

AN EXAMPLE OF A FINAL WRITTEN WARNING

BEAR POWER TOOLS (South Africa)

26 March 2022

Mr Willem van Dyk
c/o Bear Power Tools (South Africa)

Dear Willem

FINAL WRITTEN WARNING

This communication serves to inform you that you are being issued with a FINAL WRITTEN WARNING for gross negligence arising out of your dealings and conduct with one of our largest customers, MTEL, and the resulting inaccurate quote given to them.

This charge arises out of your being grossly negligent in giving a quote for a product to a client despite being aware that the quote was in the region of ten times the amount of an average quote, as well as failing to:

1. Investigate the cause of a 40 per cent failure in the product in question when it was demonstrated to the client;
2. Confirm that the product quoted for was suited to the job for which it was required (which according to technical advice available to yourself was not the case);
3. Make use of the technical services provided by the company to confirm the suitability of the product in question.

Prior to any quote being given to a customer, confirmation of the suitability of the product for the client should be established. This responsibility is even greater when one is dealing with a quote of the magnitude of the one in question and when dealing with a customer as important to the company as MTEL.

The severity of the above offence is based on the following:

1. As a result of the inability of the quoted product to meet the stated requirements of the client, a more expensive product had to be supplied at the original quoted price, which is far less than that of the appropriate product. This action has resulted in a loss to the company of R183,000 (one hundred and eighty three thousand rands).
2. Future business relations between the company and the client may have been jeopardised.

Regarding the above warning, your attention is drawn to the following:

It is valid for a period of 9 (nine) months from the date hereof. The implications of this are that, should you commit the same or a similar offence within the above-mentioned period, further disciplinary action may be taken against you. This may result in your dismissal.

We, the undersigned, hereby agree that the above warning has been communicated to Mr Willem van Dyk:

For the Company

Mr van Dyk

Witness

Date