Managing misconduct task list

Use this list to plan your process for managing misconduct

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| Step | Action | Suggested Timeframe | Planned completion date | Date completed |
| **1** | If the misconduct is not serious enough for a warning, you may decide to have an informal conversation about what happened and document the discussion. | As soon as the behaviour is observed or reported. |  |  |
| **2** | If the misconduct is more serious, investigate the allegations and, if there are witnesses, get written statements describing what happened. | As soon as the behaviour is observed or reported. |  |  |
| **3** | Check company policies and your employee’s  employment agreement to confirm the behaviour  breached company rules. | As soon as the behaviour is observed or reported. |  |  |
| **4** | Set out your evidence in a letter to the employee  that includes:   * details of the allegations (including any witness statements) * excerpts of the relevant clauses in the employment agreement or company policies that may have been breached * a date on which you want to meet with the employee to discuss the allegations (let them know they can bring a support person or representation) * the consequences of what may happen if the allegations are upheld (e.g. a written warning) | Write and deliver the letter as soon as Steps 1-3  are completed.  Leave 2-3 business days between issuing the letter and holding the meeting - your employee must have time to arrange for a support person or representation to be there. |  |  |
| **5** | Meet with the employee to explain the allegation and possible consequences, and to hear your employee’s side of the story. | On the date specified in the letter. |  |  |
| **6** | Carefully consider all the evidence and decide what the outcome will be – then detail your decision in a letter to  your employee. | 1-2 business days after meeting with the employee. |  |  |