MERCURY

Enhancing Legal and Procedural Knowledge of Employee Misconduct and Disciplinary Policies

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Introduction

Employee misconduct and disciplinary policies are among the areas that have the greatest impact on workplace stability, human resources governance, and the prevention of employment disputes. Modern organizations rely on an integrated legal and procedural framework that ensures organizational justice, protects rights, and strengthens compliance with laws, regulations, and internal policies.

This advanced training program builds professional knowledge of the legal and procedural aspects of employee misconduct, beginning with an understanding of the regulatory framework governing misconduct, progressing through mechanisms for monitoring, investigation, and evidence collection, and concluding with the issuance of disciplinary decisions and the management of grievances. It focuses on the principles of legality, impartiality, proportionality, privacy protection, and the application of disciplinary policies in a manner that achieves organizational justice and enhances discipline and transparency.

The Enhancing Legal and Procedural Knowledge of Employee Misconduct and Disciplinary Policies program aims to equip participants with an understanding of the legal and procedural framework governing employee misconduct and to apply disciplinary policies in accordance with best practices, ensuring procedural integrity, achieving organizational justice, reducing legal risks, and strengthening institutional compliance.

Targeted Groups

- Human Resources Department Managers.
- Legal Affairs Managers.
- Compliance and Governance Officers.
- Department Managers and Supervisors.
- Members of Investigation and Disciplinary Committees.
- Internal Control Officers.
- Corporate Compliance Officers.
- Employee Relations Specialists.
- Policy and Procedure Development Officers.
- Executive Leaders.
- Legal Advisors.
- Professionals working in Enterprise Risk Management Departments.

Course Objectives

By the end of this program, participants will be able to:

- Explain the concept of employee misconduct and the foundations of disciplinary liability.
- Distinguish among different types of misconduct under applicable laws and regulations.
- Apply the legal principles governing disciplinary procedures.
- Analyze the relationship between misconduct and job duties.
- Document facts in a legally compliant manner.
- Manage administrative investigations in accordance with legal requirements.

- Collect evidence and assess its legal strength.
- Conduct hearings and enable employees to defend themselves.
- Select appropriate disciplinary sanctions according to the principle of proportionality.
- Prepare disciplinary decisions in a legally valid and reasoned manner.
- Manage grievance and appeal procedures.
- Protect privacy and confidentiality when handling misconduct cases.
- Minimize legal risks associated with disciplinary procedures.
- Promote fairness and transparency in the application of policies.
- Develop a work environment based on institutional compliance and discipline.

Targeted Competencies

- Legal competency.
- Procedural competency.
- Administrative investigation skills.
- Evidence and fact analysis.
- Disciplinary decision-making.
- Legal risk management.
- Application of procedural justice principles.
- Drafting legally compliant decisions.
- Grievance management.
- Institutional compliance.
- Administrative governance.
- Protection of employee rights.
- Promotion of integrity and transparency.

Course Content

Unit 1: Legal Framework for Employee Misconduct and Disciplinary Liability

- Concept and legal elements of employee misconduct.
- Distinguishing employee misconduct from other forms of liability.
- Job duties and legal obligations.
- Sources of laws, regulations, and internal policies.
- Concept of disciplinary liability and the conditions for its establishment.
- Relationship between an act or omission and misconduct.
- Intent and negligence and their impact on liability.
- Burden of proof and standards for sufficient evidence.
- Circumstances that exclude or mitigate liability.
- Governing principles of disciplinary accountability.

Unit 2: Regulatory Procedures for Managing Misconduct and Administrative Investigations

- Mechanisms for detecting and reporting misconduct.
- Documenting facts in a legally compliant manner.
- Receiving and screening reports.
- Preservation of evidence and integrity of the chain of evidence.
- Procedures for initiating an investigation.
- Formation of investigation committees and their authorities.
- Methods of collecting evidence and documents.

- Conducting interviews and hearing the parties involved.
- Enabling employees to defend themselves and present their arguments.
- Preparing and drafting investigation records.
- Evaluating investigation findings.
- Closing the investigation and submitting recommendations.

Unit 3: Disciplinary Policies, Sanctions, and Issuance of Decisions

- Objectives of disciplinary policies.
- Principles of legality, impartiality, and equality.
- Principle of proportionality between misconduct and sanction.
- Classification of disciplinary sanctions.
- Controls for selecting the appropriate sanction.
- Cases requiring aggravation or mitigation of the penalty.
- Preparing the disciplinary decision.
- Providing reasons for the decision in accordance with regulatory requirements.
- Authorities empowered to issue disciplinary decisions.
- Notifying the employee of the decision.
- Employee rights to grievance and appeal.
- Documenting and retaining disciplinary decisions.

Unit 4: Protection of Rights and Legal Risk Management in Disciplinary Procedures

- Safeguards of procedural justice.
- Protection of privacy and confidentiality of information.
- Prevention of discrimination and workplace retaliation.
- Equal application of policies.
- Conflict of interest management.
- Legal risks associated with disciplinary procedures.
- Procedural errors and their regulatory consequences.
- Promoting integrity and transparency.
- Documenting compliance with laws and regulations.
- Oversight of procedural integrity.
- Quality indicators for disciplinary practices.

Unit 5: Building an Effective Disciplinary Framework and Strengthening Institutional Compliance

- Designing effective disciplinary policies.
- Aligning policies with laws and regulations.
- Raising awareness of employee rights and responsibilities.
- Promoting a compliance-based organizational culture.
- The role of leadership in establishing workplace discipline.
- Measuring the effectiveness of disciplinary policies.
- Analyzing misconduct indicators.
- Reducing the recurrence of misconduct.
- Continuous improvement of procedures.
- Drawing lessons learned from practical cases.
- Building a fair and sustainable work environment.