

PC 2.07 GRIEVANCE / DISPUTE RESOLUTION

What You Need to Know

This policy provides:

- A framework to employees to work with when dealing with a grievance or dispute in the workplace;
- Consistency within IRT in handling and resolving issues; and
- Support to employees during the process.

Always read this Policy in conjunction with the Related Procedures identified below.

Policy Statement	IRT aims to provide a safe and equitable workplace where all employees are valued. IRT policy is to ensure that a fair process exists for employees to deal with any grievance that arises in the workplace via informal and formal facilitation and mediation, and are designed to lead to a prompt resolution for all parties involved.
Purpose	To provide a mechanism for the resolution of disputes or grievances raised by employees in relation to employment related matters.
Risk Statement	IRT has a zero risk appetite for failure to meet legislative obligations.
Scope	This policy applies to all IRT employees.
Related Procedure	
Related Documents	<ul style="list-style-type: none"> • Employee Grievance/Complaint form (077) • EAP Brochure PC 2.11 Harassment, Workplace Bullying and Workplace Relations • PC 2.12 Disciplinary Action • PC 2.22 Anti-Discrimination PC 2.59 Workplace Conduct Investigation • FI 5.02 Regulatory Compliance
Compliance Requirements	<ul style="list-style-type: none"> • IRT Enterprise Agreement • National Employment Standards (NES) • Fair Work Act 2009
Policy Owner	Group Head of People & Culture
Effective Date	May 2018
Review Date	May 2021
Content Manager Reference Number	EDOC2018/07929

1 POLICY PRINCIPLES

1.1 What is a grievance?

A grievance is any type of problem, concern or complaint related to an employee's work or the work environment. A personal grievance can be about any act, behaviour, omission, situation or decision impacting on an employee that the employee thinks is unfair or unjustified.

A grievance can relate to almost any aspect of employment, for example:

- Safety in the workplace;
- Employee development or training;
- Leave allocation;
- Transfer or promotion;
- Behaviour in the workplace;
- Pay discrepancies;
- Perceived inappropriate behaviour from a colleague/supervisor/contractor/customer or visitor.

1.2 Process

Wherever possible, the grievance should be discussed in the first instance with the person that the concern is with. This is often the best approach as it enables individuals to take responsibility for resolution of issues that affect them.

Where the employee does not feel comfortable in raising the issue with the other person, they may then go to their immediate Supervisor/Manager who can facilitate discussions and possible mediation.

If the grievance is with the immediate Supervisor or Manager and the employee does not feel comfortable in raising the issue with the Supervisor/Manager, they should make contact with the next most senior Manager or the employee may seek advice from the Human Resources Department. Senior officers should ensure that any approach to them has been raised with the employee's Supervisor/Manager before they proceed with any investigations, unless the dispute is with that Supervisor/Manager or the employee expresses discomfort in raising it with them.

Where an employee has not consulted or referred the matter to their immediate Supervisor/Manager, the employee will have the procedure explained to them and, if necessary or appropriate, they will be referred back to their Supervisor/Manager.

The role of the person handling a grievance is to attempt to resolve the matter. Further investigation may be required to ensure all of the facts have been considered prior to a determination being made (See Workplace Conduct Investigation Policy).

If it is necessary for the immediate Supervisor/Manager to refer the matter to a more senior officer, the senior officer will take responsibility for the matter including confidentiality, communication with the relevant parties and following the matter through to a conclusion.

The aim of all parties involved in managing a grievance is to resolve the issue in a timely and confidential manner, adhering to the policy and values of IRT and making decisions based on fact. The steps listed below should be followed to achieve a resolution.

1.2.1 Informal Resolution Process

An employee can raise the minor dispute or grievance informally.

- The employee can raise the issue directly with the other employee(s) concerned, with the aim of resolving the issue in a timely manner. IRT encourages open communication and feedback as a way to reach a mutual resolution.
- If the employee doesn't feel comfortable in dealing with the issue directly with the other employee(s) concerned, they can raise the issue with their Supervisor/Manager. This can be done verbally or in writing. The Supervisor/Manager should ensure they understand the employee's concerns before they take appropriate action to resolve the issue.

It is important for all parties to remain professional and deal with the matter confidentially. If the issue isn't resolved at this point, then the grievance/dispute may need to be treated more formally.

1.2.2 Formal Resolution Process

If the employee has a highly confidential or serious grievance (e.g. allegations of bully and harassment or sexual harassment) or if they are not able to raise the grievance with the employee concerned, the employee needs to follow the formal resolution process:

The employee and/or Supervisor/Manager should escalate the issue in writing. The Employee Grievance/Complaint form (077) should be completed and provided to the relevant Manager and advice sought from Human Resources.

If the dispute is with the Supervisor/Manager, the employee should provide the Employee Grievance/Complaint form (077) to the next most senior Manager.

Management with the support of Human Resources will investigate the dispute or grievance and the process will be fully documented.

A written response will be provided to the employee who submitted the grievance to advise that the matter is finalised.

Any person involved with the grievance may choose to have a support person present during discussions. Whilst a support person cannot speak on an employee's behalf they can act as a witness or advisor and provide supportive actions (e.g. taking notes) but not be an advocate. The support person must not be involved in the matter/process or be someone that may be interviewed in relation to the matter.

1.3 What will happen when a grievance is lodged?

Once a formal grievance is lodged, refer to the Workplace Conduct Investigation Policy for the detailed steps involved in this process.

- Written feedback must be provided to the person lodging the grievance:
- acknowledging the grievance and advising of the process
- and again once the matter is finalised
- If the grievance/dispute is not resolved to the satisfaction of the person raising the concern, it can then be escalated to the next senior Manager. There is potential for the matter to be escalated to the Chief Executive if all other Managers have not resolved the issue. The employee can also seek advice from Human Resources at any time during the process.

It is important for all parties to maintain confidentiality of the matter at all times.

2 ROLES AND RESPONSIBILITIES

Role	Responsibility
Policy Owner	<ul style="list-style-type: none">• Group Head of People & Culture
Subject Matter Expert	<ul style="list-style-type: none">• P&C Business Partners

3 DEFINITIONS

In this Policy, words have the following meaning:
