

# Grievance Management Policy

|                         |                           |                                   |
|-------------------------|---------------------------|-----------------------------------|
| <i>Policy No: OnQ10</i> | <i>Approved by:</i>       | <i>Effective Date: 21/02/2023</i> |
| <i>Version No: 1.0</i>  | <i>Catherine O'Mahony</i> | <i>Review due: 21/02/2025</i>     |

## What is the purpose of this policy?

This policy explains the procedure followed at On Q Recruitment to resolve any grievance or complaint against any individual, expeditiously and where possible, at the lowest organisational level.

## Scope

This policy covers all On Q Recruitment On-Hired Employees.

## Policy Priorities

On Q Recruitment is committed to ensuring that an effective workplace grievance management system is in place, which facilitates prompt, fair, confidential, and flexible management of all workplace grievances.

On Q aims to foster good relations between On-Hired Employees and the Host Employer. On Q acknowledges that the enjoyment On-Hired Employees experience whilst on assignment is reflected in job performance and the workplace culture in which they are assigned. This Policy aims to clarify what constitutes a grievance under this policy and outline a process On-Hired Employees can adopt in resolving workplace grievances.

We also acknowledge that problems can arise at work which may sometimes cause you to feel aggrieved. These problems can arise from the behaviour or decision of management or other employees.

## Guidelines

Employees are encouraged to act promptly in respect of complaints and grievances and raise them as soon as possible rather than letting issues escalate. Complaints and grievances should be raised in accordance with the procedure set out in this policy.

It may be helpful to keep a diary noting the events giving rise to the grievance or complaint, the names of any witnesses to events and the effect that the events have had on them. This information may be needed as the complaint or grievance progresses.

All formal complaints and grievances will be taken seriously by and in most circumstances will be the subject of some form of mediation or investigation.

On-hired employees must ensure that they do not make frivolous, false, or vexatious complaints or grievances. All employees involved in a complaint or grievance (whether as a complainant, witness, or respondent) must keep the details of the matter confidential and must not discuss the matter with anyone other than those involved in resolving the matter.

A grievance can be about anything done, or not done, by management or another employee, which you feel affects you unfairly or unjustly. A grievance can also be about discrimination, harassment or any other employment related decision or behaviour which you think is unfair, unjust, or upsetting.

If you do have a grievance, you have the option of handling it in the following ways:

- Direct handling – by speaking to the other person yourself or
- Speak to your Manager
- Make a formal complaint

If a complaint or grievance relates to potentially criminal behaviour, On Q or the Host Employer may be required to refer the matter to the police rather than, or in addition to, dealing with the matter under this policy. Examples of such situations may include workplace violence and sexual assault.

If you are not satisfied with the way in which your grievance was handled, you may take it to an outside agency, such as the Human Rights and Equal Opportunity Commission or the Anti-Discrimination Board.

## **On Q Responsibilities**

To ensure prompt, fair, confidential, and flexible management of all workplace complaints and grievances, On Q will:

- identify and address inappropriate behaviour as soon as they become aware, or as reported by the On-Hired Employee.
- conduct a prompt initial assessment of a concern or complaint by the On-Hired Employee or Host Employer.
- collaborate with the Host Employer to resolve grievances per the relevant policies and procedures.
- resolve complaints in a fair, timely and appropriately confidential way.
- protect staff involved against victimisation, harassment, or discrimination because they have raised a grievance.

## **On-Hire Employee Responsibilities**

All employees when placed on assignment are responsible to:

- recognise their role in harmonious workplace relations, raise matters of concern at an early stage.
- promptly attempt to address and resolve matters, where appropriate, with the other person/s in the first instance. Where the staff member does not feel comfortable or able to resolve the matter comfortably with the person involved, they should seek assistance from their manager or On Q Recruitment Consultant.
- be honest and sensitive in raising or responding to a grievance, and not raise malicious, vexatious, or frivolous complaints. In doing so, On-Hired Employees may be subject to disciplinary action, up to and including termination of their employment.
- actively participate in the grievance resolution process and contribute to positive problem solving and conflict resolution.
- understand the need for and maintain confidentiality throughout the grievance management process.
- commit to and demonstrate behaviours as set out in the Code of Conduct to foster a positive and productive workplace.

## **Procedure**

### **Direct handling**

In most circumstances the first step in handling a complaint or grievance should be to speak to the other party involved and try to resolve the matter informally and directly. This discussion should be conducted in a courteous and professional manner.

Sometimes people just need a reminder about their behaviour, or to be told when they have stepped over the line and what you want them to do or not do. This may not work in every situation, or you may not feel comfortable about approaching the person.

Other options at this early stage include:

- raising the matter in confidence with the On Q Recruitment Human Resources Manager/Recruitment Consultant and seeking advice as to how to best resolve the matter.
- seeking personal support through family, friends, or our Employee Assistance Provider.

### **Formal complaint or grievance**

At times it may not be possible to resolve a matter informally through direct handling or the nature of the matter requires a more formal approach. Where this occurs, you are encouraged to lodge a formal complaint or grievance through your manager.

If your manager is in some way involved in the subject matter of the complaint or has a close personal relationship with the person to whom you have the grievance with, you may lodge your complaint with Human Resources.

Formal complaints and grievances may be made orally or in writing. However, where a complaint or grievance is raised orally, you may be asked to put the matter in writing. This will usually be the case where the matter involves allegations of bullying, sexual harassment, victimisation, or vilification.

Irrespective of whether the complaint or grievance is made orally or in writing you will need to provide details of the matters alleged, including the times, dates, locations, and people involved.

In most cases, grievances regarding bullying, discrimination, sexual harassment, victimisation, or vilification will be the subject of a formal investigation.

## **Procedural fairness**

Where a formal complaint or grievance is raised, On Q will endeavour to ensure that the principles of natural justice and procedural fairness are adhered to. This means that we will endeavour to adhere to the following rules:

- the respondent should be fully informed of the nature of the grievance against them as soon as reasonably practicable (this does not necessarily mean that the respondent is entitled to a copy of the written grievance or written witness statements).
- the complainant and the respondent should be given details of the process that will be followed in respect of addressing or resolving the grievance.
- the respondent should be given a reasonable opportunity to provide a response to the grievance.
- the respondent should be treated as innocent until an allegation is proven.
- the complainant and respondent will be entitled to be supported by a person of their choice (e.g., family member, friend).
- the details of the grievance and the investigation/resolution process should be kept confidential and only disclosed on a 'need to know' basis.

Persons dealing with grievances should endeavour to adhere to the above rules and to resolve the matter as quickly as possible.

## **Possible outcomes**

In many cases it may be possible to resolve a complaint or grievance by a set of agreed actions with both parties.

However, where it is determined that there has been misconduct or breach of a policy or procedure of the Code of Conduct, the relevant person may be subject to disciplinary action in accordance with the On Q Managing Misconduct Policy.

Disciplinary action may include but is not limited to:

- requiring a written apology and undertaking that the behaviour will not occur again
- a direction to attend additional training, counselling or coaching.
- a warning being issued.
- ongoing monitoring of behaviour.
- a period of suspension or demotion.
- termination of employment.

Both the complainant and the respondent will be notified in writing of the outcome of any formal complaint or grievance.

If the investigation is inconclusive, i.e. the complaint cannot be proved due to lack of evidence, the Host Employer may nevertheless take a number of actions. These may include training of all staff, and monitoring behaviour of all staff.

If the complaint is found to have been completely fabricated, appropriate action may be taken against you, including counselling, a written apology to the person complained about, an official warning, transfer, demotion, or dismissal, depending on the seriousness of the allegations.

No disciplinary action will be taken against a complainant as a result of a genuine grievance or a grievance is ultimately found to be disproven or unsubstantiated, unless the grievance is found to be deliberately false, frivolous or vexatious.

## **Is there someone I can discuss this policy with?**

You can discuss this policy with our Administration Team on +61 2 9431 2555.

## **For Further Information**

Other On Q Policies:

- Code of Conduct Policy
- Equal Employment Opportunity, Discrimination, Bullying and Harassment Policy
- Managing Misconduct Policy
- Ending Employment – Employee Separation Policy