

Managing misconduct task list

Use this list to plan your process for managing misconduct

| Step | Action | Suggested Timeframe | Planned completion date | Date completed |
|------|---|--|-------------------------|----------------|
| 1 | If the misconduct is not serious enough for a warning, you may decide to have an informal conversation about what happened and document the discussion. | As soon as the behaviour is observed or reported. | | |
| 2 | If the misconduct is more serious, investigate the allegations and, if there are witnesses, get written statements describing what happened. | As soon as the behaviour is observed or reported. | | |
| 3 | Check company policies and your employee's employment agreement to confirm the behaviour breached company rules. | As soon as the behaviour is observed or reported. | | |
| 4 | Set out your evidence in a letter to the employee that includes: <ul style="list-style-type: none"> • details of the allegations (including any witness statements) • excerpts of the relevant clauses in the employment agreement or company policies that may have been breached • a date on which you want to meet with the employee to discuss the allegations (let them know they can bring a support person or representation) • the consequences of what may happen if the allegations are upheld (e.g. a written warning) | Write and deliver the letter as soon as Steps 1-3 are completed. Leave 2-3 business days between issuing the letter and holding the meeting - your employee must have time to arrange for a support person or representation to be there. | | |

For more information, see [Business.govt.nz](https://business.govt.nz)'s Hiring and managing people section.

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|---|---|--|--|--|
| 5 | Meet with the employee to explain the allegation and possible consequences, and to hear your employee's side of the story. | On the date specified in the letter. | | |
| 6 | Carefully consider all the evidence and decide what the outcome will be – then detail your decision in a letter to your employee. | 1-2 business days after meeting with the employee. | | |

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