



## STAFF EMPLOYMENT AND HUMAN RIGHTS POLICY

- ✓ They payroll will be consistent with the abilities of the employee, the working hours etc.
- ✓ All staff will be allowed to join the trade union of their choice.
- ✓ Staff will be expected to work hours according to their hours and overtimes will be paid or given back in time of lieu.
- ✓ All staff is free to enter and leave their employment.
- ✓ We cover all our employees with insurance during the time that they work with us.
- ✓ All staff will be given a contract at the beginning of their employment. We aim to operate an open door report system for staff to communicate with management for any key employment issues which could also include harassment. Our reporting system: The employees should first contact with the head department. If the issue is not clear and solved, then the employees should contact the general manager.
- ✓ **TUI Sensimar Oceanis Beach & Spa Resort** does not offer any kind of reward prior to work, to attract people to be employed.
- ✓ **TUI Sensimar Oceanis Beach & Spa Resort** does not accept any kind of reward for offering job to people.
- ✓ All staff can meet up in working hours, form an association and elect a representative independently, without the involvement of the senior management.
- ✓ All staff can express their complaints by talking at any time freely to the General Manager of the Hotel. In case an employee wants to state an anonymous complaint, there are complaints forms in the staff restaurant.
- ✓ In all cases we should treat them fairly and according to Greek discipline procedures.
- ✓ All staff members are treated equally, without any discrimination regarding gender, sexuality, age, ethnicity, religion, skin color, culture, disabilities, family or social status. Discrimination in our hotel is strictly prohibited.

One of our aims for our staff employment policy is to ensure consistent and fair treatment for all in line with the ACAS Code of Practice, the Employee Relations Act 1999, and the Employment Act 2002.

The Disciplinary process applies to all employees irrespective of length of service.

### RECORDS

All cases of disciplinary action will be recorded in writing and sent to you, a copy will also be placed in your personal file.

### PRINCIPLES

- Counselling does not form any part of the disciplinary procedure and is a meeting, informal or formal between the worker and the manager. Counselling can be used to address such issues as job performance or personal related issues and may solve these issues without the need for disciplinary action to be taken.
- In normal circumstances, disciplinary action will not be taken against a staff member until the issue has been fully investigated. In some cases this will require the holding of an investigatory meeting, in other cases the investigatory stage will be the collation of evidence by the employer for use at any disciplinary hearing.
- If, however Hotel TUI SENSIMAR OCEANIS BEACH & SPA is prevented from conducting an investigation by the police, or other regulatory or statutory body, a disciplinary hearing may take place without a full investigation. Details of any investigation and of any subsequent action will be fully documented.
- Any evidence used when making a decision with regards to disciplinary action will be readily available to the staff member, as long as this does not put any other staff member at risk of harm.
- The employee will be advised of the nature and reasons for the disciplinary meeting against him or her, in writing, and will be given the opportunity to state his or her case before any decision is made. **This does not apply in cases where the employer has exercised his right to use the modified statutory dismissal and disciplinary procedure.**
- No member of staff will be dismissed for a first breach of discipline except in the case of Gross Misconduct, when the penalty will be dismissal without notice or without pay in lieu of notice, or if someone is found unsuitable within their probationary period. The procedure as outlined within the levels of disciplinary warning within this document still needs to be followed.
- All workers have the right to appeal against any disciplinary action that they feel to be unfair as outlined within the levels of the disciplinary warning within this document.

## PROCEDURE

Minor faults will be dealt with informally but where the matter is more serious the following procedure will be used in conjunction with the above principles.

### Disciplinary Steps

#### Investigation

Should a Manager be given information which gives rise to concern over work performance or conduct, it is important to carry out necessary investigations of potential disciplinary matters without delay to establish the facts of the case. In some cases this will require the holding of an investigatory meeting with the employee before proceeding to any disciplinary hearing. In others, the investigatory stage will be the collation of evidence by the employer for use at any disciplinary hearing.

At an investigation meeting the employee does not have the statutory right to be accompanied, however, this may be allowed at the employer's discretion., He/she may represent the employee and take notes during the interview on the employee's behalf.

In serious cases there may be witnesses involved and statements will be obtained from them at the earliest opportunity. Relevant documents or records will be assessed before the meeting if necessary. Full notes of the investigation meeting will be taken and held on file.

If, after investigation, the Manager decides to hold a disciplinary meeting you will be given details of the meeting at least two days beforehand. This meeting will be confirmed to you in writing.

Hotel TUI SENSIMAR OCEANIS BEACH & SPA outsource their human resources function, and therefore reserve the right to utilise Personnel Solutions to hold disciplinary meetings and take action on their behalf or to act as the Company witness in any investigation or hearing, in order to ensure a fair process and procedure is followed.

### **Suspension:**

If appropriate the Company may **suspend** you for a period during which time an investigation will be carried out. Whilst on suspension you will continue to receive full pay and you need to ensure that you are available to attend meetings during normal working hours. This suspension will be confirmed to you in writing. Suspension is not disciplinary action. If the allegation could potentially result in the dismissal of an employee – the employee **must** be suspended, to allow a full investigation to take place.

In the event that the employee is unable to attend at their place of work because of bail conditions or the requirements of the regulator or other statutory body the employee may be suspended without pay for an unlimited period of time.

**Modified Statutory Dismissal and Disciplinary Procedure** – to be used in exceptional circumstances only.

### **Step One – Statement of grounds for action**

- The employer must set out in writing:
  - i) the employee's alleged misconduct which has led to the dismissal;
  - ii) the reasons for thinking at the time of the dismissal that the employee was guilty of the alleged misconduct; and
  - iii) the employee's right of appeal against dismissal.
- The employer must send the statement or a copy of it to the employee.

### **Step Two – Appeal**

- If the employee wishes to appeal they must inform the employer in writing.
- If an appeal letter is submitted, the employer must invite the employee to attend a meeting.
- The employee must take all reasonable steps to attend the meeting.
- The employee has the right to be accompanied at the meeting by a fellow employee or a trade union official.
- The appeal meeting need not take place before the dismissal or disciplinary action takes effect.
- Where reasonably practicable, the appeal should be dealt with by a more senior Management company representative than that which took the initial disciplinary action.

- After the appeal meeting, the employer must inform the employee of their final decision and that there is no further course of re-dress within the Company.

## **Disciplinary Action**

### **Unsuitability:**

Should an employee be found unsuitable for the job for which they have been employed, during their induction period a Manager may dismiss, with notice, on the grounds of unsuitability. They will be paid for any holiday accrued.

### **Disciplinary hearing**

At a formal disciplinary hearing the employee will have the right to be accompanied by a work colleague or trade union official. He/she may represent the employee and take notes during the interview on the employee's behalf. Full notes of the disciplinary meeting will be taken and held on file.

The purpose of the meeting is:

- For the allegation(s) and supporting evidence to be heard
- To give the employee the opportunity to respond to the allegation(s) and evidence presented and to raise any points which mitigate the allegation(s). The employee should also be given a reasonable opportunity to ask questions, present evidence and call witnesses. Advance notice should be given if they intend to do this.
- For the Manager, having heard the evidence, to decide what, if any, action is to be taken and to inform the employee.

Following the disciplinary meeting the employee will receive in writing as soon as reasonably practicable the outcome of any disciplinary meeting, what action is required of them and what level of disciplinary warning was issued along with any right of appeal the employee may have.

Where an employee is persistently unable or unwilling to attend a disciplinary meeting without good cause, the employer should make a decision on the evidence that they have available.

## **Levels of Disciplinary Warning**

### **Stage one - Verbal Warning**

If the offence is of a minor nature then a verbal warning may be the most appropriate level. When issuing a verbal warning the consequences of further offences should be explained. The warning will be relied upon for six months.

If conduct/performance is of a more serious nature, or there is no improvement, or there is repeated misconduct, then your Manager has the right to move to Stage Two.

### **Stage Two - First Written Warning**

If the offence is of a more serious nature or a repeated or a secondary offence, then this level of warning may be appropriate. This warning will be relied upon for twelve months.

### **Stage Three - Final Written Warning**

This level would only be appropriate for serious offences. Consistently repeating offences or carrying out subsequent offences may also result in this level of discipline being appropriate. In the event of a serious offence being committed, a First and Final Written warning may be appropriate. This warning will be relied upon for twelve months.

## **Stage Four - Contractual Dismissal**

When every effort has been made to improve the conduct/performance of an individual and yet no improvement has been made, then the decision may be taken to dismiss the employee. This type of dismissal requires a notice period to be given to the employee. The notice requirements can be found in the contract of employment.

### **Summary Dismissal**

This will only be used in cases of gross misconduct. In the case of gross misconduct the employee will be dismissed in this manner, no notice will be given in this instance.

### **Special Notes:**

The possibility of criminal investigation or prosecution before a court of law will not preclude or delay the company from taking disciplinary action. The company reserves the right to make decisions entirely independent from any other proceedings or judgements.

Where disciplinary action is being considered against an employee who is a trade union representative the normal procedure should be followed. Depending on the circumstances, however, it is advisable to discuss the matter at an early stage with an official employed by the union, after obtaining the employee's agreement.

### **Appeal Procedure**

An employee has the right to appeal against any disciplinary action that they feel to be unfair. Should an employee wish to appeal they may do so, in writing, within 5 working days of receipt of the written confirmation of the disciplinary hearing, stating their reasons for the appeal.

Where appropriate a Manager, not involved in the disciplinary proceedings, will hear the appeal. The outcome of that appeal will be confirmed in writing as soon as is reasonably practicable.

You are entitled to be accompanied by a fellow employee or trade union official of your choice.

You will be informed in writing of the results of the appeal hearing as soon as possible.

**The decision made at appeal will be final.**

**Drosos Georgios – Fotis**

Owner TUI Sensimar Oceanis Beach & Spa Resort