



UPAY
Underprivileged's Advancement by Youth

DISCIPLINARY ACTION POLICY

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Vetted by Director (DAC)

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Approved by Chairman

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1. Policy Statement

UPAY's Disciplinary Action policy explains how we address misconduct or inadequate performance. Employees must be aware of the consequences of their actions. We use this policy to outline our disciplinary procedure.

2. Scope

This policy applies to all our members, volunteers, fellows, interns and associates.

3. Purpose

The UPAY has adopted a progressive discipline policy to identify and address Members/Volunteers and work related problems. This policy applies to any and all Members/Volunteers conduct that the UPAY, in its sole discretion, determines must be addressed by discipline. Of course, no disciplinary policy can be expected to address each and every situation requiring corrective action that may arise in the workplace. Therefore, the UPAY takes a comprehensive approach regarding discipline and will attempt to consider all relevant factors before making decisions regarding discipline.

Most often, Members/Volunteers conduct that warrants discipline results from unacceptable behaviour, poor performance or violation of the UPAY's policies, practices or procedures. However, discipline may be issued for conduct that falls outside of those identified areas. Equally important, the UPAY need not resort to progressive discipline, but may take whatever action it deems necessary to address the issue at hand. This may mean that more or less severe discipline is imposed in a given situation. Likewise, some UPAY polices like sexual harassment and attendance, contain specific discipline procedures.

Progressive discipline may be issued on Members/Volunteers even when the conduct that leads to more serious discipline is not the same that resulted in less severe discipline. That is, violations of different rules shall be considered the same as repeated violations of the same rule for purposes of progressive action.

Probationary Members/Volunteers are held to the highest standards for behaviour and job performance. Progressive discipline is the exception rather than the rule for probationary Members/Volunteers.

4. Guidelines

Disciplinary action should only be engaged with Members/Volunteers on a performance issue if all other corrective action has failed to achieve the desired result.

- i) Where a Member/Volunteer has deliberately breached the UPAY policy or procedure, or engaged in misconduct, disciplinary procedures should be initiated.
- ii) Members/Volunteers should be treated fairly and the proper procedures should be followed.
- iii) Members/Volunteers must be made aware of their responsibilities, counselled and given the opportunity to reach the standards expected of them and the chance to defend them before action is taken.

iv) It is required to have the third party attend a disciplinary meeting, and notes taken are to be signed as a true record of discussions.

v) The expected standard must be clearly defined and the measurement criteria understood. A reasonable date for achievement of standards must be agreed. This should be shown as a minimum time, e.g. within one month.

For serious issues, Members/Volunteers must be advised in writing and such advice should be recorded on the Members/Volunteer's personnel file.

5. Progressive Discipline Process

The UPAY will normally adhere to the following progressive disciplinary process:

5.1 Verbal Warning (1st level):

A Member/Volunteer will be given a verbal warning if he/she engages in problematic behaviour. As the first step in the progressive discipline policy, a verbal warning is meant to alert the Members/Volunteers that a problem may exist or that one has been identified, which must be addressed. Verbal warnings will be given and documented by the respective reporting Managers in consultation with the line HR. The same would be valid for maximum 15 days.

5.2 Written Warning/PIP (2nd level):

A written warning is more serious than a verbal warning. A written warning/ Performance improvement plan (PIP) will be given when a Members/Volunteers engages in any process lapses/conduct that justifies a written warning or the Members/Volunteers engages in unacceptable behaviour during the period that a verbal warning is in effect and also if there is no improvement in his performance. This could also warrant for a financial recovery/ penalty in case of gross process lapses/ mis-conduct/ fraud. Written warnings will be given and documented by the respective Zonal Presiding officer in consultation with the line HR. This would be valid for 15- 30 days from the date of issue. The same would be documented in the Members/Volunteer's personnel file.

5.3 Suspension (3rd level):

A suspension without pay/ Half Pay is more serious than a written warning. A Members/Volunteers will be suspended when he or she engages in conduct that justifies a suspension or the Members/Volunteers engages in unacceptable behaviour during the period that a written warning is in effect. A Members/Volunteer's suspension will be given and documented by the zonal presiding officer on getting the information/request from the Zonal Directors. The same would be documented in the personal file of the Members/Volunteers and, will remain in effect for specific time ranging from 15 days to a month as well.

- i) Generally following a suspension, Members/Volunteers will be reprimanded then sent home for the day on decision-making leave. This is intended to help the

Members/Volunteers decide whether they should continue working with the UPAY.

- ii) Suspension could be given by;

Zonal Heads: to volunteers

Executive body: to Zonal team members

Governing Body: to Executive body member

The Chairman has the discretion to levy any other penalty as he may have deemed fit based on the investigations and the nature of the offence after the consultation with Director(DAC)

5.4 Termination (4th level):

A Members/Volunteers will be terminated when he or she engages in conduct that justifies termination or does not correct the matter that resulted in less severe discipline.

Again, while UPAY will generally take disciplinary action in a progressive manner, it reserves the right, in its sole discretion, to decide whether and what disciplinary action will be taken in a given situation

Termination could only be given by the Director (DAC) post the approval from the governing body.

If a volunteer, fellow, associate or intern is terminated from his/her position; he/she will not be entitled to receive any allowances for which he/she is entitled during the notice period

6. Disciplinary Action Scope

6.1 Poor Performance

Wherever possible the Performance Management System should be used to manage Members/Volunteers performance. However, there may be times when performance, conduct or Members/Volunteers attitude need to be immediately addressed.

If Members/Volunteers fall below required performance standards they must be personally counselled and then given written confirmation of their deficiencies in performance and if there is no improvement should be put on a performance improvement plan (PIP) for a minimum time period of 30days to 60days from the date of issue.

The Performance improvement plan/written warnings must clearly define the deficiency, the expected standard, by when it should be achieved, how the UPAY will help the Members/Volunteers achieve the improvement required and the consequences of failing to do so.

The Zonal Heads concerned should have documentation showing the conversations taken place, agreed action plans, and other communication with the Members/Volunteers and a copy to Director(DAC) & Director (Administration). The Members/Volunteers should be given the opportunity to appeal or respond to the issues highlighted on each occasion.

If Members/Volunteers consistently fails to meet agreed standards, and has been counselled along with appropriate support/training, then the UPAY would look at even dismissing the Members/Volunteers on performance issues.

6.2 Misconduct

Zonal Presiding officers are expected to investigate misconduct and proceed through the following steps:

A verbal warning should be given to a Members/Volunteers for minor misconduct. A record of the warning must be kept by the Zonal Presiding officers and should be signed by the Members/Volunteers. The Members/Volunteers must be given the opportunity to respond.

If the unacceptable behaviour continues, a written warning will be issued, and signed by the Members/Volunteers as being received and understood, with a copy to Director (DAC) . The Members/Volunteers must be given the opportunity to respond.

Members/Volunteers who have been disciplined two times are subject to dismissal on the third warning

Details of disciplinary actions should be recorded on the Members/Volunteer's personnel file and removed after one (1) calendar year if further disciplinary action is not required.

6.3 Gross or Severe Misconduct

Summary (instant) dismissal for gross or very serious misconduct is possible (depending on the facts involved) for the following but are not limited to:

Insubordination, drunkenness, dishonesty, assault, deliberately endangering the safety of others, commission of a criminal offence on our site, and objectionable language or action, breach of confidentiality

In such cases follow the procedure below:

- I. Zonal Presiding Officer investigates the alleged offence thoroughly, including talking to witnesses, if any.
- II. Ask the Members/Volunteers for his/her response to the allegation (taking notes of this discussion).
- III. Consult with the Director (DAC) regarding possible action.
- IV. If still appropriate, following a thorough investigation, terminate/dismiss the Members/Volunteers.
- V. Keep a file on all evidence collected and action taken in these circumstances.
- VI. The Zonal Presiding officer shall submit a report to the Director(DAC) within Forty-Eight (48) Hours of their finding and/or commission of offense, stating the following facts:
 - Name and Zone involved
 - Nature and Date of offense committed
 - Amount of loss or probable loss, if any.
- VII. Within twenty-four (24) hours from receipt thereof, Director (DAC) shall issue a Memorandum directing the Members/Volunteers/s involved to submit their written

explanation within Five (5) Working Calendar Days to refute such alleged offense committed herein.

- VII. In all such cases 'procedural fairness' guidelines will apply. This means the warning and dismissal process must allow the Members/Volunteers to offer their view of the events concerned. The Members/Volunteers must have every chance to defend himself/herself and has the right to appeal a decision made to the Governing Body. If this process is not followed the dismissal may be overturned by the Governing Body.