



Citrus Orchard Foreman Occupational Learning

Work Scenario Guide

K3: Complaints and Disciplinary Actions

Qualification:	110667 – Occupational Certificate: Orchard and Vineyard Foreman
Work Scenario:	K3: Complaints and Disciplinary Actions
Learning Area:	K: Lead a team to perform farming operations productively and safely
Scenario Description:	You need to manage complaints and disciplinary actions in the workplace for a range of possible issues and conflicts.

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Occupational alignment:
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Alignment Information

Qualification

The content of this learner guide is aligned to the following occupational qualification:

SAQA QUAL ID	Qualification Title			
110667	Occupational Certificate: Orchard and Vineyard Foreman			
Originator				
Development Quality Partner – AgriSETA				
Primary Or Delegated Quality Assurance Functionary			NQF Sub-Framework	
-			OQSF - Occupational Qualifications Sub-Framework	
QUALIFICATION TYPE		FIELD		SUBFIELD
Occupational Certificate		Field 01 - Agriculture and Nature Conservation		Primary Agriculture
Abet Band	Minimum Credits	Pre-2009 NQF Level	NQF Level	Qual Class
Undefined	147	Not Applicable	NQF Level 04	Regular-ELOAC

Modules

The content of this learner guide is aligned to the following modules of the occupational qualification above.

Module Code	Module Title	Level	Credits
Knowledge Modules			
611202-001-00-KM-01	Plant Structure and Physiology	4	5
611202-001-00-KM-02	Vineyard or Orchard Establishment	3	2
611202-001-00-KM-03	Vineyard or Orchard Manipulation Processes	3	8
611202-001-00-KM-04	Harvesting	3	4
611202-001-00-KM-05	Basic Principles of Plant Nutrition	4	4
611202-001-00-KM-06	Crop Protection	3	3
611202-001-00-KM-07	Assets in Horticultural Production	3	2
611202-001-00-KM-08	Farm Business Management and Farming Process Management	4	8
611202-001-00-KM-09	Human Resource Management and Processes	4	8
611202-001-00-KM-10	Overseeing Farming Resource Utilisation	4	8
Practical Skill Modules			
611202-001-00-PM-01	Organise, Allocate and Monitor Availability and Productive Use of Resources	4	5
611202-001-00-PM-2a	Set Team and Individual Performance Goals to Enhancing Team Performance	4	10
611202-001-00-PM-2b	Control Vineyard or Orchard Practices	4	10

611202-001-00-PM-03	Supply Accurate Daily Orchard or Vineyard and Production Information	4	10
Work Experience Modules			
611202-001-00-WM-01	Vineyard or Orchard Resource Optimisation	4	20
611202-001-00-WM-02	Skilled and Motivated Work Team Output	4	20
611202-001-00-WM-03	Daily Orchard or Vineyard and Production Information Availability	4	20

Learning Outcomes

The content of this learner guide is aligned to the following learning outcomes of the modules above.

Knowledge Topics	
Outcome Code	Module Title
KM-09-KT01	Overseeing principles
IAC0124	The role of the code of conduct in the workplace is described
IAC0125	The importance of being honest and truthful even if it has some ramifications is outlined and discussed
IAC0126	The cost of dishonesty to the company and the team members is explained
KM-09-KT04	Managing teams of farm workers
IAC0405	The code of conduct and work ethics (Ethical compliance) is outlined
IAC0406	The principles of performance management and appraisal is outlined
IAC0407	The importance of continuous personal development and the process thereof is given
KM-09-KT08	Labour relations management and statutory provisions (policies and procedures) that regulates employment
IAC0801	The need for the LRA is motivated
IAC0802	Labour relations statutes and structures are outlined
IAC0803	Employment equity is defined, and its core principles are described
IAC0804	Conditions of employment and sectoral determinations are explained
IAC0805	Industrial relations management concepts and practices are discussed
IAC0806	Concepts of fair labour practices are discussed in relation to supervision
IAC0807	Conflict and conflict resolution practices are outlined in terms of the governing legal procedures
IAC0808	The legal grievance resolution concepts and practices are described
IAC0809	Disciplinary concepts and practice is defined and described in terms of the LRA
IAC0810	Occupational Health, Safety and Environmental Protection is explained in terms of its relevance to rights, responsibilities and structures
Practical Skills	
PM-2a-PS01	Set performance goals and conducting performance interviews
IAC0103	The appropriate interpersonal skills are used to deal with emotions and responses of the worker
IAC0104	The performance goals are correct and the measures to address performance problems are appropriate
PA0103	Identify performance related problems
PA0104	Conduct a performance interview
PA0105	Identify problem areas and apply problem solving skills to recommend actions to address those
PM-2a-PS02	Address areas of poor performance due to incapacity through coaching

IAC0201	The problem and the skills gap is appropriately identified and the coaching plan is appropriate and addresses the issue
IAC0202	The correct coaching techniques are applied, and the intervention is both technically and practically correct
IAC0203	The importance of the correct technique, correct coaching, the relation between skills gap and performance and the impact of a skilled worker on the quality of the crop are understood
PA0201	Identify the cause(s) of the problem
PA0202	Motivate the appropriate corrective measure
PA0203	Define skills related problem areas
PA0204	Compile a coaching plan
PA0205	Compile step-by-step performance improvement plan, including targets, timeframes and milestones
PA0206	Correct skills related problem areas by conducting a simulated coaching session
PM-2a-PS03	Initiate discipline in response to misconduct
IAC0301	The requirements of the Code of conduct related to fair labour practices and workplace procedures is understood
IAC0302	Various levels of seriousness of misconduct are known
IAC0303	Procedure is used correctly during the disciplinary hearing
IAC0304	The appropriate interpersonal skills are used to deal with emotions and disruptions by participants
IAC0305	The findings are correct, and the corrective measures are appropriate
PA0301	Identify misconduct in terms of seriousness
PA0302	Determine the appropriate disciplinary action that must be initiated
PA0303	Complete disciplinary notices and forms
PA0304	Conduct a disciplinary hearing
PM-2a-PS07	Conduct a practical exercise to contribute to a workplace plan to manage sexual harassment and discrimination based on case study information
IAC0701	The elements identified could give rise to a case of sexual harassment in context of workplace policies, and CCMA best practice guidelines
IAC0702	The problem, the skills gap and the coaching plan is appropriately identified
IAC0703	An appropriate and practical response plan is developed and to prevent discrimination and enhance fairness in the given case of sexual harassment
IAC0704	A sexual harassment awareness pamphlet and presentation aids are presented and is complete, correct and level appropriate (including correctness of disseminated information, include presentation skills and interpersonal communication skills)
IAC0705	An interview is conducted in a manner that is supportive and with empathetic conversation with a victim of sexual harassment and adheres to measures of relevance and correctness of interview questions, the responses are in line with Human Rights, legislation and procedures prescribed in the workplace response plan
PA0701	Identify the elements of the case study that would be potential sexual harassment in line with workplace policy and best practice guidelines according to legislation published
PA0702	Apply the correct coaching techniques and an intervention of the technical correctness according to CCMA best practices
PA0703	Compile a practical plan of how to respond to this kind of case in the workplace, and prevent discrimination in the workplace and enhance fairness, taking into account legislation and regulations
PA0704	Develop a pamphlet and presentation to be used during a harassment and discrimination information session for subordinates, aimed at creating general awareness and an understanding of the workplace policy and plan

PA0705	Simulate an interview with a worker (of the opposite gender) who reports an incident of sexual harassment and applying the referral procedure
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Chapter 1

Complaints and Disciplinary Actions

learning outcomes

The content of this chapter is aimed at helping you to:

- Handle disciplinary actions fairly.
- Deal with worker grievances effectively.

1. Disciplinary Actions

In every organisation, there will be times when workers break the rules or when management treats workers or managers badly. When workers break the rules, they will be disciplined according to the disciplinary code and procedure. When management treat others badly or unfairly, or an employee or group of employees are unhappy, those affected may file a formal grievance or a dispute.

The specific disciplinary and grievance procedures will vary from farm to farm, so we will here rather discuss the principles and general way that these issues should be handled. Let's start by discussing both the rights of employers and employees.

1.1. Employee Rights

All employees have rights, afforded to them by various pieces of legislation and regulations. These labour rights guarantee that workers cannot be treated unfairly in the workplace and offer a range of protections. Let's discuss a few of the most important rights.

Firstly, employees have the right not to be unfairly dismissed or discriminated against. This discrimination includes a wide range of protected characteristics such as race, sex, gender, religion, and more. Employees have the right to be provided with appropriate resources and equipment, and to have safe working conditions.

Employees have the right to receive the agreed remuneration (payment for their work) on the agreed date and time, and to be treated with dignity and respect. Employees are entitled to benefits such as leave and other basic conditions of employment as stipulated in the BCEA (Basic Conditions of Employment Act). Employees also have the right to join a union and to bargain collectively.

Employees also have a number of rights relating to disciplinary action, which we will discuss in the section relating to disciplinary action.

The final, and possibly most important right an employee has is to non-victimisation for claiming their rights. This means that an employee cannot be discriminated against, shunned, fired, or mistreated in any way for using any and all of their rights. Employers are also not allowed to discourage employees from using their rights, either through offering them a reward or threatening them.

1.2. Employer Rights

Just like employees, employers also have labour rights. Firstly, they have the right to expect employees to render the agreed services on the agreed days and times. Employers have the right to expect employees to perform under his/her

authorisation, and to carry out all work instructions and obey all reasonable and lawful instructions issued.

Employers have the right to expect employees to display good behaviour in the workplace in compliance with company policy and procedure, and to comply with company Disciplinary Code and Procedure, and to behave in the workplace in an acceptable manner.

Employers can expect employees to act in good faith, be loyal, and have the best interests of the employer at heart at all times, and to follow workplace rules, company policies and procedures and work performance standards.

Employers have the right to expect employees to strive honestly toward work objectives, and to expect employees to adhere to product specifications and quality standards.

Finally, employers have the right to expect employees to use the employer's prescribed resources and methods, and to report any dishonest or unlawful practices in the workplace, including any breaches of company policies and procedures.

2. Disciplinary Procedures

As we mentioned earlier, employees have rights relating to disciplinary procedures regarding what the procedure should look like, how it should be handled, and how they should be treated.

In the case of alleged misconduct and disciplinary action, they have the right to be told clearly what the charge(s) against them are. In terms of their disciplinary hearing, they have the right to enough time to prepare, and the right to be heard, to state their case and defence, and to question evidence against them.

The hearing must be procedurally fair (done properly according to procedure). Procedural fairness is very important because, even if the company feels fully justified in the decision they have taken (possibly with good reason), if proper procedure was not followed, the CCMA (The Commission for Conciliation, Mediation and Arbitration) will find in favour of the employee. Employees also have the right to appeal any disciplinary action.

Now that we have discussed the rights of employees during disciplinary procedures, let us discuss what the disciplinary procedure should generally look like:

The first step of a disciplinary process is a written warning. There is no set format for a written warning, but it should include the employee's details, the employer's details, the nature of the issue that the warning is about, the date, and any other relevant information.

If the employee feels that the written warning is not fair, they can request a disciplinary enquiry. An employee may choose to do this because a written warning will remain on his record, negatively influencing his career at the company, or future prospects.

A disciplinary enquiry will also occur if the issue is more serious than a written warning is suitable for. The first step of a disciplinary enquiry is usually to introduce all involved parties and explain the purpose of enquiry. Next, the roles of the parties will be explained, and it will be decided whether language barriers require a translator or interpreter.

Next, it will be confirmed that the employee is satisfied with their representative. The employee may indicate that no representative or interpreter is required, and this should be recorded in writing and preferably signed by the employee.

After this, the employee and employer will provide their evidence for or against the disciplinary action, after which the impartial arbiter will come to a verdict and decide whether

the disciplinary action should be dropped or what the appropriate disciplinary action is (this could range widely, from a written warning to a firing).

Note that this is only a brief basic description of disciplinary procedures, and they can vary widely from farm to farm, so you should familiarise yourself with your specific farm's disciplinary code.

3. Grievance Procedures

Grievance procedures are used to maintain fair and transparent working conditions by allowing employees to raise issues they have with management or other employees without fear of reprisal. These procedures help address workers' concerns regarding issues such as working conditions, wages, and treatment, while ensuring the farm complies with labour laws.

The process of a grievance procedure is similar to the disciplinary procedure, but will often not go to a full hearing, as an employee will usually anonymously submit their grievance to human resources, who will then handle the issue further so that the employee can stay anonymous.

As with disciplinary procedures, the specific procedure will vary from farm to farm, and you should familiarise yourself with your specific farm's grievance procedures.

summary

Chapter 1 – Complaints and Disciplinary Actions

- When workers break the rules, they will be disciplined according to the disciplinary code and procedure.
- When management treat others badly or unfairly, or an employee or group of employees are unhappy, those affected may file a formal grievance or a dispute.
- Both employers and employees have rights which guarantee fair treatment in the workplace, and offer a range of protections and entitlements.
- Employees have the right not to be unfairly dismissed or discriminated against.
- Employees have the right to be provided with appropriate resources and equipment, and to have safe working conditions.
- Employees have the right to receive the agreed remuneration (payment for their work) on the agreed date and time.
- Employees are entitled to benefits such as leave and other basic conditions of employment as stipulated in the BCEA.
- Employees have the right to join a union and to bargain collectively.
- Employees have the right to non-victimisation for exercising their rights.
- Employers have the right to expect employees to render the agreed services on the agreed days and times.
- Employers have the right to expect employees to perform under his/her authorisation, and to carry out all work instructions and obey all reasonable and lawful instructions issued.
- Employers have the right to expect employees to display good behaviour in the workplace in compliance with company policy and procedure.

- Employers have the right to expect employees to report any dishonest or unlawful practices in the workplace, including any breaches of company policies and procedures.
- Employees have the right to be told clearly exactly what the disciplinary charge(s) against them are during a disciplinary hearing.
- Employees have the right to enough time to prepare for the hearing, and the right to be heard, to state their case and defence, and to question evidence against them.
- Disciplinary hearings must be procedurally fair, and employees also have the right to appeal any disciplinary action.
- The first step of a disciplinary process is a written warning, which may be followed by a disciplinary hearing if the issue is severe or the employee feels the warning was unfair.
- Grievance procedures are used to maintain fair and transparent working conditions by allowing employees to raise issues without fear of reprisal.
- The process of a grievance procedure is similar to the disciplinary procedure, but will often not go to a full hearing.

assessment activities

- ✓ **Activity P1:** Complete this activity to test your knowledge of complaints and disciplinary actions.
- ✓ **Activity F1:** Complete this activity to test your knowledge of the entire module.