

# ZIMBABWE REVENUE AUTHORITY



## EMPLOYMENT CODE OF CONDUCT AND GRIEVANCE PROCEDURE

PART I  
PART II

*Disciplinary Procedure*  
*Grievance Procedure*

REGISTERED  
MIN. OF FINANCE  
- 5 FEB 2003

READ THE GAZETTED  
ZIMBABWE REVENUE AUTHORITY

Telephone: 790872  
Telegram: "SECLAB"  
Private Bag 7767/7750, Causeway



Reference:

MINISTRY OF PUBLIC SERVICE,  
LABOUR AND SOCIAL WELFARE  
Constitution House  
c/o. Fourth Floor, Central Avenue  
Harare  
10 SEP 1990

Chairman  
Zimbabwe Revenue Authority Harare Council  
P.O. Box 4260  
Harare

Dear Sir/Madam

**RE: STATUTORY INSTRUMENT 379 OF 1990: LABOUR RELATIONS  
(EMPLOYMENT CODES OF CONDUCT) REGULATIONS 1990**

Attached please find (i) a copy of your Code of Conduct, which has been approved and stamped by the Registrar of Labour Relations, and (ii) the Registration Certificate.

Please may you send a letter of acknowledgement.

Yours faithfully

K. D. MUGANI (MS)

FOR: SECRETARY FOR PUBLIC SERVICE, LABOUR & SOCIAL WELFARE  
Mm/confirmation



# ZIMBABWE REVENUE AUTHORITY



## EMPLOYMENT CODE OF CONDUCT AND GRIEVANCE PROCEDURE

- PART I* - *Disciplinary Procedure*
- PART II* - *Grievance Procedure*

REGISTRY OF COMPANIES  
MIN. OF TRADE AND INDUSTRY  
- 3 FEB 2003

P. BAG TRENCH WAY  
ZIMBABWE (011) 77-8571



PART I

SECTION A: INTRODUCTION

1. NAME OF THE CODE

This Code shall be referred to as the Zimbabwe Revenue Authority Employment Code of Conduct.

The Code of Conduct is drafted in terms of the Labour Relations Act, (Chapter 28:01) as read with S.I 379 of 1990.

2. APPLICATION OF CODE

This Code of Conduct shall apply to all employees of the Zimbabwe Revenue Authority including Commissioners, managerial employees, full-time, contract and part-time employees. Once registered, this Code shall be binding on all parties and shall be implemented without exception.

3. GOAL OF THE CODE

The Code defines general policies and guidelines for harmonious industrial relations within the Zimbabwe Revenue Authority.

4. EMPLOYEE CODE OF ETHICS

Authority employees are required to discharge and perform assignments, duties and obligations in conformity with the Authority's professional and ethical standards. These standards are as follows: -

- 4.1 Upholding the Authority's Mission Statement at all times.
- 4.2 Maintaining integrity and honesty in the discharge of duties.
- 4.3 Transacting all Authority business with efficiency and impartiality.
- 4.4 Conducting all business and staff relations with taxpayers, clients, suppliers and government in an honest, courteous and transparent manner.
- 4.5 Maintaining a high record of punctuality, and avoid unofficial activities during working hours, showing commitment and dedication to work.
- 4.6 Displaying a sense of urgency in the discharge of duties, endeavouring to complete assignments on time and avoid unnecessary overtime.
- 4.7 Conducting the affairs of the Authority in a professional and responsible manner and avoiding collusion with clients which compromises the interests of the



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Authority, including the falsification and distortion of facts that could lead to either loss of revenue or not.

- 4.8 Not soliciting favours or kickbacks from the general public, clients or suppliers either in cash, kind and any form whatsoever.
- 4.9 Not accepting gifts from clients, general public or suppliers which compromise the execution of duties and /or the Authority's core values.
- 4.10 Not trading, engaging or participating in any business that may lead to a conflict of interest.
- 4.11 Treating other employees with respect, without bias, prejudice, malice or sexual harassment. Staff should not use political or any other influence to the disadvantage of colleagues or to support unethical operations.
- 4.12 Exercising managerial responsibilities fairly and consistently e.g. staff assessment, handling of disciplinary matters.
- 4.13 Respecting the established reporting structures at all times.
- 4.14 ~~Not supplying information to unauthorised parties in response to requests for information on the activities of the Authority.~~
- 4.15 ~~Not supplying unauthorised information concerning the Authority to any representative of the media.~~

REGISTRATION UNIT  
- 5 FEB 2003  
ZIMBABWE

## 5. DEFINITION OF TERMS

- 5.1 ✓ "Disciplinary Officer" means a supervisor or Manager appointed by the Zimbabwe Revenue Authority to administer discipline in terms of this Code of Conduct. All supervisors and managers may act as Disciplinary Officers.
- 5.2 ✓ "Supervisor" means an employee of a higher grade than that of the employee being disciplined and/ or having a grievance or the one acting in that higher grade.
- 5.3 ✓ The "Disciplinary and Grievance Committee" decides on grievances and cases that involve a final written warning or dismissal. The Committee includes three management representatives, one of whom is the Chairman of the Disciplinary and Grievance Committee, and two employee representatives. Where the employee is a manager, the disciplinary committee will be made up of any three Senior Managers of the Authority.
- 5.4 ✓ "Offence" means any offence specified in the Schedule of Offences set out in this code.
- 5.5 ✓ "Workers Committee" means a group of worker representatives elected by

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non-managerial employees, as defined in terms of the Labour Relations Act(Chapter 28:01)

- 5.6 "Works Council" means a joint group of management and Workers Committee representatives, as defined in the Labour Relations Act (Chapter 28:01)
- 5.7 "Appeals Committee" means three members of management and two members from the Workers Committee, chaired by one of the Managerial employees, who did not form a part of the Disciplinary and Grievance Committee. Where the employee is a Manager, the Appeals Committee will be made up of two members of senior Management and the Commissioner General or the person acting in his capacity or appointed by him to act in that capacity. Where the circumstances so dictate, more than one Appeals Committee may be set up and such Committees may deal with different employees simultaneously.
- 5.8 "Grievance" means a feeling or belief that an injustice or unfair treatment has been suffered. It involves complaints or reports of dissatisfaction in relation to the employment situation.
- 5.9 "Conflict of interest" means engaging or participating in any business, action or activity that compromises performance of duty and/ or the Authority's core values.

## 6. PRINCIPLES OF THE CODE OF CONDUCT

### General

- 6.1 The Code of Conduct may be revised and modified, provided there is mutual agreement between the Employer and the Employee through the *National Works' Council*. All amendments should be registered with the Ministry of Public Service, Labour and Social Welfare.
- 6.2 All disciplinary and grievance issues shall be dealt with in terms of this Code of Conduct before alternative routes are pursued.
- 6.3 The prime reason for disciplinary action is to encourage high standards of work and to make employees efficient and productive. Discipline should be educational and corrective in the first instance.
- 6.4 Discipline encompasses training that moulds, corrects, strengthens and perfects attitudes and behaviour. It may be used as punishment when these measures have failed. It is the responsibility of the employer to provide and avail procedure manuals, legislations, standing instructions, policies and regulations and the employee to acquaint themselves fully with this material and the performance standards that they must maintain and what constitutes an act of misconduct.



6.5 Every employee is required to support management authority by following lawful instructions. Management is required to respect the rights of employees and to discharge their responsibilities in a mature and equitable manner.

6.6 All supervisors shall be considered to be Disciplinary Officers for the purpose of this Code. They will have authority to give verbal warning for minor (Group A) and first written warning for moderate (Group B) disciplinary cases in their sections. When offences in groups A & B graduate into final warning and dismissal he/she shall refer the case to the Disciplinary and Grievance Committee.

6.7 Breaches of discipline classified in Groups C or D shall be referred to the Disciplinary and Grievance Committee.

6.8 The Disciplinary and Grievance Committee shall handle both disciplinary and grievance cases referred to it.

6.9 Members of the Disciplinary and Grievance Committee do not necessarily represent any party or interests. Their main task is to ensure that justice is done.

6.10 Where circumstances so dictate, more than one Disciplinary and Grievance Committee may be set up and such Committees may deal with different employees simultaneously.

6.11 If an employee on suspension with full pay and benefits takes up alternative employment, the offender's employment with the Zimbabwe Revenue Authority will be terminated from the date of taking up alternative employment.

Where an employee is suspended without pay and benefits he may engage in alternative employment and on being reinstated shall be paid only the excess of what he should have been paid by the Authority. *John M. M.*

6.12 The Disciplinary and Grievance Committee shall elect a Chairman from the management representatives available on the Committee, who shall preside at the meetings of the Disciplinary and Grievance Committee.

6.13 This Code of Conduct sets out general policies and guidelines of discipline and grievance procedures.

6.14 Where an employee is accused or suspected of an offence, their supervisor should be advised of the case. Wherever possible, the Supervisor or an appointed person should cause a first investigation to be conducted to gather all the facts that are relevant to the offence. Every effort should be made to avoid delays and to finalise disciplinary cases promptly at the lowest possible levels and within the time limits stipulated in this Code.

- FEB 2003



- 6.15 The Disciplinary and Grievance Committee should arrive at a conclusive decision within 14 days from the date the investigations into the offence are completed. All investigations in terms of this code of conduct should not exceed forty days. Extensions will only be allowed in outstanding circumstances where the reasons are given and all parties agree.
- 6.16 The maximum penalties to be imposed for each offence are found in this Code of Conduct. However, Disciplinary Officers or the Disciplinary and Grievance Committee(s) may apply a lesser penalty at their discretion if there are good reasons for doing so.
- 6.17 Any verbal or written warning given by a Disciplinary Officer or by the Disciplinary and Grievance Committee shall be given to the employee in the presence of a Workers Committee representative, a managerial representative or a person chosen by the employee to be his representative in the matter. The validity of the warning shall be as specified in the schedule of the Code of conduct.
- 6.18 Under no circumstances will personal likes and dislikes be allowed to influence the disciplinary decisions. Decisions must be based on the facts and on work related considerations. All decisions must be fair, just and consistent. *precedents*
- 6.19 Records of all the proceedings, statements, decisions and reports on alleged offences must be recorded in the employee's file, which will be kept in a safe place, for at least 12 months.
- 6.20 The Grievance Procedure set out in Part II may be used when an employee feels that there has been an injustice, provided that the grievance procedure is not used for any matters, which arise out of the disciplinary procedures.



## SECTION B:

## 7. INQUIRY PROCEDURE

Where the Supervisor (Disciplinary Officer) becomes aware of an offence, he shall cause an investigation

7.1 Gather all the evidence in whatever form of the alleged offence.

7.2 Based on the evidence, if no offence has been committed, the supervisor shall dismiss the case and no further action shall be taken in that connection.

7.3 Where it appears, after the investigation, that the offence might warrant a final written warning or dismissal, the matter shall be referred to the Disciplinary and Grievance Committee

7.4 In the event that the alleged offence warrants dismissal, the Supervisor may, with the line managers approval, suspend the employee with pay (Group A offences - fourth offence, Group B offences - third offence, Group C offences - second offence) or without pay (Group D offences) and other benefits until a disciplinary hearing has been held by the Disciplinary and Grievance Committee and a decision made.

7.5 Where it appears, after the investigation, that the Supervisor is not sure of the exact offence committed and its gravity, he shall immediately refer the matter to the Disciplinary and Grievance Committee for further consideration and determination.

## 8. DISCIPLINARY PROCEDURE FOR CASES IN GROUPS A &amp; B

8.1 Where evidence gathered shows that an offence has been committed, the employee's Supervisor shall inform the employee in writing of the case against him and of the date, time and place of hearing. The employee shall be advised of the date of the hearing at least 2 days before the actual date of the hearing, and the decision should be given within 4 working days.

8.2 At the hearing, the Supervisor shall give the employee the chance to present his case personally and/or by a Workers Committee member or a chosen representative. He has the right to call witnesses in his defence. The employer shall release such witnesses to attend the hearing. Where a witness or representative does not attend, the meeting shall proceed without them, or an alternative representative may attend in their place. The employee and his representatives shall be allowed to see the relevant documents and/ or copies during the hearing. They shall be permitted to question any witnesses who give evidence.

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- 3 FEB 2003

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8.3 Having heard the evidence, the Supervisor will decide whether a penalty is justified and if so which penalty. Any previous similar offence may be taken into account in determining the penalty for a subsequent offence.

*More than 2 cases*

9. DISCIPLINARY PROCEDURE FOR OFFENCES HANDLED BY THE DISCIPLINARY AND GRIEVANCE COMMITTEE

9.1 Where cases are referred to the Disciplinary and Grievance Committee by the Disciplinary Officer, the hearing should be conducted within ten (10) working days and the decision should be given within another four (4) working days.

9.2 Where evidence gathered shows that an offence has been committed, the employee's Supervisor shall inform the employee in writing of the ~~case against him~~ and of the date, time and place of hearing at least (2) two days before the date of the hearing and the decision should be given within (4) four working days.

*minutes made*

9.3 At the hearing, the Disciplinary and Grievance Committee shall give the employee the chance to present his case either personally and/or by a Workers Committee member or a chosen representative. He has the right to call witnesses in his defence. The employer shall release such witnesses to attend the hearing. Where a witness or representative does not attend, the meeting shall proceed without them, or an alternative representative may attend in their place. The employee and their representatives shall be allowed to see the relevant documents and/ or copies during the hearing. They shall be permitted to question any witnesses who give evidence.

*what is similar offence?*

8.3 → 9.4 Having heard the evidence, the Disciplinary and Grievance Committee will decide whether a penalty is justified and if so, which penalty. Any previous similar offence may be taken into account in determining the penalty for a subsequent offence.

9.5 Where the employee was not suspended and continued to work while the investigation was carried out and is subsequently found guilty of misconduct and the penalty is dismissal, the Disciplinary and Grievance Committee shall determine the termination date, which shall not be earlier than the date of the decision.

10. SUSPENSION FROM DUTY

10.1 Depending on the evidence available, the employee may be suspended in writing with or without pay and benefits, until the Disciplinary and Grievance Committee makes a decision as follows:

- (i) With pay and benefits:
  - Group A offences - fourth offence
  - Group B offences - third offence
  - Group C offences - second offence

- (ii) Without pay and benefits:  
Group D offences - first offence

10.2 Where an employee is suspended from duty and is subsequently found not guilty, he shall be given a letter to that effect and shall be immediately reinstated. If the employee was suspended without pay and benefits, these shall be re-instated with effect from the date of suspension.

10.3 Where an employee was suspended from duty and is subsequently found guilty the employee shall be given a dismissal letter. The date of the termination of employment shall be the date on which the employee was suspended. The employer shall not pay wages and benefits for the time the employee was under suspension.

10.4 If the employee was not suspended but had continued to work while the investigation was carried out, then the Disciplinary and Grievance Committee shall determine the termination date, which shall not be earlier than the date of the decision.

10.5 Whether the employee was suspended or not, the employer shall, within 3 months, pay to the employee all terminal benefits that are due to the employee from the employer.

## 11. APPEAL PROCEDURE

11.1 Any employee who is not happy with a disciplinary decision has the right to appeal in writing against that decision within 3 working days of being notified of the decision.

### APPEALS PROCEDURE FOR NON-MANAGERIAL EMPLOYEES

11.2 For non- Managerial employees, where the decision has been made by the Disciplinary Officer, the appeal procedure is as follows: -

Stage 1:

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Stage 2:

the employee shall forward his appeal to the Human Resources Division which shall arrange for a Disciplinary and Grievance Committee to review the decision made by the Disciplinary Officer within 5 working days of receiving the appeal.

where the employee disagrees with the decision of the Disciplinary and Grievance Committee, he shall forward his appeal to the Human Resources Division which shall arrange for an Appeals Committee to review the decision made within 5 working days.

Stage 3: where the employee disagrees with the decision of the Appeals Committee, he may appeal to the Labour Relations Tribunal within 14 days of receiving the Appeals Committee decision.

11.3 For non- Managerial employees where the decision has been made by the Disciplinary and grievance Committee, the appeals procedure shall be as follows:

Stage 1: where the employee disagrees with the decision of the Disciplinary and Grievance Committee, he shall forward his appeal to the Human Resources Division, which shall arrange for an Appeals Committee to review the decision made within 5 working days.

Stage 2: where the employee disagrees with the decision of the Appeals Committee, he may appeal to the Labour Relations Tribunal within 14 days of receiving the Appeals Committee decision.

#### APPEALS PROCEDURE FOR MANAGERIAL EMPLOYEES

11.4 For Managerial employees, where the decision has been made by the Disciplinary Officer, the appeal procedure is as follows: -

Stage 1: the employee shall forward his appeal within 2 working days to the Human Resources Division, which shall arrange for a Disciplinary and Grievance Committee to review the decision made by the Disciplinary Officer within 5 working days of receiving the appeal.

Stage 2: where the employee disagrees with the decision of the Disciplinary and Grievance Committee, he shall within 2 working days forward his appeal to the Human Resources Division, which shall arrange for an Appeals Committee to review the decision made within 5 working days.

Stage 3: where the employee disagrees with the decision of the Appeals Committee, he may appeal to the Labour Relations Tribunal within 14 days of receiving the Appeals Committee decision.

- 11.5 For Managerial employees where the decision has been made by the Disciplinary and Grievance Committee, the appeals procedure shall be as follows:

Stage 1:

depending on the level of the employee, where the employee disagrees with the decision of the Disciplinary and Grievance Committee, he shall within (2) two working days forward his appeal to the Human Resources Division, which shall arrange for an Appeals Committee to review the decision made within 5 working days. Where the career level does not permit for an Appeals Committee to be arranged, the matter shall be appealed to the Labour Relations Tribunal within 14 days of receiving the Disciplinary and Grievance Committees' decision

Stage 2:

where the employee disagrees with the decision of the Appeals Committee, he may appeal to the Labour Relations Tribunal within 14 days of receiving the Appeals Committee decision.

- 11.6 All records of proceedings in the disciplinary procedure and the appeal procedure should be kept on file for not less than 12 months. ✓
- 11.7 All proceedings of the Disciplinary and Grievance Committee and the Appeals Committee must be completed within 30 days from the date of their commencement.
- 11.8 If 30 days have elapsed from the date of commencement of proceedings and the matter has not been dealt with by the Disciplinary and Grievance Committee or the Appeals Committee, the employee or employer concerned may refer the matter to a Labour Relations Officer who will deal with it in terms of section 93 of the Labour Relations Act(Chapter 28:01)

## 12. WARNINGS

- 12.1 All warnings given should be in the manner that is specified in this Code. They must give details of the date and nature of the misconduct and the action taken.  
*Does not include counselling*
- 12.2 All written warnings should be completed in duplicate and acknowledged. The employee retains one copy of the warning, and the other must be kept by the employer in the employee's file.
- 12.3 Any warnings given in terms of this Code must be communicated directly to the employee by a Disciplinary Officer or a member of the Disciplinary and Grievance Committee.

A. J. ...

12.4 Records relating to warnings must be kept on file for not less than 12 months.

RECORDED & INDEXED  
15-11-2003  
ZIMBABWE REVENUE AUTHORITY

## SECTION B: SCHEDULE OF DISCIPLINARY OFFENCES AND PENALTIES

## GROUP A: MINOR OFFENCES

## Maximum Penalty

First Offence	Second Offence	Third Offence	Fourth Offence
Verbal Warning	First Written Warning	Final Written Warning	Dismissal
Validity: 3 months	Validity: 6 months	Validity: 12 months	

- 1 Being absent, or wandering off from specific place of duty without permission or reasonable excuse. This includes any unauthorised absence from the workplace during working hours, and includes taking extended work breaks, and talking socially to other staff during working hours for extended periods of time which interferes with work.
- 2 Unauthorised absence from work for one working day without a reasonable excuse.
- 3 Reporting late for work or leaving work early without permission or reasonable excuse.
- 4 Failure to clock in or out where this is appropriate.
- 5 Lack of effort in the execution of duty and deliberately performing below the required standard.
- 6 Performance of duty without the exercise of due care and attention.
- 7 Violating minor security measures as outlined in the security policy manual without any consequences for the Authority or its clients.
- 8 Failure to respect superiors, colleagues and subordinates.
- 9 Unauthorised use of telephones – this includes spending extended periods of time on private incoming or outgoing calls.
- 10 Eating or drinking in prohibited ZIMRA places.

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- 11 Consistently attending to personal visitors during working hours, without permission from the manager or supervisor.
- 12 Calling a meeting of employees during working hours without following procedures and advising management.
- 13 Dressing in an incorrect/inappropriate manner or not adhering to uniform requirements.

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REGISTRATION OF EMPLOYERS  
ZIMBABWE REVENUE AUTHORITY  
1-3 FEB 2003  
ZIMBABWE REVENUE AUTHORITY  
HARARE

GROUP B: MODERATE OFFENCES

Maximum Penalty

First Offence	Second Offence	Third Offence
First Written Warning	Final Written Warning	Dismissal
Validity: 6 months	Validity: 12 months	

- 1 Unauthorised absence from work for two consecutive working days without reasonable excuse.
- 2 Misuse of property without financial prejudice.
- 3 Covering up or concealing substandard work or work where procedures are not correctly followed.
- 4 Failure to exercise proper care and regard in the discharging of one's duty to the extent that tasks have to be repeated or equipment or persons are at risk of damage or injury.
- 5 Abandoning and/ or failure to complete a job or task.
- 6 Disregard of rules and requirements and failure to carry out work to the required standards, using established procedures and normal routine where this is detrimental to the smooth operation of the Authority.
- 7 Failure to carry out correct handovers.
- 8 Failure to follow correct reporting procedures.
- 9 Failure to follow correct work procedures or standard daily routines.
- 10 Borrowing money or possessions from suppliers, clients, visitors or other people connected with the Authority using your authority as a Zimra official.
- 11 Money lending as defined in the Usury Act.
- 12 Failure to report circumstances or incidents at work, which could have a detrimental impact on the Authority, the clients or on the safety of staff or the smooth running of the organisation.
- 13 Conducting private business during business hours, even where there is no conflict of interest with the Authority's activities.

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 HARARE

- 14 Gambling whilst on Authority premises or during working hours.
- 15 Indulging in rough and unruly behaviour, whether or not such behaviour endangers the safety or health of others or the smooth running of the workplace.
- 16 Threatening violence, witchcraft or supernatural pestilence to Zimra clients and Zimra staff while discharging duties.
- 17 Failure to wear protective clothing and/or use equipment, where applicable, as prescribed or provided by the Authority.

REGISTRATION  
NO. 123456789  
- 15/13/2003  
ZIMBABWE REVENUE AUTHORITY  
GARDEN ROAD, HARARE

GROUP C: SERIOUS OFFENCES

Maximum Penalty

First Offence	Second Offence
Final Written Warning	Dismissal
Validity: 12 months	

- 1 Unauthorised absence from work for three to four consecutive working days without reasonable excuse.
- 2 Signing attendance register in the name of another employee or clocking another employee's clock card.
- 3 Negligent loss of, or serious damage to, or gross misuse of property, funds or assets
- 4 The unauthorised use of property or facilities for purposes other than those for which they are intended.
- 5 Inefficiency in performance of work.
- 6 Refusing without reasonable excuse to perform overtime when notice is given.
- 7 ~~Smoking in designated smoking areas.~~ Smoking outside designated smoking areas. ✓
- 8 Sleeping during working hours.
- 9 Conduct or behaviour likely to bring the Authority into disrepute.
- 10 Threatening to harm, or threatening to do physical injury to any person in the work place or members of the public during the execution of duties.
- 11 Deliberately giving untrue or incorrect information orally or in writing.
- 12 Bringing into or consuming alcohol or unlawful drugs onto the premises or within the Authority premises. Definition of Authority Premises to exclude messes and residential areas
- 13 Obtaining leave, especially sick leave, by false pretences, or obtaining false medical certificates in order to obtain leave.
- 14 Using abusive language at or in front of clients or fellow employees.

Stamp: ZIMBABWE REVENUE AUTHORITY, 03 FEB 2003, HARARE

- 15 Making offensive or insensitive remarks to fellow employees or clients.
- 16 Conviction in any court of law in respect of all offences not covered in section D19.
- 17 It shall be an offence to consume alcohol during working hours.

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- 3 FEB 2003  
HARARE

## GROUP D: MOST SERIOUS OFFENCES

## Maximum Penalty

First Offence
Dismissal



- 1 Absence from work for five or more consecutive working days without reasonable excuse.
- 2 Wilful or intentional loss/damage of property regardless of the value of such property.
- 3 Wilfully applying a wrong use, or unauthorised purpose, to funds, assets or property such as rolling over funds and failing to bank funds within the set time limits.
- 4 Theft - Stealing from the employer, colleagues and clients.
- 5 Knowingly aiding or assisting in theft.
- 6 Any act by an employee to interfere with the normal operations of the Authority by damaging any equipment, tampering with information and information systems, raw materials or products or by interrupting any supplies of power, fuel, materials or services necessary to the operations.
- 7 Any participation in unlawful strikes or go slow action where there is a lack of compliance with current labour legislation.
- 8 Lack of skill, which the employee expressly or by implication holds himself out to possess.
- 9 Gross negligence in the execution of duties.
- 10 Gross levels of documented poor performance, due to lack of skill or other reasons, where the employee falls short of minimum requirements and as a result fails to perform his duties or fulfil his job responsibilities.
- 11 Refusing without reasonable excuse to perform emergency work whether or not notice is given.
- 12 Engaging in violence or inciting persons to engage in violent behaviour resulting in damaging the employer's property.

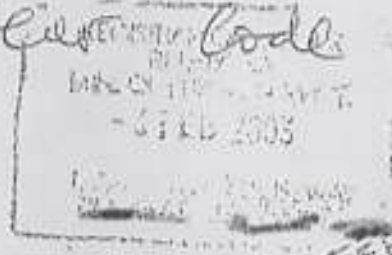
- 13 Threatening or use of dangerous weapons such as firearms or knives on the Authority's premises.
- 14 Sexual harassment. This is unwarranted conduct of a sexual nature, which affects the dignity of men and women at work. It involves unwanted, unwelcome, unsolicited and offensive sexual advances, contacts or comments. These include deliberate or repeated sexual gestures, sounds, pictures, graphic material and physical assaults. It includes physical, verbal and non-verbal conduct, which is offensive, intrusive, degrading or intimidating.
- 15 Any violence, (such as fighting/assault) towards fellow employees and clients.
- 16 Falsification of records and documents and/ or writing false information onto Authority documents.
- 17 Giving or receiving or attempting to give or receive any bribe, or performing or attempting to induce any person to perform any corrupt act. This includes extortion and embezzlement.
- 18 Conviction in any court of law for any offence, not necessarily involving work, where dishonesty; fraud is material element; violence like murder; culpable homicide; causing grievous bodily harm, or abuses such as rape or sodomy.
- 19 Criminal conviction in a court of law for any drug offence, relating to possession, purchase, sale or use of drugs.
- 20 Disclosing information obtained in the course of one's duties, which has been classified as "confidential", including talking to the media without prior approval.
- 21 Refusal to obey a lawful order or instruction given by a person in Authority.
- 22 Not following grievance procedures and referring complaints direct to media or external sources, subject to section 6 (1)(e) of the Labour Relations Act.
- 23 Being under the influence of alcohol where the alcohol content is above the legal limit and/ or illegal drugs whilst at the Authority or on Authority's business. ~~\_\_\_\_\_~~
- 24 Colluding with clients to undervalue or wrongly classify goods, or to cause revenue loss.
- 25 Carrying out any act, which is inconsistent with the express or implied conditions of the contract of employment.
- 26 Deliberate misrepresentation of facts in the declaration of assets.
- 27 Conducting private work, without permission, for any other organisation where there is an actual or potential conflict of interest.

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 LEGAL SERVICES DIVISION  
 14 FEB 2005

28 Failing to uphold ethical and professional standards of behaviour within the work place including practising nepotism and victimising, threatening or harassing subordinates or colleagues or making continued employment conditional in any way.

W	CHIKWIRA	Chikwira	DATE 10/03/03
F	BIRI	Biri	DATE 10-03-03
A	BASERA	Basera	DATE 10-03-03
T	M BAMBWA	Mbambwa	DATE 10-03/3
M	MATINA	Matina	DATE 10/03/03

The above admission staff acknowledge receipt of their Code of Conduct copies



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## PART II

## SECTION A: GRIEVANCE PROCEDURE

## APPLICATION

## 1. GOAL OF THE GRIEVANCE PROCEDURE

A grievance is any dissatisfaction or feeling of injustice arising out of a work situation. The procedure below defines guidelines for settling such grievances amicably and fairly.

## 2. GENERAL PRINCIPLES

- 2.1 Employees should try to settle grievances as close to the source of occurrence as possible, i.e. with the relevant supervisor or manager. All parties must make every effort to sort out problems in-house.
- 2.2 Every effort should be made in all grievance cases to arrive at an equitable settlement.
- 2.3 Every employee has the right to seek redress for any grievance, whether it affects him or her individually or with other employees.
- 2.4 Small grievances can develop into larger frustrations affecting both productivity and work relations. Grievances should be investigated and resolved quickly so that the atmosphere in the work place remains positive.
- 2.5 When an employee has a grievance pertaining to his employment and wants to seek redress, he must follow the steps outlined in this grievance procedure.
- 2.6 Where a grievance arises out of a lawful and reasonable order given by Management, the order shall be complied with before the employee takes action in terms of the grievance procedure.
- 2.7 It shall be presumed that the employee accepts decisions made at any stage of the proceedings unless he submits an appeal, or written notice of continued dissatisfaction, within five (5) working days of being notified of the decision.
- 2.8 Subject to section 6(1)(e) of the Labour Relations Act, individuals who do not follow the laid down grievance procedure will face disciplinary action.
- 2.9 In all grievance cases, the employee may be represented by a representative of their choice.

2.10 Records should be kept of any proceedings.

### 3. PROCEDURE FOR INDIVIDUAL GRIEVANCES

3.1 Stage 1: An aggrieved employee shall lodge his grievance in writing with his supervisor. The supervisor shall investigate the circumstances surrounding the grievance, and shall arrange for a hearing as soon as possible. The supervisor will attempt to resolve the grievance within three (3) working days. A longer period may be taken if this is agreed in writing with the employee concerned.

3.2 Stage 2: If the supervisor is unable to solve the grievance within the given time period, the matter shall be referred to the next level of management. The manager will investigate and attempt to resolve the grievance within five (5) working days. A longer time may be taken if this is agreed with the employee concerned. A hearing will be held with the participation of all those concerned.

3.3 Stage 3: If the matter is not resolved to the employee's satisfaction within the time allowed, the grievance should be referred to the Disciplinary and Grievance Committee in the case of non managerial employees and to the Labour Relations Tribunal in the case of Managerial employees. The Disciplinary and Grievance Committee will then conduct a formal enquiry. The procedure is as follows:

3.3.1 A hearing should be held within 5 working days of the matter being referred to them, unless there are sound reasons for a longer delay.

3.3.2 The employee who raised the grievance shall have the right to representation or assistance at the hearing by a maximum of 2 employees who are members of the Workers' Committee, managerial representatives or others of his choice.

3.3.3 Representatives shall be entitled to reasonable time off during working hours to investigate the grievance, provided that permission is first obtained in order that the normal work routine is not unduly interrupted.

3.3.4 A record of hearing proceedings shall be kept and all grievances and statements shall form part of the record.

3.3.5 The Committee shall attempt to establish the correctness of the grievance, and shall invite any representatives of all parties to describe and explain actions taken.

3.3.6 The Committee shall be permitted to adjourn the proceedings for the purpose of further investigation or consultation if considered necessary.

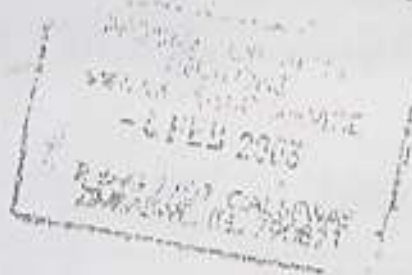
3.3.7 Within seven (7) days of the conclusion of the enquiry, the Committee shall decide if a legitimate grievance exists, and if it is found to exist, shall make a decision that resolves the grievance.

3.4 Stage 4: If the Committee is unable to resolve the matter, or if the Employee is dissatisfied with the outcome of the enquiry; he shall refer the matter to the Labour Relations Tribunal.

#### 4. PROCEDURE FOR COLLECTIVE GRIEVANCES

4.1 A collective grievance is a general one which applies to several employees or to the whole Authority. Worker's Committee representatives or managerial representatives will usually raise collective grievances.

4.2 If the grievance is not related to a particular division, the procedure shall be according to that laid out for Stage 3 with individual grievances, which involves referring the matter to the Grievance Committee. Following this, if the matter is not resolved, it could proceed to Stage 4.



AGREEMENT AND APPROVAL OF CODE OF CONDUCT

Following consultation, discussion and amendment of the draft Code of Conduct by both Management and Workers Committee representatives, the Code has been agreed.

Following this agreement, the Code of Conduct is approved and should now be registered with the Ministry of Public Service, Labour and Social Welfare.

Signed and agreed at Harare on this 22nd day of November 2002 by the following:-

[Signature]  
Management Representative Signature

[Signature]  
Workers Committee Signature

[Signature]  
Name (Please Print)

KATHLEHO MANDIJA  
Name (Please Print)

[Signature]  
Management Representative Signature

[Signature]  
Workers Committee Signature

CHARLES TAPPE  
Name (Please Print)

MOVEN IWIKA  
Name (Please Print)



[Signature]  
Witness Signature

[Signature]  
Witness Signature

P. N. D. LOVIN  
Name (Please Print)

T. T. TIMMOT  
Name (Please Print)