

Department:	CMC – HR – 005
Issue Date:	01/12/2019
Revision Date:	01/07/2020
Next Revision Date:	01/07/2022
Version:	02

DISCIPLINARY ACTION POLICY

1. PURPOSE

- 1.1 To regulate discipline in the workplace with the key principle that the employer and the employees should treat each other with mutual respect.
- 1.2 This policy protects employees from arbitrary action; the employer is entitled to satisfactory conduct and work performance from its employees.
- 1.3 To define guidelines and procedures to ensure a fair and consistent approach at Canadian Medical Center Group in identifying and dealing with issues in relation to disciplinary action.

2 POLICY STATEMENT:

- 2.1 The HRD will impose disciplinary sanctions when it has been proven that the misconduct is an offence against the disciplinary rules of the company.
- 2.2 The disciplinary code will not be applied for the purpose of intimidation or victimization.
- 2.3 CMC reserves the right to implement rules or to establish standards of performance and behaviour and the measurement thereof.
- 2.4 No direct action will be taken against an employee unless the issue has been thoroughly investigated, documented and advice sought from the HR department. The investigation documentation and employee defence shall be recorded in a report and added to the employee's personal file.
- 2.5 In the first instance, the policy of disciplinary action is to correct behaviour rather than to terminate services, unless the offence is of a serious nature and dismissal is deemed necessary.
- 2.6 Breach of any employment obligations stated in the employment contract and/or the UAE Labor laws and not referred to in these policies may also be subject to appropriate disciplinary actions.
- 2.7 The type of disciplinary action will depend on the nature, the frequency and the seriousness of the offense as well as the circumstances of the Employee's case.
- 2.8 Disciplinary actions may be skipped and followed by a more serious action depending on the track record of the employee for breach of discipline and the seriousness of the offense.
- 2.9 The manager/supervisor has the authority to issue a verbal warning to the employee for minor incidents. Major incidents should be documented and forwarded to HR department. If the employee's behaviour did not improve within the timeline given, he/she might be subject to further disciplinary action in line with the procedure.
- 2.10 The employee should be informed in writing of the reason for the disciplinary action against him/her. An employee receipt is required on the letter before HR files the document.

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2. SCOPE:

3.1 All Canadian Medical Center Group of Companies Staff for the following :

- 3.1.1 Canadian Medical Center LLC
- 3.1.2 Canadian Medical Center LLC Branch -2
- 3.1.3 Canadian Medical Center LLC Branch - 3
- 3.1.4 Canadian Medical & Rehabilitation Center LLC – including Homecare
- 3.1.5 CMC First Aid Clinic
- 3.1.6 CMC Healthcare – Sole Proprietorship LLC
- 3.1.7 Canadian Pharmacy LLC

3. TARGET AUDIENCE

4.1 This policy applies to all employees of Canadian Medical Center Group of Companies.

4. RESPONSIBILITY

- 5.1 Human Resource Department is responsible for development, maintenance, enforcement and endorsement of the policy.
- 5.2 Human Resource Department is responsible in implementation of the defined controls and ensuring compliance with this policy.
- 5.3 All Canadian Medical Center Group of Companies Employees are responsible to read, understand and adhere to this policy in their day-to-day activities.
- 5.4 Human Resource Department is responsible to conduct awareness about the policy to employees.
- 5.5 All Head of Departments is responsible to support the relevant business unit / section in implementation of the defined controls and ensuring compliance with this policy.

5. PROCEDURE:

6.1 DISCIPLINARY ACTION

- 6.1.1 Discipline will as far as possible be initiated within 7 working days after the occurrence of the transgression or discovery thereof.
- 6.1.2 The types of disciplinary are outlines are as per the below:
- 6.1.3 **Verbal Warning:**
 - 6.1.3.1 A verbal warning is a conversation between the manager or supervisor and the concerned employee, held in private, about the offense or performance problem.

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6.1.3.2 Managers or supervisors are expected to explain the consequences of any repetition or failure to improve.

6.1.3.3 The verbal warning is followed by a written confirmation and is recorded in the employee's file.

6.1.4 First and Second Written Warning:

6.1.4.1 A written warning notice is issued to an Employee who has committed a more serious offense, fails to improve behavior or repeats an offence for which he/she has already received a verbal warning.

6.1.4.2 The written warning will detail the circumstances leading to the issuance of the warning, the actions necessary to remedy the situation and where appropriate, the standard of performance required. The consequences of any repetition or failure to improve will also be explained.

6.1.4.3 All written warnings are recorded in the Employee's file.

6.1.5 Final Written Warning:

6.1.5.1 A final written warning may be issued to an Employee who commits a serious offense or fails to demonstrate improvement in behavior as advised by the first written warning.

6.1.5.2 The Final written warning will explain that any recurrence of the offense may result in termination.

6.1.5.3 All final written warnings are recorded in the Employee's file.

6.1.6 Termination

6.1.6.1 If an Employee continues to show no improvement within the period stated in the final written warning or commits a further offense of a serious nature, the Employee may be dismissed with notice in accordance with the provisions of the UAE Labor Law and will be eligible for end of service benefit.

6.1.6.2 A final review meeting will be arranged between the Employee, the Direct Manager and the Unit Head. If following this meeting and upon further investigation it is decided to proceed with dismissal, the Employee will receive a letter specifying the reasons for dismissal, the effective date and the right of appeal.

6.1.6.3 If an Employee has committed any of the offenses specified in Article 120 of the UAE Labor Law (Gross Misconduct), the Employee will be immediately dismissed without any verbal or written warnings.

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6.1.6.4 In all cases of dismissal, the Employee will receive a letter confirming the termination of contract and any payment due.

6.1.6.5 All written warnings will be recorded and placed on his/her personal file unless the Employee is informed otherwise.

6.1.6.6 A disciplinary action may be preceded by a formal or an informal inquiry to establish the facts of the case. This may include taking statements from witnesses or other people with relevant information.

6.1.6.7 Disciplinary actions will be appropriate to the nature of the offense and consistence with the precedent cases in the event the offense is not outlined herein.

6.1.6.8 Disciplinary actions will be fair and consistent ensuring the integrity of the Employee is managed.

6.1.6.9 The notice issued will be in duplicate and the employee concerned will sign the duplicate to acknowledge receipt of the notice.

6.1.6.10 Where the employee refuses to sign for receipt of the notice, it will be recorded and witnesses shall be called to sign and testify to this fact.

6.1.7 GENERAL

6.1.7.1 The responsibility for taking disciplinary action rests with supervisory staff and managers.

6.1.7.2 No disciplinary action can be made against an employee before giving the employee a chance of a fair hearing and to listen to his/her statement and defense. The investigation proceedings are registered in the employee's personnel file.

6.1.7.3 When initiating disciplinary action, supervisors and managers will adhere to the Disciplinary Code and Procedure and will act consistently at all times, however the disciplinary code is a guideline, which should be followed as closely as possible.

6.1.7.4 Deviations may however, take place based on the merits of each case and to accommodate misconduct of a serious nature not specifically covered in the Disciplinary Code.

6.1.7.5 Warnings issued to an employee as per the Misconduct criteria will permanently remain of the employee's employment record.

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6.1.7.6 In certain circumstances, the employee shall be dismissed from their service effective immediately, based on the severity of the disciplinary action; this can only be applied under the approval of CMC management.

6.1.7.7 Where the disciplinary action involves loss of pay, the deduction of salary is made from the basic salary. No deduction can be made without the approval of Administration and Finance Manager.

6.2 RESIGNATION DURING INVESTIGATIONS

6.2.1 The Employee who has breached the discipline may resign during the investigation.

6.2.2 However, the investigation will continue to take place to ensure the validity of allegations against the Employee.

6.2.3 The resignation may or may not be accepted; if accepted, the Employee may still be required to serve their contractual notice period.

6.2.4 Disciplinary actions may still be applicable even if the Employee resigns.

6. DEFINITIONS AND ABBREVIATIONS:

SI No	TERMS	DEFINITIONS AND ABBREVIATIONS
7.1	CMC Group	Licensed facilities in Abu Dhabi where DOH standards are applicable: Canadian Medical Center LLC Canadian Medical Center LLC Branch -2 Canadian Medical Center LLC Branch - 3 Canadian Medical & Rehabilitation Center LLC CMC First Aid Clinic CMC Healthcare – Sole Proprietorship LLC Canadian Pharmacy LLC
7.2	HRD	Human Resource Department

7. DISTRIBUTION LIST:

On shareholder Policies HR

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8. SPECIAL INSTRUCTIONS:

- 9.1 Human resources management shall in compliance with relevant HR Law and its amendments, or any other regulations the entity follows in this context.
- 9.2 The Human Resource department assigned personnel reserves the right to check the compliance of this policy on a periodic basis.
- 9.3 Any exceptions to this policy with valid justification require approval from Administration Manager on a case-to-case basis.

9. CROSS REFERENCE, RELATED LEGISLATION, FORMS, POLICY & DOCUMENTS:

- 10.1 Federal law Article (102) Ministry of Human Resources and Emiratisation of United Arab Emirates (1986)
- 10.2 Hospital Standards – Health Authority (2008)

10. KEY RESULT AREAS:

- 11.1 The procedure is fully implemented if there are nil incidences of non-compliance with this policy.

11. AMENDMENT HISTORY:

Version	Revision Date	Description of Amendments	All pages
01	01/12/2019	New policy	All pages
02	01/07/2020	ADHICS Classification	All pages

12. APPROVAL SHEET:

Document Developed By:			
Licensing Officer	Ms. Aprilia Ariesia		01/07/2020
	Name	Signature	Date
Document Developed & Reviewed By:			
Nurse Manager & Quality Control Supervisor	Ms. Monina Baja		21/01/2020
	Name	Signature	Date
Document Approved By:			
Manager Human Resources /Chief Administration Officer	Mr. Sallam Mohammed Naji		21/01/2020

**CONTROLLED DOCUMENT**

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	Name	Signature	Date
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