Collective Bargaining Agreement: Air Transport Industry (Code of Conduct)

IT is hereby notified that the Minister of Public Service, Labour and Social Welfare has, in terms of section 101 of the Labour Act [*Chapter 28:01*], published the Collective Bargaining Agreement set out in the Schedule.

SCHEDULE

## NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

## COLLECTIVE BARGAINING AGREEMENT: AIR TRANSPORT INDUSTRY

## (EMPLOYMENT CODE OF CONDUCT AND GRIEVANCE PROCEDURE)

This agreement, to be known as the "Air Transport Code of Conduct and Grievance Procedure" has been made and entered into in accordance with the provisions of the Labour Act [*Chapter 28:01*], between the Employers' Association for the Air Transport Industry (hereinafter referred to as the "employers") and the Employees Association for the Air Transport Industry) (hereinafter referred to as the "employees") being parties to the National Employment Council for the Air Transport Industry.

### ARRANGEMENT OF SECTIONS

*Section*

1. Name of the Code.
2. Preamble.
3. Interpretation of terms.
4. Policy.
5. Scope of the Code.
6. Objectives of the Code.

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*Section*

7. Committees.
8. Misconduct.
9. Procedure on misconduct.
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11. Appeal procedure.
12. Rights of the employee.
13. Category and type of misconduct.
14. Validity of sanction.
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*Name of the Code*

1. This Code of conduct may be cited as the National Employment Council for the Air Transport Industry (NECATI) Employment Code of Conduct, hereinafter referred to as the Code.

*Preamble*

2. The Code has been made in terms of the Act read together with Statutory Instrument 379 of 1990 and Statutory Instrument 15 of 2006 and forms as integral part of the employees' condition of service.

*Interpretation of terms*

3. —

"Act" means the Labour Act;

"chairperson" means the Chairperson of the Council;

"Collective Bargaining Agreement" means an agreement negotiated in accordance with the Act which regulates the terms and conditions of employment of employees;

"Council" means the National Employment Council for the Air Transport Industry;

"day" means a working day and excludes Saturdays, Sundays and public holidays;

"Deputy Chairperson" means the Deputy Chairperson of the Council;

"discipline" means conformity to set standards, rules and regulations;

"disciplinary action" refers to the steps taken to correct a condition of poor discipline and other forms of misconduct;

"employee" means any person employed by or working for an employer and receiving or entitled to receive any remuneration in respect of such employment or work;

"employees organisation" means any association or organisation formed to represent or advance the interests of any employee or employees;

"employer" means any person whatsoever who employs or provides work for another person and remunerates or expressly or tacitly undertakes to remunerate such person and includes the manager, agent or representative of such person who is in charge or control of the work upon which such other person is employed;

"employers organisation" means any association or organisation formed to represent or advance the interest of any employer or groups thereof in respect of matters relating to employment;

"levy" means any monies levied by the Council;

"member" means a member of the Council including the Chairperson or Deputy Chairperson;

"National Employment Council for the Air Transport Industry" (hereinafter called NECATI) means the employment council formed in terms of the Act;

"trade union" means any association or organisation formed to represent or advance the interests of any employee or class thereof;

"unfair labour practice" means an unfair labour practice specified in the Act or declared to be so in terms of any provisions of the Act.

**NOTES**

***(a) words defined in the Act shall have the same meaning herein;***

***(b) any words referring to masculine gender shall be deemed to include the feminine gender.***

*Policy*

4. (1) The Employment Council commits itself to principles of democracy in the work place, fairness and natural justice. Consequently discipline should be corrective rather than punitive in nature unless the circumstances surrounding the case warrants otherwise.

(2) The Council recognises that discipline behaviour within the framework of standards rules and regulations is essential for well-being of employee and for the successful continuance of employment that discipline behaviour within the framework of standards, rules and regulations is essential for well-being of employees and for the successful continuance of employment.

(3) This Code shall remain in force until such time that it is revised or amended by the Council.

*Scope of the Code*

5. The Code shall apply to employees in the Air Transport Industry including those on—

(a) permanent employment terms;

(b) temporary employment terms;

(c) probation;

(d) cadets/trainees.

*Objectives of the Code*

6. —

(a) to provide a frame work of rules and procedures for the guidance of employees in matters concerning discipline in the industry;

(b) to provide for investigation of offences before any corrective and/or disciplinary action;

(c) to promote justice in all matters;

(d) to ensure consistency and prompt action by the responsible authority in all matters concerning discipline;

(e) to provide guidelines on procedural and substantive fairness and justice in handling disciplinary matters at the workplace.

*Committees*

7. —

**(a) Investigations Committee**

This is a committee which will carry out the required investigations pertaining to an allegation case and will submit within three working days its findings to the Human Resources department. The committee is composed of—

(a) chairperson appointed by the employer from within the organisation;

(b) one worker representative;

(c) one worker representative.

**(b) Disciplinary Committee**

This is a committee which will preside over the alleged misconduct to determine the appropriateness of the charge and determine the level of sanction. The Disciplinary Committee is composed of—

(a) a Chairperson, who is a head of department; and

(b) two management representatives; and

(c) two worker representatives – one from the workers committee and the other from the trade union; and

(d) a secretary who will take minutes of the proceedings.

The Chairperson shall be a neutral person who shall guide proceedings and should have the power of a casting vote. Decisions shall be put to vote and the Chairperson shall have a casting vote.

**(c) Appeals Committee**

This is a committee which will hear appeals following disciplinary actions recommended against offending employees by a Disciplinary Committee. The Appeals Committee is composed of—

(a) a Chairperson, who is a head of department; and

(b) two management representatives; and

(c) two worker representatives – one from the workers' committee and the other from the trade union; and

(d) a secretary who will take minutes of the proceedings.

**(d) Grievance Committee**

This is a committee set up to handle grievances and is made up of—

(a) a Chairperson, who is Head of Human Resources/ Personnel or the alternate; and

(b) two management representatives; and

(c) two worker representatives – one from the workers committee and the other from the trade union; and

(d) a secretary who will take minutes of the proceedings.

*Misconduct*

8. (1) When an employee is alleged to have committed a misconduct in terms of his or her contract, the immediate supervisor shall investigate the alleged offence and if warranted disciplinary action will be taken in accordance with the procedures set out in this code.

(2) Typical examples of misconduct are listed in order or increasing severity and associated level of sanction in Part 1 to 5 of section 13 of this Code as follows:

| | | |
|---|---|---|
| Misdemeanours | Part 1 | Verbal Warning |
| Minor misconduct | Part 2 | First Recorded Warning |
| Serious misconduct | Part 3 | Severe Warning |
| Very serious misconduct | Part 4 | Final Warning |
| Gross misconduct | Part 5 | Dismissal |

*Procedure on misconduct*

9. (1) Any allegation of misconduct may be levelled against any employee by any other person or employee. All such allegations should be put in writing and directed to the Departmental Head with a copy to the Personnel or Human Resources Division. The Departmental Head or any other appropriate Departmental Head shall assign the alleged offender's immediate superior to appoint an investigation committee which is constituted in terms of this Code and will instruct the alleged offender to submit a written report on the alleged misconduct within 48 hours. The Investigations are not part of the disciplinary hearing process.

(2) The written report will be submitted to the alleged offender's immediate superior and a copy to the Investigating Committee. On receipt of the Investigating Committees' report, where appropriate, the immediate superior shall proceed to classify the alleged of misconduct in terms of the applicable part of the schedules in section 13 of this Code. The immediate superior shall direct the matter to the appropriate Departmental Head having jurisdiction in that area who will notify the alleged offender in writing at least three working days before the hearing date.

(3) The notice will specify—

(i) the nature of the act(s) of misconduct the alleged offender is charged with; and

(ii) the date, time and place of the hearing proceedings; and

(iii) the consequences of failure to attend; and

(iv) his or her rights as provided for in section 12 of this Code.

(4) The Human Resources/Personnel Division will set up a disciplinary committee which he or she shall chair and will advise the disciplinary committee of the date, time, place and the charges being levelled against the alleged offender and shall provide them with any copies of documents including statements of witnesses at least three days before the hearing date.

(5) The Departmental Head will summon by whatever practical means all witnesses to attend the hearing to give oral evidence or produce any relevant exhibits.

(6) Such a hearing shall be attended by and in the presence of:

(i) the alleged offender;

(ii) the complainant, who shall be the appropriate immediate supervisor; and

(iii) all members of the disciplinary committee.

(7) The alleged offender shall at his own expense appear before the hearing panel in person and if the alleged offender is required to move to another station the company or organisation will provide transport.

(8) Should for any reason the alleged offender be unable to attend the hearing, he or she shall inform the chairperson in writing at least two working days before the date of the hearing and the chairperson may postpone the hearing to some other suitable date but within the stipulated time.

(9) A hearing may be held in the absence of the alleged offender if after being notified twice he or she does not attend, and has not notified the chairperson in writing and it will be recorded that the hearing had been conducted in the absence of the alleged offender.

(10) Should reasonable efforts to locate the alleged offender fail, the hearing or any other process related to the hearing will commence if delivery has been effected to the last known address of the alleged offender.

(11) The decision of the disciplinary committee shall be formally given to the alleged offender within three working days of the hearing.

*Suspension*

10. (1) In the case of all offences, the alleged offender may be suspended from duty with or without pay and benefits for a period not exceeding 14 days if one's continued presence is likely to hinder or obstruct investigations.

(2) Should investigations show that the alleged offender has a case to answer, hearing proceedings shall be conducted in terms of this Code.

(3) If a dismissal penalty is to be effected for an employee who was on suspension, the effective date of dismissal shall be the initial date of suspension.

(4) Should investigations show that the employee has no case to answer, the suspension will be lifted with effect from the date of suspension without loss of pay and benefits.

*Appeal procedure*

11. (1) Any employee who is aggrieved by the disciplinary action resulting from a disciplinary hearing from any case of misconduct may lodge an appeal in writing to the Human Resources or Personnel Department stating the grounds of appeal within three days of receipt of disciplinary decision.

(2) Human Resources or Personnel shall recover the record and all reports of the hearing proceedings and direct them to the Chairperson of the Appeals Committee.

(3) The Chairperson shall convene a hearing within seven working days from the date of appeal.

(4) The decision of the Appeals Committee shall be given to the appellant within three working days from the date of the appeal hearing.

(5) All disciplinary actions initially determined shall be implemented notwithstanding any appeal and shall continue in force until superseded or set aside by any subsequent determination resulting from an appeal.

(6) Any employee who is still aggrieved after the internal procedures have been exhausted may appeal and/or review to the National Employment Council within 14 working days in terms of the Act and regulations.

*Rights of the employee*

12. The alleged offender, at any hearing convened shall be entitled to—

(a) present his or her case and to question any witness giving evidence against him or her on any material issue without being unduly interrupted or discouraged in any manner;

(b) representation by a person of his or her choice, including a lawyer, but not by a member who will be part of the Appeals Committee;

(c) call witnesses, if any, to testify in his or her favour;

(d) have access to documents and exhibits to be used at the hearing;

(e) provision of the services of an interpreter at the company or organisation's expense if he or she does not understand or express himself or herself in English provided he or she informs the secretary of the hearing panel his or her need for such services at least two days before the date of the hearing;

(f) object to have his or her case heard in the presence of any particular member of the hearing panel, stating the reasons thereof, after which the hearing panel shall first determine such objection and if satisfied that the objection is valid have the member replaced before commencing or resuming proceedings.

*Category and type of misconduct*

13. —

SCHEDULE PART 1

**MISDEMENANOURS**

**LEVEL OF SANCTION—VERBAL WARNING**

Misconduct in this part should be classified as being of a very minor nature unless repeated and the sanction should be given to the alleged offender by his or her immediate supervisor verbally in the presence of a worker representative.

1. *Poor time keeping/absenteeism without prior permission or reasonable excuse—*

(a) arriving late at the workplace, including after a laid down official break;

(b) departing early from the workplace during specified hours of work;

(c) unauthorised absence from the workplace during specified hours of work.

2. *Unsatisfactory work performance*

Unsatisfactory work performance of a minor nature.

3. *Undisciplined/disorderly behaviour*

(a) reading any newspaper, magazine, book or any other literature not related to official duty during specified hours of work;

(b) minor, negligent damage to, loss or misuse of Company property;

(c) a minor breach of Company rules and/or regulations;

(d) loitering in any place while on duty.

SCHEDULE PART 2

**MINOR MISCONDUCT**

**LEVEL OF SANCTION—FIRST RECORDED WARNING**

Misconduct in this part should be classified as minor misconduct in nature unless repeated and the sanction should be given to the alleged offender by his immediate supervisor in writing.

1. *Poor time-keeping/absenteeism*

Failure of an employee to notify his or her absence from the workplace for one day.

2. *Undisciplined/disorderly behaviour*

A case of—

(a) failure to carry out a lawful instruction or order which is correctly and properly given;

(b) rudeness to colleagues or persons in authority;

(c) use of abusive language for any person or groups of persons;

(d) disregard of safety, health or security instructions including failure to wear the prescribed uniform or protective clothing supplied;

(e) indulging in unruly behaviour;

(f) loitering during specified hours of work.

3. *Repeated misconduct*

A repetition of any offence contained in Schedule Part 1.

SCHEDULE PART 3

## SERIOUS MISCONDUCT

## LEVEL OF SANCTION—SEVERE WARNING

Misconduct in this part should be classified as being of a very serious nature and warrants severe disciplinary action. The sanction should be given to the alleged offender after a disciplinary hearing by Human Resources/Personnel.

1. *Poor time-keeping/absenteeism*

(a) being absent from duty for two consecutive working days without prior permission, reasonable excuse or valid reason;

(b) being absent from duty as a result of an employee failing to meet roistered pick-up for duty;

(c) abandonment of a posted position.

2. *Poor performance*

A case of—

(a) improper, negligent, inefficient or incompetent performance of duty;

(b) failure to report any damage, loss or misuse of Company property;

(c) failure to report any loss or misuse of company monies.

3. *Undisciplined/disorderly behaviour*

   (a) being in possession of or bringing on to company premises at any time unsealed alcoholic drink;

   (b) being in possession of or bringing on to company premises at any time non-medical narcotic substances and/or drugs;

   (c) gambling on company premises;

   (d) falsely claiming for reimbursement of expenses or allowances (including shift and overtime) or the authorisation of such invalid claims;

   (e) unauthorised opening or tempering with mail or post;

   (f) removal of an authorised notice/sign or placing up an unofficial notice/sign or any other writing on Company property;

   (g) abuse of sick leave benefits;

   (h) abuse of company facilities for personal use;

   (i) abuse of any concessions in the Staff Regulations Manual;

   (j) failure to report for agreed overtime or roistered duty without valid reason;

   (k) rudeness to customers;

   (l) smoking in a designated (No Smoking Area).

4. *Repeated misconduct*

   A repetition of any offence in Schedule Part 2.

SCHEDULE PART 4

**VERY SERIOUS MISCONDUCT**

**LEVEL OF SANCTION—FINAL WARNING**

Misconduct in this part should be classified as being of a very serious nature and warrants very severe disciplinary action. The sanction should be given to the alleged offender after a disciplinary hearing by Human Resources/Personnel.

1. *Absenteeism*

Being absent from duty for three or four consecutive working days without permission, valid reason or reasonable excuse.

2. *Poor performance*

(a) Disposing of defective work;

(b) Concealing of defective work.

3. *Undisciplined/disorderly behaviour*

(a) sleeping on duty during working hours;

(b) wilful and unlawful damage to company property;

(c) driving any company vehicle or equipment without authority and/or valid driver's licence;

(d) inciting another employee or employees to disregard or disobey standing instructions or regulations;

(e) indulging in unruly and/or disorderly behaviour;

(f) consuming alcoholic drinks whilst on duty on company business excluding courtesy drinks;

(g) taking drugs whilst on duty on company business except for drugs prescribed for medical reasons;

(h) breaking of company security regulations including permitting unauthorised and lawful entry of persons onto company premises or equipment;

(i) carrying of non-employees and/or unauthorised passengers on company vehicles and/or equipment;

(j) making false allegations or bearing false witness to misconduct in terms of the Code;

(k) indulging in sexual harassment as defined in the definitions of the Act;

(l) negligence in the performance of duties.

4. *Repeated misconduct*

A repetition of any offence in Schedule Part 3.

SCHEDULE PART 5

## GROSS MISCONDUCT

## LEVEL OF SANCTION—DISMISSAL

Misconduct in this part should be classified as being of a very gross nature inconsistent with continued employment and warrants termination of the alleged offender's contract of employment.

Sanction will be given by Human Resources/Personnel following determination by the Disciplinary Committee.

1. *Absenteeism*

Being absent from duty for five or more consecutive workings days without prior permission, reasonable excuse or valid reason.

2. *Poor performance*

A case of—

(a) habitual and/or substantial neglect of duty;

(b) wilful disobedience to a lawful instruction;

(c) lack of skill which the employee expressly or implicitly held himself or herself to possess;

(d) gross negligence, negligent, carelessness and inefficient performance of duty;

(e) having given false or misleading information as to qualifications, experience, falsified documents and/or personal details in order to secure employment.

3. *Undisciplined/disorderly behaviour*

A case of—

(a) intoxication due to alcoholic drinks or drugs excluding drugs prescribed for medical reasons;

(b) driving a company vehicle and/or equipment whilst under the influence of alcohol and/or drugs;

(c) indulging in dishonest and/or improper practices;

(d) obstructing or hindering the course of justice;

(e) tampering with customer property.

4. *Serious acts*

(a) forgery including falsifying of any signature, document and/or information;

(b) sabotage against the company;

(c) assault of any person whilst on company premises or equipment;

(d) theft;

(e) fraud;

(f) embezzlement and/or misappropriation of company funds;

(g) smuggling;

(h) taking or soliciting of bribes or any other favour in connection with company business;

(i) engaging in corrupt activities which include nepotism, racism, tribalism, favouritism, victimisation, creed, sex and any other form of corruption;

(j) being convicted and sentenced to imprisonment by any court of law without the option of a fine.

5. *Repeated misconduct*

A repetition of any offence contained in Schedule Part 4.

*Validity of sanctions*

14. —

| | |
|---|---|
| Verbal Warning: | One month |
| First Written Warning | Three months |
| Severe Written Warning | Six months |
| Final Written Warning | Twelve months |

*Note: The warning or sanction is progressive should an employee commit another offence of similar nature.*

*Grievance handling*

15. (1) This is necessary whenever an employee (employees) is aggrieved in respect of employment conditions, career, and relationship with other employees (including managers) and any other employment related matters.

(2) The procedure should be resolved as efficiently and timeously as possible in the following manner—

1. with his or her immediate supervisor. The supervisor shall inform the aggrieved employee in writing of the decision arrived at within five working days from the date the matter was brought to his or her attention. The aggrieved person shall have three working days to appeal to the next level is unsatisfied with the decision given.

2. if the grievance is not resolved then the matter will be referred to the next level of authority. The next level of Authority shall inform the aggrieved employee in writing of the decision arrived at within seven working days from the date the matter was brought to his or her attention. The aggrieved person shall have three working days to appeal to the next level is unsatisfied with the decision given.

3. should all the levels of the organisation be exhausted then the employee will make a written appeal to the Grievance Committee. The Grievance Committee shall inform the aggrieved employee in writing of the decision arrived at within 14 working days from the date the matter was brought to his or her attention.

4. should the Grievance Committee fail to resolve the matter it will be referred to the designated agent at National Employment Council for the Air Transport Industry within seven working days

*Note: If the grievance is resolved at any level the corrective action agreed upon shall be implemented.*

*Forms*

Form (I)

16.—

**NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY**

**EMPLOYMENT CODE OF CONDUCT**

**COMPLAINT FORM**

Name: .....

Department:.....
(OF EMPLOYEE WHO THE COMPLAINT REFERS)

Nature of offence/s: .....

.....

.....

Details of offence/s: .....

.....

.....

Date: .....

Signature: .....

Name of supervisor/Manager lodging the complaint: .....

.....

Signature: .....

Form (II)

**NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY**

**EMPLOYMENT CODE OF CONDUCT**

**GRIEVANCE FORM**

Name:.....

Department:.....
(OF THE EMPLOYEE LODGING THE GRIEVANCE)

Department:.....

Position: .....

Nature of Grievance/s: .....

.....

Details of Grievance/s:.....

.....

Date: .....

Signature: .....

Name of supervisor/Manager lodging the Complaint:.....

.....

Signature: .....

Form (III)

**NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY**

**EMPLOYMENT CODE OF CONDUCT**

**NOTIFICATION OF DATE OF HEARING**

Name: .....

Department: .....

Position: .....

(OF THE EMPLOYEE)

Nature of alleged offence: .....

Date of hearing: .....

Time : .....

Venue: .....

Hand delivered to the employee concerned: .....

.....

Acknowledgement of receipt: Name: .....

Signature: .....

Date: .....

Name: .....

Signature: .....

(OF MANAGER/SUPERVISOR)

Form (IV)

**NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY**

**EMPLOYMENT CODE OF CONDUCT**

**RECORD OF PROCEEDINGS**

❖ N.B: If the space provided does not suffice, please use a separate sheet of paper.

Name:.....
(OF THE EMPLOYEE WITH OFFENCE/GRIEVANCE)

Department: .....

Position: .....

Date of hearing:.....

Time: .....

Venue: .....

Present: Representing Management: .....

Representing Employee/s: .....

Nature of offence: .....

Facts of matter: .....

Statement by complainant (person alleging offence): .....

.....

Statement by employee concerned(respondent): .....

.....

.....

Statement by witness if any:

(1) .....

.....

(2) .....

.....

(3) .....

.....

Committee deliberations:

.....

.....

Decision to be implemented:

.....

.....

Notes recorded by:

Name:.....

Signature: .....

Designation: .....

Date:.....

Form (V)

**NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY**

**EMPLOYMENT CODE OF CONDUCT**

**WARNING LETTER**

❖ First warning/Final warning (delete inapplicable)

Name: .....

Department: .....
(OF PERSON BEING GIVEN THE WARNING)

Department: .....

Position: .....

Nature of Grievance/s: .....

This letter serves as a warning for breaching the National Employment Council for the Air Transport Industry Code of Conduct reference describe the nature of offence and quote the appropriate section of the code):

.....

.....

Please ensure that in future you adhere to the code of conduct. You can appeal against the warning to the Managing Director within 14 working days of receiving this letter. Please sign the portion provided below on a copy of this letter as proof of receipt. (Should the employee refuse to sign this letter then the Manager will merely endorse the letter indicating that the employee has refused to sign and the letter will then be filled accordingly).

Manager's Name:.....
Signature: .....
Date: .....
Employee's Name:.....
Signature:.....
Date: .....

Form (VI)

**NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY**

**EMPLOYMENT CODE OF CONDUCT**

**DECISION OF THE DISCIPLINARY COMMITTEE**

Name: .....

Branch: .....

(OF PERSON BEING DISMISSED)

Department: .....

Position: .....

Nature of Offence/s and quote the appropriate section of the code:

.....

Following a disciplinary hearing held on the .....

.....

A decision has been made to relieve you of your duties with effect from the .....

You can appeal against the dismissal to the Human Resources or Personnel Department within 3 days of receiving this letter. Please sign a copy of this letter as proof of receipt of the letter.

Chairman (Disciplinary Committee): .....

Employee Representative: .....

Employee: .....

Grade: .....

Form (VII)

**NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY**

**EMPLOYMENT CODE OF CONDUCT**

**NOTICE OF APPEAL**

❖ NB: This notice must be lodged within three days of receiving the decision being appealed against

I, .....,
(Name and position of person noting the appeal)

of .....
(Name of branch and Department)

hereby note an appeal to the Appeals Committee from the attached decision. The grounds on which I note this appeal are as follows:

.....

.....

.....

I wish to summon the following persons to attend the appeal as my witnesses:

1. .....

2. .....

Noted and delivered to the office of the Human Resources Manager on .....

.....

Form (VIII)

**NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY**

**EMPLOYMENT CODE OF CONDUCT**

**DECISION OF THE APPEALS COMMITTEE**

Name of appellant: .....

Branch: .....

Department: .....

Nature of grievance/s: .....

.....

Following your appeal against the decision of the disciplinary Committee, and the subsequent appeal hearing on the ....., the following decision has been made—

(a) the decision of the Disciplinary Committee has been set aside;

(b) The decision of the Disciplinary Committee has been upheld.

If the answer is (a) please specify the new decision: .....

.....

If the answer is (b):- You can appeal against warning/ dismissal (delete inapplicable) to the National Employment Council for the Air Transport Industry within 14 working days of receiving this letter.

Please sign the portion provided below on a copy of this letter as proof of receipt.

Chairperson: ..... Date: .....

Employee: ..... Date: .....

Employee Rep..... Date: .....

**MEMORANDUM OF AGREEMENT**

**BETWEEN**

**Air Transport Union ( ATU)**

and

**National Airways Workers Union (NAWU)**

and

**Zimbabwe Aircraft Maintenance Engineering Association (ZAMEA)**

(hereinafter called employee representatives)

and

**Employers' Association for the Air Transport Industry**

(hereinafter called employer representatives)

1. Pursuant to the NEC Air Transport meeting held on 14th of February, 2014 at Holiday Inn it was agreed to have an NEC employment code for the industry.
2. Therefore the employer and the employee representatives hereby agree to the registration of the said code in terms of section 101 of the Labour Court.
3. Both employer and employee representatives hereby certify that they were involved in the discussions and drafting of the NEC Code.
4. Now, therefore, both parties agree to be bound by the terms, conditions and contents of the code.

Thus done at Harare on 3rd of November, 2014.

S. SKILTON,
*for and on behalf* of employer representatives.

E. CHIRIPASI,
*for and behalf* of employee representatives.

M. W. MADZURA,
Witness.