

---

## Staff Grievance Policy

---

<b>Policy/Document Approval Body:</b>	Governance Board
<b>Date Created:</b>	15 October 2013
<b>Policy Custodian:</b>	Human Resources Manager
<b>Policy Contact:</b>	Human Resources Manager
<b>File Location:</b>	W:\Data - ALL.Standard\Policies and Procedures\EIT Policies and Procedures
<b>Location on EIT website:</b>	<a href="http://www.eit.edu.au/organisation-policies">http://www.eit.edu.au/organisation-policies</a>
<b>Review Period:</b>	Three years from commencement
<b>Revision No:</b>	2
<b>Date of Revision:</b>	21 June 2017
<b>Date Approved:</b>	30 August 2017
<b>Date Commenced:</b>	26 September 2017

### 1.0 Purpose

This policy provides the provisions available to staff at EIT to resolve any grievance as quickly as possible. It defines the framework for management of staff grievances to facilitate a prompt, fair and effective resolution.

### 2.0 Scope

This policy applies to all members of staff during their period of employment with EIT. Grievances must be lodged as soon as possible after the grievance occurs, and within any timeframes set down by relevant legislation.

This policy and associated procedure cannot be used to make a complaint about provisions in an Enterprise Agreement or award; workers compensation matters; investigations by external authorities; and application of EIT's policies, unless the policy or procedure has not been followed and the staff member has been unduly disadvantaged as a result.

### 3.0 Objectives

EIT is committed to maintaining a fair and productive working environment. Grievances will be treated seriously and with impartiality and confidentiality. EIT will always aim to resolve the grievance as close to the source as possible.

EIT is committed to the following principles that underpin this policy.

1. Quick resolution of grievances wherever possible, including informal resolution.
2. Staff awareness of the right to a representative
3. Respect of confidentiality by all parties at all times, subject to legal requirements for disclosure.

4. Principles of natural justice (procedural fairness)
5. Intolerance of victimisation of any parties
6. Intolerance of frivolous or vexatious grievances
7. Focus on addressing the issues in an objective manner.

#### **4.0 Implementation**

EIT will support staff by:

- Ensuring that staff grievance policies and procedures are disseminated to all staff
- Providing a quality staff working environment where it is known that victimization will not be tolerated
- Encouraging informal resolution in the first instance, and where considered appropriate by the complainant and respondent
- Ensuring that management and supervisors are aware of their responsibilities and are trained appropriately to handle complaints of an informal nature

#### **5.0 Definitions**

**Complainant(s)** - the staff member(s) who has/have lodged a grievance

**Grievance** - complaint by a staff member about a problem or concern in relation to something affecting his or her employment or activities with EIT, which the staff member seeks to resolve. It does not include matters pertaining to performance management, development and promotions; changes to workplace processes and restructuring; work allocations and instructions conducted in accordance with policies and procedures, and in an appropriate manner; and grievances initiated under an external process such as legislative provisions.

**Natural Justice Principles:** The principles of natural justice that decision makers under this policy must follow can be broadly summarized as follows:

- All parties to the matter(s) in dispute, including respondent(s), shall have a right to be heard before a decision is made, including the right to respond to any statements or evidence that may prejudice their case.
- All relevant submissions, information and evidence to be considered by the decision-maker should be disclosed, where requested, to all parties to the complaint prior to the hearing. Matters that are not relevant shall not be taken into account by the decision-maker.
- The decision maker/s shall not be biased or appear to be biased (by a reasonable and informed bystander) nor have a vested interest or personal involvement in the matter being considered.
- In addition to these principles of natural justice, there should be no undue delay in responding to complaints or appeals and all parties to such matters under this policy shall have the right to a representative of their choice, other than a currently practicing solicitor or barrister (except in extraordinary circumstances at a hearing with the prior leave of the Chair)

**Representative** - another member of staff, a union representative, or another person to provide support, provided that the representative is not a currently practicing solicitor or barrister



**Respondent(s)** - one or more persons who are alleged to have caused the staff member's grievance

### **6.0 Related policies and procedures**

The following policies and procedures are related to this policy:

- Staff Grievance Procedure

### **7.0 Accountabilities**

The Governance Board is responsible for review and approval of this policy.

The policy is to be implemented via induction and training of staff and distribution to EIT's community via the website and other publications.