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 theallegations 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 letterand holding the meeting - your employee must havetime to arrange for a support person or representationto 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. |  |  |