

# DISCIPLINARY PROCEDURE COLLECTIVE AGREEMENT

Item A-CORP (89-2010) CM 2010-08-26	HUMAN RESOURCE MANAGEMENT AND DEVELOPMENT: REPORT ON THE IMPLEMENTATION OF THE NEW DISCIPLINARY PROCEDURE COLLECTIVE AGREEMENT
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## RESOLVED:

1. **That** the contents of the report by Executive Director Human Resource Management & Development on the implementation of the new Disciplinary Procedure Collective Agreement, **BE NOTED**.
2. **That** the recommended procedure outlined below to ensure that the new Disciplinary Procedure Collective Agreement is operationalised, **BE APPROVED**:
  - (a) A supervisor or another employee investigates the misconduct and submit the report or accusation to a manager in the relevant section / division.
  - (b) The manager completes the notice of misconduct form and submits to the Municipal Manager or his authorized representative to establish a disciplinary hearing.
  - (c) The Municipal Manager or his authorized representative approves that a disciplinary hearing be established.
  - (d) The Municipal Manager or his authorized representative submits the case documentation to the Labour Relations Director's office together with the name of the appointed employer representative.
  - (e) The office of Director: Labour Relations identifies a Presiding Officer and submits his / her name to the Municipal Manager or his authorized representative for appointment.
  - (f) The employer representative shall within 5 days of his / her appointment formulate and serve charges to be brought against the employee in terms of clause 6.7.
  - (g) The prosecutor in consultation with the Labour Relations Division makes arrangements for the Disciplinary Hearing to be convened.
  - (h) The Labour Relations Division has to ensure that the venue and recordings of the Disciplinary Hearing are available.
  - (i) The Labour Relations Division has to make arrangements for an interpreter upon timeous request.

- (j) The Labour Relations Division shall play an advisory role in the Disciplinary Hearing and ensure that the policies and procedures applicable in the workplace are adhered to.
- (k) The Presiding Officer shall be responsible for the recording of the proceedings.
- (l) The Labour Relations Division shall be responsible for the safe keeping of the recordings.
- (m) All the departments of Council must purchase recording devices for the Disciplinary Hearings.
- (n) The sanction issued by the Disciplinary Hearing shall be communicated to the Labour Relations Division.
- (o) The Labour Relations Division shall ensure the implementation of the sanction.
- (p) The noting of an appeal against the sanction of a Disciplinary Hearing shall not stay the implementation of the sanction imposed.
- (q) The departments should adhere to the dates and processes as contained in the Collective Agreement.