

**“RULES AND REGULATIONS OF SERVICE AND CONDUCT OF
TECHNIQUE POLYTECHNIC INSTITUTE, HOOGHLY”**

w.e.f. 01.07.2012

CONFIDENTIAL
(These rules supersede all previous Service Rules)
(All Disputes subject to Chinsurah Sadar Court's Jurisdiction)

**Technique Polytechnic Institute,
Panchrokhi, Sugandahyay, Hooghly.**

2012

Service Rules

General

These rules shall be called the “**RULES AND REGULATIONS OF SERVICE AND CONDUCT OF TECHNIQUE POLYTECH INSTITUTE, HOOGHLY**”. These rules apply to all employees, whether ad-hoc, temporary, part-time, contractual or permanent, in the service of Technique Polytechnic Institute , Hooghly and at any other Institute or Institute by whatsoever name called, which is or may hereinafter be established or managed, anywhere in India, by Technique Polytechnic Institute , Hooghly (TPI) .

The Governing Body of Technique Polytechnic Institute, Hooghly hereinafter called “GB” reserves the exclusive right, at any time hereafter and without notice, to amend, alter, modify, add or delete any provision(s) to all or any of these service rules, from time to time and, to bring such amendments, alterations, modifications, additions, deletions into effect from a date to be notified by the “GB”.

Such amendments, alterations, modifications, additions, deletions if any shall become binding on all the employees covered by these service rules from the date of their notification by the “GB”.

The Chairman “GB” shall have the exclusive power to clarify any issue or to remove any doubt relating to these “Service Rules” and or its implementation.

Objective

The objective of these rules is to lay down a uniform policy for all the employees of the Institute with a view to minimize use of discretionary powers & procedural delays and hold-ups. All the employees are expected to acquaint themselves with these rules & regulations for most effective results.

1. INTRODUCTOIN

These “RULES AND REGULATIONS OF SERVICE AND CONDUCT” shall come into force from 01.01.2012. They shall apply to all employees of the Institute.

DEFINITIONS

In these “RULES AND REGULATIONS OF SERVICE AND CONDUCT”, unless the context otherwise requires:

The **BEF** means “**Bandel Educational Foundation**” registered under the West Bengal Societies Registrations Act of 1961, which is responsible for the establishment and management of Technique Polytechnic Institute, Hooghly.

The “GB” means the Governing Body of Technique Polytechnic Institute which has been constituted in accordance with the provisions laid down in this respect by All India Council of Technical Education.

- 1.1. “Institute” shall mean Technique Polytechnic Institute regardless of where its Offices, Campus, Hostels etc., are situated.

- 1.2. "Employee" shall mean and include all those employed as "Teaching, Non Teaching, Administrative and Hostel/Estate staff " and who's Appointment Letter specifies that they either belong to the "..... Staff" or mentions "You will be governed by all the rules and regulations applicable in your category."
- 1.3. "Management" means such Chairman , Director/Principal ,Co-ordinator or any member of the Governing Body of the Institute vested with due authority by the Governing Body and includes any other person or persons duly authorized by the said Governing Body regarding enforcement, observance or execution of the "RULES AND REGULATIONS OF SERVICE AND CONDUCT."
- 1.4. Unless specifically stated to the contrary, the masculine shall include the feminine and the singular shall include the plural, where relevant.
- 1.5. The "Director/Principal" means the person appointed by the "GB" who shall be the principle academic officer of the Institute and who shall be responsible for the proper and efficient administration of the Institute in accordance with the rules and guidelines laid down in this respect by the "GB" and for the imparting of instruction and maintenance of discipline therein.
- 1.6. "AICTE" means the All India Council of Technical Education, which is an autonomous body of Ministry of HRD, Government of India.
- 1.7. "Affiliating Body" means the West Bengal State Council for Technical Education, WBSCTE responsible for according affiliation to the **Technique Polytechnic Institute**, Hooghly.

2. Application & Jurisdiction

- 2.1. The provisions contained in this schedule shall apply, without exception, to all employees of the Institute whether, ah-hoc, probationary, temporary, part-time, contractual or permanent.

Every employee of the Institute , whether ad-hoc, temporary, contractual, part-time or permanent shall be governed by the Code of Conduct, as specified herein and every employee, without exception shall be liable to strict disciplinary action, including suspension and or termination, for the breach of any provision(s) of the code of conduct. These rules shall apply to employees of all categories, posts and status.

- 2.2. These rules supersede all previous orders, rules, minutes, circulars, etc. including the HR policy in as much the matters related to Terms & Conditions of Employment, Conduct, Leave, Promotion Policy, etc.
- 2.3. All disputes etc. are subject to The District Sadar Court at Chinsurah, Hooghly.

3. Category of Employees

- 3.1. Teaching staff-Includes Head of the Department, Lecturers, Technical assistants and Instructors.
- 3.2. Non- teaching staff-Includes Lab assistants, Library staffs.

3.3. **Administrative staff**-Includes Office staffs of all designations.

3.4 **Hostel/Estate Staff**-Includes canteen staff, Hostel staffs, Maintenance and Security.

4. **Tenure of Employment**

All employees shall fall in either of the categories of employment viz. regular or on contract for a fixed tenure/ job as specified in their appointment letter / mutually agreed upon, subject to the terms and conditions given hereunder in this service manual.

5. **Terms and Conditions of Employment**

5.1. The age of retirement from the service of Technique Polytechnic Institute, Panchrokhi, Hooghly shall be 65 years for the Academic/Teaching staff and in all other cases the age of superannuation is 60.

5.2. The continuance in services beyond 65/60 years If approved by the management shall be subject to medical fitness, duly certified by a medical practitioner, nominated by the Institute. Such employment may be in the form of a visiting faculty in the case of teaching staff and in other case as decided by the management time to time.

5.3. The management reserves the right to assign appropriate work commensurate with the qualification and experience of the employee and regulate the working hours from time to time.

5.4. An employee may be assigned any other duty, in addition to normal duty, falling within the functional jurisdiction of the Institute, which he/she is capable of performing and which is necessary to be performed.

5.5. Every employee shall devote his/her full attention to safeguard the interest of the institute.

5.6. He/ She shall devote his/ her whole time in the service and for the benefit of the Technique Polytechnic Institute, Panchrokhi, Hooghly. During the tenure of this employment with TPI he/she shall not take up any other employment or engage in any private business of any other nature. He/ She shall also not make himself or herself directly or indirectly interested in the business of any other person or organization.

5.7. The employment of the Institute has an implied undertaking that he/she shall not divulge any official secrets / valued information gained by them during the course of their employment with the Institute to any other individual or institution while in service of the Institute or even after leaving the Institute. Divulging of official secrets shall construe misconduct/indiscipline and is a punishable offence.

5.8. He/ She shall abide by and follow the rules & regulations of the Institute and the instructions issued from time to time by the management.

- 5.9. He/ She shall be responsible for safe-keeping and return in good condition and order the properties, equipments, books, etc. of the Institute which may be issued to him/her for his/her personal use, custody and/or charge. The management has the right to realize cost of the equipment/books/property of the institute placed in custody of/issued to an employee for performing his/her duty from his/her dues. The management reserves the right to take such other action(s) as they may deem proper in the event of an employee's failure to account for the aforesaid items of property to the satisfaction of the management.
- 5.10. The management will deem to take the address mentioned in employment form as postal address for all communications. All the correspondence and communication forwarded to this address shall amount to proper legal notice. It is the duty of the employee to communicate for any change of their last noted address for communication immediately to the Institute.
- 5.11. The violation of any terms and conditions of employment shall be liable to instant dismissal without any notice or compensation. Similarly the falsification of information furnished in the personal data shall be liable to instant dismissal without any notice or compensation.
- 5.12. All employees shall abide by the rules of the Central Library/ Computer Centre/Departments, etc. as issued by the respective departments from time to time.

6. Appointment

An appointment /calling designation or assignment shall not imply permanent position/ designation. The senior most people in a section/ department may be called the head but it shall not imply that he/she has the right to that position/ designation/ grade of etc.

7. Conduct Rules

7.1. The education is the backbone of every society. The faculty members have a very vital role to play and each one is expected to present himself/herself as a role model. Each one of the faculty member shall therefore abide by the conduct rules. Some of the DOs and DON'Ts are listed in succeeding paragraphs.

7.2. DOs

- Reach the Institute a few minutes before the scheduled time.
- Reach the class room on time, preferably a few minutes before the scheduled time, as per the time table.
- Ensure that proper discipline and decorum is maintained in the class room.
- Teach in interactive manner (more in discussion mode), as far as possible.
- Refrain from giving dictation or copying from the book/notes on to the board.
- Use slides/PPP for at least one topic from each unit (maintain record).
- Avoid drawing sketches on the board, use slides/PPP.
- Provide good practical examples.
- Provide web site references for further reading by the students(maintain record),
- Train students to present seminars on referenced topics.
- Teach few topics beyond the syllabus.
- Take up the role of Mentors (maintain record), and help students to the best of your ability.

7.3. DON'Ts

- Don't let off the class before time unless there is a justifiable reason,
- Don't ever be harsh or disrespectful to the students or their parents.
- Don't be disrespectful to your superiors and colleagues,
- Don't let bureaucracy affect your functioning, bring out the matter in writing/verbally to your superiors immediately,
- Don't indulge in any act of theft, fraud or dishonesty in relation to the property of the Institute or a colleague,
- Don't furnish false information with respect to your age, qualification, service details or any other matter germane to employment, during or after,
- Don't act in a manner prejudicial to the interest of the institute, good order and discipline,
- Don't display willful insubordination and/ or disobedience, individually or collectively towards any lawful order issued by the authority empowered to do so.
- Don't refuse to accept any notice/circular/lawful order and do sign on the office copy in token of having received the same issued by the authority empowered to do so
- Don't indulge in any act of vindication which may affect the organizational culture/ climate

7.4. Misconduct

- The following shall constitute misconduct and shall attract disciplinary action against the defaulting employee:
 - Willful in-subordination/ disobedience of lawful orders issued by the authority empowered to do so.
 - Habitual late coming, irregular attendance and willful absence from duty.
 - Signing the attendance register without express permission of the Director/Principal/ HOD/Office Superintendent after having been marked absent/ on leave, etc.
 - Neglect of work or negligence in performance of duty including malingering and avoiding assigned academic/ administrative responsibility.
 - Damage to the property of the institute
 - Drunkenness, disorderly/ indecent behavior within the premises of the institute
 - Collection of money from the students/employees without the permission of the competent authority
 - Commissioning of an act which amounts to criminal offence involving moral turpitude
 - Misuse/ misappropriation of Institute property or funds assigned to an employee for official purposes.
 - Instigating students into undertaking unlawful activities.
 - Developing unhealthy relationship with students
 - Violating the teacher-taught norms

7.5. Participation in Demonstrations

No employee of the Institute shall engage himself / herself or participate in any demonstration, which involves incitement to an offence.

7.6. Accepting Gifts, Presents/Invitations to Parties and Private Functions

Many suppliers, Students and other parties with whom the Institute has connections, may not only invite the employee to private functions like weddings, house-warming ceremonies, etc., but also offer to pay fares or provide transport for the journey involved in connection

with the function and look after the employee's boarding and lodging. In addition, the employee may also be given gifts, which may be handsome and lavish.

To accept such invitations or gifts, particularly at the cost of the host, will have negative consequences for the Institute, as:

- The image of the Institute will be adversely affected
- One cannot be selective in such matters without offending others.
- It will be impossible to accept all such invitations.

The host may in return expect a favour from the employee or the intention may be to use the employee to indirectly influence a decision of the Institute, in which the host is interested. Whatever may be the intention of the host and in whichever form the reward is made, the Institute will appreciate if the employee refrains from accepting such invitations or presents.

It is common to receive presentation articles from suppliers, customers, etc., and gifts during festivals. Such gifts, when received, are to be forwarded to the HR Head who will distribute them to different managerial divisions. However, gifts of a consumable nature, eg., cakes, sweets, etc., need not be sent to the HR Head but should be distributed locally.

7.7. Consumption of Intoxicating Drinks and Drugs

7.7.1. An employee of the Institute shall strictly abide by the law relating to intoxicating drinks and drugs in force.

7.7.2. An employee of the Institute shall not be under the influence of any intoxicating drink or drugs during the course of his/ her duty and shall take due care that his/her performance is not affected in anyway by the influence of such drugs or drinks.

7.8. Work Schedule

7.8.1. Working Hours

7.8.1.1. All teaching faculty members are expected to be on duty for at least 44 hrs. per week. Similarly all non-teaching staffs and the administrative staff employees shall devote a minimum of 53 hrs. per week at the Institute. The working hours are exclusive of time spent in doing personal work, etc. Although most devoted/ sincere teaching faculties and other devote anyway upto 55 hrs. per week at the Institute, yet following schedule shall, henceforth, be applicable:

Monday–Friday	10.00-18.00 hrs. with 30 minutes lunch break
Saturday	10.00-14.00 hrs.

In the cases of Hostel/Estate employee the nature of duty involves certain time bound obligation and are required to devote a minimum 60 hrs. per week at the Institute. The above schedule is the indicative minimum working hours to be observed for faculties and all other employees.

7.8.1.2. Save as otherwise provided in these rules, the office timings may be changed/ modified to suit the functional imperatives of the Institute. The

faculty and staff members shall NOT claim compensation for such additional hours of work put up by them.

NOTE: It shall, however, be noted that working schedule shall not be presented a constraint for NON- Completion of an assigned responsibility. All assigned responsibility must, however, be completed by the stipulated time.

7.8.2. Late Arrival

- 7.8.2.2 Late arrival up to 10 min shall not attract any penalty provided it does not affect the class schedule. The time of arrival shall however be entered in the attendance register.
- 7.8.2.3. Late arrival beyond 10 minutes and up to 30 minutes on three occasions shall entail loss of half day Casual Leave.
- 7.8.2.4. In all other cases of late arrival, ½ day C/L shall be deducted. In the event of C/L account having exhausted, ½ day pay shall be deducted.
- 7.8.2.5. All the late arrivals entailing ½ day loss of C/L shall be got regularized by the employee by getting the leave approved. Non-regularization shall however, lead to recordable offence.
- 7.8.2.6. Habitual late coming shall attract disciplinary action.
- 7.8.2.7 Late arrival at exam hall will be sufficient cause for deduction of 1 day C/L.

7.8.3. Movement out of office premises

- 7.8.3.1. Employees, who are required to go out of office on official duty, shall obtain 'Outdoor Duty (OD) Slip' signed by the office superintended. The OD slip shall be handed over to the accounts department before leaving the office. A copy of the same shall be handed over at the gate and an entry shall be made in the register accordingly. Employees leaving the office on personal accounts without approval/ grant of leave shall be treated as absent without leave (AWL) and shall be liable to disciplinary action including the loss of pay.

7.8.4. Absence Without Leave (AWL)

- 7.8.4.1. Absence without leave, particularly during the currency of the academic session, tantamount to a **crime**. It is most unethical and unheard of. It is NOT DONE. The employees of the Institute shall, therefore, NOT ABSENT without having taken the leave of absence, particularly during the currency of the academic session. However, in case of emergency including sudden sickness, the employee shall inform his/ her immediate reporting authority/ Departmental Head and seek his/ her permission for absence. This shall be followed by a written request for regularizing the absence.
- 7.8.4.2. In case an employee remains absent from the Institute for more than 07 days without any information/ sanction of leave, he/ she shall be

considered as a defaulter and it shall be presumed that he/ she is not interested in the job and that the continued absence shall be considered as abandonment of services which shall ultimately call for his/ her removal from the employee's roll.

7.8.5. Working on Sundays/ Holidays/ After office hours

7.8.5.1. Any employee may be called upon to work beyond the stipulated working hours to meet a specific job requirement. All employees shall abide by the demand of the Institute. Evading the responsibility shall tantamount to indiscipline.

7.8.6. Political and Communal Activities

The Institute expects the employee to refrain from involving himself in controversial spheres like political parties, communal organizations, etc. The employee is, of course, free to have his own political and communal ideologies but active involvement in this field is considered inadvisable by the Institute, as the personal opinion of the employee may be construed as the opinion or the ideology of the Institute with which he is associated. Therefore, it is imperative that the employee keeps away from active political life while in the service of the Institute.

7.8.7 Extra Curricular Activities

The Institute does encourage the employee to be a part of the community where he lives and participates in and accepts offices of honorary capacity in community activities like Social Welfare Committees, Co-operative Societies, Clubs, Rotary/Lions, Educational Institutions, etc. The spirit behind such participation should be service and not other considerations. At the same time, the Management expects the employee to be selective in accepting such tasks, keeping in mind his own need for rest and relaxation, and that his involvement in such activities does not impair his health or affect his main responsibilities in the Institute.

Another sphere of such activity is participation in developmental programs, courses and seminars conducted by different organizations, Many a time, an employee may also be requested to assist the organizers of such courses by being on the Faculty. The Institute supports participation in such activities but within limits so that they do not interfere with the due execution of his duties and responsibilities.

In all such cases, the Institute expects the employee to take prior permission from the Management. The employee may also be called upon to contribute articles to journals and periodicals of a general and professional nature, deliver lectures and talks in institutions, colleges and on radio/television. The Management should be apprised of such activities and copies of articles, talks and lectures should be submitted to the Management for prior approval.

7.8.8. Adherence to Law

The Institute follows the principle that all dealings, measures, contracts, etc., should be strictly lawful and its employees are bound to observe the same principle.

This basic principle does not arise out of business expediency, viz., that trespassing the law may bring about business disadvantages such as prosecution, tax or duty punishments, etc., but it is observed quite independently of any business opportunism.

Every employee is personally responsible or adherence to the laws in his range of work and it is the duty of all superiors to supervise carefully to ensure this.

Arguments brought forward sometimes, that in order to achieve advantages or quicker business results in the interests of the Institute, certain deviations from the above principle would be necessary, are totally unacceptable.

It is also not permissible for anyone in the Institute to assist a third party in any unlawful dealings.

Also, in the private and personal spheres, the employee is required not to get involved in any unlawful dealings-for instance, Tax, Customs Duty, or Foreign Exchange offences or undue indebtedness-which would reflect upon his position and dealings in the Institute and which could affect his reputation within and outside the Institute. The more responsible the position of an employee, the more far-reaching can be the consequences of his prosecution, also for the Institute.

The Institute will in no circumstances protect or assist the employee in a prosecution launched against him for any breach or violation of any Law or Regulation.

8. Leave Rules

8.1. Leave is a **privilege and not a right**. It is earned and does not automatically become admissible as soon as one joins the service. No form of leave is generally considered admissible till an employee has completed a minimum of ONE year of service. **No leave shall be availed till it has been sanctioned formally** or approval taken verbally from the sanctioning authority.

8.2. However, in keeping with various practices in vogue, following leave rules have been framed. The leave admissibility in respect of all the staff members (except the casual / temporary/visiting faculty employees and employees under probation period) shall be as under:

Type of Leave	Annual Admissibility (days)	Max. Accrual (days) in Service Period	Remarks	Category of Employee
Earned Leave	07 days	40 days	Can be cashed at the end of service period and will be lapsed over and above the maximum accrual	Teaching, Non Teaching office & Administrative and Driver (General)
Casual Leave	12 days	NIL	Will laps on 31.12	National / Festival / Declared /
Maternity Leave	As per Maternity rules provided in service rule here in after	NA	During service period maximum two occasions	weekly off days as decided and announced by the Institute is applicable to this category.
Medical Leave	07 days	NIL	UP TO 14 days on half pay	

Type of Leave	Annual Admissibility (days)	Max. Accrual (days) in Service Period	Remarks	Category of Employee
Allotted Leave	02 days	NIL days	NIL	Maintenance, Estate, Canteen and Boys' Hostel staff. No National / Festival / Declared / weekly off days as decided and announced by the Institute is applicable to this category.
Casual Leave	01 day	NIL	NIL	
Maternity Leave	As per Maternity rules provided in service rule here in after	NA	During service period maximum two occasions	
No Boarders Leave	Actual Basis as and when arises	NIL	NIL	Girls' Hostel staff
Casual Leave	01 day	NIL	NIL	No National / Festival / Declared / weekly off days as decided and announced by the Institute is applicable to this category.
Maternity Leave	As per Maternity rules provided in service rule here in after	NA	During service period maximum two occasions	

- 8.3. The leave year is the calendar year viz 01st January to 31st December.
- 8.4. The leave **cannot be availed in advance**, except under special circumstances or in case of emergency. All leave thus availed shall be fully regularized through a written request.
- 8.5. On severance of the services, if an individual has availed Leave in excess of the entitlement, the same shall be compensated / recovered at the time of next settlement of the accounts and will be subjected to actions as provided for continuous absenteeism elsewhere in this rule.
- 8.6. In the event of an individual resigning from the services of the institute, EL shall not be allowed to be availed during the notice period. However, CL may be availed during the period.

8.7. Earned Leave (EL)

- 8.7.1. Earned leave means the leave earned by an employee for the services rendered during the calendar year.
- 8.7.2. EL shall be credited to an employee's account after he/ she completes one year. It shall be calculated proportionately for the duration of the service rendered during the calendar year.
- 8.7.3. Earned leave can be availed only after the completion of ONE YEAR of continuous service.
- 8.7.4. **EL** shall be recommended by the immediate superior/ departmental head. The **Chairman** shall be the **sanctioning authority**.
- 8.7.5. Request for EL shall be made well in advance (generally 1 month); requests made less than 7 days in advance may not be entertained.
- 8.7.6. Intervening Sundays and other holidays falling within the leave period shall be counted towards leave.
- 8.7.7. A minimum of 3 days leave shall be availed to get it treated under the category of 'Earned Leave'. EL shall generally be availed during winter/summer breaks. It shall **not be admissible** during the currency of the **academic session** except in case of Emergency. However, all other conditions as stated in the preceding paragraphs shall apply.
- 8.7.8. National / Festival / Declared / weekly off days cannot be prefixed and / or suffixed to EL.
- 8.7.9. Weekly off between EL will be treat as sandwich.
- 8.7.10. Any absence of more than the number of EL sanctioned will be treated as leave without pay, unless given valid reasons to the management.
- 8.7.11. Balance EL remaining unutilized as on 31st December will be carried forward.
- EL can be accumulated for a maximum of 40 days.
 - Accumulated EL over and above 40 days will be lapsed.
 - At the time of retirement only the balance EL will be encashed at the basic pay rate as on the day of retirement.
 - EL will be credited to permanent staffs (Teaching, Non teaching).
 - Office & Administrative and Driver (General) on completion of one year of service with the institute.

8.8. Casual Leave (CL)

- 8.8.1. Casual leave is catered to meet emergent/ unforeseen requirements of an employee. It shall, however, be got sanctioned in advance unless unavoidable.
- 8.8.2. Executive Director/Principal/Co-ordinator/Assistant Director are the only authority to sanction leave over the telephone.
- 8.8.3. Like EL, CL can also not be availed in advance

- 8.8.4. An employee is entitled to ONE CL every month of attendance in the institute.
- 8.8.5. Continuous CL can be availed up to the number of days of CL earned or up to 2 days, whichever is lesser.
- 8.8.6. A minimum of half CL can be availed & a maximum of 2 days in a row can be taken.
- 8.8.7. If CL extends beyond 2 days, then the excess days taken will be treated under Earned Leave.
- 8.8.8. It is up to the Management's discretion to sanction more than 2 days of CL at a stretch.
- 8.8.9. Intervening National / Festival / Declared holidays will be counted as per of the leave.
- 8.8.10. Balanced CL remaining unutilized as on 31st December will lapse.
- 8.8.11. When leave is taken without prior sanction (under certain unavoidable circumstances), the absence should be notified to the respective HOD's / OS on the same day through phone/e-mail.

8.9. Medical Leave

- 8.9.1. The leave shall be admissible to an employee for his/ her own sickness. It shall NOT be admissible for attending to sick family members.
- 8.9.2. The employee can either avail 07 days full pay leave or 14 days half pay leave.
- 8.9.3. Sick leave in excess of 2 days shall require a medical certificate. Sick leave in excess of 7 days shall require records of hospitalization.
- 8.9.4. Sick leave is not available to the employees covered under the ESI Acts and Rules thereof.
- 8.9.5. Intervening National / Festival / Declared holidays will be counted as part of the leave.
- 8.9.6. Balanced ML remaining unutilized as on 31st December will be lapsed and will not be carried forward to the next year.
- 8.9.7. Inability to attend office because of any sickness should be notified to the respective HOD's / OS on the same day through phone/e-mail.
- 8.9.8. Approved leave application should reach the HR department within 3 working days of rejoining.
- 8.9.9. In case adequate number of ML is not available with an employee, he/she can club EL with it. If EL is also not available, then it will be sanctioned and /or decided by the appropriate authorities.

NOTE: EL/CL/ML shall be got sanctioned by the competent authority on the prescribed form. All leave applications shall have the endorsement of the HR department indicating the days of leave availed/ days of leave in balance. All applications duly approved shall be submitted to the HR

department before proceeding on leave. Non-compliance may lead to a person being marked absent.

8.10. Maternity Leave

Eligibility:

In the case of employees covered under ESIC maternity leave to female employees shall be granted as per the ESIC Act 1948 and Rules thereof. The leave shall become applicable only after the completion of the more than one year service at the Institute.

In the cases of other permanent employees having more than one year service at the Institute and having no children or at most one surviving child are eligible for grant of maternity leave. A suitable medical certificate from a competent doctor must be attached with the leave application. Maternity leave can be granted for a period of 84 days at the maximum.

During the leave period, a medical certificate and progress report from a competent doctor must be submitted. In the absence of such report, the leave salary shall not be paid.

The salary for the leave period shall be paid in three equal installments in three consecutive months after the employee joins the duty (on completion of leave period). If the employee joins the duty in first half of the month then the first installment shall be paid in that month itself. Else the first installment shall be paid in the next month. Each installment shall be paid along with the salary.

In case of miscarriage, leave up to a maximum period of 6 (six) weeks on each occasion (up to a maximum of two) may be granted, provided that the application for the leave is supported by a certificate from a competent Doctor. The leave salary shall be paid in three equal installments as per the procedure given above.

- a) 84 days of paid Maternity Leave is allowed to females who have to deliver a child.
- b) A female employee can adjust this leave before and after the delivery of child totaling it to 84 days.
- c) Before availing this leave, a certificate from the gynecologist has to be submitted mentioning the expected date of delivery.
- d) Intervening National / declared / festival / weekly off days will be counted as part of leave.
- e) If, because of any complication, leave may be extended, it can be done only by the appropriate authorities on case to case basis.

8.11. Leave for Part-time Education

- 8.11.1. The faculty members may be granted leave to attend morning/ after-noon classes provided the same leads to the improvement of qualification.
- 8.11.2. The faculty member shall, however, be required to execute a bond to serve the Institute for a minimum of three years after the completion of the course or draw proportionately reduced salary.
- 8.11.3. The faculty member shall continue to draw normal pay and allowances during the period of such leave if he/ she executes the bond mentioned above.
- 8.11.4. The Conditions enumerated in preceding paragraphs shall apply except in case of an employee recruited with such approval already accorded to him/ her while working with the former Institute.

- 8.11.5. All employees availing leave for part time education shall teach a minimum of two courses for 12 hours per week.

8.12. Academic Leave

- 8.12.1. Academic leave may be granted to only the teaching faculty members including the Principal and Co-ordinator/Assistant Director.

- 8.12.2. It may be granted for the following specific academic activities:

8.12.2.1. An academic activity which brings laurels to Technique Polytechnic Institute.

8.12.2.2. Attending a National/ International symposium/ conference/ seminar/ workshop, etc.

8.12.2.3. Delivering an invited talk to students/ employees of an institute.

8.12.2.4. Documentary evidence shall be accompanied with the request.

8.12.2.5. TA/DA & registration charges shall be borne by the individual/ host institution.

8.12.2.6. The said leave can be granted up to three times during an academic year.

8.12.2.7. The incumbent shall seek CL/EL for attending all paid activities e.g. working as an external examiner for conducting practical examinations, member of an inspection committee, etc.

8.12.2.8 The Chairman may sanction this leave.

8.13 Extra Ordinary Leave

In case of genuine necessity and when no other leave is due, leave without pay may be granted subject to the conditions to be specified at the time of granting the leave. The Chairman shall be the sanctioning authority.

8.14. Leave Encashment after Retirement/ Resignation

A person shall be entitled to encashment of accrued/ unavailed EL to a maximum of 40 days subject to his/ her confirmation and after the completion of 1 year service at the Technique Polytechnic Institute.

If an employee to be relieved has availed more number of CL against the number of months he has worked, then the excess CL will be deducted during his final settlement.

Procedure for applying leave

The available leave balance is to be checked by the employee with the HR department and the leave to be applied by duly filling up the leave application form and writing in a paper. The application has to be forwarded by the employee through their departmental head for approval by the Executive Director/Chairman. The departmental head is authorized to either recommend or disapprove the leave on valid grounds. The approved leave application has to be submitted to the HR department for recordings and subsequent processing.

Cancellation of leave

The appropriate authorities can also cancel the once sanctioned leave on situational / need basis. If an employee proceeds to avail the cancelled leave then those days will be treated as absence from duty and the rules pertaining to absence from duty will be applied.

Extension of leave

As it is necessary to get prior approval for leave so is also for extension of leave. The employee has to apply through his/her department head / OS for extension of leave well in advance and get it sanctioned to avail them. In case an employee overstays, the unsanctioned leave availed will be treated as absence from duty, if there is no any information to HOD by phone or telegram.

Absence from duty

- a) When an employee takes off from duty without prior leave approval or proper intimation under certain unavoidable circumstances, then those day/days will be treated as absence from duty.
- b) The days of absence should be sanctioned by the appropriaties.
- c) The employee has to report to his / her department head on rejoining duty from absence and provide valid reasons for absence in writing before taking up work again.
- d) If an employee is absent from duty continuously for more than 7 days (including any National / Festival / Declared / Weekly off days which may fall in-between), an official correspondence from the HR department will be sent to him asking to report to duty and to provide explanation for his absence.
- e) Based on the enquiry any action deemed fit will/would be taken by the management.

If there were no response from the employee within the stipulated time mentioned in official correspondence, it would be assumed that the employee has withdrawn his service from the institute on his own accord and recorded accordingly.

9 Provident Fund

Employees covered under P.F. Scheme/ Act as per salary structure are entitled to employer's contribution up to limit specified in law.

TA/DA RULES

1. General

The Traveling and daily allowance rules are framed to ensure that an employee is able to perform his/her duties at the outstation effectively. The TA/DA shall be regulated in accordance with TA/DA rules laid down here amended from time to time.

2. Approval

All journeys must be got approved by the competent authority (Chairman/Director/Principal) in writing. If, however, time does not permit written permission in advance it shall be done immediately on return from tour/temporary duty but in such cases verbal permission need to be obtained. Approval form is attached as Annexure A.

Power of approval

Chairman

Director/Principal

Co-ordinator

3. The journey on tour may be performed by any of the following modes:

- a) Air
- b) Train
- c) Road
- d) Combination of the above

3.1 Journey by Air: May be performed in exceptional circumstances with the prior approval of Chairman.

3.2 By the Rail : The entitlement of the class of journey by rail is given below:

- a) Director/Principal/Co-ordinator : IInd AC
- b) Head of the Departments/Lecturer and equivalent : IIIrd AC
- c) Technical Assistant and equivalent : IInd /SL Class

3.3 Journey by Road : The entitlement is given below

- a) Director/Principal/Co-ordinator : Institute car/ Taxi/Own vehicle
- a) Faculty & Equivalent : Taxi/Own vehicle
- b) Tech. Asstt. And equivalent : Bus

4. Mileage Allowance

Mileage allowance is admissible when the journey is performed by own vehicle. It is admissible at the following rate:

Own Scooter/two wheeler : Rs. 2.00 per KM

Own Car : Rs.7.00 per KM (Without A/C)

No mileage allowance is however admissible when the journey is performed within a radius of 8 KM from Institute. Actual expenses may, however, be charged rendering an appropriate certificate.

5. Daily Allowance for Halts at outstation

DA at the prescribed rates for each full day of halt for a maximum of 30 days of halt at one station except under special circumstances is admissible. However, when an employee enjoys free boarding and lodging at the expenses of the Institute/ host organization/government, he is entitled to draw only one fourth rate of full rate of DA . Faculty and Staff deputed for counseling during admissions are generally expected to avail of the facilities provided by the counseling agency. Additional arrangements may, however, be made under special circumstances.

5.1 The DA rates are given below:

- | | |
|--|------------------|
| a) Director/Principal/Co-ordinator | : Rs.350 per day |
| b) Head of the Departments/Lecturer and equivalent | : Rs.250 per day |
| c) Technical Assistant and equivalent | : Rs.150 per day |

6. Incidental Charges

Incidental charges are admissible as under: _

6.1 Transportation from residence to railway station/Airport, Airport/ Railway Station to place of duty; Actual expenses will be admitted.

6.2 Taxi charges for traveling to other offices in town : Actual expenses will be admitted.

7. Lodging at the outstation

It is expected that the faculty in general will be able to arrange accommodation in the guest house/hostel of the host organization. In such a case, no additional allowance will be admitted. However, if the employee has to make his/her own arrangements of accommodation, following are the entitlements:

	<u>Type of City</u>	<u>Director/Principal /Co-ordinator</u>	<u>AP/SL/Lecturer</u>
a)	Class A city	Rs.800/- per day	Rs.600/- per day
b)	Class B city	Rs.500/- per day	Rs. 350/- per day
c)	Class C city	Rs.350/- per day	Rs. 200/- per day

7.1 Hotel charges will be paid against actual bills and most practical means of transportation shall generally be resorted to. Full day taxi shall not be hired unless unavoidable.

8. Advance

Advance may be drawn with the approval of the sanctioning authority

Settlement of TA/DA claim

TA/DA claim must be settlement within 7 days from the date of return from tour. TA/DA claim shall be got countersigned by the HOD and submitted to the Accountant, who in turn shall check for entitlement and get it approved by the Director. All claims must be accompanied with bills etc. In case of non-settlement within prescribed time, advance drawn will be deducted from the salary.

9. Official Duty TA Report

All TA/DA claim shall be accompanied with a copy of official duty report. This shall briefly highlight the activities and the duties performed by the officer at the outstation. No claim will be passed OD report.

TA/ DA Rules**10.1 General**

- 10.1.1 These rules are laid down to assist each employee in knowing his/ her authorization and limit of expenditure while on official tour.
- 10.1.2 Although all possible efforts have been made to lay down the rates of DA, which would make an employee get reasonable comfort while at the outstation, no employee is expected to use outstations duty as the source of income.
- 10.1.3 Any outstation journey on official authorization shall be deemed as 'on tour'. This excludes duty to satellite cities towns adjoining Head Quarters.
- 10.1.4 Journey beyond 50 Km. limits of the Head Quarter (Hooghly) shall be considered as 'on tour' only if night stay is involved and the duty has been duly approved.
- 10.1.5 Unutilized advance money shall be returned to the Institute **within 3 days of return** from tour.
- 10.1.6. Actual tour expense bills shall be submitted positively **within 5 days** of completion of tour. A copy of tour report may be submitted to the HR Department. In case the employee fails to do so, Institute may recover the advance from the salary of the employee in the ensuing month. Any falsified information during tour programme/ submission of fake bills may invite strict disciplinary action against the defaulter.

10.1.7. Classification of Cities

A1 Class	Delhi *, Mumbai*, Calcutta, Chennai, Bangalore, Hyderabad
A Class	All State Capitals, Pune, Ahmedabad, Cochin, Kanpur, Baroda
B Class	All other cities not listed under the above two classifications

- 10.1.8. Travel by Air or 1st AC Rail shall be approved by the Chairman prior to the commencement of journey for a non entitled person.
- 10.1.9 For stay in hotel, actual bills shall be produced even if the bill is less than the entitlement.
- 10.1.10 In case an employee makes his/ her own arrangement for stay at the out station, he/ she, may claim 50% of the lodging/ boarding amount as per the entitlement. No bills are required for this purpose.
- 10.1.11 In case of return on the same day from the touring location, the touring officer can claim 25% of the board and lodging charges applicable to that area without bills.
- 10.1.12 Expenditure incurred over and above the authorization may be approved provided the sanctioning authority finds it justified .In case of non-production of bills, only 50% of the entitlement can be claimed.

Annexure-A

OFFICIAL DUTY REQUISITION FORM

1. Name :
2. Designation : \
3. Department
4. Purpose of Official Duty
5. Details of journey From: To

Mode of conveyance

(Air/Rail/Road)

6. Dates of journey
7. Recommended by

Date : Signature

Place :

Recommended/Not Recommended

H O D

Approved/Not Approved

Director / Principal

Chairman

11 Termination:

- 11.1. Service of an employee shall automatically stand terminated if an employee remains absent from duty without sanction of leave for seven consecutive days. The services will stand terminated in case of any one or more of the following conditions too:

11.1.1. On expiry of the period of employment.

11.1.1. Indiscipline/disobedience/misconduct/moral turpitude.

11.1.2. Resignation.

11.1.3. Non-fulfilment of the Terms & Conditions of Employment as contained in these rules/HR policy

12. Dress Code

The students have a dress code. However, no specific dress code has been laid down for the faculty members. Not-with-standing, all the faculty members are expected to come to the Institute properly dressed. **T-shirts & Jazzy clothes are NOT** expected to be used by the faculty members on academic days.

13. Notices/Circulars

All the departments shall maintain a file of NOTICES/ CIRULARS in the respective departmental office. It shall be the **responsibility of all the employees** to make themselves conversant with all the instructions issued from time to time.

13.1. All notices displayed on the Notice Boards shall be treated as read and accepted.

13.2. All circulars issued by the offices of the HOD/Co-ordinator/Director/Principal/Chairman are expected to have been read and complied with.

13.3. Circulars/notices not read on account of absence shall be read on return from absence.

14. Academic Calendar

The academic calendar is formulated at the beginning of each semester. It lays down in detail the teaching days, the holidays and the examination schedule. It shall be the responsibility of each faculty member to acquaint himself/herself with the calendar and abide by the same.

15. Non-Compliance of Rules/Regulations

Non compliance of rules/regulations on account of ignorance of the orders is inexcusable. All the staff members shall acquaint themselves with the orders in vogue.

16. Principal Functionaries

16.1. The teaching staff constitutes the backbone of an academic institute. The students look up to them for almost everything, right from teaching to employment and even for their personal problems. The faculty members thus need to develop a rapport with the students to ensure that they are able to mould and make them achieve growth and advancement. Besides, the faculty members shall address the matters pertaining to their own growth. The faculty members shall, therefore devote efforts commensurate with their responsibilities and of course their aspirations of a respected teacher. All that a teacher earns in life is the wealth of 'Respect' of the students and if that is not earned, he/ she shall introspect and decide if he/she shall continue to be a teacher.

16.2. DOs & DON'Ts

Although general conduct rules, DOs & DON'Ts have been listed in the preceding paragraphs, yet some of the DOs & DON'Ts are repeated in the succeeding paragraphs and it is expected that the teachers shall abide by these golden rules. Non-compliance may mean disobedience of orders.

16.2.1. DOs

- Do go to your class on time, preferably a few minutes before the schedule.
- Do go prepared to your class
- Do teach in interactive mode
- Do dictate notes if & only if there is no other option
- Do use slides/PPP for at least one topic from each unit
- Do quote practical examples/ application pertaining to topics being taught
- Do train students to present seminars at regular intervals on topics related to syllabus/beyond the syllabus.
- Do provide website references to the students for them to gather additional knowledge
- Do teach a few topics beyond the syllabus
- Do be sympathetic towards the students and adopt a helping attitude
- Do develop a friendly relationship with your students and perform the role of mentor regularly.
- Do make your students realize at frequent intervals their responsibility and the purpose for which they are here
- Do exercise control on the class and maintain discipline
- Do engage yourself in updating your own knowledge

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16.2.2. DON'Ts

- Do not ever miss your class
- Do not make alternate arrangements for teaching schedule save it is EMERGENT, students tend to lose respect for you.
- Do not let off the class before time unless there is a justifiable reason.
- Do not dodge responding to students' queries; if you do not know the answer to a query, say so and attend to it in the next class.
- Do not ever insult your students or their parents.
- Do not ever attempt to earn cheap popularity by awarding them high grades, which they do not deserve, or keep quiet on their misconduct, etc.
- Do not let your image be tarnished by your irresponsible talks and acts.

16.3. Time utilization

16.3.1. In general, the time of the faculty members is expected to be utilized as under:

CATEGORY	HOD	PROF.	AP	SL/L
▪ Teaching	15 class40%	50%	60%	30 Class70%
▪ Academic work/Student Dev.	30%	25%	20%	20%
▪ Administration	30%	25%	20%	10%

16.3.2. The foregoing responsibilities are broadly defined in succeeding paragraphs:

16.3.2.1. Teaching. It includes classroom teaching, students' evaluation, preparing lab manuals, training students in presentation techniques, conducting labs, developing assignments, ensuring students performance, etc.

16.3.2.2. Academic work/Student Dev. It includes guiding students engaged in project work, writing papers, organizing/ participating in symposium/ seminar/ workshop, etc.

16.3.2.3. Administration. It includes students' mentoring, coordinating students' affairs, maintaining students discipline, students' training and placement, maintaining record of students' attendance/ session marks, examination related work and forms, departmental performance review report for submission to the Director/Principal etc.

16.3.2.4. It is our intention to allow considerable flexibility to the faculty members in choosing their work areas depending on their ambition and professional agenda. However, the core responsibilities of various functionaries are listed in succeeding paragraphs. They may also be assigned additional responsibilities from time to time. The core responsibilities as also the additional responsibilities shall be accomplished effectively and efficiently. All the functionaries will be judged for their performance on a regular basis. An attempt would be made to continuously keep them apprised of their strengths and weaknesses.

16.4. Responsibilities:

16.4.1. HOD.

He / She is the architect of the department. Its smooth functioning and further growth largely depends on the vision of the HOD and the implementation of the Institutes' policies. Although individual faculty members are fully responsible for effective conduct of their own classes, yet the over-all responsibility of efficient functioning of the Department rests with the HOD. He /She has the following responsibilities:

- Organize the department for most efficient operations.
- Assign responsibility to all the faculty & staff members in writing, monitor their performance & counsel them as required.
- Plan & monitor curricular & co-curricular activities of the department.
- Appoint class / programme coordinators and laboratory in charges and monitor their performance. Counsel defaulting faculty/staff members.
- Monitor syllabus completion & academic progress of the students.
- Counsel defaulting students & communicate with their parents, both in writing as well as telephonically.
- Plan and implement faculty, staff, and students development activities.
- Arrange alternate classes for absenting faculty member, if required.
- Teach a minimum of 01 subject for a period 06 hours per week.
- Get departmental professional society activities organized regularly.
- Organise seminars/conferences at regular intervals.
- Organise industrial visit/ in-plant training for second/third year students.

- Extend support to the TPO in placement activities.
- Seek research & consultancy projects from the Industry.
- Maintain students' discipline.
- Get departmental website updated regularly.
- Analyze University results; determine remedial measures and ensure their implementation.
- Ensure proper maintenance of students' sessional marks, attendance, etc.
- Identify week/defaulting students, counsel them and seek assistance from their parents for improving the performance of such students.
- Ensure provisioning of equipments/ consumables/ books, etc. well before the commencement of the semester.
- Ensure appropriate readiness for the next semester as also smooth functioning of the ensuing semester. The responsibilities include the following:
 - Identification and procurement/repair of deficient/repairable items of equipments for the labs.
 - Formulation of Time-Table, Lecture & Lesson Plan, Academic Calendar, subject allocation & faculty load, Individual Faculty files, etc.
 - Periodic review of progress and completion of syllabus (theory and practicals).
 - Submission of Home Assignments/ project work, etc.
 - Evaluation /assessment of the students.
 - Organize:
 - ❖ Colloquiums
 - ❖ Guest lectures.
 - ❖ Industrial visits.
 - ❖ Faculty development programme

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16.4.2. Teaching Faculty Members

Teaching faculty members constitute the most important component of an educational institute. They are the ones, who help in forming the career of the students and whom the students tend to take as their role models. A good teacher always motivates his/ her students and guides them to the right path. Some of the core responsibilities are listed below:

- Teach 2-3 subjects with a workload of 18-20 hrs per week.
- Conduct lab classes as assigned and maintain students' record.
- Regularly organize students' seminars and their presentations.
- Raise demand for deficient lab equipments and consumables well before the commencement of the semester and ensure its provisioning.
- Maintain laboratory assigned to the faculty member including inventory of items held and related documents.
- Prepare Course File for each course being taught by the faculty(it shall contain: syllabus, academic calendar, lecture schedule, lesson plan(one for each lesson),assignments(at least 1 for each unit), tutorial sheets(at least 1 for each unit),sample question papers, model answers to question papers, university papers for last 3-5 years, class notes).
- Prepare/update lab manuals.
- Develop students' assignments and question papers with model answers.
- Continuously evaluate the students, identify week students and inform their parents through the HOD/class coordinators.
- Conduct make up classes as well as the extra classes for week students (maintain record).

- Organize/assist in the conduct of departmental society activities.
- Promote students in identifying their development/training needs and assist them in achieving the same.
- Undertake students mentoring (maintain record of discussion).
- Maintain records of students' attendance and sessional marks.
- Maintain class discipline.
- Extend support in students' placement.
- Engage in self development through research, organizing/ participating in seminars, writing technical papers, writing books, etc.
- Make choice of activities to take optimum advantage of performance linked promotion and increments policy.

16.4.3. Co-ordinator :

He/she is the record keeper of the Institute, both for the employees as well as the students. He shall be assisted by a number of HODs and Office Superintendent. He is responsible for implementing the academic policies of the management as formulated by the Chairman as well as GB. His responsibilities broadly comprise the following.

- All matters relating to employees' appointment, welfare, discipline, leave, pay & allowance, increments, court cases, etc.
- All matters pertaining to students' admission, results, records/files, marks sheet, degrees, attendance, convocation, students' scholarship, communication with the University, students related court cases, etc.
- HR Policy
- All matters relating to employees welfare/discipline
- Advertisements for recruitment
- Appointment/ discharge/ retirement
- Counseling of faculty/staff members on rules & conduct
- Performance Appraisal of employees
- Arranging motivational lectures for faculty and staff
- Feedback of faculty members from students
- Introduction of new faculty members to all other departments
- Leave Record
- PF for employees
- Increments and promotions
- Pay advances
- Preparation of Pay Bills
- Full and final settlement of discharged/ retired persons
- Dealing with PF and Wage Board
- Court Cases related with the employees
- Organize/ conduct various in house /Univ. examinations
- Submission of sessional marks to the University.
- Uploading / submission of attendance for use by the University.
- Liaison and correspondence with the University.
- Maintain record of admissions, failures, promotions, dropouts, ex-students and pass outs.
- Issue of mark sheets, degrees, provisional certificates, etc.
- Correspondence in relation with scholarship for SC/ST/OBC students and liaison for the same.
- Convocation
- Maintenance of records/students files.
- All correspondence with the University and Academic Institutions
- Maintenance of students discipline
- Counseling/ Mentoring of poorly performing and generally defaulting students.
- Interacting with students' parents for:
 - Short-fall in attendance
 - Poor academic performance

- Attending to students general (non –academic) problems
- Attestation of certificates/ marks sheets

16.4.4. Training & Placement Officer

He/she is responsible for in house and industrial training and finally the placement of the students. The responsibilities comprise the following:

- Arranging industrial visit & in-plant training for the second and third year students.
- Arranging guest lectures by Industry experts.
- Arranging personality development programmes through experts.
- Arranging additional short term courses in consultations with Chairman/HODs which help in getting students the jobs.
- Assist students in preparing their CVs.
- Establish liaison with industry houses, Armed forces, R&D organizations, placement consultancy agencies, etc. for placement of final/pre-final year students.
- Arrange training of students in attending interviews.
- Arrange campus interviews

16.4.5. Librarian

He/she is responsible for the procurement and provisioning of text books, reference books, journals and research papers to the students and the faculty members of the institute. The major responsibilities are listed below:

- Maintain required number of text books & reference books as per AICTE norms.
- Procure books as demanded/required by the faculty members duly approved by the authorities.
- Ensure automation of library system which includes functions like receipt, issue, search, reservation of books, etc.
- Arrange procurement of Journals, magazines, news papers, etc.
- Issue/receive books to the members of Book Bank and other members of library.
- Maintain library records including accession register and discipline within the library.
- Maintain books in good state/ get the same bound, if required.
- Maintain membership ofconsortium, etc.
- Co-ordinate all types of inspection and audit.
- Maintain software and system in force time to time.
- To do all related correspondences.
- Preservation of old books and records in systematic manner (Archive).
- To maintain vendors data base.
- Identify slow / non moving accession.

16.4.6. Store Officer

He is responsible for the procurement & provisioning of all the capital equipments, consumables, stationery items, general maintenance stores, etc. The major responsibilities comprise the following:

- Prepare central inventory of all the stores held on charge of the Institute.

- Ensure annual stock taking of all the stores held by individual departments as well as the central stores.
- Periodic survey boards to declare unserviceable items of equipments/stores/furniture etc. and get the same auctioned/disposed off.
- Identify deficient/repairable equipments/stores required by the departments well before the commencement of the semester and arrange their procurement/repair.
- Check quality and quantity of stores received
- Determine regular/monthly requirement of stationery items, electrical items, building maintenance stores, cleaning stores and arrange their bulk procurement.
- Carry out market survey of regularly required items and establish method of their procurement.
- Arrange payment of suppliers on time.
- Co-ordinate all types of inspection and audit.
- Maintain software and system in force time to time.
- To do all related correspondences.
- To maintain vendors data base.
- Identify slow / non moving accession.

17. DICIPINARY CODE

17.1 Introduction

- a) This document is an expression of TPI's policy on discipline and a guide to all Institute employees.
- b) Discipline is a system designed to promote orderly conduct.
- c) Formal disciplinary action should be the final course of action in rectifying employee behavior.
- d) Disciplinary action should be supported through investigation, reasonable evidence of guilt and careful consideration of the circumstances of each case before formal action is taken.
- e) Disciplinary action should always be prompt, fair and firm.
- f) While every attempt has been made to ensure that this Disciplinary Code is applicable to general disciplinary instances in TPI, the requirement for use of discretion within the framework of and in accordance with the spirit of the code may be required.
- g) A successful disciplinary system and climate is dependent on the good judgment, understanding and consistent treatment of the parties involved in disciplinary action.

17.2 Procedure and Documentation

17.2.1 Action of Chairman/Director/Principal/Coordinator when an alleged offence has been committed or is reported to have been committed

When an offence is alleged to have been committed, the Chairman/Co-ordinator concerned will investigate or have the matter investigated, and take any form of the following actions:

- a) Dismiss the case;
- b) Counsel the employee;
- c) Give a verbal warning;
- d) Give a recorded warning;
- e) Initiate a formal disciplinary enquiry;

17.2.2 Informal disciplinary action

It is desirable for sound interpersonal relations within TPI that Chairman/Co-ordinator where possible resolves disciplinary matters by means of informal disciplinary action. Informal disciplinary action can take the form of either a verbal warning or counseling.

An employee found to have committed an offence of a minor nature should be counseled by the Chairman/Co-ordinator, without an entry being made on the employee's personal record. The Chairman/Co-ordinator may however, make a record of the counseling session to allow for an assessment of the employee's performance record, should this be necessary at the time, and with the employee's knowledge and understanding thereof, formulate a plan of corrective action.

During the counseling, the Chairman/Co-ordinator should ensure that the employee is made aware of the nature of the offence and the standard of the conduct or performance that will be expected in the future.

17.2.3 Procedure for formal complaints

- a) A Chairman/Co-ordinator handling a formal complaint must investigate the case with the assistance of the Human Resources Officer, where possible, and ensure that the relevant sections of the complaint form (Appendix 7) are correctly completed within 48 hours of the offence having been committed or the Chairman/Co-ordinator having been made aware of the fact that an offence has been committed.
- b) A copy of the complaint form should be passed without delay to the Human Resources Officer who will advise whether:
- c) The accused should be suspended pending full investigation (if this has not already been done);
- d) Advise the Chairman/Co-ordinator on whether to continue with a formal complaint
- e) The Complainant and the accused must provide names of all persons who should be regarded as witnesses as their statements will assist in ensuring a fair hearing of a case. Where possible, should there be witnesses who are non-employees, formal statements should be recorded from them as they may be invited to attend the disciplinary hearing.

17.2.4 Disciplinary Inquiries

The Director / Principal will be responsible for the overall application of the code and should where possible:

- a) Advise and guide all participant on the Disciplinary Code;
- b) Ensure that the code is applied fairly and consistently in all cases (procedurally and substantively);
- c) When all documentation pertinent to the matter has been collected, the Human Resources Officer shall serve the papers on the accused and/or his/her representative to allow the employee to fully prepare himself prior to the hearing;

- d) The Hearing Chairperson will hear the case within four full working days of the complaint being lodged – only when further investigation is required shall this period be extended;
- e) The Human Resources Officer will be responsible for arranging a suitable venue and date for the inquiry, informing all the relevant parties; informing the accused of his/her rights to representation; informing the accused of his/her right to appeal against the decision and arranging for all relevant statements to be taken.
- f) The complainant shall be responsible to complete the Complaint form.

Attendance at the Inquiry

The following persons must be in attendance at any hearing inquiry:

- a) Hearing Chairperson
- b) Complainant
- c) Alleged Offender (accused)
- d) Representative of alleged offender (if requested by alleged offender)
- e) Witness (as) (as and only when required for the duration of the testimony)
- f) Director / Principal.

The Hearing/Inquiry

- a) The accused should be given at least 48 hours notice in advance of the disciplinary hearing (Notice for Disciplinary hearing see Appendix 8), indicating the date, time and venue of the hearing. In addition, the responsible person convening the hearing should advise the accused of his/her right of representation.
- b) In the event that the accused alleges that the Hearing Chairperson is implicated in the case and therefore will not be unbiased, the accused may request the appointment of an alternative Hearing Chairperson, giving a full motivation for such a request. The decision whether to appoint another Hearing Chairperson or not rests with the Human Director / Principal. Such requests shall however not be unreasonable withheld.

Duties and Responsibilities of the Hearing Chairperson

The Hearing Chairperson shall be any employee on the same level as the direct Chairman/Co-ordinator of the Complainant, but not the direct Chairman/Co-ordinator.

The Hearing Chairperson should not have been priviledged to any information pertaining to the inquiry prior to the inquiry.

Ideally the Chairperson of a disciplinary inquiry will be required to follow the guidelines below when performing duties of a presiding official:

- a) Introduce and identify all present, stipulate the purpose and format of proceedings;
- b) Ensure that the alleged offender has been given sufficient notification of the inquiry, and that he/she has signed and acknowledged acceptance thereof. Ensure that the alleged offender has understood his/her employee rights in this regard;

- c) Establish if witnesses are present and if so inform the hearing that they will be excluded from proceedings once they have led evidence and have been cross questioned;
- d) Should it be established that the accused was not informed of his right to representation or that the witnesses are not present, the Hearing Chairperson will adjourn and reschedule the hearing for a later date;
- e) Should the accused fail to attend the hearing, the Hearing Chairperson will establish whether the accused was notified of the date, time and venue of the hearing. It will be advisable to re-notify all parties to attend the disciplinary hearing at a later date if notification was not given;
- f) If the accused fails to attend a disciplinary hearing, the Hearing Chairperson should in writing advise the accused of the date, time and venue of the hearing and advise him that should he fail to attend, the hearing will proceed in his absence;
- g) Should the accused fail yet again to attend and if no prior notification for his absence was given, he may be deemed to have waived his right to attend the hearing. The Hearing Chairperson will then decide the case in absentia on the facts available and the accused will be informed, in writing, of the outcome;
- h) Having ascertained that the particulars on the complaint form are correct, the Chairperson will inform the accused of the charge(s) against him/her, ascertain his/her understanding thereof and the accused will be asked to plead on the charges;
- i) The accused should be permitted to make any further pertinent comments should he/she wish to do so (whether or not he/she has already made a written statement);
- j) According to the plea entered by the accused, the Hearing Chairperson must verify all facts and allegations by questioning the accused, Complainant and any other parties in order to arrive at a decision. Only information provided in the case documentation pertaining the charge in question and statements raised during the inquiry will be used as facts pertaining to the disciplinary inquiry;
- k) The Hearing Chairperson will allow the accused, with his/her representative, the opportunity to express opinions on the case;
- l) All witnesses should be called to give evidence and to have such evidence examined by the hearing Chairperson, the Complainant and the accused and/or the accuser's representative;
- m) If during the course of the hearing, the Hearing Chairperson finds it necessary to obtain further information, the case should be adjourned to allow for further investigation;
- n) If the accused wishes further evidence to be submitted, this should be allowed, provided that the Hearing Chairperson is of the opinion that such further evidence could be of relevance;

- o) Once the Hearing Chairperson is of the opinion that he/she has gathered sufficient evidence surrounding the case, he/she should request any witness (as) to leave the room;
- p) At this stage the Hearing Chairperson may call for a recess during which he/she may liaise with the Director / Principal in order to obtain further advice and information;
- q) The Hearing Chairperson may call a recess at any stage of the proceedings and may consider any call for a recess by any other party of the inquiry;
- r) Once the Hearing Chairperson is satisfied that he/she is in a position to make a decision on the guilt or innocence of the accused, he/she will reconvene the inquiry and inform the accused and his/her representative of his/her findings. The Complainant and Human Resources Official (where possible) should be present when the decision of guilt or innocence is informed.
- s) If it is the opinion of the Hearing Chairperson that the accused is not guilty, he will inform him accordingly and the finding "case dismissed" will be entered on the Complainant form and the employee's disciplinary record will be cleared of any reference to the case;
- t) Where an employee is found guilty, the Hearing Chairperson will then take note of the offender's record of service, disciplinary record, mitigating and aggravating circumstances, seriousness of the offence, consistency of application and any other circumstances he/she may deem necessary to consider;
- u) In all cases, current un-expired disciplinary warnings will be taken into account when deciding on the appropriate action;
- v) Depending on the nature and seriousness of the offence, the whole of the employee's disciplinary record may be considered;
- w) The Hearing Chairperson will then record the penalty on the complaint form and inform the offender of the penalty awarded in terms of Section and the reasons for arriving at the decision. The Hearing Chairperson will inform the offender of the period for which the warning will remain on his/her record as a valid entry. The Hearing Chairperson will also inform the offender of his/her right to appeal in terms of Section of this code;
- x) With regard to corrective action, the Hearing Chairperson will, in liaison with the immediate Chairman/Co-ordinator, the employee and/or representative, and the Director / Principal formulate an action plan to address the required change in behaviour. The employee will be required to assist in this process and make proposals in this regard. The aim is to ensure that the process of correcting unacceptable behaviour is addressed objectively and amicably;

- y) Request the employee to acknowledge the disciplinary action proposed. Should the employee opt not to sign, a witness should be requested to acknowledge that the details of the inquiry have been communicated to the accused.

Recording of Proceedings

- a) It is in the interest of TPI and the individual that all proven offences and subsequent disciplinary action be accurately recorded.
- b) The Chairperson will ensure that all other required administrative details on the complaint form are completed before forwarding the document to the Director / Principal for overall review and control.
- c) Statements, Complainant forms and other disciplinary records will be retained by the Director / Principal as these may be required even after an employee has left TPI's services.
- d) The Director / Principal will be responsible for the input of disciplinary penalties on employee's personal files.

17.3 Special Cases

Suspension

- a) An employee may be suspended from work immediately if he/she has allegedly committed or is allegedly involved in any one of the following offences:
- Assault/attempted assault
 - Desertion
 - Sleeping on duty
 - Negligent loss, driving, damage or misuse of Institute property
 - Abuse of electronic/data facilities
 - Sexual Harassment
 - Fighting
 - Riotous Behaviour
 - Alcohol and drug offences
 - Willful loss, damage or misuse of Institute property
 - Theft/Unauthorised possession of Institute property
 - Breach of Trust
 - Offences related to dishonesty
 - Offences related to Industrial Action
 - Any act or omission which intentionally endangers the health or safety of others, or is likely to cause damage to Institute property
 - Interference with disciplinary and/or grievance investigations
 - Abusive or provocative language (when it is likely to cause a disturbance)
 - Insubordination (if the situation shows signs of getting out of control)
 - Persistent refusal to obey instructions.
 - In certain instances the Chairman/Co-ordinator will recommend that the offender be removed from the work place pending investigation of the case. He/she will take immediate steps to report the matter to his/her immediate Chairman/Co-ordinator, who will raise the matter with the CO-ORDINATOR. Irrespective of the outcome, the employee will be paid for days he/she was suspended;

- It is mandatory to liaison with the Director/Principal prior to suspending an employee in order to ensure that the suspension is procedurally and substantively fair.

Poor Work Performance

Cases involving substandard or deteriorating work performance are to be treated differently from those regarded as transgressions of misconduct.

The following guidelines should be considered when dealing with such cases. An attempt should be made to resolve alleged poor work performance by means of counseling the individual involved. Where poor the Chairman/Co-ordinator identifies work performance, the following procedural action should be considered:

- a) Investigate and identify the problem area(s)
- b) Communicate this to the individual concerned, and jointly agree on the appropriate plan of action in order to resolve the matter. If deemed necessary and relevant, norms should be established by arranging appropriate task lists and the time duration allowed for the completion of each task;
- c) Consideration should be given to the appointment of a coach or mentor to assist the employee to improve performance;
- d) Accurately minute the agreed contents of any agreement put in place and provide the Director / Principal with a copy for record keeping purposes;
- e) Regular evaluation and follow up on the agreed plan of action should be made;
- f) Should counseling fail to produce the desired improvement, alternative action should be considered in liaison with the Director / Principal. Alternative action could include, but is not limited to, termination of the employment contract on the grounds of incapacity, demotion or a transfer to an alternative position. The employee, throughout this process, will be entitled to representation.

17.4 Offences outside normal working hours

TPI reserves the right to take any action it may deem appropriate against employees who are, in the opinion of TPI, guilty of gross misconduct not merely in their working situations. This is particularly so where the nature of the misconduct may affect the employment relationship with any other party. Actions that directly relate to the nature of the business are also liable for disciplinary action.

Court Actions

Where an employee has been criminally charged or legal action has been instituted for an employment – related breach, TPI reserves the right to take disciplinary action against the employee for the alleged offence, in terms of this Code.

17.4.1 Classification of Offences:

Offences are classified into five major categories.

- Absenteeism
- Offences related to Control at Work
- Offences relating to indiscipline or disorderly behavior
- Offences related to dishonesty
- Industrial Action

17.4.1.1 Absenteeism

Absenteeism in the disciplinary context means being absent from work for an entire working shift, or part thereof, without the expressed permission from a direct Chairman/Co-ordinator.

A sanction of dismissal can apply for the first offence of being absent without permission provided that the employee was absent for three continuous working days without a valid reason.

- a) Absent without leave;
- b) Desertion: Leave the work place without intending ever to return; leave without help or support; abandon; leave without authority or permission.

17.4.1.2 Offences related to Control at Work

a) Poor Time Keeping and related offences

- a) Reporting late for work
- b) Leaving work early
- c) Extended or unauthorised breaks during working hours
- d) Persistently committing all or any of the above.

b) Sleeping on duty

Any employee who is found asleep on duty, whether or not such an action constitutes a hazard to the safety and health of the offender or others or leads to damage to Institute property, shall be deemed guilty of an offence.

c) Negligent Loss, Driving, Damage or Misuse of Institute property

- a) Negligent loss of Institute property: any act whereby an employee, through carelessness or negligence, loses Institute property or is unable to account for it satisfactorily.
- b) Negligent driving; driving a Institute owned or rented vehicle without due care, whether such an act results in an accident or not.
- c) Negligent damage to Institute property: any act whereby an employee through carelessness or negligence causes or allows Institute property to become damaged.
- d) Misuse of Institute property: using Institute property for a purpose other than that for which it was intended.

d) Unsatisfactory Work Performance

- a) Carelessness: Performance of a task or duty without the exercise of due care and attention.
- b) Negligence: failure to exercise proper care and regard to the manner of discharging duty to the extent that tasks have to be repeated or equipment or persons are at risk of damage or injury.

- c) Inefficiency: failure to carry out work at the required standard or failure to complete tasks within the given reasonable time limits, without reasonable cause. This includes poor supervision.
- d) Loafing: passing time idly or failing without reasonable cause to complete tasks set.

17.4.1.3 Offences Related to Indiscipline or disorderly behavior.

a) Disobedience and related offences

- a) Refusing to obey an instruction: deliberate refusal to carry out a lawful and/or reasonable instruction given by a person in authority and within the area of his jurisdiction.
- b) Failing to obey an instruction: failure to obey a lawful instruction given by a person in authority and within the framework of his/her jurisdiction.
- c) None-compliance with established procedure / standing instructions: failure to follow established procedures.
- d) Abuse of electronic / Data facilities: excessive use / abuse of e-mail and communication facilities; storage and/or transmission of material of discriminatory nature; storage and/or transmission of pornographic material; unauthorised monitoring and interception of electronic documentation.

17.4.1.4 Abuse and related offences

a) Abusive Language:

The uttering of any words or the publication of any writing expressing or showing hatred, ridicule or contempt for any person or group of persons.

The offence is more serious when it is wholly or mainly because of his/her/their nationality, race, colour, ethnic origin, sex, marital status, religion, creed, political opinion, social or economic status, degree of physical or mental ability, sexual orientation or culture.

b) Insubordination:

Insolence towards a superior shown by action or words.

17.4.1.5 Disorderly behaviour and related offences

a) Disorderly behaviour:

Indulging in rough or unruly behaviour or practical jokes whether or not such behaviour endangers the safety or health of others or the smooth running of the work place.

b) Threatening violence:

Threatening to do physical injury to any other person.

c) Fighting:

Physical contact between two or more persons, engaging in or inciting a group of persons to indulge in disorderly behaviour or willfully to damage Institute property.

d) Riotous behaviour:

Unruly behaviour between two or more persons, engaging in or inciting a group of persons to indulge in disorderly behaviour or willfully to damage Institute property.

e) Sexual Harassment:

Any unwanted or unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct explicitly or

implicitly affects an individual's employment, causes unreasonable interference with an individual's work performance or creates an intimidating, hostile or offensive work environment.

f) Discrimination:

Any act whereby an employee discriminates against any other employee or group of employees on the grounds of nationality, race, colour, ethnic origin, sex, marital status, religion, creed, political opinion, social or economic status, degree of physical or mental ability, sexual orientation or culture.

Willful loss, damage or misuse of Institute property

Willful loss: any act whereby an employee willfully or deliberately loses or causes Institute property to be lost.

Willful damage: any act whereby an employee willfully or deliberately damages, or allows or causes damage to Institute property.

Willful misuse: any act whereby an employee willfully or deliberately misuses Institute property.

17.4.1.6 Offences Related to Dishonesty

Disciplinary cases involving the following offences must be reported to the Director/Principal.

Bribery or Corruption

Giving or receiving or attempting to give or receive any bribe or inducing or attempting to induce any person to perform any corrupt act.

False Evidence

Deliberately giving untrue, erroneous or misleading information or testimony whether verbally or in writing.

Forgery and uttering

Falsifying or changing any documentation with fraudulent intent or attempting to do so.

Uttering or attempting to utter fraudulent or false statements or documents.

Misappropriation

Applying or attempting to apply to a wrong use or for any unauthorised purpose, any funds, assets or property belonging to TPI.

Theft of or unauthorised possession of Institute property

Stealing or attempting to deprive TPI permanently of its rightful ownership.

Being in possession or disposing of Institute property without due authorisation.

Fraud

The unlawful making of a misrepresentation with intent to defraud, which causes actual or potential prejudice to another party.

Breach of Trust

Actions or conduct of an employee that cause a reasonable suspicion of dishonesty or mistrust and for which there exist extraneous evidence to prove a breakdown in the relationship of trust between the concerned employee and TPI. This will include a situation where the conduct of the employee has created mistrust, which is counterproductive to TPI's commercial activities or to the public interest, thereby making the continued employment relationship an intolerable one.

17.4.1.7 Industrial Action

Intimidation

Any act by an employee, whether by himself or in concert with other persons (whether or not such other persons are employees of TPI), to intimidate any employee with the object of compelling him to take part in any strike or other action which interferes with the normal operations of TPI. Intimidation is an offence even if all the procedures for the settlement of the industrial disputes and grievances and the Law have been exhausted.

Sabotage

Any deliberate action by an employee that results in the interference with the normal operations of TPI by damaging any machinery, or equipment or by interrupting any supplies of power, or services necessary to the operations.

Illegal Strike/Lockouts

Participation in any illegal strike action, lockouts, boycott or any other form of work disruption not in accordance with the applicable statute that constitutes a blatant refusal to work. Examples of such action include, inter alia, work-to-rule: overtime ban; go-slow.

Any disciplinary matter referred to in this subsection will not preclude TPI from exercising its common law rights to terminate the employment contract in the case of illegal industrial action.

17.5 Penalties

Classification of Penalties:

- Verbal Warning - VW
- Recorded Warning - RW
- Severe Warning - SW
- Final Warning - FW
- Dismissal - DC
- Demotion - DM
- Transfer - TM
- Alternative Penalty to Dismissal - PM

17.5.1 Verbal Warning

Any Chairman/Co-ordinator may, at any time and at his discretion, reprimand an employee without completing a complaint form, in which case there will be no entry made on the employee's disciplinary record. When a verbal warning is given, the Chairman/Co-ordinator must ensure that the employee being reprimanded is made aware of the existence and function of the Disciplinary Code. A verbal warning is usually issued where the offence is of a minor nature.

17.5.2 Recorded Warning

Application: This may be given for a repetition of an offence for which an unrecorded warning has been given, or it may be given for a first offence.

Validity Period: The employee must be informed that the warning will remain in force for a period of **six months**.

17.5.3 Severe Warning

Application: Given for a repetition of the same offence or similar offence during a period when a recorded warning is still in effect, or for a first offence of a more serious nature.

Validity Period: The employee must be informed that the warning will remain in force for a period of **nine months**.

17.5.4 Final Warning

Application: Given for a repetition of the same offence or a similar offence during a period when a severe warning is still in effect or depending on the nature thereof, for a first offence of a serious nature. In the case of an employee being found guilty of an offence of a dissimilar nature within the prescribed period, the hearing official may, at his discretion, issue a comprehensive final warning on the understanding that if any offence is committed within the next **12 months**, it will render him liable for dismissal.

Validity Period: A final warning is effective for a period of twelve months. The employee is advised in writing by the official hearing the case of the period applicable and reminded that a repetition of the offence or the committing of any similar serious offence within the prescribed period will render him liable for dismissal. A copy of the notice shall be forwarded to the Human Resources Department.

17.5.5 Dismissal

Application: Dismissal is the final sanction and should be used:

- when other forms of disciplinary action have failed;
- when an employee on a final warning commits a serious offence;
- when the offence committed is of such a serious nature that it amounts to a serious breach or repudiation of the employee's contractual obligations;
- in cases relating to dishonesty e.g. theft, fraud or corruption;
- in the case of any employee who is absent from work without permission for a period of three continuous working days or more. In this case the employee will be dismissed in absentia after the third day if no reason for such absence is received. Should the employee return to work after he has already been dismissed, he may request that the case be re-opened?

Once an employee has been dismissed in accordance with the procedure contained in this Code, under no circumstances will he be considered for re-employment should he re-apply at a later stage. If it is discovered that a dismissed employee has obtained re-employment with TPI either inadvertently or through deception, his services will be terminated immediately.

17.5.6 Demotion

Demotion is not an acceptable corrective action and is therefore, not used as a punishment for a specific offence. It is used only where the employee is unable to meet the requirements of his present job but is suitable for continued employment in a lower capacity.

17.5.7 Transfer

Transfer is not permitted as a tool for disciplining employees. A transfer shall only be effective in terms of TPI's Conditions of Employment and Service. Transfer, as the result of the outcome of a disciplinary action, will be considered in special circumstances.

17.5.8 Alternative Penalty to Dismissal

A comprehensive final warning may be considered at the discretion of the Hearing Chairperson as an alternative penalty to dismissal in instances where an employee is found guilty of an offence of a dissimilar nature to a valid final warning on his personal record.

The sanctioning of a comprehensive final warning will only be considered in circumstances warranting corrective action and liaison between the Hearing Chairperson and the Human Resources Officer is encouraged before such a penalty is imposed.

A comprehensive final warning will be valid for twelve months from the date of the imposed penalty.

The Role of the Director/Principal

The maintenance of workplace discipline is strictly a function of line management. Director/Principal should be available to assist line management where required. As far as possible, the Director/Principal should, in consultation with the official chairing hearing, ensure that disciplinary action taken is procedurally and substantively fair.

The Director/Principal should be available to advise and assist all employees on all disciplinary matters.

The Director/Principal must not impose penalties, nor hear appeals in respect of own subordinates or immediate Chairman/Co-ordinators.

The Director/Principal is responsible for:

- Ensuring that the complaint form properly identifies the offence and is otherwise correctly completed
- Ensuring that the alleged offender is aware of the charges against him/her
- Interviewing and taking statements from the Complainant, accused and any witness
- Investigating the domestic circumstances of the alleged offender, when necessary
- Ensuring that all facts are collated marshaled and presented without bias.
- Advising the Complainant, accused, witness (as) and representative of their roles and rights
- Ensuring that documentation pertaining to the hearing is forwarded to the appropriate officials
- Advising the accused and his representatives of progress made for cases that are pending or in recess.

The Director/Principal may at his/her discretion recommend that a concluded disciplinary case be reopened in instances where gross non-compliance to the Disciplinary Code is evident.

The Role of the Representative

Any employee, against whom formal disciplinary proceedings are held may at his request, be accompanied at the initial and any subsequent hearing by a colleague from the same working section, or in the case of an employee who is represented by a properly constituted consultative committee, by a member of such a committee. Legal representation or representation by non-Institute persons during internal Institute enquiries is not permitted.

The representative has no right to insist on the employee being accompanied if he does not wish it; that is, a representative will attend a disciplinary hearing only at the request of the employee. He will be invited to comment on the evidence.

The representative may ask question and cross-question during the disciplinary hearing, but may not give evidence during such hearings.

The representative may make submissions to the hearing official on the guilt or otherwise of the accused prior to the hearing official making his finding. He may also make submissions to the hearing officials on the mitigating factors to be considered and on the penalty to be imposed.

Should the representative's comments at the hearing be of such a nature as to warrant re-consideration of certain matters or further investigations, time should be allowed for this and, if necessary, the enquiry recessed.

17.5.9 Dismissal Procedure

- a) A direct Department HOD may recommend that an employee be dismissed.
- b) For the purpose of the dismissal procedure, a direct Department HOD is defined as an employee graded D-lower or above who has a Chairman/Co-ordinator link to the employee concerned.
- c) Following a disciplinary hearing outcome being advised to the employee who results in the recommendation for a dismissal and the employee accepts the recommendation; the Hearing Official will refer the case documentation for review to the relevant HOD for the department concerned.
- d) The relevant HOD will endeavor to review the case within forty-eight hours/two working days and endorse or reject the recommendation.
- e) If the recommendation for dismissal is endorsed, the hearing official shall refer the recommendation to the Director/Principal who will review the case with the relevant Head of Department.
- f) If the recommendation for dismissal is rejected, the case shall be referred to the Director/Principal and the original hearing official.
- g) The relevant HOD may sanction the recommendation in writing, thereby effecting dismissal, or reject it. If the recommendation is rejected, action 8.6 above shall be applied.
- h) The employee shall be notified of the decision verbally by the Hearing Official. If the employee is dismissed, the employee will be notified in writing. This notification shall be signed by the relevant Executive Committee Member.
- i) Every employee has the right to appeal against a decision to dismiss him/her. The appeal procedure will apply as outlined in Section 9.

17.6 Disciplinary Appeal Procedure

- 17.6.1 Every employee has the right of appeal against any decision which involves any entry on his/her disciplinary record and which may thus affect his future employment prospects.
- 17.6.2 Any employee who wished to appeal against the outcome of any disciplinary hearing against him/he must notify the Director/Principal in writing within two days of being notified of the outcome of the disciplinary hearing. The right of appeal must be based on one or more of the following appeal grounds.
- i Dispute of Guilt
 - ii Severity of Penalty/Mitigating Factors
 - iii Procedural Inconsistencies
 - iv New Evidence
- 17.6.3 Appeals against Verbal, Recorded and Severe Warnings in terms of 7.6.2 (i) and (ii) may be referred to the official at the level above the official who originally heard the case. The decision of the Appeal Hearing Official shall be final and no further appeal level shall be available.
- 17.6.4 Appeals against recommendations for Final Warnings and Dismissals shall be heard by the relevant Executive Committee member. If the sanction was originally imposed by a HOD, the accused may request the Disciplinary Review Committee to review the case.
- 17.6.5 Appeals in terms of 7.6.2 (iii) shall be reviewed by the Director/Principal may refer the case back to the original Hearing Official for further investigation and/or re-hearing, where after the procedure as per 7.6.3 and 7.6.4 above shall apply.
- 17.6.6 Appeals in terms of 7.6.2 (iv) shall be heard by the original hearing Officer and thereafter in terms of 7.6.3 and 7.6.4. The decision as to whether the grounds of appeal constitute new evidence shall rest with the Director/Principal with the employee representative.
- 17.6.7 The employee shall be present at the appeal hearing and shall be entitled to a representative in terms of Section 6 of the Disciplinary Code, except at the Disciplinary Review Committee level, where the procedure as outlined under 7.6.9 and 7.6.10 shall apply.
- 17.6.8 The Disciplinary Review Committee shall be chaired by the Operations manager and shall comprise the Director/Principal and Senior representatives of other Department. .
- 17.6.9 When an employee requests that his case be referred to the Disciplinary Review Committee for a review, he may at the same time request that he or his representative be invited to make representation or motivate his grounds of appeal in person. The Disciplinary Review Committee shall however review each case on its own merits and take decisions independently.
- 17.6.10 The Disciplinary Review Committee shall have the authority to uphold or reduce a penalty imposed by the Head of Department. It will also have the authority to impose a more severe disciplinary action should it be found that the offence committed warranted a more severe penalty. The Disciplinary Review Committee may refer a case back to the Head of Department or the Director/Principal for re-hearing or for further investigation.

17.6.11 The decision of the Disciplinary Review Committee will be final and should also be read in conjunction with 7.6.13. The Director/Principal shall inform the employee of the decision of the Disciplinary Review Committee. In addition, the Chairperson of the Disciplinary Review Committee will notify the employee of the decision, in writing.

17.6.12 Should an appeal against dismissal be successful, the employee will be reinstated retrospectively to the date on which his services were terminated and he will be advised in writing to return to work. This also applies where an appeal against a dismissal is reduced to a warning in terms of 7.6.3 (i).

17.6.13 In the event of the dismissal being upheld by the Disciplinary Review Committee, the dismissal shall be effective from the date of the employee's services were terminated by the Head of Department. The Chairman of the Disciplinary Review Committee shall inform the employee in writing of the outcome of the Committee's Review.

17.6.14 It should be noted that the Disciplinary Review Committee, referred to above, should only have the authority to review disciplinary cases that have been dealt with by HOD.

Classification of Offences – Guide to Disciplinary Action

Nature of Offence	1st Offence	2nd Offence	3rd Offence	4th Offence
Absenteeism				
Absenteeism	RW	SW	FW	DC
Desertion	FW	DC		
Offences related to control at work				
Poor time keeping	VW/RW	SW	FW	DC
Sleeping of duty	RW	SW	FW	DC
Negligent loss, driving, damage or misuse of Institute property	RW	SW	FW	DC
Unsatisfactory work performance	RW	SW	FW	DC
Offences related to Indiscipline or Disorderly behaviour				
Disobedience & related offences (general)	RW	SW	FW	DC
Abuse and related offences	SW	FW	DC	
▪ Abusive language	SW	FW	DC	
▪ Insubordination	SW	FW	DC	

Disorderly behaviour and related offences				
Disorderly Behaviour	FW	DC		
Threatening violence	FW	DC		
Assault/attempted assault	FW	DC		
Fighting	FW	DC		
Riotous behaviour	FW	DC		
Sexual Harassment	FW	DC		
Discrimination	DC			
Alcohol and drug offences				
▪ Intoxication while on duty	FW	DC		
Willful lose, damage or misuse of Institute property	FW	DC		
Offences related to dishonesty				
▪ Bribery or corruption	DC			
▪ False evidence	DC			
▪ Forgery and uttering	DC			
▪ Misappropriation	DC			
▪ Fraud	DC			
▪ Theft of / unauthorised possession of Institute property	DC			
▪ Breach of Trust	DC			
Industrial Action				
▪ Intimidation	FW	DC		
▪ Sabotage	DC			
▪ Illegal strike/lockout	FW	DC		

The schedule of sanctions merely provides a guideline and the following factors shall be considered when arriving at a decision: Disciplinary record, length of service, position of employee, any other mitigating or aggravating circumstances raised at the hearing.

18. GRIEVANCE POLICY

18.1 Introduction

Grievances may be real or imagined, but in either case, it is essential that the grievance is brought to light, discussed and the matter resolved to the satisfaction of all concerned. Failure to do so will only result in the grievance becoming a worsening source of conflict and eventually ending in a far more serious problem.

TPI regards it important that all its employees will have sufficient knowledge of such procedure and easy access to it. To this effect TPI has formulated a grievance procedure, which has as its main objective the speedy resolution of floor grievances and thereby eliminating possible and unnecessary causes of conflict.

18.2 Objectives

- a) The Grievance Procedure is aimed at resolving work related grievances within TPI as fairly and as swiftly as possible. Grievances are feelings of injustice or dissatisfaction affecting an employee.
- b) This Procedure is not used for appeals against disciplinary action. Such are to be carried out in accordance with Disciplinary and Appeal Procedure and Code.
- c) This Procedure is neither used for the resolution of collective grievances related to wages or salaries as these form part of the collective bargaining system.
- d) Employees may lodge grievances without fear of victimisation.
- e) Grievances should be resolved at the lowest possible level within TPI.
- f) Employees lodging grievances have the right to be represented by fellow employee of his/her choice.
- g) Records will be kept of all statements and decisions.

18.3 Procedure and Guideline

The Grievance Procedure will be implemented as follows:

Step 1 - Immediate Superior

1. In step 1 the employee must discuss his grievance with his immediate superior or the latter's superior in the event of a grievance against an immediate superior.
2. The superior must endeavour to solve the problem within two (2) working days and inform the employee.
3. Should the employee not be satisfied with the outcome, he may proceed to Step 2.

Step 2 – Co-ordinator

1. The employee completes a grievance form with all relevant details. (See Appendix). He may be assisted by the Director/Principal in completing the form. The form is handed to the Co-ordinator.
2. The Department HOD shall endeavour to solve the problem within two (2) working days and inform the employee.

3. Should the employee not be satisfied with the outcome, he may proceed to step 3.

Step 3 - Grievance Hearing

1. The matter is referred to the Co-ordinator by handing him the grievance form together with any other further relevant written information.
2. The Co-ordinator shall convene a grievance hearing and attempt to resolve the matter within a period of ten (10) working days. His decision shall be final.

Procedure to be followed by a Group of Employees

If a grievance to be raised affects not one employee, but a group then a spokesman for the Group, accompanied (if he so wishes) by a delegation of not more than ten (10) of the employees concerned, should proceed with Step 2 as for an individual grievance.

19. HEALTH AND SAFETY POLICY

19.1 Introduction

TPI shall take all such steps as prescribed by the Regulations made under the Labour Act, 1992 (Act 6 of 1992) in order to ensure the health, safety and welfare of all the employees in the employment of TPI.

19.2 Objectives

- a) To prevent all downgrading incidents, which could result in personal injuries, fire, property damage and waste, and to create and maintain a safe and healthy working environment for all our employees;
- b) To promote and maintain the highest possible degree of mental and social well being of all our employees;
- c) To promote and maintain good working conditions so as to safeguard our employees against injuries and occupational health and safety hazards, and to conduct our operations with due consideration to the protection of the environment;
- d) To train employees at the workplace so that they are well equipped to participate fully in the identification, reporting and management of unsafe acts and conditions;
- e) To strive for maximum employee participation in creating a healthy and safe working environment at all hierarchical levels through effective communication.

Management shall:

- a) At all times provide the correct attitude for safety consciousness and leadership;
- b) Supply materials, tools and all requirements for safe practices and operations, within reasonable limits;
- c) Encourage all employees at all levels within TPI to make suggestions for the improvement of health and safety, through the appropriate HOD, and Chairman/Co-ordinators.
- d) Publicise, praise and criticise safety practices and initiatives wherever warranted.

19.3 Security

A number of measures are in place to ensure adequate security around the office. The entrance to the premises is guarded round the clock.

The doors to the building as well as those of individual offices are locked after working hours. Staff members expecting to work late or over the weekend should obtain a key and an authority to operate the security locking system from the Finance and Administration HOD.

Staff members working after working hours should ensure that all the windows are closed and the lights turned off before leaving.

No money or valuables should be left unattended. The insurance for the building does not cover personal property.

19.4 First Aid

TPI will provide a first aid kit and ensure that at least two staff members are trained on how to use the aid adequately.

19.5 Visitors

All visitors should report to the reception

19.6 Emergencies

In the event of an emergency, e.g. fire:

- raise the alarm
- inform the relevant authority e.g. in the case of fire, inform the Fire Brigade or the Police explaining what kind of fire it is;
- disconnect all machinery and close all the windows;
- evacuate the building. DO NOT LEAP OUT OF THE WINDOWS; AND

If the situation is life threatening;

- Raise the alarm;
- Evacuate the building immediately. DO NOT STOP TO CLEAR YOUR DESK OR
- COLLECT PERSONAL EFFECTS.

20. Office Services

Equipment

Computers

All computers should be strictly used for official purposes. Only authorized persons may access the computers. GAMES ARE STRICTLY PROHIBITED. Private diskettes are not allowed to be used on TPI computers except with granted permission and upon scanning for viruses. Permission must be sought from the Finance HOD for borrowing of portable computers equipment or accessories.

Telephone and Fax

All trunk and international telephone calls and fax should be made through the register of call maintained at the front office. It is important that the superintendent is to be notified of all calls and fax so that they are charged appropriately.

Photocopier

A photocopier is available throughout the day to meet photocopying needs. It is to be used for official use but could be used for limited personal use. The office superintendent should authorize any personal use.

All official copies made should be entered in a register maintained in the respective department.

E-mail and Internet Facilities

An E-Mail service is available for official use but staff is allowed to use it for personal mail, strictly during the work breaks-lunch break or at end of the day.

Mail

Currently, the administrative assistant handles mail. All incoming mail and hand deliveries are received and stamped the date of receipt before being filed on the running file and distributed to the respective persons. All outgoing mail must be photocopied and filed before being sent out.

21. Death of Staff member

In the event of the death of a staff member, TPI shall notify the labour office in the prescribed form.

All wages and terminal benefits due shall be paid to the next of kin, as specified in the Personal Data Form.

22. Certificate of Service

Certificate of Service shall be issued to each staff member every five years of successful service or upon resignation on request. This certificate is neither a reference nor a statement of the staff performance.

In addition to the Certificate of Service the Coordinator may therefore authorize the issuance of any other testimonials.

23. Others : All others issues and references not covered by this rule will be decided by the chairman in consultation with the Director/Principal of Technique Polytechnic Institute.