



**WORKING TOGETHER FOR OUR COMMUNITY**

*Since 1981*

## **Procedures for Disciplinary Action and Dismissal of Volunteers**

### **1 Background**

1.1 This policy has been prepared by the Management Committee of Eurobodalla Access Radio Incorporated (EAR Inc.), to comply with Code 2.3(d) of the Community Radio Codes of Practice 2008, relating to Volunteers at radio station 2EAR FM. It was approved at meeting of the Management Committee 26<sup>th</sup> February 2020

1.2 See also the policy on Volunteering at 2EAR FM to be found elsewhere in the 2EAR FM Policy and Procedures Manual.

1.3 Volunteers are an essential resource for the operation of 2EAR FM, and our primary aim is to encourage and support their contribution to our station. Yet there may be times when a Volunteer should receive counselling, guidance/disciplining and in extreme cases, dismissal.

1.4 We undertake to handle such circumstances in a professionally objective manner, ensuring communication between our station and the Volunteer is clear, fair, objective and remains within the policy outlined below.

1.5 Throughout the process our Management Committee will examine its own operations as well as those of the station and will consider the circumstances, actions and behaviour leading to the problem. The following questions will guide this process:

- a. Have the roles, values and expectations of the organisation been clearly communicated to the Volunteer and subsequently reinforced during prior conversations regarding the Volunteer's performance?
- b. Are there any other factors that may be contributing to the Volunteer's poor performance e.g. learning difficulties or language barriers?
- c. Has the Volunteer been reminded of expected codes of conduct and consequences for breaches?
- d. Has the Volunteer received training/mentoring and or coaching to improve performance?
- e. Has a verbal and written warning been given to the Volunteer explaining that any further non-compliance will result in suspension or termination of the Volunteering opportunity?
- f. Did the Volunteer have the opportunity to respond to prior verbal and written warnings?

### **2 Purpose**

2.1 This document outlines a policy and procedure for disciplinary measures and dismissal. It aims to provide a clear and fair structure that is understandable to both Management and Volunteers.

2.2 The policy includes an appeals mechanism to ensure a 'right of reply' to a Volunteer who has been disciplined. This is further supplemented by EAR Inc.'s Grievance and Dispute Resolution Policy and Procedure, which may be used when a Volunteer believes he/she has not been fairly heard or that the Procedures for Disciplinary Action and Dismissal of Volunteers have not been appropriately applied.  
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2.3 This document does not include the procedure for expulsion of a Member from the Association, which is detailed in the Constitution of EAR Inc.

### **3 Policy**

3.1 The procedure for disciplinary action of a Volunteer is a three-stage process that includes:

- a. first formal notice in writing,
- b. second formal notice in writing, and
- c. Final Notice to the Volunteer of dismissal from duties.

3.2 For acts that are considered minor, a conversation with the Volunteer may be appropriate. However this will not be considered part of the 'formal disciplinary action' (although it may be referred to in later action).

3.3 Written notice will include details of the alleged infringement and, where practicable, evidence. In a case where the disciplinary measure has been instigated by a Complaint, it may be appropriate to include a copy (with identification removed) or extract of this Complaint.

3.4 Further disciplinary actions, such as a temporary suspension of Volunteer duties for a period of time, may also be appropriate. In such cases these actions will be included with the formal notice in writing.

3.5 Every effort will be taken to ensure that notice of a disciplinary measure, whether formal or informal, will be given at an appropriate time, eg: not immediately prior to, or during a broadcast.

3.6 Formal Notice of a disciplinary measure will be given by The President or Vice-President of the Management Committee

3.7 Volunteers will be provided an appeal against the action. This may take the form of a meeting with the Management Committee or a representation in person and/or in writing to the Management Committee.

3.8 The Volunteer may bring a representative to any such meeting.

3.9 Should an appeal result in a change in the disciplinary action, or removal of it, this change will be confirmed in writing to the Volunteer.

3.10 Conduct which may lead to disciplinary action includes, but is not limited to:

- a. poor timekeeping and unreliability;
- b. failure to follow station rules and policies in force, including programming policies and program briefs;
- c. engaging in acts or broadcasts which may breach the Code of Practice for Community Broadcasters;
- d. engaging in broadcasts which may breach other related legislation such as the Broadcasting Services Act 1992 (which includes sponsorship provisions), copyright or defamation laws;
- e. inappropriate handling or use of station equipment or other property;  
EAR Inc.

- f. rudeness or hostility towards other Volunteers or staff members;
- g. intoxication through alcohol or other substances during working hours; or
- h. publicly bringing 2EAR FM into disrepute.

3.11 Some conduct may be tantamount to 'gross misconduct', in this instance a Volunteer may be dismissed without prior warning.

3.12 Conduct which may be classed as gross misconduct may include, but is not limited to:

- a. verbal or physical harassment of any other Volunteer, employee, Member or guest of 2EAR FM, particularly in respect of race, sex or religion;
- b. wilful damage to or theft of property belonging to 2EAR FM or other Volunteer, employee, Member or guest of 2EAR FM;
- c. falsifications of any of the organisation records for personal gain; or
- d. commercial misrepresentation of 2EAR FM.

3.13 In a case of a Volunteer being dismissed without prior warnings the Volunteer will be provided an appeal as outlined in paragraph 3.7 above.