

General Principles
HACC Standard 3
Review Date June 2011

Policy Number: GP6
Number of pages: 4
Attachment: Flow Chart

POLICY REGISTER

Subject: Workplace Grievance Procedures
(formerly was known as Conflict Resolution)

Primary Responsibility:

Board members, Management staff (Executive Officer and Operations Manager), Generalist workers, Administrative staff, contractors, students and volunteers

Definition:

Workplace grievance is a situation in which two individuals may have a "dispute, complaint or issue" which has not been resolved. Workplace grievance can sometimes be due to organizational structures, personality clashes or difference of opinion over ideas, decision or actions.

Parties applicable to:

This may include Board members, Management staff, Generalist workers, Administrative staff, contractors, students and volunteers.

Policy Statement:

WSCF will ensure that any conflict, grievance, dispute or complaint within the organisation will be handled competently, fairly and quickly. Adequate disputes handling will promote and protect standards of service, clients and a healthy work environment.

Procedure:

1. General process and principles

- The general principles of confidentiality, honesty, agreed lines of accountability, fairness, respect for each other and the importance of conflict resolution are to be adhered to at all times.
- Staff and Board members are expected to be able to work cooperatively and resolve conflict as part of their positions.
- Conflict, grievances and disputes within the Forum will remain confidential.

- If disciplinary action is commenced against any staff member, the disciplinary policy in the staff industrial contract/conditions of employment and policy and procedures manual must be followed.
- The WSCF will have a designated 'Board Grievance Officer' (BGO) to deal disputes as per responsibilities outlined in job responsibilities.
- The Board Grievance Officer can set up a 'Grievance Process' sub-committee if the dispute warrants such a committee. Representation on this sub-committee will be relevant to the dispute but can include Executive Officer, Operations Manager and co-opted Board members.

2. Reporting conflict/grievances/disputes and complaints

- Any conflict, complaint, dispute or grievance regarding work performance, attitude or other such issue should be brought to the individual's attention as soon as practical.
- At all times, conflict, dispute, grievance or complaint should be addressed at the local level in the first instance. If conflict is not able to be resolved at the local level it shall be deemed a dispute / grievance and involve formal intervention and documentation.
- Other people including Board members are not to become involved in the dispute, complaint, grievance or dispute, nor discuss the conflict, dispute, grievance, complaint or issue until the involved parties have discussed it and attempted resolution.
- If this approach is not considered possible, the Operations Manager and /or the Executive Officer, or the WSCF Board Grievance Officer should be informed.
- Written documents produced as part of the dispute should be held on a confidential file by the Operations Manager for a period of twelve (12) months and destroyed if no further conflicts arise. If the conflict involved Management Staff , the files will be kept by the Board's Grievance Officer.
- If the conflict involves the Management Staff, the Board's Grievance Officer shall be informed and a 'Grievance Process' Sub-Committee will be convened.

3. Procedure to resolve conflict/grievance/disputes and complaints

- Conflicts must be raised with the person concerned at the earliest opportunity. A resolution may be achieved through discussion. All parties should work towards this goal as quickly as possible, normally within five

(5) working days. If this is not possible a more formal discussion and plan may be required to resolve the problem.

- All parties are encouraged to be open and honest with each other, to be flexible, to work cooperatively and to support each other the workplace.
- Conflict will be resolved in a fair and equitable manner, and a plan of action will be made by WSCF as according to general alternative dispute resolution procedures which may include, negotiation, mediation and arbitration.
- Conflict, dispute, grievance or complaint between staff and/or contractors, students or volunteers must be addressed at the staff level first, and must not go to the Board or Executive Officer until the issue has been discussed and attempts to resolve it at this level have been made. The Operations Manager may be may be asked to assist staff resolve the dispute.
- Where a conflict, dispute, grievance or complaint amongst the staff is affecting the service delivery and impacting negatively on the culture and work environment of the staff team, and where a suitable agreement cannot be reached between those involved, the Operations Manager will notify the Board and the Executive Officer.
- If the grievance involves members of the Management Staff, the Board Grievance Officer may be asked to assist.
- Either party may notify the Operations Manager and/or the Grievance Officer of a dispute. The complaint should be put in writing by the complainant(s). If the dispute involves two parties they may also put their case in writing .
- At a meeting with the parties to the dispute and Grievance Officer each person shall present their case. An advocate may support parties at this meeting. This meeting shall occur within ten (10) working days of a notification of a dispute. The parties will be given written information on the nature of the dispute at least five (5) days before the meeting and only those matters will be discussed. (If necessary another meeting will be set if there are other essential matters).
- A 'Grievance Process' sub-committee can be formed consisting of Board designated Grievance Officer, Management Staff to address the matter. If either of the Management team is involved in the dispute, the Grievance Officer can co-opt other board members to assist in any particular dispute/grievance.

- The Grievance Process sub-committee may seek advice from Jobs Australia (or WSCF Employer Advisory body) if the issues are deemed complex. They may also contract to independent mediation services.
- The Grievance Process Sub-committee has a number of options following this meeting. These include:-
 - Attempt to mediate a resolution and negotiate an agreement for resolution (this may include a training plan, more supervised work environment, extension of probation, career counselling) OR
 - An independent mediator may be used where agreement cannot be reached, or prior to disciplinary measures being taken OR
 - Where the matter is serious the Grievance Process Sub-committee has the Board's delegation to proceed to the disciplinary process.
- The Grievance Process sub-committee should notify the parties to the dispute in writing of their recommendations within five (5) working days of the meeting.
- Agreement will be sought from all parties of decisions.
 - If the staff do not comply with the conditions of the agreement as determined above and the conflict, dispute, grievance or complaint continues, the Personnel Sub-committee of the Board will enter into formal disciplinary action according to industrial procedure and Association policy.

NB: If the grievance issue is about unsatisfactory staff performance please refer to SE7 Staff Support and Supervision Guidelines.

Adopted by Board on: 02/06/2009

CROSS REFERENCE

- GP5 Privacy & Confidentiality Policy
- SE7 Staff Disciplinary Policy
- Harassment Policy see OH&S manual
- Violence Policy see OH&S manual