

## Amendments table for the April 2009 changes in Employment Law

These changes will be reflected in the assessment for these qualifications from Wednesday 13<sup>th</sup> May 2009.

Qualifications affected	Text to be added to the handbooks listed in the column on the left:	
Introduction to Licensed Retail Operations Module 5 – Employment Law	Page 11 and 12 - General principles of disciplinary procedures or dismissal	<p><i>Replace all text in this section with the following:</i></p> <p><b>General principles of disciplinary procedures or dismissal</b></p> <p><b>Step 1 – Establish the facts of each case</b> Gather all the relevant facts as soon as possible, before memories fade, by taking statements and collecting documents. In serious cases consider suspending the employee with pay while a full investigation is conducted.</p> <p><b>Step 2 – Inform the employee of the problem</b> State clearly the offence to the employee and determine if any action is needed at this stage. This should be done in writing and include any written evidence and witness statements in order to allow the employee to answer the case at a disciplinary meeting. The notification should also include the time and venue of the disciplinary hearing.</p> <p><b>Step 3 – Hold a meeting with the employee to discuss the problem</b> Hold a meeting with the employee as soon as possible whilst still allowing them time to prepare their case. Employees may invite relevant witnesses to the hearing however, they must inform their employer before the meeting that they intend to do so.</p> <p><b>Step 4 – Allow the employee to be accompanied at the meeting</b> Employees have a statutory right to be accompanied by a companion where the disciplinary meeting could result in a formal or verbal warning; disciplinary action or the confirming of a warning or disciplinary action.</p> <p><b>Step 5 – Decide on appropriate action</b> After the meeting decide whether or not disciplinary action is required and inform the employee in writing. The employee should also be informed of the consequences if they continue to under perform or if there is evidence of a further case of misconduct.</p> <p><b>Step 6 – Provide employees with an opportunity to appeal</b> All employees have a right to appeal if they feel the disciplinary action taken against them is wrong or unjust. Employees have the right to choose to be accompanied by either a work colleague or trade union official at an appeal hearing.</p>