

## **DISCIPLINARY PRACTICES & GRIEVANCES POLICY**

### **1. Purpose of the policy**

The company's aim is to encourage improvement in individual conduct and performance. This policy sets out the action which will be taken when Company rules are breached.

### **2. Principles**

If anyone is subject to disciplinary action:

- The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated.
- At every stage he/she will be advised of the nature of the complaint, be given the opportunity to state your case, and be represented or accompanied by a fellow employee of your choice.
- He/she will not be dismissed for a first breach of discipline except in case of gross misconduct, when the penalty will normally be dismissal without notice and without pay in lieu of notice.
- He/she will have a right to appeal against any disciplinary action taken against you.
- The procedure may be implemented at any stage if his/her alleged misconduct warrants such action.

On request, he/she will have the right to be accompanied at a disciplinary hearing by a fellow worker or Trade Union officials.

### **3. Informal Discussions**

Before taking formal disciplinary action, he/she supervisor will make every effort to resolve the matter by informal discussions with he/she. Only where this fails to bring about the desired improvement should be formal disciplinary procedure be implemented.

### **4. First Warning**

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warning will be recorded, but disregarded after one month of satisfactory service. The employee will also be informed that a final written warning may be considered if there is no sustained satisfactory improvement or change. (Where the first offence is sufficiently serious, for example because it is having, or is likely to have, a serious harmful effect on the organization, it may be justifiable to move directly to a final written warning.

## **5. Final written warning**

If the offence is serious, or there is no improvement in standards, or if a further offence of a similar kind occurs, a final written warning will be given which will include the reason for the warning and a note that if no improvement results within 3 months, action as set out below will be taken.

### **Dismissal or action short of dismissal**

If the conduct or performance has failed to improve the employee may suffer demotion, disciplinary transfer, loss or seniority (as allowed in the contract) or dismissal.

## **6. Statutory discipline and dismissal procedure**

If an employee faces dismissal - or action short of dismissal such as loss of pay or demotion - the minimum statutory procedure will be followed. This involves:

- Step 1: A written note to the employee setting out the allegation and the basis for it.
- Step 2: A meeting to consider and discuss the allegation.
- Step 3: A right of appeal including an appeal meeting.

The employee will be reminded of their right to be accompanied.

## **7. Gross misconduct:**

If, after investigation, it is confirmed that an employee has committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal without notice or payment in lieu of notice:

- Theft, damage to property, fraud, incapacity for work due to being under the influence of alcohol or illegal drugs, physical violence, bullying and gross insubordination.

While the alleged gross misconduct is being investigated, the employee may be suspended, during which time he or she will be paid their normal pay rate. Any decision to dismiss will be taken by the employer only after full investigation.

## **8. Appeals:**

If the person wish to appeal against any disciplinary decision, he/she must appeal, in writing within 5 working days of the decision being communicated to him/her to A.V.P. (Pers.). If possible a H.O.D who was not involved in the original disciplinary action will hear the appeal and decide the case as impartially as possible.

In brief, before taking disciplinary action using the procedure, The Concerned officer will need to be certain that:

- The matter cannot be resolved through informal counseling .
- You have investigated the matter fully.
- The individual is told that he or she will be interviewed by the appropriate manager / supervisor and has the right to be represented or accompanied by a fellow employee or a trade union official of their choice.

At the disciplinary interview, make sure that:

- The employee concerned knows the details of the allegation.
- He or she has the opportunity to put his or her side of the matter.
- Any disciplinary measure is appropriate to the circumstances.

If a warning is given, it should tell the employee:

- The level of improvement required.
- The date by which it is to be achieved.
- What will happen if it is not.
- How to appeal.

## **Grievance Policy**

### **Introduction**

It is the Company's policy to ensure that employees with a grievance relating to their employment can use a procedure which can help to resolve grievances as quickly and fairly as possible.

#### **1. Informal Discussions**

If he/she have a grievance about his/her employment he/she should discuss it informally with his/her line manager. We hope that the majority of concerns will be resolved at this stage.

#### **2. Statutory grievance procedure**

If he/she feel that the matter has not been resolved through informal discussions, he/she should raise it formally with management. Employees must follow the statutory grievance procedure if they wish subsequently to use the grievance as the basis of certain applications to an employment tribunal. Under the statutory grievance procedure employees must:

**Step 1:** Inform the employer of their grievance in writing:

**Step 2:** Be invited by the employer to a meeting to discuss the grievance and notified in writing of the decision. An employee has the right to be accompanied by an employee representative at all grievance meetings.

**Step 3:** Be given the right to appeal against the decision.

### **3. Appeals**

Appeals should be heard by senior designated person wherever possible. Where a senior designated person is not available, a different management should hear the appeal.

Date: 24-May-2024.

Place: Noida

**Reviewed By**

**Approved By**

**HR (Executive)**

**Corporate Head (HR & Admin )**

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