

STUDY ON IMPACT OF INDISCIPLINE IN THE WORKPLACE

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ABSTRACT

Discipline in the workplace is the means by which supervisory personnel correct behavioural deficiencies and ensure adherence to established company rules. The purpose of discipline is correct behaviour. It is not designed to punish or embarrass an employee. Often, a positive approach may solve the problem without having to discipline. However, if unacceptable behaviour is a persistent problem or if the employee is involved in a misconduct that cannot be tolerated, management may use discipline to correct the behaviour.

KEYWORDS: indiscipline, workplace

INTRODUCTION

In general, discipline should be restricted to the issuing of letters of warning, letters of suspensions, or actual termination. Employers should refrain from “disciplining” employees by such methods as altering work schedules, assigning an employee to do unpleasant work, or denying vacation requests.

Even though the process may occur over a long period of time and may include a number of events, the process has two stages:

1. The investigation stage.

This is perhaps the most important part of the discipline process. Discipline cases are often won or lost based upon the amount of effort put into the investigation.

At this stage the manager should be gathering facts and evidence to confirm what took place. This evidence might include witness statements, a report from a private investigator, documentary evidence, interviewing witnesses to the incident, and most important of all, interviewing the employee involved in the misconduct.

The employee interview is the key to the investigation, and it should play a major role in management’s decision to issue discipline. Even when there is overwhelming evidence of an employee’s guilt, it is still essential to interview the employee. An employee involved in misconduct should be provided an opportunity to explain themselves.

2. The discipline stage.

Once management has heard the employee’s explanation in the interview, verified the facts and gathered all the evidence, the decision to discipline can be made. Ideally, the decision should be made after discussions with other people in management, and talking about the specifics of the case with the Human Resources Department.

The basis for discipline should also take into account, the factors discussed in the section on “just cause”, i.e., the employee’s past record, the severity of the incident, was the employee provoked. Ideally, discipline will not be issued “verbally” to an employee. Discipline should



be issued in writing to an employee and only after the investigation and interviews have taken place.

The main purpose of an investigation is to determine to the best of a managers' ability the facts surrounding misconduct in the workplace. As a result, investigations by their very nature should be conducted in a fair and objective manner. The need for objectivity and fairness is further reinforced by the fact that in a unionized workplace, employees have the ability to grieve discipline that is issued to them. Any discipline that is grieved, could eventually find itself before an arbitrator who will examine in detail the strength of the evidence and the fairness of the discipline.

Points to consider when conducting an investigation:

- ***Conduct an investigation with another member of Management.***

Where possible, two members of management should work together when conducting an investigation that could result in discipline. Ideally, these two managers will interview all witnesses together. Having two managers conduct an investigation provides the opportunity for Management to call two witnesses to testify to events. It also provides for better note taking and documentation of questions and answers during interviews. Consideration should be given to whether or not an investigating manager would make a good witness in a future hearing. Some individuals do not make good witnesses. Consideration should also be given as to whether or not a manager will be available six months to a year later to testify in any future hearing. A manager who will be leaving the University is not a good choice as an investigator.

- ***Union representation during an investigation***

There is a requirement for a shop steward to be present when interviewing a unionized employee where there is a reasonable belief that the employee may be disciplined. There is no requirement for a steward to be present if Management wants to interview an employee who was only a witness to misconduct or who is providing a complaint regarding another employee or member of management.

- ***Talk to as many witnesses as possible when conducting an investigation***

If it has been determined that there are witnesses to a misconduct, Management should meet with these witnesses in order to determine the best possible picture of the incident that has occurred. These meetings should be conducted formally, if possible, and notes taken of the witnesses' statements and answers to questions. If possible, request a written statement from any witnesses. While a written statement is often helpful, it does not replace the need to sit down and formally interview a witness.

- ***Investigate the paper trail***

There is often a substantial amount of "documentary" evidence that can be used to support evidence of misconduct. Examples of this include financial records, time cards, phone records (the University can obtain a record of every telephone call made on campus) computer records, e-mails, policy documents, performance appraisals etc.

When conducting an investigation, the security of this evidence must always be considered. There is always the possibility of this type of evidence being destroyed or altered if news of an investigation becomes known.



During an investigation, the employee's personal file should also be reviewed to determine if the employee has in fact been disciplined previously. If the employee has been previously disciplined, this should be mentioned in any subsequent discipline letter.

5. Seek outside help to investigate evidence of misconduct

At times it may not be possible for a manager to investigate into misconduct without the help of an expert. In fact many serious and complex cases of misconduct can only be properly investigated with the assistance of private investigators, forensic auditors, computer specialists and the like. This can be especially true with misconduct involving WCB or sick leave abuse, complex cases involving fraud or theft, and the misuse of computer technology. Choosing to hire an outside party to investigate into misconduct can be an effective tool for providing strong evidence of misconduct. It is suggested that you discuss the use of expert investigators with H.R. prior to bringing them into an investigation.

REVIEW OF LITERATURES

K.G. Desai conducted a comparative study of motivation of blue collar and white-collar workers of three industries located in Bombay and Kollapur cities in Maharashtra state. Adequate earnings, security in job and fair treatment of grievances were important motivators for both workers. Opportunities for advancement were considered to be more important to white collar workers than blue-collar workers.

Saxena R.C.'s study on industrial relations in selected units examined employment, earning and expenditure, the maintenance of personnel, attitude of the employees towards policies, the growth and development of labour movement and industrial relations in

five selected industrial units representing four sectors of industrial activity viz, sugar, distillery, vanaspati and textile.

Gangadhara Rao. M. in his study entitled, "Industrial relations in Indian Railways", has investigated the personnel and union - management relations with special reference to post - independence period. The study analysed trends in employees' remuneration, hours of employment, absenteeism, discipline, employees unions and leadership in Indian Railways.

Ishwar Dayal and Baldev R. Sharma's study on "Strike of Supervisory Staff in the State Bank of India" examined industrial relations situation in the State Bank and the events preceding the strike, the reasons for the strike, and described the immediate post - strike phase and the subsequent stage reconstruction of relationships between the management and the employee's federation.

Baldev R. Sharma has conducted a study on "Organisational Determinants of Supervisory Management Relations in Corinthian Bank Limited." A combination of three factors namely, style of management, monetary benefits & absence of disparities was found to explain 58 percent of the variation in supervisory management relations. The said combination represented the best equation.

Ramana Rao P. V. made a study on "Industrial Relations in Andhra Pradesh State Electricity Board" and examined the nature of personnel and union management relations in the electricity board and explained why interests and attitudes of the management and labour came into conflict, how conflicts were resolved and how new problems would emerge in future.

Baldev R. Sharma and Sundararajan P.S. in their study on "Organisational Determinants of



Labour Management relations in India” investigated factors determining labour management relations in 50 companies. Of the nine factors studied, the two included in the best equation scope for advancement and grievance handling were found to be the most critical determinants. Together these two factors accounted for 58 percent of the variation in labour management relations across the 50 companies.

Menon P.K.S. in his study on "Personnel Management in Banks” examined the procedures, practices and policies prevalent in personnel administration in banks in India. He identified that behind the facade of trade unionism the bullies influenced every facet of management whether it was collective bargaining, grievance procedures, disciplinary matters, departmental enquiries or employee managerial relations.

Baldev R. Sharma & Das G.S.'s study on "Organisational Determinants of Human Relations in the Banking Industry", identified advancement, welfare, money, recognition and appreciation as factors which constituted the best combination in explaining variation in supervisory - management relations in banks. These factors together contributed 78 percent variation in human relation in banking industry. It was also found that relationship between welfare and employer - employee was positive and improvement in one factor contributed to the improvement in the other.

Narasimha Rao V.L.'s study on "Determinants of Strike Activity in Major Industrial Units in Vishakapatnam", made an assessment of the strike activity among the employees in the selected units and identified the underlying causes thereof. It was found that strikes happened due to problems of adjustment in the union - management relations. Collective

bargaining has reduced the scope for conflict in Vishakapatnam.

TYPES OF INDISCIPLINE IN THE WORKPLACE

In the ideal workplace, employees follow company policies and maintain high standards of professional behaviour. Although many employees will strive toward these goals, chances are that you occasionally face problem workers lacking discipline. Indiscipline in the workplace can be disruptive to productivity and profit, so it must be identified and addressed immediately. Identify different types of indiscipline in the workplace to help eliminate misconduct problems before they develop into lasting bad habits.

Direct

Indiscipline in the workplace can be direct and noticeable, causing discomfort to managers and co-workers because of its sometimes confrontational or aggressive nature. Employees may make loud, disparaging remarks about supervisors, or saunter into work half an hour late. Other examples include not calling to report an absence ahead of time, using profane language, behaving unprofessionally with customers or blatantly defying orders from employers. These behaviours set a bad example to other workers, undermine the authority of supervisors and create a sometimes-scary work environment. Don't be drawn into confrontations with aggressive employees; document behaviours and then dismiss these problematic workers if appropriate. Chances are, you don't want them around.

Indirect

Indiscipline in the workplace can also be more indirect and less noticeable but still problematic. Examples of indirect indiscipline



might include working sluggishly to avoid taking on new assignments, encouraging co-worker misconduct with laughter, or agreeing with constructive criticism but then not applying suggestions to work quality or productivity. Indirect discipline can be tricky in that it's harder to pinpoint and managers may be reluctant to intervene for seemingly small problems. These can grow into bigger problems, however. Managers can avoid ungrounded accusations by first asking employees to explain behaviours.

Unwitting

Workplace indiscipline can also be unwitting in that employees don't know or haven't been informed of expectations and professional standards. For example, perhaps employees routinely take personal calls or update social networking accounts on company time because other workers appear to be doing the same thing.

Unless your company handbook prohibits such activities, it may not be clear to workers that you view this as misconduct. Provide employees with detailed handbooks outlining discipline expectations, including consequences for infractions. Employee trainings and workshops can also emphasize expectations.

Approved

Another type of workplace indiscipline includes unwanted activities and behaviours that aren't commented upon by managers or supervisors, sending mixed messages to employees about expectations. For example, perhaps the company handbook clearly states that profane language and discriminatory comments are prohibited in the workplace. But managers may look the other way or even participate in conversations grounded in foul language, letting employees know that this

type of misconduct is acceptable in the workplace despite stated company rules.

To eliminate this type of indiscipline, apply consistency to discipline guidelines so that managers, supervisors and employers must adhere to the same expectations as employees.

IMPACT OF INDISCIPLINE IN THE WORKPLACE

1. Condonation of Past Offences:

The real purpose of disciplinary action is to prevent the recurrence of future offences of similar nature. As far as the past offences are concerned, they should be allowed to be condoned after a prescribed time limit. An opportunity should be given to employees to rectify their faults. The employer should always try to seek cooperation from the employees.

2. The Discipline Committee:

Minor cases in which reprimand rebuke or warning is required may be settled by the supervisor or the manager, but where the offence requires a grater punishment, discipline committee should adjudge the case to ensure the unbiased justice to the employees and the employer.

3. Agreement as to Disciplinary Rules:

A code of discipline should be prepared and adopted with the approval of employees; unilateral action should not be taken by the management in framing the rules and regulations for maintaining discipline. A code of discipline duly approved by the representatives of the trade unions and of the management can avoid certain unhappy consequences and impose self-discipline.

4. Investigations by Personnel Department:



The Discipline Committee cannot successfully work unless it gets the full facts of the case. Such facts should be collected and supplied by the personnel department, because the personnel department has the specialised staff for rendering expert service and advice on personnel matters in the organisation.

OTHER SUGGESTIONS

Besides the above preventive and curative measures to meet indiscipline in an organisation, a few other measures may help:

- (a) Each worker, as an individual should be paid fair or reasonable wages sufficient to maintain him and his family in good health and spirit.
- (b) Trade union leadership should be developed from within the rank and file of workers. Such a leader may well understand the feelings and reactions of the fellow workers so that he may be able to put their demands in a right manner.
- (c) Personnel Policies such as policies for recruitment, transfer, promotions or placement should be made realistic and progressive.
- (d) Each worker in an organisation should be ensured sufficient security for employment, Deniable economic reward for good work, fair treatment and other kinds of support from his employer. It will encourage him to perform better on the job.

CONCLUSION

Workers Participation in Management in India in Selected Public and Private Sector Undertakings", examined the influence of socio-economic factors of individuals on the participative bodies, the assessment on impact

of participation in the organisation and also identified the problems faced by members of participative bodies. The working of the participative committees was quite satisfactory. Lack of legislative framework and lack of training and education were the two main problems of participation.

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