

STAFF GRIEVANCE RESOLUTION POLICY

PURPOSE:

To provide a mechanism by which a member of staff can raise an issue or complaint for resolution in a flexible, timely, and correct manner. This procedure aims to resolve workplace matters by consultation.

SCOPE:

- Confidentiality
- Grievance resolution process

POLICY:

Should a permanent, casual or voluntary staff member have a grievance with another member of staff or a member of the Management Committee, he or she has the right to a fair and equitable hearing, and initiation of the grievance procedure without fear of retribution. All employees involved in a grievance process with the service are bound to maintain confidentiality in relation to that grievance.

PROCEDURE:

1. Subject to the Industrial Relations Act (1990) and the Industrial Relations Reform Act (1993) any dispute or grievance arising out of the operation of an Industrial Agreement, other than a dispute or grievance arising directly from an employer's concern about an employee's work performance or conduct, shall be dealt with in the following manner, which is designed to ensure confidentiality is respected.
2. In the first instance, when an employee believes he/she has a legitimate grievance with another member of the service, he/she is obliged to endeavour to address the issue/s with that member on a one-to-one basis and in confidentiality in an attempt to resolve the issue. I.e.
 - a) Make an appointment to discuss the issue/s with the person with whom they have a grievance and allow time to settle emotions
 - b) Consider whether a support person/union representative could assist with the process to get a positive outcome for both parties. The person would preferably be someone who is mutually acceptable to both parties.
 - c) At this point the discussions need to be at the operational level only and the Management Committee would not be involved.

3. Employees who lodge a grievance which is considered by an appropriate designated Officer as frivolous or vexatious may be managed under the Discipline Procedure. Evidence would need to be available which supports a recommendation to the Executive Officer that claims a grievance is frivolous or vexatious.
4. When an employee believes that the process in Point No. 2 has failed and that actions, circumstances or procedures are either invoked or practiced in such a way as to discriminate, injure, harm or grievously affect employees or other persons, he/she shall raise the matter in writing with the Executive Officer. (If it's a support worker). If there is a grievance about the Executive Officer, the matter will be raised with the Management Committee. If the grievance is about the Management Committee then the matter will be raised with the appropriate funding department.
5. The matters raised by the grievance will be investigated by the appropriate person (as stipulated in paragraph 3) who will, if possible, implement actions or a course of action to rectify the matter. Where this occurs the Executive Officer or management representative shall raise a report of the matter detailing the grievance and the actions taken to remedy the situation, and shall table the report at the next Management Committee meeting. The grievance and the action/s taken in response to the grievance will be recorded in the Complaints and Compliments Register.
6. Should all attempts at resolution with the Executive Officer and/or management representative fail, the aggrieved employee shall attempt to resolve the grievance with the Chairperson and/or full Management Committee, as determined by the Chairperson, and shall be entitled to have a union representative present if the employee so desires. The Chairperson will initiate an investigation, and will if possible, implement actions or a course of actions to rectify the matter. I.e. Through an independent mediator. The Chairperson shall prepare a report of the matter detailing the grievance and the actions taken to remedy the position and will table the report at the next meeting of the Management Committee.
7. Where any such attempt at settlement has failed, or where the dispute or claim is of such a nature that a direct discussion between the employee and his/her immediate supervisor or employer would be inappropriate, the employee may notify a duly authorised Union/Legal Service representative, who, if she/he considers that there is some substance in the dispute or claim, may forthwith take the matter up with the employer, and a meeting shall be arranged.
8. The arrangement of a meeting shall take place within seven working days of notification to the employer of a dispute or grievance.
9. Whilst the above conciliatory procedure is being followed, work shall continue normally where it is agreed there is an existing custom, but in other cases, work shall continue on the instruction of the employer. No party shall be prejudiced as to the final settlement by the continuation of work in accordance with this procedure.

Approved (Executive Officer).....*David Boa*.....Date *18.02.10*.....

Approved (Chairperson).....*Paul Dennis*.....Date *18.02.10*.....