

## **CHAPTER VI**

### **DISCIPLINARY RULES**

#### **Article 102**

The disciplinary measures that an employer or his representative may impose on the workers shall be as follows:

- 1 – Warning.
- 2- 2- Fine.
- 3- 3- Suspension from work with reduced pay for a period not to exceed 10 days.
- 4- 4- Denial or deferment of periodical allowance, in firms applying such a scheme.
- 5- 5- Denial of promotion, in establishments applying a promotion scheme.
- 6- 6- Dismissal without prejudice to severance pay.
- 7- 7- Dismissal with denial of all or part of the severance pay. This penalty may not be imposed for reasons other than those exclusively specified in Article 120 hereof.

#### **Article 103**

The disciplinary regulation shall specify the circumstances in which each of the disciplinary penalties referred to in the preceding Article may be imposed.

The Minister of Labour and Social Affairs may issue, by ministerial resolution, a model table of disciplinary actions and rewards, to be used by employers as a guide in preparing their own lists.

#### **Article 104**

A fine may be expressed in terms of a specific amount or an amount equal to a worker's wage for a specific period. The fine prescribed in respect of any single offence shall not exceed five days' wage, and it shall not be lawful to deduct more than five days' wage in any one month in payment of fines imposed on a worker.

#### **Article 105**

The fines imposed on workers shall be recorded in a special register, which shall show also why and under what circumstances they were imposed, the worker's name and the amount of his wage. Such fines shall be placed in a special account whose monthly proceeds shall be used to meet the cost of social welfare of the workers, in accordance with a resolution to be made by the Minister of Labour and Social Affairs in this respect.

### **Article 106**

Periodical allowance may not be denied more than once in any year, nor may it be deferred for more than six months.

### **Article 107**

Denial of promotion may not be imposed for more than one promotional cycle. The worker penalised shall then be promoted at the immediately following promotion cycle if he is found to meet the pertinent requirements.

### **Article 108**

The financial benefit accruing to an employer from the denial or deferment of promotion or periodic allowance shall be entered in a special register, which shall show also why and under what circumstances they were imposed, the worker's name and the amount of his wage. Such amounts shall be placed in a special account whose monthly proceeds shall be used to meet the cost of social welfare of the workers, in accordance with a resolution to be made by the Minister of Labour and Social Affairs in this respect.

### **Article 109**

No disciplinary measure may be taken against a worker for any act committed outside the workplace, unless such an act is related to the work, the employer or the responsible manager. It shall also be unlawful to impose more than one penalty or to combine a disciplinary penalty with a deduction, under Article 61 hereof, of part of the worker's wage.

### **Article 110**

None of the penalties stipulated in Article 102 may be imposed on a worker until he has been notified in writing of the charges against him, heard and allowed to have his defence investigated, and until all this has been entered in a special minutes to be placed in his personal file, with the penalty mentioned at the end of such minutes.

A worker shall be notified in writing of any penalties imposed on him, and of the nature and amount thereof, the reasons for their imposition, and the penalty to which he will be liable if he is to repeat the offence.

### **Article 111**

No worker may be charged with a disciplinary offence after the lapse of more than 30 days from the date it was detected, nor may a disciplinary penalty be imposed after the lapse of more than 60 days from the date on which the inquiry into the offence ended and the worker was found guilty.

### **Article 112**

A worker may be temporarily suspended from work if he is accused of committing a deliberate offence against life, property, honour or honesty or an offence associated with strike.

The period of suspension shall run from the date the incident is reported to the competent authorities until the latter renders a decision on the matter.

The worker shall not be entitled to wage in respect of the period of suspension. Where it is decided that a worker is not to be prosecuted or is acquitted, he shall be reinstated and paid his full wage for the period of such suspension if the employer maliciously contrived it.

