



## HR POLICY

HA-HR-POL-003

## GRIEVANCE POLICY

### DOCUMENT CONTROL

<b>File Location:</b>	Administration/Document Management/Policies
<b>Revision Date:</b>	02/04/2019
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Highpoint promotes a positive and harmonious work environment and acknowledges that things can arise at work that may cause workers to feel aggrieved. This policy aims to ensure that grievances are handled and resolved in an appropriate, fair, transparent and timely manner, in accordance with the principles of natural justice.

## **1. OVERVIEW**

All workers have the right to work in a safe working environment and to be treated with dignity and respect;

- To ensure that issues raised are dealt with promptly and justly;
- To ensure fairness and consistency in the treatment of workers.

A workplace grievance is defined as any problem, concern, issue or incident raised by a worker regarding their workplace, job or co-worker relationships. Examples may include but are not limited to, interpersonal conflicts between workers, the physical work environment or perceived unfairness in the workplace.

## **2. SCOPE**

This policy applies to all employees at Highpoint Industries. Specifically, to employee behaviour that occurs in the workplace, including work outside normal work hours and at work related events such as, conferences and training events, where they are a representative of Highpoint Industries.

## **3. ROLE**

### **3.1 Employees**

Must be aware of this policy; ensure their behaviour in the workplace complies with this policy. Any questions in relation to this policy should be directed to their Highpoint Manager. They should respect the confidentiality of any complaint made and avoid gossip in relation to any possible inappropriate conduct.

### **3.2 Supervisors and Managers**

Have a leadership role and must be open to grievances and concerns. Investigate complaints; respond in a timely fashion and not victimise a person for making a complaint. Ensure that confidentiality is maintained in relation to complaints.

## **4. PROCEDURE**

### **4.1 Informal Stage**

- Employees are encouraged should they feel comfortable to attempt to resolve issues by discussing it in a respectful manner, privately with the person against whom the grievance exists, as soon as practicable after it arises. For example, tell the other person that their behaviour, decision, actions, were perceived as unfair, offensive, discriminatory, and why they believe this to be so. The person may have been totally unaware of the effect of their behaviour or decision. By bringing this to their attention, they are given a chance to redress the situation.
- If assistance is required, the employee should meet with their Supervisor/Manager for support and guidance. Many problems can be raised and settled during the course of everyday working relationships. An informal discussion or meeting is designed to be an initial attempt to resolve the matter quickly without embarking on the formal stages.

- Where the grievance is in relation to a process, and does not involve another person, the employee should involve his or her immediate supervisor. Either party to the grievance may choose to involve his or her supervisor to facilitate resolution at this informal level. Where the matter is related to conditions of work (e.g. workload), the employee should attempt to resolve the matter with his or her supervisor, in consultation with the supervisor's manager (if applicable). Where the supervisor is involved to facilitate resolution, the grievance may be lodged by the complainant verbally, or in writing. If in writing, it must be signed and dated and held on file.

#### **4.2 Informal Resolution Process**

Parties to the grievance should endeavour to:

- a) Amiably discuss the matter;
- b) Identify all perspectives of the issue at hand;
- c) Come to a mutually agreeable conclusion, which may include an action plan to try and address the issue.

#### **4.3 Outcome of Informal Resolution Process**

A successful outcome to an informal grievance process consists of all parties having had an opportunity to present their stories, consensus by all on the decisions made and any provisions for resolution of the grievance. The parties should feel capable of working together in a professional capacity.

If resolution is not achieved at the informal stage because:

- a) The grievance is of a more complex nature;
- b) The parties believe the informal process is not appropriate; or
- c) The complainant feels uncomfortable about approaching the subject of the complaint;

then, formal grievance resolution should be undertaken.

#### **4.4 Formal Process**

- When informal resolution is not successful, a management led (facilitated and documented) process is undertaken.
- Employee lodges a formal grievance in writing, containing sufficient information to allow the complaint to be assessed. The employee can access support from his or her immediate supervisor, manager or other person of his or her choice to write the grievance documentation. It must be signed and dated. Where there is more than one complainant, each must sign the document.
- The immediate supervisor should then discuss the matter with the parties and other relevant individuals and attempt to informally negotiate a satisfactory solution. The immediate supervisor may elect to have one-on-one discussions, or to arrange a meeting of the relevant parties, depending on the nature of the grievance. The supervisor may involve the supervisor's manager (if applicable) for consultation or to manage the grievance process, if he or she deems this appropriate.
- The immediate supervisor must take sufficient notes to identify the nature of the complaint and the outcome of the process. When the situation has been resolved, all documentation should be provided to the supervisor's manager for record keeping.
- Resolution may include general discussion and conciliation, or may involve action such

as staff training, changing office seating arrangements, transferring staff, or reallocating work responsibilities. At the resolution stage of the grievance, the supervisor must ensure that all parties are advised of the outcome. This communication should, where possible, take place in person. It may be appropriate for such outcomes to also be documented in writing to all parties. Where a grievance cannot be resolved in this stage, it is to be referred to the Directors, who should work to resolve the matter.

- The Directors will consider a range of options to resolve the grievance and may involve external agencies, such as a qualified investigator or mediator or both, in this process. The Directors have responsibility for managing the successful conclusion of this process.

#### **4.5 Timeframes**

Each stage should provide for a timeframe of at least 5 working days. The immediate supervisor should advise the parties to the grievance of the specified resolution timeframe at the commencement of the resolution process if it is to be longer than 5 working days. If an extension to the prescribed timeframe is required due to the complexity of a grievance, this must be negotiated and communicated to all parties.

### **5. RESPONSIBILITIES**

#### **5.1 Complainant**

In electing to lodge a grievance, a complainant accepts that he or she has a responsibility to seek and support resolution of the issue or issues, and to cooperate with the process. A complainant must be prepared to provide evidence of his or her assertions. A complainant may withdraw a grievance at any time. Written grievances should be withdrawn in writing and the person responsible for that stage of the resolution process must be advised. All parties to the grievance will be advised by the immediate supervisor, manager or relevant department (as appropriate) that the grievance has been withdrawn.

The following rights apply to a complainant:

- a) He or she must not be victimised for lodging a grievance;
- b) He or she must be able to nominate his or her own witness or witnesses, if there is an internal or external investigation into the complaint;
- c) He or she must have the right to seek the support and advice of a support person, occupational health and safety representative, friend or colleague; and
- d) He or she may have an interpreter present at an investigation interview if required.

If, at any stage of the grievance resolution process, the Company is satisfied that a grievance is frivolous, vexatious, misconceived or lacking in substance, the complaint may be dismissed. A finding that a complaint has been made frivolously or vexatiously may lead to disciplinary action against the complainant.

#### **5.2 Subject of the Complaint**

The subject of the complaint must have a commitment to seek and support resolution of the issue or issues and cooperate with the process.

The following rights apply to the subject of the complaint:

- a) He or she must not be victimised for being the subject of a grievance;
- b) Where some sense of culpability may be attached to the grievance, the subject of the

complaint will be treated as innocent until proven otherwise;

- c) He or she is able to nominate his or her own witness or witnesses, if there is an internal or external investigation into the complaint;
- d) He or she must have the right to seek the support and advice of a support person, occupational health and safety representative, friend or colleague; and
- e) He or she may have an interpreter present at an investigation interview if required.

### **5.3 Immediate Supervisor**

An immediate supervisor is responsible for:

- a) Receiving the grievance (either written or verbal);
- b) Coordinating and facilitating the resolution of the grievance;
- c) Advising the parties of their rights, obligations and the process as outlined above;
- d) Communicating regularly with the parties on the process and progress of the grievance;
- e) Maintaining an appropriate level of documentation, which should be kept in a confidential file in secure storage;
- f) Notifying the immediate supervisor's manager/human resources, immediately upon a grievance being progressed to Stage 2: Management level conciliation;
- g) Ensuring that the grievance resolution timeframe is adhered to or, if this is not possible, an alternate timeframe is to be negotiated with all parties; and
- h) Ensuring that the principles of natural justice and procedural fairness are applied to the resolution of all employee grievances.

In relation to (h), above, each affected party must have the opportunity to answer, or otherwise deal with, any matter which is raised against him or her. Where concerns relating to bias or conflict of interest are raised by a party to a grievance, the Company is obliged to consider the issues that have been raised. The basis of the decision arising from consideration of the issues is to be communicated to the parties.

### **5.4 The Directors**

The Directors will be responsible for:

- a) Managing the successful conclusion of the process for resolving grievances;
- b) An initial assessment of a referred matter and working with the supervisor to determine the most appropriate process or intervention;
- c) Involving external agencies in the process; and
- d) Providing appropriate and timely advice to supervisors and employees involved in a grievance process.

## **6. CONFIDENTIALITY**

Confidentiality means that, apart from the supervisor or manager involved, the only persons entitled to information about a grievance will be:

- a) The complainant;
- b) The subject of the complaint; and
- c) Others to whom the matter may be referred as part of the resolution process.

When dealing with a grievance, immediate supervisors and managers must ensure that all parties are aware that confidentiality must be maintained at all times. A breach of confidentiality may result in disciplinary action.

## **7. DOCUMENTATION**

The management and resolution of grievances must be documented appropriately. Documentation should:

- a) Describe clearly and concisely the process;
- b) Describe clearly and concisely the grounds on which decisions have been made;
- c) Be dated and signed by relevant parties.

## **8. RECORD KEEPING**

All documentation associated with a grievance and a formal grievance resolution process will be kept in confidential files. These shall be kept separately from the personnel files of both the complainant and the subject of the complaint. Only when a complaint results in disciplinary action or involves substandard performance will any relevant grievance information be placed on a personnel file. If such documentation is to be placed on a personnel file, the immediate supervisor or manager must advise the employee.

## **9. REVISION HISTORY**

<b>Revision Date</b>	<b>Section/Paragraph</b>	<b>Amendment</b>