



NECATI

NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

EMPLOYMENT CODE OF CONDUCT: AIR TRANSPORT INDUSTRY

Promoting harmony in the Air Transport Industry

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**EMPLOYMENT CODE OF CONDUCT:
AIR TRANSPORT INDUSTRY**

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Employment Code of Conduct: Air Transport Industry

[CAP. 28:01]

Collective Bargaining Agreement: Air Transport Industry (NECATI)
(Employment Code of Conduct and Grievance Procedures)

It is hereby notified that the Minister of Public Service, Labour and Social Welfare has, in terms of section 80 (1) of the Labour Act [Chapter 28:01], published the Collective Bargaining Agreement set out in the Schedule, which was registered in terms of section 79 of the Labour Act [Chapter 28:01].

SCHEDULE COLLECTIVE BARGAINING AGREEMENT (AIR TRANSPORT INDUSTRY)

This further agreement, made and entered into, in accordance with the provisions of the Labour Act [Chapter 28:01], between the Employers` Association for the Air Transport Industry (hereinafter referred to as the “employers”) and the Employees Association for the Air Transport Industry) hereinafter referred to as the “employees`) being parties to the National Employment Council for the Air Transport Industry.

1. Name of Code

This Code of conduct may be cited as the National Employment Council for the Air Industry (NECATI) Employment Code of Conduct, hereinafter referred to as the Code.

2. Preamble

The Code has been made in terms of the Act read together with Statutory Instrument 379 of 1990 and Statutory Instrument 15 of 2006 and forms as integral part of the employees' condition of service.

3. Interpretation Of Terms

“Abusive Language” means the uttering of any abuse, inciting hate, ridicule or contempt towards any person or group on grounds of gender, race, tribe, religion and political affiliation

“Act” means the Labour Act.

“Chairperson” means the Chairperson of the Council.

“Collective Bargaining Agreement” means an agreement negotiated in accordance with the Act which regulates the terms and conditions of employment of employees.

“Council” means the National Employment Council for the Air Transport Industry.

“Day” means a working day and excludes Saturdays, Sunday and public holidays.

“Deputy Chairperson” means the Deputy Chairperson of the Council.

“Discipline” means conformity to set standards, rules and regulations.

“Disciplinary Action” refers to the steps taken to correct a condition of poor discipline and other forms of misconduct.

“Employee” means any person employed by or working for an employer and receiving or entitled to receive any remuneration in respect of such employment or work.

“Employees Organization” means any association or organization formed to represent or advance the interests of any employee or employees.

“Employer” means any person whatsoever who employs or provides work for another person and remunerates or expressly or tacitly undertakes to remunerate such person and includes the manager, agent or representative of such person who is in charge or control of the work upon which such other person is employed.

“Employers Organization” means any association or organization formed to represent or advance the interest of any employer or groups thereof in respect of matters relating to employment.

“Gender-based violence and harassment” means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment

“Grievance” means any dissatisfaction or feeling of injustice an employee may have in connection with his work situation.

“Levy” means any monies levied by the Council.

“Member” means a member of the Council including the Chairperson or Deputy Chairperson.

“Managerial Employee” For the purposes of the administration of this Code of Conduct, means any employee in Paterson grade D1 or equivalent and above

“National Employment Council for the Air Transport Industry (hereinafter called NECATI” means the employment council formed in terms of the Act.

“NEC-Graded employee” For the purposes of the administration of this Code of Conduct means any employee graded below Paterson grade D1 or equivalent

“Secretary” means anyone who is competent to take and write minutes

“Sexual Harassment” means Behaviour that abuses, denigrates ridicules or offends another employee or customer because of his/her sex. It includes but is not limited to unwelcome sexual advances, contacts, comments or requiring sexual favours and other verbal or nonverbal physical harassment of sexual nature in the workplace.

“Trade Union” means any association or organization formed to represent or advance the interests of any employee or class thereof.

“Unfair Labour Practice” means an unfair labour practice specified in the Labour Act or declared to be so in terms of any provisions of the Labour Act.

NOTES

- a. Words defined in the Act shall have the same meaning herein,
- b. Any words referring to masculine gender shall be deemed to include the feminine gender.

4. Policy

The Employment Council commits itself to principles of democracy in the work place, fairness and natural justice. Consequently, discipline should be corrective rather than punitive in nature unless the circumstances surrounding the case warrants otherwise.

The Council recognizes that discipline behaviour within the framework of standards rules and regulations is essential for well-being of employee and for the successful continuance of

employment, that discipline behaviour within the framework of standards, rules and regulations is essential for well-being of employees and for the successful continuance of employment.

This Code shall remain in force until such time that it is revised or amended by the Council.

5. Scope of the Code

The Code shall apply to all non-managerial employees in the Air Transport Industry including those on:

- (a) Permanent employment terms,**
- (b) Temporary employment terms,**
- (c) Probation.**
- (d) Cadets/Trainees**

6. Objectives of the Code

- (a) To provide a framework of rules and procedures for the guidance of employees in matters concerning discipline and grievance handling procedures**
- (b) To provide for investigation of offences before any corrective and/or disciplinary action,**
- (c) To promote justice in all matters,**
- (d) To ensure consistency and prompt action by the responsible authority in all matters concerning discipline.**
- (e) To provide guidelines on procedural and substantive fairness and justice in handling disciplinary and grievance matters at the workplace.**

7. Duties and Rights of Management and Employees

i. Duties and Rights of Management

Management shall have the following principal rights and duties:

- a) to manage and conduct business effectively
- b) to develop effective industrial relations policies
- c) to maintain jointly with the employees effective means for negotiation, consultation and settlement of grievances and labour disputes
- d) to ensure the creation of conducive atmosphere for productivity
- e) to ensure that sound human resource practices and procedures are observed
- f) to resolve grievances and disputes in accordance with this Code of Conduct
- g) to observe the principles of fair labour practices as defined in the Labour Act
- h) to act in good faith.

ii. Duties and Rights of Employees

Employees shall have the following principal rights and duties:

- a) Receive just, open and consistent treatment from management in its exercise of discipline and its resolution of grievances.
- b) to receive assistance from employee representatives or any other representative of their choice in the settlement of grievances and labour disputes
- c) to exercise the rights in this Code of Conduct without fear of victimization and prejudice
- d) to encourage the promotion of productivity
- e) to act in good faith

Restriction on Membership of Worker's Committee

a) No managerial employee shall be a member of or be represented by the workers' committee.

No non-managerial employee shall be represented by a managerial employee.

8. General Principles

i. Adjournment: A disciplinary hearing may be adjourned to enable further investigations to be conducted or for further evidence to be produced.

ii. Communication of Decision: Where an alleged offender is acquitted or found guilty of the charges against him the decision shall be communicated to him in writing.

iii. Factors to Be Considered: The disciplinary committee may take into consideration any of the following factors-

- (a) mitigating, extenuating or aggravating circumstances;
- (b) the offender's disciplinary record;
- (c) any valid written warnings.

iv. Decisions of Disciplinary Committee

a) Decisions of the Disciplinary Committee shall be by simple majority.

b) Where there is a deadlock the chairperson shall have a casting vote.

c) The decision of the Disciplinary Committee shall be binding on all members of the Disciplinary Committee.

d) The Disciplinary Committee shall reach decision within fourteen (14) days from the date of commencement of the proceedings of misconduct.

9. Roles and Responsibilities

i. The Role Of The Chairperson

The Chairperson of the Disciplinary Committee's major role is to hear cases falling under his jurisdiction. He/She shall be assisted by the Human Resources Official whose advice shall be sought at all times. It is the Chairperson's duty to:

- a) Gather all information that they think is required for a fair and consistent hearing.
- b) Ensure that all discussions dwell on the case at hand during the course of the hearing and that panelists dwell on matters relevant to the case.

ii. The Role Of The Human Resources

The maintenance of discipline is strictly a function of Line management. Human Resources Officials should be available to assist Line Management at every stage on such matters as the incidence and seriousness of offences, and any implications of proposed disciplinary action on industrial relations generally. As far as possible they should, by discussion with the Chairperson of the Disciplinary Committee, ensure that disciplinary action and procedures are consistent in all departments and are in conformity with this Code of Conduct and any other binding statutes. Human Resources Officials should also be available to advise employees on all Code of Conduct matters. Human Resources Officials shall not impose penalties nor hear appeals, except in respect of their own subordinates. However, it shall be their duty to process all documentation in respect of the Code of Conduct cases and appeals.

Human Resources Officials shall always attend at such hearings to:-

- a) Ensure that the disciplinary form properly identifies the offence and is otherwise correctly completed.
- b) Ensure that the alleged offender is aware of the charges against him/her.
- c) Ensure that all facts are collected, marshaled and presented without bias.
- d) Produce disciplinary record of the offender

lii. The Role Of The Employee Representative

The choice of the employee representatives shall be left to the accused employee. If an accused employee chooses to represent themselves, this choice shall be signed for on the disciplinary decision form and clearly stated in the minutes, at the onset of the hearing.

- a) The employee representatives may, during the hearing, draw attention to matters that they will subsequently wish to raise, and after the presentation of the evidence, but before a decision is reached, comment on the case or on mitigating or aggravating factors.
- b) Employee representatives are not expected to forestall disciplinary proceedings owing to perceived irregularities or breaches of the procedures of this Code of Conduct. They shall however, bring such issues up for noting in the record of proceedings.

Iv. The Role Of The Complainant

The complainant shall;

- a) Give all the necessary information in support of their decision to raise a disciplinary complaint both in the investigation and at the

hearing.

- b) Attend the hearing in person and ensure that they name all the witnesses to the alleged offence so that if need be, those witnesses can be cross-examined.

v. The Role Of Witnesses

All witnesses in a disciplinary case shall be expected to;

- a) Cooperate with the investigating team as well as the Chairperson
- b) Attend the hearing in person and be cross-examined as per provisions of this Code of Conduct.

vi. The Role Of The Accused Employee

It is the role of the accused employee to arrange his/her representation whenever they are alleged to have committed an offence under this Code. It is also their duty to inform Human Resources of their choice of representatives.

- a) The accused employee shall also make arrangements so that any witness whom they think is key to the case is called in for cross-examination in the hearing, notwithstanding the fact that the Investigating Committee may have called some of the witnesses during their investigations.
- b) The accused shall also attend their hearing in person except in cases of desertion where the hearing takes place in absentia.

10. Committees

a) Investigations Committee

This is a committee, which will preside over the alleged misconduct to determine the appropriateness of the charge and determine the level of sanction. The Disciplinary Committee shall be composed of:

- (a) A Chairperson, who is a head of department,
- (b) Two (2) management representatives, and
- (c) Two (2) worker representatives from the workers committee
- (d) A secretary who will take minutes of the proceedings.

b) Disciplinary Committee

The Chairperson shall be a neutral person who shall guide proceedings and should have the power of a casting vote. Decisions shall be put to vote and the Chairperson shall have a casting vote.

c) Appeals Committee

This is a committee, which will hear appeals following disciplinary actions recommended against offending employees by a Disciplinary Committee. The Appeals Committee can make a decision on record. The committee shall be composed of:

- (a) A Chairperson, who is a head of department,
- (b) Two (2) management representatives, and
- (c) Two (2) worker representatives from the workers committee
- (d) A secretary who will take minutes of the proceedings.

d) Grievance Committee

This is a committee set up to handle grievances and is made up of:

- (a) A Chairperson, who is Head of Human Resources or alternate,
- (b) Two (2) management representatives,

- (c) Two (2) worker representatives from the workers committee
- (d) A secretary who will take minutes of the proceedings.

11. Misconduct

1) When an employee is alleged to have committed a misconduct in terms of his/her contract, the immediate supervisor shall investigate the alleged offence and if warranted disciplinary action will be taken in accordance with, the procedures set out in this code.

2) Typical examples of misconduct are listed in order of increasing severity and associated level of sanction in Part 1 to 5 of Section 14 of this Code as follows:

Misdemeanors

Part 1

Verbal Warning

Minor misconduct

Part 2

First Recorded Warning

Serious misconduct

Part 3

Severe Warning

Very Serious Misconduct

Part 4

Final Warning

Gross Misconduct

Part 5

Dismissal

12. Procedure of Misconduct

1) Any allegation of misconduct may be levelled against any employee by any other person or employee. All such allegations shall be put in writing and directed to the Departmental Head with a copy to the Human Resources Department. The Departmental Head or any other appropriate Departmental Head shall assign the alleged offender's immediate superior to appoint an investigation committee, which is constituted in terms of this Code and will instruct the alleged offender to submit a written report on the alleged

misconduct within 48 hours. **Investigations are not part of the disciplinary hearing process.**

2) The written report will be submitted to the alleged offender's immediate superior and a copy to the Investigating Committee. On receipt of the Investigating Committees' report, where appropriate, the immediate superior shall proceed to classify the alleged of misconduct in terms of the applicable part of the schedules in Section 14 of this Code. The immediate superior shall direct the matter to the appropriate Departmental Head having jurisdiction in that area. Human Resources shall notify the alleged offender in writing at least three (3) working days before the hearing date.

3) The notice will specify:

- i. The nature of the act(s) of misconduct the alleged offender is charged with,
- ii. The date, time and place of the hearing proceedings,
- iii. The consequences of failure to attend, and
- iv. His rights as provided for in Section 11 of this Code.

4. Human Resources shall set up a disciplinary committee, assign the presiding Chairperson who shall chair, and advise the disciplinary committee of the date, time, place and the charges being levelled against the alleged offender and shall provide them with any copies of documents including statements of witnesses at least three (3) days before the hearing date.

5. Human Resources shall summon by whatever practical means all witnesses to attend the hearing to give oral evidence or produce

any relevant exhibits.

6. Such a hearing shall be attended by and in the presence of:

- i. The alleged offender,
- ii. The complainant, who shall be the appropriate immediate supervisor, and
- iii. All members of the disciplinary committee.

7. The alleged offender shall at his own expense appear before the hearing panel in person and if the alleged offender is required to move to another station the company or organization shall provide transport.

8. Should the alleged offender fail to attend the hearing they shall inform the chairperson in writing at least two (2) working days before the date of the hearing and the chairperson may postpone the hearing to some other suitable date but within the stipulated time.

9. A hearing may be held in the absence of the alleged offender if after being notified twice the offender fail to attend, and has not notified the Human Resources in writing. It will be recorded that the hearing was conducted in the absence of the alleged offender.

10. Should reasonable efforts to locate the alleged offender fail, the hearing or any other process related to the hearing will commence if delivery has been effected to the last known address of the alleged offender.

The decision of the disciplinary committee shall be formally given to the alleged offender within three (3) working days after the hearing.

13. Suspension

1) In the case of all offences, the alleged offender may be suspended from duty with or without pay and benefits for a period not exceeding fourteen (14) days if alleged offender's continued presence is likely to hinder or obstruct investigations.

2) Should investigations show that the alleged offender has a case to answer, hearing proceedings shall be conducted in terms of this Code.

3) If a dismissal penalty is to be effected for an employee who was on suspension, the effective date of dismissal shall be the initial date of suspension.

4) Should investigations show that the employee has no case to answer, the suspension will be lifted with effect from the date of suspension without loss of pay and benefits.

5) The Head of Department shall effect suspension through the Human Resources

14. Appeals Procedure

1) Any employee who is aggrieved by the disciplinary action resulting from a disciplinary hearing from any case of misconduct may lodge an appeal in writing to the Human Resources stating the grounds of appeal within three (3) days of receipt of disciplinary decision.

2) Human Resources shall recover the record and all reports of the hearing proceedings and direct them to the Chairperson of the Appeals Committee.

3) The Chairperson shall convene a hearing within seven (7) working days from the date of appeal.

4) The decision of the Appeals Committee shall be given to the Appellant within three (3) working days from the date of the appeal hearing.

5.) All disciplinary actions initially determined shall be implemented notwithstanding any appeal and shall continue in force until superseded or set aside by any subsequent determination resulting from an appeal.

6) Any employee who is still aggrieved after the internal procedures have been exhausted may appeal to the National Employment Council within fourteen (14) working days in terms of the Act.

7. The Human Resources shall appoint the Appeals Committee

15. Rights of the Employee

The alleged offender, at any hearing convened shall be entitled to:

- (a) Present his case and to question any witness giving evidence against him on any material issue without being unduly interrupted or discouraged in any manner.
- (b) Representation by a person of his choice, including a lawyer, but not by a member who will be part of the Appeals Committee.
- (c) Call witnesses, if any, to testify in his/her favour.
- (d) Have access to documents and exhibits to be used at the hearing.
- (e) Provision of the services of an interpreter at the company or organization's expense if he does not understand or express himself in English provided he inform the Human Resources their need for such services at least two (2) days before the date of the hearing.
- (f) Object to have his case heard in the presence of any particular member of the hearing panel, stating the reasons thereof, after which the hearing panel shall first determine such objection and if satisfied that the objection is valid have the member replaced before commencing or resuming proceedings.

16. CATEGORY AND TYPE OF MISCONDUCT

Schedule Part 1

Misdemeanors

Level Of Sanction | Verbal Warning

Misconduct in this part should be classified as being of a very minor nature unless repeated and the sanction should be given to the alleged offender by his immediate supervisor verbally in the presence of a worker representative.

1. Poor Time Keeping/absenteeism Without Prior Permission Or Reasonable Excuse

- (a) Arriving late at the workplace, including after a laid down official break,
- (b) Departing early from the workplace during specified hours of work,
- (c) Unauthorized absence from the workplace during specified hours of work.

2. Unsatisfactory Work Performance

Unsatisfactory work performance of a minor nature

3. Undisciplined/disorderly Behavior

- (a) Reading any newspaper, magazine, book or any other literature not related to official duty during specified hours of work
- (b) Minor, negligent damage to, loss or misuse of Company property,

- (c) A minor breach of Company rules and/or regulations
- (d) Loitering in any place while on duty.

Schedule Part 2

Minor Misconduct

Level Of Sanction | First Recorded Warning

Misconduct in this part should be classified as minor misconduct in nature unless repeated and the sanction should be given to the alleged offender by his immediate supervisor in writing.

1. Poor Time-keeping/absenteeism

Failure of an employee to notify his absence from the workplace for one (1) day.

2. Undisciplined/disorderly Behavior

A case of:

- (a) Failure to carry out a lawful instruction or order which is correctly and properly given,
- (b) Rudeness to colleagues or persons in authority,
- (c) Use of abusive language for any person or groups of persons,
- (d) Disregard of safety, health or security instructions including failure to wear the prescribed uniform or protective clothing supplied,
- (e) Indulging in unruly behaviour, and
- (f) Loitering during specified hours of work.

3. Repeated Misconduct

A repetition of any offence contained in Schedule Part 1.

SCHEDULE PART 3

Serious Misconduct

Level Of Sanction | Severe Warning

Misconduct in this part should be classified as being of a very serious nature and warrants severe disciplinary action. After a disciplinary hearing, the Human Resources shall communicate the sanction to the alleged offender. Minutes of the proceedings shall be recorded and signed.

1. Poor Time Keeping/absenteeism

- (a) Being absent from duty for two (2) consecutive working days without prior permission, reasonable excuse or valid reason,
- (b) Being absent from duty as a result of an employee failing to meet roistered pick-up for duty,
- (c) Abandonment of a posted position.

2. Poor Performance

A case of:

- (a) Improper, negligent, inefficient or incompetent performance of duty,
- (b) Failure to report any damage, loss or misuse of Company property,
- (c) Failure to report any loss or misuse of company monies.

3. Undisciplined/disorderly Behaviour

- (a) Being in possession of or bringing on to company premises at any time unsealed alcoholic drink
- (b) Being in possession of or bringing on to company premises at any time non-medical narcotic substances and/or drugs,
- (c) Gambling on Company premises,
- (d) Falsely claiming for reimbursement of expenses or allowances (including shift and overtime) or the authorization of such invalid claims,
- (e) Unauthorized opening or tempering with mail or post,
- (f) Removal of an authorized notice/sign or placing up an unofficial notice/sign or any other writing on Company property,
- (g) Abuse of sick leave benefits,
- (h) Abuse of company facilities for personal use,
- (i) Abuse of any concessions in the Staff Regulations Manual,
- (j) Failure to report for agreed overtime or rostered duty without valid reason, and
- (k) Rudeness to customers,
- (l) Smoking in a designated (No Smoking Area).

4. Repeated Misconduct 5

A repetition of any offence in Schedule Part 2.

SCHEDULE PART 4

Very Serious Misconduct

Level Of Sanction | Final Warning

Misconduct in this part should be classified as being of a very serious nature and warrants very severe disciplinary action. After a disciplinary hearing, the Human Resources shall communicate the sanction to the alleged offender. Minutes of the proceedings shall be recorded and signed.

1. Absenteeism

Being absent from duty for three (3) or four (4) consecutive working days without permission, valid reason or reasonable excuse.

2. Poor Performance

- (a) Disposing of defective work,
- (b) Concealing of defective work.

3. Undisciplined/disorderly Behavior

- (a) Sleeping on duty during working hours,
- (b) Willful and unlawful damage to company property,
- (c) Driving any company vehicle or equipment without authority and/or valid driver's licence,
- (d) Inciting another employee or employees to disregard or disobey standing instructions or regulations,
- (e) Indulging in unruly and/or disorderly behaviour,
- (f) Consuming alcoholic drinks whilst on duty on company business excluding courtesy drinks,

- (g) Taking drugs whilst on duty on company business except for drugs prescribed for medical reasons,
- (h) Breaking of company security regulations including permitting unauthorized and lawful entry of persons onto company premises or equipment,
- (i) Carrying of non-employees and/or unauthorized passengers on company vehicles and/or equipment, and
- (j) Making false allegations or bearing false witness to misconduct in terms of the Code.
- (k) Indulging in sexual harassment as defined in the definitions of the Act,
- (l) Negligence in the performance of duties.

4. Repeated Misconduct

A repetition of any offence in Schedule Part 3.

SCHEDULE PART 5

Gross Misconduct

Level Of Sanction | Dismissal

Misconduct in this part should be classified as being of a very gross nature inconsistent with continued employment and warrants termination of the alleged offender's contract of employment. After a disciplinary hearing, the Human Resources shall communicate the determination of the Disciplinary Committee to the alleged offender. Minutes of the proceedings shall be recorded and signed.

1. Absenteeism

Being absent from duty for five (5) or more consecutive working days without prior permission, reasonable excuse or valid reason.

2. Poor Performance

A case of:

- (a) Habitual and/or substantial neglect of duty,
- (b) Willful disobedience to a lawful instruction
- (c) Lack of skill which the employee expressly or implicitly held himself to possess,
- (d) Gross negligence, negligent, carelessness and inefficient performance of duty,
- (e) Having given false or misleading information as to qualifications, experience, falsified documents and/or personal details in order to secure employment.

3. Undisciplined/disorderly Behaviour

A case of:

- (a) Intoxication due to alcoholic drinks or drugs excluding drugs prescribed for medical reasons,
- (b) Driving a company vehicle and/or equipment whilst under the influence of alcohol and/or drugs,
- (c) Indulging in dishonest and/or improper practices,
- (d) Obstructing or hindering the course of justice,
- (e) Tampering with customer property.

4. Serious Acts

- (a) Forgery including falsifying of any signature, document and/or information,
- (b) Sabotage against the company,

- (c) Assault of any person whilst on company premises or equipment,
- (d) Theft,
- (e) Fraud,
- (f) Embezzlement and/or misappropriation of company funds,
- (g) Smuggling,
- (h) Taking or soliciting of bribes or any other favour in connection with company business,
- (i) Engaging in corrupt activities which include nepotism, racism, tribalism, favouritism, victimization, creed, sex and any other form of corruption,
- (j) Being convicted and sentenced to imprisonment by any court of law without the option of a fine.

5. Repeated Misconduct

A repetition of any offence contained in Schedule Part 4.

17. Validity Of Sanctions

Verbal Warning **One (1) month**

First Written Warning **Three (3) months**

Severe Written Warning **Six (6) months**

Final Written Warning **Twelve (12) months**

Note: the warning or sanction is progressive should an employee commit another offence of similar nature.

18. Grievance Handling

This is necessary whenever an employee (employees) is aggrieved in respect of employment conditions, career, and relationship with other employees (including managers) and any other employment related matters.

The procedure should be resolved as efficiently and timeously as possible in the following manner:

1. With his immediate supervisor. The supervisor shall inform the aggrieved employee in writing of the decision arrived at within 5 working days from the date the matter was brought to his/her attention. The aggrieved person shall have three working days to appeal to the next level if unsatisfied with the decision given.

2. If the grievance is not resolved then the matter will be referred to the next level of authority. The next level of authority shall inform the aggrieved employee in writing of the decision arrived at within seven working days from the date the matter was brought to his/her attention. The aggrieved person shall have three working days to appeal to the next level if unsatisfied.

3. Should all the levels of the organization be exhausted then the employee will make a written appeal to the Grievance Committee.

4. Should the Grievance Committee fail to resolve the matter, it will be referred to the Designated Agent of National Employment Council for the Air Transport Industry within seven working days.

Note: If the grievance is resolved at any level, the corrective action agreed upon shall be implemented.



FORMS

NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

EMPLOYMENT CODE OF CONDUCT

COMPLAINT FORM

Name: Department
.....

(OF EMPLOYEE WHO THE COMPLAINT REFERS)

Nature of offence/s:

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..... **Details of offence/s**

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Date:..... **Signature:**

Name of supervisor/Manager lodging the Complaint

Signature:

.....

NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

EMPLOYMENT CODE OF CONDUCT

GRIEVANCE FORM

Name: Department
.....

(OF THE EMPLOYEE LODGING THE GRIEVANCE)

Department: **Position:**.....

Nature of Grievance/s:

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Details of Grievance/s

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.....
.....

Date: **Signature:**

Name of supervisor/Manager lodging the Complaint

Signature:

.....

NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

EMPLOYMENT CODE OF CONDUCT

NOTIFICATION OF DATE OF HEARING

Name: DepartmentPosition
..... (OF THE EMPLOYEE)

Nature of alleged offence:

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.....
.....
.....
.....

Date of hearing **Time:**..... **Venue**

Hand delivered to the employee concerned:

Acknowledgement of receipt: Name:

.....

Signature:.....

Date:

Name:

..... **Signature:**.....

(OF MANAGER/SUPERVISOR)

NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

EMPLOYMENT CODE OF CONDUCT

RECORD OF PROCEEDINGS

❖ **N.B:** If the space provided does not suffice, please use a separate sheet of paper.

Name:

(OF THE EMPLOYEE WITH OFFENCE/GRIEVANCE)

Department:

Position:

Date of hearing:.....**Time**.....**Venue**.....

Present: Representing Management

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Representing Employee/s:

Nature of offence:

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Facts of matter:.....

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Statement by complainant (person alleging offence):

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Statement by Employee concerned (Respondent):

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Statement by witness if any:

(1)

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(2)

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(3)

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Committee deliberations :

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Decision to be implemented:

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Notes recorded by :

Name: **Signature:**

Designation: **Date :**

NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

EMPLOYMENT CODE OF CONDUCT

WARNING LETTER

❖ First warning/Final warning (delete inapplicable)

Name: Department:

(OF PERSON BEING GIVEN THE WARNING)

Department: Position:

Nature of Grievance/s:

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.....

This letter serves a a warning for breaching the National Employment Council for the Air Transport Industry code of conduct reference describe the nature of offence and quote the appropriate section of the code)

.....
.....
.....
.....

Please ensure that in future you adhere to the code of conduct. You can appeal against the warning to the Managing Director within 14 working days of receiving this letter. Please sign the portion provided below on a copy of this letter as proof of receipt. (Should the employee refuse to sign this letter then the Manager will merely endorse the letter indicating that the employee has refused to sign and the letter will then be filled accordingly)

Manager`s Name :Signature

Date :

.....

Employee`s Name:.....

Signature.....Date:.....

NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

EMPLOYMENT CODE OF CONDUCT

DISMISSAL LETTER

Name:.....Department:.....

(OF PERSON BEING DISMISSED)

Department: Position:

Nature of Offence/s and quote the appropriate section of the code:

.....
.....
.....
.....
.....

Following a disciplinary hearing held on the:..... A decision has been made to relieve you of your duties with effect from the

.....
You can appeal against the dismissal to the Managing Director within 7 days of receiving this letter. Please sign a copy of this letter as proof of receipt of the letter.

CHAIRMAN (DISCIPLINARY COMMITTEE):.....

EMPLOYEE REPRESENTATIVE:

EMPLOYEE :

GRADE:

NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

EMPLOYMENT CODE OF CONDUCT

NOTICE OF APPEAL

❖ **NB:** This notice must be lodged within seven days of receiving the decision being appealed against

I,

.....
.....

(Name and position of person noting the appeal)

Of:.....

(Name of branch and Department)

Hereby note an appeal to the Appeals Committee from the attached decision. The grounds onwhich I note this appeal are as follows:

.....
.....
.....
.....

I wish to summon the following persons to attend the appeal as my

witnesses: 1.

.....

2.

Noted and delivered to the office of the Human Resources Manager on:

.....

NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

EMPLOYMENT CODE OF CONDUCT

DECISION OF THE APPEALS COMMITTEE

Name of Appellant

Branch:Department:

Nature of Grievance/s:

.....
.....
.....
.....
.....

Following your appeal against the decision of the disciplinary Committee, and the subsequent appeal hearing on the....., the following decision has been made:-

- (a) The decision of the Disciplinary committee has been set aside.
- (b) The decision of the Disciplinary Committee has been upheld.

If the answer is (a) please specify the new decision

.....
.....

If the answer is (b):- You can appeal against warning/ dismissal (delete inapplicable) to the National Employment Council for the Air Transport Industry within 14 working days of receiving this letter. Please sign the portion provided below on a copy of this letter as proof of receipt

CHAIRPERSON :Date:

Employee :Date:.....

Employee RepDate :

MEMORANDUM OF AGREEMENT

BETWEEN

National Airways Workers Union (NAWU)

(Hereinafter called employee representatives)

And

Employers Association for the Air Transport Industry (EAATI)

(Hereinafter called employer representatives)

1. Pursuant to the NEC Air Transport meeting held on 19th of March 2025 at **Clevers Lakeside Resort, Masvingo**, it was agreed to draft the NEC Employment Code of Conduct for the Industry.
2. Therefore, the employer and the employee representatives hereby agree to the registration of the said code in terms of section 101 of the Labour Act.
3. Both employer and employee representatives hereby certify that they were involved in the discussions and drafting of the NEC Code of Conduct
4. Now therefore both parties agree to be bound by the terms, conditions and contents of this Code of Conduct.

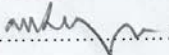
This is done at Harare on 10th June 2025.

Signed  Date 10 June 2025


Jarvis Benhura - For and on behalf of Employers Representatives

Signed  Date 10 June 2025

Tarirai Tarashika - For and behalf of Employees Representatives

Signed  Date 10/06/2025

Obvious V. Kupika - Council Chairperson

Signed  Date 10/06/2025

Edmore Chandakasirira - General Secretary for the NEC Air Transport

Telephone: 796450/60
Telegrams: "SECLAB"
Private
Bag 7707/7750,
Causeway



MINISTRY OF PUBLIC SERVICE, LABOUR
AND SOCIAL WELFARE
Compensation House
Cnr. Simon Vengai Muzenda Street and Central
Avenue
HARARE

FORM ECC2

CERTIFICATE NO: 902

LABOUR ACT, [CHAPTER 28:01]

REGISTRATION CERTIFICATE

This is to certify, in terms of Section 3 of the Labour Relations (Employment Codes of Conduct) Regulations, 1990, that I have registered the following ~~Employment Code of Conduct~~ an amendment to the following Employment Code of Conduct*

NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

.....
No: 39 Nirvana Road

.....
Hatfield

.....
HARARE

and that I have endorsed the Code/Amendment* with my signature

Date: 18TH SEPTEMBER 2025
.....

MINISTRY OF PUBLIC SERVICE, LABOUR
AND SOCIAL WELFARE
REGISTRAR OF LABOUR
16 OCT 2025
P. BAG 7707, CAUSEWAY
ZIMBABWE TEL: 0242-790871-7

.....
A blue ink signature of M.T. Mapfaka.
M.T. MAPFAKA
A/Registrar of Labour



**EMPLOYMENT CODE OF CONDUCT:
AIR TRANSPORT INDUSTRY**



NECATI

NATIONAL EMPLOYMENT COUNCIL FOR THE AIR TRANSPORT INDUSTRY

Promoting harmony in the Air Transport Industry

Tel: +263 242 570 357 No. 39 Nirvana Road, Hatfield, Harare