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Summary
Minor misconduct can be described as:
poor time keeping;
absence; general swearing; and horseplay.

Five funny excuses of coming late to the office:



I just found out that I was switched at birth. Legally, I shouldn't come to work knowing my employee records may now contain false information and hence this delay.

My girlfriend dumped me because I apparently was losing my mind this morning. It took me an hour to find it. As soon as I did, I rushed to the office.

I had to take out the garbage and accidentally placed my girlfriend's purse in one of the bags. I had no other option than to search the entire garbage can.

I received a mail that said "I had won 20 million rand". It took me an hour to verify that it was fake and another half an hour to get over that fact.

My left turn signal was not working, so I had to take all rights to get to work

MISCONDUCT

Part 2: Minor Misconduct

In the previous article we gave an overview of the various types of misconduct under **Minor** and **Severe** categories. This article delves deeper into the forms of **Minor** misconduct to enable the employer to determine whether sanctions should be enforced - and if so, to determine the most fitting sanction.

Poor time keeping:

Being late for work without proper reason and/or notification is considered as a minor offence which does not justify dismissal or even a final written warning at first offence.

Many employers tolerate lateness until they suddenly regard the continuous behaviour as intolerable towards the employment relationship. Even in such circumstances, and even if it is common cause that the employee has been late on various occasions, progressive discipline must be followed, i.e. first written warning, second written warning, final warning then dismissal.

Absence:

In the case of absence without authorisation and/or notification, one should follow progressive discipline.

If, however, the employee's presence is of high importance to the employer - e.g. an official where clients are dealt with on a daily basis - absence can be regarded as a severe type of misconduct. A final written warning or in some cases even dismissal on first offence could be justified as it brings the company name into disrepute.

Consecutive absence becomes more severe the more days the employee remains absent with 5 days' unauthorised absence regarded as a dismissible offence.

Absence becomes extremely serious when it is coupled with fraud. In this context, fraud would be providing an employer with a falsified medical certificate or another falsified document to justify the absence. When medical certificates are provided, the authenticity of the document must be tested if there are valid reasons to be suspicious.

General swearing:

General swearing in some working spaces is tolerated, but if the employer's code of conduct makes provision for this as a type of misconduct, progressive discipline needs to be followed.

Horseplay:

Horseplay during working hours can sometimes be coupled with dereliction of duty, although it not considered particularly serious. In such circumstances, progressive discipline must be followed.

In our next newsletter we will deal with some of the more serious forms of misconduct. South Africa has an unenviable reputation for violent behaviour, and in the workplace this can be in the form of sexual harassment or unlawful strikes that result in malicious damage to property, for example. However, even the less physical forms of misconduct such as fraud, racism and drug use are considered **Severe Misconduct**.

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