



HR Staff Disciplinary Action Strategy

(Forms part of Human Resources Management Policy)

1. Purpose and Scope:

This policy provides guidelines to the Board and staff of Taillem Bend Community Centre Inc (TBCC) to address and resolve unsatisfactory work performance or behaviour.

2. Definitions:

- 2.1 Disciplinary Action – means action taken to discipline a staff member for unsatisfactory performance or misconduct or serious misconduct in accordance with this policy.
- 2.2 Serious misconduct - conduct of a nature that justifies termination of employment without notice. It is misconduct that may include a combination of a number of documented incidents of misconduct, a single offence frequently repeated or a single serious incident.

3. Background:

- 3.1 Authority for implementation of disciplinary procedures is contained in the Industrial Relations Reform Act 1993.

4. Strategy:

- 4.1 The Board of Management, in conjunction with, or at the behest of the Coorong District Council has the authority to deal with disciplinary procedures and counselling.
- 4.2 In matters of discipline the Board of Management, or duly designated person, shall observe award conditions and standard Industrial condition benchmarks e.g. 3 warnings. (This does not necessarily apply to probationary employees).
- 4.3 The Board of Management, or duly designated person, shall implement disciplinary procedures in a fair and equitable manner applying the principles of Natural Justice. These principles require that the Board of Management:
 - Informs anyone who is the subject of disciplinary proceedings as fully as possible of anything alleged against them
 - Provides the opportunity for the person to put his/her case whether at an oral hearing or otherwise
 - Hears all parties to a matter and considers all relevant submissions
 - Ensures that the person who lays a charge does not determine it and
 - Acts fairly and without bias

- 4.4 The actions following a third disciplinary reprimand can include:

- Reprimand
- Appointment to an alternate position
- Dismissal
- or any other action that is deemed appropriate

4.5 It is recommended that the Board seek expert advice prior to dismissal or appointment to an alternate position.

4.6 Instant dismissal of an employee may still occur for acts of "Serious and wilful misconduct" as listed below. This list is indicative and does not include all acts that may constitute serious misconduct.

- Theft;
- Fraud;
- Assault;
- Misappropriation of funds;
- Serious harassment (including sexual harassment);
- Abusing or threatening another employee;
- Malicious damage to TBCC property;
- A wilful and serious breach of TBCC's Code of Conduct, Constitution or Policies;
- Wilful disobedience of a lawful and reasonable instruction given by a supervisor;
- Repeated acts of misconduct for which the staff member has been counselled.

4.7 If a dispute should arise over the disciplinary action, the matter will be referred to the appropriate reference body for resolution. Such resolution shall be accepted by the parties as final.

4.8 If after any warning, a period of 12 months elapses without any further warning or action being required, all adverse reports relating to the warning will be removed from the employee's/volunteer's personal file.

Date first formulated	December 2015 (previously staff Disciplinary Action Policy V1 August 2007)	
Dates approved by Board	V1 (Incorporated into Human Resources Management Policy as HR Staff Disciplinary Action Strategy)	June 2016
Next Review Date	June 2019	
Related Documents	Feedback and Complaints Policy Human Resources Management Policy Privacy and Confidentiality Policy	
Signed on behalf of TBCC Board of Management by:		
Name: Lorraine Cresp		
Position held: Chairperson		Signature: 