

SESSION 3:

DISCIPLINE IN THE WORKPLACE



- 3 types of discipline in the workplace:
 - Misconduct
 - Poor work performance
 - Medical incapacity
- Principles of discipline:
 - Each case is unique
 - Progressive discipline
 - Aim is to correct behaviour
 - Proof
- Procedures: disciplinary | consultation

DISCIPLINE IN THE WORKPLACE



Disciplinary procedure:

- Offences with sanction
- Progressive discipline
- Disciplinary hearing
 - Notices
 - Hearing
 - Chairperson
 - Outcome/Recommendation

DISCIPLINE IN THE WORKPLACE



A commissioner at the CCMA will always ask:

- Was there a rule in place?
- Is there proof that the employee was aware of the rule?
- Did the employee act according to the rule?
- Did the employer apply progressive discipline (according to the violation)?
- Was the rule applied consistently?

CCMA



- Statistics
- Processes:
 - In Limine
 - Conciliation
 - Con-Arb
 - Arbitration
- What to expect
- Awards

MYTH BUSTERS



- Employer can “fire” an employee immediately
- Suspension without pay
- Double jeopardy
- Role of chairperson at a disciplinary hearing
- Sick leave – visit to the clinic?
- The employee ‘fired him-/herself’
- Severance package – pension | dismissal

BE PROACTIVE



- Employer/Employee relationship is based on **mutual benefits and respect**.
- **Clear rules and guidelines** ensure that friction and misunderstandings are kept to a minimum.
- Promotes **productivity** and a **positive** working environment, receptive to **growth**.

Thank you



LWO

WERKGEWERSORGANISASIE

EMPLOYERS ORGANISATION