

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	<p>Set out your evidence in a letter to the employee that includes:</p> <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) 	<p>Write and deliver the letter as soon as Steps 1-3 are completed.</p> <p>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.</p>		

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

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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