

Disciplinary POLICY

Purpose

Our goal at Tribe Workforce (the Company) is to help employees to succeed, not to rely on threats or termination. This policy is designed to help and encourage all employees to achieve and maintain acceptable standards of conduct and to ensure that all failures to comply with these standards are handled fairly, consistently, and with due consideration provided for in all circumstances.

Scope

This policy applies to all employees, including:

- full time, part time, casual, permanent or temporary;
- contract or commission workers;
- volunteers, vocational and work experience placements.

It applies to employees whilst:

- At the Company premises
- Attending work-related interactions with fellow employees, and with clients, candidates and other stakeholders;
- Fulfilling work-related obligations;
- At the Host Company/stakeholder premises; and/or
- At a Company sponsored or funded functions or activities during and/or outside working hours.

Other actions by employees outside working hours may also fall within the scope of this policy if there is an impact on the employee's ability and/or suitability to do his/her job or the actions bring the Company into disrepute.

Description

The Company encourages positive behaviours within the workplace and expectation is placed on employees to practice self-discipline and to meet performance goals. In the unlikely event that an employee fails to meet these standards, the company may provide coaching, counselling and in some cases, discipline necessary to assist the employee.

Policy

1. Unsatisfactory Work Performance or Conduct

Unsatisfactory work performance or conduct may include, but is not limited to:

- Inefficiency or negligence in the performance of the specified duties of the position held
- Misbehaviour or misconduct, which includes the commission of acts which constitutes an impediment to the carrying out of the employees work or that of the employees colleagues, or the failure to comply with a reasonable instruction from a person in the line control of the employee
- Action which is prejudicial to the health and/or safety of other employees/stakeholders
- Breach of company policies, regulations or procedures
- Any breach of the Code of Conduct
- refusal to obey a lawful and reasonable instruction of a manager or supervisor

2. Disciplinary Procedure

- a) The preferred method of resolution at the Company is an informal discussion between the employee and the appropriate manager/company representative.
 - i. This method is usually a more satisfactory way of resolving issues for both the employee and the Company. It will be a two-way discussion, aimed at highlighting any shortcomings in conduct and setting expectations.
- b) If, in the unlikely circumstance the issue is not resolved with a simple informal discussion or the matter is of significance, a meeting will be convened between the employee and the appropriate manager.

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- i. At this meeting the concerns or problems will be discussed with the manager outlining the details and presenting any relevant information and/or evidence. The employee is given an opportunity to respond with the aim of developing reasonable solutions. A written record of the steps of the unsatisfactory work performance may be recorded.

3. Disciplinary Action

If the unsatisfactory work performance or conduct issue still cannot be successfully resolved by an informal discussion or the matter is of significance, disciplinary action may be taken. There are a number of actions that may be imposed as a result. The potential actions may include, but not limited to:

- Warning letters;
- Stand down/suspension;
- Dismissal; and/or
- Summary Dismissal.

If the unsatisfactory work performance or conduct continues despite previous performance discussions/warnings and remains unresolved or re-occurs, or the conduct may be serious misconduct (outlined below), the Company may choose to allow the employee a right of reply which may be via:

- a meeting, either formal or informal
- telephone discussion
- written correspondence

If the employee's response is deemed to be unsatisfactory, determined at the Company's discretion, the Company may take reasonable disciplinary action which may result in the employee being dismissed.

4. Serious Misconduct

Serious misconduct is misconduct that is so serious it fundamentally undermines the relationship of trust and confidence between the Company and the employee.

The following are examples of conduct in which the Company may regard as serious misconduct; these examples however are neither definitive nor exhaustive:

- Dishonesty
- Theft
- Fraud, which includes but is not limited to falsifying records, business expense claims
- Acts of, or threats of, violence
- Being under the influence of alcohol or substance abuse
- Communication of confidential information to third parties, in written, verbal, photographic or video format (including via video mobile phones), without authority
- Breaching the Company's Bullying, Discrimination and Harassment policy, whether verbal, written, photographic, pictorial or physical
- Conducting unauthorised business on Company premises or during Company time or using Company resources
- Serious breach or neglect of duty or other action which results, or may have resulted, in detriment to the Company's relations or standings
- Breaching the Company's Equal Employment Opportunity Policy
- Misuse of Company computers, peripherals, networks, emails, intranet, internet and other communications equipment and accessing, downloading, distributing pornographic or other offensive material
- Refusing to carry out a lawful and reasonable instruction that is part of the job
- Bringing the Company into ill repute
- Unauthorised signing of documentation committing the Company to a financial obligation or the employee exceeding their authority in any other way.

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Such conduct may result in summary dismissal i.e. without the employee being given notice or pay in lieu of notice or compensation.

5. Provisions

Nothing contained within this Disciplinary Policy compels the Company to discipline employees in the order specified within. Additionally the number of warnings (written or verbal) may increase or decrease prior to dismissal depending on the circumstances.

Disciplinary action may be issued after the employee has exercised their right of reply and the Company has considered the severity of the issue or issues, the employees' tenure and the employee's personal circumstances.

6. Retention of Disciplinary records

Records will be kept securely and will only be made available to employees whose duties require access to this information.

Consequences of non compliance

Failure to comply with the policy may result in consequences outlined in this Disciplinary Policy which may include termination of employment.

Related documents

- Code of Conduct
- Equal Employment Opportunity Policy

Policy Review

This policy will be reviewed at least annually (or more frequently if necessary due to technical or other business policy requirements). The Company reserves the right to suspend, modify, or withdraw this Policy at any time. The Employee is responsible for regularly reviewing its terms.

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