



Disciplinary Procedure and Policy

Where an employee's conduct or performance warrants disciplinary action and except in cases of gross misconduct warranting summary dismissal, the following procedure would apply.

1. Formal Warning

In the event of a breach of conduct or unsatisfactory performance, the employee would be given a formal verbal warning by his or her manager in the presence of any of the following: Staff Representative Body Officer, if a Staff Representative Body exists in the organisation, Union representative or his or her chosen work colleague, if the staff member is not-affiliated. This warning would be recorded on the person's personnel record and would remain on record for six months.

2. First Written Warning

In the event of a further breach of discipline, the employee would be issued with a further formal warning which would be confirmed in writing. A copy of this warning would be given to the Chairman of the Staff Representative Body, if the staff member is a member of this Body or to a Union Representative if the staff member is a Union member.

3. Final Written Warning

In the event of a further breach of discipline, the employee would be given a further and final formal warning, together with a final written warning stating the nature of the disciplinary breach. A copy of the final written warning would be sent to the Chairman of the Staff Representative Body if the staff member is a member of this body, or to a Union Representative if the staff member is a Union member.

4. Suspension & Dismissal

If, following the final written warning an employee was guilty of further disciplinary breach, the employee would be suspended without pay and liable to dismissal. In the event that an employee's conduct warrants dismissal, this dismissal can only be carried out by a member of Senior Management in consultation with the Chairman of the Board. In such cases, the employee would have the right of appeal to the Chairman of the Board.

5. Remission for Good Conduct

- Where having received a warning at any stage up to and including stage 3. of this procedure, an individual's record subsequently remained clear for at least one year, that individual would revert to stage 1 of the procedure in the event of any further breach.
- Where, having been suspended in line with stage 4 of this procedure, an individual's record subsequently remained clear for at least two years, that individual would revert to stage one of the procedure in the event of any further breach.

6. Gross Misconduct

In the cases of gross misconduct warranting summary dismissal, the following procedure would apply:-

Gross misconduct includes, but is not limited to, such offences as:-

Dishonesty, including theft, fraud or embezzlement. Commission of an act which is detrimental or brings the theatre into disrepute. Disclosure of information which is confidential to the theatre. Insubordination, intoxication, insulting behaviour, provocation, sexual harassment or assaults on any member of staff. Refusal to obey reasonable instruction. Deliberate damage to An Grianán Theatre's property.

In cases of gross misconduct, An Grianán may summarily dismiss an employee without recourse to the procedure contained in clauses 1 -4. In cases where An Grianán consider that summary dismissal may be warranted, they may suspend an employee without pay in order to facilitate investigation of the particular case. Following investigation of any matter under this clause, An Grianán may decide to either summarily dismiss an employee or in certain cases to impose another form of discipline such as a final written warning without recourse to the procedures 1-4.

7. Representation

It is agreed that at stages 1 - 4, an employee shall at all times have the right of representation in any discussion with management. Staff representative body members shall have the right of representation by an Officer of the staff Representation body; Union members have the right of representation by a Union Rep and non-affiliated staff shall have the right of representation by a work colleague of their choice.

8. Appeal

A decision to dismiss an employee could be appealed to the Chairman of the Board. This policy fulfils the requirements of the legislation and embraces the principles of best practice in relation to Disciplinary procedures in both the Republic of Ireland and the United Kingdom.

Adopted as agreed on behalf of An Grianán Theatre's Trustees:

Sean Mc Cormack
Chairman

Date
16 January 2012