# Grievance policy

1. Intent

The intent of this policy is as a guide to provide a process for the quick and effective resolution of workplace grievances. Grievance resolution is the process by which solutions are sought in response to an employee complaining or expressing concerns about (or perceptions of) problems in the workplace. This is not a proscriptive process for the resolution of grievances. The Company may take alternative means to address any employee grievance.

1. Scope

This policy applies to all employees of The Company.

This procedure applies to workplace issues other than those involving Workplace Health and Safety, Performance Management, Bullying, Harassment or Discrimination. For issues relating these matters, refer to the separate Policies addressing these issues.

1. Policy and procedures
   1. General Provisions
      1. The Company has developed procedures for the resolution of complaints, grievances or problems raised by employees, where the complaints relate to work, the work environment or working relationships. These procedures emphasise a collegial approach to grievance resolution and are designed to lead to a prompt and fair resolution of difficult problems.
   2. Guide only – Other avenues of resolution available at all times
      1. The grievance process outlined in this policy is as a guide only. The steps outline a hierarchical process that are a guide only in resolving workplace issues.
      2. At all times, The Company may, at its discretion, seek to resolve any workplace grievance by any alternative means, as it deems appropriate. There is no obligation on the Company to proceed through the resolution process within this policy, and it can end or amend any resolution process commenced under this policy at any time.
      3. These procedures do not pre-empt, limit, or delay the right of the parties to enter into direct negotiations to resolve grievances or to address matters of mutual concern by way of other means.
2. Informal grievance resolution
   1. Attempt informal resolution first
      1. Employees and The Company are encouraged to attempt informal grievance resolution prior to resorting to a more structured process.
      2. This informal process does not require documentation. However, supervisors should make sufficient notes if they participate in the process.
   2. Who should the employee contact for informal resolution?
      1. Ideally, an employee raising a grievance should try to resolve the matter with the person against whom the grievance exists. Where the grievance is in relation to a process, and does not involve another person, the employee should involve his or her immediate supervisor. Either party to the grievance may choose to involve his or her supervisor to facilitate resolution at this informal level.
      2. Where the matter is related to conditions of work, the employee should attempt to resolve the matter with his or her supervisor, in consultation with the supervisor’s manager. Where the manager is involved to facilitate resolution, the grievance must be lodged in writing, signed and dated.
   3. Informal Resolution process

Parties to the grievance should endeavour to:

* + 1. amicably discuss the matter;
    2. identify all perspectives of the issue at hand; and
    3. come to a mutually agreeable conclusion.
  1. Outcome of informal resolution process
     1. A successful outcome to an informal grievance process generally consists of parties having had an opportunity to present their position, consensus or understanding of the decisions made and any provisions for resolution of the grievance implemented. The parties should feel capable of work together in a professional capacity through and following resolution.
     2. If resolution is not achieved at the informal stage because:
        1. the grievance is of a more complex nature;
        2. the parties believe the informal process is not appropriate; or
        3. the complainant feels uncomfortable about approaching the subject of the complaint;

then, formal grievance resolution should be undertaken.

1. Formal grievance resolution

Similar to the informal process, formal grievance resolution entails meetings and discussions between involved parties, facilitated and documented, to achieve grievance resolution.

* 1. Stage 1: Supervisor conciliation

Raising a grievance

* + 1. In most instances, an employee who is raising a grievance (complainant) should first raise that grievance with his or her immediate supervisor (immediate supervisor). If the grievance is in relation to the immediate supervisor, the employee should raise the grievance with the supervisor’s manager, and the process should escalate immediately to Stage 2: Management level conciliation.
    2. The supervisor will determine the most appropriate process or intervention to manage a grievance. In making such determination, the nature of the grievance and the interests of all parties will be considered.

Lodgment of grievance

A formal grievance must be lodged in writing, containing sufficient information to allow the complaint to be assessed. It must be signed and dated. Where there is more than one complainant, each must sign the document.

Discussion

The immediate supervisor should then discuss the matter with the parties and attempt to negotiate a satisfactory solution. The immediate supervisor may elect to have one-on-one discussions, or to arrange a meeting of the relevant parties, depending on the nature of the grievance.

Documentation

The immediate supervisor should take sufficient notes to identify the nature of the complaint and the outcome of the process. When the situation has been resolved, all documentation should be provided to the relevant manager for record keeping.

Resolution

* + 1. Resolution may include general discussion and conciliation or may involve actions for resolution.
    2. At the resolution stage of the grievance, the supervisor will ensure that all parties are advised of the outcome. This communication should, where possible, take place in person. It may be appropriate for such outcomes to also be documented in writing to all parties.
    3. Where a grievance cannot be resolved in this stage, it is to be referred to the immediate supervisor’s manager (manager), who should work to resolve the matter.
  1. Stage 2: Management level conciliation
     1. The grievance should be referred to the manager, who should work to resolve the matter. The same steps as Stage 1: Supervisor conciliation should be followed.
  2. Stage 3: Escalated conciliation
     1. Where the grievance cannot be resolved at Stage 1 or Stage 2, the manager involved in stage 2 will advise the complainant that the complaint will be referred to Executive Management.
     2. The manager must provide Executive Management with all relevant documentation on the grievance, together with a written report signed and dated by the manager, outlining the steps that have already been taken to resolve the matter.
     3. Executive Management will consider a range of options to resolve the grievance and may involve external agencies, such as a qualified investigator or mediator or both, in this process.
     4. Executive Management will make a final decision in relation to the grievance and has responsibility for managing the conclusion of this process.

1. Timeframe for grievance resolution

Grievances should be addressed in a timely manner, with operational requirements and Company resourcing a key consideration as to what is deemed timely.

1. Complainant’s responsibilities
   * 1. In electing to lodge a grievance, a complainant accepts that he or she has a responsibility to seek and support resolution of the issue or issues, and to cooperate with the process.
     2. A complainant must provide sufficient evidence supporting their assertions. A grievance without sufficient evidence may be dismissed by the Company on the basis of insufficient evidence to proceed.
     3. A complainant may withdraw a grievance at any time. Written grievances should be withdrawn in writing. All parties to the grievance will be advised that the grievance has been withdrawn.
     4. The following rights apply to a complainant:
        1. he or she must not be victimised for lodging a grievance; and
        2. he or she has the right to seek the support of a support person in any meetings relating to a formal grievance – this person is as support only, not to advocate or speak on behalf of the Complainant;
     5. If, at any stage of the grievance resolution process, The Company is satisfied that a grievance is frivolous, vexatious, misconceived or lacking in substance, the complaint may be dismissed. A finding that a complaint has been made frivolously or vexatiously may lead to disciplinary action against the complainant.
2. Confidentiality
   * 1. Confidentiality means that, apart from the supervisor or manager involved, the only persons entitled to information about a grievance will be:
        1. the complainant;
        2. the subject of the complaint; and
        3. others to whom the matter may be referred as part of the resolution process.
     2. When dealing with a grievance, immediate supervisors and managers must ensure that all parties are aware that confidentiality must be maintained at all times.
     3. A breach of confidentiality may result in disciplinary action.
3. Documentation

The management and resolution of grievances should be documented appropriately. Documentation should:

* + 1. describe clearly and concisely the process;
    2. describe clearly and concisely the grounds on which decisions have been made;
    3. be dated and signed by relevant parties.

1. Further information

If you required further information, please speak with your manager.