

**National Employment Council for Electronics, Communications,
Radio, TV Manufacturing and Allied Industry Code of Conduct**

**EMPLOYMENT CODE OF CONDUCT FOR THE NATIONAL EMPLOYMENT
COUNCIL FOR THE ELECTRONICS, COMMUNICATIONS, RADIO, TV
MANUFACTURING AND ALLIED INDUSTRY IN ZIMBABWE**

PRODUCT OF THE NATIONAL EMPLOYMENT COUNCIL FOR THE ELECTRONICS,
COMMUNICATIONS, RADIO, TV AND ALLIED INDUSTRY IN ZIMBABWE

REGISTERED AT HARARE ON

This²³..... Day of ^{January}..... 2026



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G.M T.T.

National Employment Council for Electronics, Communications, Radio, TV Manufacturing and Allied Industry Code of Conduct

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- Top center: "G.M"
- Top right: "PK"
- Bottom center: "JM"

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PART I PRELIMINARY

1. TITLE

- 1.1 This Code of conduct shall be cited as the National Employment Council for Electronics, Communications, Radio, TV Manufacturing and Allied Industry Code of Conduct and Grievance Handling Procedure, simply referred to as **THE CODE**.
- 1.2 This code is drafted in terms of section 101 of the Labour Act [Chapter 28:01] as read together with SI 379 of 1990.

2 PREAMBLE

- 2.1 The aim of this code is to educate, provide corrective action and ensure that satisfactory standards of discipline are maintained, in conformity with the Labour Act [Chapter 28:01].
- 2.2 This Code sets out general policies and guidelines and also provides uniform procedures to fairly, justly and equitably administer discipline and acts as a formal means of redressing grievances.
- 2.3 Although it is fairly comprehensive, it cannot cover every specific case that can occur hence officials administering the Code and the employees must have regard to the spirit behind it when dealing with such cases. Administering officials shall also act in good faith and discretion must be used when administering the Code of Conduct.

3 APPLICATION

This Code shall apply to all non-managerial employees in the industry, including but not limited to those who are on:

- 3.1 Probation
- 3.2 fixed term contract
- 3.3 permanent contracts and all others employed on
- 3.4 casual terms
- 3.5 graduate training

4 DATE OF OPERATION

- 4.1 The code is to come into operation from the date of its registration by the Registrar of the Ministry of Public Service, Labour and Social Welfare as specified in the Labour Act [Chapter 28:01].



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5 AMENDMENT

5.1 The Code shall be reviewed after every five years in terms of section 101 of the Labour Act (28:01). All amendments shall be registered with the Ministry of Public Service, Labour and Social Welfare.

6 INTERPRETATION AND DEFINITIONS OF TERMS

Any expressions used herein which are defined in the Labour Act [Chapter 28:01] and any amendments thereafter and its related statutory regulations, unless otherwise defined or specified herein have the same meaning as those in the Act. Words in singular sense shall refer to plural sense, unless, the words are inconsistent with the text.

In this Code:-

- 6.1 "Act" means the Labour Act [Chapter 28:01] as amended from time to time.
- 6.2 "Appeals Committee / Authority" means the Appeals Committee established and empowered to hear and determine appeals from decisions of the Disciplinary Committee in terms of this Code.
- 6.3 "Conflict of Interest" means the circumstance of a public officeholder, or the like, whose personal interests might benefit from his or her official actions or influence / or person who finds that one of his or her activities, interests, etc., can be advanced only at the expense of another of them.
- 6.4 "Council" means the National Employment Council for the Electronics, Communications, and Allied Industry;
- 6.5 "Day" refers to any working day.
- 6.6 "Disciplinary Committee" means a committee set up at company level composed of equal employer and employee representatives to preside over and decide over disciplinary cases.
- 6.7 "Electronics, Communications, Radio, TV Manufacturing and Allied Industry" means without in any way limiting the ordinary meaning of the expression, the industry in which employers and employees are associated together for the purpose of repairing, servicing, manufacturing, assembling, supplying, installing, and providing services related to: fixed or mobile communications and allied services, including transmission and infrastructure, computer networks and support products, internet and e-mail service providers, electronic amusement machines, electronic security systems, electronic business equipment, radio and television.
- 6.8 "Employer" means any person whatsoever who employs or provides work for any person in the electronics, communications, and allied industry and remunerates, or expressly or tacitly undertakes to remunerate him including the manager, agent or



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representative of such person first referred to; who is in charge or in control of the work upon which such second person referred to is employed and shall include a self-employed person or working employer;

- 6.9 "Employee" means any non-managerial person employed by or working for an employer, and receiving or entitled to receive any remuneration in respect of such employment or work within the industry from
- 6.10 "Employee representative" means any fellow employee, workers committee member, official from a trade union or a legal practitioner.
- 6.11 "Grievance" means any dissatisfaction or feeling of injustice arising from a condition or general conditions of employment including any behavior on the part of the management or a fellow employee
- 6.12 "Industry Code" means NEC code of Conduct and Grievance Handling Procedure.
- 6.13 "Workplace" means an employee's work station or any location an employee is assigned to perform duties.
- 6.14 "Lawful order" means an order in the interest of the company and within the parameters of one's job.
- 6.15 "Misconduct" means inappropriate behavior to that expected of an employee in terms of his duties and obligations.
- 6.16 "Offence" means an act of misconduct
- 6.17 "Disciplinary Committee Chairperson" means a person appointed by the employer to chair/preside over the disciplinary and grievance committee and exercise other functions and powers conferred upon the disciplinary and grievance committee in terms of this Code.
- 6.18 "Penalty" is a corrective action or discipline to be administered as a result of the offence committed.
- 6.19 "Trade Union" means a Union registered in terms of the Labour Act to represent employees within the industry.
- 6.20 Any term referring to the masculine gender shall also be interpreted to include the feminine gender.

7 AIMS AND OBJECTIVES OF THE CODE

- 7.1 To facilitate uniform procedures for corrective action where the employer/employee behaves in an unsatisfactory manner or breaches the standard rules.
- 7.2 To provide the mechanism or procedure for careful investigation of offences before corrective/disciplinary action can be administered.



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- 7.3 To ensure prompt action by the responsible parties or committees on all issues concerning discipline or grievances.
- 7.4 To ensure equating an offence to the resultant corrective action, allowing for mitigation or aggravating factors.
- 7.5 To guarantee the right of an employee to appeal or express a grievance and or disciplinary action using the channels and procedures set out in this Code.
- 7.6 To ensure consistent, fair and just application of the provisions of this Code.
- 7.7 To provide a framework of rules and procedures that are known to all employers/employees as it is a fundamental requirement for natural justice.
- 7.8 To provide for the rights and responsibilities of management, workers committee, and individual employees.
- 7.9 To provide a framework for expeditious resolution of disciplinary and grievance issues

8 BASIC PRINCIPLES OF THE CODE

The Code recognizes :-

- 8.1 Educative and Corrective approach: In general, disciplinary action should, in the first instance, be educational and then corrective. Punitive action should only be taken when the earlier steps have proved ineffective.
- 8.2 Uniformity/ Equitably and Consistency: As far as possible, similar offences committed in similar circumstances should be treated equitably through the award of a similar reprimand, allowing for mitigating and aggravating circumstances.
- 8.3 Fairness and Consistency in dealing with issues of grievances and discipline.
- 8.4 That rules of natural justice must be followed in all disciplinary and grievance handling proceedings.
- 8.5 Disciplinary action will be taken independently of any other legal proceedings the member may be involved in at the time.
- 8.6 That the accused is innocent until proven guilty
- 8.7 Representation: There should be respect for the rights and responsibilities of employee representatives and employer representatives. The employer and employees have the right to be represented by eligible representatives



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8.8 Adjournment: a disciplinary Hearing may be adjourned to further investigations to produce more evidence

8.9 The following factors must be considered:

- 8.9.1 Mitigation and aggravating circumstances
- 8.9.2 The offender's disciplinary record
- 8.9.3 Any valid written warning

9 DUTIES AND RIGHTS OF MANAGEMENT

Management shall have the following rights and duties in terms of this Code:

- 9.1 To ensure that grievances, disputes, commissions and omissions are resolved in accordance with the provisions of this Code.
- 9.2 To cooperate with the workers' committee in all reasonable requests pertaining to worker education.
- 9.3 To ensure that duties of workers are adequately defined and understood.
- 9.4 To ensure compliance with all laws, collective bargaining agreements and other applicable instruments.
- 9.5 To act in good faith in its relationship with the workers and other relevant stakeholders.
- 9.6 To encourage productivity, honesty, integrity and commitment at the workplace.
- 9.7 To ensure that the following are not practiced in the organization: nepotism, favoritism and unfair labour practices.
- 9.8 To draw up output standards and other indices for assessing performances.
- 9.9 To provide adequate and necessary protective clothing to ensure a healthy and safe working environment.
- 9.10 To provide the code of conduct to employees.

10 DUTIES AND RIGHTS OF EMPLOYEES

Employees shall have the following rights and duties:

- 10.1 To co-operate with employers in establishing industrial relations principles subject to the law and this Code
- 10.2 At all times uphold the organization's best interests.
- 10.3 Maintain absolute integrity and honesty in the discharge of duties.



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- 10.4 Obey all lawful and reasonable orders and instructions as may be issued from time to time by the employer or by any person to whom authority has been delegated.
- 10.5 To ensure compliance with all laws, collective bargaining agreements and other applicable instruments.
- 10.6 Discharge and perform assignments, duties and obligations in conformity with the company's professional and ethical standards.
- 10.7 Conduct all business and staff relations with clients in an honest, courteous and transparent manner.
- 10.8 Not to engage in any criminal, fraudulent, dishonest or discreditable conduct in and outside the employer's premises.
- 10.9 To familiarise themselves with provisions of this Code, and
- 10.10 To act in good faith in their relationship with their employers
- 10.11 Maintain a high record of punctuality and shall not perform unofficial activities during working hours, showing commitment and dedication to work.
- 10.12 Carry out their work with due diligence, reasonable skill and competence, as they expressly or impliedly hold themselves out to possess and in accordance with the terms and conditions of their employment, as specified in employment regulations or individual contracts of employment, as the case may be.
- 10.13 Take reasonable care of the property of the employer in order to avoid damage, loss, destruction or deterioration.
- 10.14 Observe agreed procedures for the settlement of grievances and disputes.
- 10.15 To wear appropriate clothing during the performance of their tasks or work.

11 THE ROLE OF HUMAN RESOURCES DEPARTMENT IN DISCIPLINARY PROCESS

- 11.1 The Human Resources officials shall be available to assist both management and employees on labour issues.
- 11.2 Ensure that disciplinary action and procedures are consistent in all departments and are in conformity with the Code of Conduct.
- 11.3 Produce disciplinary record of the offender.
- 11.4 The human resources shall process all documents in respect of the code.



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**PART II
INVESTIGATION**

12 INQUIRY PROCEDURE

- 12.1 Where it appears to the Employer that an employee ("the alleged offender") has committed an offence and feels that the offence warrants investigation, he shall cause an investigation to gather all the necessary evidence of the alleged offence.
- 12.2 The conducting of an investigation in terms of this clause shall not amount to a commencement of disciplinary proceedings until the Head of Department or person in charge decides that a formal hearing be conducted in terms of this code.
- 12.3 Investigation and hearing proceedings shall be completed within 14 working days; provided that the notice to attend hearing shall be three working days.
- 12.4 The investigation may include:
- 12.4.1 Requesting a report from the alleged employee in any language that the employee is comfortable with provided that the translation is in English
 - 12.4.2 Gathering and recording all evidence of the alleged offence
 - 12.4.3 Obtaining written statements from the complainant
 - 12.4.4 Obtaining written statements from any witnesses
- 12.5 Should investigations show that the alleged offender has a case to answer hearing proceedings shall be conducted in terms of this code.
- 12.5 If the investigations prove that the alleged offender has no case to answer the matter will end there.
- 12.6 Any investigation and disciplinary proceedings on the alleged offence of the accused shall be completed within thirty days from the day on which the investigation commenced.

13 SUSPENSION FROM DUTY

- 13.1 Where the employer reasonably believes that the attendance of the employee concerned at work may compromise investigations into the latter's alleged offence,



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he may suspend the employee with or without pay in consultation with the Human Resources Department pending investigations into the alleged offence,

- 13.2 Where an employee is arrested and detained or restricted under police powers for any cause (which for avoidance of doubt includes arrest and, detention or restriction in respect of a matter unconnected with the Electronics, Communications, Radio & TV Manufacturing and Allied Industry) and where such arrest and detention or restriction prevents the employee from carrying out his duties as such he shall not be entitled to receive pay or allowance during the period commencing his arrest and detention or restriction until his release from detention or restriction.
- 13.3 If suspended, the employee shall be notified in writing of such a suspension and the letter shall contain the following:
- 13.3.1 The date when the suspension takes effect and the date when it ceases.
 - 13.3.2 The alleged offence and the factual background.
 - 13.3.3 Whether the suspension is with or without pay and benefits.
 - 13.3.4 The reasons and grounds of suspension.
- 13.4 The maximum period for suspension will be 14 working days and if investigations are not complete within that period the worker shall resume duty and be reinstated.
- 13.4 Should investigations show that the alleged offender has a case, hearing proceedings shall be conducted in terms of of this code
- 13.5 Where an employee is suspended from duty and is subsequently found that he has no case to answer, he/she shall be given a letter to that effect and shall immediately be reinstated. If the employee was suspended without pay and benefits, these shall be reinstated with effect from the date of suspension.
- 13.6 Whether the employee was suspended or not, the employer shall, within one month, pay all the terminal benefits that are due to the employee that is if the employee is dismissed in terms of the code.
- 13.7 The Head of department shall effect suspension through the human resources department.



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PART III

DISCIPLINARY PROCEDURE

14 DISCIPLINARY PROCEDURE

All disciplinary hearings shall be initiated by a complainant through the Human Resources Department

14.1 Stage 1

The Head of Department or person in charge of investigation, after due inquiry, is of the opinion that the employee has committed an offence he shall refer the matter accompanied by the necessary and relevant evidence to Human Resources for a disciplinary hearing. The report of the investigation shall be forwarded to the Disciplinary Committee who shall convene a hearing in consultation with the human resources office.

14.2 Stage 2

The employee shall be given at least three working days of notice to attend hearing. The notice shall entail the following: the alleged offence and factual background of the offence, date, time and venue of the hearing, name of the complainant, and all the rights of the accused during the hearing

14.3 Stage 3

The hearing shall be conducted in terms of the hearing procedure herein.

14.4 Stage 4

If the respondent is found guilty of misconduct, the disciplinary committee may impose any of the penalties specified in the categorized acts of misconduct, and the penalty shall be entered in the record. He shall be informed of the decision in writing within three working days and the effective date of dismissal if it is a dismissible offence. He will also be made aware of his right to appeal and the appeal procedures to be followed. If the committee is satisfied that the alleged offender has not committed an offence, the Chairperson shall advise the alleged offender in writing within three working days.



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- 14.5 Demotion: This is used only as mitigation to dismissal. As a general rule, the employee may only be demoted one grade lower than his current grade.

15 PROCEEDINGS OF THE DISCIPLINARY HEARING

- 15.1 The chairperson shall ensure that all parties are present at the hearing but the hearing may be conducted in the absence of the respondent (offender) or complainant if he fails to attend the hearing after notice without any reasonable grounds and excuse.
- 15.2 The chairperson shall outline the charges against the respondent and shall ask the respondent to respond to the charges.
- 15.3 The chairperson may allow a witness or witnesses to give evidence and the respondent shall be free to cross-examine any witness.
- 15.4 The respondent shall be entitled to appear in person at the hearing or to be represented by any other member of staff of his choice or by a Trade Union official/officer or a legal practitioner and to call any witness he may wish to give evidence on his behalf.
- 15.5 Any hearing shall be conducted in an informal manner and the rules of procedure and evidence applicable in criminal or civil matters need not be observed at the hearing provided that the chairperson of the disciplinary committee shall ensure that substantial justice is done.
- 15.6 Other members of disciplinary committee shall be free to ask any question relevant to the hearing.
- 15.7 The chairperson may adjourn the proceedings for further investigations and shall specify the date on which the disciplinary committee shall be reconvened within the prescribed time unless both parties have agreed to extend the period in writing.
- 15.8 The chairperson shall summarise all the evidence before the committee and the Disciplinary committee shall assess the evidence and arrive at a decision. Where no consensus can be reached the Chairperson of the **Disciplinary Committee** shall have a **casting vote** and shall give his / her determination on the matter, stating his/her reasons for reaching such determination, and this determination shall be binding.
- 15.9 If the respondent is found guilty of an act of misconduct, the disciplinary committee may impose any of the penalties specified in the categorised acts of misconduct, and the penalty shall be entered in the record. The respondent shall



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be informed forthwith of the decision of the disciplinary committee and the penalty imposed upon him.

15.10 In arriving at the penalty the Disciplinary Committee shall take into account the following:

15.10.1 The employee's disciplinary record

15.10.2 Mitigating and aggravating circumstances

15.10.3 Any entries in the respondent's records

15.11 The chairperson shall ensure that a record of the proceedings shall be in the employee's file. This shall be signed by the Chairperson, an Employer representative and an Employee representative and shall be kept for a period not less than twelve months.

16 COMPOSITION OF DISCIPLINARY AND GRIEVANCE COMMITTEE

16.1 Every company shall have a disciplinary and grievance committee of equal members drawn from workers committee and management. The committee shall be chaired by Disciplinary Committee Chairperson appointed by the employer to exercise functions and powers conferred upon the disciplinary and grievance committee in terms of this Code and shall be constituted as follows:

16.1.1 Two management representatives

16.1.2 Two workers' representatives from the workers committee

16.1.3 Disciplinary Committee Chairperson chairing

16.1.4 One Human Resources official, where applicable, taking minutes.

16.2 In cases of companies with less than 10 employees or where there is no workers committee where a disciplinary and grievance committee cannot be formed or companies that cannot constitute a Disciplinary Committee of at least 2 members the highest authority shall appoint a disciplinary authority who shall hear the matter and conclude the matter.

17 DECISIONS OF DISCIPLINARY COMMITTEE

17.1 Decisions of the Disciplinary committee shall be determined by the majority vote.

17.2 In the event of a dead lock arising the Disciplinary Committee Chairperson shall have a casting vote.



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17.3 Decisions made by the Disciplinary committee shall be binding to all members of the disciplinary committee

18 ROLES AND RESPONSIBILITIES OF THE DISCIPLINARY COMMITTEE CHAIRPERSON

- 18.1 The role of the chairperson is to hear cases falling within his jurisdiction under the guidance of human resources official.
- 18.2 The Chairperson shall gather all information that he think is required to make a fair and consistent hearing.
- 18.3 Ensure that discussions dwell on the case at hand during the hearing and that the committee focus on matters relevant to the case

19 RIGHTS OF THE ACCUSED EMPLOYEE IN A HEARING

- 19.1 Appear in person to answer to charges made against him or her;
- 19.2 The employee must be properly served with all the available relevant documentation pertaining the case at least three working days before the hearing.
- 19.3 Be heard before an impartial and independent Disciplinary Committee;
- 19.4 Be represented by another employee, a workers' committee member, trade union or legal practitioner on condition that an employee shall bear the expense of being represented by a trade union or legal practitioner
- 19.5 Call, examine and cross-examine witnesses;
- 19.6 Address in mitigation before a penalty is imposed;
- 19.7 Be informed in writing of the reasons for a decision made in and pursuant to a disciplinary hearing; and
- 19.8 Be given a written record of the disciplinary hearing.
- 19.8 Provisions of the services of an interpreter at the company s expense. If he does not understand or express himself in English and should need arise, he human resources should be advised in time.
- 19.9 Object to have his case heard in the presence of any particular panel, stating the reasons therefore. The panel must determine such objection, whether such member should be replaced.

20 APPEALS



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- 20.1 Any person who is aggrieved by the decision of the Disciplinary Committee or Disciplinary Authority shall have the right to appeal in writing to the highest authority at the workplace, within three working days of being notified of the decision by the committee giving full grounds and reasons for the appeal.
- 20.2 On receipt of the appeal, the authority shall consider the summary from the committee, having due regard to the principles of natural justice, and, if he/she is satisfied that the alleged offender committed an offence then he may take whatever Disciplinary action (if any) is appropriate in terms of the Schedule within seven working days.
- 20.3 Any person aggrieved by the decision of the internal appeals authority shall appeal to the Designated Agent or Labour Officer in terms of the Labour Act [28:01]
- 20.4 The appeals authority shall be a designated appeals officer who can be the head or manager of the human resources or the Chief Executive Officer or the Director at the workplace shall be appointed to hear the appeal. Further, provided that a person appointed as an Appeals Officer was not involved in the disciplinary hearing at the workplace.
- 20.5 Any person who is aggrieved by a decision of the Appeals authority at the workplace has the right to appeal in writing to the Designated Agent of the National Employment Council within thirty days of being notified of the employer's decision, giving full grounds and reasons for appeal.
- 20.6 Those who sit at disciplinary committees shall not sit at the appeals committee. In cases of companies with less than ten employees or which do not constitute an appeals committee, appeals will be directed to the highest authority.

21 DURATION OF PROCEEDINGS

- 21.1 No proceedings commenced in terms of this code in respect of any misconduct or breach of the rules and procedures of the code shall continue beyond 30 days from the date of commencement without a decision being reached.
- 21.2 Proceedings are deemed to have commenced effective the date of notice to the hearing addressed to the accused.
- 21.3 If a matter is not determined within 30 days either party may refer same to the Designated Agent for determination or disposal in terms of the Labour Act.



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PART IV

GRIEVANCE HANDLING PROCEDURE AND RECORDS

22 GRIEVANCE PROCEDURE

- 22.1 The grievance procedure outlined below applies to both individual and collective grievances.
- 22.2 Any person who wishes to raise an issue as a grievance shall do so with his immediate supervisor and with the workers committee, using a form prescribed for the purpose by the Council.
- 22.3 No person shall be allowed to handle or deal with grievances in which the complaint being made involves him/her.
- 22.4 Grievances will be resolved at the lowest management level possible and as expeditious as possible.
- 22.5 The Employment Council Secretariat may at any stage in the procedure be consulted for information by management, workers' committee/ workers representatives or the employee.
- 22.6 All grievances will be dealt with in good faith, without discrimination or victimisation.
- 22.7 Stage One
- 22.7.1 Stage one will deal with any matter which an employee or group of employees reporting to one superior, wish to raise as a grievance.
- 22.7.2 An employee who wishes to raise any issue in which he/she is directly concerned must first raise it with his/her immediate superior making it clear that this is the first step of the procedure.
- 22.7.3 An employee who wishes to raise an issue against his/her immediate superior must raise it with the superior who is next in line.
- 22.7.4 If the superior does not settle the issue to the satisfaction of the employee, the latter may if he/she wishes to obtain the assistance of his/her workers representative to raise the matter further with the superior.



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22.7.5 If any issue affects two or more employees answerable to the same superior, the workers representative may be accompanied where appropriate by not more than two of the employees concerned to raise the issue with the appropriate superior.

22.7.6 If a satisfactory solution is not reached within a maximum of (3) working days of the issue first being raised the grievances will be referred to the department/branch section head.

22.8 Stage Two

22.8.1 This stage will deal with issues not resolved at stage one.

22.8.2 The department branch/section head will arrange a meeting in which he/she, the immediate superior of the grievant and the grievant will be present together with a maximum of two workers' representatives.

22.8.3 The meeting shall take place within (2) working days of the grievance being referred to the department/branch/ section head.

22.8.4 If longer time is needed this must be agreed to by both management and workers' representatives and the immediate superior of the grievant.

22.8.5 If a satisfactory solution or decision is not reached within two working days from the first meeting with the department/branch/section head and workers representatives, a written notification of failure to reach agreement, signed by the employee raising the grievance, the workers' representatives and the immediate superior shall be forwarded to the chief executive/general manager or his appointee.

22.8.6 Where a grievant is not satisfied with the decision of the head of department he/she can appeal to the highest authority within 5 working days

22.9 Stage Three

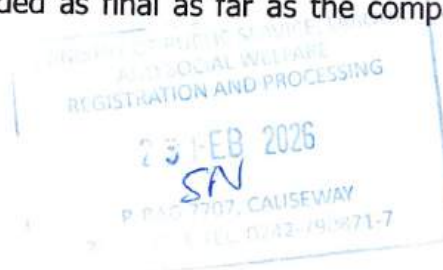
22.9.1 Stage 3 will deal with any matter that has not been resolved at stage 2.

22.9.1 The highest authority or his appointee shall resolve the issue within 3 working days.

22.9.1 The highest authority or his appointee shall review all the evidence presented in the matter and he/she may also carry out further investigations of the matter, as he deems necessary.

22.9.1 The chief highest authority shall pronounce his decision within 5 working days of the appeal and his/her decision will be regarded as final as far as the company is concerned.

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22.9.1 Should the grievance not be in agreement with the solution and decision as determined by the highest authority after 30 days he/she has the right of appeal to the designated agent of the employment council for determination within 7 working days.

23 RECORDS

23.1 A written record or summary shall be made available for further reference at the conclusion of all proceedings taken in terms of this Code, which record or summary shall be made at the conclusion of such proceedings and decision, and shall be kept for a period of at least twelve months.



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PART V

CLASSIFICATION AND DEFINITION OF OFFENCES

24 DURATION OF WARNINGS

- 24.1 The duration of warnings shall be:-
- 24.1.1 For verbal warnings – 1 month
 - 24.1.2 For first written warnings – 3 months
 - 24.1.3 For second written warnings – 6 months
 - 24.1.4 For final warnings – 12 months
- 24.2 Judgments should not be influenced by expired warnings.
- 24.2 Where dismissal was preferred on the offender, demotion may be opted in place of dismissal.

25 CLASSIFICATION AND DEFINITIONS OF ACTS OF MISCONDUCT

- 25.1 In this code, offences are classified into four categories according to the level of gravity or seriousness of the matter. Allocation of particular offences to one of the four categories is primarily designed to facilitate control and consistency in the administration of discipline but each case depends on merits, factors, the way the offence is committed and the personal circumstances of the employee. An employee may be charged with the following offences:

25.2 Category One: Minor Offences

1 st BREACH	2 ND BREACH	3 RD BREACH	4 TH BREACH	5 TH BREACH
Verbal warning	First written warning	Second written warning	Final written warning	dismissal

NUMBER	OFFENCE	DEFINITION
1.	Sleeping On Duty	a) Sleeping on duty means sleeping at one's workplace during working hours (b) Sleeping on duty is aggravated if the job involves security, supervision of staff and operations, the operation of moving machinery or the safety of others.



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2.	Use of Abusive Language	It is an act of misconduct for an employee to use written or verbal abusive or insulting language, which ridicules or shows contempt for another or is likely to provoke physical violence.
3.	Smoking, eating and drinking in designated non-smoking areas	It is an act of misconduct for an employee to smoke in designated non-smoking areas
4.	Poor Time Keeping	Reporting late for work. An employee is late for work if he is not at his place of work at the stipulated time without authorization or reasonable excuse. Leaving work early without authorisation. An employee commits an act of misconduct if he leaves work before the stipulated time without authorisation. Taking unauthorised break An employee takes an unauthorised break if he takes a break from work without permission or he absents himself from his place of work during normal working hours or during such hours, as he may be required to work without authority. Idling and Loitering During Working Hours It is an act of misconduct for an employee to engage in activities which are not related to his job during working hours.
5.	Poor performance	It is an act of misconduct for an employee possessing the necessary skills or given the necessary training and resources to fail to satisfactorily execute his duties to the expected standards or fail to meet minimum job requirements.
6.	General untidiness at work	It is an act of misconduct for an employee to be untidy whilst on duty.
7.	Failure to Comply With Health and Safety	It is an act of misconduct for an employee to disobey or disregard health and safety regulations. This includes:



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	Safety Regulations with minor consequences	(a) failure to wear appropriate protective clothing (b) failure to report an accident within a reasonable time (c) failure to report unsafe practices and conditions or equipment (d) failure to take the necessary precautions for the employee's own or the safety of other employees (e) failure to report any matter concerning violation(s) of the above (f) using tobacco or tobacco products in designated non- tobacco areas failure to provide protective clothing
8.	Neglect of Duty with minor consequences	An employee neglects his duty or responsibility if: (a) he does not perform his job at all (b) he fails to meet a performance deadline without reasonable cause (e) he abandons his work (f) engages himself in other unauthorised activities during working hours
9.	Minor damage, misuse or loss of Company Property	It is an act of misconduct for an employee to intentionally or negligently or maliciously damage company property or causes or allows such property to be damaged.
10.	Breach Of Confidence	It is an act of misconduct for an employee who has access to confidential information to disclose any such information to unauthorised person(s).

25.3 Category Two: Moderate Offences

1 ST BREACH	2 ND BREACH	3 RD BREACH	4 TH BREACH
First written warning	Second written warning	Final written warning	dismissal

NUMBER	OFFENCE	DEFINITION
1.	Unsafe driving practice	It is an act of misconduct for an employee to drive a motor vehicle or motor cycle or motorised equipment in an unsafe way resulting in an accident or incident

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		or in violation of road and road traffic regulations. It includes but is not limited to the following: (a) Driving without a valid driver's licence or authority (b) Driving without due care and attention (c) Negligent driving (d) Reckless driving (e) Driving under the influence of alcohol or drugs
2.	Victimisation	It is an act of treatment of any person or fellow employee badly or unfairly.
3.	Rudeness to Customers	It is an offence to be rude, discourteous or abusive in the course of one's duties towards those with whom one transacts business including customers.
4.	Indiscipline and disorderly conduct	Means any failure to follow established procedures including the procedures of this Code.
5.	Inciting Others to Disobey Orders or Regulations	It is an act of misconduct for an employee to incite another employee to disobey lawful orders or circumvent laid down rules and regulations or disregard laid down channels of communication.
6.	Failure to Enforce Discipline	It is an act of misconduct for an employee who has subordinates under him to fail to instill discipline on them.
7.	Threatening Violence	It is an act of misconduct for an employee to make verbal or other threats against the person, property or family of another employee or a customer.
8.	Discrimination	Means the more or less favourable treatment of a person wholly or mainly on the grounds contained in the Labour Act [28:01].
9.	Breach of Policy and Procedures	This refers to failure to follow standard operating procedures, established policies or rules resulting in substantial loss/harm/prejudice.



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10.	Carrying Of Unauthorised Passengers	(a) It is an act of misconduct for an employee to carry unauthorised passengers in a company vehicle (b) It is an act of misconduct for an employee to carry unauthorised fare paying passengers in a company vehicle.
11.	Absence Without Leave for 3 consecutive days	It is an act of misconduct for an employee to: (a) be away from work without authority (b) fail to turn up for work (c) overstay his leave (d) proceed on leave without signed leave forms or without reasonable cause.

25.4 Category Three: Serious Offences

1 ST BREACH	2 ND BREACH
First written warning	Dismissal

NUMBER	OFFENCE	DEFINITION
1.	Usury	(Extortionate money lending) it is an offence for an employee to administer any illegal money lending activity on the employer's business or premises.
2.	Wilful Disobedience to a Lawful Order	It is an act of misconduct for an employee to refuse to or fail without reasonable excuse to obey a lawful order given by a person in authority or fails, neglects, or refuses to perform work properly assigned to him.
3.	Illegal Gambling	It means indulging in any game not covered by the State Lottery Act played for money or any other benefit. It is an act of misconduct for any employee to engage in gambling on company premises.
4.	Falsifying	It is an act of misconduct for an employee to falsify or cause to be falsified any official document or to

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MINISTRY OF PUBLIC SERVICE, EMPLOYMENT
AND SOCIAL WELFARE
REGISTRATION AND PROCESSING
23 FEB 2026
SN
P. BAG 7707, CALISEWAY
ZIMBABWE TEL 0242-790871-7

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		record or cause to be recorded any false or incorrect information.
5.	Acts of Dishonesty	It is an act of misconduct for an employee to engage in acts of dishonesty such as theft, fraud, forgery, uttering and misrepresentation including but not limited to the following: (a) Lying or uttering false statements in an attempt to subvert the correct running of the business, either for material gain or other purpose, or to hinder investigation of any disciplinary or other nature (c) converting property entrusted to an employee to the employee's own use more commonly known as theft by conversion (d) receiving property belonging to the Company, another employee, a customer or a member of the public knowing the property to have been stolen (e) applying or attempting to apply to a wrong use or purpose any property belonging to the Company (f) altering a document and/or presenting the altered document purporting that the altered document is correct (g) obtaining property or money or an advantage through the use of a misrepresentation or deception.
6.	Use of company vehicle without driver's license	
7.	Absence from work for four consecutive days	
8.	Abuse of Leave	It is an act of misconduct for an employee to fail to substantiate for a leave taken.



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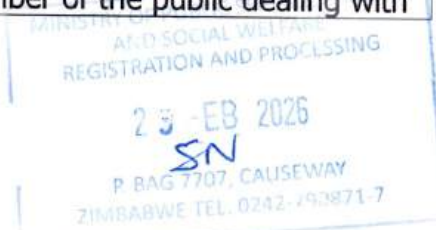
25.5 Category Four: Gross/Dismissible Offences

1ST BREACH	Dismissal
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NUMBER	OFFENCE	DEFINITION
1.	Aiding and abetting theft	Where an employee enables, assists, encourages or permits any person to steal the employer's property or another employee's or customer's property or refuses to give information within his knowledge concerning the stolen or deliberately closes eyes to the obvious. It also entails deliberately giving false testimony related thereto.
2.	Assault	This is where a person does a physical act which causes another reasonable fear or the infliction of physical violence to his/her person and actually strikes or touches another in an angry, vengeful or insolent manner. Assault is crime. It is also a civil offence for which the injured party can institute civil procedures in a Civil Court in order to obtain compensation or redress for the injury suffered.
3.	Bribery	An employee commits bribery if he unlawfully induces or attempts to induce, by means of some consideration, another person to do a favourable act or commit an illegal act for the purpose of obtaining gain or advantage.
4.	Corruption	An employee commits an offence if he abuses his position or employment to engage in dishonest, fraudulent and unethical conduct whether or not such conduct results in a pecuniary or other benefit to himself or another person. An employee is involved in corruption if he takes bribes or abets or aides corruption in order to do someone or oneself a favour on a matter related to the employee's or other employee's duties
5.	Extortion	It amounts to demanding money, services or a favour from a member of the public dealing with

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		the company under threat of not performing his duty to the prejudice of such member of the public.
6.	Unlawful Collective Job Action	Any collective job action done in contravention of section 104 of the Labour Act [28:01] It also means collective job action in contravention of Part 65 (3) and (5) of the Constitution of Zimbabwe No. 1 of 2013. It is an act of misconduct for any employee to incite another employee to take part in an illegal job action.
7.	Fraud	Making a false statement or claim whether in oral or written form and any false representation by words or conduct in order to obtain material/ financial advantage. It also involves the falsification of documentation or information as part of fraudulent activities against the company or customers/suppliers/another person and thus causing them loss.
8.	Misuse and/or unauthorized use of Company Property, plant, transport or equipment with serious consequences including financial loss	It is an act of misconduct for an employee to use company property for purposes other than that for which it was intended.
9.	Bullying	
10.	Private Work / Moonlighting	Means soliciting or taking orders for, or undertaking any work on his own account to the detriment of his employer for gain, fee or reward, in a similar capacity in which he is normally employed, without written employers' permission.
11.	Sabotage	It amounts to sabotage if an employee wilfully or deliberately inflicts harm to any machinery or equipment with the intention of disrupting



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		production, spoiling products or services to customers or causing loss to the employer
12.	Sexual Harassment	It is an act of misconduct for an employee to indulge in unsolicited or unwelcome conduct of a sexual nature or other conduct based on sex or gender affecting the dignity of another employee or other employees at the workplace. This includes but is not restricted to: (a) unwelcome physical, verbal or non-verbal conduct of a sexual nature (b) unwelcome sexually suggestive conduct or dressing which contravenes the dress code which may be applicable from time to time (c) transmitting electronically or otherwise unwelcome sexually explicit or suggestive material
13.	Theft	Dishonestly taking property belonging to the employer or another employee or customer /supplier with the intention of permanently keeping the thing taken or to dispose of it as his/her own property.
14.	Giving unauthorised Media Statements regarding company business	It is an act of misconduct for an employee to make statements regarding the Company or its business to the media or general public, which statements are of a policy nature, or which are potentially negative on the Company or which impact negatively on the Company, without clearance from the employer.
15.	Consuming Alcohol Or illegal Drugs	(a) It is an act of misconduct for an employee to use either liquor or illegal drugs other than prescribed drugs or to be under the influence of alcohol or illegal drugs during working hours. Detection of alcohol or drugs on request by a supervisor under the influence of alcohol or drugs. who has reasonable cause for believing that a member of staff is (b) It is an act of misconduct for an employee to fail or refuse to undergo a breathalyzer test or any other test for the

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16.	Harrassment and Gender based Violence	As defined in the Labour Act [28:01] a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment
17.	Victimization	Discriminating or retaliating against coworkers for reporting misconduct or other issues.
18.	Malicious damage to company property	Intentionally harming or destroying company assets or property.
19.	Absence from work for five (5) or more consecutive days without permission or reasonable excuse	
20.	Riotous behavior on worksite	
21.	Negligence of duties with serious consequences	
22.	Serious violations of safety regulations	
23.	Fighting at workplace	
24.	Conviction of criminal offence	This refers to an offence committed outside the employee's employment, the nature of which affects his continued suitability for employment or his acceptability to other employees
25.	Possession of firearms on site without company approval or relevant license.	
26.	Imprisonment without option of a fine	
27.	Any act of conduct or omission inconsistent with the fulfilment of the	



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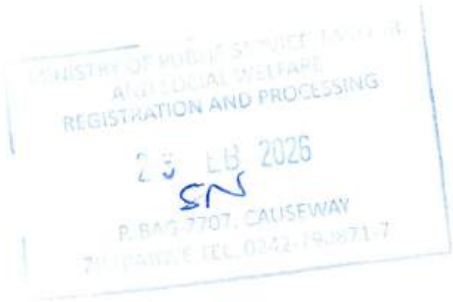
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	express or implied conditions of his or her contract	
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ANNEXURE FORMS

APPENDIX A

DISCIPLINARY COMPLAIN FORM/CHARGE SHEET

Name of Employer: _____
Company address: _____
Name of Complainant: _____ Position _____
Name of alleged offender: _____ Work No. _____
Position: _____ Grade: _____ Department: _____
Nature of complaint (Quote the alleged offence from the Code and explain what happened):

Names of complainant's witnesses:

1. Name _____ Work No. _____
2. Name: _____ Work No _____

Signed by:

Complainant: _____ Date _____
Alleged Offender: _____ Date _____
Workers Representative: _____ Date _____
Workers Representative: _____ Date _____



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expected to cooperate with the investigation team and for you to be accessible to them
as and when they need you during normal working hours.

Designated Official's Signature _____ Name (Print) _____

I acknowledge receipt of this letter:

Employee's Signature

Employee's name

Witnesses

A copy of this letter is given to the employee in my presence:

Workers Representative's Signature

Workers Rep's Name (Print)



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APPENDIX B

SUSPENSION FROM WORK

Name of Employer: _____

Name of Employee: _____ Work No. _____

Department: _____

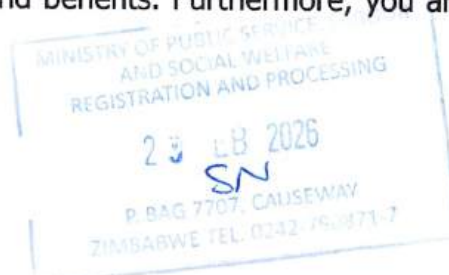
Job Title: _____ Grade _____

Please be advised that you are suspended from work with immediate effect pending investigations into the alleged offence being (Quote the offence as per Code):

It is alleged that on _____ (Date), you _____

The allegations levelled against you constitute an offence in terms of the Code. On completion of the investigation, a hearing will be arranged as shall be advised in writing. Also note that your suspension is with/without pay and benefits. Furthermore, you are

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APPENDIX C

NOTIFICATION TO ATTEND DISCIPLINARY HEARING

Name of Employer: _____

Name of Employee: _____

Job Title: _____

You are required to appear at a disciplinary hearing on: Date: _____

Time: _____ Venue: _____

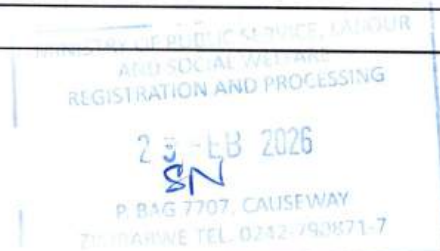
You are alleged to have committed the following offence(s) in terms of the National Employment Council for the Electronics, Communication, Radio, TV and Allied Industry Code of Conduct:

Brief description of basis of alleged offence (including date and place of alleged offence):

Brief description of evidence gathered during investigation supporting allegations of offence:

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In the course of the disciplinary hearing, you shall have the right to:

- (a) appear in person to answer to charges made against you;
- (b) be heard before an impartial and independent Disciplinary Committee;
- (c) be represented by another employee, a workers' committee member, trade union or legal practitioner on condition that you shall bear the expense of being represented by a trade union or legal practitioner and that no person may represent you without your consent;
- (d) call, question and cross examine witnesses;
- (e) address in mitigation, if found guilty, before a penalty is imposed;
- (f) be informed of the reasons for a decision made in and pursuant to a disciplinary hearing.
- (g) be given a written record of the disciplinary hearing.

You are further notified that _____ shall act as complainant representing the employer at the disciplinary hearing.

You shall be availed a copy of the National Employment Council for Electronics, Communication, Radio, TV Manufacturing and Allied Industry Code of Conduct and Grievance Procedure, whether electronically or in print, to the employee at least three working days before the date of the disciplinary hearing.

If you wish to appoint a Workers Committee, Trade Union member or Legal Practitioner as a representative or any other witness to attend the hearing, you should arrange for them to be present at the hearing.

Signed: _____ Date: _____

(Chairperson of the Disciplinary Committee)

Received: _____ Date: _____

(Employee's Signature)



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APPENDIX D
VERBAL WARNING

Employee Name: _____ Date _____

Offence for which verbal warning was given: _____

Signed: _____ Received by: _____

Supervisor: _____

PERIOD OF VALIDITY OF WARNING: 1 MONTH

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APPENDIX E

FIRST WRITTEN WARNING

(In Triplicate)

Employee Name: _____ Date _____

Offence for which warning was given: _____

You are hereby given a first written warning in respect of the offence listed above.
Should you transgress the Code of Conduct again within the period of validity of this
warning; further disciplinary action will be taken against you.

Designated Official's Signature _____ Name (Print) _____

I acknowledge receipt of this warning:

Employee's Signature

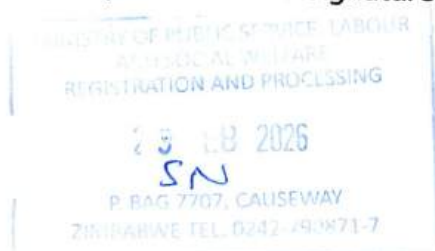
Employee's name

Witnesses

A copy of this written warning is given to the employee in my presence:

Workers Representative's Signature

Workers Rep's Name (Print)



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I do/do not accept that the warning is justified.

Employee's Signature: _____

* NOTE THAT AN ACCEPTANCE OF A WARNING BY AN EMPLOYEE IS NOT
NECESSARILY AN ACCEPTANCE OF GUILT BUT IS MERELY AN ACKNOWLEDGMENT OF
RECEIPT OF THE WARNING

PERIOD OF VALIDITY : 3 MONTHS



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APPENDIX F
SECOND WRITTEN WARNING
(In Triplicate)

Employee Name: _____ Date _____

Offence for which warning was given: _____

You are hereby given a second written warning in respect of the offence listed above.
Should you transgress the Code of Conduct again within the period of validity of this
warning; further disciplinary action will be taken against you.

Supervisor's Signature _____ Supervisor's Name (Print) _____

I acknowledge receipt of this warning:

Employee's Signature

Employee's name

Witnesses

A copy of this written warning is given to the employee in my presence:

Workers Representative's Signature

Workers Rep's Name (Print)



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I do/do not accept that the warning is justified.

Employee's Signature: _____

* NOTE THAT AN ACCEPTANCE OF A WARNING BY AN EMPLOYEE IS NOT
NECESSARILY AN ACCEPTANCE OF GUILT BUT IS MERELY AN ACKNOWLEDGMENT OF
RECEIPT OF THE WARNING

PERIOD OF VALIDITY : 6 MONTHS

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APPENDIX G
FINAL WRITTEN WARNING

(In Triplicate)

Employee Name: _____ Date _____

Offence for which warning was given: _____

You are hereby given a final written warning in respect of the offence listed above.
Should you transgress the Code of Conduct again within the period of validity of this
warning; further disciplinary action will be taken against you.

Supervisor's Signature _____ Supervisor's Name (Print) _____

I acknowledge receipt of this warning:

Employee's Signature

Employee's name

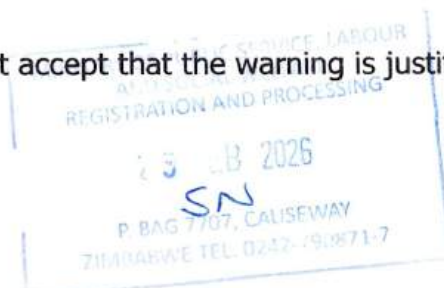
Witnesses

A copy of this written warning is given to the employee in my presence:

Workers Representative's Signature

Workers Rep's Name (Print)

I do/do not accept that the warning is justified.



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G.M. T-T

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Employee's Signature: _____

* NOTE THAT AN ACCEPTANCE OF A WARNING BY AN EMPLOYEE IS NOT
NECESSARILY AN ACCEPTANCE OF GUILT BUT IS MERELY AN ACKNOWLEDGMENT OF
RECEIPT OF THE WARNING

PERIOD OF VALIDITY : 12 MONTHS

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APPENDIX H

GRIEVANCE FORM

REFERRAL TO GRIEVANCE COMMITTEE

TO BE COMPLETED BY THE EMPLOYEE

Name of Employee: _____ Work No. _____

Name of Employer: _____

Job Title of Employee: _____ Grade _____

Department: _____

Nature of grievance (state precisely what you are unhappy about):

Have you brought the matter to the attention of the employer?

YES NO (Tick where applicable)

If you answered YES above, please state when you brought the matter to the employer and what steps, if any, were taken by the employer to resolve your grievance.



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J.T

**National Employment Council for Electronics, Communications,
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What do you suggest as the best ways of addressing the matters?

Signed _____
Employee Date

ACKNOWLEDGEMENT OF RECEIPT

The Grievance Committee shall receive two copies of this form. Upon receipt of this form, a member of the Grievance Committee shall complete the acknowledgement of receipt below and return one copy with a completed acknowledgement of receipt to the employee for record purposes.

I, _____, in my capacity as member of the Grievance Committee acknowledge that I have duly received the Referral to Grievance Committee form.

Signature

Date

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Radio, TV Manufacturing and Allied Industry Code of Conduct

APPENDIX I

OUTCOME OF DISCIPLINARY HEARING

Name of Employee: _____ Work No. _____

Employee's Job Title: _____ Grade _____

Name of Employer: _____

Name of Complainant: _____

The Disciplinary Committee has found that the employee is not guilty/guilty of the following offences (Please state "None" where the employee is not guilty of any offences advanced against him/her):

The Disciplinary Committee has determined that the employee is guilty or not guilty of the offences listed above for the following reasons:



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National Employment Council for Electronics, Communications,
Radio, TV Manufacturing and Allied Industry Code of Conduct

The Disciplinary Committee has directed that the following penalty/penalties be imposed on the employee (Please state "None" where no penalties are imposed. (Where appropriate, indicate the date on which a penalty shall lapse):

Employees who receive a penalty other than dismissal are hereby informed that:

- (a) They should refrain from committing further offences to avoid further penalties.
 - (b) A repetition of the same offence or commission of an offence of the same category before the lapse of the warning may result in the imposition of a more severe penalty.
- The written record of the disciplinary hearing is annexed hereto.

Declaration by Chairperson of the Disciplinary Committee

I, _____ in my capacity as Chairperson of the Disciplinary Committee declare the above to be the determination of the Disciplinary Committee and affix my signature hereunder.

Chairperson – Disciplinary Committee

Date

Acknowledgement of receipt

The employer, employee and complainant shall each receive two copies of this form. Upon receipt, each party shall complete the acknowledgement of receipt below and return one copy with a completed acknowledgement of receipt to the Disciplinary Committee for record purposes.

I, _____, in my capacity as employer/employee/complainant acknowledge that I have duly received the Outcome of the Disciplinary Hearing.

Signature

Date

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**APPENDIX J
DISMISSAL LETTER**

(In triplicate)

(To be completed and signed by the relevant Head of Department and handed to the employee in the presence of a witness. The employee should sign the forms, return to the HOD)

TO:

Name: _____

Title: _____

Section: _____

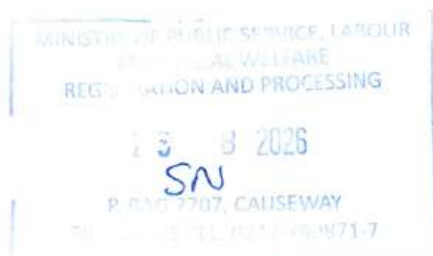
FROM:

Name: _____

Title: _____

Department: _____

Further to the notification of impending Disciplinary Action dated
_____ wherein it is alleged that you committed the following
offence (*full description of alleged offence including the date, time and place of
commission.*)



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G.M T.T

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After consideration of all evidence on this matter and the findings of the Disciplinary Committee, I am satisfied that you are guilty of the offence. Accordingly, hereby I advise that your service with the company are to be terminated with effect from (state date)

You will be paid all terminal benefits due to you as of that date.

You are hereby advised of your right to appeal against this dismissal as provided for in the Code of Conduct. Your appeal must be lodged in writing within three working days of receipt of this letter and must state clearly the grounds on which you are appealing.

You are required to sign and date a copy of this form as acknowledgement of receipt and return it to the HR Department.

Signed (HOD/CEO): _____ Date: _____

Name: _____

I, _____ acknowledge receipt of the notification of impending disciplinary action.

Employee's signature: _____ Date: _____

Witness's signature: _____ Date: _____

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National Employment Council for Electronics, Communications, Radio, TV Manufacturing and Allied Industry Code of Conduct

Following consultations and discussions at the NEC this Code of conduct has been agreed upon. The Employers Association and the Trade Union having agreed that the foregoing is the correct state of affairs, the undersigned Officers of the Council affix signatures hereto.



Mr. J. Mutasa

Trade Union



Mr. G. Maregere

Trade Union



Mr T. Ndlovu

Employers Association Representative



Mr T. Tsatsa

Employers Association Representative



Ms P. Kavuru

General Secretary of the Council

Signed this 23 Day of January 2026



