

 SATBAYEV UNIVERSITY	MINISTRY OF EDUCATION AND SCIENCE REPUBLIC OF KAZAKHSTAN NON-PROFIT JOINT STOCK COMPANY « KAZAKH NATIONAL RESEARCH TECHNICAL UNIVERSITY NAMED AFTER K.I. SATBAYEV»	
QMS documents Level 3	Edition №2 dated « <u>25</u> » <u>03</u> 2021	R 029 – 06.01.3.02 – 2021

REGULATIONS

**on the Disciplinary Commission
NJSC "KazNRTU named after K.I.Satbayev"**

R 029 - 06.01.3.02 - 2021

Almaty 2021

FOREWORD

1 DEVELOPED by the Administrative Department of NJSC “Kazakh National Research Technical University named after K.I.Satbayev”

2 AGREED

Responsible for translation
Head of the English Language
Department
« 20 » 05 2022

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3 APPROVED by the Decision of the Board of NJSC KazNRTU dated « 25 »
03 2021, № 11

4 INTRODUCED to replace edition №1 dated 02.12.2016

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1 Primary function

1.1 This Regulation determines the status, functions, organization and procedure for the Disciplinary Commission of NJSC "KazNRTU named after K.I. Satbayev" the activities (hereinafter referred to as the University).

1.2 The Disciplinary Commission of the University (hereinafter - the Commission) is a consultative and advisory body that considers the facts of violation of labor and academic discipline, the implementation of the Law of the Republic of Kazakhstan "On Combating Corruption" and labor law by employees and students (students, undergraduates and doctoral students) of the University and issues of involving them to disciplinary action.

2 Regulatory bases of function

2.1 The function of the Commission are regulated by the following regulatory documents:

- the Constitution of the Republic of Kazakhstan;
- Labor Code of the Republic of Kazakhstan;
- Law of the Republic of Kazakhstan dated November 18, 2015 No. 410-V "On Combating Corruption";
- Law of the Republic of Kazakhstan "On Education";
- Normative legal acts in the field of education and this Regulation

3 Terms, symbols, abbreviations

3.1 **Disciplinary liability** is a type of legal liability, the main content of which is the measures (disciplinary sanction) applied by the University administration to an employee (student) in connection with the disciplinary offense commission.

3.2 **A disciplinary offence** is an unlawful violation of labor (educational) and/or discipline performance by an employee (student), which disciplinary liability is provided for. A disciplinary offense is characterized by the employee's (student's) failure to fulfill their functional (study) duties provided by labor legislation, the Charter, internal labor regulations, job descriptions connecting with the employment contract (study contract) agreed by the employee (student) with the University.

3.3 **Disciplinary sanction** is a sanction (punishment) imposed on an employee (student) in connection with the disciplinary offense commission.

3.4 **Internal investigation** (internal audit) - activities within the framework of disciplinary proceedings for a comprehensive, complete and objective collection and study of materials on the fact of a employees / student's disciplinary offense or non-performance / improper performance of their functional duties.

4 Objectives and functions of the Commission

4.1 The main **objectives** of the Commission are:

–consideration of disciplinary cases and development of proposals to the Rector of the University to bring to disciplinary liability individuals who violated labor, educational and / or performance discipline, the requirements of anti-corruption legislation;

–analysis of the causes and conditions conducive to the disciplinary offenses commission by employees / students;

–making proposals to the Rector of the University on improving work to strengthen labor discipline, ensuring compliance by students / employees of the University with the requirements of labor and anti-corruption legislation of the Republic of Kazakhstan.

5 Member of Commission

5.1 The Commission consists of: the Chairman of the Commission, the deputy chairman, and the commission members and secretary.

5.2 The Commission consists of at least 5 members, including the secretary, who has the right to vote.

5.3 The number of members of the Commission must be odd.

5.4 The composition of the Commission is approved by the order of the rector.

5.5 The Chairman of the Commission is appointed an official who is in charge of human resources. The Commission must include the head of the human resources department, a lawyer, as well as the head in charge with youth policy issues department.

6 Commission activities organization

6.1 the Chairman of the Commission:

- provides the Rector of the University with information on the results of the Commission's functions (as necessary);

– submits an annual report to the Rector of the University (at the end of the academic year);

- if necessary, organizes interaction with other structural divisions to solve the issue assigned to the Commission;

- leads, organizes, manages and bears personal responsibility for the implementation of the tasks and functions assigned to the Commission, determined by these Regulations;

– determines the meeting agenda of the Commission;

- convenes meetings of the Commission and presides over them. In the absence of the Chairman of the Commission, the Vice-Chairman of the Commission chairs the meetings on his/her authority;

– determines the rapporteur on a specific issue considered at the meeting of the Commission.

6.2 Secretary of the Commission:

– informs the members of the Commission about the date and time of the meeting, the meeting agenda of the Commission;

- keeps meeting minutes of the Commission;

– sends the decision of the Commission to the appropriate subdivision for execution.

6.3 The decision by the Commission to impose a disciplinary sanction is determined by the rules for imposing disciplinary sanctions provided for by labor legislation, as well as acts of law enforcement agencies.

6.4 An internal investigation into the fact of a detected violation is carried out (if necessary) by the internal security service of the University within the time frame and in the manner prescribed by applicable law.

6.5 The grounds for conducting an internal investigation are messages, statements and other information received in the name of an official of the University.

Anonymous requests are not considered.

6.6 Meetings of the Commission are held as necessary and are considered competent if they are attended by at least two thirds of the total number of members of the Commission.

6.7 The Commission takes a decision by a simple majority of votes of the members of the Commission present at the meeting. In case of equality of votes, the chairperson's vote is decisive.

6.8 The meeting of the Commission may be held both with the participation of the person in respect of whom the disciplinary case is being considered, and without his/her personal presence at the meeting on the basis of the explanatory and other documents submitted by him/her on the basis of the issue.

6.9 Based on the results of consideration of the disciplinary case, the Commission may make one of the following decisions:

– to recommend to the Rector to impose a disciplinary sanction in accordance with the current labor legislation of the Republic of Kazakhstan;

– to recommend to the Board of Directors to consider the issue of disciplinary liability of members of the Decision-Making Board;

- to recommend considering the issue of the employee's compliance with the position held in the prescribed manner;

- terminate the disciplinary case;

- if there are signs of a corruption offense in the actions of an employee (student), send documents and materials to the appropriate law enforcement agencies.

6.10 The minutes of the meeting of the Commission, containing recommendations on the issues under consideration, signed by the chairman and secretary of the Commission, are submitted for consideration by the Rector. An extract from the minutes with the decision of the Commission within five days from the date of its approval by the Rector is submitted to the corresponded departments and individuals.

6.11 Decisions of the Commission are advisory in nature and can be appealed by directing an appropriate application/petition addressed to the Rector.

6.12 The Commission terminates the disciplinary case in the following cases:

- expiration of the terms for imposing a disciplinary sanction, provided by the current legislation of the Republic of Kazakhstan;
- unreasonable initiation of a disciplinary case;
- the absence of a disciplinary offense;

6.13 If necessary, attestation can be carried out remotely, online using the means of collective video and audio communication, mobile communication, specialized software for secret voting and vote counting. In this case, voting by members of the Commission is carried out through the technical capabilities of the system.

7 Rights of the Commission

7.1 For the implementation of the main objectives and the implementation of the assigned functions, the Commission has the right in the prescribed manner:

- invite for hearing to the meetings the person in respect of whom the issue is brought to disciplinary liability, heads of structural divisions and other employees / students of KazNRTU;
- request the necessary documents, materials and information relating to the case considered by the Commission;
- request written explanations from employees/students in respect of whom the case is being considered, as well as other persons who have information;
- entrust the conduct of official investigations into the facts of commission of corruption offenses and violations of labor discipline;
- make proposals on the need to apply to law enforcement agencies for inspections and investigations in relation to employees / students of KazNRTU;
- to interact with public organizations within their competence;
- make proposals for improving work to prevent corruption offenses and disciplinary violations.

AMENDMENT RECORD SHEET

Sequential number of amendment	Section, paragraph of the document	Type of amendment (amend, cancel, add)	Notification number and date	Amendment made	
				Date	Surname and initials, signature, position