

1 Discipline and Dismissal Policy

1.1 Purpose

Cazalys Palmerston Club aims to ensure that our people behave in a way that ensures everyone, including our members, their guests and suppliers, are treated fairly and without bias or discrimination. We encourage behaviour that supports and fosters self-discipline and promotes our code of conduct.

Where deemed appropriate, disciplinary measures may be taken when people behave in a way that detracts from our ability to deliver a quality service to our customers, contradicts our code of conduct or in any other way perceived to adversely affect our company, objectives or good reputation.

This policy establishes an equitable and consistent approach to addressing unsatisfactory work performance and/or conduct by:

- ensuring the counselling takes place to reinforce the expected performance or conduct standards;
- establishing a process under which warnings may be issued and discussed; and
- providing for disciplinary action where performance or conduct does not improve.

1.2 Legislative Framework

Fair Work Australia Regulations.

1.3 Policy Principles

To ensure fairness in discussions with an employee in circumstances where dismissal is possible, the employee can have another person present to assist. However, the other person cannot be a lawyer acting in a professional capacity.

From time to time, problems related to a person's employment may develop. It is the Club's intention that these problems be the subject of an honest and open conversation with the objective of improvement in behaviour and prompt resolution which satisfies all parties.

Problems which may include, but are not limited to, violation of or conflict with the Club's policies, performance on the job, or other job-related situations. Where breaches of Code of Conduct occur, then disciplinary procedures will be commenced. If the issue relates to unsatisfactory work performance, then the Performance Management procedures will be followed.

Minor faults may be dealt with on an informal basis. However, where the matter is more serious, the discipline procedure will be implemented.

Degrees of discipline are generally progressive and are used to ensure our employees have the opportunity to improve their performance. There is no set standard of how many verbal warnings must be given prior to a written warning or how many written warnings must precede termination. Any step or steps of the disciplinary process may be skipped at the discretion of the Club's management after investigation and analysis of the total situation, past practice and circumstances.

Factors which will be considered are:

- the number of different offences involved
- the seriousness of the offence;
- the time interval and the employee's response to prior disciplinary action(s); or
- the employee's previous work history.

1.4 Verbal Warning

If the employee's conduct does not meet the required standard, a verbal warning will be given by the nominated supervisor or manager. An additional representative will be present as a management witness.

An employee may be given more than one verbal warning, if this is considered appropriate. A note of any verbal warnings may also be kept on the employee's personnel file.

1.5 Written Warning

If the issue is serious or, if after issuing a verbal warning, further instances of the inappropriate conduct have occurred. The General Manager may progress to a written warning.

Following the meeting, and within three working days, the employee will be provided with a memo confirming the matters discussed. Employees are required to sign a copy of the memo to indicate receipt and that it is a true and accurate record of what was discussed. If the employee disagrees with the content of the document or wishes to make additional comments, they may provide a written statement in response. The letter of confirmation and the statement, if any, will be placed on the employee's personnel file.

Employees may be given more than one written warning if this is considered appropriate.

1.6 Final Written Warning

If there is a failure to improve conduct or performance after a written warning has been issued, or if the issue is sufficiently serious to warrant only one written warning, a final written warning may be given to the employee – in effect, both a first and final written warning.

Such a final written warning will set out details of the issue and will also warn the employee that dismissal will result if there is no satisfactory improvement. The final warning makes it very clear that no further warning shall be given; the next step is dismissal and the nature of the next infraction which could result in your dismissal (e.g. any further incidents of misconduct). A copy of any final written warning will also be kept on the personnel file.

1.7 Suspension

A suspension is a period, not exceeding three (3) working days, during which time the employee is relieved of their duties because of alleged serious misconduct. The employee may be placed on investigative suspension when it is necessary to make a full investigation to determine the facts of the case (e.g. a fighting, insubordination, or theft incident).

If after the investigation:

- Termination is warranted, the employee will not be paid for the period of investigative suspension. Termination is effective on the date of the termination interview.
- If no misconduct is determined, the employee will return to work within the prescribed period and be paid for the time lost as a result of the investigative suspension.

1.8 Summary Dismissal

If the employee's conduct or performance is unsatisfactory and they do not reach the requisite performance standard, despite receiving verbal and/or written warnings, or if the issue is one of serious and wilful misconduct (this is discussed in more detail below), termination will normally result.

1.9 Serious and Wilful Misconduct

The following are examples of behaviours which are regarded as serious and wilful misconduct justifying the summary termination of employment – that is, immediate termination, without formal warnings and without notice or any payment in lieu of notice. This list is not exhaustive.

- Fraud including:
 - forgery of documents (payments, timesheets, contracts, purchase orders, budgets, etc.);
 - misrepresentation of information on documents; misappropriation of funds, supplies, or other assets;
 - improprieties in handling or reporting of financial transactions;
 - authorising/receiving payments for goods not received or services not performed; or
 - violation of any laws.
- Being under the influence of illegal drugs or alcohol during work hours or while operating a company vehicle, plant or equipment.
- Breach of duty regarding non-disclosure of confidential information.
- Deliberate damage to company property or that of other employees.
- Serious act of insubordination.
- Fighting on company premises/worksites or threatening physical violence.
- Sale or possession of illegal drugs on the Club's property.
- Serious breach of workplace health and safety rules.
- Dishonesty including theft.
- Possessing firearms or explosives on the Club's property.
- Serious neglect of duty.