



## DISCIPLINE AND TERMINATION POLICY

### ***PURPOSE OF POLICY***

The objectives of Hillsong's policy are to:

- correct and/or improve the standard of conduct of an employee where appropriate or necessary;
- provide any particular employee with an opportunity to correct unacceptable conduct (other than in situations where summary dismissal is appropriate);
- ensure that all employees are treated fairly, equally and consistently; and
- ensure that each situation is reviewed and addressed on an individual basis and in relation to the particular circumstances.

### ***APPLICATION OF THIS POLICY***

This Policy applies to all employees of Hillsong. This Policy does not form part of any contract between an employee and Hillsong.

The operation of this Policy is not limited to the workplace or work hours. This Policy extends to all functions and places that are work-related or out of work conduct of the employee that may impact on Hillsong. A work related function is any function that is connected to work, for example work lunches, conferences, Connect Group meetings etc. Employees must comply with this Policy at all work-related functions. This Policy also applies when employees go to other places in connection with work, for example, when visiting church and community members, suppliers and contractor's premises.

In circumstances where an employee's behaviour or conduct may involve a breach of any Australian law, Hillsong may notify the police or other relevant government authority.

### ***GROUNDINGS FOR DISCIPLINARY ACTION***

An employee may be the subject of disciplinary action for matters relating to their performance, capacity or conduct, including (but not limited to) the following:

- Unsatisfactory Performance
- Unacceptable Conduct
- Wilful or Serious Misconduct

## **DISCIPLINARY PROCEDURE**

The procedures outlined below are intended as a GUIDE ONLY to the disciplinary procedures which may be implemented by Hillsong. In every case, the actual disciplinary procedure to be adopted will be a matter for the individual manager or supervisor's discretion and in consideration of the circumstances of the case as a whole. Nothing in this Policy prevents Hillsong from issuing a final warning at any stage of the process. Similarly, if the circumstances warrant, nothing in this Policy prevents Hillsong from dismissing an employee at any stage of the procedure, for example in circumstances involving wilful or serious misconduct by an employee. Pastors/Managers should consult with the Human Resources Manager before commencing any disciplinary procedures.

### **Investigation**

Depending on the circumstances it may be necessary to conduct an investigation into the incident and/or allegations. This may involve collecting relevant data and interviewing relevant witnesses, such as the employee's co-workers or supervisors, or even customers and suppliers with whom the employee has had contact. Hillsong will endeavour to investigate all allegations of unsatisfactory performance, unacceptable conduct, or wilful or serious misconduct by an employee fairly and promptly.

If Hillsong believes that following an allegation of unacceptable behaviour it would be inappropriate for an employee to remain at work, Hillsong may suspend the employee from duty on ordinary pay pending completion of an investigation. In such circumstances, the employee will be informed in writing of the conditions of the suspension at the time of the suspension.

### **Disciplinary interview**

If on the basis of the investigation, Hillsong believes that there is a case to be answered by the employee, the employee may be asked to attend a meeting to discuss the issue(s) of concern.

The following procedure will generally be followed:

- (a) The employee will be given advance notice of the meeting and what will be discussed at the meeting.
- (b) The employee will be given a reasonable opportunity to have a co-worker present at the meeting.
- (c) At the meeting the issue(s) of concern or allegations will be put to the employee, including any evidence upon which those concerns or allegations are based.
- (d) The employee will be given an adequate opportunity to respond to the concerns or allegations.
- (e) The manager will consider the employee's response and make any further enquires or investigations that may be necessary.

(f) After making any further enquiries or investigations which may be necessary and after consideration of the response or explanation of the employee, the manager/supervisor will determine whether the concern(s) or allegations have been proven.

(g) If it is determined that all or some of the concerns or allegations are proven and after consideration of:

- (i) the seriousness of the poor performance/misconduct;
- (ii) the response or explanation given by the employee;
- (iii) the employee's employment history and record; and
- (iv) whether there are appropriate and reasonable alternatives to termination, the manager/supervisor will make a decision on what, if any, disciplinary action is appropriate.

### ***Disciplinary Action***

This Policy outlines a number of formal and informal ways of dealing with employees whose performance, capacity or conduct is unsatisfactory or otherwise unacceptable. The disciplinary action taken will vary from case to case, depending upon all of the circumstances, including a consideration of whether the employee has received any prior verbal or written warnings in relation to their performance, capacity or conduct.

**Regardless of whatever disciplinary action is imposed, any further unsatisfactory performance, unacceptable conduct or misconduct of any kind may result in the dismissal of the employee.**

### **Informal Disciplinary Action**

Examples of informal disciplinary action which may be taken by Hillsong include, but are not limited to, the following:

- redirection, retraining;
- reorganisation/redeployment; and
- counselling.

Informal disciplinary action is not appropriate where the employee's conduct amounts to willful or serious misconduct.

### **Formal Disciplinary Action**

Examples of formal disciplinary action which may be taken by Hillsong include, but are not limited to, the following:

- verbal warning/counselling;

- written warning;
- dismissal, including summary dismissal.

### **Termination**

If the decision is made to terminate the employee's contract of employment with Hillsong, the employee will be given:

- save in circumstances of serious and wilful misconduct, notice of the termination of his/her employment or payment in lieu of notice;
- payment of all accrued entitlements;
- payment of any outstanding entitlements;
- a Separation Certificate; and
- a Statement of Service, if one is requested.

On termination, the employee must immediately return all Hillsong property in the employee's possession or control to Hillsong.

### **DOCUMENTATION**

Managers/supervisors should make notes of all discussions and actions which occur when they counsel an employee in relation to unsatisfactory performance or unacceptable conduct. In addition, managers/supervisors should make notes of all their actions and discussions with an employee before and during the disciplinary process.

If disciplinary action is taken against an employee, a file note should be placed on the employee's personnel file containing a summary of the nature of the allegations, the outcome of any investigation undertaken, and the disciplinary action taken. A file note should also be made of any conversations or meetings with the employee.

The employee should be asked to sign the file note as an acknowledgement that they understand and agree to its contents. If the employee refuses to sign the file note, this should also be recorded on the file note along with the reason for the employee's objection if this is provided.

Copies of warning letters should also be placed on the employee's personnel file.

Responsible Department	Human Resources
Contact Person	John Mays
Effective Date	31 <sup>st</sup> July 2008
Modifications	