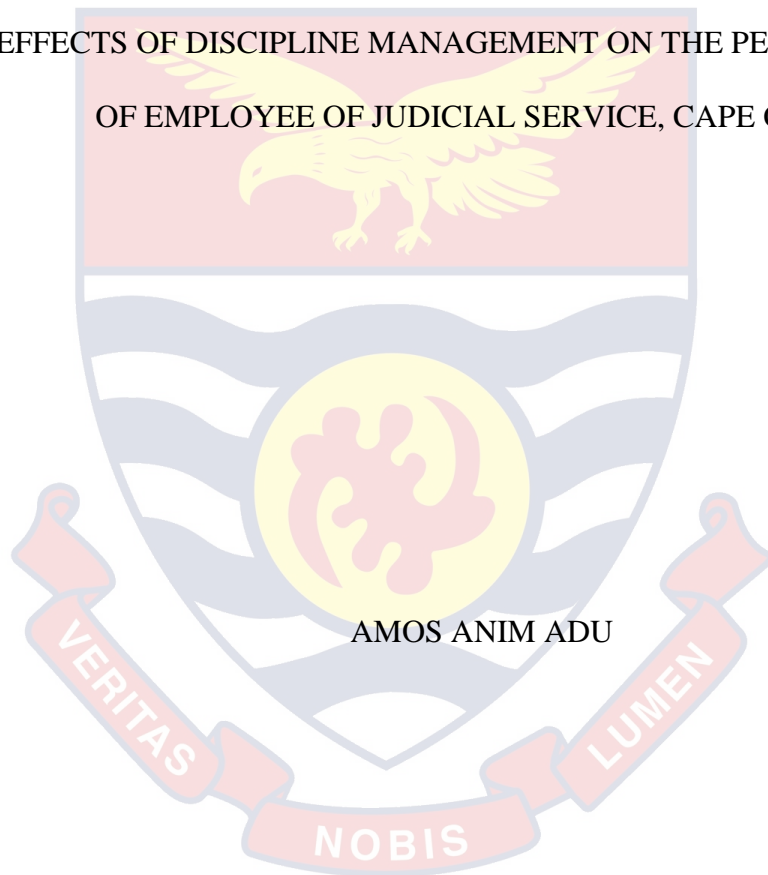


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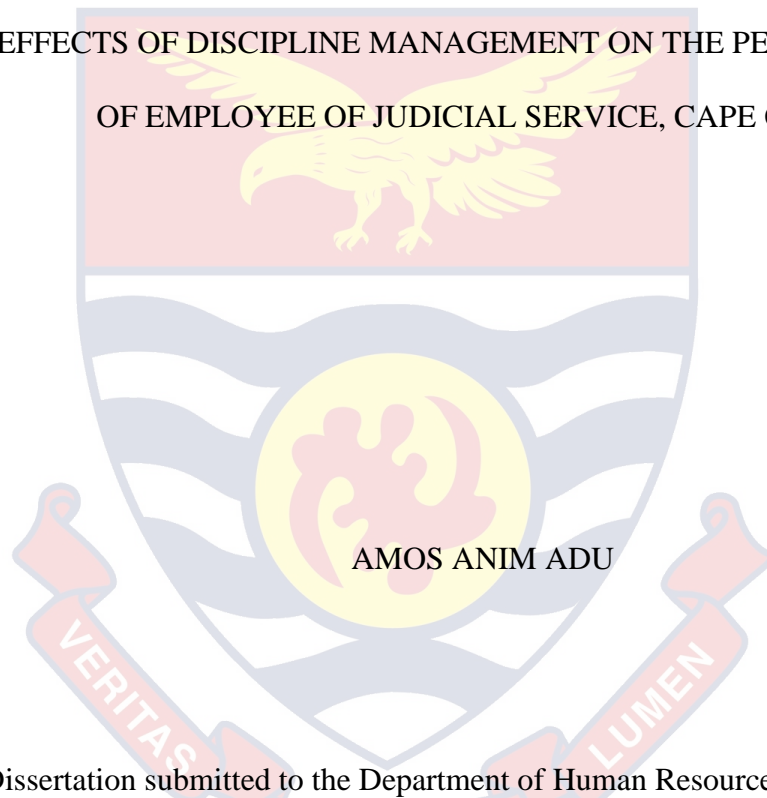
EFFECTS OF DISCIPLINE MANAGEMENT ON THE PERFORMANCE
OF EMPLOYEE OF JUDICIAL SERVICE, CAPE COAST



2021

UNIVERSITY OF CAPE COAST

EFFECTS OF DISCIPLINE MANAGEMENT ON THE PERFORMANCE
OF EMPLOYEE OF JUDICIAL SERVICE, CAPE COAST



Dissertation submitted to the Department of Human Resource Management of the School of Business, College of Humanities and Legal Studies, University of Cape Coast, in partial fulfilment of the requirements for the award of Master of Business Administration Degree in Human Resource Management

OCTOBER 2021

DECLARATION

Candidate's Declaration

I hereby declare that this dissertation is the result of my own original work and that no part of it has been presented for another degree in this University or elsewhere.

Candidate's Signature: Date:

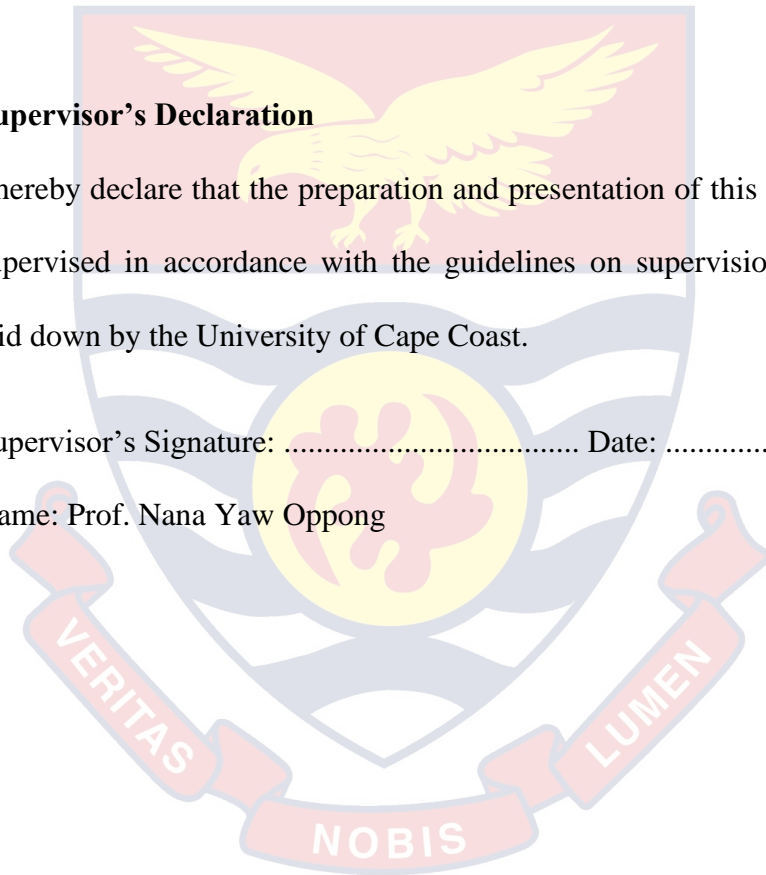
Name: Amos Anim Adu

Supervisor's Declaration

I hereby declare that the preparation and presentation of this dissertation were supervised in accordance with the guidelines on supervision of dissertation laid down by the University of Cape Coast.

Supervisor's Signature: Date:

Name: Prof. Nana Yaw Oppong



ABSTRACT

The aim of the study, according to the researchers, was to see how disciplinary management affected employee performance in the Cape Coast Metropolitan and especially considering the Judicial Service. The study's specific objectives were to ascertain some of the factors that contribute to judicial indiscipline, assess employee knowledge of judicial disciplinary action, ascertain how judicial disciplinary procedures are implemented, and also to ascertain the effect of judicial disciplinary policy and action on employee performance. This study used a descriptive survey design and a quantitative research approach was adopted. A structured questionnaire was used to collect data from the 80 respondents out of the population of 100. Descriptive statistics such as mean and standard deviation were used to examine quantitative data with the help of Statistical Package for Social Science. Regardless of the similarities and differences between disciplinary processes and concepts, it has been shown that discipline management techniques have an effect on employee performance. The Judicial Service, on the other hand, may enhance employee performance by stressing disciplinary management methods. As a consequence, the study recommends that court disciplinary processes be strengthened to discourage workers from participating in work-related misbehaviour.

KEYWORDS

Discipline management

Employee performance

Judicial service

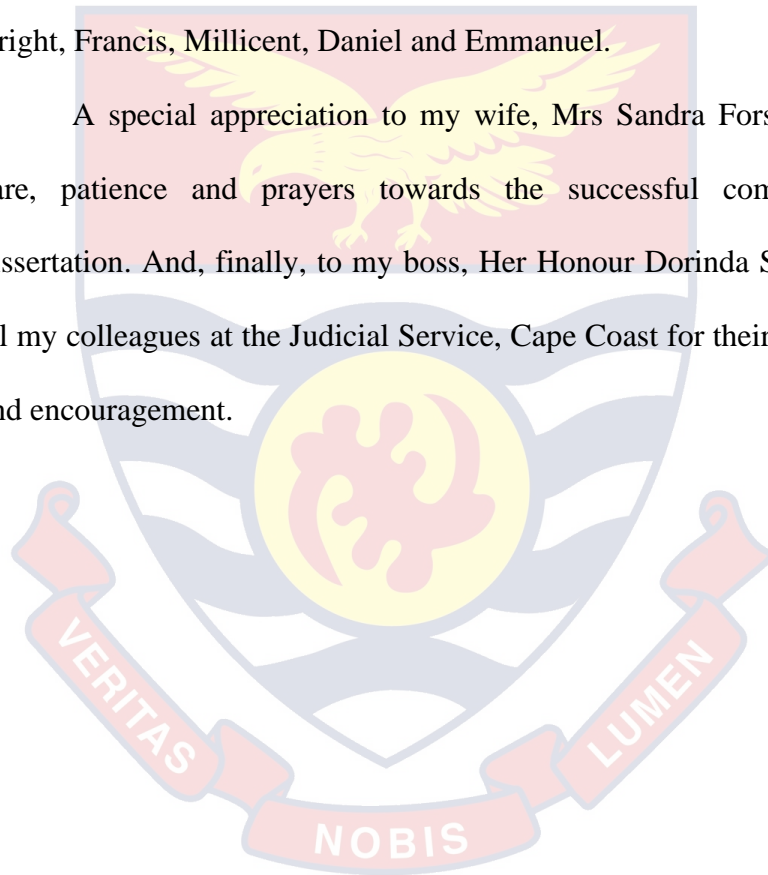
Public sector



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DEDICATION

To Cuthbert & Conrad



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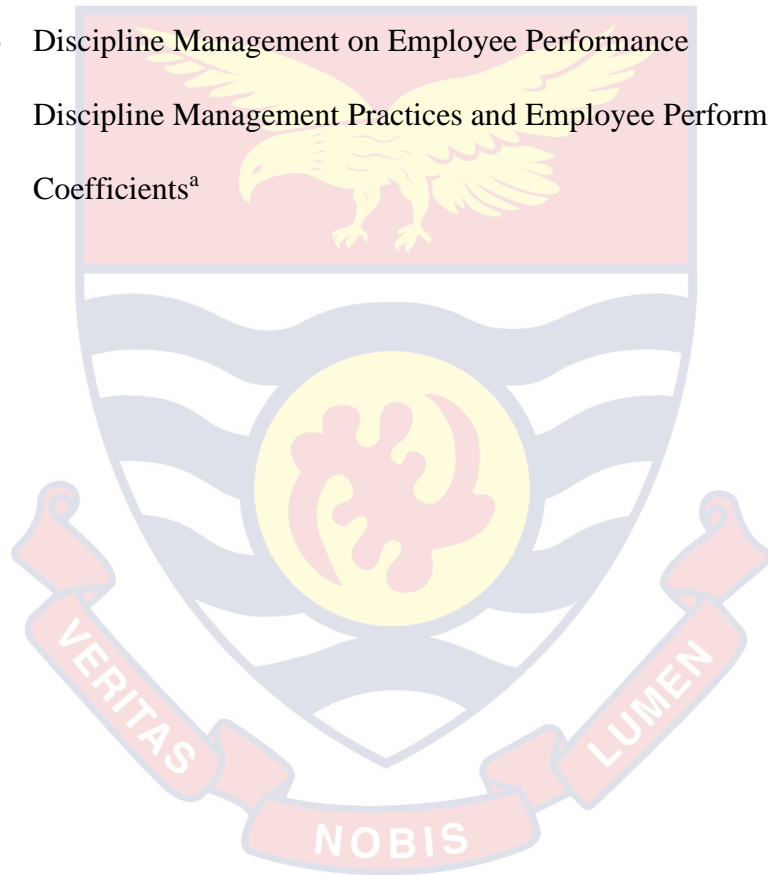
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CHAPTER ONE

INTRODUCTION

This chapter presents an overview of the project's history, the project's issue statement, study goals, study questions, the importance of the project, as well as a discussion of project delimitation, limitation, and organizational structure.

Background to the Study

Management and supervisors take disciplinary measures against workers who exhibit poor performance, inappropriate behaviour, or an unfavourable attitude. Discipline is the practice of stopping employees from behaving in ways that jeopardize a business's smooth functioning (Chelliah, 2010). Employee work discipline is inextricably linked to their overall job performance. Some see discipline as a kind of punishment. This naturally leads managers who believe in punitive measures to feel that punitive measures are desirable (Ganapathy, 2006).

While many think that motivation has a positive and substantial effect on employee performance, others believe that motivated workers perform better (Aprilynn Clarissa Simatupang, Putu Saroyeni, 2018). When punishment is unfair, such as when there is resentment, people experience issues such as low morale and resentment. As employee discipline grows more severe, managers and employees develop mutual trust and respect. Not only may appropriate punishment improve behaviour, but future disciplinary problems are often avoided as a consequence of a good working relationship between management and employees (Huberman, 2009).

Systems have been created throughout history to help workers in performing at a higher level when their production is poor. The United States developed one of the most notable ways of establishing discipline in organizations and institutions throughout the 1930s. Businesses originally instituted discipline in a structured and official manner in reaction to union efforts to remove the threat of hasty terminations of employment. Instead, a progressive system of punishment and discipline was instituted. This procedure was meant to result in the acquisition of protections and rights against an employee's or worker's dismissal or layoff (Huberman, 2009).

Kazdin described it in terms of avoiding harmful occurrences, but it also included aspects such as avoiding undesirable outcomes as a result of negative reactions and recovering from undesirable outcomes as a result of positive responses (Apalia, 2017). Organizational assistance, such as coaching, individual support, and staff development, is intended to result in increased work performance, consistent with projected and expected results. Employee development can be enforced through a variety of strategies, including the use of discipline to attempt to improve employee performance. Workplace discipline and organizational discipline are two very distinct mindsets that exist within an organization. While the first requires adherence to and compliance with an organization's standards, the second requires a thorough understanding of the laws enforced by the organization. "Adherence to and compliance with all written and unwritten rules" (Satrohadiwiry, 2003).

Discipline is critical not only for an individual's overall health and well-being, but also for success on the job, in a business or institution, and in all structured groups. The manner in which a business handles disciplinary

matters may have an impact on employee behaviour, attitude, and performance (Vonai, 2013).

Discipline's primary goal is to motivate employees to follow rules referred to as official instructions or directives. As a result, employees are expected to follow and adhere to all of the organization's rules of conduct or behaviour in order to maintain consistency and accomplish shared objectives (Smelterzer, 2006). Employee discipline is strong because it enables employees to adapt and voluntarily follow the company's policies, regulations, and high standards of work behaviour. the proper attitude and behaviour when confronted with regulations and redress procedures in order to avoid violating an institution's rules and standards.

Every organization, for-profit or not-for-profit, strives to achieve its objectives. While these objectives cannot be accomplished in a vacuum, the numerous factors affecting employee discipline are equally significant. To maximize an organization's performance, the company's culture should reflect the worker's disciplines. According to Armstrong (2003), morale, behaviour, and performance are inextricably linked, necessitating effective management and coordination. Armstrong (2009) states that all workers are expected to adhere to productivity standards and conduct themselves professionally on the job.

In some situations, in Africa, employees may accept disciplinary measures even if they believe the basis for the punishment is invalid. It is therefore instructive, since management enables the offender to provide his or her side of the story prior to adopting any disciplinary action. Given these considerations, Apalia (2017) recommends that managers ensure that

employees have documented acknowledgement of sanctions, as this will protect the organization from future repercussions caused by an employee's resignation or decision to reconsider the propriety and consistency of their disciplinary actions.

Ghanaian employees, particularly those in the public sector, sometimes break regulations, conventions, and workplace ethics and practices. There will always be a detrimental effect on employee performance, impeding the organization's development and success. Human resource management is critical for regulating, punishing, and penalizing workers who engage in improper behaviour that negatively impacts job performance. Even the nation's universities and other public institutions, as President Akufo-Addo said in a 2017 statement, have a terrible track record of discipline "We arrive late for work and then spend the first hour praying and monitoring the clock, causing our start to be delayed. We adopt a clock-watching mentality and abandon unfinished tasks when the official closing time approaches." Finally, he said, "we have no regard for work hours." During working hours, we pray, eat, and visit. We make many long phone conversations, take a week off for each funeral, and then wonder why we aren't more competitive (Flagstaff House Communication Bureau, 2017). Employee performance in a wide range of public organizations often necessitates a careful examination of how punishment is delivered. The aim of this research is to determine the impact of instituting disciplinary procedures in Ghana's Judicial Service.

Ghana's Judicial Service is the third government agency to be granted autonomy and vested with the country's judicial authority under the Ghanaian constitution and laws. It interprets all applicable laws and the constitution,

provides public services, and performs other functions. The Judicial Service is the section in charge of the courts' day-to-day operations. This goal was attained. The Judicial Service is committed to maintaining the judiciary's independence and accurately interpreting the constitution and all other laws in line with the Chief Justice's constitutional and legal duties. It is accountable for ensuring that justice is delivered fairly to all people, organizations, and institutions regardless of their race, status, or ability. Additionally, it must have exceptional efficiency in administering and executing the law.

To accomplish the goal of confidently stating that the Judiciary and Judicial Service function above mediocrity, the Judicial Service of Ghana's mission statements detail the work that must be accomplished. As is the case with a large number of other government organizations, the Judicial Service of Ghana works in collaboration with other ministries to fulfil its purpose. To carry out the purpose and vision of the Judicial Service of Ghana, management must pay close attention to all areas of human resource management, including the disciplinary process.

The human resource department of the Judicial Service has long taken the position of ensuring that this institution is capable of fulfilling future responsibilities. These include identifying impediments such as inadequate training and development plans, an insufficient service strategy, job descriptions, and assessment systems, an insufficient mechanism for promoting initiative and cooperation, and an uncompetitive salary and benefit package (five-year strategic plan for the Judiciary and Judicial Service of Ghana, Jan 2014-Dec 2018).

To effectively administer justice in Ghana, the public and society must believe that the judiciary is worthy of their confidence. As a result, personnel of the Judicial Service are required to maintain a high level of discipline while doing their duties. Employees and management of this large corporation should act with honesty and ethics. While corruption often coexists with progress, it is essential to fight it via effective legal systems. Additionally, the study will examine how management styles affect employee performance, with a special emphasis on disciplinary management in the public sector.

Statement of the Problem

A lack of staff discipline may lead to poor performance (Apalia, 2017). Indiscipline among employees has a direct impact on performance. Ilham et al. (2015) predicted that a lack of staff discipline would impair performance. Jajang (2015) established in his article that an employee's lack of discipline has a direct impact on performance and vice versa. According to Hasibuan (2012), each employee should have a discipline that is based on self-awareness and desire to enhance performance, rather than on coercion or agency regulations.

The core values or rules and regulations of a company serve as a guide for how its workers must act in order to stay and enhance their performance. Numerous organizations have codes of conduct and ethics in place to set ethical standards and employee behaviour that must be adhered to in accordance with the organization's criteria (Storey, 2000). Storey (2000) said, "An organization's human resource department is important since it is charged with the duty of controlling human capital and human resources, as well as

monitoring its manufacturing processes, with the aim of maintaining the organization's competitive edge".

Indiscipline is characterized by a lack of self-control and disobedience as a consequence of rule and regulation breaches that result in mayhem and disturbance. It describes moral decay, dissatisfaction, and voracity in government, which leads in corruption and other associated behaviours. As a consequence of this, performance is harmed (Apalia, 2017). Employee indiscipline has had a detrimental effect on the performance of the majority of institutions, including the police, the court system, immigration, customs, and local government, leading in poor trust and confidence in these institutions. The 2015 Anas judicial expose, recent attacks on and burning of police stations, students terrorizing schools, and mob justice in various parts of the country all bear witness to the dubious performance of public institutions and the extent to which the canker of indiscipline has infected the entire fabric of Ghanaian society. It is a difficult problem for which both ruler and ruled, as well as, for the sake of this research, employer and employee, are accountable.

Employees' actions that violate any institution's rules and regulations will undoubtedly result in some form of sanction; and with growing human rights advocacy and a demand for high employee performance standards, any procedure for dealing with employee discipline must be handled with the utmost professionalism and meticulous effort if the employee's rights are violated and the employee performs poorly. Thus, it is essential that disciplinary policies and procedures be structured to accomplish corporate goals while avoiding or eliminating detrimental impacts on employee rights. In Uganda, Kabandize (2004) performed study on employee control, noting

that rules and regulations are enforced via management, disciplinary panels, supervisors, and employee involvement.

Matsoga (2003) exposed widespread violence and inappropriate behaviour in a number of organizations. He said that a lack of discipline had a detrimental impact on the organization's standard operating procedures. This expressed itself in a number of ways, including excessive drinking and drug usage, vandalism, absenteeism, truancy, ineptitude or unwillingness to do supervisor-directed duties, and staff theft. Additionally, Opatha and Mithani (2000) assert that effective employee discipline management saves time, effort, and money by avoiding and mitigating disciplinary problems, appeals, complaints, and conflicts.

Not only were the bulk of these studies performed outside of Ghana, but they also concentrated only on organizational discipline, omitting any consideration of its effect on employee performance. Again, over 100 judicial service workers were terminated after the Anas judicial service expose in 2015, with many of them feeling unfairly punished and seeking justice in a variety of ways. The aim of this study is to provide light on the judicial service's disciplinary regulations, as well as the procedures and measures used to discipline these workers.

Objectives of the Study

The main purpose of this study is to investigate the effects of disciplinary management on employee performance in the Judicial Service of Ghana.

In pursuant to this; the study seeks to specifically;

1. determine causes of indiscipline in the Judicial Service

2. assess employees' knowledge on the grounds for disciplinary action in the Judicial Service
3. assess how the disciplinary procedure at the Judicial Service
4. determine the effects of disciplinary policy and action on employee performance in the judicial service.

Research Questions

1. What are the causes of indiscipline in the Judicial Service?
2. What is the level of knowledge of employees on the grounds for disciplinary action in the Judicial Service?
3. How is disciplinary procedure carried out in the Judicial Service?
4. What are the effects of disciplinary policy and actions on employees' performance in the Judicial Service?

Significance of the Study

To learn about past and ongoing employee disciplinary efforts and their implementation in the Judicial Service, this would help the Ghanaian Judicial Service administration comprehend the relationship between disciplinary procedures and performance issues. Again, it is anticipated that the findings of this study would help the Ghanaian Judicial Service establish appropriate disciplinary rules, procedures, and mechanisms to enhance employee performance.

The study will also inspire future research into employee training and development at all levels of the institution, especially with regard to relevant recommendations on staff disciplinary problems.

Delimitations of the Study

Participation in the research was limited to members of the Judicial Service from the Central Region and from all divisions within it. A number of other variables were taken into consideration in the literature, including employee views of discipline management as well as management perspectives on discipline management and organizational efficiency. However, the emphasis of this research was on the impacts of disciplinary procedures on employee performance, as well as the influence of these processes on overall organizational performance. And since the Judicial Service institution is a critical component of the administration of justice, this was chosen as a case study; in addition, problems of this type involving other public institutions have previously been discussed in the literature. This implies that the emphasis on the Judicial Service Institution is driven by the institution's historical underrepresentation in academic literature.

Limitation of Study

Great challenges included obtaining relevant information from the courts and getting respondents' full attention due to their busy schedules, fears of disclosing confidential information without prior approval from a higher authority, and a lack of current books and articles on the subject in libraries. Also, some of the respondents did not hand in the filled questionnaires at all whilst others took a long time before returning them.

Organization of the Study

The study comprises of five chapters. Chapter One is the introductory chapter which presents a background to the study, problem statement, objectives of the study, research questions, significance and delimitation of the

study as well as the organisation of the study. Chapter Two contains review of the relevant literature; both theoretical and empirical literature that underpins discipline management and how it may affect employees' performance in the Judicial Service. Chapter Three presents the methodological framework and techniques employed in conducting the study. Chapter Four examines and discusses the results and main findings with reference to literature. Chapter Five, the final chapter, presents the summary of findings, conclusion and recommendations of the study.

Definition of Terms

Discipline means doing the right thing when no one is watching or looking and also ensuring that when their deviation from the norm measures is put in place to bring back the persons back on track.

Management: The process of ensuring that the goals of the organisations are attained in an effective and efficient environment.

Judicial service: The institutions that is established through the court system to ensure that justice is done to all persons. It is the main institution where justice is dispensed per the law.

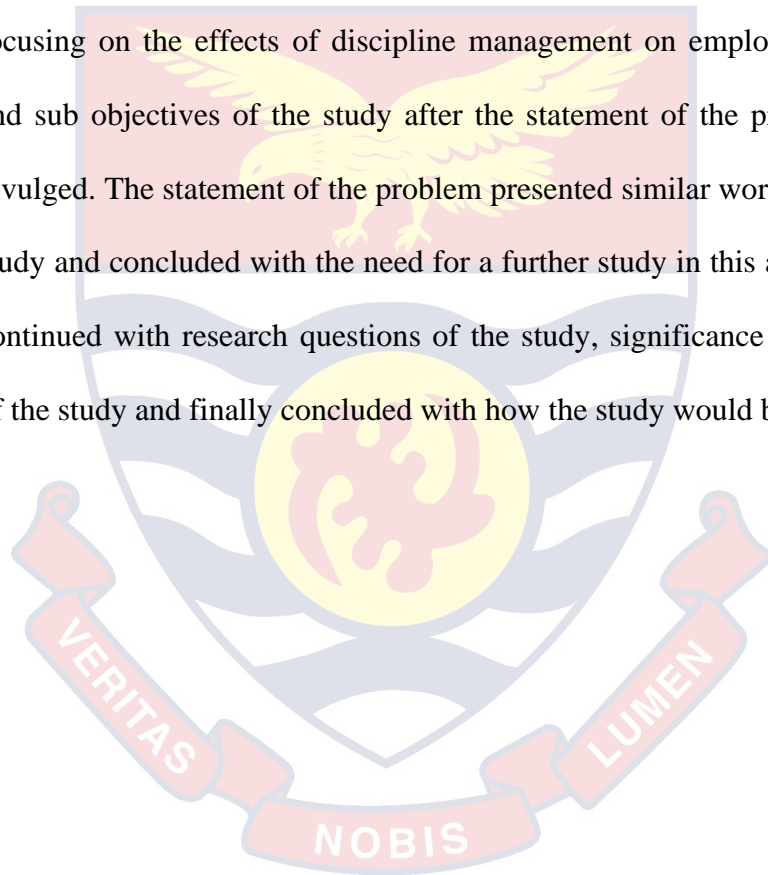
Performance: The effort put in place to ensure that results are attained. It is the contribution from the employees to the general output of the organisation.

Employees: Persons engaged to contribute their effort and labour for successful attainment of organisational goals.

Public sector A collection of organisations operated by the state to provide basic and essential services.

Chapter Summary

This chapter gave the background of the study by analysing the area of discipline management and performance from the global or broader perspective to a narrow or organisational perspective. Thus, no success can be achieved without discipline in any human endeavour and that indiscipline or misconduct if not well managed may cause a great disservice to the objectives of any human institution or organisation. It further outlined the main objective focusing on the effects of discipline management on employee performance and sub objectives of the study after the statement of the problem had been divulged. The statement of the problem presented similar works on this area of study and concluded with the need for a further study in this area. The chapter continued with research questions of the study, significance and delimitation of the study and finally concluded with how the study would be organized.



CHAPTER TWO

LITERATURE REVIEW

Introduction

The ultimate goal of every organization is to improve and maintain employees' performance and one of the key factors in realizing this is via disciplinary procedures. This chapter aims to take a retrospective view and also give critical evaluation of past studies in the area of discipline. It further seeks to find out how far the area had been researched with the intent of giving wide knowledge and information under varied circumstances. In order of arrangement, the chapter begins with theoretical underpinnings and further reviewed areas such as employee discipline management, causes for effective discipline management and employee performance to throw more light on the meaning of discipline management and employee performance according to the study. It concluded with an evaluation of literature on the various objectives of the study which include employees' level of knowledge on code of discipline, causes of misconduct, how disciplinary procedure affects employees and how disciplinary actions affect employee performance.

Theoretical Review

This section focuses on theories on which this study is anchored. It specifically looks at the X and Y theories and the Hot Stove Rule theory.

The X And Y Theories

Generally, how people behave mostly differs from one another and the type of behaviour an individual exhibit may sometimes be determined by the environment. Equally, management or leadership style of an organization is not only influenced by objectives but also by the philosophical underpinnings,

beliefs or ideologies of the individuals at the management level. Theory X and Theory Y were propounded by McGregor in 1960 to create a philosophical view of humans. There are two opposing perceptions about how people see human behaviour at work and organizational setup (Gregor, 1960).

According to theory X, people have an inherent disdain for work and will do all to avoid it whenever possible. In addition, people must be coerced, directed, controlled, or threatened with punishment to achieve the set objectives. In other words, people prefer to be directed and controlled, do not want responsibility and have little or no interest but rather seek security. What this theory seeks to propagate is the idea that management's role is to coerce and control workers.

Theory Y states that work is as natural as play and rest, and that, persons will exercise self-direction and motivation if they are committed to the objectives. This theory believes that commitment to objectives is a function of rewards linked with achievements. It further states that people need some effort to accept and seek responsibility, creativity, ingenuity and imagination that are widely distributed among the population. Therefore, people are capable of using their potentials and abilities to solve organizational issues. Ultimately, theory Y is of the assumption that management's role is to develop employee and help them to realize that potential common goal.

Obviously, this theoretical framework relates to the disciplinary measures with employee's performance and further assert that there are critical linkages through a number of intermediate factors. It is expected that discipline should be imposed without generating resentment but to develop employees to perform. Generally, an organization which manages discipline

well and treats its employees as customers can achieve higher employees' performance. Also enhancing employees' performance can retain good employees and improve organization's performance through taking full use of disciplinary strategies and ultimately, achieve performance through employees.

From the above, X workers need to be disciplined and management's role is to coerce and control employees to improve performance. But for Y workers, they need to be encouraged and, on this occasion, management's role is to develop the potentials in employees and help them to realize that potentials towards common goals they relate and impact on employees' performance given application of any theory at any particular time. Employees discipline as indicated, is one of the most difficult responsibility of management in every human organizational set up and this theory informs the study on the need to consider the uniqueness of individuals with regards to how disciplinary actions are carried out. Thus, supervisor or people in authority are expected to ensure that disciplinary measures are positively correlated with employee performance. This study seeks to unravel the effects of discipline management on employee performance and this theory would inform the researcher to delve into the perception of managers or supervisors about their workers or subordinates, as this would equally inform their decisions on which disciplinary procedure or action to apply in a given circumstance. From the theory, the study would seek to confirm or otherwise, whether managers or supervisors who perceive their employees or subordinates as X workers employ negative disciplinary procedures and those

who perceive their workers as Y workers employ positive disciplinary procedures or actions.

Hot Stove Rule Theory

This theory does not only take its root from the X and Y theories but also shows how to impose disciplinary without generating resentment. The “Hot Stove Rule” of McGregor evinces analysis between touching hot stove and undergoing discipline. Discipline is immediate, with warning, consistent and not personal when one touches a hot stove. This theory believes that effective discipline is achieved only when disciplinary actions are immediate, consistent, impersonal and also with warning.

It further states that the burn of touching the hot stove would be immediate and one cannot not blame the hot stove, but immediately understand the cause and effect of the action. Discipline is directed against the act and not against any other. Here, an offender learns his or her lessons quickly. Also, the hot stove is a warning to the individual that it is “red hot” and any attempt to touch it would cause a problem or discomfort. In the organizational settings, the employee knows the rules and regulations previously issued to him or her prescribing the sanction for violation of any rule (Mc Gregor, 1960).

Consistency administration of discipline is highly essential so that employees will know beforehand what to expect as a consequence of an infraction of the rules. That is, the burn or discomfort is the same to everyone. The principle under this theory further suggest that disciplinary action must be impersonal and should be directed against the act and not the person involved. It may be institutional in order to protect the interest of the entire organization

and all employees but not done to satisfy the personal whims, caprices and interest of the supervisor.

In applying the hot stove rule in disciplinary action, there must be organizational policies, rules and regulations with respect to certain behaviour and conduct which are issued and explained to employees and agreed by them in compliance. The study, with this theory as a guide, will seek to examine how disciplinary action in the Judicial Service is done with regards to its consistency prior warning of the consequence for violation, and also how immediate and impersonal disciplinary decisions are in the service.

Reinforcement Theory

It is based on the idea that changing someone's behaviour involves changing the consequences of that behaviour (Adams, 2000). To reinforce desired behaviour or eradicate undesirable behaviour, reinforcement theory makes use of incentives and/or penalties. Operant behaviour refers to any behaviour that has an effect on the environment, as opposed to only on the person who engages in it (Allison, 2019). When applied to operant behaviour, reinforcement theory is known as operant conditioning because it emphasizes the connection between the behaviour and the consequences it brings about. There are two types of reinforcement in this: negative reinforcement and positive reinforcement.

Tolle, (2017) indicates that when an undesired behavioural consequence is delayed, it has the effect of increasing the likelihood that the behaviour will be repeated. This is known as negative reinforcement. Punishment and negative reinforcement are not the same thing. Peer pressure and negative reinforcement are both aimed at decreasing the likelihood of certain

undesirable behaviours (Troussas, Krouska, & Virvou, 2017). Rewarding people both positively and negatively increases the likelihood that a certain behaviour will be learnt and repeatedly performed. Using a salesperson who makes an effort to boost sales in his or her area (behaviour) as an example of negative reinforcement may be followed by a choice not to transfer the salesperson to an undesired sales route (negative reinforcer). Negative reinforcer administration should increase the likelihood of future hard work on behalf of the salesman (Troussas, et al., 2017).

According to Susanto, Lim, Linda, Tarigan, and Wijaya, (2021) punishment is to reduce the likelihood of undesirable behaviours being shown. Punishment is the imposition of a negative behavioural consequence in order to deter future offenders from engaging in the same behaviour. Again, Susanto, et al., argued that despite the fact that punishment is a popular reinforcement-theory strategy, many learning experts argue that it should only be employed after other methods have failed, such as positive and negative reinforcement. Getting rid of a bad employee or suspending someone without pay for breaking company regulations are two examples of punishment.

Furthermore, Critchfield, & Miller, (2017) The goal of extinction, like punishment, is to decrease undesirable behaviour. In order to reduce the likelihood that a learnt behaviour will be repeated, a valuable behavioural consequence is withheld. This initiates the extinction process. That behaviour will most likely stop as a consequence of this in the long run. When a desired behaviour is no longer accompanied by a positive reinforcer, extinction may help to decrease it. After being commended for promptness for many months, an employee's desire to be prompt may decrease if the person gets no

recognition in the following months for the same behaviour. Managers may have to continuously providing favourable behavioural consequences in order to prevent extinction (Critchfield, et al.).

The extinction technique may assist some people overcome a positive reinforced behaviour due to changes in their daily routine. An example of this would be a free service you no longer want your workers to advertise since you're overcrowded. In this case, you discontinue the incentives to let your employees know that this behaviour is no longer needed. Another example is when an employee was filling in for you while you were away and their goals had shifted, resulting in a change in their monthly salary. Once this temporary position ends, you will urge the person to alter their acquired behaviour in favour of a new set of behaviours that are mutually acceptable by sitting down with them and evaluating their objectives/wage and controlling their expectations going forward.

Conceptual Review

Performance

Mangkunagara (2001) defines performance as the outcome of the quality and quantity of work done by workers in carrying out their assigned tasks. Performance is the total success rate of an individual over a certain length of time in completing a job, as measured against a variety of variables, such as the quality of the work, the goal or criteria that have been established in advance and agreed upon (Riva and Basri, 2005). Motivation and ability are seen as determinants of performance. To successfully perform a given work or job, an individual must be willing and possess a particular level of competence. A person's desire and abilities are ineffective unless there is a

clear knowledge of what should be done and how it should be done ultimately (Riva, 2005).

Bernardin (2001) defines performance as "a record of the outcomes achieved on a given task or function or over a specified time period." Employee performance is defined as the successful completion of tasks by individuals, as determined and measured by the supervisor or management, in accordance with established standards, while efficiency and effectiveness are also critical in making effective use of available resources in a changing environment (Hwang & Thao 2015). According to Moehariono (2015), performance is a term that refers to the accomplishment of a program's execution in terms of achieving its stated goals, objectives, vision, and purpose. Performance may be assessed if an individual or group of workers already adheres to organizational benchmarks. According to Astuti and Dharmadiaksa (2014), performance refers to a person's degree of accomplishment in completing activities as compared to standard work or standards. According to Sedarmayanti (2011), performance is a translation of a worker's meaningful performance on the job, a management process in which the work must be supported by tangible evidence and quantifiable.

According to Agustina et al. (2016), any organization would prefer human resources with a track record of success, since the accomplishment or failure of established objectives is affected by the performance of human resources inside the organization. Simamora (2008) said that excellent human resources are one of the organizational resources critical to the company's success in achieving its objectives. Employees who perform well are those who are able to participate fully in the company, are accountable for the tasks

assigned to them in order to achieve the desired results, are diligent in their work, are rarely absent, have strong time management skills, and are able to provide solutions to the company's problems and actively contribute to the company's survival as a result of their sense of belonging (Rivai, 2011). However, in all honesty and fairness, not all workers are capable of doing the tasks listed above. In essence, performance refers to what workers do or do not do. According to Mathis and Jackson (2011), employee performance is what determines how much value employees contribute to the company. Performance is the outcome of work generated by employees who behave themselves in accordance with their assigned roles within the company (Hasibuan, 2012).

Performance indicators by Mangkunagara (2004) is affected or determined by four factors:

- a. Quality of work, is the quality of the work achieved by an employee in undertaking the tasks assigned to them.
- b. Quantity of work, is the quantum of work achieved by a worker in carrying out the tasks assigned to them.
- c. Responsibility is the capacity of an employee to complete the work assigned to him or her as well as possible and in a timeous manner, and able to bear the risk of its decision or actions.
- d. Attitude, a mental condition that enables a person to strive to achieve employment potential to the fullest.

Performance indicators

To be able to perform is to attain a desired outcome, and workers are capable of exceptional performance when given with harmonious working

circumstances or an environment conducive to success. Performance may be ascribed to a person or a group of individuals who operate together and harmoniously (favourable). Elger also believes that performance does not have to be directly observable or tangible actions of an individual but can also include mental productions such as responses or decisions, feedback, and, most importantly, it may need to be under the individual's control, regardless of whether the performance is mental, behavioural, or otherwise.

Performance must be goal-directed and aligned with corporate objectives that are relevant to the work schedule. It must be obvious which actions need effort to accomplish peripheral objectives. Performance is governed by declarative knowledge, procedural knowledge and skills, and motivation, according to Apalia (2017). According to him, declarative knowledge includes knowing what to do, while procedural knowledge and skills require knowing how to do it. Motivation, on the other hand, reflects the direction, intensity, and persistence of volitional actions and attitudes.

Disciplinary actions must be directed at inspiring and directing workers on what to do and how to accomplish it if workplace performance is to be improved in order to achieve organizational objectives. Organizations are made up of individuals who take activities that should be consistent with the organization's strategic objectives and direction. In theory, if the company's employees perform ideally, the organization should be successful. On the other hand, both theoretically and practically, it is critical to maximize staff performance in order to guarantee the organization's success (Apalia, 2017). Improved workplace and business outcomes, when they occur, are caused not only by training, but also by a collection of other organizational influences

that are beyond the trainers' and supervisors' control, such as line manager behaviour, remuneration and incentive systems, hiring practices, environment, tools and equipment, and other cult-related factors (Monappa, 2008).

Monappa (2008) said that enhanced performance requires the management of continuous growth focused on the organization's core strengths and the skills of people and teams. Additionally, management may establish performance dimensions when hiring and recruiting new employees, conducting performance reviews, strategizing, or initiating a new project. It is critical for employees to understand their responsibilities, their position within a group, and the company.

Only when the goal or requirements of a body or institution are clearly defined can the performance of that body or organization be quantified. Thus, before defining performance indicators for the legal system, it is necessary to ascertain the institution's aim or goal. According to Article 125(3) of the 1992 Constitution of Ghana, the judicial power of Ghana shall be vested in the Judiciary and for that reason, neither President nor Parliament nor any organ or agency of the President or Parliament shall be given or have final judicial power. As a result, the Judicial Service, as a public institution, is responsible for the day-to-day administration of the country's Courts and Tribunals. In living up to its mandate, the Judicial service is expected to:

- uphold the independence of the Judiciary
- show commitment to the true and proper interpretation of the Constitution and laws of Ghana
- to ensure the speedy, efficient administration of justice to all manner of persons, groups and institutions without fear or favour.

By this, the employees of the judicial service must exhibit a high degree of integrity and ethics if this mandate is to be realized. Thus, the ‘yard stick’ for measuring performance in the Judicial Service would be its ability to uphold the independence of the Judiciary, show commitment to the true and proper interpretation of the constitution and other laws of Ghana and ultimately to ensure the speedy, efficient and unfettered administration of justice to all manner of persons, groups and institutions without fear or favour. Prior to this, these mandate which also forms the basis in measuring performance in the judicial service have always required strict adherence to discipline, in line with laid down procedures if performance has to be improved among employees of the judicial service.

Motivation to Performance

Motivation is the power that propels an employee to cause and direct behaviour (Gibson, 2013). Yadi (2012) pointed out that the motivation variable gives a significant influence in improving worker’s performance. Brobbey & Ibrahim (2015) opine that employee performance improvement is directly influenced by motivation. Dobre (2013) suggest that motivation can affect employee performance positively. Zameer et al. (2014) promoted the idea that motivation has a positive effect on performance improvement.

Maliah (2015) opine that employee performance is directly influenced by motivation. Noor et al. (2015) in his research argued that the motivation of work will give a positive impact in improving employee performance. Masud & Veronica (2015) stated that the employee's work motivation will positively improve performance.

Concept of Discipline

In disciplining it means to instruct a person to follow an identified code of conduct. Disciplinary action is any action taken in response to unsatisfactory employee performance or output. The primary aim of discipline is to bring an employee back on track to an acceptable standard of performance (Mintah, 2011). Indications of employee performance decline are also seen by the inaccuracy of employee task completion time, which directly show low employee of discipline. Hasibuan (2012) states discipline is an important phenomenon as the better the level of discipline of employees, the higher the achievement of work output. Good discipline shows the magnitude of a person's sense of responsibility for the assigned tasks. This encourages passion, work, and the realization of company goals, employees, and society.

Indication of employee performance problems or difficulties is also caused by low motivation given to employees of the company's management, the motivation it has whether adequate or not in carrying out the assigned work (Tumilaar, 2015).

Sastrohadiwiryo (2003), argues that discipline is an attitude of respect, commitment and obedience to the regulations both written and unwritten and able to run and do not deviate in order to accept sanctions if he violates the duties and the authority given to him. Per Asmiarsih, (2006) discipline is a growing force in the body of the workers themselves that cause them to adjust to the decisions, regulations, and high values of work and behaviour. Siagian (2008) argues that discipline is as an attitude and behaviour that indicate the level of compliance or adherence to the various applicable regulations and

corrective measures against the violation of regulations and standards set out in the organization.

Hasibuan (2012), argues that discipline is the awareness and willingness of a person to obey all the rules of the organisation and the norms. Discipline must be enforced in all organization. Without the support of employee discipline, it is hard for a company to realize goals. So, discipline is key to a company's success in achieving goals. Discipline is the adherence to the rules in the organization pertaining to the absence, quality of work, quantity of work, knowledge of work, and so forth (Koopmans et al, 2014). Discipline is the capital required in achieving the desired goals. So that the existence of work discipline is needed in an agency or organization, because in an atmosphere of discipline an organization may be able to implement its work programs and achieve the target set. The main goal of discipline is to improve efficiency as much as possible by preventing and correcting the individual actions to support the smoothness of all organizational activities to achieve maximum goal. The principles set forth by Ranupandojo in Asmiarsih (2006) are:

- a. Disciplinary done privately. Disciplinary done by giving warning to employee.
- b. Discipline needs to be constructive. In addition to providing warning and showing the errors made employees, it must be coupled with suggestions on how it should be done in order not to repeat the same mistakes.

- c. Where discipline is lacking must be done directly and immediately. An action is performed immediately after proven that the employee had made errors.
- d. Fairness in discipline is indispensable. Disciplinary action is carried out fairly and without favouritism.
- e. Leaders should not do when disciplining an employee absence. Discipline should be meted out before the employee personally regarding how he had made the mistake.
- f. After disciplining the attitude of the leadership should be a reasonable.

Empirical Review

Effects of Disciplinary Policy and Action on Employee Performance

Managers should be able to ensure that employees are orderly in their task. The context of discipline and the meaning of justice must be treated consistently. If the employee faces the challenge of disciplinary action, the employer must be able to show that the employee involved in inappropriate conduct deserves punishment. Work discipline can be seen as an asset of great benefit to the organization and for the employees. Employees can perform their duties with awareness and can have energy and mind set as much as possible for the realization of organizational goals (Triyaningsih, 2011).

Discipline is a form of training that improves and shapes the knowledge, attitudes and behaviours of employees so that employees work cooperatively with other employees and improve work performance (Siagian, 2013). According to ElviLastriani (2014), discipline has a significant influence in improving the performance of employees.

Mamik (2008) states that discipline partially has a positive effect on improving employee performance. Katiandagho et al. (2014) argues that the performance of employees is positively influenced by employee discipline. Tumilaar (2015), states that the improvement of employee performance is partially influenced by work discipline. Pristian (2011) suggested that work discipline affect the performance of employees positively. Same is stated by Apalia (2017) to the extent that the discipline of an employee has a positive influence on performance.

Employee Discipline Management

Employee discipline is the regulating of human activities to produce a controlled and expected performance. The main goal of discipline is to encourage employees to conform to established standards and norms. Discipline ensures conformity to the behavioural and performance standards set forth by management in the achievement of organizational objectives (Mathis & Jackson, 2000).

Discipline can be positively related to performance whenever effective and proper procedures are harnessed (Mathis & Jackson, 2000). However, employees may resist unwarranted discipline from a manager, although actions taken to maintain standards may actually reinforce productive group norms and lead to increased performance and feeling of fairness.

Disciplinary action aims at addressing employees' wrongful behaviour and not to attack their personalities to improves performance (Opatha & Mithani, 2000). Employee discipline management refers to the policies, procedures and actions that are put in place by an organisation to ensure that employees meet the acceptable behaviours and standards.

While discipline is necessary in many occasions, managers need to dispense it carefully to avoid employees ‘giving up’ on an attitude of high performance or output. Successfully managing the balance between discipline and high performance is a combination of manager and employee personalities, workplace situations and pressures, as well as effective management skills and strategies (Monster worldwide, 2018).

Discipline may be seen as a form of training to enforce organizational rules and per Mathis & Jackson (2000), discipline is a form of training that enforces organizational rules. In short, discipline can be referred to as the controlling of work and behaviour of employees to comply with relevant rules and regulations to achieve organizational goals and objectives. Discipline is a system for rules and mechanism in ensuring that disciplinary codes are followed. For this reason, every organization need to have its rules and regulation or “dos and don’ts” clearly defined and observed, as these set of rules in itself is discipline (Mathis & Jackson, 2000).

Employees who observe rules and standards are praised, giving security of tenure and often by promotion. Those who cannot stay in line or measure up to performance standards are penalized so they can clearly learn what acceptable performance or behaviour is. Most employees recognize this system as a legitimate and effective way to preserve order and safety, and to keep everyone working towards the organizational goals and standards (Megginson, 2009).

According to Megginson (2009), discipline entails self-discipline, orderly behaviour and punishment. With self-discipline, a person brings the discipline from within, with zeal to achieve the goals that he/she has set for in

life. Orderly behaviour however, is a condition that exist in the organization to promote good behaviour. Punishment prevents indiscipline and as such workers must be punished when they go astray to ward off recurrence.

Discipline can be positive or negative depending on how it is meted out. Positive discipline involves the creation of an atmosphere in the organization where employees conform to the established rules and regulations. With positive discipline, individual freedom is not restricted but rather provides better chances for an individual expression without fear. It further promotes cooperation and coordination with a minimum of formal organization and reduces the need for strict supervision required for the maintenance of standards and observation of rules and regulations (Mamik, 2008).

Under negative discipline, it is important to note that penalties or sanctions are used to compel the staff to obey rules or regulations. In other words, workers attempt to adhere to rules and regulations as a result of fear of warnings, penalties and other form of punishment. It is an unfavourable situation that put employees under frustration and consequently results in low morale and productivity. Some of the grounds for discipline include absenteeism, abusing clients, assault and fighting among employees, falsifying of records, insubordination, theft, negligence and causing damage to f machines and materials (Mamik, 2008).

Effective Discipline Management

Self-discipline ensures that employees realize what is required of them at all times. Discipline can be directly related to performance; if properly managed discipline serves as a bridge between goals and accomplishments. The need for discipline is to improve performance rather than punish

employees and for that reason, effective discipline would be aimed at behaviour and not at the employee's personality (Mathis & Jackson, 2000).

In achieving this many factors come to play some of which include the need to train supervisors who have the power to execute discipline. This ensures proper exercise of power on the offenders and not the innocents. Again, managers need to be trained on how to discipline as well as on counselling skills to deal with employees' problem. There is the need for centralization of discipline if it is to be managed properly. Discipline decisions should be uniform throughout the organization and same principle applied everywhere and to every individual worker (Gale, 2007).

It is also important that managers limit emotional involvement and ill feelings in any disciplinary action, by dealing with the offensive behaviour and not the person involved. Again, discipline decisions should often be reviewed before implementation so as to minimize arbitrariness of disciplinary action. Effective discipline management is not far-fetched if these factors discussed, are meticulously pursued in the discipline procedures and actions. Employee morale and industrial peace per Gale (2007), are linked with proper maintenance of discipline in the work place.

Discipline is essential for a healthy industrial atmosphere and the attainment of organizational goals and is directly related to performance (Mathis & Jackson, 2000). Thus, employee discipline assures management those employees conform to the norms and standards of behaviour at work determined by management as necessary for the realization of organizational goals.

Causes of Indiscipline in Organization

Lack of commitment by employees to the organization's vision and mission can be a cause of indiscipline and entails maximum consideration from any manager who wants to be successful in the field of employee discipline. Allen and Meyer (2009) formulate a definition of organizational commitment as a psychological construct that is characterized by the relationship of members of the organization with its organization and has implications for an individual's decisions to continue membership with the organisation. Based on these definitions, members committed to their organizations would be more able to stay on and survive as part of the organization than members who are not committed.

Luthans (2008) argues that the organization's commitment explains the relative strength of an individual's involvement in an organization. Organizational commitment presents something beyond ordinary loyalty to an organization. This includes an active relationship with organizations in which individuals are ready to give to help the success and prosperity of the organization.

Irefin & Mechanic (2014), opined that that employee commitment becomes an important factor in organizational success. Less committed employees are likely to find themselves as outsiders and not as members of the organization.

Organizational commitment is very instructive on the performance of employees because employees who have high commitment to the organization have the attitude of alignment, a sense of love, a sense of pride to the organization, and feel the urge to advance organization (Widi, 2015).

Hudiwinarsih (2012) asserts that the higher one's organizational commitment to the task the higher its impact on performance of employees. Khan et al. (2012) show the same thing to the extent that organizational commitment positively affects employee performance. Ireferin & Mechanic (2014), opine that employee performance is positively influenced by organizational commitment.

Grounds for Disciplinary Action

Generally, an employee would be disciplined when he or she fails to follow the organisation's rules or policies. These rules or policies per Gale (2007), become the foundation for disciplinary actions when they are infringed. The need for clear and well-communicated guidelines on what proscribed behaviours and actions are, is important for any organizational set up that aims for the best ways of avoiding indiscipline among its employees. Therefore, it behoves on the human resource unit in any organisation to carefully consider what constitutes misconduct and what does not. In other words, no successful human set up or group is without a well-drafted and comprehensive policies and procedures on how to go about things.

Again, to ensure harmonious relations and to promote institutional peace and integrity, a code of discipline should be clearly outlined in every organization be both public or private. This must specify the various obligations for not only employees but management as well and with the aim of ensuring cooperation between the representatives of both employees and management. However, realizing the positive impact of a well-written code of discipline or conduct on employee performance would be a mirage, if its contents are not known or easily accessible to employees. Undoubtedly, the

onus is on management to see to it that employees are aware and also sensitized on the existence of rules and regulations that guide the working environment (Apalia, 2017).

Managing is the process of working with and through people to achieve organisational goals. Similarly, Management of Judicial Service of Ghana like many public institutions, deals with the establishment of rules and regulations as well as planning activities at fulfilling the objectives of the service. According to Apalia (2017), rules are self-imposed guides for a scientific communication for conduct or an accepted procedure and custom. Apalia (2003) further defined rules or standards of behaviour as the shared expectations of a group of persons or people. These include what the group finds as socially acceptable pattern of behaviour expected of every employee or individual in the group (Banda, 2004). Ideally, organisations make rules and regulations for the proper management of the diverse lifestyles of employees from different cultural background.

Regulations on the other hand are authoritative orders that promote order and efficiency in an organization. Effective organisations exhibit sound inclusive practices, which includes emphasizing rules and regulations, collaborative leadership and their good practice. Obviously from the above, the expected behaviour of all employees in organisations is circumscribed by rules and regulations, namely the code of discipline (Banda, 2004).

Adams (2003), believes that organizational rules and regulation are among the strategies designed to instil good conduct of employees just like student in a school. This ensures orderliness, self-control, good behaviour and obedience towards leadership and authority in organisation. Adams (2003),

further indicates that employees are mostly given prospectuses which spell out some of the expectations upon employment. In most cases, these rules and regulations specify what new staff should do and what they should not do. In spite of this expectation, staff of Judicial Service and many public institutions in most instances break these rules and regulation with indiscipline acts such as lateness to work and leaving office before official closing time, demanding money before rendering service to the public, taking alcoholic drinks during office. These among others are likely to affect employees' performance and this work seeks to find out the actual situation.

Studies in Ghana and elsewhere have shown that the importance of rules and regulations in every organisation is so paramount if organizational harmony and performance among employees are to be improved. One of such is Kabandize (2004), who carried out a study on employees' control through rules and regulations set by individuals in Uganda. He observed that rules and regulations are enforced through management, disciplinary committees, and supervisors. According to Matsoga (2003), the wide spread violence and misbehaviour that existed in many organizations as a result of discipline interfered with the normal organisation working activities. This manifested in various ways such as alcohol consumption and substance abuse, vandalism, absenteeism, truancy, inability and thefts among staffs. Again, this research focused mainly on discipline in organisations without studying its effects on employees' performance, hence a need for a study of this nature.

A study by Opatha and Mithani (2000) concluded that employee discipline administration saves time, efforts and expenses substantially

avoiding and reducing the number of disciplinary issues, appeals grievances and conflicts to mention a few.

A critical view of the above studies did not provide a clear solution as to how management of organizational rules and regulations by management affects employees' performance. Despite studies on the way organisations rules and regulations control employees' behaviour, a gap remains with respect to how the administration of code of discipline or rules and regulations affect employees' performance and this task would be easier if the level of employees' knowledge on code of discipline is first ascertained all things being equal.

Section 8 of the Labour Act, 2003 outlines the rights of employers. These include the right to employ, discipline, transfer, promote and terminate the employment the worker. Again, the employer has the right not to only formulate policies, but also to execute plans and programs to set goals for the organisation. Obviously, the labour Act gives the employer the right to undertake any measure that would be put in place to ensure order and safety at the workplace. However, involving employees in most of these situations is believed to be the best and does not only improve employees' morale, but also makes them feel more responsible thereby increasing their performance.

The judicial service regulation, 1963 L.I 319, stipulates what is expected of an employee of the Judicial Service and these expectations or regulations serve as the ground for disciplinary actions. It is therefore a key for all employees to acquaint themselves with the provisions of the 1963 regulations (L.I 319). Furthermore, the code of conduct for the judicial service of Ghana has outlined seven rules that every employee of the service is required to know

and abide by. These are abuse of position, conflict of interest, confidentiality, political activities, performance of duties, reporting procedure and disciplinary procedures/penalties, (www.judicial.gov.gh). All these rules are explained in a form of booklets for all employees (both senior and junior staff) of the service and each employee is expected to have a fair knowledge on them.

Disciplinary Procedures

Discipline procedure is a process for dealing with perceived employee misconduct. Various organisations have a wide range of disciplinary procedures to invoke depending on the severity of the infringement. The procedure could be classified as formal where the procedures are more likely to be codified in an organisation's handbook and informal where the procedures may not be codified but may be 'discretely' handled by a manager. Whether it formal or informal, the procedure needs to be managed to ensure fairness and effectiveness (Wedaga, 2012).

Properly managed discipline procedures need to be imposed without generating resentment. The "red hot stove rule" propounded by McGregor gives a guide for effective discipline procedures. According to this theory, a sound and effective disciplinary system should be immediate, consistent, impersonal, prior warning and notice acquaintance. For organization's to successfully apply these principles, both employers and employees and all the parties must be committed to each other. This requires organizations and for that matter employers to design disciplinary procedures that will harness, enhance and encourage employees to imbibe and maintain standards of conduct and job performance. These procedures are sometimes made available

in the form of handbook and leaflets to employees whilst others are displayed in offices of the organisations (Wedaga, 2012).

Per the United State Marines Corps (2009), discipline is the ability to do the right thing even when no one is watching or suffer the consequences of guilt that produces pain in the body, though pain comes through discipline”. Thus, an ideal discipline procedure should seek to impart on the conscience of the employee a sense of responsibility to do things right even in the absence of any policing activities. Therefore, employees must do what is right as is part of them and not because employers will punish them.

Unfortunately, many people link the word discipline with giving punishment which is actually small fraction of the meaning. Proper disciplinary procedure according to Pheng and Jasmine (2004), requires the establishment of service quality policy and charter that ensures that service quality objectives and complaints handling objectives are established, maintained, conduct management review and ensure the regular availability of resources. Ruzevicus (2005) added, that top management is required to review the organisation’s management systems to ensure service quality, charter and complaints handling at a planned interval to ensure a continuing suitability, adequacy, efficiency and effectiveness (Gronroos, 2000). The role of management in the review process is critical and it involves information on a follow-up action from previous reviews, feedback from customers and stakeholders, extent to which objectives are achieved, status of corrective actions, review of process performance and recommendations for improvement.

Progressive and Punitive Discipline

In the view of Brent (2010), there are two theories of implementing discipline in organisations; namely the progressive discipline and punitive discipline. He further posited that disciplinary measures are often aimed at stopping people from committing an offense, rehabilitating previous offenders, restoration of orders in the work place and most importantly to train people the social norms by denouncing detrimental activities.

It is important to note that progressive discipline is a process that entails dealing with job-related behaviours that do not meet expected and performance standards. Its primary purpose is to assist employees to understand that a performance issues or an opportunity for improvement exists. In advancing this theory, Brent (2010), posted those disciplinary actions often include verbal warnings, formal probationary letters, suspensions without pay and may be demotions. He further stated that most undesirable behaviour or conduct do not result in immediate discharge, but rather in imposition of lesser sanctions. Thus, if the behaviour is repeated, a harsher disciplinary action is progressively undertaken and ultimately leads to termination of employment.

Bragon (2009), on the other hand suggest that progressive discipline as a practical matter is universal, but the manner in which organization communicate and apply progressive discipline varies from one organization to another in terms of formality, written policy and exact sequence of progressive disciplinary actions mandatory for specific offenses or categories of offences. The process of progressive discipline is not intended as a punishment but to assist the employee to overcome performance problem and satisfy job related

expectations. This means that carefully drafted, reviewed and implemented progressive discipline measures can minimize employer's liability and consequently improve on employee performance (Maikara, 2009).

Organizations that harness progressive discipline may successfully correct a problem and enjoy productivity from employees (Brent, 2010). Employees will understand that their performance improvement is essential if they are to remain employed when effective progressive disciplinary process are meted out.

According to Rule 7c of the Code of Conduct for employees of the Judicial service of Ghana, disciplinary sanctions may involve the imposition of major or minor penalties, depending on the seriousness and gravity of the offence or misconduct. And that, major penalties shall generally consist of the following disciplinary awards: reduction of rank, removal from office as head of unit or registry and dismissal. The minor penalties on the other hand may include warning or reprimand, suspension of increment in salary, suspension from duty with loss of pay/salary, reduction of salary and surcharges. Some of the grounds for which these penalties or disciplinary actions would be invoked per the code of conduct for employees of JS include abuse of position, conflict of interest, confidentiality, open political activity and also performance of duties.

Effects of Disciplinary Action on Employees' Performance

To maintain harmonious relations and promote industrial peace, a Code of Discipline outlines various obligations for the management and the workers with the objective of promoting cooperation between them. Management deals with the establishment of rules and regulations as well as organizing activities

aimed at fulfilling the objectives of a particular organization. Rules are suggested or self-imposed guides for a scientific communication for conduct or action or an accepted procedure and custom. Rules or standards of behaviour can be defined as the shared expectations of a group of people (Banda, 2004).

A crucial factor that has to be considered in disciplining an employee is ensuring that the disciplinary action meted out commensurate with the offence. Again, an offender should be given chance to be heard before being punished. Disciplinary action should generally not only be done but be seen to be done in a manner that shows high degree of fairness and justice. One of the most widely practiced disciplinary action takes the order of oral warning, and then written warning, loss of entitlement, suspension, demotion, termination of appointment and dismissal according to the Treasury Board of Canada Secretariat guidelines on Discipline (2011).

Chelliah (2010), revealed the negative effects of the application of discipline and punishment. He views progressive discipline as a form of managerial power, which consequently results in domination of the employee. He further found out that the application of progressive discipline on employee is particularly concentrated around industry and occupational class workers who are more susceptible to discipline by employers. This generates an unequal power balance between an employee and the employer for which is of great concern if employees are to find discipline as correctional measures other than punishment. Again, the increasing advocacy for human rights issues and the need for every institution to perform to expectation require a disciplinary action with a motive that seeks to correct employees for their

misconduct than to punish or settle a score between some managers and their subordinate. Disciplinary policy and action are generally tailored towards curbing misconducts and a brief analysis of misconduct is worth studying (Chelliah, 2010).

According to Ethics Resource Center (2005), misconduct is any behaviour that violates the law or organizational ethical standards and Scholars, from multi-disciplinary backgrounds have tried to understand and predict misconduct at the workplace. As such, studies have been conducted on how and why misconduct occurs and for Kidder (2005), the three competing theories that are influential in explaining human motivation towards misconduct are personality traits theory, agency theory and finally psychological contract theory.

With traits theory, individual behaviour is as a result of inherited or acquired traits and it further base on the premise that certain traits will be disposed to react to a given situation in a certain way, (Kidder, 2005).

The agency theory was developed from economic assumptions of self-interest behaviour and the need to maximize. This theory, further suggests that the employer as a “principal” wants to obtain maximum output from the employee as the “agent”; which is in direct contrast to the employee, who is presumed to put in a minimal effort, and again assumes that agents will behave opportunistically if given the chance (Rousseau & Mclean Parks, 1993). Thus, employee will always shirk their capabilities if they can get away with doing that. Although agency theory has been criticized for its assumption of overlooking intrinsic human values and motivation in a positive manner, McKenna (1994), believes that Agency research provides managerial

implications to set up proper monitoring or controlling mechanisms to minimize misconduct.

On the psychological contract theory, Mclean Parks, Kidder & Gallagher (1998), defined it as the idiosyncratic set of reciprocal expectations held by employees concerning their obligations and their entitlements. Under normal scheme of things, the employee will work for an employer with the expectation that he/she will obtain something in return which should align with the effort put in. Contrary to the agency theory, the psychological contract theory sees trust in the organisation by assuming that employees are honest and ethical. Kidder (2005) argues that misconduct occurs in an organisation when the psychological contract is violated with the perceptions of injustice or unfair treatment meted out in the workplace. Thus, honest and ethical employees may commit acts of misconduct when they feel that they work in an unjust environment and that their trust has been infringed upon (Kidder (2005)).

Cases of unfair management practices such as wage discrimination, non-compliance with promotional and transfer policies, defective handling of grievances, delay and low payment of wages or salaries and creation of non-conducive working life are but a few causes of indiscipline in organisations. Hence, workers who may be aggrieved by unfair decisions would exhibit insubordination in the performance of duty.

A survey conducted by the Southern California's Marshall School of Business revealed that rudeness in the work place can affect an organisation in terms of time, effort and talent, hence, the need for every institution, be it

private or public, to pay critical attention to all potential causes of misconduct or indiscipline if it is to enable management improve performance.

Form of Disciplinary Action

According to Waldman, Carey and Cartier (2001) disciplinary actions include reprimand, written warning, suspension, reduction in pay, demotion and termination or dismissal. Each of these actions can bring about positive results when applied within the right context and mix. Again, the nature or seriousness of the misconduct will determine which disciplinary action should be invoked and failure to take this into account before taking a disciplinary action will not only affect performance but may lead to avoidable legal battle or tussles. In the code of conduct for employees of the judicial service of Ghana, disciplinary measures have been categorized into major and minor penalties.

The major ones include reduction of rank, removal from office as the head of Unit or Registry and dismissal whilst the minor ones include warning or reprimand, suspension of increment in salary, suspension from duty with loss of pay/salary, reduction of salary and surcharges as and when appropriate (www.judicial.gov.gh).

Both divides of the consequences on the application of discipline are reported by Atwater, Waldman, Carey and Cartier (2001); Recipient and observer reactions to discipline: are managers undergoing wishful thinking. Even though scholarly evidence indicates that discipline and punishment are unfortunate facts of organization, few conclusions have been drawn about the effects of punishment, or the relationship between punishment and outcomes (Jac & Davidson, 2001).

The negative results of the application of discipline and or punishment were studied by Chelliah (2010). He views progressive discipline as a form of managerial power, which ultimately results in control over the worker. Chelliah found that the application of progressive discipline on employees is usually concentrated around industry and occupational class workers. These workers are more amenable to disciplining by employers. Chelliah opined that an unequal power balance exists between employee and employer in the progressive discipline arrangement as progressive discipline follows the traditional 'power over' model.

Conceptual Framework

From the above it can be conceptualized that discipline has a direct effect on the performance of employees. To the extent that if an employee is deviating from the acceptable norms that is beneficial to productivity, then comes the moment where the managers or supervisors are to exercise their coercive powers to ensure that the employee in question is brought back on track.

It is widely believed that employees must be disciplined at all times. This would enable them to stay focused in their contribution to the attainment of organizational goals. The punitive and disciplinary measures should be known by the employees so that it would not be seen as arbitrary and capricious. Anyway, the essence of disciplinary action is to correct and not to unduly punish. In the long run it is seen that disciplinary measures have a direct effect on employee performance and all stakeholders need to contribute in this regard to ensure that productivity is improved within a framework of disciplined employees.

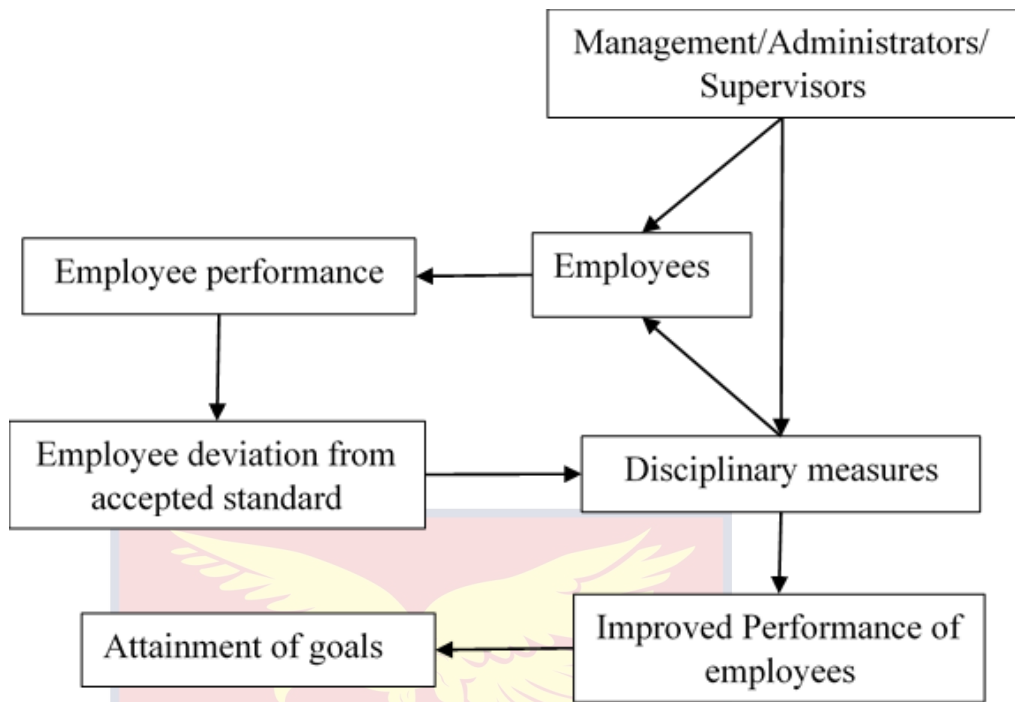


Figure 1: Conceptual framework

Source: Researcher's construct (2021)

Lessons Learnt

From the review conducted, it was evident that every organization's core values or rules and regulations serve as a guide for how its employees must behave in order to remain and improve their performance. Numerous organizations have codes of conduct and ethics in place to establish standards of ethical behaviour and employee conduct that must be applied consistently with the organization's requirements (Storey, 2000). Storey (2000) added that the human resource department of any organization is critical because it is tasked with the responsibility of regulating human capital and human resources, as well as overseeing the organization's production processes, with the goal of ensuring the organization's competitive edge.

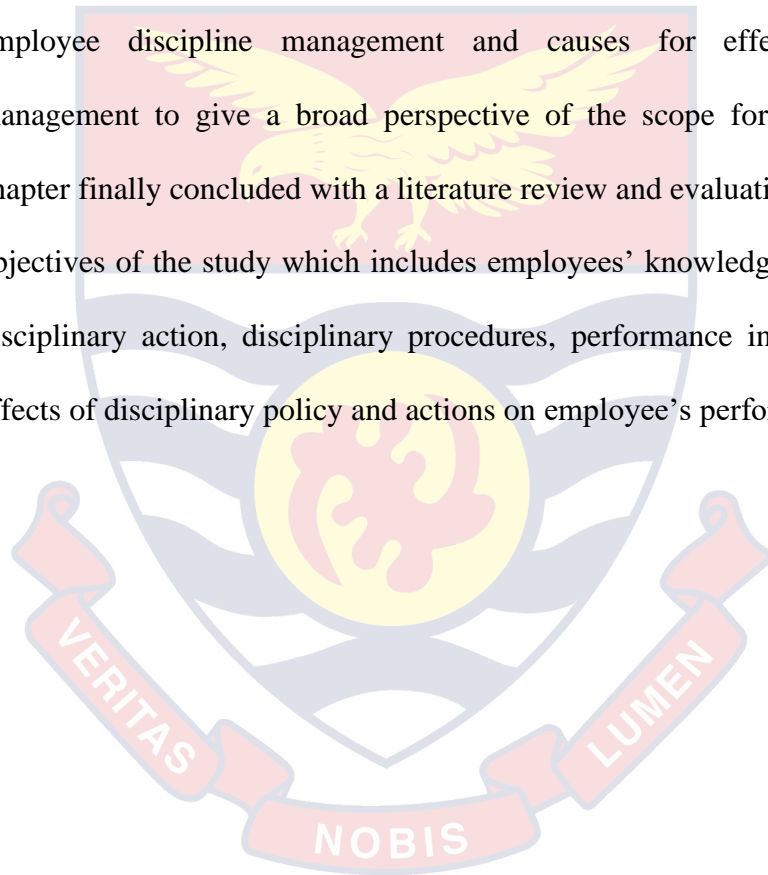
Indiscipline entails a lack of self-control and disobedience as a result of rules and regulations violations, which result in mayhem and commotions. It

explains moral decadence, displeasure, and voracity in the public service, which results in corruption and other related behaviours. As a result, performance is impacted (Apalia, 2017). The extent of employee indiscipline in the majority of institutions, including the police, the judicial system, immigration, customs, and local government, has impacted performance, resulting in low trust and confidence in these institutions. The 2015 Anas judicial expose, recent attacks on and burning of police stations, students terrorizing schools, and mob justice in various parts of the country all bear witness to the public institutions' dubious performance and the extent to which the canker of indiscipline has infected the entire fabric of Ghanaian society. It is a perplexing issue that both the ruler and the ruled, as well as, for the purposes of this study, the employer and the employee, are responsible for.

Employees' conducts that violate any institution's rules and regulations will undoubtedly result in some form of sanction; and with increasing human rights advocacy and the demand for high employee performance standards, any procedure for handling employee discipline requires the utmost professionalism and meticulous effort if the employee's rights are violated and the employee performs poorly. It is critical, then, that disciplinary rules and processes be designed to achieve corporate objectives while minimizing or eliminating adverse effects on employee rights. Kabandize (2004) conducted research on employee control in Uganda, observing that rules and regulations are implemented via management, disciplinary panels, supervisors, and employee participation.

Chapter Summary

This chapter took a retrospective view and critically evaluated past studies in the area of discipline. It began with theoretical underpinnings such as the X and Y theories and the hot stove rule theory. These theories, particularly the X and Y dwelt on attitudes of employees towards work and the hot stove theory on the other hand illustrated how to impose disciplinary action without generating resentment. Again, it reviewed areas such as employee discipline management and causes for effective discipline management to give a broad perspective of the scope for this study. The chapter finally concluded with a literature review and evaluation of the various objectives of the study which includes employees' knowledge on grounds for disciplinary action, disciplinary procedures, performance indicators and the effects of disciplinary policy and actions on employee's performance.



CHAPTER THREE

RESEARCH METHODS

Introduction

The quest to determine the effects of disciplinary management on employees' performance requires strict adherence to research rules and methodologies if meaningful results are to be achieved. This chapter seeks to highlight on the research design of the study, the study area, population and sampling procedure. It will further throw light on the data collection instruments, procedures, processing and analysis.

Research Approach

Since the study seeks to quantify issues, the quantitative research approach which follows the positivist philosophy was used. Among the many advantages of quantitative research approach is its ability to enhance speed of conducting research. Further, it offers a broader coverage of a series of events where statistics are combined from a larger sample (Amarantunga & Baldry, 2002). In addition, quantitative approach enhances the use of statistical data analysis methods, thus, making it easier to generalise the findings from the study. In addition, quantitative approaches take the guesswork to a more concrete conclusion. This is because the results are usually based on quantitative measures rather than mere interpretation and therefore enables future application and comparison with other works.

It should however be noted that, this approach to research approach lacks flexibility and, thus, makes it very challenging to apply same in assessing or gauging human behaviour (Crotty, 1998). According to Boohene (2006), the choice of research approach should be based on the researcher's

discretion, depending on the nature of a particular study. Therefore, given the purpose and nature of this study where most of the analyses are quantitative in nature, quantitative research approach was deemed the most appropriate and therefore adopted.

Study Design

A research design helps a researcher in finding answers to research questions. Per Bryman (2004), it provides the framework for the collection and analysis of data. In investigating the effects of discipline management on employees' performance, a descriptive research approach was deemed appropriate as this enabled the study to vividly describe the characteristics of the study population or phenomenon. This approach further enabled the researcher to ascertain the level of knowledge on the code of conduct by the employees of the Judicial Service. Again, the descriptive approach was best under the circumstances as it helped the researcher to generalize the findings of the study population and in addition, concerns itself with answering the questions what, who, which, when or how much (Cooper & Schindler, 2001). Thus, the research question as to what the level of knowledge employees of Judicial Service is, what causes of misconduct by Judicial Service employees are, how disciplinary procedures affect employees and what effects disciplinary actions have on employees' performance.

Study Area

The study area is the Cape Coast Court Complex located at Chapel Square near the Cape Coast Castle. As already indicated, the judicial service has the responsibility to ensure the effective administration of Justice to all manner of persons, groups and institutions without fear or favour and maintain

a high standard of efficiency in the delivery of justice. The Cape Coast Court Complex is made up of a Court of Appeal; which sits periodically every month, five (5) high courts with two of them specialized in commercial cases, two (2) circuit courts and two (2) District courts are expected to exhibit this responsibility without hesitation. There are five registrars who head the various courts from the district court to the court of appeal. These registrars are the administrative heads for the various courts and they report directly to the regional administrator. Again, other departments apart from the courts such as audit, accounts, works and monitoring and evaluation within the judicial service as an institution have offices in the court complex and this gives the researcher an opportunity to solicit responses from employees in the various departments. One of the main reasons for choosing this area is as a result of its proximity to the researcher, which does not only save him time but also reduced the cost of conducting this research.

Population of the Study

The population under consideration is the judicial service staff at the Cape Coast court complex excluding the judiciary (Judges and Magistrates). The workers who form the study population are made up of cleaners, security, artisans, drivers, accountants, cashiers, auditors, courts room staffs (clerks, interpreters, recorders and ushers) and head of Registries. The population is heterogeneous in terms of job description and rank. However, the code of conduct is the same for all staff irrespective of job or rank. The total employee strength of the judicial service staff at Cape Coast Court Complex for both the senior and junior staff is 100 (Cape Coast High Court).

Sample and Sampling Procedure

In a diverse research population, it is necessary to stratify the respondents in order to guarantee that each person has an equal chance of being chosen. As a result, the research used stratified probability sampling to arrive at a sample size of 80 using Krejcie and Morgan (1970) sample selection table which is presented in appendix B. The approach divides the study population into comparable groups in order to guarantee equitable representation (Kumar, 2005). This was also determined by the departments to which prospective responders belonged. Again, the various strata (groups) of senior and junior employees were examined, and responses from each category were selected using a simple random sample technique. This approach guarantees that all individuals are represented equally and fairly. Additionally, it is compatible with various statistical and descriptive techniques (Kumar, 2005).

Data Collection Issues

The data was collected through the administration of questionnaires on selected members of staff of the Judicial service who formed part of the study. Questionnaires were handed over to them to be filled and returned at a later date. The questionnaire was self-administered and the respondents returned them to the researcher some minutes after been handed and in some cases, at a later arranged time. It was made in a way that was easy to be read, understood and filled (self-administered).

Sources of Data

Primary and secondary data would be used. The primary data is raw data being collected directly from first-hand experience. It is important for all

areas of research because it is new information about the result of an experiment or observation (Wedaga, 2012). The Primary data would be obtained from respondents by conducting survey in the form of questionnaire and interview of the Judicial Service Staff of Cape Coast Court complex. As earlier discussed, 60 questionnaires were administered to the staff to elicits information from respondents with regards to knowledge about code of conducts, causes of misconduct, effects of disciplinary procedures and actions on employees and performance respectively.

Secondary data is data that have already been collected for some other purpose and subsequently used for other research. In order to address the research questions of the study, the researcher consulted a variety of secondary data from the institution (judicial service), published records, journals, newsletters, books, and through the use of the internet or website.

Instruments Design

Questionnaires and interviews were utilized as the main instruments since they are reasonable steps to obtain data from a sizeable number of respondents. Questionnaires in particular, are very adaptable in that it can be utilized by an individual, in various situations, at various circumstances, focusing on an assortment of subjects for examination (Saunders, 2007). According to Nyamekye (2012), questionnaire organizes the survey and gives it direction and coherence; it delimits the survey showing its boundaries, keep the researcher focused during the project and point to the data that will be required.

It can address a large number of issues and questions of concern in a relatively efficient way, high response rate, designed so that answers to

questions are scored and scores summed up to obtain an overall measure of the attitudes and opinions of the respondent and lastly anonymity which increases the likelihood that responses reflect positively held opinions (Saunders, 2007).

About twenty-five (25) questions in the form of both multiple and Likert scale questions were drafted for the respondents. The questionnaire was divided into three parts. The first part focused on the personal information of the employees like sex, age, education, rank, marital status, religion and experience. The second part dealt with questions on knowledge of employee on code of conduct and some major causes of employee misconduct. The third part also focuses on questions on effects of disciplinary procedures and measures on employees and performance respectively.

Ethical Consideration

Participants for the study were recruited after ethical clearance have been obtained from Institutional Review Board of the University of Cape Coast after which an introductory letter was sought to be used to gain permission from heads and the management of the Judicial Service. Participants' consent was sought and in addition the principle of confidentiality and anonymity were also adhered to strictly.

Response Rate

The total population size for this study was the staff of the Judicial Service in Cape Coast with a population of 100 staff. However, based on the Krecjie and Morgan (1970) sampling determination table 80 respondents were chosen. On the basis of this, a total of 80 questionnaires were issued from which 70 were filled and returned which represents a response rate of 87.5%. This response rate was considered to be very encouraging, on the basis of the

assertion made by Mugenda and Mugenda (2008) that a response rate of 50% is satisfactory enough for analysis. Babbie, (2004) also opined that the return of rates of 50% are appropriate to analyse and publish, 60% is good and 70% is very good. The implication here is that the current research attained success rate of 96% in this study could be considered to be more than very good. The success rate in this study could be ascribed to the self-administration of the questionnaires applied by the researcher from which the intended respondents were pre-notified on the actual date and venue before the data collection although the questionnaires were self-administered. The researcher also made frantic efforts to make a lot of follow-up calls to clarify queries with the intention to boost the high response rate. The response rate is represented in Table 1 below.

Table 1: Response Rate

Questionnaire	Count	Percentage
Returned	70	87.5
Non-Returned	10	12.5
Total	80	100

Source: Field Survey (2019)

Field Challenges

The major challenge that was faced during the field work is the difficulties in getting the respondents to fill the questionnaire. This is because worker in this institution have very tight schedules and are reluctant in giving out information. This is particularly because of the nature of their work.

Data Processing and Analysis

The field data were checked for accuracy and completeness. The questionnaires were numbered serially, edited, coded and fed into the computer system. Data was analysed using descriptive, parametric and non-parametric tests. Statistical Product and Service Solution (SPSS) version 23.0 was used as a tool to analyse the data in line with the specific objectives of the study and discussed in line with the reviewed literature.

SPSS software facilitated the analysis of data. Both descriptive and inferential statistics techniques were used. With regard to descriptive analysis, percentages were used to describe the individual characteristics.

Chapter Summary

This chapter focused mainly on how the researcher conducted the research. It began with the research design, touching on the study area, population, sampling and a detailed account on sources, collection and analysis of data. Particularly, the survey instrument which is the questionnaire was vividly detailed in terms of the structure and style. Strict adherence to research ethics was followed in order to obtain unbiased data for fair analysis and recommendations.

CHAPTER FOUR

RESULTS AND DISCUSSIONS

Introduction

The current chapter presents the results and discussion of this study. The main purpose of this study is to contribute to the larger body of knowledge on Discipline Management and how it affects employee performance at the Judicial Service. In line with this, the specific objectives are: to identify the causes of indiscipline in the Judicial Service; to assess employees' knowledge on the grounds for disciplinary action in the Judicial Service; to identify the disciplinary actions taken by management of the judicial service; and to examine the effects of discipline management on employee performance in the judicial service. The chapter begins with the demographic data of the respondents and followed by sections that answer the research questions of the study.

Descriptive Results for Socio-Demographic Background

In order to understand the socio-demographic characteristics of the respondents, the first section of the questionnaires was designed in such a way that the respondents could provide answers relating to their backgrounds. After analysing their answers, the data that was obtained had been summarized and shown in Table 2. The results indicate that majority of the respondents (38.6%) are above 40 years closely followed by 25-29 who are (34.3%). Also, 7 (10%) of the respondents are between the ages of 35-39 with only 6 respondents (8.6%) between the ages of 30-34 and 20-24 respectively. This implies that the Judicial Service has cumulatively young Staff.

Table 2: Demographic Information of Respondents

Item	Frequency	Percentage
Age		
20-24	6	8.6
25-29	24	34.3
30-34	6	8.6
35-39	7	10
Above 40	27	38.6
Sub-Total	70	100.0
Sex		
Male	48	68.6
Female	22	31.4
Sub-Total	70	100.0
Years in Service		
1- 5 years	27	38.6
6-10 years	11	15.7
Table 2 Continued		
11-15 years	21	30.0
16-20 years	2	2.9
Above 21 years	9	12.9
Sub-Total	70	100.0
Job Rank		
Registrar	43	61.4
Court Clerk	7	10.0
Library Officer	4	5.7
Security	8	11.4
Others	8	11.4
Sub-Total	70	100.0
Education		
Basic	14	20
Secondary	10	14.3
Tertiary	46	65.7
Sub-Total	70	100

Source: Field Survey (2019)

There are more males (68.6%) than females (31.4%). Majority of the respondents (38.6% and 30.0%) have been in the Judicial Service between 1-5 years and 11-15 years respectively. The least serving (2.9%) in the Judicial Service were respondents serving between 16-20 years. Furthermore, most of the respondents (61.4%) were of the rank of a Registrar whilst the least rank (5.7%) being the library officers. Again, 65.7% of the respondents had their

Tertiary education followed by 20.0% obtaining a Basic school qualification while the least educational holder (14.3%) had Secondary education. This implies that there is a great academic attainment of the staff of the Judicial Service.

Findings

Causes of Indiscipline in the Judicial Service

In line with the research objective one which was to identify the causes of indiscipline in the Judicial Service; the respondents were presented with five main causes. These were: Lack of knowledge on the code of conduct, Poor management and supervision, inadequate training for staff, lack of working materials and Poor salary and motivational incentives. They were asked to indicate their level of agreement with the one mostly employed in the Judicial Service. Thus, this subsection presents the results of the analysis based on the responses obtained from the respondents. The level of each variable was independently determined, using a mean scale of 1 to 5 with 1 to 2.9 indicating low levels and 3 to 5 indicating high levels. The cut-off point was arrived at using the mean of the scale.

The results of the study as presented in Table 3 showed that the respondent staff of the Judicial service asserted the lack of knowledge on the code of conduct to be the main cause of indiscipline in the Judicial service ($\mu=3.6000$). This suggests that there exists poor management and supervision of staff ($\mu=3.5286$) and inadequate training for the staff ($\mu=3.4571$) of the Judicial service and hence being part of the basis for the indiscipline in the Judicial service. Also, notable amongst the causes is the lack of work materials ($\mu=3.4143$) for the staff to execute their task and the poor salary scheme and

motivational incentives ($\mu=3.2429$) they are presented with. Generally, employee motivation leads to a positive feeling exhibited by individual employees towards their job (Obiekwe, 2016). This feeling is experienced when employees appreciate the jobs they do especially when there exists enough motivation worth the risk related to their jobs and when their employers make them feel like they are asset (Ramlall, 2008).

Table 3: Causes of Indiscipline in the Judicial Service

Responses	Mean
Lack of knowledge on the code of conduct	3.6000
Poor management and supervision	3.5286
Inadequate training for staff	3.4571
Lack of working materials	3.4143
Poor salary and motivational incentives	3.2429

Scale (Mean): 0-2.9= low and 3-5= high

Source: Field Survey (2019)

Employees' Knowledge on the Grounds for Disciplinary Action

In line with the research objective two which was to assess employees' knowledge on the grounds for disciplinary action in the Judicial Service; the respondents were presented with five main grounds. These were: Disclosing confidential information to unauthorized persons, Stealing and use office materials for personal gain, Abuse of office and demand for money from client, Absenteeism and lateness to work, and engaging in open political activities. They were asked to indicate their level of agreement with the one mostly employed in the Judicial Service. Thus, this subsection presents the results of the analysis based on the responses obtained from the respondents.

The level of each variable was independently determined, using a mean scale of 1 to 5 with 1 to 2.9 indicating low levels and 3 to 5 indicating high levels. The cut-off point was arrived at using the mean of the scale.

Table 4: Knowledge on the grounds for disciplinary action

Responses	Mean
Disclosing confidential information to unauthorized persons	3.6000
Stealing and use office materials for personal gain	3.5571
Abuse of office and demand for money from client	3.3857
Absenteeism & lateness to work	3.3286
Engaging in open political activities	3.0429

Scale (Mean): 0-2.9= low and 3-5= high

Source: Field Survey (2019)

The results of the study as presented in Table 4 showed that the respondent staff of the Judicial service knowledge on the grounds for disciplinary action in the Judicial Service realized disclosing confidential information to unauthorized persons was the major ground for disciplinary action ($\mu=3.6000$). Respondents also affirmed stealing and use office materials for personal gain as a definite ground for disciplinary action ($\mu=3.5571$) with the abuse of office and demand for money from clients ($\mu=3.3857$) accompanying such sanctions. Respondents also asserted that absenteeism and lateness to work ($\mu=3.3286$) coupled with engaging in open political activities ($\mu=3.0429$) were considered as grounds for disciplinary action to be taken. An evaluation of the public sector reform programs (PSRPs) concluded that the public sector employees were found to be demoralized as productivity concerns are relegated to the background due to widespread absenteeism, moonlighting, corruption, ill-motivation and political hiring (Owusu, 2006).

Most public workers condone with these negative behaviours with the excuse that “it was merely a government job and did not require much effort as the private sector would require” (Lambert, 2001; Wright & Bonett, 2007).

How Disciplinary Procedure is Carried Out in the Judicial Service

In line with the research objective three which was to identify the disciplinary actions taken by management of the judicial service; the respondents were presented with eight main disciplinary actions. These were: Warning or Reprimand, Dismissal, Removal from office as head of unit or registry, Suspension of increment in salary, Suspension from duty with loss of pay/salary, Reduction of rank, Reduction of salary, and Surcharge. They were asked to indicate their level of agreement with the one mostly employed in the Judicial Service. Thus, this subsection presents the results of the analysis based on the responses obtained from the respondents. The level of each variable was independently determined, using a mean scale of 1 to 5 with 1 to 2.9 indicating low levels and 3 to 5 indicating high levels. The cut-off point was arrived at using the mean of the scale.

The results of the study as presented in Table 5 showed that the respondent staff agreed that management disciplinary actions in the Judicial service had warnings or reprimand as the mostly meted out disciplinary practice by the Judicial service ($\mu=3.8000$). This was followed by dismissals ($\mu=3.3429$) and the removal from office as head of unit or registry ($\mu=3.2286$) as part of the disciplinary practice by the Judicial service. However, the respondents moderately agreed to the fact that the Judicial service employed suspension of increment in salary ($\mu=2.5857$) and suspension from duty with loss of pay/salary ($\mu=2.4000$) as a disciplinary act that deters them from

engaging in wrongful acts. That notwithstanding, the respondents fairly agreed to the assertion that the reduction of rank and salary was also utilized as a measure with a record mean of 2.3000 and 2.1143 respectively. In spite of this, the respondents agreed at a very low levels to the usage of surcharges as a mechanism to discourage acts that are prohibited in the Judicial service ($\mu=1.6286$).

Discipline is management action to encourage compliance with organizational standards. Discipline is an action taken by management against an individual or group who have failed to conform to the rules established by management within an organization. Discipline can also be seen as a form of training to enforce organizational rules and standards (Mathis & Jackson, 2000).

Table 5: Judicial Service Management Disciplinary Actions

Responses	Mean
Warning or Reprimand	3.800
Dismissal	3.342
Removal from office as head of unit or registry	3.228
Suspension of increment in salary	2.585
Suspension from duty with loss of pay/salary	2.400
Reduction of rank	2.300
Reduction of salary	2.114
Surcharge	1.628

Scale (Mean): 0-2.9= low and 3-5= high

Source: Field Survey (2019)

Effects of Discipline Management on Employee Performance

The research objective four sought to examine the effects of discipline management on employee performance in the judicial service. For this

analysis, respondents were presented with statement measuring both the independent variable, discipline management practices and the dependent variable, employee performance. Respondents were to indicate on a scale of 1 to 5 the extent to which any of these was present. These results were then transformed to create the Discipline Management practices (DMALL) variable and regressed against employee performance (PERFALL). Table 6 presents the summary of the regression model on the effect of Discipline Management practices on Employee Performance.

Table 6: Discipline Management on Employee Performance

Model	R	R Square	Adjusted Square	R Std. Error of the Estimate
1	.398a	.158	.146	.51324

a. Predictors: (Constant), DMALL

Source: Field survey (2019)

The Correlation coefficient (R) from the models shows a value of 0.398 as the value of the correlation between the independent variable (Discipline Management) and the dependent variable (Employee Performance). It can be concluded that Discipline Management has a moderate relationship with Employee performance. The results show an R-squared of 0.158, this means that only 15.8% percent of the variation in employee performance at the Judicial Service is accounted for by discipline management practices. In scholarly research that focuses on social science issues, R² values of 0.75, 0.50, or 0.25 for dependents variables can, as a rough rule of thumb, be described as substantial, moderate, or weak (Hair, Sarstedt, Ringle, & Mena, 2012; Henseler et al., 2009). This leads to the conclusion the discipline management practices have a weak effect on employee performance at the

Judicial Service. Table 7 determines the statistical significance of the entire model.

Table 7: Discipline Management Practices and Employee Performance

Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	3.365	1	3.365	12.774	.001 ^b
	Residual	17.912	68	.263		
	Total	21.277	69			

a. Dependent Variable: PERFALL, b. Predictors: (Constant), DMALL

Source: Field Survey (2019)

The results of the ANOVA form Table 7 indicate a significant figure of $p=.001$, a significant level of less than or equal to $.05$ is necessary for most social science research (Pallant, 2001). In this analysis, the ρ -value is below $.05$ ($\rho = .001$). The Table shows whether the model is statistically significant in interpreting employee performance among employees of the Judicial Service. Therefore, it can be concluded that the R and R^2 between Discipline Management Practices and employee performance is significant. Table 8 indicates the magnitude of the effect of Discipline Management Practices and employee performance at the Judicial Service.

Table 8: Coefficients^a

Model	Unstandardized Coefficients		Standardized Coefficients	T	Sig.
	B	Std. Error	Beta		
1 (Constant)	3.388	.115		29.535	.000
DMALL	.213	.060	.398	3.574	.001

a. Dependent Variable: PERFALL

Source: Field Survey (2019)

Table 8 indicates a standardized Beta of .398 and this is significant $p=0.001<0.05$, T-statistics= 29.535. The results show that Discipline Management Practices does have a positive effect on the performance of employees of the Judicial Service.

These findings are consistent with the views of Pradeep and Prabhu (2011), Kehinde and Banjo (2014) and Ejere and Abasilim (2013) that disciplinary action directly affects employee performance. However, excessive disciplinary leadership was found to have negative impact on employees' performance. The study's findings are inconsistent with those reported earlier in Gimuguni, et al (2014) and in Nuhu (2004) both of whom reported negative relationship between disciplinary practices and employees' performance. However, the same results are in line with those which reported a negative relationship between disciplinary management style and employee performance (Gimuguni, et al, 2014). The finding of the study affirms that despite the commonalities and differences among disciplinary practices and theories, there is consensus that disciplinary management practices strongly influence employee performance (Nyberg et al., 2011; Tafvelin, et al., 2011; Aydin et al., 2013).

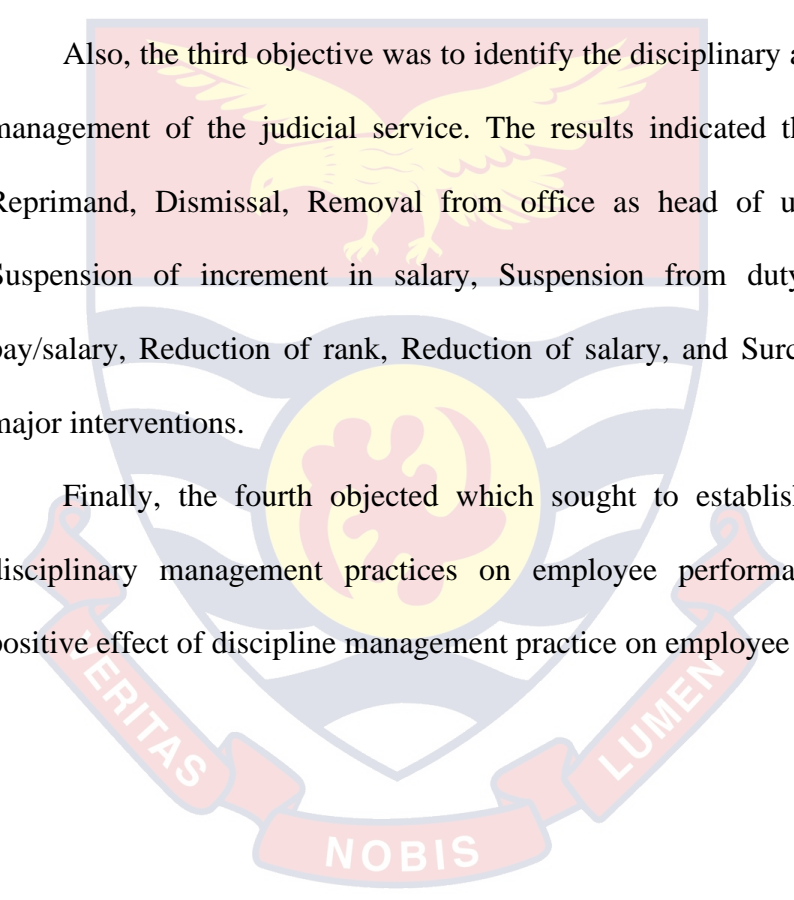
Summary

This chapter has examined the findings regarding disciplinary practices in the Judicial Service and the effect it has with employee performance. The first section has centred on the causes of indiscipline in the Judicial Service. With this it was found that the respondents considered Lack of knowledge on the code of conduct, poor management and supervision, inadequate training for staff, lack of working materials and poor salary and motivational

incentives as the causes of indiscipline in the Judicial Service. The second objective was to assess employees' knowledge on the grounds for disciplinary action in the Judicial Service. The results indicated that disclosing confidential information to unauthorized persons, stealing and use office materials for personal gain, abuse of office and demand for money from client, absenteeism and lateness to work, and engaging in open political activities were the grounds asserted to.

Also, the third objective was to identify the disciplinary actions taken by management of the judicial service. The results indicated that Warning or Reprimand, Dismissal, Removal from office as head of unit or registry, Suspension of increment in salary, Suspension from duty with loss of pay/salary, Reduction of rank, Reduction of salary, and Surcharge were the major interventions.

Finally, the fourth objective which sought to establish the effect of disciplinary management practices on employee performance realized a positive effect of discipline management practice on employee performance.



CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Introduction

A general summary of the research is provided in this chapter. Discipline management's impact on public sector employee performance: A case from Ghana's Judicial Service, is summarized and implications are drawn based on those results. The chapter also provides a summary of the analytical methods used in this study and the outcomes based on the study's goals, recommendations based on the study's main findings, and ideas for future research.

Summary of Study

With regard to the Ghanaian Judicial Service, the purpose of this research is to determine the impacts of disciplinary management on employee performance in the public sector, namely in the judiciary. Its specific objectives were to identify the causes of indiscipline in the Judicial Service, assess employees' knowledge of the grounds for disciplinary action in the Judicial Service, identify the disciplinary actions taken by management of the judicial service, and finally assess the effects of discipline management on employee performance in the judicial service. The study was conducted in the United Kingdom.

For the research, a total of seventy members of the Cape Coast court service were chosen from among their ranks. These individuals were handed questionnaires, which they were required to complete and return at a later date. The questionnaire, which served as the primary instrument for data collection, was designed in such a way that sufficient information could be gathered to

meet the particular goals of the research. After the questionnaires were recovered, they were coded to make it possible to do both descriptive and inferential analyses, such as frequency and percentage distributions, regression, and analysis of variance (ANOVA). These analytical techniques had a significant role in the study's ability to uncover answers to the research questions.

Summary of Key Findings

The study's initial goal was to find out what causes indiscipline in Ghana's judicial service, and the findings showed that the lack of awareness of the code of conduct was cited as the primary reason for it. Additionally, there is a shortage of work supplies for employees to do their assigned tasks, as well as a deficient pay structure and motivating incentives.

According to the results of the second research objective, which was to assess employees' knowledge on the grounds for disciplinary action in the Judicial Service, the respondent staff of the Judicial Service's knowledge on the grounds for disciplinary action in the Judicial Service included disclosing confidential information to unauthorized persons, which was the major ground for disciplinary action. Respondents also confirmed that stealing and misusing office equipment for personal benefit constitutes a clear basis for disciplinary action, along with the misuse of office and demand for money from customers. Additionally, respondents stated that absence and tardiness to work, when combined with open political activity, were deemed grounds for disciplinary action.

In accordance with the third study aim, which was to ascertain the disciplinary measures taken by the judicial service's administration, the

respondents were provided with eight primary disciplinary acts. These included a warning or reprimand, dismissal, removal from office as head of unit or registry, suspension of salary increases, suspension from duty with loss of pay/salary, rank reduction, salary reduction, and surcharge. The study's findings indicated that respondents agreed that management disciplinary measures in the judicial service mostly consisted of warnings or reprimands. This was followed by dismissals and removal from office as head of unit or registry, suspension of salary increments and suspension from duty with loss of pay/salary, rank and salary reductions, and the use of surcharges to deter forbidden actions in the Judicial service.

The fourth research aim was to determine the impact of disciplinary management on employee performance in the court system. Respondents were given statements assessing both the independent variable, Discipline Management practices, and the dependent variable, Employee Performance, for this study. At the Judicial Service, discipline management methods have a negligible impact on staff performance. Thus, the variations in employee performance in the Judicial Service of Ghana, Cape Coast Metropolis, may be explained somewhat by discipline management.

Conclusions

The study's results led to the following conclusions. For the first goal, it's been determined that poor management and supervision of employees, as well as insufficient training for employees, are to blame for judicial indiscipline. The lack of work materials for employees to complete their tasks, as well as the poor salary scheme and motivational incentives they are given,

are all contributing factors. Lack of knowledge of the code of conduct, on the other hand, is cited as the leading cause of misconduct in the judiciary service.

Concerning the second goal, the most common reason for disciplinary action was the disclosure of confidential information to unauthorized parties. Stealing office supplies and using them for personal gain was a clear reason for disciplinary action, as was the abuse of office and the demand for money from clients that went along with it. Discipline was also taken against employees who were persistently absent or late to work while also actively participating in open political activities.

When it came to third-party disciplinary actions, the Judicial service mostly used warnings or reprimands to achieve their goals. They were then removed as head of unit or registry; their salary was suspended while they were on leave with no pay and their rank was also reduced as a measure to discourage them from engaging in conduct that is against the law in the Judicial service.

This study's findings on the impact of discipline management practices on employee performance showed that they had only a marginally positive impact. Summary: Despite the similarities and differences among disciplinary practices and theories, researchers have concluded that the findings show that disciplinary management practices have little impact on employee productivity.

Recommendations

Based on the key findings and conclusions presented, the Executive body of the Judicial Service are to:

1. Discipline procedures should be improved in order to improve employee performance, since present disciplinary actions have little effect on it.
2. Educate the Judicial Service's employees about the code of behaviour for the organization. In this manner, the company hopes to guarantee that its employees are aware of the code and actively work to uphold it.
3. Use a system of fees to deter people from engaging in behaviour that is against the rules of the court. As a result, anybody discovered to have broken the law will face sanctions and be forced to make apologies.
4. It's time to tighten up the rules on misconduct in the Judicial Service. The current system is seen to be loose, and there's much more that can be done to raise the bar on employee behaviour.

Suggestions for Further Research

In order to improve the scale's generalizability, further study should be done on disciplinary procedures. Because the current research was only concerned with the judicial service in Ghana, a replication of this work in the country's other Ministries, Departments, and Agencies (MMDAs) might provide light on variations in disciplinary procedures and employee performance in other sectors as well.

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APPENDIX

A: RESEARCH QUESTIONNAIRE

INTRODUCTION

The researcher is a Master of Business Administration student at University of Cape Coast. The researcher is undertaking a study on the topic “effects of discipline management on employees’ performance: a case study of judicial service”. This is in partial fulfilment of requirement for the award of Master of Business Administration (MBA), Human resource option. Response provided for this academic purpose will be treated with extreme confidentiality. Please this exercise will take a few minutes of your time. Thank you.

INSTRUCTION: please write or tick (✓) where appropriate.

Part I: PERSONAL INFORMATION (DEMOGRAPHICS)

1. Sex
 - a. Male
 - b. Female
2. Age
 - a. 20-24
 - b. 25-29
 - c. 30-34
 - d. 35-39
 - d. 40 & above
3. Religion
 - a. Christianity
 - b. Islamic
 - c. Traditionalist
 - d. others (specify).....
4. Marital status
 - a. married
 - b. single
 - c. divorce
 - d. other (specify)...
5. Level of education

- a. no formal education []
- b. basic []
- c. secondary []
- d. tertiary []

6. Job Rank.....

7. How long have you been with the service?

Part II: KNOWLEDGE ON GROUNDS OF DISCIPLINARY ACTION AND CODE OF CONDUCT

8. Are you aware of the existence of a code of conduct?

- a. Yes []
- b. No []

9. If yes, when did you get to know about it?

- a. During orientation []
- b. Sometime after employment []
- c. Others (specify).....

10. Have you seen a copy of the code of conduct?

- a. Yes []
- b. No []

11. Do you have a copy of the code of conduct?

- a. yes []
- b. No []

12. How well do you know the content of the code of conduct?

- a. I do not know any []
- b. I know few []
- c. I know most []
- d. I know all []

13. please indicate with (√) from the scale of 1-5 to what extent the following would be considered as grounds for disciplinary action (1- not considered at all, 2- somehow considered, 3- considered, 4- considered a lot, 5- highly considered)

Grounds For Disciplinary Action	1	2	3	4	5
Absenteeism & lateness to work					
Stealing and use of office materials for personal gain					

Disclosing confidential information to unauthorized persons					
Abuse of office and demand for money from client before performance of official duty					
Engaging in open political activities					

14. please indicate with (√) from the scale of 1-5 which of the following is most likely to cause indiscipline at the work place, where; 1- will not cause at all, 2- will cause a little, 3- will cause, 4- very likely to cause, 5- most likely to cause

CAUSES OF INDISCIPLINE	1	2	3	4	5
Poor salary and motivational incentives					
Poor management and supervision					
Lack of working materials					
Inadequate training for staff					
Lack of knowledge on the code of conduct					

Part: III HOW DISCIPLINARY PROCEDURES ARE CARRIED OUT

14. how much do you know about the disciplinary policy and actions in the service?

- a. I know nothing about it []
- b. I know a little about it []
- c. I know about it []
- d. I know much about it []
- e. I know all about it []

15. have you gone through any form of disciplinary procedure in the service?

- a. Yes []
- b. No []

16. if yes, did it affect you in terms of your attitude towards work?

- a. Yes []
- b. No []

18. do you know of a staff who has gone through any form of disciplinary procedures or action in the service before?

- a. Yes []
- b. No []

17. do you think the disciplinary procedures in the service are fair to workers?

- a. Not fair at all []

- b. quite fair []
- c. fair []
- d. very fair []

18. Have you received any form of disciplinary action before?

- a. Yes []
- b. No []

19. if yes, do you think you were treated fairly?

- a. Yes []
- b. No []

20. do you know of any employee who has received any form of disciplinary action in the service?

- a. Yes []
- b. No []

21. how fair are the disciplinary actions taken against staff in the service?

- a. not fair []
- b. quite fair []
- c. fair []
- d. very fair []

22. please indicate with (√) from the scale of 1-4 how often the following disciplinary actions occur, where; 1- never occurs, 2- not very often, 3- often occurs, 4- occurs very often

DISCIPLINARY ACTION	1	2	3	4
Reduction of Rank				
Removal from office as head of Unit or Registry				
Dismissal				
Warning or reprimand				
Suspension of increment in salary				
Suspension from duty with loss of pay/salary				
Reduction of salary				
Surcharge				

23. Are you sure you would be able to seek for a legal redress in case you are unfairly dismissed?

- a. I am not sure []
- b. I am quite sure []
- c. I am sure []

d. I am very sure []

24. please indicate with (√) from a scale of 1-4 which of the following are likely to be the reasons for an employee not to seek redress for an unfair treatment for misconduct, where; 1- never a reason, 2- likely reason, 3- one of the reasons, 4- major reason

REASONS FOR NOT SEEKING LEGAL REDRESS FOR AN UNFAIR TREATMENT	1	2	3	4
Lack of financial support				
Notion not to have a fair adjudication process				
Not interested in litigating				

Part: IV PERFORMANCE INDICATORS AND EFFECTS OF DISCIPLINARY POLICY & ACTION EMPLOYEES' PERFORMANCE

25. please indicate with (√) from a scale of 1-4 which of the following statement is truest about the role of the judicial as an institution, where: 1- Not True, 2- Somehow True, 3- True, 4- Very True

Mandate of the judicial service	1	2	3	4
To make profits				
To ensure the speedy, efficient and unfettered justice administration				
To administer justice without fear and favour				
To treat all manner of persons who access justice fairly				
Provide serene environment for justice delivery				
To keep the president and parliament in check				
To uphold the independence of the judiciary				

26. How likely do you think disciplinary action affects employee performance?

- a. Does not affect performance []
- b. Does affect performance a little []
- c. Does affect performance []
- d. Does affect performance very much []

Thank you so much for answering these questions.

B: Table for Determining Sample Size for a Finite Population

<i>N</i>	<i>S</i>	<i>N</i>	<i>S</i>	<i>N</i>	<i>S</i>
10	10	220	140	1200	291
15	14	230	144	1300	297
20	19	240	148	1400	302
25	24	250	152	1500	306
30	28	260	155	1600	310
35	32	270	159	1700	313
40	36	280	162	1800	317
45	40	290	165	1900	320
50	44	300	169	2000	322
55	48	320	175	2200	327
60	52	340	181	2400	331
65	56	360	186	2600	335
70	59	380	191	2800	338
75	63	400	196	3000	341
80	66	420	201	3500	346
85	70	440	205	4000	351
90	73	460	210	4500	354
95	76	480	214	5000	357
100	80	500	217	6000	361
110	86	550	226	7000	364
120	92	600	234	8000	367
130	97	650	242	9000	368
140	103	700	248	10000	370
150	108	750	254	15000	375
160	113	800	260	20000	377
170	118	850	265	30000	379
180	123	900	269	40000	380
190	127	950	274	50000	381
200	132	1000	278	75000	382
210	136	1100	285	100000	384

Note.—*N* is population size. *S* is sample size.

Source: Krejcie & Morgan, 1970

