

Where a worker's work performance does not meet a satisfactory standard, an appropriate process of investigation and corrective action will be taken. The action taken will conform to the relevant legislation and accord with the principles of natural justice and procedural fairness.

The principles of natural justice are:

- All parties will have the right to be heard and judged without bias; and
- All issues are investigated thoroughly and justly.

The principles of procedural fairness are:

- The standards of conduct or job performance required will be made clear to the staff member by documentation or during interviews.
- The worker will be made aware of the likely next steps in the event that satisfactory performance or conduct is or is not maintained.
- The worker will be afforded the right to be accompanied and represented by a worker representative at discussions or interviews at any level of the discipline process.
- When a complaint about performance or conduct is brought to the supervisor's attention by a third party, the substance of the complaint will be verified before any action is taken on the matter.

This procedure sets out the action, which will be taken when Company rules are breached. This procedure is designed to establish the facts and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.

Informal Discussions/Counselling

Before taking disciplinary action, the immediate supervisor will make every effort to resolve the matter informally through discussions with the worker. It may be decided that an additional informal discussion will be held with the Director in the attempt to resolve the matter. Should this approach fail to produce the desired improvement, the formal disciplinary procedure will be implemented.

First Written Warning

If there is no improvement in standards, or further offences occur, a written warning will be given. This will state:

- What the written warning is for;
- What standard of work or work behaviour is required;

- The warning will explain that if there is no improvement after a stipulated period of time a second written warning will be given; and
- The worker will be given the opportunity for appeal.

Second Written Warning

If there is no significant improvement in standards, or further offences occur, a second written warning will be given. This will state:

- Re-iterate the first written warning;
- What standard of work or work behaviour is required;
- The warning will explain that if there is no improvement after a stipulated period of time a final warning will be given; and
- A second opportunity for appeal will be given.

Final Warning

If the worker conduct or performance remains unsatisfactory then a final written warning will be given. It will state that any recurrence of the offence or other serious misconduct will result in dismissal.

Dismissal

If there is no satisfactory improvement or if further serious misconduct occurs, the worker will be dismissed.

Gross Misconduct

If, after an investigation, it is deemed that a worker has committed an offence of the following nature, the consequence will be instant dismissal:

- Theft and/or fraud;
- Fighting and/or assault on another person;
- Deliberate damage to company property;
- Sexual or racial harassment;
- Being unfit for work due to alcohol or illegal drugs;
- Gross negligence; and
- Gross insubordination.

The reasons for instant dismissal are not limited to the above list. Whilst gross misconduct is being investigated the worker may be suspended from work duties. During this time, the worker will receive their normal pay rate. This suspension will be kept to a minimal amount of time.

Appeals

If the worker wishes to appeal against any disciplinary action the appeal must be in writing and received by the manager within (5) working days of the decision being communicated to the worker