



PARSA
ANU postgraduate &
research students'
association

WORONI

Employee grievance resolution

Overview

This document outlines Association and individual responsibilities in relation to the management and resolution of employee grievances.

Scope

This Policy applies across all student Associations.

"Associations" refers to ANUSA, PARSA & ANUSM.

Policy Statement

It is the intention of this policy to establish a system for all employees to address staff grievances and resolve them effectively (including those of discrimination, harassment, bullying or other serious complaints) through a common process of explicit discussion and review. The grievance policy and procedures are not intended to be an end in themselves, nor a prejudicial process nor a punishment. Parties agree to use all necessary stages in the grievance resolution procedure to ensure that issues receive prompt attention and are resolved if possible by conciliation. A party that seeks to resolve a grievance other than in accordance with this procedure will be referred to this grievance resolution procedure.

During implementation of the grievance resolution procedure, work within the Association will proceed without stoppage or the imposition of any bans, work limitations or restrictions except in the case of genuine occupational health and safety issues.

The employee who has a grievance will be encouraged to participate in the grievance resolution co-operatively. An individual staff member may have a grievance regarding a personal matter such as the approval of leave, access to higher duties, etc.

This procedure relates to the resolution of personal grievances outside of the operation of the employment Contract or the Enterprise Agreement, which have dispute resolution procedures regarding the operation of the employment Contract, or the Enterprise Agreement. However, this procedure is not intended to preclude ultimate access by either party to any lawful conciliation or arbitration body.

It is expected that grievances will be managed sensitively and as quickly as possible. Unless otherwise stated, general timeframes are provided in this procedure as a guide only - matters will vary due to complexity and availability of parties. Similarly, it is expected that grievances will be lodged promptly and not after a lengthy delay or in relation to matters that would reasonably be seen as historical.

Supervisors and management are advised to seek advice where there are allegations of sexual harassment, discrimination, workplace bullying as these issues may have technical components under particular employment equity, WHS and/or industrial legislation and appropriate handling requires access to appropriate expertise.

In some circumstances, where the grievance has been raised against a supervisor or a President or the Editor in Chief, the President/Editor in Chief will appoint someone outside the reporting line to undertake either conciliation or review the grievance matter.

Procedure for resolution of employee grievances

Stage 1

It is expected that before needing to initiate formal grievance procedures, employees will generally try to resolve concerns directly with the person(s) concerned and at a local level wherever possible. Employees are encouraged to raise issues with their supervisor or the President/Editor in Chief, especially if these are adversely affecting the work environment.

Stage 2

If the issue is not settled at Stage 1, the employee/s and the employee's representative will meet with the Supervisor.

Stage 3

In cases where a grievance is against a President or the Editor in Chief or where an employee remains dissatisfied with the process after Stage Two, the grievance may be lodged with an alternative President or the Editor in Chief.

Alternatively, the President or the Editor in Chief may suggest that someone else conduct the process and this may include referring the matter to an external mediator or consultant. The President or the Editor in Chief will write to the employee should this course of action be taken. Stage Three grievances must be lodged in writing stating the facts and issues, outlining the remedy sought. In the case of review of previous stages, this document must state how and why the previous Stages have failed to address the grievance and be lodged within five working days of the outcome of Stage 2.

Within two working days, the President or the Editor in Chief (or nominee) will clarify the details of the grievance or the dissatisfaction with the earlier stages and subsequently advise any other persons of the particulars of the Stage Three grievance.

Within ten working days, the President or the Editor in Chief will assess the details or process that occurred to determine the merits of the grievance, providing the opportunity for any additional input, and maintaining an open mind. The President or the Editor in Chief (or nominee) will assess/re-assess any documentation or supporting material and seek further material, as required. Having regard to the facts, issues and any additional information discovered, the President or the Editor in Chief (or nominee) will make a determination on the grievance or review of the earlier stages.

The Principles of Natural Justice

Principles of natural justice will be observed in dealing with grievances or complaints. All parties will have the opportunity to express their point of view, provide relevant information, and respond to the issues raised.

A grievance may not be considered and resolved where it appears frivolous or vexatious.

Confidentiality

The Association undertakes to maintain confidentiality as far as is possible. Only the relevant parties will be involved in resolution and investigation process.

Employees and any complainants will be encouraged to observe confidentiality, as this is likely to achieve the fairest result for all concerned.

Record Keeping

Clear and accurate written records must be kept of all interviews and the steps taken in the resolution and investigation process, with a focus on factual information and objectiveness. All correspondence must be kept and filed in the Association's records management system on personnel files which shall remain confidential.

External Review

If the matter is not settled at Stage 3 the employee may seek resolution through the relevant external body/organisation.

References: Enterprise Agreement Clause 9

Other

In the case of any inconsistency between this policy and the Enterprise Agreement, the Enterprise Agreement shall prevail.