

## HUMAN RESOURCES 5 - GRIEVANCES & DISPUTE RESOLUTION POLICY

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### Introduction

Australian Afghan Hassanain Youth Association Inc. (AAHYA) encourages its employees and volunteers to resolve any issues or concerns that they may have at the earliest opportunity with their immediate supervisor.

The preferred process involves employees and volunteers being able to resolve issues to their satisfaction internally, without feeling they have to refer in the first instance, to external organisations such as Community Justice Centres or similar dispute mediation services or Workplace Relations – Tribunals or other authorities such as Trade Unions for assistance.

### Purpose

The purpose of this document is to provide an avenue through which employees and volunteers, and their managers, can resolve work-related complaints as they arise.

### Authorisation



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*Mr Sayeed Karimi*  
President  
AAHYA

Dated: 29/01/2012

### Policy

AAHYA will establish mechanisms to promote fast and efficient resolution of workplace issues.

Open communication and feedback are regarded as essential elements of a satisfying and productive work environment. Employees and volunteers should feel comfortable with discussing issues with their manager or supervisor in accordance with the procedures outlined below.

All formal avenues for handling of grievances will be fully documented and the employee/volunteer's wishes will be taken into account in the determination of appropriate steps and actions.

No employee will be intimidated or unfairly treated in any respect if they utilise this Policy to resolve an issue.

This Policy applies to permanent and part-time paid employees and volunteer workers.

### Responsibilities

It is the responsibility of **Management and Supervisors** to ensure that:

- they identify, prevent and address potential problems before they become formal grievances;
- they are aware of, and are committed to the principles of communicating and information sharing with their employees and volunteers;
- all decisions relating to employment practices are made with consideration given to the ramifications for the individual, as well as the Organisation in general;
- any grievance is handled in the most appropriate manner at the earliest opportunity;
- all employees and volunteers are treated fairly and without fear of intimidation.

It is the responsibility of **Employees (including Volunteers)** to ensure that:

- they attempt to resolve any issues through their immediate supervisor and through AAHYA's internal processes at the earliest opportunity.

It is the responsibility of the **Human Resources Department** to ensure that:

- all Managers, Supervisors, Employees and Volunteers are aware of their obligations and responsibilities in relation to communication and information sharing with their employees;
- ongoing support and guidance is provided to all employees in relation to employment and communication issues;
- all Managers, Supervisors, Employees and Volunteers are aware of their obligations and responsibilities in relation to handling grievances;
- any grievance that comes to the attention of Managers or Supervisors is handled in the most appropriate manner at the earliest opportunity.

### Procedure

#### Employment Practices

All Managers and Supervisors should be aware of the possible ramifications of their actions when dealing with employee/volunteer issues. They must ensure that all employees/volunteers are treated with fairness, equality and respect.

If there are any doubts or queries in relation to how to deal with a particular set of circumstances, Managers or Supervisors should contact the Human Resources Department for advice at the earliest opportunity.

Where a grievance or dispute has been brought to a Manager's attention, he/she should assess whether the employee involved is covered by an Award or Agreement, and if so should refer to that document for grievance procedures. If the employee/volunteer involved is not covered by such a document, the guidelines below should be followed.

#### Grievances and Dispute Resolution

##### Step 1: SEEK APPOINTMENT FOR FIRST MEETING:

**EMPLOYEE/VOLUNTEER DUTY:** An employee or volunteer who considers that they have a dispute or grievance should raise the matter in the first instance by *making an appointment to talk calmly* with their immediate supervisor as a first step towards resolution.

**AAHYA MANAGEMENT DUTY:** Before the first meeting Managers should also follow the standard procedure of *offering the employee/volunteer the opportunity to have an independent witness at the discussion.*

##### Step 2: THE FIRST MEETING:

**EMPLOYEE/VOLUNTEER DUTY:** If the complainant attends the first meeting they will talk calmly and make every effort to seek information they need or clearly state their concerns verbally and /or supported with written statement of the details of the concern.

The two parties should discuss the matter openly and work together to achieve a desired outcome.

**AAHYA MANAGEMENT DUTY:** The Manager or Supervisor should check for clarification of the issue *during* this first meeting to ensure they fully understand the complainant's concern and they should make detailed written notes recording these details. Before the first meeting Managers should also follow the standard procedure of *offering the employee/volunteer the opportunity to have an independent witness at the discussion.*

##### Step 3: CAREFUL MANAGEMENT OF PROCESSES IN THE FIRST MEETING:

**AAHYA MANAGEMENT DUTY:** It is the Manager or Supervisor's duty to ensure they follow the steps outlined below:

- If more people than the complainant alone, are present, then verbally establish the role of each person present at this meeting.
- Outline the process that is to be followed.



- Inform the parties that any information obtained in the conduct of the review is confidential.
- Listen to the complainant, and their witness or advocate and sincerely attempt diagnose the problem.
- Take accurate and detailed notes of all conversations (including dates, people involved) and attach any supporting documentation.
- If deemed necessary, provide the employee/volunteers with a written summary of the meeting and clarification of the next steps to be taken.

The Manager must ensure that the manner in which the meeting is conducted will be conducive to maintaining positive working relationships, and will provide a fair, objective and independent analysis of the situation.

### **RESOLUTION OF DISPUTE:**

If the matter is resolved at the first meeting to the satisfaction of the employee or volunteer then the Manager or Supervisor will write a brief report of the meeting and create a manilla folder and/or computer digital file to record the issues, persons attending, the processes followed, documents provided by either party and shall be stored in the Office filing cabinet for the ongoing record-keeping requirements of the Executive Management.

*All parties are to maintain complete confidentiality at all times.*

If the matter looks like it is heading to a positive resolution and there is not enough time allocated for the first meeting to reach a satisfactory conclusion, then the Manager/Supervisor will make an appointment with the complainant for a Second Meeting as soon as practical for the parties and at the same location, if convenient.

### **NON-RESOLUTION OF DISPUTE:**

If the matter is not resolved and the employee/volunteer wishes to pursue it, the issue should be discussed with a Human Resources Officer, then, if necessary, the General Manager.

Again, the matter is to be discussed openly and objectively with management to ensure it is fully understood.

If the grievance/dispute is one of a confidential or serious nature involving the Employee/Volunteer's Manager, the complainant may discuss the issue directly with the Human Resources Department or the General Manager.

If the Employee or volunteer's dispute cannot be resolved within AAYA by the step-by-step processes:

1. before a Supervisor, then
2. Manager of Workplace and then
3. Executive Management Human Resources Committee Chairperson or
4. appearance before a Committee of the Executive Management for Disputes set up to handle such dispute cases, and
5. matter is unresolved for more than 30 calendar days from the date when official start of the dispute is logged, then
6. the employee or volunteer AND the AAHYA Executive Management will be directed by the Manager/Supervisor in writing to make an appointment for dispute resolution at

a mutually convenient Community Justice Centre and the file on the matter including hard copies of any digital information created by the Manager/Supervisor shall be provided to the Secretary of AAHYA .

**List of Referral Agencies:**

**Legal Advisor to AAHYA:**

**Contact person:**

**Community Justice Centres NSW:**

By Suburb

**Trade Unions:**

Eg. Miscellaneous Worker's Union

**Other agencies:**

NSW Department Workplace Relations divisions:

Industrial Awards

Tribunal