

Short notes on:

IMPORTANT ASPECTS CONCERNING WRITTEN WARNINGS

Introduction

It is every Employer's wish to maintain order within the workplace and to give all Employees a chance to correct their actions when disciplinary issues arise.

However, inevitably so, there may come a time when an Employer has to undergo the unpleasant experience of having to issue a written warning to an Employee.

This article will briefly discuss some of the essential aspects concerning written warnings.

The content of a Written Warning

A warning must contain:

- the identity of both Parties;
- the nature of, date of and time of the offense;
- the terms of the warning and validity period;
- a clear statement of what action is required of the guilty Party to rectify the situation;
- a clear statement of the consequences of the guilty Party's failure to take heed of the requirements of the warning or repeated offenses (of similar or other misconduct).

For terms and purposes of this article, I will only address the last two of the contents of a written warning herein.

Instructions for the Employee regarding how to remedy the situation

One of the necessary information to include in a written warning is the instruction for the Employee regarding how to remedy the situation. A written warning aims to have a progressive corrective nature of the action, and this will allow the person issuing a written warning to clear any possible misunderstandings, collect information and give feedback both positive and negative to the Employee.

Failure to do such will result in the failure produce the desired result, therefore necessitating stricter action and failure to meet this criterion, may render the warning improperly issued.

Clear statements of actions

The written warning must contain clear and concise details of the infringement to allow the Employee to rectify and avoid any offenses in the future. The warning has to be as specific as possible and detailing clearly expressed statements that of the offense, the date and time of the offense and what particular aspect of the Employee's behaviour should be corrected and therefore consequences of failure thereof.

This prevents any discrepancies and inconsistent versions of one story and rendering the warning unclear.

Conclusion

A warning must be issued at the earliest date as possible because it will enable the person issuing a written warning more specific, clear and concise information allowing the Employer to issue a written warning better if that should be necessary.

It should be done immediately after the Employer finds out about the infringement to avoid any future problems that might be ahead which might lead to it being challenged.

For your labour related matters, contact SchoemanLaw Inc.

