

MINISTRY OF JUSTICE

SUB-DIVISION: HUMAN RESOURCE MANAGEMENT

MISCONDUCT PERFORMANCE STANDARDS

OBJECTIVES

- To maintain a good standard of work and conduct required from staff members;
- To facilitate compliance with the Public Service Act, Code of Conduct, staff rules and regulations.
- To promote sound labour relations.

	PROCESSES	REQUIREMENTS	TIMELINE
1	Misconduct process		
	1. Alleged misconduct/offence	<ul style="list-style-type: none">• A complete preliminary report from the supervisor; should be submitted to the Executive Director• The report should contain the following: How did the incident happen? When did it happen? Where did it happen? What was the consequence of the alleged misconduct?	Within 14 working days from the date the offence is alleged to have been committed or known by supervisor

		<p>Who was involved?</p> <p>Why did it happen?</p> <p>Who witnessed it?</p> <p>What is the explanation for the incident?</p>	
	3. Serving of misconduct charges to accused staff member	<ul style="list-style-type: none"> • Staff member must be present on duty • Charges must be served through supervisor • Staff member must acknowledge receipt in writing • Staff member must respond to the charges within 14 days from date of receipt 	2 working days
	6. Appeal against disciplinary committee recommendation	<ul style="list-style-type: none"> • Staff member must request for records of proceedings, recommendations and findings of disciplinary committee within 7 days from date of DC's written recommendation • Submission of appeal letter through the ED to the Public Service 	Time frame only applies to staff member

		Commission within 14 days of receiving the DC's minutes.	
2	Grievance procedures		
	1. Lodging of grievance by staff member	<ul style="list-style-type: none"> Grievance must be in writing Offices should try and resolve the grievance internally before referring it to ED's office HOD must submit grievance to HR via ED's office 	5 working days
	3. Feedback and response to the aggrieved staff member	<ul style="list-style-type: none"> HR must issue response letter 	7 working days (to provided status regarding the matter)
	4. Submission of appeal to the Public Service Commission.	<ul style="list-style-type: none"> Staff member must submit appeal to the Public Service Commission via the ED's office, only once feedback is obtained from ED's office and still not satisfied with the outcome 	10 working days

Your views count

If you are not satisfied with our services, we will appreciate it if you inform us about your concerns and assist us to improve our services

When you communicate with us, please provide

- Your full name, telephone and e-mail – address
- A clear description of your particular concern or requirements
- The expected response to be considered
- A record of the issue at stake and the person who dealt with the issue, as well as the date and time of the communication, it is not a fresh enquiry.

Any comments, suggestions or request for information about the activities of Human Resource Sub-division should be directed via the Executive Director to:

Human Resources Management
Ministry of Justice
Private Bag 13302
Windhoek
Justitia Building, 2nd Floor

Or

hr@moj.gov.na


Deputy Director: Tel: +264 61 280 5242

Chief Human Resources Practitioner: Tel: +264 61 280 5295/5245

Senior Human Resource Practitioner: Tel: + 264 61 280 5270/5115/5294

Human Resource Practitioner: Tel: +264 61 280 5212/5243/5222

APPROVED/NOT APPROVED


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DR. JOHN SHIMANENI
ACTING EXECUTIVE DIRECTOR



25/01/2023
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DATE