



Writers Guild of South Africa: Discipline and Grievance Procedure

1. DISCIPLINE

- 1.1. A member may be suspended or expelled from WGSA by Council:
 - 1.1.1. If failing to pay within thirty (30) days of demand membership fees that are more than two months in arrears, without prior arrangement with the Executive Officer.
 - 1.1.2. If infringing any of the terms of the Constitution or acting in a manner which, in the opinion of the Council, is detrimental to the best interests of the members or undermines the discipline of WGSA.
 - 1.1.3. If defrauding WGSA in any way, which shall also mean any act of dishonesty or theft, perpetrated against the WGSA or a WGSA member.
 - 1.1.4. If any criminal charges are brought against a WGSA member and such a member is found guilty of these charges in a court of law.

2. Disciplinary Procedure

- 2.1.1. Any member who fails to comply with any of the terms of the Constitution or any lawful decision of the Council or does anything prejudicial to the interests of the WGSA, including but not limited to conduct that undermines the WGSA, may be charged by Council
- 2.1.2. Council shall appoint a Disciplinary Committee, which composition shall recognise the specific level and circumstances of the alleged transgression, and which shall preside over the disciplinary matter and hearings that relate to the alleged misconduct of the member/s. The Chairperson or Chairperson's nominee shall serve as an *ex officio* member of the Disciplinary Committee and shall advise the Disciplinary Committee on procedural matters.
- 2.1.3. The Disciplinary Committee must investigate the charge within a reasonable time and shall draw up a charge sheet and present the charge against the member, who shall have the right to defend him/herself and to a fair hearing.
- 2.1.4. In the event that the party concerned is found guilty of the charge laid against him, the Disciplinary Committee may recommend any one of the following sanctions:
 - 2.1.4.1. A written warning.
 - 2.1.4.2. A final written warning.
 - 2.1.4.3. Suspension for a definite period from the WGSA.

P.O. BOX 1330, FONTAINEBLEAU, 2032 ♦ 34 7TH STREET, LINDEN, JOHANNESBURG

MOBILE: +27 (0)65 832 9016 FAX: +27 (0)86 654 1972 LANDLINE: +27 (0)87 238 4512

EMAIL: ADMIN@WRITERSGUILDSA.ORG WEB: WWW.WRITERSGUILDSA.ORG

NPO 081-261 ♦ PBO 930-036-168

- 2.1.4.4. Suspension from a WGSA elected or appointed position for a definite or indefinite period.
- 2.1.4.5. Expulsion from the WGSA.
- 2.1.4.6. Any other determination that is regarded as fair and appropriate in the circumstances.
- 2.1.5. Council will have the right to confirm, vary, reject or reverse a recommendation from the Disciplinary Committee, provided reasonable grounds are given for any variation, rejection or reversal of such recommendation.
- 2.1.6. The appeal must be lodged in writing with the Chairperson(or her/his deputy)within five days of notification of the decision.
- 2.1.7. A written statement of case, together with supporting documents where applicable, must accompany the notice of appeal. An appeal shall be invalid if the appellant fails or neglects to submit a statement of grounds for the appeal.
- 2.1.8. In the instance of an elected or appointed officer being charged, the Council will appoint a suitable person independent of WGSA to investigate the matter and to conduct a disciplinary inquiry if found that prima facie evidence exists to warrant such an inquiry. Such disciplinary inquiry will be instituted within twenty-one (21) days of the Council so resolving.
- 2.1.9. The appointed independent person will recommend an appropriate sanction to the Council, based on the evidence found during the course of the disciplinary enquiry.
- 2.1.10. In the event that the recommendation to the Council that disciplinary action be instituted is accepted, such disciplinary action shall be instituted within twenty-one (21) days of such a resolution by the Council.

3. Grievance Procedure

- 3.1.1. Any member, who believes that another member of the WGSA has acted contrary to this Constitution and the WGSA's code of conduct and protocols, and in so doing through action or inaction, has caused harm or has damaged the professional standing of the complainant member and/or the WGSA, may register a grievance with the Executive Officer.
- 3.1.2. This complaint shall be managed in the same manner and process as the Disciplinary Procedure outlined in Item 2 above.
- 3.2. Loss of member privileges
A member shall not be entitled to any benefits or services of the WGSA, including the right to vote:
 - 3.2.1. If served notice that a subscription or any other amounts due to the WGSA are more than three months in arrears.
 - 3.2.2. During any period under suspension in terms of this Constitution.

3.2.3. If membership was terminated for whatever reason provided for in the Constitution.