

# Coast Community Broadcasters Inc.

Trading as



## todayscountry94one

### DISCIPLINE AND TERMINATION POLICY

Policy number	14	Version	2
Drafted by	Colin Links	Approved by Board on	Jan 15 2020
Responsible person	Colin Links	Scheduled review date	April 2021

#### INTRODUCTION

This policy is divided into two parts.

Part 1 deals with dismissal for performance or misconduct.

Part 2 deals with serious misconduct.

#### Part 1 - dismissal for performance or misconduct

This policy is designed to ensure that when discipline and termination issues arise, volunteers are treated fairly and equitably. It also aims to ensure that managers involved in the disciplining and termination of volunteers meet industrial law standards for termination of employment. This applies both to the reason for the dismissal and the manner in which the dismissal is carried out.

#### Grounds for terminating a volunteer

Lawful reasons for dismissing a volunteer include:

- Unsatisfactory performance (e. g. where the volunteer is unable to satisfactorily complete their duties);
- Unsatisfactory conduct (e. g. consistently poor attendance, unprofessional behaviour towards colleagues or sponsors);
- Serious misconduct (e. g. fraudulent behaviour, being seriously affected by alcohol or drugs while on duty);

#### Performance

A volunteer's performance is considered to be inadequate if the volunteer is not meeting the inherent requirements of the role required over a one month period.

- Conduct
- Misconduct includes:
  - Actions involving harm (or the real possibility of harm) to any volunteer;
  - Dishonesty;
  - Verbally abusing a person at the workplace (colleague or sponsor);
  - Harassing or discriminating against an volunteer;
  - Sexual harassment;
  - Inefficiency, neglect of duty, malingering.

## **Verbal warnings**

Where the station secretary or board appointed official has concerns about a volunteer's performance or conduct (excepting serious misconduct – see below), the station secretary or board appointed official must explain to the volunteer the manner in which the volunteer's conduct or performance is not meeting the required standard.

The station secretary or board appointed official will in the first instance, verbally counsel the volunteer by informing him / her of the area(s) in which they are not meeting the required standard of performance or conduct expected of them. The volunteer will be given an opportunity to respond to the concerns and will be given an opportunity to rectify his or her performance or conduct within a reasonable period of time, depending on the circumstances. The station secretary or board appointed official will make written note of the verbal warning.

Note: If the Volunteer is a Presenter the matter will be handled by the Program Committee Chairperson.

## **Official / written warnings**

If the volunteer fails to rectify his or her conduct or performance within the required period, the station secretary or board appointed official will then require the volunteer to attend a disciplinary meeting. The station secretary or board appointed official will inform the volunteer prior to the meeting of the concerns which their supervisor has with the volunteer's conduct or performance, and state that the volunteer is allowed to have a person of their choice accompany them to the meeting.

At the meeting the station secretary or board appointed official will outline the nature of the problem(s) and allow the volunteer an opportunity to respond.

If the volunteer's response does not provide full and adequate explanation of apparent performance or conduct deficits, the station secretary or board appointed official will present the volunteer with an official written warning, within 24 hours after the disciplinary meeting (of the working week).

The warning should state:

- The problem, as stated at the disciplinary meeting;
- Refer to all previous verbal warning(s) and their dates;
- The corrective action which is required;
- Advising what action will be taken if the volunteer does not remedy the problem. When issuing a first warning, the warning should state that if the problem is not remedied within a specified time then a second formal disciplinary meeting will be called. Or;
- State that the written warning will be filed in the volunteer's personal file *[for a specified period of time]*

The volunteer will have the opportunity to sign the written warning and to add a statement of clarification. It is not essential for the volunteer to sign the written warning or to agree with its contents.

The station secretary or board appointed official should then monitor the volunteer's performance or conduct to determine whether he or she is making the requested improvement.

## **Second official warning**

If the volunteer fails to meet the required standards of performance and / or conduct within the time allowed, the station secretary or board appointed official should then call a second disciplinary meeting with the volunteer. The second disciplinary meeting should follow the same procedure as the first meeting.

However, if the volunteer has not made demonstrable progress to remedy their performance and / or conduct, or adequately explained their failure to remedy the problems, then the volunteer will be issued with a second and final written warning.

The volunteer should be advised that if a third disciplinary meeting is required, due to failure to address the same deficits, then the volunteers employment may be terminated with one month's notice given.

If the volunteer has made a partial improvement in performance and / or conduct but their performance and / or conduct is still not entirely satisfactory then a second official written warning may be issued.

If deficits in performance and / or conduct are minor in nature it may be appropriate to give a third warning in such a case.

### **Steps leading to dismissal**

In the case of an volunteer who has been issued with repeated, documented verbal warnings, followed by the issuing of two official warnings, and when said volunteer then fails to remedy the identified performance deficits within the allotted time, or it would be unreasonable for the station secretary or board appointed official to allow the volunteer to continue working out the allotted time, the station secretary or board appointed official should then initiate dismissal proceedings.

Dismissal proceedings will involve requesting by letter that the volunteer attend an official meeting. That letter should state:

- That the volunteer's conduct or performance has not improved;
- The steps the employer has taken to remedy the problem in the past;
- The fact that the volunteer is entitled to be accompanied by a person of their choice; and
- The fact that, unless the volunteer can adequately explain his or her conduct or performance, then the station may dismiss the volunteer.

Again the volunteer may have the person of their choice with them at the meeting. The station secretary or board appointed official should start by outlining the concerns he or she has with the volunteer's performance or conduct. It is then very important that the station secretary or board appointed official listen to the volunteer's responses as objectively as possible. The station secretary should then ask the volunteer to step outside while the station secretary or board appointed official considers what he or she will do.

If the volunteer's response is considered to be adequate, the station secretary or board appointed official should inform the volunteer that they will remain in their current role but that the volunteer's performance and / or conduct will continue to be closely monitored for a specified period of time (e. g. three months).

If the volunteer's response is considered inadequate, the station secretary or board appointed official has two options:

- Issue the volunteer with a third and final written notice; or
- Verbally inform the volunteer that he or she is to be dismissed and then follow that up with a written notice of termination. That notice should state the reasons for the dismissal, i. e. performance or conduct, and the history of warnings given previously.

### **Part 2 - dismissal for serious misconduct**

The station secretary or board appointed official is entitled to instantly dismiss a volunteer in circumstances where that volunteer has committed an act of serious misconduct.

Serious misconduct can include:

- Theft;
- Fighting / physical altercation;
- Breaches of the drug and alcohol policy;
- Deliberately spoiling or damaging the property of the organisation;
- Tampering with and / or making unauthorised changes to any equipment including computer systems;
- Refusal to carry out the lawful instructions of the station secretary or board appointed official.

Any volunteer who commits any of these acts is liable to instant dismissal.

Other acts may also constitute serious misconduct, depending on the circumstances of the case. It is up to the station secretary or board appointed official to determine when an act is serious misconduct.

In some cases, where the volunteer's act of serious misconduct is witnessed by the station secretary or a board member, and where the act is blatant and inexcusable, the station secretary or board member is entitled to dismiss the volunteer on the spot. An example of this is where a volunteer assaults another volunteer.

In most cases, however, the station secretary or board appointed official will conduct an investigation into the incident or behaviour. The volunteer concerned may be sent home while the investigation is proceeding. The station secretary or board appointed official should endeavour to find out all of the facts before a decision to dismiss the volunteer is made. The station secretary or board appointed official should interview all those people who could assist the investigation. The offending volunteer should also be interviewed.

Before dismissing the volunteer, the station secretary or board appointed official should be satisfied on the balance of probabilities that the incident took place.

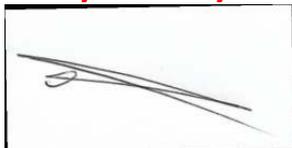
If the station secretary or board appointed official decides that the volunteer should be dismissed, then the station secretary should inform the volunteer of this by letter.

## AUTHORISATION



Secretary  
January 20 2020

**todayscountry94one**



Colin Links  
Chairman  
January 15 2020

**todayscountry94one**