

DISCIPLINARY CODE

Introduction

- a. This document is an expression of THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN' policy on discipline and a guide to all THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN employees.
- b. Discipline is a system designed to promote orderly conduct.
- c. Formal disciplinary action should be the final course of action in rectifying employee behavior.
- d. Disciplinary action should be supported through investigation, reasonable evidence of guilt, and careful consideration of the circumstances of each case before formal action is taken.
- e. Disciplinary action should always be prompt, fair, and firm.
- f. While every attempt has been made to ensure that this Disciplinary Code is applicable to general disciplinary instances in THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN, the requirement for use of discretion within the framework of and in accordance with the spirit of the code may be required.
- g. A successful disciplinary system and climate is dependent on the good judgment, understanding and consistent treatment of the parties involved in disciplinary action.

Procedure and Documentation

The action of senior when an alleged offense has been committed or is reported to have been committed.

When an offense is alleged to have been committed, the senior concerned will investigate or have the matter investigated, and Take any form of the following actions:

- a. Dismiss the case,
- b. Counsel the employee,
- c. Give a verbal warning,
- d. Give a recorded warning,
- e. Initiate a formal disciplinary inquiry.

Informal disciplinary action

It is desirable for sound interpersonal relations within THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN that senior where possible resolve disciplinary matters by means of informal disciplinary action. Informal disciplinary action can take the

form of either a verbal warning or counseling.

An employee found to have committed an offense of a minor nature should be counseled by the Director, without an entry being made on the employee's personal record. The Director may, however, make a record of the counseling session to allow for an assessment of the employee's performance record, should this be necessary at the time, and with the employee's knowledge and understanding thereof, formulate a plan of corrective action.

During the counseling, the senior should ensure that the employee is made aware of the nature of the offense and the standard of the conduct or performance that will be expected in the future.

Procedure for formal complaints

- a. A Director handling a formal complaint must investigate the case with the assistance of the Human Resources Officer, where possible, and ensure that the relevant sections of the complaint form are correctly completed within 48 hours of the offence having been committed or the Director having been made aware of the fact that an offence has been committed,
- b. A copy of the complaint form should be passed without delay to the Human Resources Officer who will advise whether,
- c. The accused should be suspended pending full investigation (if this has not already been done),
- d. Advise the Director on whether to continue with a formal complaint.

Disciplinary Inquiries

The Human Resources Officer will be responsible for the overall application of the code and should where possible.

- a. Advise and guide all employees on the Disciplinary Code,
- b. Ensure that the code is applied fairly and consistently in all cases,

Special Cases

Suspension

An employee may be suspended from work immediately if he/she has allegedly committed or is allegedly involved in any one of the following offenses:

- Assault/attempted assault,
- Desertion,
- Sleeping on duty,

- Negligent loss, driving, damage or misuse of THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property,
- Abuse of electronic/data facilities,
- Sexual Harassment,
- Fighting,
- Riotous Behavior,
- Alcohol and drug offenses,
- Willful loss, damage, or misuse of THASSIM BEEVI ABDUL KADER COLLEGE WOMEN property,
- Theft/Unauthorized possession of THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property,
- Breach of Trust,
- Offences related to dishonesty,
- Offences related to Industrial Action,
- Any act or omission which intentionally endangers the health or safety of others, or is likely to cause damage to THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property,
- Interference with disciplinary and/or grievance investigations,
- Abusive or provocative language (when it is likely to cause a disturbance),
- Insubordination (if the situation shows signs of getting out of control),
- Persistent refusal to obey instructions.

Poor Work Performance

Cases involving substandard or deteriorating work performance are to treat differently from those regarded as transgressions of misconduct.

The following guidelines should be considered when dealing with such cases. An attempt should be made to resolve alleged poor work performance by means of counseling the individual involved. Where senior identifies work performance, the following procedural action should be considered:

- Investigate and identify the problem area(s),
- Communicate this to the individual concerned, and jointly agree on the appropriate plan of action in order to resolve the matter. If deemed necessary and relevant, norms should be established by arranging appropriate task lists

and the time duration allowed for the completion of each task,

- Consideration should be given to the appointment of a coach or mentor to assist the employee to improve performance,
- Accurately minute the agreed contents of any agreement put in place and provide the Human Resources Officer with a copy for record-keeping purposes,
- Regular evaluation and follow up on the agreed plan of action should be made,
- Should counseling fail to produce the desired improvement, alternative action should be considered in liaison with the Human Resources Officer in consultation with the Principal,
- Alternative action could include but is not limited to, termination of the employment contract on the grounds of incapacity, demotion, or a transfer to an alternative position. The employee, throughout this process, will be entitled to representation.

Offenses outside normal working hours

THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN reserves the right to take any action it may deem appropriate against employees who are, in the opinion of THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN, guilty of gross misconduct not merely in their working situations. This is particularly so where the nature of the misconduct may affect the employment relationship with any other party. Actions that directly relate to the nature of the business are also liable for disciplinary action.

Court Actions

Where an employee has been criminally charged or legal action has been instituted for an employment-related breach, THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN reserves the right to take disciplinary action against the employee for the alleged offense, in terms of this Code.

Classification of Offences:

Offenses are classified into five major categories.

- Absenteeism,
- Offenses related to Control at Work,
- Offenses relating to indiscipline or disorderly behavior,
- Offenses related to dishonesty.

Absenteeism

Absenteeism in the disciplinary context means being absent from work for an entire working shift, or part thereof, without the expressed permission from a senior.

A sanction of dismissal can apply for the first offense of being absent without permission provided that the employee was absent for three continuous working days without a valid reason.

- a. Absent without leave,
- b. **Desertion:** Leave the workplace without intending ever to return; leave without help or support; abandon; leave without authority or permission.

Offenses related to Control at Work

- a) Poor Time Keeping and related offenses,
- b) Late for work,
- c) Leaving work early,
- d) Extended or unauthorized breaks during working hours,
- e) Persistently committing all or any of the above.

Sleeping on duty

Any employee who is found asleep on duty, whether or not such an action constitutes a hazard to the safety and health of the offender or others or leads to damage to THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property, shall be deemed guilty of an offense.

Negligent Loss, Driving, Damage or Misuse of THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property

- a. **Negligent loss of THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property**

Any act whereby an employee, through carelessness or negligence, loses THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property or is unable to account for it satisfactorily.

- b. **Negligent driving**

Driving a THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN owned or rented vehicle without due care, whether such an act results in an accident or not.

c. Negligent damage to THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property

Any act whereby an employee through carelessness or negligence causes or allows THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property to become damaged.

d. Misuse of THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property

Using THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property for a purpose other than that for which it was intended.

Unsatisfactory Work Performance

a. CARELESSNESS

Performance of a task or duty without the exercise of due care and attention.

b. NEGLIGENCE

Failure to exercise proper care and regard to the manner of discharging duty to the extent that tasks have to be repeated or equipment or persons are at risk of damage or injury.

c. INEFFICIENCY

Failure to carry out work at the required standard or failure to complete tasks within the given reasonable time limits, without reasonable cause. This includes poor supervision.

d. LOAFING

Passing time idly or failing without reasonable cause to complete tasks set.

Offences Related to Indiscipline or disorderly behavior

- Disobedience and related offenses.

Refusing to obey an instruction

Deliberate refusal to carry out a lawful and/or reasonable instruction given by Person in authority and within the area of his/her jurisdiction.

Failing to obey an instruction

Failure to obey a lawful instruction given by a person in authority and within the framework of his/her jurisdiction.

None-compliance with established procedure/standing instructions

Failure to follow established procedures.

Abuse of electronic/Data facilities

Excessive use/abuse of e-mail and communication facilities; storage and/or transmission of material of discriminatory nature; storage and/or transmission of pornographic material; unauthorized monitoring and interception of electronic documentation.

Abuse and related offenses**Abusive Language**

The uttering of any words or the publication of any writing expressing or showing hatred, ridicule or contempt for any person or group of persons. The offense is more serious when it is wholly or mainly because of his/her/their nationality, race, color, ethnic origin, sex, marital status, religion, creed, political opinion, social or economic status, degree of physical or mental ability, sexual orientation or culture.

Insubordination

Insolence towards a superior shown by action or words.

Disorderly behavior and related offenses**Disorderly behavior**

Indulging in rough or unruly behavior or practical jokes whether or not such behavior endangers the safety or health of others or the smooth running of the workplace.

Threatening violence

Threatening to do physical injury to any other person.

Fighting

Physical contact between two or more persons, engaging in or inciting a group of persons to indulge in disorderly behavior or willfully damage THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property.

Riotous behavior

Unruly behavior between two or more persons, engaging in or inciting a group of persons to indulge in disorderly behavior or willfully damage THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property.

Sexual Harassment

Any unwanted or unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment causes unreasonable interference with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Discrimination

Any act whereby an employee discriminates against any other employee or group of employees on the grounds of nationality, race, color, ethnic origin, sex, marital status, religion, creed, political opinion, social or economic status, degree of physical or mental ability, sexual orientation or culture.

Willful loss, damage, or misuse of THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property.

Willful loss

Any act whereby an employee willfully or deliberately loses or causes THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property to be lost.

Willful damage

Any act whereby an employee willfully or deliberately damages, or allows or causes damage to THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property.

Willful misuse

Any act whereby an employee willfully or deliberately misuses Thassim Beevi Abdul Kader College for Women property.

Offenses Related to Dishonesty

Disciplinary cases involving the following offenses must be reported to the Human Resources Officer.

Bribery or Corruption

Giving or receiving or attempting to give or receive any bribe or inducing or attempting to induce any person to perform any corrupt act.

False Evidence

Deliberately giving untrue, erroneous or misleading information or testimony whether verbally or in writing.

Forgery and uttering

Falsifying or changing any documentation with fraudulent intent or attempting to do so. Uttering or attempting to utter. Fraudulent or false statements or documents.

Misappropriation

Applying or attempting to apply to wrong use or for any unauthorized purpose, any funds, assets or property belonging to THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN.

Stealing or attempting to deprive THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN permanently of its rightful owner. Being in possession or disposing of THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN property without due authorization.

Fraud

The unlawful making of misrepresentation with intent to defraud, which causes actual or potential prejudice to another party.

Breach of Trust

Actions or conduct of an employee that cause a reasonable suspicion of dishonesty or mistrust and for which there exist extraneous evidence to prove a breakdown in the relationship of trust between the concerned employee and THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN.

This will include a situation where the conduct of the employee has created mistrust, which is counterproductive to THASSIM BEEVI ABDUL KADER COLLEGE FOR WOMEN's commercial activities or to the public interest, thereby making the continued employment relationship an intolerable one.

Security

1. A number of measures are in place to ensure adequate security around them .
The entrance to the premises is guarded round the clock.
2. The doors to the building as well as those of individual offices are locked after working hours. Staff members expecting to work late or over the weekend should obtain a key and an authority to operate.
3. Staff members working after hours should ensure that all the windows are closed and the lights turned off before leaving.
4. No money or valuables should be left unattended.