



Kenya Bus Service Management Ltd

Code of Conduct/Ethics

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Contents

SECTION A: CODE OF CONDUCT FOR ALL EMPLOYEES OF KENYA BUS SERVICE MANAGEMENT LIMITED	4
A. 1 GENERAL:	4
A. 2 SPECIAL RULES OF CONDUCT	7
A. 3 DEFINITIONS AND TYPES OF PUNISHMENTS.....	8
A. 4 EXPLANATIONS ON OFFENSES:	11
A. 5 DISCIPLINARY PROCEDURES/PROCEDURES IN INFLICTING PUNISHMENT.	15
A. 6. WARNINGS.....	17
A. 7 SUSPENSION FROM DUTY.....	18
A.8 LIST OF PUNISHMENTS, WHO MAY IMPOSE THEM AND TO WHOM APPEALS MAY BE MADE:	20
A. 9 APPEALS PROCEDURE:	21

INTRODUCTION:

This document sets out the general principles, which will guide the Management and Operation of Kenya Bus Service Management Limited.

Kenya Bus Service Management Limited, being a service organization holds in high recognition the attributes of honesty, integrity and respect for people. Deliberate efforts are encouraged for the promotion of trust, openness, teamwork and professionalism.

Procedures have been put in place in the various departments to make sure that the employees understand the principles and that they act towards the achievement of the Company goals.

1. Company Vision and Mission:

(a) VISION STATEMENT

"To be the most Professional Bus Management Company in Sub – Saharan Africa".

(b) MISSION STATEMENT

"To Develop, Professionalize aand Promote Equitable and Sustainable Transport Enterprises".

2. Corporate Goals

- | | |
|----------------------------------|---|
| a) Safety Standards | -To provide quality service and attain the highest standards of safety, efficiency and reliability. |
| b) Service and value | -To provide effective and affordable service. |
| c) To be customer driven | -To excel in anticipating and responding to customer needs. |
| d) Market leadership | -To secure a leading share of the market in all segments and regions. |
| e) Financial strength | -To consistently deliver viable financial position. |
| f) Human resources | -To attract, maintain and retain committed Employee's that share the ideals and success of the company. |
| (g) Community
And environment | -To consciously develop strategies that recognize the need to sustain a safe environment, limit pollution as far as possible and take deliberate actions that demonstrate care for the community. |

SECTION A: CODE OF CONDUCT FOR ALL EMPLOYEES OF KENYA BUS SERVICE MANAGEMENT LIMITED

A. 1 GENERAL:

The KBSM Ltd code 'A' sets out the rules, which govern the conduct of the Kenya Bus Service Management Ltd employees. No attempt has been made to prepare a complete list of matter, which, because of the special character and duties of the Company, requires regulations; nor is it thought necessary to lay down a precise and exhaustive code of conduct because all employees are expected to maintain their professional standards. In practice, the distinctive character of an employee depends largely on the existence and maintenance of a written code of conduct, which, although to some extent intangible and unwritten, is of a very real importance. There are, however a number of things on which it has been found expedient from time to time to issue general instructions and for the purposes of the Kenya Bus Service Management Ltd., these are to be found in the following paragraphs.

i) PRIVATE INTEREST:

An employee must not subordinate his duty to his private interest, neither is he to put himself in a position where his duty and private interest conflict, and he must not make use of his official position to further his private interest.

ii) PRIVATE ACTIVITIES:

Though the Company in general is not concerned with an employee's private activities, they must not be such as to bring discredit on the service e.g. heavy drinking, gambling etc.

An employee of KBSM Ltd should not engage in any form of business, agency or part-time work in competition with the Company.

iii) BUSINESS INTEGRITY:

The high standard of service which the Company sets for itself goes beyond the normal standard of personal honesty and integrity - an employee of the Company must not only be honest in fact, but also must not lay himself/herself open to suspicion of dishonesty.

iv) PUBLIC AND POLITICAL ACTIVITIES:

Employees who advise the Managing Director are bound to be impartial in matters of public and political controversy.

It follows that they should not normally take an active part in any matter, which is or could be, one of public and political controversy, whether or not it is one with which they are officially concerned. If for any reason they feel impelled as private citizens to do so in relation to a particular issue, they should

first consult their official superiors and in any case, the Managing Director should be formally informed and his permission sought in writing prior to employee getting involved in such issues.

v) CONTRACTS

No Kenya Bus Service Management s Limited contract may be awarded to an employee or to any partnership of which he is a member (except to a corporation of which he is a share holder) or to any company of which he/she is a director unless he/she has disclosed fully the nature of his interest in the contract and the Managing Director has given permission for the award of the contract to proceed. No employee may accept a directorship, except as a nominee of the Government or with the express permission of the Managing Director, in any company holding a contract with Kenya Bus Service Management s Limited. Any employee who officially comes into contact with any matter concerning a business organization in which he/she has an interest must disclose his/her interest to the Managing Director and ask that some other employee deal with the matter.

vi) PUBLICATION AND DIVULGENCE OF OFFICIAL MATTERS

An employee must not divulge to any person any official communication which he may receive, or information which may come into his possession or communicate the contents of any documents or give such information to any person or persons unless properly authorized to do so. Where an employee wishes to publish a book or magazine or newspaper article based on or containing matters derived from official records or experience he/she must not do so without permission. This prohibition is directed against the unauthorized disclosure not only of matters under discussion but also of matters finally decided and any breach of official confidence will be regarded as a most grave offense.

vii) BROADCASTS

An employee shall not accept an invitation to broadcast on television or radio unless properly authorized to do so. Such authority lies with the Managing Director.

viii) INTERVIEW WITH PUBLIC

An employee must not write to any members of public regarding official matters unless properly authorized to do so.

ix) TRADING

Endeavors are sometimes made to enlist the services of employees in selling and procuring orders for articles of trade. Trading on official premises is strictly forbidden except where official permission has been received and no employee may, whilst on duty or in uniform, act as an agent for the sale of any articles of merchandise. In particular, employees are forbidden to undertake as either agent or principal a passenger transport business.

x) ACCEPTANCE OF GIFTS AND REWARDS

It is a serious offense for an employee to corruptly solicit or accept any gift or consideration as an inducement or regard for:-

- a) Doing or refusing from doing anything in his official capacity or
- b) Showing favor or disfavor to any person in his official capacity.

If refusal of an offered gift is likely to cause offense to the giver the employee should immediately submit a report through the usual channels to the Managing Director. The soliciting of gifts from members of public or Company guests or any person is strictly forbidden.

A. 2 SPECIAL RULES OF CONDUCT

i) DELIBERATELY SLOW, DILATORY OR OBSTRUCTIVE WORKING

It is the duty of all supervising officers to exercise vigilance to prevent any deliberate act of slow and obstructive working. The offense is difficult to detect and if proved beyond reasonable doubt against an employee severe punishment will be inflicted.

ii) INCIVILITY TOWARDS MEMBERS OF THE PUBLIC

Controlling Officers in departments, which transact business direct with the public, are expected to satisfy themselves by personal visits to the areas of work and in their ways, that members of the Public are treated with courtesy and prompt attention. Complaints of incivility or inattention should not be too readily dismissed as unfounded merely on the strength of a denial by the employee concerned.

If incivility of a serious kind is proved beyond doubt, severe disciplinary action, which may include dismissal, should be taken.

iii) ADDRESS BOOK

An address book must be maintained in every office in which employee's private address and telephone numbers will be maintained or give details as to where they live. Any change of address, whether permanent or temporary, must be recorded in the book without delay, the date of alteration being shown.

Employees are expected to reside within a reasonable distance from their place of work and the locality of residence cannot in any circumstances be accepted as an excuse for irregularity of attendance, or a sufficient reason for applying for preferential hours of attendance.

iv) NOTICE BOARDS

There is generally no objection to display notices on official notice boards by staff associations, sports and welfare groups, provided that such notices are of general interest to the staff and not of a contentious nature or subversive or derogatory to authority in any way. Prior permission must be obtained from the supervising Officer-In-Charge of the area who must initial and date the notices he has authorized for exhibition in those parts of the premises where official duties are carried on. Only those notices or publications, which have been officially endorsed or issued, may be exhibited.

v) SMOKING

Smoking is prohibited in all company premises where "No Smoking" signs are placed.

vi) DRESS

All employees must be suitably and tidily dressed.

vii) UNIFORM AND PROTECTIVE CLOTHING

- a) Uniform must be worn at all times whilst on duty. Employees in uniform must present a tidy appearance while on duty. If any uniform-wearing staff attends duty in untidy condition in uniform, he/she renders himself liable to disciplinary action.
 - b) Under no circumstances is an employee who is issued with uniform permitted to wear other than his own uniform or to lend or dispose off any part of his uniform or protective clothing to any person whether a servant of the Company or not. This rule does not apply to any authorized arrangements for the handing over of protective clothing.
 - c) An employee must produce for inspection, when required to do so, the uniform.
- VIII) LAVATORIES
An employee is strictly forbidden to use lavatories provided for employees other than his own grade and gender.
- IX) MEETINGS BY STAFF
Meetings by the staff may not be held on official premises without the prior approval of the Managing Director or the controlling officer responsible for the premises in the case of stations other than headquarters.
- X) USE OF TERM KENYA BUS BY ASSOCIATIONS AND SOCIETIES
The term 'Kenya Bus' or any other term suggesting direct connection with Kenya Bus may not be used as part of the name of a Society or Association of Kenya Bus employees unless written permission has first been obtained from the Managing Director.
- XI) TELEPHONE - IRREGULAR USE OF
No employee may make irregular use of official telephones. If any employee wishes to make a private call, he must first obtain the permission of his supervising officer. Whilst normally, if the work permits no objection is taken in permitting employees on odd and special occasions (e.g. emergency or other justified reason in the opinion of a superior officer) to make private telephone calls to local numbers without charge, the privilege will be withdrawn if it is abused. All private and timed calls made by employees must be paid for in full. Incoming private calls for an employee must be limited to message of an urgent nature and will be allowed at the discretion of the supervising officer. Employees at telephone switchboards and offices are required to conform to the provisions of this regulation.
- XII) MOTOR VEHICLE - IRREGULAR USE OF
An employee, must not ride in or drive, use or be on any official vehicle or permit a person not in the employment of the Company to drive, use or/on any official vehicle except when properly authorized to do so. Employees have a duty to bring to the notice of their supervising officer any unauthorized use of official vehicles. No employee may use a vehicle for private purpose without prior permission.

A. 3 DEFINITIONS AND TYPES OF PUNISHMENTS

- i) SCOPE

Except as otherwise specified, Kenya Bus Service Management s code applies to all employees of the company. Under provisions of this code, disciplinary control of the staff of the company is vested in the office of the Managing Director. The Managing Director has delegated some of the powers to the officers of the Company.

II) CASES NOT COVERED BY KENYA BUS SERVICE MANAGEMENT S CODE

The Managing Director will direct on the manner of dealing with any disciplinary case, which is not covered by Kenya Bus Service Management code.

III) DEFINITIONS

a) *Supervising Officer*

A supervising officer is an employee who has a responsibility to oversee, control or supervise the work and/or operations of one or more employees.

b) *Controlling Officer(Head of Department)*

A controlling officer is an officer not below manager level and is in charge of a Department or division.

c) *Minor Irregularity*

An isolated slip or omission not connected with any essential detail of duty and becoming serious if repeated e.g. unpunctuality.

d) *Major Irregularity*

A breach of an important rule or the neglect of an essential detail of duty or obvious precaution such as would affect adversely an employee's general reputation for carefulness and trustworthiness or repeated slips or omissions connected with ordinary detail of duty.

e) *Serious Offense*

Grave or persistent carelessness or negligence, persistent unpunctuality, a grave offense in personal conduct such as unauthorized absence from duty, sleeping on duty, disobedience to the orders of a superior, any act of insubordination, gross incivility towards members of public or a supervising officer, any objectionable or threatening language or behavior towards a member of staff, incapacity for the performance of duty by indulgence in a stimulant, disregard or failure to comply with an order, regulation or departmental instruction without sufficient reason, the improper disclosure of information about the affairs of the Company to any unauthorized person, conviction by a court of law or an offense directly connected with the employee's duties or for which he is punished with a term of imprisonment or which reflects adversely on the honesty and moral integrity of the employee, misuse of official funds, stores, equipment, motor vehicle or other property, indebtedness, dishonesty, discreditable conduct off duty which may bring the Company into disrepute, deliberately slow, dilatory or obstructive working.

IV TYPES OF PUNISHMENTS

a) Termination of Appointment

Where this is ordered the employee concerned is entitled to receive notice or salary in lieu of such notice plus any earned leave depending on whether one is on probation, permanent or contract terms.

Generally, termination of appointment should be from a current date, the notice period being paid off in cash, unless the exigencies of the service cannot, without grave inconvenience permit such action.

b) Reduction in Rank

Reduction in rank is the most severe disciplinary action short of dismissal and is appropriate only for employees at or above the first line supervisory level. An officer who has been reduced in rank takes seniority below his colleagues in the grade to which he has been reverted and he is automatically precluded from acting in a higher grade for at least 12 months.

His salary point on the grade to which he has been reverted will be the maximum point except in the case of overlapping grades where he will be placed on a point next below where overlapping begins.

c) Dismissal

An employee who is dismissed forfeits all rights and claims to earned leave, service pay gratuity and other retirement benefits.

d) Warnings

An employee whose conduct is unsatisfactory and commits on offense which in the opinion of the company, or as detailed in section 17 of the employment Act and subsidiary legislation does not warrant instant dismissal , is warned in writing and the warning recorded in his file.

Up to 3 warnings are given and employee dismissed instantly on committing a fourth offense.

A. 4 EXPLANATIONS ON OFFENSES:

LATE ATTENDANCE

Punctuality in service industry is of utmost importance and disciplinary notice is taken of employees who fail to maintain good record of punctuality. All employees must sign the attendance book at their place of work on arrival and departure, recording the exact time of reporting and leaving. Any willful recording of incorrect time of arrival or departure in the attendance book is very seriously regarded and renders the offender liable to dismissal. Controlling officers should examine late attendance records periodically (at least once a week) with the object of curbing any tendency to unpunctuality. In case of employees on probation, lateness automatically raises the question of dismissal after one warning frequent lateness should be treated as a major irregularity.

SLEEPING ON DUTY

Sleeping on duty is a serious offense, collaboration evidence should be obtained whenever possible and the offender dealt with as in other cases of serious offense.

UNAUTHORIZED ABSENCE FROM DUTY

An employee who absents himself from duty without leave or excuse acceptable to the company should have his annual salary abated by one three hundred and sixty fifth of his annual salary for each complete day of unauthorized absence in addition to being warned in writing and a record put in his file. Late return from leave should also be dealt with on the same basis.

However, in exceptional circumstances where the employee on leave can satisfactorily demonstrate that circumstances completely beyond his control prevented his returning to duty at the proper time and that he took all reasonable steps to notify his superior officer in advance of his inability to attend, the period of absence may be paid for and debited against his annual leave entitlement.

Abatement of pay is not appropriate for unauthorized absence of less than a day but this should be dealt with by disciplinary action ((in this case a written warning).

a) **Disciplinary action for authorized absence.**

Abatement of pay for unauthorized absence is not considered a punishment and disciplinary action as appropriate should be considered against the offender.

b) **General rule and penalties**

An employee who absents himself from duty without leave or excuse acceptable to the company for more than seven (7) consecutive days commencing from the time that he was expected to report for duty is considered to have deserted duty. Salary is admissible only up to and including the day before the first full day's absence commenced. Desertion of duty calls for automatic dismissal and entails loss

of all rights in respect of transport privileges, pension and gratuity rights and all other privileges enjoyed by company employees.

INTEMPERANCE

a) **Definition**

In this regulation the word intoxication and intoxicated cover, all cases where an employee's performance of duty is adversely affected by the influence of whatever drink or stimulant or their effects.

b) **Evidence of intoxication to be obtained**

Where an employee is observed to be intoxicated, statements as to his condition should be obtained from two or more supervising officers of a higher rank than the employee where available, the employee shall be tested with an alcometer breath test (breathalyzer) to measure the alcohol concentration in his breath. The test results will be witness by at least two senior employees. If the employee declines to have the alcometer test, he will be deemed guilty of intoxication and disciplinary action will be taken.

The company may also obtain a certificate from a registered medical practitioner nominated by the employer. Where it is neither possible to obtain the necessary number of statements from supervising officers nor possible to contact a doctor and an alcometer is not available, statements on the condition of the employee should be obtained from a trustworthy employee on duty.

c) **Removal from duty**

An employee who is observed to be intoxicated must be put off duty without delay. This rule is without exception. The employee concerned should be instructed by his controlling officer or any equivalent senior officer or any available senior officer to leave the official premises and to report to his controlling officer the following morning. If he refuses to leave his duties and official premises, police assistance in his removal should be sought.

Intoxication on duty is regarded as a very serious offense and where proven, the employee will be dismissed from the company service without exception.

IN-SUBORDINATION

In this regulation, in-subordination means the refusal to obey on instructions given orally or in writing by a supervising or senior officer or gross incivility towards a supervising officer or any superior officer. In ordinary circumstances, an employee who is guilty of insubordination should be reminded that he is rendering himself liable to severe disciplinary action and given an opportunity to apologize and carry out the instruction(s). If an employee persists in his insubordinate attitude and maintains it in the presence of a witness, he should be instructed to leave the official premises and told to report for duty

the following morning. When he so reports for duty, disciplinary action should be instituted against him.

In case of gross insubordination accompanied by violence or threats of violence or repeated insubordination, such as the refusal to offer a written apology on the following day, the question of dismissal must inevitably arise.

PECUNIARY EMBARRASSMENT

Pecuniary embarrassment from whatever cause e.g. judgment debtor, bankruptcy e.t.c is regarded as necessarily impairing the efficiency and endangering the trustworthiness of an employee as well as bringing the company into disrepute. Disciplinary action will be taken against an employee under serious offenses.

GENERAL INEFFICIENCY OF EMPLOYEE ON PERMANENT/CONTRACT TERMS

- a) Where the general efficiency of an employee on permanent or contract terms falls below an acceptable standard and verbal warnings have no effect, he should be interviewed by a supervising officer(who should, where possible be at least two grades above the employee) in an effort to determine the cause of the inefficiency.

If mental or bodily health appears to be the root cause, the controlling officer should refer the case to Human Resource Manager with a comprehensive report. If domestic or financial worries appear to be responsible, the controlling officer should do all he reasonably can to assist and advise the employee and if he feels it appropriate, submit a report together with a recommendation to the Managing Director. Should the interviewing officer conclude that other factors within the employee's control are responsible for the inefficiency such as laziness, he should warn the employee in writing of the likely consequences of failure to improve i.e. severe disciplinary action, which may include dismissal. If no improvement is forthcoming, dismissal should be considered.

b) Employees on Probation

Should the probationers performance raise the slightest doubt about his aptitude for work or likelihood of him attaining the general standard of efficiency required of staff of his grade, proceeding for dismissal or termination of probationary appointment must be instituted. Termination of probationary appointment is only appropriate in cases where the inefficiency cannot clearly be attributed to negligence, laziness and unsatisfactory health record. In all other cases, dismissal should be applied.

OTHER OFFENSES

- a) For being drunk or being under influence of alcohol when on duty, when reporting for duty or smelling alcohol.

- b) Being under the influence of drugs or stimulants whilst on duty or reporting for duty.
- c) By neglect or intent damaging, losing or unauthorized use of company property.
- d) Stealing or unauthorized possession of company property placed in your charge. The option to pay for damage, loss or misuse may be given at the company's discretion.
- e) Failure by neglect, intent or carelessness to perform work which it is ones duty to perform or is assigned.
- f) Engaging in any form of business, agency or part time work in competition with the company.
- g) Persistent lateness on changeover, departure, or arrival.
- h) Persistent absenteeism.
- i) Assaulting, threatening or being abusive to any other employee of the Company or fare paying passenger.
- j) Divulging company information/secrets to public or press.
- k) By neglect or intent, damaging or losing company property placed in your charge.
- l) Failure to wear full uniform.
- m) Failure to clean and/or keep the bus in a tidy state.
- n) Failure to comply with an order given by the company or any official placed in authority over you by the company.

A. 5 DISCIPLINARY PROCEDURES/PROCEDURES IN INFLICTING PUNISHMENT.

I. ESTABLISHMENT OF GUILT:

The Establishment of guilt or innocence will be done by the supervising officer and should as far as possible be done orally, but where the employee denies the offense the charge should be put to him in writing within 72 hours of completion of preliminary investigations and asked to reply within 48 hours of receipt of the charge.

II. ACTION BY SUPERVISING/CONTROLLING OFFICER

Once it is established that the employee is at fault, the supervisor/controlling officer should consider what punishment should be imposed paying due regard to any mitigating circumstances advanced by the employee, his length of service general reputation for the company and his past conduct record. The punishment may be in the form of a verbal or written warning or any other as relevant.

Where the proposed punishment is within the powers delegated to the supervising/controlling officer, he shall determine the punishment and inflict it without delay. Where the proposed punishment is outside the powers of the officer, he shall make his recommendations to the authorized officer or his superior officer who will take the necessary action.

All recommendations for disciplinary cases referred to senior or designated officers must be forwarded through intermediate supervisory officers who will comment on the cases as appropriate. An intermediate superior officer is expected and indeed obligated, to give his views and recommendations and may not be either evasive or uncommitted in his views or recommendations.

III. ACTION BY THE DESIGNATED OFFICERS

With due regard to the Supervising/Controlling Officers recommendation and the comments from the Officers at the intermediate stages, the designated Officer will dispose of the case as he shall think fit. However, should the proposed punishment be outside the powers delegated to the Officer, he would make recommendations and forward the case to the relevant officer.

ROLE OF HUMAN RESOURCE DEPARTMENT

All cases for Unionisable staff where a punishment other than verbal warning is proposed should be referred to the Officers assigned disciplinary cases handling role with detailed information on the offense for formal hearing before disciplinary action is taken. Summaries for all cases heard to be forwarded to Human Resource for records updated.

Cases for management staff will be dealt with by the Supervising Officers in consultation with the Head of department and copies of all correspondence copied to the Human Resource Manager for comments, recommendations or record.

PRESENTATION OF CASES

Disciplinary cases should be dealt with expeditiously so that if punishment is to be inflicted, it may follow the offense as closely as possible. All cases submitted to higher authority must be tidily presented and fully documented.

VI. TERMINATION OF SERVICE ON GROUNDS OF PUBLIC INTEREST

Where a permanent and pensionable employee's services are terminated on grounds of public interest under the provisions of KBS Code A, he is entitled to the leave he has earned and receives pension or gratuity in accordance with the provisions of the Pension Act or KBS Pension / Service Regulations. When unionisable or contract employee's services are terminated, he will receive such payments as he is entitled to under the provisions of the collective Agreement or respective contract.

A. 6. WARNINGS

Verbal and written warnings where appropriate:

EMPLOYEE ON PROBATION.

An offense committed by an employee on probation invariably raises doubt as to his suitability for absorption into permanent establishment. In cases where it is considered that the gravity of the offense is such as not to warrant the termination of probationary appointment or dismissal of the employee, the employee should be issued with a written warning within which the probation appointment is extended. Only one warning may be issued to an employee on probation; commission of a second offense or failure to improve automatically calls for termination of the probationary appointment or dismissal.

EMPLOYEE ON PERMANENT/CONTRACT ESTABLISHMENT.

- a) **Minor Irregularities:**
The offender should be orally notified of any minor irregularities, which should be recorded and subsequently reflected in his performance evaluation report.
- b) **Major irregularities:**
The offender should be warned three times in writing and appropriate disciplinary action taken at the fourth offense.
- c) **Serious Offenses**
The offender should be awarded more than one warning for the offense and appropriate disciplinary action taken at the next offense.

A. 7 SUSPENSION FROM DUTY

DEFINITION

Suspension from duty means that an employee is stopped from exercising the powers and functions of his office. (i.e. he is forbidden to attend duty). Whilst on suspension, he is paid full pay for seven (7) calendar days pending investigations after which he is put on zero pay until the case is determined. If the suspension is lifted or reinstated on duty, the withheld salary is refunded.

Whilst under suspension, an employee may not leave his duty station except with prior permission of the authority that ordered the suspension. He must report daily to the Human Resource office or his controlling officer to establish that he is still at his duty station. Absence from duty station without permission (i.e. failure to report as above) for one day will be treated as unauthorized absence from duty.

Suspension from duty is not appropriate in the case of casual employee whose services may be terminated without recourse to this procedure.

II. WHEN SUSPENSION IS APPROPRIATE

An employee should be suspended from duty:-

- a) When he is charged by the police with an offense, which if proved, would lead to his dismissal.
- b) When it is considered that the public interest requires that he should cease forthwith to exercise the functions and powers of his office and provided that proceedings are being taken or are about to be taken against him which would lead to his dismissal. Thus if an employee is charged with a serious breach of departmental discipline, which makes his removal from duty desirable and it is intended to pursue the question of dismissal, he should be suspended from duty forthwith suspension is not appropriate where dismissal is not being considered or likely to follow if offense is proved.

LIFTING SUSPENSION

Where suspension was ordered and the employee has been acquitted or the police have withdrawn proceedings, suspension should be lifted provided that no disciplinary action which would lead to employees dismissal is being contemplated.

It should be noted that an employee acquitted of a criminal charge in any court might not be dismissed or otherwise punished on any charge on which he has been acquitted, but nothing in this section of the regulations shall prevent his being dismissed or otherwise punished on other charges arising out of his conduct in the matter unless the charges raise substantially the same issue as those on which he has been acquitted.

Suspension may also be lifted where the circumstances change or fresh facts come to light, which suggest that dismissal is not appropriate.

IV. RESTORATION OF SALARY

Where salary has been withheld and punishment short of dismissal is ordered, salary withheld during the period of suspension will be restored.

Where dismissal is ordered, salary ceases from the date following that on which the order of suspension from duty was issued.

A.8 LIST OF PUNISHMENTS, WHO MAY IMPOSE THEM AND TO WHOM APPEALS MAY BE MADE:

Category of Offender	Type of Offense	Punishment that may be imposed	Who may impose them	To whom appeals may be made.
Unionisable Staff	Minor offense	Verbal warning	Supervising Officer	Controlling Officer
	Major Offense	Written warning	Disciplinary Officers	Head of Department
	Serious Offense	<ol style="list-style-type: none"> 1. Recovery of cost. 2. Termination of service. 3. Dismissal. 	Disciplinary Officers	Head of Department or Managing Director
Management Staff	Minor Offenses	Verbal warning	Supervising Officer	Controlling Officer.
	Major Offenses	Written warnings.	Supervisory Officer.	Head of Department
	Serious Offenses	<ol style="list-style-type: none"> 1. Recovery of cost 2. Termination of service. 3. Reduction in Salary. 4. Reduction in rank. 5. Dismissal. 6. Termination of service on Public Interest. 	Head of Department.	Managing Director.

A. 9 APPEALS PROCEDURE:

SCOPE AND PROCEDURE

Any employee who has been awarded a punishment by any officer other than the Managing Director has a right of appeal to the appropriate higher authority. All appeals must be forwarded through the laid down official channels including the cases of unionisable employees through the agreed procedure.

II) TIME LIMITS:

Where the appeal is against dismissal, it must be lodged with the relevant authority within seven (7) calendar days from the date on which the dismissal decision was received by the employee. Non-receipt of such an appeal will automatically mean that the employee does not wish to appeal.

The appeal will be heard within seven (7) calendar days of the date of his letter of appeal and decision communicated within (7) seven-calendar days of the date of appeal hearing.

Appeals against reduction in rank or salary must be made within fourteen (14) calendar days of the date on which decision was addressed to the employee. Appeals against other forms of punishment must be made within fourteen (14) calendar days of the date on which the decision was received by the employee.

III) LATE RECEIPT OF APPEALS:

The designated Officer will not consider any cases received after expiry of the time limits set except in cases where the employee can prove that the decision was received late or had a good reason for the delay.

IV) NUMBER OF APPEALS PERMITTED:

Only one appeal by an employee to any one designated Officer against dismissal, termination, and reduction in rank or in salary will be permitted in respect of any one offense.

V) APPEAL BY INTERVIEW:

An employee who wishes to exercise his right of appeal under this regulation may be granted an interview if he wishes to present his case in person. If he so wishes, he may be accompanied by his Union representative or a fellow employee.

VI) DISCIPLINARY ACTION ON APPEALED CASES:

Notwithstanding that, an employee has a right of appeal under this regulation, disciplinary action will not be deferred or suspended pending the result of an appeal.

VII) NOTIFICATION OF RESULT OF APPEAL:

The result of all appeals under this regulation will be conveyed to the employee concerned as soon as possible through the laid down official channels.

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