

## Policy and Procedures

POLICY TITLE:	Resolution of Conflict, Grievances and Disputes
ADMINISTERED BY:	Director, Human Resources Management
APPLICABILITY:	All Employees

### 1. Policy

John Readings positions itself as an employer of choice and as such, has written this policy and procedure to provide employees advice on what to do if they have a conflict, grievance or dispute, and how formal complaints will be dealt with. It also aims to ensure grievances are addressed in-house in a timely and confidential manner.

### 2. Definition

A grievance can be about anything done, or not done, by management or another employee or employees, which you feel affects you harshly, unfairly or unjustly. A grievance can also be about discrimination, harassment, or any other employment-related decision or behaviour which an employee thinks is unfair, unjust or upsetting.

### 3. General

John Readings aims to foster good relations amongst employees and between employees and management. It is acknowledged that the enjoyment employees experience in their job is reflected in how well they work and how well they relate to colleagues and customers.

It is acknowledged that problems can arise at work which may sometimes cause employees to feel aggrieved. These problems can arise from the behaviour or decisions of management or other employees.

Managers, and especially the Director, Human Resources Management, shall ensure that grievances are treated with the utmost confidentiality, and that the complainant is not victimised or treated unfairly as a result. The employee should also maintain confidentiality in order to avoid unhelpful gossip and the possibility of defamation proceedings.

Where a formal complaint is made, it shall be taken seriously and investigated in an impartial manner. This may mean that the complainant, the person complained about, and any witnesses will be interviewed. Confidentiality shall be assured. No decision shall be made until the investigation is complete.

If a complaint is made against an employee, the Manager/Director, Human Resources Management shall ensure that he/she is not prejudged and is given an opportunity to tell his/her side of the story. The employee shall also be allowed to bring someone with them at the time to give them support.

The Manager/Director Human Resources Management shall ensure that each complaint is dealt with in as short a time as is possible in the circumstances.

### *3.1 Raising an issue*

If an employee has a grievance he/she should communicate this in the following manner:

Speak to the person causing the problem. While this may not be appropriate in some cases, it may be the easiest way of resolving the issue if you feel comfortable with speaking to the person. You can tell him/her that his/her behaviour, decision, action, etc., was unfair, offensive, discriminatory, etc, and why you believe this to be so. The person may have been totally unaware of the affect of his/her behaviour or decision on you. By telling him/her, you will give them a chance to redress the situation.

Speak to your manager or the Director, Human Resources Management. If you do not want to speak to the person directly, you can tell your manager or the Director, Human Resources Management about your grievance. They will tell you what your options are. With your agreement, they may approach the person complained about

and talk to him/her informally about your grievance. Alternatively, you may decide to make a formal complaint.

Make a formal complaint. If you decide to make a formal complaint this can be done by putting the complaint in writing and reporting it to the human resources manager. You may have a fellow employee attend the meeting with you when you report the complaint. The written complaint should contain a description of the incident(s), decision, behaviour in question, the time and date of the incident(s), etc, the name of any witnesses, your signature, and the date of the complaint.

### *3.2 Investigation*

Once a formal complaint is made, the Director, Human Resources Management shall investigate the matter. If the Director, Human Resources Management feels that there is a reason why he/she should not conduct the investigation (eg. he/she may be a friend of the person complained about), then another senior manager shall conduct the investigation.

The Director, Human Resources Management or other senior manager shall then interview the complainant, any witnesses, the person against whom the complaint is made, and that person's supervisor. The complainant and the person against whom the complaint is made may have a support person present when the interview is being conducted.

### *3.3 Outcomes*

If the investigation reveals that the complaint is a valid one and is substantiated, a number of actions may be taken, depending on the nature of the complaint. The person against whom the complaint is made may be required to give the complainant an apology; he/she may be given a written warning, counselling, transfer, demotion, or be dismissed.

If the investigation is inconclusive, i.e. the complaint cannot be proven due to lack of evidence; the company may nevertheless take a number of actions. These may include training of all staff and monitoring behaviour of all staff.

If the complaint is found to have been completely fabricated, appropriate action may be taken against the complainant, including counselling, a written apology to the person complained about, an official warning, transfer, demotion, or dismissal, depending on the seriousness of the allegations.

### *3.4 Outside Agencies*

If the complainant is not satisfied with the way in which the grievance was handled, he/she may take it to an outside agency, such as the Human Rights and Equal Opportunity Commission or the Anti-Discrimination Board.

### **Related Documents/Information**

The following legislation and organisational policies are relevant to this policy:

- Fair Work Act 2009,
- Equal Employment Opportunity (EEO) Management Plan,
- Access to Information Policy,
- Anti-Discrimination Act 1977,
- Complaints Management Policy,
- Employee Assistance Program Policy,
- Internal Mediation Procedure,
- Work Health and Safety Policy,
- Work Health and Safety Regulations 2015.

Approved by:	Name	Date
Review Due:	Responsible person	Date