



HRPOL002 – DISCIPLINARY POLICY

INTRODUCTION

The objective of this policy is to provide reference to Management on appropriate disciplinary management. It is also to assist in providing employees with a standard process to correct unacceptable conduct where dismissal is not appropriate.

INTENT

This intention of this document is to provide Management in addressing instances of unsatisfactory staff performance at a formal stage and strive to elevate employee performance to an acceptable standard.

This Policy offers the opportunity addresses discipline arising from conduct in any situation connected with work as well as;

- Conduct at YBE provided accommodation;
- Conduct at work-related functions;
- Employees attending other workplaces, sites or events, (during or outside of business hours), where they may be perceived to be connected with YBE.

If the conduct involves a potential breach of Australian law, YBE may notify the police or other relevant government authority.

RELEVANT DEFINITIONS

Code of Conduct is the Code of Conduct required by all YBE employees.

Current Employment Agreement is the employees' contract of employment in force at any given time

Disciplinary action:

- a) Formal verbal warning of an employee by Management in conjunction with HR
- b) Written warnings of an employee by Management in conjunction with HR.
- c) Termination of an employee.

Dismissal for Serious Misconduct is when an employee is summarily dismissed for serious misconduct.

Employee describes employees, apprentices, trainees, agents and contractors (including temporary contractors).

Formal verbal warning is a two-way discussion, addressing any shortcomings regarding conduct and required expectations. This discussion shall be documented by the conductor.

FWA Fair Work Australia.

HR Officer Human Resources Officer

Management YBE's managers, supervisors, team leaders (whichever are relevant) and all employees with supervisory responsibilities.



Misconduct is dereliction of duty or wilful conduct that is unsatisfactory. In deciding whether conduct is in fact misconduct, Management will reference YBE's Code of Conduct. **Serious misconduct (as per FW Regulations)** is the wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment and/or conduct that causes serious and imminent risk to the health or safety (may be physical or mental) of a person, or the reputation, viability or profitability of the employer's business. Conduct that is serious misconduct also includes each of the following: the employee, in the course of the employee's employment, engaging in:

- theft; or
- fraud; or
- assault;
- the employee being intoxicated at work;
- the employee refusing to carry out a lawful and reasonable instruction that is consistent with the employee's contract of employment.

Underperformance is failure to meet the performance standards of the position.

Unsatisfactory Performance is failure to meet the performance standards of the position.

Work-related function is any function that is connected to work. For example: work lunches, dinners, conferences, community/festive functions and client/customer functions.

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Underperformance and Unsatisfactory performance

Underperformance and unsatisfactory performance will be dealt with as per the disciplinary procedure.

Where an employee demonstrates underperformance and/or unsatisfactory performance, actions will be taken to address his/her shortcomings in a timely manner. Appropriate action depending upon the significance and extremity can range from:

- Formal verbal warning
- First written warning
- Second written warning
- Third written warning
- Termination of Employment

Misconduct

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- Formal verbal warning
- First written warning
- Second written warning
- Third written warning



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- Termination of Employment

Serious Misconduct

In the case of Serious Misconduct, appropriate action depending upon the significance and extremity can range from

- Final written warning
- Termination of Employment

Documentation

In the event of any misconduct or serious misconduct all documentation will be kept on personnel files.

SUPPORTING DOCUMENTATION

- Current employment agreement
- FWA - Act 2009
- HRPOL000 - Code of Conduct
- HRPRO002 - Disciplinary Procedure
- PERFRM001 - Record of Discussion
- PERFRM002 - Verbal Warning
- PERFRM003 - First Written Warning
- PERFRM004 - Second Written Warning
- PERFRM005 - Third and Final Written Warning
- PERFRM006 - Performance Improvement Plan
- PERFRM011 - Performance Review Policy
- PERFRM012 - Performance Review Procedure

RESPONSIBILITIES

The HR Officer is responsible for the implementation of this procedure.

Document History and Version Control

Version	Date Approved	Approved by	Signature	Created By	Signature
1.0	05/04/19	Lucinda Batha CFO		Malika Chanday - HR Officer	