

## DISCIPLINARY POLICY

### **HUBER car park systems international GmbH**

#### **Statement of Intent**

It is important to us that our disciplinary procedure is open and transparent, and all employees are confident in the knowledge that everyone is treated equally, consistently and fairly.

We will always endeavour to support an employee throughout a disciplinary process, as we fully understand that it can cause severe stress and anxiety to some and affect their mental health.

#### **Disciplinary Procedures**

- Where appropriate, we will always consider informal action to resolve an issue.
- We will not take disciplinary action against an employee until the case has been fully investigated.
- Should it be decided that formal action is necessary due to the nature of the complaint, an employee will always be given the opportunity to state their case before any decision is made at a disciplinary meeting.
- An employee will not be dismissed for a first breach of discipline, except in the case of gross misconduct.
- An employee has the right to appeal against any disciplinary action.
- An employee has a statutory right to be accompanied by a companion (a colleague) where a disciplinary meeting could result in a formal warning, some other disciplinary action or confirmation of a formal warning/other disciplinary action.

#### **The Procedure**

##### **1. *First stage of formal procedure***

A meeting with the line manager, in which the issue (performance, behaviour, other) will be discussed. The employee will be informed that this meeting is the first stage of the formal procedure. At conclusion of the meeting, there should be clear targets as to improvement required, timescale, any help which can be offered and the right of appeal. Minutes will be taken of the meeting as a first improvement note for 6 months – as long as targets have been achieved, the improvement note will be obsolete after 6 months.

##### **2. *Final written warning***

An employee may be given a final written warning if:

- the offence is sufficiently serious
- there is further misconduct
- there is failure to improve performance while an employee still under a prior warning

The final written warning will confirm the full details of the complaint, the improvement required and the timescale. It will also warn that failure to improve may lead to dismissal and it will refer to the right of appeal.

HR will keep a copy of this written warning but it will be disregarded for disciplinary purposes after 12 months as long as satisfactory conduct or performance has been achieved.

### **3. Dismissal**

If there is still further misconduct or failure to improve performance, the final step in the procedure may be dismissal or some other action short of dismissal. Dismissal decisions can only be taken by HUBER's senior management.

The employee will be notified in writing of:

- reasons for dismissal
- date employment will end
- confirmation of all final payments owed, including holiday pay and notice pay
- right of appeal

If an action short of dismissal has been decided upon, an employee will:

- receive confirmation of the full details of the complaint
- be warned that dismissal could result if there is no satisfactory improvement
- be advised of the right of appeal

HR will keep a copy of the written warning, but it will be disregarded for disciplinary purposes after 12 months as long as satisfactory conduct or performance is achieved.

### **4. Gross misconduct**

The following list gives some examples of offences usually regarded as gross misconduct:

- theft or fraud
- physical violence
- bullying
- deliberate and serious damage to property
- serious misuse of an organisation's property or name
- deliberately accessing internet sites containing pornographic, offensive, or obscene material during work hours or with work equipment
- discrimination, harassment, or victimisation
- bringing the organisation into serious disrepute
- causing loss, damage, or injury through serious negligence
- a serious breach of health and safety rules
- a serious breach of confidence

### **5. Appeals**

If you want to appeal against a disciplinary decision you must do so within 7 days. Senior management will hear all appeals and their decision is final. At the appeal any disciplinary penalty imposed will be reviewed.

Rheinbrohl, January 2023

A handwritten signature in blue ink, appearing to read 'M. Lauble'.

**Markus Lauble**  
Managing Director

A handwritten signature in grey ink, appearing to read 'Arno Geis'.

**Arno Geis**  
Managing Director