

## Managing Unacceptable Conduct - Employee View

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### Overview

Telstra may take disciplinary action under the Managing Unacceptable Conduct procedure if an employee behaves in a manner that is unacceptable to Telstra. This procedure has been established to provide an avenue:

- for one-up managers to identify and address employee unacceptable conduct issues; and
- to provide employees an opportunity to improve; and
- to ensure that where unacceptable conduct persists despite assistance and warnings from the manager that appropriate disciplinary action is taken; and
- to ensure that where unacceptable conduct is of a particularly serious nature, the one-up manager deals with the issue in a prompt manner, including taking appropriate disciplinary action.

Where unacceptable conduct appears to be corrupt or criminal in nature, your manager must refer the matter to Corporate Security. Corporate Security may commence a Corporate Security Investigation prior to the commencement of any Performance Improvement & Conduct Management (PICM) process, or may assist a manager in the investigation of a PICM process. In addition, Corporate Security will ensure that any relevant matters are reported to the police or relevant prosecuting authority in accordance with [Telstra's Fraud, Criminal & Corrupt Conduct Policy](#).

### Employee responsibilities

- You must understand and comply with the [Telstra Values](#), [Telstra Business Principles](#), [Code of Conduct](#), [Guidelines for Acceptable Behaviour](#) and [Policies](#).
- You are responsible for your conduct and performance at work.
- It is your responsibility to conduct yourself in a manner consistent with established Telstra Values, Telstra Business Principles, Code of Conduct and policies.
- Where you are advised that your conduct is below the standards required by Telstra, then you must ensure that you genuinely attempt to improve your conduct if you wish to remain employed with Telstra.
- Should you consider that you need any additional support the [Employee Assistance Program \(EAP\)](#) is available to all Telstra employees and provides professional counselling and advisory services fully funded by Telstra and free of charge. All information is treated confidentially and in accordance with [Telstra Privacy Guidelines](#).

### Role of the Support Person

A support person may be:

- a family member;
- a colleague; or
- another person deemed appropriate.

The support person must be an independent person who is removed from the decision itself and not a person who may be involved in a future stage of the process.

A support person may:

- participate in the discussion;
- convene with the person who nominated them before and after the meeting;
- call for a time out if required, but not so consistently as to unduly interrupt the meeting;
- provide advice or assistance to the person who nominated them; and
- be a sounding board for the person who nominated them to discuss their ideas with.

The support person may not:

- answer questions on behalf of the person who nominated them;
- advise the person who nominated them on what or how to answer a question directed to them; or
- unduly disrupt the meeting

If one of the parties believes that a support person is being unduly disruptive or is preventing the parties from having a constructive meeting, the support person may be asked to leave the meeting or the meeting may be terminated.

### Unacceptable Conduct process

Stage	Description
1	<p><b>Identification of unacceptable conduct</b></p> <p>Your manager will:</p> <ul style="list-style-type: none"> <li>• notify you of alleged unacceptable conduct</li> <li>• determine the degree of seriousness by referring to the Telstra Values and Code of Conduct, and</li> <li>• determine if the unacceptable conduct amounts to alleged serious misconduct.</li> </ul> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>• Any breach of the Telstra Values and Code of Conduct is considered unacceptable conduct.</li> <li>• If the alleged serious misconduct is substantiated, then your employment may be terminated (without notice).</li> </ul>
2	<p><b>Suspension</b></p> <ul style="list-style-type: none"> <li>• If the alleged unacceptable conduct is considered serious misconduct then you may be suspended with pay. If the conduct is not considered serious, you will remain at work and an investigation will commence in accordance with Stage 3.</li> <li>• Suspension means that you will be asked not to attend your usual place of work or perform any of your usual duties until the PICM investigation in which you are involved has been completed.</li> <li>• You may be asked to surrender your photo identification, security pass, lap top computer, mobile phone, Blackberry, remote access device or other Telstra property.</li> <li>• In the event that you opt to resign during the period, you may be required to work out your <u>notice period</u> in line with your employment arrangement.</li> <li>• Suspension does not indicate a presumption of guilt. It is merely</li> </ul>

a precautionary measure to enable the PICM investigation to progress unimpeded.

**Note:** During the suspension period you will remain suspended on full pay in accordance with the provisions of the PICM process. You are still a Telstra employee and therefore must be contactable, to continue to participate in PICM meetings until the PICM investigation has been finalised, and to be available to resume work at any time during your normal scheduled hours.

**3 Investigation**

The investigation into the alleged unacceptable conduct will include an interview between you, your manager and, if appropriate, a representative from Human Resources and/or Corporate Security.

The purpose of the interview is to:

- ensure fairness by allowing you to present your case, and respond to allegation(s) that have been made against you, and
- determine whether the allegation(s) have any substance.

**Notes:**

- You and your manager may both have a support person present at the interview, which will be recorded in writing.
- If the matter is found to hold no substance, then no further action will be taken.
- If your manager believes the alleged unacceptable conduct did occur, then they will decide what further action will be taken.
- The investigation may, depending on the circumstances, involve interviewing other parties (e.g. employees) or taking other steps reasonably necessary to determine whether the allegation(s) have any substance.

**4 Further action**

If your manager has decided to take further action, a number of options are available to them. The action taken is dependent upon the nature of the alleged unacceptable conduct and your manager's discretion.

**Note:** Where your unacceptable conduct is not so serious as to warrant Summary Dismissal, your manager can, depending on the seriousness of the case, move directly to any of the three warning stages to address the matter or can terminate your employment with notice or payment in lieu of notice.

The following table explains the actions that are available to your manager:

Option	Description
Summary Dismissal	<ul style="list-style-type: none"> <li>• If your manager believes that the alleged misconduct amounts to serious misconduct and that this has been substantiated, then they may take Summary Dismissal action.</li> <li>• Summary Dismissal means the immediate termination of your employment with Telstra (that is without notice or payment in lieu of notice).</li> </ul>
Verbal Warning	In a verbal warning your manager will:

	<ul style="list-style-type: none"> <li>• formally counsel you</li> <li>• discuss with you the consequences of continued unacceptable conduct, and</li> <li>• take a written record of the verbal warning discussion.</li> </ul>
Written Warning	<p>Where your unacceptable conduct warrants a formal Written Warning your manager will:</p> <ul style="list-style-type: none"> <li>• formally counsel you about your unacceptable conduct</li> <li>• verbally discuss with you the consequences of continued unacceptable conduct, and</li> <li>• issue you with a written warning which details the:                         <ul style="list-style-type: none"> <li>○ unacceptable conduct</li> <li>○ consequences of future unacceptable conduct, and</li> <li>○ standards of expected conduct</li> </ul> </li> </ul> <p><b>Note:</b> A Written Warning may be issued by your manager if your unacceptable conduct continues after a verbal warning has been previously issued.</p>
Final Written Warning	<p>Where your unacceptable conduct warrants a Final Written Warning your manager will:</p> <ul style="list-style-type: none"> <li>• formally counsel you</li> <li>• verbally discuss with you the consequences of continued unacceptable conduct, and</li> <li>• issue you with a Final Written Warning which details the:                         <ul style="list-style-type: none"> <li>○ unacceptable conduct</li> <li>○ consequences of future unacceptable conduct, and</li> <li>○ standards of expected conduct</li> </ul> </li> </ul> <p><b>Note:</b> A Final Written Warning clearly states that any further instances of unacceptable conduct may result in dismissal.</p>
Dismissal with notice or payment in lieu of notice	<p>Where your unacceptable conduct warrants dismissal, (but does not amount to serious misconduct as to justify summary dismissal) your manager may dismiss you with notice or payment in lieu of notice.</p>

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### Appeals

- If you are dissatisfied with any decision that has been made throughout the Unacceptable Conduct process, then you can seek a review using the [Internal Resolution Process](#).
- You can not use the Internal Resolution Process to appeal against dismissal decisions.

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