

Workplace Grievance Policy

1. Objective

Smart Apprenticeship Solutions is committed to providing a fair, safe and productive environment where grievances are dealt with in a confidential, transparent and equitable manner.

2. Scope

This policy applies to all Smart Apprenticeship Solutions staff.

3. Policy Statement

Disputes and complaints can happen at any workplace. A dispute exists when one or more people disagree about something and the matter remains unresolved. Often disputes can be settled quickly and informally in the course of everyday work. However if staff can't agree on a way forward or if the dispute is about a serious matter then the following procedure creates an agreed path to resolution. (www.fairwork.gov.au)

It is the policy of Smart Apprenticeship Solutions to conduct its relationships with employees in an equitable and impartial way and to provide a fair, safe and productive environment. An essential part of achieving this is to encourage employees to come forward with their grievances or disputes in the knowledge that Smart Apprenticeship Solutions will apply a simple, fair, confidential and transparent resolution procedure to resolve those grievances.

The intent of this policy is:

- To promote the resolution of grievances, disputes or disagreements within the workplace through ongoing consultation, cooperation and discussion in a mutually respectful manner
- To reduce the level of workplace confrontation
- To avoid interruption to the performance of work and consequential losses in productivity and wages.

Recognise the signs of conflict

The beginning of a dispute or grievance is conflict. If conflict can be addressed in the early stages or identified quickly there is a better chance of resolving the conflict before it turns into a dispute. Whilst management will be on the lookout for conflict, all employees are encouraged to check-in with themselves, especially if they notice signs within themselves such as:

- Lack of motivation in the workplace e.g. not wanting to participate in team meetings or events, no longer volunteering to take on new tasks.
- Change in their demeanor or workplace behaviour including hostile or more withdrawn
- Decreased productivity at work.
- Increased absenteeism and/or uncharacteristically late for work

Open Communication is encouraged

All employees have the right to voice their grievances and are encouraged to do so. By raising a dispute, concern or grievance with their immediate manager, SAS hopes to create a resolution that will allow the staff involved to increase their job satisfaction through reduced stress and better relationships within the workplace.

Successful communication that creates a pathway to resolution includes:

- Open, honest, respectful communication
- Choosing to listen
- Expressing issues from our own perspective and letting others speak for themselves.
- Focusing communications on the key facts and issues
- Collaboratively identifying possible ways to resolve the dispute
- Maintaining confidentiality

Dispute resolution shouldn't interfere with day-to-day work. While the process is underway, employees should continue to comply with managements directions and perform any work that is safe and appropriate.

Pathway to Resolution

SAS Management is committed to providing a clearly written and accessible *Workplace Grievance Reporting Procedure* along with this policy to assist with creating a workplace culture of trust, transparency and open communication whilst achieving a timely resolution. SAS staff are encouraged to make contact with management and where practical to report their grievance using the *Workplace Grievance Reporting Procedure*. Employees can be assured that their complaint will be taken seriously, investigated fairly, resolved promptly and without retaliation of any kind.

4. Breach of Policy


A breach of this policy, either intended or unintended, will be considered serious and may lead to disciplinary action including termination of employment or cancellation of contract.

5. Associated Documents

15-02 Workplace Grievance Reporting Procedure

6. Appendices

Fair Work Act 2009

	Title	Name	Date	Signature
Approved by	CEO	Steven Craven	08/23	

Workplace Grievance Reporting Procedure

1. Objective

It is the policy of Smart Apprenticeship Solutions to conduct its relationships with employees in an equitable and impartial way and to provide a fair, safe and productive environment. An essential part of achieving this is to encourage employees to come forward with their grievances or disputes in the knowledge that Smart Apprenticeship Solutions will apply a simple, fair, confidential and transparent resolution procedure to resolve those grievances.

A grievance or complaint may be raised as an employee considers a situation, action, activity, process or organisational change action to be unfair, harmful physically or mentally, offensive, misleading, unlawful or negatively impacting themselves within the workplace in some manner.

The purpose of this procedure is to provide a procedure for raising and submitting a workplace grievance so as to seek a timely resolve. Whilst this procedure is deliberately created to encompass all types of grievances and degrees of seriousness, additional policy and procedures have also been developed specifically for:

- Workplace Bullying & Sexual Harassment Policy
- Continuous Improvement: Request For Improvement in the Workplace
- Incident, Hazard and Near Misses in the Workplace
- Customer Service Improvement and Complaints Resolution

Regardless of which reporting procedure is used by an employee, SAS employees can be assured that their complaint will be taken seriously, investigated fairly, resolved promptly and without retaliation of any kind.

2. Scope

This procedure applies to all Smart Apprenticeship Solutions Staff.

3. Method

The beginning of a dispute or grievance is conflict. If conflict can be addressed in the early stages or identified quickly there is a better chance of resolving the conflict before it turns into a dispute. Wherever possible and if an employee feels safe to do-so, if the conflict involves another staff person, they may choose to attempt to resolve the conflict with the other person involved however this is not mandated.

Submitting a Workplace Grievance Report

The principles of natural justice apply i.e. the workplace grievance will be investigated without bias, affording all parties opportunity to be heard and submit their factual information and will guide the application of these procedures however all persons must observe confidentiality and limit discussions and communications to the immediate involved persons only and the management/supervisor helping to investigate and resolve the grievance.

1. The employee should discuss any work-related complaints, problems, grievances or disputes with their immediate supervisor/manager in the first instance as they feel comfortable to do so. The employee may be requested as follow-up to this initial discussion to provide a written factual statement stating their grievance and any persons involved including dates and times. The manager will then commence the process of investigation and resolution as below. If the grievance reported involves harassment, sexual harassment, bullying or discrimination or a complaint from a customer, the Chief Executive Officer (CEO) as a first step of the subsequent investigation must be notified immediately.
2. If the dispute remains unsettled, or the employee raising the grievance chose not to raise the grievance with their immediate supervisor they can refer their grievance in writing to the next level of Management (in line with the organisational chart of Smart Apprenticeship Solutions), or Operations Manager or CEO for resolution.
3. If the dispute has not been resolved at Step 2, the CEO must be made aware of the situation by the manager whom was notified in Step 2. The CEO shall attempt to resolve the grievance.

Process of investigation and resolution

4. The Manager/CEO will investigate the grievance and provide a response outlining the resolution pathway no later than 14 working days of receiving the complaint. The CEO may choose to nominate another manager to investigate and resolve the grievance in the event that they are unable to meet the timeline or there is a conflict of interest with the CEO's involvement in mediating a resolution.
5. The CEO or nominated manager or supervising manager will take all available steps to maintain confidentiality and ensure the privacy and rights of the individual(s) concerned are maintained with the principles of natural justice applied to all parties.
6. The CEO or nominated manager will seek permission to disclose the allegations to the subject of the grievance or complaint and interview any nominated witness (es) if applicable.
7. The complainant and respondent are entitled to have independent parties present during all interviews, if they so desire.
8. At all times both the complainant and respondent will be given ample support and opportunity to put forward their case.
9. The interviews will be minuted and signed by all parties in attendance.
10. A copy of the minutes from an individual's interview will be made available to that individual.
11. After all involved have been interviewed, the CEO or nominated manager will meet firstly with the complainant, and then with other parties to advise of the outcome of their investigations and action to be taken. The investigation details and actions will be documented and if applicable placed on an individual's personnel file.
12. The situation will be monitored by the CEO or nominated manager for a nominated period of time, and follow up action taken if necessary.

Further Escalation

13. If the matter(s) remain unresolved at this stage a formal Mediation between the parties may be conducted by an independent Consultant / Mediator or representative of Fair Work. If the CEO has not been involved at this point the CEO may operate as an independent 3rd Party and mediator if appropriate.
14. If for whatever reason, an employee does not feel comfortable raising the grievance with the CEO, an individual HR / IR Specialist Consultant who is also a qualified Mediator and Arbitrator and Member of the Institute of Arbitrators and Mediators of Australia may be available initially via telephone contact.
15. Depending upon the nature of the grievance and the parties involved the matter will be investigated and dealt with through the normal process as above with the involvement of the independent Consultant / Mediator to ensure the rights of all parties are protected.

Right of Appeal

In the event that the complainant feels the problem remains unresolved after the Mediation has been conducted:

1. The complainant may submit an appeal in writing to the CEO within 14 working days for consideration OR
2. Refer the dispute to the Fair Work Commission. The Fair Work Commission can deal with a dispute through conciliation, mediation or, if agreed by the parties, arbitration.
3. If the dispute is still unresolved, the Fair Work Commission can use any method of dispute resolution permitted by the Fair Work Act that it considers appropriate to ensure the dispute is settled.

While the above procedures are being followed, every endeavour will be applied to ensure that work continues as normal. Dispute resolution shouldn't interfere with day-to-day work. While the process is underway, employees should continue to comply with managements directions and perform any work that is safe and appropriate. This provision shall apply except when a bona fide safety issue is involved.

Accurate and appropriate records will be kept by the person(s) responsible at the particular level during the process. These records will be forwarded to the General Manager - Finance to be uploaded into the cloud-based staff file.

4. Associated Documents

- 15-01 Workplace Grievances Policy
- 09-01 Anti-Discrimination Policy

5. Appendices

Fair Work Act 2009

	Title	Name	Date	Signature
Approved by	CEO	Steven Craven	08/23	