager	If Employee satisfied NO FURTHER ACTION
5. As soon as Reasonably possible	Manager takes Action	
6. Within 7 working days of Interview	Employee still not Satisfied requests more Senior Interview	If Employee satisfied NO FURTHER ACTION
7. Within 7 working days of Receiving the request	Interview with next Senior Manager	
8. As soon as reasonable Possible	Report on Interview	
9. Within 7 working days of Receiving the Manager's Report	Employee requests to See Managing Director	
10. As soon as reasonably Possible	Matter considered by Managing Director	
11. As soon as reasonably Possible	Appropriate Action	If considered appropriate Interview with Managing Director

If Employee satisfied NO FURTHER ACTION, Managing Director may suggest the use of ACAS support to resolve any issues.