

Guidance

G1240

LU protocol for dealing with misconduct cases

Issue no.:	A2	Issue date:	January 2016
		Review date:	December 2016

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1 Introduction

This Protocol provides guidance and support for LUL managers when dealing with misconduct. It is intended to complement the Discipline Standard, the Discipline at Work Procedure and the Discipline at Work Support Pack.

Compliance with this Protocol is mandatory. Managers must determine whether or not a case is heard at CDI or LDI using the guidance set out at 3 below.

2 Acts of gross misconduct

LUL expects the highest standards of conduct from its employees. As a result, certain acts of misconduct are viewed very seriously by LUL.

The term “gross misconduct” is the term used to describe the most serious breaches of LUL standards, rules or procedures. These are breaches which jeopardise the employment contract and this type of misconduct is serious enough to justify summary dismissal. (Please note that this is not intended to prevent employees from being disciplined for misconduct which does not amount to a “gross” charge).

The following is a non-exhaustive list of examples of gross misconduct:

- Insulting, threatening or violent behaviour towards customers, colleagues, contractors and others with whom staff come into contact within the workplace;
- Failure to follow safety procedures and/or rules thereby affecting or potentially affecting, the safety of the employee or others, including customers, other employees, contractors or members of the public;
- Failure to follow safety procedures and/or rules and a subsequent failure to follow due process thereby affecting or potentially affecting, the safety of the employee or others, including customers, other employees, contractors or members of the public;
- Deliberate or negligent contravention of any LUL rules or procedures;
- Serious or persistent harassment;
- Bullying or indecent behaviour;
- Failure to follow rules and procedures on the handling of, or accounting for LUL cash, goods, or assets;
- Theft;
- Fraud;
- Dishonesty;
- Breaches of the Alcohol and Work Standard, the Drugs and Work Standard, the Electronic Mail and the Internet Standard or the Business Ethics Standard;
- Criminal convictions affecting the employee’s ability to carry out their duties (whether the offence was committed inside or outside work);
- Gross insubordination in refusing to obey a proper instruction;
- Misrepresentation of previous experience, qualifications or other relevant information required on application for employment with LUL;
- Failure to declare secondary employment.