

children's father, stating that the father does not receive children's allowance, is entitled to this children's allowance.

32.4 This allowance will be paid at the end of each month.

32.5 The Employer has the right, after consultation with the WIFOL, to pay this children's allowance in another way, if parties think it necessary, considering each case individually.

32.6 This allowance will be cancelled at the moment when a legal regulation regarding this matter will take effect.

Article 33 - Disciplinary Measures

33.1 No disciplinary measures shall be taken if both sides have not first been heard. The Employee has the right to make use of the WIFOL for representation during the interview or interrogation.

33.2 The Employee who violates the provisions of this Agreement, or who does not perform an assignment given to him/her, or who does not perform in accordance with the assignment or violates the legal regulations, exposes himself/herself to disciplinary measures which could consist of:

- a verbal warning
- a written warning
- Suspension without pay for a maximum of three working days.
- dismissal, but only for justified reasons

33.3 The Employer shall inform the Employee in writing of any disciplinary measures mentioned above, excluding the verbal warning, and copies must be sent to WIFOL.

Article 34 - Other Disciplinary Measures

The Employer may place an Employee on non-active duty, with retention of pay, when circumstances require such, for example pending an investigation. The Employee against whom this measure has been taken must nevertheless remain reachable and, if so instructed, immediately place himself/herself at the disposal of the Employer during office hours.

Article 35 - Grievances and Disputes

35.1 Grievances

35.1 - a There is a grievance if an Employee:

35.1 -a1 Is of the opinion that he/she has been treated improperly or unfairly in his/her work by his/her superiors.

35.1 -a2 Cannot reconcile himself/herself with the measures taken with regard to his/her person, or the application of some article of this CLA.

35.1 - b In such a case, the Employee in question shall approach his immediate supervisor and the Human Resources Department about this within two working days of the occurrence that constitutes the grievance. The Human Resources Department will conduct an investigation on the matter and will present its finding within two (2) working days to Management. A copy of the





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Mr. Bares Kingsale
C/o N.V. G.E.B.E.
Philipsburg
St. Maarten

Your ref.:
--

Our ref.:
MB/cs/PZ-16-03-078

Date:
March 11, 2016

WARNING LETTER

Dear Mr. Kingsale,

Management of N.V. GEBE has noted that you have displayed a very disrespectful attitude towards the interim Director, Mr. A. Zagers, on a regular basis since the appointment of the interim Director.

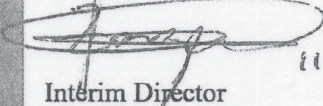
Today again you went to Mr. Zagers office in a very rude and arrogant tone to discuss the matter that was sent to you via an e-mail with regards to a Manager taking days off and then subsequently calling in sick on those same days in order to get said vacation days back. This behavior can be categorized as unprofessional, to say the least, due to the fact that Managers are senior executives within this organization and they have to be a role model to the rest of the organization.

You made veiled accusations towards the interim Director Mr. Zagers and you raised your voice towards him, afterwards you slammed the office door behind you as you left his office. Your behavior was very condescending, unprofessional and disrespectful.

This behavior is totally unacceptable for a Human Resource Manager on a trial period and will not be tolerated. You are hereby issued a stern **Warning** letter.

Please be advised that such behavior will not be tolerated and if it continues Management of N.V. GEBE will take stronger disciplinary measures against you, not excluding demotion or termination of your labor contract.

Yours very truly,
NV GEBE


Interim Director
Mr. Andrew S. Zagers

11/3/2016



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MEMO MB/16-09-025

To : Mr. Clifford Sasso
From : Mr. Kenrick Chittick & Ms. Iris Arrindell - Interim Managing Directors
Date : September 9, 2016
Subject: Warning letters retracted

Dear Mr. Sasso,

With reference to the ten (10) warning letters that were issued during the tenure of Mr. Zagers as Interim Managing Director, we hereby request you to retract the warning letters of the following persons:

1. Mr. Antonio Brown
2. Ms. Cheryl Arnell
3. Mrs. Diana Copeland – Woodley
4. Mr. Bares Kingsale dated March 11, 2016

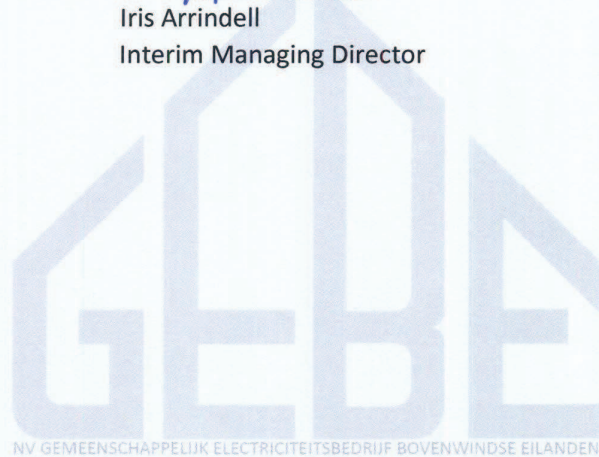
The warning letters that were issued were not in accordance with the CLA therefore, please write a letter to the above mentioned persons informing them that the warning letter will be removed from their file.

Hoping to have informed you sufficiently,

Regards,

Kenrick Chittick
Interim Managing Director

Iris Arrindell
Interim Managing Director





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Mr. Bares Kingsale
C/o N.V. G.E.B.E.
Philipsburg
St. Maarten

Your ref.:
--

Our ref.:
MB/CS/sg/PZ-18-01-013

Date:
January 18th, 2018

Re: Promotion

Dear Mr. Kingsale,


Please be informed that as per January 1st, 2018, you have been officially promoted to the function of “**Assistant Human Resources Manager**” within the Human Resources Department.

The acting allowance you were receiving will be incorporated into your salary as per January 1st, 2018. Your new salary as per January 1st, 2018, is **Naf. 10,141.00** (Scale 12/Level 16).

We wish you much success in your new function and we hope you continue to carry out your tasks to the best of your ability.

Hoping to have informed you sufficiently, we remain.

Sincerely,


Managing Board N.V. GEBE 