



Disciplinary Guidelines

Business Management Systems (BMS) Group Guideline



Document Version Control

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Table of Contents

1.	Disciplinary Procedures	4
	Step 1 – Verbal Counselling Session.....	4
	Step 2 – Written Warning	4
	Step 3 – Final Written Warning	4
	Step 4 – Final Action: Termination	5
1.1.	Dismissal Without Warning	6
1.2.	Suspension.....	6
2.	Appendices	7
2.1.	Appendix A: Dismissal Guide.....	7

1. Disciplinary Procedures

In order for BMD to have consistent and fair discipline procedures, the following guidelines have been adopted. This document is intended as a guide, therefore management should use their discretion in determining at what stage to commence in the disciplinary procedure process. For example, if deemed applicable by management it may be appropriate to bypass the verbal counselling and progress straight to a final written warning and in the case of serious and wilful misconduct, instant dismissal. Termination without a counselling process may also occur within the probationary period without provision of any reason.

Note: *Should an employee return a confirmed positive result for either drugs or alcohol twice within a 12-month period or a BrAC reading greater than 0.1%, immediate termination procedures will be implemented.*

Step 1 – Verbal Counselling Session

The Manager/Supervisor and the Human Resources (HR) Manager will be responsible for using a clear, constructive and fair counselling and disciplinary process to manage any employees who is not performing, conducting, or behaving in an acceptable manner. BMD's disciplinary procedures and actions will be consistent with the principles of procedural fairness. When an employee is failing to perform to the established standards or is in violation of company policy or has engaged in other misconduct, the manager/supervisor will discuss the issue with the employee, address the inappropriate behaviour and highlight the acceptable behaviour required. This discussion should occur immediately upon determination of the unsatisfactory performance or behaviour. If the problem is corrected, the manager/supervisor acknowledges this to the employee and reinforces their expectations of the improved behaviour. If the problem is not corrected, the next step in the procedure is implemented.

Step 2 – Written Warning

If an employee continues to fail to meet established performance standards or engages in misconduct or violates company policy following a verbal counselling session, the manager/supervisor will contact the HR Manager to obtain assistance in preparing a written warning.

The documentation from the written warning is to be sent to the BMD HR Manager and placed on the employee's file. If the issue is not corrected then Step 3 is implemented.

Step 3 – Final Written Warning

If the employee continues to fail to meet performance standards or engages in further misconduct or violates company policy, a final written warning is given by the supervisor/manager following a discussion with the HR Manager. The final written warning must be written by Human Resources.

The final written warning is to be sent to the BMD Human Resources Manager and retained with all other documentation in the employee's file.

Step 4 – Final Action: Termination

The next stage may be termination of the employee in the event of the employee continues to fail to meet performance standards or engages in further misconduct or violates company policy. An employee may also be summarily dismissed in the event of serious misconduct or a serious breach of their contract of employment. A formal termination is usually accompanied by and comes as a final action subsequent to:

- An assessment of an employee's suitability for the role, during the probationary period;
- A history of unsatisfactory work;
- Repeated failure to obey directions;
- Lack of demonstrated improvement from training;
- Lack of efficiency;
- Some other record of unsatisfactory work or behaviour;
- Breach of company policy; and
- Breach of any OH&S policies and procedures.

The decision to dismiss an employee and the execution of that decision must be done with the authority of the relevant Manager in liaison with the BMD Human Resources Manager. The relevant form of industrial regulation and applicable legislation will identify the mechanisms and procedures required to manage the termination of an employee.

1.1. Dismissal Without Warning

An employee will be similarly dismissed without notice if it is established, after investigation and hearing the employee's version of the matter, that there has been an act of gross misconduct, major breach of duty or conduct that brings the company into disrepute. Such behaviours include:

- Insubordination;
- Serious breach of safety rules;
- Theft or fraud;
- Under the influence of drugs or alcohol;
- Failure to follow Company procedures;
- Deliberate damage to Company property or that of other Company employees;
- Disorderly or indecent conduct;
- Fighting on Company premises or at sanctioned functions or threatening physical violence;
- Acts of incitement, or actual acts of discrimination on the grounds of sex, race, religion, colour or ethnic origin;
- Confirmed positive result for either drugs or alcohol twice within a 12 month period;
- Refusal of alcohol and/or drug testing twice within a 12 month period; and
- Recording a confirmed BrAC reading greater than 0.1%.

1.2. Suspension

At any stage of the disciplinary procedure the employee may be suspended with pay while the circumstances of a complaint are investigated.

2. Appendices

2.1. Appendix A: Dismissal Guide



