



Workplace Discipline and Dismissal

Full Day Workshop

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- Senior Management
- When to use formal and Informal Discipline
- When to hold a formal Disciplinary Hearing
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- Grievance Procedures
- Suspension
- Demotion as an alternative to dismissal
- Procedural and Substantive Fairness

Module 3: Fair reasons for dismissals

- Dismissals for misconduct
- Incapacity/ poor Performance
- Retrenchments

Module 4 – Drafting / Formulation of Charges

- Deciding on the charges
- How to charge an employee
- Alternative Charges
- The charges and the disciplinary Code
- Avoid the splitting of charges

Module 5 – How to investigate misconduct

- Where to start
- What must the investigator look for?
- Examples of transgressions
- The sources of evidence and witness statements

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Module 6 – Dismissal for Misconduct

- Has a rule or standard been broken, or a policy or procedure or the employment contract been breached?
- Was the rule or standard reasonable, lawful and attainable?
- Was the employer's expectation of compliance with the breached rule or standard a fair and reasonable expectation?
- Was the accused employee aware of the rule or standard or could he/she reasonably be expected to have been aware of it?
- Did the accused employee understand the requirements of the rule or standard?
- Has the rule or standard has been consistently applied by the employer?

Module 9: Initiate/ charging the employee

- Preparing for the disciplinary hearing
- Do's and don'ts for initiators

Module 10: The disciplinary hearing

Who should attend?

- Employment relations managers/ practitioners, general managers, HR Managers, discipline, union representatives, individuals that act as initiators/ prosecutors in disciplinary hearings.

Course outcome

- After completion participants should be able to conduct an investigation, identify and categorise transgressions, implement appropriate procedures and represent the company or an employee at a disciplinary hearing.

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