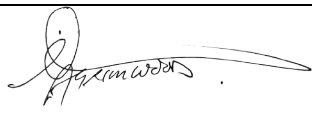




# HR Disciplinary Process

EXCO REVIEW	
Signature Date	18 September 2025
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Signature	

## HUMAN RESOURCES POLICY: DISCIPLINE

### INTRODUCTION

Human Resources is responsible for guiding and managing the overall provision of Human Resources services, compensation, benefits, policies, and programs for the entire organization. The mission of Human Resources is to maximize the productivity of the organisation by optimizing the effectiveness of their workforce maintaining a fair, equitable, and positive work environment for all employees, in support of the mission of the organisation. It is based upon the belief that the success of the organisation, and its ultimate value, is primarily dependent upon its people; and that the development of the greatest potential for each employee will create job satisfaction and career opportunities for individuals and provide maximum benefit to the organisation.

It is advisable that the HR policies are read in conjunction with the provisions of the following ACTS:

- (BCEA) Basic Conditions of Employment Act of 1997
- (EEA) Employment Equity Act of October 1998
- (SDA) Skills Development Act of 2008
- (OHS) Occupational Health and Safety Act of 1993
- (POPI) Protection of Peoples information Act of 2013
- (LRA) Labour Relations Act of 1995

### PURPOSE

The purpose of this policy to give guidelines to both managers and staff on discipline within Kheth'Impilo (KI).

It is the objective of KI to:

Maintain discipline within the framework of the disciplinary procedures in a reasonably fair and consistent manner with emphasis on progressive discipline,  
prevent unacceptable behaviour of employees,  
positively influence unacceptable behaviour,  
maximize productivity within the workplace.

In addition to the Code, other relevant factors to be considered in determining the appropriate disciplinary action will include length of service; previous offences; period since last offence; status; and any relevant mitigating circumstances. This code shall in no way limit the right of management to take appropriate disciplinary action in respect of offences not specifically mentioned here.

### PRINCIPLES

Depending on each specific case, the application of discipline is the responsibility of all line management from employees in supervisory positions, management, senior management as well as, the board of the employer within the scope and application of the disciplinary code.

Disciplinary action will reasonably be actioned based on the seriousness of alleged offences in question.

Employees should reasonably be aware of the employer's existing standards and rules and have a responsibility to acquaint themselves with the contents and application of the disciplinary code and application.

Disciplinary action will be instituted where prima facie / reasonable sufficient cause exist.

Discipline must reasonably be applied in a consistent / consequent manner.

During any disciplinary process the employee will be entitled to representation by a co - worker or a shop steward if the employee is a member of a representative union.

No representation from outside (union official / legal representation) will be permitted unless the chairman of an inquiry allows same after a party wishing to be represented, or the Employee's representative, brought an application which request will not unreasonably be denied conditional that, on a balance of probabilities reasonable cause is argued pertaining to:

the difficulty of the matter showing a prima facie inability of the Employee to reasonably be in a position to argue and defend the matter;

the comparative ability of the prosecuting individual appointed by the Employer to bring the matter against the Employee accused;

the nature of the question of law;

possible public interest involved.

The Employer shall have the right to hold disciplinary inquiries on a collective basis where more than one employee is charged with the breach of the same rules relating to the same event.

Any warnings will be placed in an employee's file for future reference; where

The employee's previous infringements / deviations and record will always be taken into considerations when decisions are made about new infringements / deviations, irrespective of the expiry date where it is however noted that current warning will play a role as aggravating circumstances; and expired warnings may play a role in showing a trend of the deviation.

Disciplinary hearings for serious offences may be conducted/chaired by an Employer's Organisation and/or a qualified legal representative (Lawyer or Advocate) and/or a manager and/ or Director of KI:

a serious offence is an offence that may lead to a final written warning, a final written warning combined with unpaid suspension or immediate/summary dismissal or;

may result in dismissal owing to a re-occurrence of a less serious offence where the employees record for the offence is such that owing to progressive discipline applied, the employee may receive a final warning, a final written warning and unpaid suspension or be dismissed.

Disciplinary hearings for less serious offences will be conducted internally by an Employer's Organisation and/or a supervisory employee, a manager and / or Director of the Employer.

Less serious offences are any offence that carries a penalty of a verbal, written warning or serious written warning.

Where certainty exists that a penalty that may be invoked for a disciplinary offence will not be dismissal, formal disciplinary procedures need not be invoked where the employee accepts responsibility and admits guilt and in such instances, penalties up to final written warnings may be issued by a qualifying person where facts are not in dispute.

#### DISCIPLINARY ACTION

The breaking of any KI rule and/or regulation is subject to disciplinary action. It is the prerogative of management to decide on the nature of the action. Action will be based on the nature, frequency and/or implications of the transgression. There are five courses of action that may occur depending on management's decision.

Formal Disciplinary action need not be initiated before a verbal warning or written warning is issued.

Any one of the following could apply:

Corrective Counselling

Depending on the offence's nature and severity, informal disciplinary sanctions should be the first step in discipline enforcement.

The employee should be counselled if the supervisor determined that his/her behaviour was not acceptable.

The employee could also be provided with the necessary training if the offence could be ascribed to a lack of knowledge or skills.

No formal complaint will be instituted against the employee.

A time limit for corrective counselling must be communicated; recommendation for improvement; no longer than 1 month from the date of offence, dependent on the level of seniority of the individual.

The supervisor should ensure that the employee being reprimanded is made aware of the disciplinary code.

#### Formal Verbal Warning

A formal verbal warning is a documented reprimand issued when corrective counselling is inadequate due to the offence.

A copy of the complaint form which contains the full particulars of the disciplinary action shall be filed in the employee's personal record.

Formal Verbal warnings are valid for six months.

Where an employee accepted guilt and where the facts and circumstances of the offence is not in dispute, this formal sanction may be drafted and accepted without following a formal procedure.

#### Written warning

A Serious written warning is a documented reprimand and is issued when a verbal warning is considered inadequate due to the nature of the offence or when previous verbal warnings have not achieved the desired effect.

A copy of the complaint form which contains the full particulars of the disciplinary action shall be filed in the employee's personal record.

Serious Written warnings are valid for six to nine months.

Where an employee accepted guilt and where the facts and circumstances of the offence is not in dispute, this formal sanction may be drafted and accepted without following a formal procedure.

#### **Final Written Warning**

A final warning is given for a repetition of the same offence or a similar offence during a period when the written warning is still in force, or for a first offence of a more serious nature.

When a final warning is given, it must be brought to the employee's attention that any other offence could lead to a more severe disciplinary action, which could include dismissal.

Final warnings are valid for twelve months.

Where an employee accepted guilt and where the facts and circumstances of the offence is not in dispute and if there is certainty that the employee will not be dismissed, this formal sanction may be drafted and accepted without following a formal procedure

Final Warning combined with unpaid Suspension as final resort short of dismissal

Unpaid suspension may be used as an alternative to dismissal especially where an employee, after having received a final warning, makes him / her guilty of another offence which does not warrant a dismissal or where dismissal would be inappropriate due to mitigating circumstances.

Such unpaid suspension must be accompanied by a final warning.

The duration of suspension will be reasonable in consideration with the deviation of rules and could be for up to two weeks.

Suspension will only be used where there is enough mitigating circumstances and remorse on the side of the employee to warrant suspension and a final written warning instead of dismissal.

This sanction will only flow from a formal disciplinary inquiry after the employee was found guilty.

#### **Termination of Service/Dismissal:**

Dismissal is the most severe form of disciplinary action and comes into effect immediately.

Dismissal shall be appropriate when an employee makes him/her guilty of a deviation/breach of a rule, that either destroys the relationship of trust between the employer and the employee at first instance or where the employee failed to adhere with rules after the employer applied progressive discipline as regulated in this disciplinary code.

The Employee further acknowledge that any offence as tabled in this Disciplinary Code may result in a breach of the relationship of trust and that by implication, where dismissal is tabled as a penalty, it is presumed the relationship has deteriorated to such extent that the Trust between the parties is damaged irreparably.

NOTE: Depending on the seriousness of the offence, the verbal warning and one or both written warnings may be skipped, and more serious punitive, disciplinary action may be applied.

#### **FACTORS TO BE CONSIDERED WHEN TAKING DISCIPLINARY ACTIONS**

The disciplinary action to be taken in a particular case must be based on the seriousness of the offence and the offender's disciplinary and service record.

It should be noted that certain factors may either aggravate or mitigate an offence, for example; an employee with long service and a good record may be treated more leniently as a first offender than an employee with short service.

However, an offence by an employee who should set an example may be considered aggravating. (e.g. Coordinator, Supervisor, Manager)

The probable consequence of the offence should be considered.

Negligence on the part of the employee responsible for the safety or health of others or an employee under control of vehicles / machinery / tools which could place other employees and or property at risk should be regarded as particularly serious.

Whenever the presiding officer decides, because of such considerations as those mentioned above, to impose a more lenient or more severe penalty than usual in relation to the type of offence, he must make a brief note to this effect on the case record.

The presiding chairperson of an inquiry may therefore, reasonably deviate from prescribed penalties in this disciplinary code owing to consideration of mitigating and or aggravating factors.

The Disciplinary Penalties tabled in this code is therefore not "set in stone" but is a guideline which may reasonably be deviated from owing to mitigating and aggravating circumstances in each particular case.

Where a particular offence tabled could result in different penalties, it is indicated as tabled.

## DISCIPLINARY PROCEDURE

### STAGES OF PROCEDURE:

In the event of an incident of misconduct the following procedure will be applied:

Where an employee accepts / admits guilt to an offence before formal disciplinary procedures are invoked, the employer may issue up to a Final Written Warning without formal notice to the employee

Should the Employee insist on the right to a disciplinary hearing or refuse to accept the proposed sanction a disciplinary hearing must be held to determine the Employee's innocence or guilt as well as an appropriate disciplinary sanction where applicable. In this event the following is relevant:

- a. The Employer must formulate an appropriate charge and make arrangements regarding the disciplinary hearing.
- b. The Employee must be advised of these details in writing by completing a notice of a disciplinary hearing. Should the Employee refuse to sign for acceptance of the notice it is sufficient that a witness sign the document in confirmation that the notice was handed to the Employee.
- c. The following persons may attend the hearing:
  - Person representing the Employer's case e.g. Supervisor or Manager.
  - Chairperson
  - Employee
  - Employee's Representative
  - Witnesses (if applicable)
- d. The Employee has the following rights in respect of the hearing:
  - To be fully advised regarding the nature of the alleged contravention/misconduct.
  - That the hearing take place within a reasonable time period.
  - That he/she be given sufficient prior notice of the disciplinary hearing.
  - Access to internal representation i.e. a fellow employee.
  - To hear evidence against him/her and to cross-examine such evidence.
  - To present evidence and call witnesses.
  - Access to a translator if applicable.
  - To be advised of the outcome of the hearing and any disciplinary sanction which may be applied.
  - To apply for leave to appeal.
- e. After hearing all facts and evidence the Chairperson must make a finding and advise the Employee accordingly. This decision need not be made immediately, but should be conveyed within a reasonable period.
- f. A record must be kept of the disciplinary proceedings and the reasons for the finding and determination of any sanction.

## Appeals

The employee may apply for leave to appeal from the Programme Director against a written warning or the outcome of a disciplinary inquiry. In the case of the senior manager, there is a right to appeal to the CEO. The employee must inform the immediate Supervisor that they, the employee, wish to appeal within fourteen (14) days after they receive a written warning or notification of the outcome of the disciplinary inquiry.

#### CATEGORIES OF OFFENCES

KI upholds the principle and intent of the Labour Relations Act of 1995, that employers and employees should treat each other with mutual respect. This recognises equally the core values of employment justice and the efficient operation of the organisation. No employee shall be subjected to arbitrary action, and KI is entitled to satisfactory conduct and work performance from all its employees. Unacceptable behaviours may result in a verbal or written warning which can lead a disciplinary hearing, and this may result in a dismissal.

#### Offences relating to absenteeism

KI confirms the employee can attend work per the required number of hours per his/her contract.

The employee acknowledges the principle of no work no pay and further that KI may withhold payment where the employee is unable to prove that hours as required were tendered.

OFFENCE	FIRST OFFENCE	SECOND OFFENCE	THIRD OFFENCE	FOURTH OFFENCE
Absent without permission for one day	Written Warning & day will not be paid	Serious Written Warning	Final Written Warning	Dismissal
Absent without permission for two days	Written Warning & days will not be paid	Final Written Warning	Dismissal	
Failure to inform employer of absenteeism	Written Warning	Serious / Final Written Warning	Dismissal	
Absent without permission for three days	Final Written Warning	Dismissal		
Absence / Desertion / Absconding from the workplace for a period of 5 days or longer	Final Written Warning/ Dismissal			
Misuse of sick leave	Final Written Warning/ Dismissal	Dismissal		

#### Work output offences

The Employee acknowledges KI's right to control the workplace, work processes, workload as well as productivity. The Employee acknowledges that as Employee and as an essential part of the Employment Contract, the Employee works under the Authority of KI.

The Employee acknowledges KI's right to be respected and obeyed.

The Employee acknowledges KI's right that the Employee shall be efficient and effective in the Employee's position.

The Employee acknowledges that no workplace can function without well disciplined, committed staff members.

The Employee acknowledge that diligent care for the effective execution of tasks and requirements is core to the employee's conditions of employment and the failure to perform tasks and duties during service with diligent care, can result in damage / loss to KI and its funders or fellow employees.

The Employee acknowledges that the Employee should tender services in a proactive and assertive manner and ensure that the Employee is not negligent.

The Employee acknowledges that the Employee may not use KI's property / tools / equipment outside the Employees mandate / scope of instruction / work and that no private or irregular use without written permission is allowed.

The Employee acknowledges that reporting for duty on time and effectively tendering services during agreed working hours is essential aspects of productivity.

The employee acknowledges the principle of no work no pay and further acknowledges that KI may withhold payment where the employee is unable to prove that hours as required were tendered.

Poor time keeping

OFFENCE	FIRST OFFENCE	SECOND OFFENCE	THIRD OFFENCE	FOURTH OFFENCE
Reporting late for work	Verbal / written Warning	Written /serious Warning	Final Written Warning	Dismissal
Leaving work early	Serious Written Warning	Final Written Warning	Dismissal	
Extended or unauthorized breaks during working hours	Written Warning	Serious Written Warning	Final Written Warning	Dismissal
Fails to sign in or out when commencing duties and or after conclusion or after/before required periods (such as lunch/tea) where required	Serious Warning	Final Written Warning	Dismissal	
Purposefully signed/clocked in and out then leave workplace or does not turn up for work after checking in	Final Written Warning / Dismissal	Dismissal		
Failure to keep time and time sheets properly where and if required as part of the employee's conditions of employment.	Serious Warning / Final Warning	Final Warning / Dismissal	Dismissal	

Sleeping on duty

OFFENCE	FIRST OFFENCE	SECOND OFFENCE	THIRD OFFENCE	FOURTH OFFENCE
Without causing damage to property or endangering lives of co-workers/ or other persons (or own life)	Final Written Warning	Dismissal		
Which results in damage or possible damage to property and/or endangering lives of co-workers / or other persons (or own life) / or putting the principle contract with a client of the business at risk.	Dismissal			

Negligent loss, damage to or misuse of employer's property/tools/equipment/products as well as failure to adhere with safety regulations and failure to report risks

OFFENCE	FIRST OFFENCE	SECOND OFFENCE	THIRD OFFENCE
Misuse/ unauthorised use of employer's property	Final written warning or dismissal.	Dismissal	
IT Infringement: Any activity putting the infrastructure at risk or affecting device performance	Pending on severity: Warning or dismissal	Dismissal	
IT Infringement: Negligent loss	Employee will be held liable for the replacement cost. Written Warning	Final Written Warning	Dismissal
IT Infringement: Negligent damage	Employee will be held liable for repair cost. If the property cannot be repair, the Employee will be held liable for the replacement cost. Written Warning	Final Written Warning	Dismissal
IT Infringement: Mobile data abuse	Employee will be held liable for data charges incurred as result of usage	Final Written Warning	Dismissal

	abuse (as defined in IT Policy) - Written Warning		
IT Infringement: Downloading of copyright material and/or pornographic material	Pending on severity: Warning or dismissal	Dismissal	
Purposefully / negligently, disobeying / neglecting safety rules or service regulations and / or failing to report a safety risk / risk or potential risk, inclusive of the failure to wear PPE / Failure to comply with customer safety regulations inclusive of all noted above.	Final written warning or dismissal	Dismissal	
Negligent Driving resulting in fines issued by the traffic department for speeding and or other violations.(if the offence resulted in fellow employees' life's being endangered, the employee will also be charged in terms of	Written warning or serious written warning and recouping of fines in (section 34 BCEA)	Final Written warning or dismissal and recouping of fines in (section 34 BCEA)	

### Malicious / negligence / carelessness in the performance of tasks / duties

OFFENCE	FIRST OFFENCE	SECOND OFFENCE	THIRD OFFENCE
Performing a task or duty without exercising due care and attention resulting in sub-standard performance outputs / products / services.	Written / serious warning or final written warning	Final Written Warning	Dismissal

Carelessness in performing a task in that it must be repeated.	Written or Final written warning.	Final written warning or dismissal	Dismissal
Poor communication. Not communicating timeously to uplines or colleagues can lead to unsatisfactory work performance. (including not following company process flows,	Corrective Counselling	written warning	Final written warning
Poor quality work or unsatisfactory work performance	Corrective Counselling	Final Written warning	Dismissal
Passing time idly or failing to complete tasks within required time frames / delivery time/date as set without a reasonable explanation / cause	Written Warning or Final Written Warning	Final written warning or dismissal	Dismissal
Playing games at work during working hours	Written Warning or Final Written Warning	Final written warning or dismissal	Dismissal

#### **OFFENCES RELATING TO INDUSTRIAL AND STAY-AWAY ACTIONS**

The Employer acknowledge the Employee's right to strike conditional that the Employee followed procedures as laid down in section 64 of the Labour Relations Act, therefore where:

The issue in dispute has been referred to a council or to the Commission as required by this Act, and

A certificate stating that the dispute remains unresolved has been issued; or

A period of 30 days, or any extension of that period agreed to between the parties to the dispute, has elapsed since the referral was received by the council or the Commission; and after that

In the case of a proposed strike, at least 48 hours' notice of the strike's commencement, in writing, has been given to the employer.

It is noted that the refusal to work overtime forms part of the strike's definition in terms of the Labour Relations Act.

Where Employees partake in unprotected strike action KI shall issue an ultimatum to Employees to warn them that their illegal action may result in the penalty prescribed in this code being applied which may result in dismissal

#### CATEGORY DISORDERLY BEHAVIOUR

OFFENCE	FIRST OFFENCE	SECOND OFFENCE	THIRD OFFENCE
Strike action (unprotected strikes) inclusive of stay-a ways, go-slows, sit-ins, grasshopper strikes	Dismissal		
Incitement to partake in an unprotected strike	Dismissal		
Intimidation to strike	Dismissal		
Stay away / Protest Action where the Employees did not inform the Employer and or obtain permission	Dismissal		
Misconduct during a strike (protected / unprotected)	See penalty as stipulated with offence/s applicable in this code	See penalty as stipulated with offence/s applicable in this code	See penalty as stipulated with offence/s applicable in this code

The Employee acknowledges the Employer right to control the workplace, processes, workload and productivity.

The Employee acknowledges that a disorderly workplace as well as disorderly behaviour, jeopardises levels of productivity as well as safety in the workplace which can in turn lead to loss in funding due to substandard productivity and or damage to the workplace and or injury and or loss of life.

The Employee acknowledges that the Employee is employed under the authority of the Employer and must therefore comply with all reasonable requests and perform duties to the best ability of the Employee.

The Employee acknowledges therefore the Authority of the Employer over the Employee during working hours.

The Employee acknowledges that discipline is the key to any successful and productive business and that an undisciplined workforce cannot perform at peak levels.

The Employee acknowledges that the breach of the Employer's contractual right to authority will be serious and may lead to dismissal.

The Employee acknowledges the Employers obligation to ensure as far as possible a safe working environment and that the Employee shall revert from actions / neglect to take action which may jeopardise the Employer, Fellow Employees and or property, equipment (fixed and movable assets) of the Employer and/or under the control of the employer.

**Insubordination**

OFFENCE	FIRST OFFENCE	SECOND OFFENCE	THIRD OFFENCE
Gross insubordination / Refusal to obey a reasonable instruction and/ or implemented procedures / policies. (Extremely serious if in front of fellow Employees/Funders/ Patients/ Visitors /suppliers)	Final Written Warning / dismissal	Dismissal	
Gross insolence / disrespect (Extremely serious if in front of fellow Employees / Clients /	Final Written Warning / dismissal	Dismissal	
Failure to comply/adhere with a reasonable Instruction and/ or implemented procedures /policy	Serious Warning / Final Written Warning / Dismissal	Final Written Warning / Dismissal	Dismissal
Playing games at work during working hours	Written Warning / Final Written Warning	Final Written Warning / Dismissal	Dismissal

**DISORDERLY BEHAVIOUR RELATED TO BREACH OF SAFETY/FIGHTING/INTIMIDATION/HARRASMENT AND VICTIMISATION**

OFFENCE	FIRST OFFENCE	SECOND OFFENCE	THIRD OFFENCE
Horse Play (Extremely serious whilst in the vicinity of vehicles and / or Machinery and / or dangerous objects / situations)	Final Written Warning / dismissal	Dismissal	
Threatening the Employer and or fellow Employees with violence	Final Written Warning / dismissal	Dismissal	
Intimidation of fellow employees / the Employer/ clients / suppliers and or any visitor to the Employer	Final Written Warning / dismissal	Dismissal	

Assault and/or attempted assault of fellow employees /the Employer/ clients / suppliers and or any visitor to the Employer	Dismissal		
Fighting (verbal) in the workplace (extremely serious where in front of suppliers / customers and clients / any visitor to the Employer and / or directed at a client/ supplier.	Final Written Warning / Dismissal	Dismissal	
Abusive language / Swearing (the offence is more serious when it is aimed at race, religion or colour of any party or gender and or when it occurs in front of customers/beneficiaries/ suppliers/ visitors	Written warning / Final Written Warning / Dismissal	Final Written Warning / Dismissal	Dismissal
The disturbance of relationships within the workplace / causing distrust / actions jeopardizing harmonious work relationships/ relationship with clients suppliers / employer.	Final Written Warning / hearing	Dismissal	
Sexual harassment	Final Written Warning / dismissal	Dismissal	
Unauthorised possession of weapons, traditional weapon or self-made weapon.	Final Written Warning / Dismissal	Dismissal	
Consuming food / drinks and/or smoking in unauthorized areas	Serious Warning / Final Written Warning / dismissal	Final Written Warning / Dismissal	Dismissal
Bringing the name of the employer into disrepute / actions jeopardizing contractual			

arrangements with clients / suppliers			
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**HARASSMENT BY ANY EMPLOYEE, EXCO MEMBER, APPLICANT, CONSULTANT, VISITOR OR STAKEHOLDER WILL NOT BE TOLERATED.**

**Alcohol and/or drug/illegal substance related offences**

<b>OFFENCE</b>	<b>FIRST OFFENCE</b>	<b>SECOND OFFENCE</b>
To be in the possession of and/or selling and/or supplying Alcohol and or an illegal substance / drug whilst on duty.	Final Written Warning / dismissal	Dismissal
To be under the influence of Alcohol and / or an illegal substance / drug whilst on duty and/or whilst in control / responsible for a dangerous object / tool / machinery and or whilst driving and or whilst controlling / supervising / managing a process / procedure / type of work, where injury / damage / losses / death may occur	Final Written Warning / dismissal	
To be under the influence of Alcohol and / or an illegal substance / drug whilst on duty and whilst not in control / responsible for a dangerous object / tool / machinery and or whilst driving and or whilst controlling / supervising / managing a process / procedure / type of work, where injury / damage / losses / death	Final Written Warning / dismissal	Dismissal

may occur		
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WILLFUL LOSS/DAMAGE

OFFENCE	FIRST OFFENCE	SECOND OFFENCE
Wilful Loss of the Employer's property (fixed as well as non-fixed assets)	Final Written Warning / dismissal.	Dismissal
Wilful damage to the Employer's property (fixed as well as non-fixed assets)	Final Written Warning / dismissal.	
Wilful / negligent damage to relationships between the Employer and a Client / customer / supplier which results / may result / could have resulted in negatively on the relationship / contract / agreement / goodwill, between the Employer and such client / supplier / contract	Final Written Warning / dismissal	Dismissal
Misuse of tools / equipment, internet or e-mail.	Final Written Warning / dismissal	Dismissal

**OFFENCES RELATING TO THEFT/FRAUD/DISHONESTY /BREACH OF CONFIDENTIALITY/ BREACH OF TRUST**

The Employee acknowledge that the Contract of Employment is based on trust and that the breach thereof results therefore in the heart of the relationship between an Employer and Employee being destroyed.

The Employee further acknowledge that any offence as tabled in this Disciplinary Code may result in a breach of the relationship of trust and that by implication, where dismissal is tabled as a penalty, it is presumed the relationship has deteriorated to such extend that the Trust between the parties is damaged irreparably.

Offences in this category may lead to criminal charges being initiated

<b>OFFENCE</b>	<b>FIRST OFFENCE</b>	<b>SECOND OFFENCE</b>
Bribery / Corruption of fellow employee's / suppliers / visitor's / clients	Final Written Warning / dismissal	Dismissal
Theft / of the Employer's property (material or immaterial) / assets / equipment / documentation / and or assets / equipment / documentation belonging to fellow employee's / clients / visitor's / suppliers	Dismissal	
Unlawful / unauthorized possession the Employer's property (material or immaterial) / assets / equipment / documentation / and or assets / equipment / documentation belonging to fellow employee's / clients / visitor's / suppliers	Final Written Warning / Dismissal	Dismissal
Misappropriation of the Employer's property (material or immaterial) / assets / equipment / documentation / and or assets / equipment / documentation belonging to fellow employee's /	Final Written Warning / Dismissal	Dismissal

Divulging Confidential / Sensitive information of the Employer to fellow employees / clients / suppliers / visitors / any legal person without the Express written permission of the Employer	Final Written Warning / Dismissal	Dismissal
Breaching / Destroying the relationship of Trust between Employer and Employee	Final Written Warning / Dismissal	Dismissal
Accepting gifts / gratuities from clients / suppliers etc. without compliance with company policy	Final Written Warning / Dismissal	Dismissal
clients / visitor's / suppliers		
Fraud	Dismissal	
Giving False Evidence / Making of False Declarations / lying	Final Written Warning / Dismissal	Dismissal

### Grievance Procedure

A grievance is any objection, complaint or feeling of injustice, which originates from the working situation, conditions of service or working relationships, and is serious enough to justify the attention of management.

The superior, who was advised of the grievance, will try to solve the problem him/herself and give a fair answer within five (5) working days. If this is acceptable, the matter is regarded as final. If it is felt that his/her grievance has not been dealt with fairly or satisfactorily, the employee must inform the superior and indicate that she/he is elevating the grievance to the other level of management within seven (7) working days, at most. Senior management must attempt to resolve the grievance including a referral to external mediation.

KI will ensure that the rights of employees are protected with regard to unfair discrimination which includes discrimination against HIV+ individual, race, creed, gender etc. In the case of unfair discrimination, the employee should follow K I's grievance procedures.

KI shall maintain the confidentiality of these complainants during the grievance proceedings, including ensuring the proceedings are held in private.