

# *Dizzy Liqueurs Limited*

Mr Johnnie Walker  
2 Millar Drive  
Edinburgh  
EH1 1EH

3 March 2011

Dear Johnnie,

## **Invitation to Disciplinary Meeting**

As you are aware our Human Resources department has been investigating your conduct and behaviour at work on 18<sup>th</sup> February 2011 given concerns we had as an organisation about your behaviour on that day. As a result of our investigations the Company requires your attendance at a disciplinary meeting to take place on Thursday 10<sup>th</sup> March at 9am at our head office. This meeting has been convened in order to discuss your conduct on 18<sup>th</sup> February 2011.

The disciplinary meeting will be attended by me, David Dizzy whose role will be to conduct the meeting. Ginny Gordon will also be present to take notes of the meeting, however Ginny Gordon will play no role in the decision making process.

You are advised that should the allegations against you be upheld then you will be liable to disciplinary action which may include dismissal under the terms of the Company Disciplinary Policy and Procedures. The alleged conduct which has led to your invitation to a disciplinary hearing is as follows:-

- i. **That on 18<sup>th</sup> February 2011 you arrived at work approximately 2 hours late without providing your line manager Amy Retto with an adequate explanation for this and;**
- ii. **That on 18<sup>th</sup> February you attended work both smelling of and being under the influence of alcohol.**
- iii. **That on 18<sup>th</sup> February your standards of work were well below the standard expected of someone in your department in that you dropped two full boxes of product, were unable to work at a reasonable work rate when on the production line and were unable to complete the production log books to an acceptable standard.**

The purpose of the disciplinary meeting is to allow you to respond fully to the allegations which have been made. At the meeting you will be given a full opportunity to state your case and respond to the allegations. Enclosed are copies of the documentation, which the Company intends to rely on in support of the above allegations.

Jackie Daniels (HR Assistant), the investigating officer, has been invited to appear on behalf of the Company. Jackie Daniels will present a summary of her investigative findings. You have the right to ask Jackie questions about the investigation and her recommendations.

If you wish to call any witnesses at the meeting you should advise me of this no less than 3 days before the meeting. Should you wish to submit any documentation to be considered prior to the meeting you may send this to me not less than 3 days before the meeting.

You are entitled to be accompanied by a work colleague/trade union representative. Your companion will be entitled to address the hearing, to put or sum up your case, and confer with you but may not answer questions on your behalf. I should be grateful if you would let me know as soon as possible who your companion will be.

Please confirm as soon as possible your attendance and that of your companion at the meeting. If you or your companion have any difficulty in attending the meeting at the scheduled time please let us know without delay so that a reasonable alternative can be arranged.

If you have any questions with respect to this letter please do not hesitate to contact me.

Yours sincerely

**David Dizzy**

Managing Director

For and on behalf of Dizzy Liqueurs Limited

**Enclosures:**

- Witness statements – (x 4)
  - Amy Retto;
  - Sam Bucca;
  - Tina Maria; and
  - Johnnie Walker
- Note and recommendations by Jackie Daniels
- Dizzy Liqueurs Alcohol Policy
- Confectionery Team: Morning Logbook Entry – 18/02/11
- Disciplinary Policy and Procedure



# *Dizzy Liqueurs Limited*

## Alcohol Policy

13 March 2004

### Introduction

Dizzy Liqueurs Limited are responsible employers and we take our obligations to our employees very seriously. This is why we have set out this policy to help us ensure the health, safety and welfare of our employees and to help us comply with our legal duties. Employees who are under the influence of alcohol at work cause harm to themselves, to others and impair their performance.

- The Health and Safety at Work Act 1974 places a duty on employers to provide a safe and healthy working environment, and to ensure the health, safety and welfare at work of their employees as well as any visitors or contractors on the premises.

### Aims of the policy

This policy aims to:

- Ensure that the Company complies with its legal obligations;
- Indicate restrictions on drinking or being under the influence of alcohol during working hours;

### Health and safety

In a social environment the consumption of alcohol in moderation is an accepted part of life. In the workplace however it can impair performance, result in inappropriate behaviour, and can place both the individual and those around them in danger, as well as affect health.

Symptoms indicative of the influence or consumption of alcohol may include:

- Frequent absences on Mondays and Fridays;
- Unusually high rates of absenteeism;
- Unkempt appearance/Lack of hygiene;
- Unpredictable work patterns and lower productivity; or
- Poor relations with others.

### Restrictions on drinking or being under the influence of alcohol at work:

**THE COMPANY OPERATES A ZERO TOLERANCE POLICY IN RELATION TO BEING UNDER THE INFLUENCE OF ALCOHOL WHILST ON COMPANY PREMISES.**

- Alcohol must not be consumed in any situation where, as a consequence, the safety of the individual, colleagues or visitors is put at risk.
- Alcohol must not be consumed on the Company's time *or* outside of normal working hours such that it should affect the exercise of any individual's duties. In particular any alcohol drunk outside of working hours must not have any effect on our employees during the working day.
- Employees are not obliged to work with anyone they consider to be incapable through the consumption of alcohol and should immediately report the matter to A. Bushmills (HR Director).

- Employees will be held to be contributorily negligent in the event that whilst on Company business they cause an accident or damages to anyone or anything, and that the incident occurred due to the Employee's consumption of alcohol whether on or outside of working time.

**Disciplinary Action**

**EMPLOYEES WHO ARE UNFIT OR INCAPABLE FOR WORK THROUGH THE INFLUENCE OF ALCOHOL, WHETHER DURING THE WORKING HOURS OR OTHERWISE, WILL BE LIABLE TO DISCIPLINARY ACTION.**

**THE COMPANY'S ZERO TOLERANCE POLICY DICTATES THAT SHOULD IT BE FOUND THAT AN EMPLOYEE IS UNFIT THROUGH THE INFLUENCE OF ALCOHOL, THAT WILL RESULT IN A FINDING OF GROSS MISCONDUCT AND THE EMPLOYEE WILL BE SUMMARILY DISMISSED.**

**This policy has been approved & authorised by:**

**Name:** Alan Bushmills

**Position:** HR Director

**Date:** 13/03/04

**Signature:**