Individual Grievance Resolution

1.0 Purpose
This procedure is designed to support and enable the resolution of grievances regarding administrative decisions or actions that adversely affect employees. The University is committed to ensuring that employees have access to a procedure that provides them the ability to raise legitimate concerns in a supportive environment.

2.0 Scope
This procedure applies to all employees during their period of employment with the University. This procedure can be used where the relevant Enterprise Agreement does not provide an alternative process.

3.0 Procedure
The objective is to resolve matters in a timely fashion and as close as possible to the source of the issue, while ensuring equity and due process in that resolution.

It is not intended that all workplace disagreements will be the subject of this procedure; it is intended for use where an employee has not been able to satisfactorily resolve a problem by raising the matter, attempting to understand the alternative points of view and fully discussing their perspective with the relevant parties to the grievance.

The Procedure is not intended for, and cannot be applied to, matters where the University is required by legislation or workplace agreement to use other procedures.

For the purpose of this procedure a grievance does not arise if the subject of the complaint relates to:

- policies and/or procedures of the University
- policies in which an alternative review procedure takes the place of this procedure e.g. discrimination, sexual and other harassment, relocation and redeployment, and redundancy
- recruitment and workforce related appointments
- performance review
- promotion
- classification and reclassification of position descriptions
- Academic Studies Program (ASP) decisions
- awards of research and other grants
- procedures within, or decisions resulting from the individual grievance procedure
• decisions of the University Council.

3.1 General Principles and Considerations

The principles of natural justice will guide the application of these procedures.

• Where a university decision, action or inaction gives rise to a grievance, the University will consider and where practicable, refrain from implementing the decision or continuing the action during the period from the notification of the grievance until finalisation.

• Where two or more employees believe they have a common problem this may, at their request, be dealt with as a single grievance under this procedure.

• The time limits set out in these procedures are indicative and may be extended by the University where appropriate.

• This procedure does not pre-empt, limit or delay the parties to the grievance their right to pursue other avenues for resolution of grievances such as direct application to the Fair Work Commission and the Australian Human Rights Commission. Where alternative avenues are used, the employee will no longer have access to this procedure.

• Settlements reached through the grievance process shall not constitute precedent.

• At any stage of the grievance process an employee may choose to be represented by a support person or an officer of the NTEU and is not currently practicing as a solicitor or barrister.

• The University will not unduly delay the implementation of a resolution and support a timely resolution of the issues.

• Parties to the grievance must be given access to all relevant information and documentation, excepting material that is exempt under the Right to Information (RTI) legislation.

3.2 Protocol

All parties to the grievance will ensure confidentiality is maintained throughout the entire grievance process.

All parties to the grievance will be informed verbally and in writing:

• the nature of the grievance
• the approach the University will take to resolve the complaint; and
• the outcome from the process.

3.3 Record Keeping

Accurate and appropriate records will be kept by the relevant University representative during the process.

When the process is complete all records will be kept by Human Resources and filed in the employee’s file.

3.4 Process

The grievance procedure outlines a range of strategies that the University will consider and deploy when a grievance is raised by an employee.
3.4.1 Local Level Resolution

Where an employee wishes to raise a grievance, the employee shall, in the first instance, raise the matter in writing with the relevant individual who has made the decision or undertaken the action causing the grievance (the respondent) including the relevant Senior Manager.

This must be done within 10 working days of the decision being communicated or the action occurring.

In the first instance, the relevant Senior Manager shall attempt to resolve the grievance and provide a response to the employee no later than 10 working days from when the matter was first raised. The Senior Manager will attempt to resolve the matter with support from their Human Resources Business Partner and in consultation with the Head of Element.

The Senior Manager will conclude this process by providing an outcome of the matter in writing to the employee and respondent.

The University will consider the matter finalised at this stage if there are legitimate operational reasons for the decision or action to come into effect.

3.4.2 University Appointed Conciliator

If the matter is not resolved at the local level the Head of Element may request the Director, Human Resources to consider appointing an alternative University employee or external conciliator to support the resolution of the grievance.

The request should be made in writing by the Head of Element to the Director, Human Resources. The Director, Human Resources will consider the request and provide a decision on whether the University will appoint a conciliator or provide an alternative resolution process within 10 working days of the request.

If a Conciliator is appointed by the University, they will be provided with all relevant documentation required to facilitate an appropriate resolution. The Conciliator must provide the Director, Human Resources with written advice as to the process that will be undertaken to resolve the complaint and seek confirmation from the Director, Human Resources to proceed with the recommended process. The Conciliator must support the implementation of a resolution process in a timely manner and document the outcomes of the processes for the parties to the grievance.

A summary of these will be provided to the Director, Human Resources and Head of Element by the Conciliator at the conclusion of the process.

The Director, Human Resources will provide an outcome on the matter to the complainant and original respondent with a final decision on the matter.

4.0 Definitions

For the purposes of this policy and related policy documents, the following definitions apply:

Grievance is a complaint by an employee made in accordance with this Procedure about a about an administrative decision by the University, which the employee seeks to resolve.

Representative is another member of staff, a union representative and/or, at the choice of the employee(s) involved, a nominee of a party to the Enterprise Agreement provided that the representative is not a currently practicing solicitor or barrister.

Respondent is one or more persons who are the decision makers related to the employee’s grievance.
5.0 Information

Title  Individual Grievance Resolution Procedure

Document number  2024/0001090

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Audience  Staff

Category  Operational

Subcategory  Staff

UN Sustainable Development Goals (SDGs)  This document aligns with Sustainable Development Goal/s: 16: Peace, Justice and Strong Institutions

Approval date  1 July 2024

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Review date  2027

Policy advisor  Head, HR Business Partnering

Approving authority  Director, Human Resources

6.0 Related Policy Documents and Supporting Documents

Policy  Code of Conduct
Conflict of Interest Policy
Delegations Policy
<table>
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<tr>
<th>Delegations Register</th>
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<tbody>
<tr>
<td>Griffith University Academic Staff Enterprise Agreement 2023 - 2025</td>
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<td>Staff Harassment, Bullying and Discrimination Procedure</td>
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