

# Maitland City Council's Respect at Work

## Equal Employment Opportunity Management Plan 2009/2011



**Fair Practices**

**Productivity**

**Harmony**

**Tolerance**

**Respect**

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# INTRODUCTION

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## **POLICY STATEMENT**

The following Respect at Work Policy Statement was adopted by Council on 22 September 2009:

“Maitland City Council shall provide a workplace free from discrimination, harassment and bullying; promoting Equal Employment Opportunity (EEO), equity, respect and tolerance in all work and management practices, creating a harmonious, safe and productive workplace benefiting employees, the organisation and the wider community.

Council considers actions or behaviours that discriminate, offend, threaten, intimidate or create a risk to health and safety as unacceptable in all circumstances. Where a breach of this policy is found on the balance of probabilities to have occurred, Council will take appropriate action.

To ensure the objectives of the policy are achieved, Council will implement its EEO Management Plan and support the ongoing role of the EEO Committee.

This policy should be read in conjunction with the EEO Management Plan, the EEO, Harassment and Bullying Grievance Protocol, and the Respect at Work Supporting Information and Explanatory Notes document.

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This EEO management Plan outlines the strategies that Council will implement to ensure adherence to its Respect at Work Policy.

# INTRODUCTION

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## REFERENCES:

- **Maitland City Council Management Plan**

Council's EEO Management Plan will be consistent with its overall Management Plan including its strategic goal of undertaking "a range of Human Resource activities that contribute to the ongoing development of fair, equitable and competitive employment practices which support the delivery of services to the community whilst meeting the needs of employees".

- **Local Government Act 1993**  
**Part 4 – Equal Employment Opportunity**

Section 344 The objects of this part are:

(a) to eliminate and ensure the absence of discrimination in employment on the grounds of race, sex, marital status and physical impairment in councils; and

(b) to promote equal employment opportunity for women, members of racial minorities and persons with disabilities in councils.

Section 345(1) A Council must prepare and implement an equal employment opportunity management plan in order to achieve the objects of this Part.

- **Local Government (State) Award 2007**  
**Clause 3. Anti-discrimination**

(i) It is the intention of the parties bound by this award to seek to achieve the object in section 3(f) of the Industrial Relations Act 1996 to prevent and eliminate discrimination in the workplace. This includes discrimination on the grounds of race, sex, marital status, disability, homosexuality, transgender identity, age and responsibilities as a carer.

# ACTION PLAN

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## Goal 1 – Policies and Programs

To ensure that Council has a range of appropriate and current Policies, Protocols and Procedures supporting its EEO objective

ACTIVITY	PERFORMANCE TARGET	RESPONSIBILITY	TARGET DATE
Respect at Work Policy	To review existing policy on a biennial basis	Human Resources and EEO committee	September 2011
EEO Harassment and Bullying Grievance Protocol	To review existing protocol on a biennial basis	Human Resources and EEO committee	September 2011

# ACTION PLAN

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## Goal 2 – Communication

To ensure that all staff are made aware of and understand:

- Council’s Policies and Procedures
- Individual rights and responsibilities both at commencement and throughout employment

ACTIVITY	PERFORMANCE TARGET	RESPONSIBILITY	TARGET DATE
<b>Induction</b>	<p>All employees receive a thorough induction and Staff Handbook in accordance with Council’s procedures</p> <ul style="list-style-type: none"> <li>• one-on-one</li> <li>• <b>Group Sessions</b></li> <li>• <b>Review Staff Induction regarding Respect at Work content</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Management</b></li> <li>• <b>Human Resources</b></li> <li>• <b>Human Resources</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>First week of employment</b></li> <li>• <b>Within 2 months of commencement</b></li> <li>• <b>Biannually</b></li> </ul>
<b>Training</b>	<p>All staff receive Corporate Training on relevant EEO issues</p>	<p>Staff</p>	<p>As part of corporate training or as required for individuals/groups</p>

# ACTION PLAN

ACTIVITY	PERFORMANCE TARGET	RESPONSIBILITY	TARGET DATE
	<p><b>EEO Contact Officers to be trained, valued and supported:</b></p> <ul style="list-style-type: none"> <li>• <b>New and existing Contact Officers receive training, development &amp; education relevant to role</b></li> <li>• <b>Contact Officers actively participate in ADB Network forum</b></li> </ul>	<p><b>Human Resources</b></p> <p><b>Human Resources and EEO Committee</b></p>	<p><b>Quarterly basis</b></p> <p><b>As required</b></p>
<p><b>Promotion of Respect at Work principles</b></p>	<p><b>All staff understand:</b></p> <ul style="list-style-type: none"> <li>▪ <b>Council’s Respect at Work Policy &amp; its underlying principles</b></li> <li>▪ <b>Council’s EEO, Harassment &amp; Bullying Grievance Protocol, including rights, responsibilities &amp; processes</b></li> <li>▪ <b>Promotion by:</b> <ul style="list-style-type: none"> <li>○ <b>Induction / Refresher</b></li> <li>○ <b>Staff Newsletter</b></li> <li>○ <b>Team Meetings</b></li> <li>○ <b>Marketing Strategy</b></li> </ul> </li> </ul>	<p><b>Managers with support from Human Resources and EEO Committee</b></p> <p><b>Human Resources</b></p> <p><b>EEO Committee</b></p> <p><b>Team Leaders / Coordinators</b></p> <p><b>Emma Shanks to help</b></p>	<p><b>Ongoing</b></p> <p><b>Specifically prior to festive seasons &amp; events; or as issues arise</b></p> <p><b>Consider DVD to be shown at team meetings along with handouts or business cards</b></p>

# ACTION PLAN

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ACTIVITY	PERFORMANCE TARGET	RESPONSIBILITY	TARGET DATE
<p><b>Notice Boards/Intranet</b></p>	<p><b>Relevant EEO information (eg: policies, grievance procedures, list of Contact Officers, EEO committee meeting minutes) is placed on the intranet and on Notice Boards</b></p>	<p><b>EEO Committee</b></p>	<p><b>Ongoing, with quarterly reviews and updates of the information</b></p>
<p><b>Posters/Pamphlets</b></p>	<p><b>To ensure that they are regularly updated and rotated.</b></p>	<p><b>EEO Committee</b></p>	<p><b>Annually</b></p>

# ACTION PLAN

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## Goal 3 – Information

To obtain sufficient and reliable information to assist in determining:

- future directions; and
- the success of those actions in supporting EEO

ACTIVITY	PERFORMANCE TARGET	RESPONSIBILITY	TARGET DATE
<b>GRIEVANCES</b> <b>Contact Officers</b> <ul style="list-style-type: none"> <li>• Quarterly Report Form</li> </ul>	<b>Contact Officers to complete Quarterly Report Form</b>	<b>Contact Officers</b>	<b>Forms to be handed in at each meeting</b>
<b>Exit Interviews</b>	<b>To carry out exit interviews for all staff on a voluntary basis and to record the information according to the Protocol on Exit Interviews</b>  <b>To report trends relevant to the EEO Committee from exit interview data</b>	<b>Human Resources</b>  <b>Human Resources</b>	<b>At time of resignation</b>  <b>September each year</b>

# ACTION PLAN

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## Goal 4 – Review of Personnel Practices

To carry out timely reviews of personnel practices with a view to identification of any discriminatory practices.

ACTIVITY	PERFORMANCE TARGET	RESPONSIBILITY	TARGET DATE
Review Human Resources policies and procedures	Monitor new and existing policies and procedures	Human Resources and EEO Committee	Ongoing as policies and procedures are developed or due for review

# ACTION PLAN

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## Goal 5 – Revision of EEO Management Plan

To ensure that the Management Plan is relevant and up-to-date and there is satisfactory completion of targets within the plan.

ACTIVITY	PERFORMANCE TARGET	RESPONSIBILITY	TARGET DATE
Revise EEO Action Plan	To review the progress of the plan and act on issues scheduled for that quarter	EEO Committee	Quarterly
Revise EEO Management Plan	To draft a new EEO Management Plan on a biennial basis	EEO Committee	September 2011

# ATTACHMENTS

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## Attachment A – Respect At Work Policy

### RESPECT AT WORK POLICY

FILE NO 130/1

DATE REVIEWED September 2009

### POLICY STATEMENT

Maitland City Council shall provide a workplace free from discrimination, harassment and bullying; promoting Equal Employment Opportunity (EEO), equity, respect and tolerance in all work and management practices, creating a harmonious, safe and productive workplace benefiting employees, the organisation and the wider community.

Council considers actions or behaviours that discriminate, offend, threaten, intimidate or create a risk to health and safety as unacceptable in all circumstances. Where a breach of this policy is found on the balance of probabilities to have occurred, Council will take appropriate action.

To ensure the objectives of the policy are achieved, Council will implement its EEO Management Plan and support the ongoing role of the EEO Committee.

This policy should be read in conjunction with the EEO Management Plan, the EEO, Harassment and Bullying Grievance Protocol, and the Respect at Work Supporting Information and Explanatory Notes document.

### OBJECTIVES

The objectives of Council's Respect at Work Policy are to:

- Ensure all employees have access to a non-threatening and discrimination-free workplace;
- Promote appropriate standards of conduct and implement strategies to raise organisational awareness with regard to this Policy;
- Ensure that in the application of all Human Resources and organisation policies, practices and procedures, no discrimination takes place and that all employees enjoy equal access to opportunities within Council;

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Create a self-monitoring culture whereby all employees acknowledge, support and champion the principles of a workplace free from discrimination, harassment and bullying;  
Promote the principles of equity, respect and tolerance throughout Council to ensure every employee, at every level, is aware of, and understands his/her rights and responsibilities with respect to this policy;  
Ensure a workplace free from victimisation, and  
Encourage the reporting of behaviour which breaches Council's Respect at Work Policy.

## SCOPE

This policy applies to current and prospective employees and extends to cover apprentices, volunteers, contractors and the general public.

## LEGISLATIVE FRAMEWORK

Anti-Discrimination Act, 1977 (NSW)  
Sex Discrimination Act, 1984 (Cth)  
Racial Discrimination Act, 1975 (Cth)  
Disability Discrimination & Other Human Rights Legislation Amendment Act 2009  
Local Government Act 1993 (NSW)  
Occupational Health & Safety Act 2000 (NSW)  
Occupational Health & Safety Regulation (2001)  
Industrial Relations Act 1996 (NSW)  
Workplace Relations Act 1996 (Cth)

Under state and commonwealth anti-discrimination legislation, it is unlawful to discriminate against an individual on the following grounds:

Race (colour, nationality, ethnic-religious background, descent or national identity);  
Sex (including sexual harassment);  
Pregnancy;  
Marital status;  
Sexual preference;  
Physical, intellectual or psychiatric disability or illness;  
Age (including forcing someone to retire);

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Transgender (transexuality);  
Carer's responsibilities, and  
Personal association with a person who is identified by reference to any of the above attributes.

## ASSOCIATED WORKPLACE POLICIES, PROCEDURES AND PROTOCOLS

Recruitment and Selection Protocol  
EEO Management Plan  
Workplace Violence (Chapter 8 of Occupational Health and Safety Policies and Procedures Manual)  
Aggressive & Abusive Customers (Chapter 8 of Occupational Health and Safety Policies and Procedures Manual)  
EEO, Harassment and Bullying Grievance Protocol

## RESPONSIBILITY

Maitland City Council has a legal responsibility to prevent discrimination, harassment and bullying. In meeting this obligation the following responsibilities have been identified:

### General Manager

Ensure the policy framework to promote a discrimination, harassment and bullying-free workplace at the Council level, for all persons described within the Scope of this policy;  
Ensure every employee and prospective employee is treated fairly and with respect;  
Ensure the behaviour of all employees complies with this policy, and  
Ensure Council's EEO Management Plan is implemented.

### Managers and Supervisors

Model appropriate workplace behaviours and monitor the work environment to ensure acceptable standards of conduct are observed at all times;  
Ensure decisions relating to employment, promotion and training are equitable and based upon merit;  
Ensure employees are aware of and understand Council's Respect at Work Policy;  
Act to resolve incidences of discrimination, harassment and bullying when made aware of a problem, even if no complaint has been made;  
Treat all complaints seriously, equitably and confidentially, taking immediate action to investigate and resolve allegations of discrimination, harassment and bullying, and

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Refer complaints onwards to the Human Resources Division, where the individual does not consider they are the most appropriate person to deal with the issue.

## Employees

Ensure individual behaviour complies with Council's Respect at Work Policy;  
Maintain confidentiality if involved with the investigation of a grievance, and  
Report breaches of the Policy to a Manager, Supervisor or Human Resources.

## EEO Committee

The EEO Committee will work with all employees towards a discrimination, harassment and bullying-free workplace and ensure that all current and prospective employees are afforded equal access to opportunities and benefits relating to employment, promotion and training.

The EEO Committee is responsible for:

Informing, and consulting with, staff on EEO, harassment and bullying matters;

Promoting Respect at Work throughout the organisation, and

Acting as Contact Officers by advising staff with EEO, harassment and bullying grievances on the options available to them.

## LODGING A COMPLAINT

All complaints of discrimination, harassment and bullying will be investigated in accordance with the principles of confidentiality, timeliness, sensitivity and impartiality.

To ensure these principles are upheld Council has developed a formal EEO, Harassment and Bullying Grievance Protocol. Copies are available from:

The Human Resources Division

Council's Intranet

Union delegates

Managers or Supervisors

EEO Contact Officer

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## CONSEQUENCES OF A BREACH OF THIS POLICY

Where a complaint of discrimination, harassment and/or bullying is found, on the balance of probabilities to have occurred, resolution may comprise counselling, disciplinary action or dismissal depending on the nature of the breach. Sexual assault, physical violence and other acts of a criminal nature may also be reported to the police.

Disciplinary action will be imposed in a fair and consistent manner across the organisation.

## SOURCES OF INFORMATION AND ADVICE

Please refer to Council's Respect at Work Supporting Information and Explanatory Notes document.

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## RESPECT AT WORK POLICY

### Supporting Information and Explanatory Notes

#### DEFINITIONS

Discrimination refers to unequal treatment of opportunities whereby decisions are made about individuals or groups based on race, sex, pregnancy, marital status, sexual preference, physical, intellectual or psychiatric disability or illness, age, transgender, carer's responsibility or personal association with a person who is identified by reference to one of these attributes.

Direct Discrimination occurs where people are treated differently because different criteria are applied when it is not necessary for them to be applied.

#### Examples:

The insistence of a driver's licence for employment when driving is not a duty of the job

Deliberately excluding older employees from training opportunities because the manager thinks it would be a waste of time

Not employing an applicant because they have a disability

Indirect Discrimination occurs when rules, regulations or practices assume everyone is the same, have the same opportunities and can meet the same 'normal' criteria. These rules and practices are discriminatory as they exclude people with suitable skills who do not meet the apparently fair rules or practices.

#### Examples:

The high wall that all Victorian Police recruits were once expected to scale, discriminated against women because of their small body size

Prior height requirements for flight attendants

Equal Employment Opportunity (EEO) refers to employment, training and promotion decisions that are based on merit.

Merit means assessing each person's skills and abilities against the needs of the job and disregarding unlawful personal characteristics which are irrelevant for the job. Merit recognises experience gained both inside and outside formal employment.

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Sexual Harassment is any unwanted, unwelcome or uninvited behaviour of a sexual nature which intimidates, humiliates or offends.

Sexual harassment can take different forms and may include:

Physical contact;  
Verbal comments or sexually explicit conversation;  
Jokes, sex-based taunts, insults, teasing or name-calling and,  
Propositions, promises or threats.

Sexual harassment is not behaviour, which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment.

Victimisation – The Discrimination law protects people from victimisation if they have complained of, are thinking about lodging a complaint or are a witness to sexual harassment, racial vilification or discrimination in the workplace.

Workplace harassment is where a person is subjected to behaviour, other than sexual harassment, by an employer, worker, co-worker or group of co-workers, apprentice, volunteer, contractor or member of the public that:

Is unwelcome and unsolicited;  
The person considers to be offensive, intimidating, humiliating or threatening; or  
A reasonable person would consider to be offensive, humiliating, intimidating or threatening in that particular situation.

Bullying is a form of harassment involving unreasonable or inappropriate behaviour, obvious and hidden, directed towards a person or group of persons at a workplace. Bullying can be both physical and psychological.

Examples of workplace harassment and/or bullying may include:  
Aggressive or frightening behaviour such as swearing, shouting, intimidations or threatening violence;  
Abusive, belittling or intimidating phone calls, emails or notes;  
Baiting, unreasonable teasing e.g. cruel nicknames;  
Humiliation through sarcasm, or belittling someone's opinions;  
Initiation pranks and practical;

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Constant or inappropriate criticism or insults;  
Excluding, ignoring or isolating an individual or group;  
Inappropriate or unreasonable blocking of promotion, training or development and other work opportunities;  
Sabotaging a person's work, and  
Branding as a troublemaker a person who raises legitimate workplace grievances, and taking no action to address the grievance.

Workplace harassment and bullying is not:  
Setting reasonable workplace goals and standards;  
Reasonable supervisory practices, including work performance assessment, counselling and disciplinary action;  
Acts of workplace harassment and bullying based on the attributes covered by the legislation covering discrimination, for example, sexual harassment. Such behaviours and acts are addressed by Council's EEO Policy.

## SOURCES OF INFORMATION AND ADVICE

### **Internal**

Manager / Supervisor  
Group Manager  
A member of the Human Resources Division  
An EEO Contact Officer  
Union delegates  
Eric Dowling (United Services Union), extension 778  
Noel Lane (LGEA), extension 607  
Greg Cavanagh, extension 619  
Chris Thompson (DEPA), extension 713  
Katherine Putica (United Services Union), extension 758  
Council's Intranet

### **External**

Anti-Discrimination Board NSW  
Phone 1800 670 812  
<http://www.lawlink.nsw.gov.au/adb>  
Australian Human Rights Commission

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<http://www.hreoc.gov.au>  
WorkCover New South Wales  
Phone 131050  
WorkCover Authority of New South Wales

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## Attachment B – EEO, HARASSMENT & BULLYING GRIEVANCE PROTOCOL

### PROTOCOL STATEMENT

Maitland City Council is committed to a workplace in which people are treated with fairness, dignity and respect.

Successful grievance resolution is dependent on the support and commitment of all employees, complemented by a confidential, equitable, clearly documented, accessible and consistent approach to resolving workplace issues.

### OBJECTIVES

The objectives of Council's EEO, Harassment & Bullying Grievance Protocol are to:

- Ensure all employees have access to a non-threatening and discrimination-free workplace;
- Promote appropriate standards of conduct and implement strategies to raise organisational awareness with regard to this Protocol;
- Ensure that in the application of all Human Resources and organisation policies, practices and procedures, no discrimination takes place and that all employees enjoy equal access to opportunities within Council;
- Create a self-monitoring culture whereby all employees acknowledge, support and champion the principles of a workplace free from discrimination, harassment and bullying;
- Promote the principles of equity, respect and tolerance throughout Council to ensure every employee, at every level, is aware of, and understands his/her rights and responsibilities with respect to this protocol;
- Ensure a workplace free from victimisation.

### DEFINITIONS

#### ***Equal Employment Opportunity (EEO)***

This is the principle which ensures that all employees and potential employees are treated equitably and fairly, regardless of their race, sex, marital status, age, physical or intellectual impairment or sexual preferences.

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## ***Harassment***

Includes any form of behaviour that:

- the other person does not want and does not return; and
- offends, humiliates or intimidates them; and
- targets them because of their race, sex, pregnancy, marital status, transgender (actual or presumed), homosexuality (actual or presumed), disability (actual or presumed), age, carer's responsibilities (actual or presumed), or any other reason that is against the law.

## ***Workplace Bullying***

Is a form of harassment involving unreasonable or inappropriate behaviour, obvious and hidden, directed towards a person or group of persons at a workplace. Bullying can be both physical and psychological.

## ***Grievance***

A grievance is any type of employee concern, problem or complaint related to work or the work environment. Grievances can occur for a variety of reasons and if not resolved successfully may result in staff conflict, lost productivity, absenteeism and turnover.

## **SCOPE**

This Protocol applies to all employees.

## **LEGISLATIVE FRAMEWORK**

Anti-Discrimination Act, 1977 (NSW)  
Sex Discrimination Act, 1984 (Cth)  
Racial Discrimination Act, 1975 (Cth)  
Disability Discrimination & Other Human Rights Legislation Amendment Act 2009  
Local Government Act 1993 (NSW)  
Occupational Health & Safety Act 2000 (NSW)  
Occupational Health & Safety Regulation (2001)  
Industrial Relations Act 1996 (NSW)  
Workplace Relations Act 1996 (Cth)

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## **ASSOCIATED WORKPLACE POLICIES, PROCEDURES AND PROTOCOLS**

- Recruitment and Selection Protocol
- EEO Management Plan
- Respect at Work Policy
- Safety Management System Document: Workplace Violence and Bullying SMS-SP-030

## **COUNCIL VALUES**

As stated in Council's Management Plan, our values are:

- Service to our customers – is and will remain our first priority
- Honesty and Integrity – in everything we do
- Fairness, equity and respect – in all our dealings with our customers and staff
- Learning and Innovation – are encouraged and supported
- Responsibility – to the community, ourselves and future generations
- Excellence – pursued in all activities.

## **GRIEVANCE PROCEDURE**

All grievances will be investigated in accordance with the principles of confidentiality, timeliness, sensitivity and impartiality, and resolved as close to the source as possible.

Investigation of formal grievances will be in accordance with the Local Government (State) Award 2007.

No employee shall be victimised or disadvantaged in any way for making a complaint or being involved in the investigation of a grievance.

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## **STEP 1 - Informal Employee Initiated Resolution**

If possible and where the employee feels comfortable doing so, the employee should tell the person or persons involved to stop. The purpose of informal resolution is simply to resolve a grievance between and among the parties concerned. This course of action does not involve the employer conducting an investigation or determining formal action.

Before taking this approach the employee may wish to speak to an independent third party (see *Respect at Work 'Supporting Information and Explanatory Notes'*) who will provide information to assist with making a well-informed decision regarding the most appropriate resolution option.

Employees are not required to exhaust informal attempts at resolution before formal action commences. Employees have the right to formalise a complaint/grievance at any stage.

## **STEP 2 - Seeking Further Advice, Information or Assistance**

The following Council Officers have formal roles in the management of workplace grievances relating to EEO, harassment and bullying:

- **EEO Contact Officer**

The EEO Contact Officer is an employee of Council who has volunteered for this role. Contact Officers have been provided with training to equip them with the appropriate skills to assist the employee with a workplace grievance. All members of the Human Resources Division are qualified EEO Contact Officers.

The role of the EEO Contact Officer is to:

- a) provide information
- b) act as a support person
- c) remain neutral and non-judgmental
- d) maintain confidentiality.

EEO Contact Officers **do not** play a role in the lodgement or investigation of formal workplace grievances.

- **Manager**

An employee with a grievance is encouraged to speak to their Manager. Once the Manager receives the grievance they are responsible for handling the grievance and keeping the staff member informed of progress on the matter.

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## *Minor grievances*

In cases where the Manager does not consider the grievance to be serious, or if appropriate under the specific circumstances, the Manager may choose to use an informal approach and deal directly with the employee and the person who is alleged to have behaved inappropriately. An informal approach allows the person who is alleged to have behaved inappropriately the opportunity to take corrective action and involves fewer people.

## *Serious grievances*

If the Manager considers the grievance to be serious then the matter should be discussed with Human Resources. The Manager and Human Resources will discuss the appropriate course of action. Serious grievances should be lodged in writing.

- **Human Resources**

There may be instances where an employee is unable to approach their immediate Supervisor/Manager because:-

- a) Supervisor/Manager is the cause of the grievance, or it directly involves the Supervisor/Manager;
- b) the employee has personal reasons for not lodging the grievance with their Supervisor/Manager;
- c) the Supervisor/Manager has already dealt with the grievance at a preliminary level and the employee may decide that a follow up with Human Resources is appropriate; or
- d) the seriousness or circumstances warrant a direct approach to Human Resources.

Where an employee is unable to approach their Supervisor/Manager, they should seek assistance from Human Resources. Human Resources may request the employee to put their grievance in writing stating the nature of the grievance, the parties involved and the nature of their involvement and the employee's desired outcome to resolve the grievance.

The role of Human Resources is:

- a) to assist Managers, where the grievance is considered to be serious, to develop an appropriate course of action; or
- b) to assist employees, where an official grievance is lodged, confirm the nature of the grievance and obtain factual information.

### **STEP 3 - Investigation of Serious and/or Formal Grievance**

The Executive Manager Human Resources or an officer nominated by the Executive Manager Human Resources, delegated to conduct investigations, will investigate serious grievances. Their role is to impartially investigate the grievance and to provide solutions and/or options for resolution. Investigation will begin within two (2) days of the formal grievance being lodged.

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Where the grievance involves an allegation of a serious nature, the Executive Manager Human Resources or nominated officer will establish whether in consultation with the Manager, on the 'balance of probability', the alleged unjustified treatment, discrimination, harassment or bullying did or did not occur. In this situation the most appropriate course of action to resolve the complaint in consultation with the relevant Manager/s will be determined.

## **POSSIBLE OUTCOMES OF A GRIEVANCE INVESTIGATION**

The outcome of the grievance investigation will depend on factors such as:

- The severity and frequency of the discrimination, harassment and/or bullying;
- The weight of the evidence;
- Whether the harasser could have been expected to know that such behaviour was a breach of policy, and
- Whether there have been any prior incidents and/or warnings.

Possible actions, should the breach be found to have occurred may comprise:

- A verbal apology
- Conciliation/mediation
- Counselling
- Disciplinary action
- Dismissal.

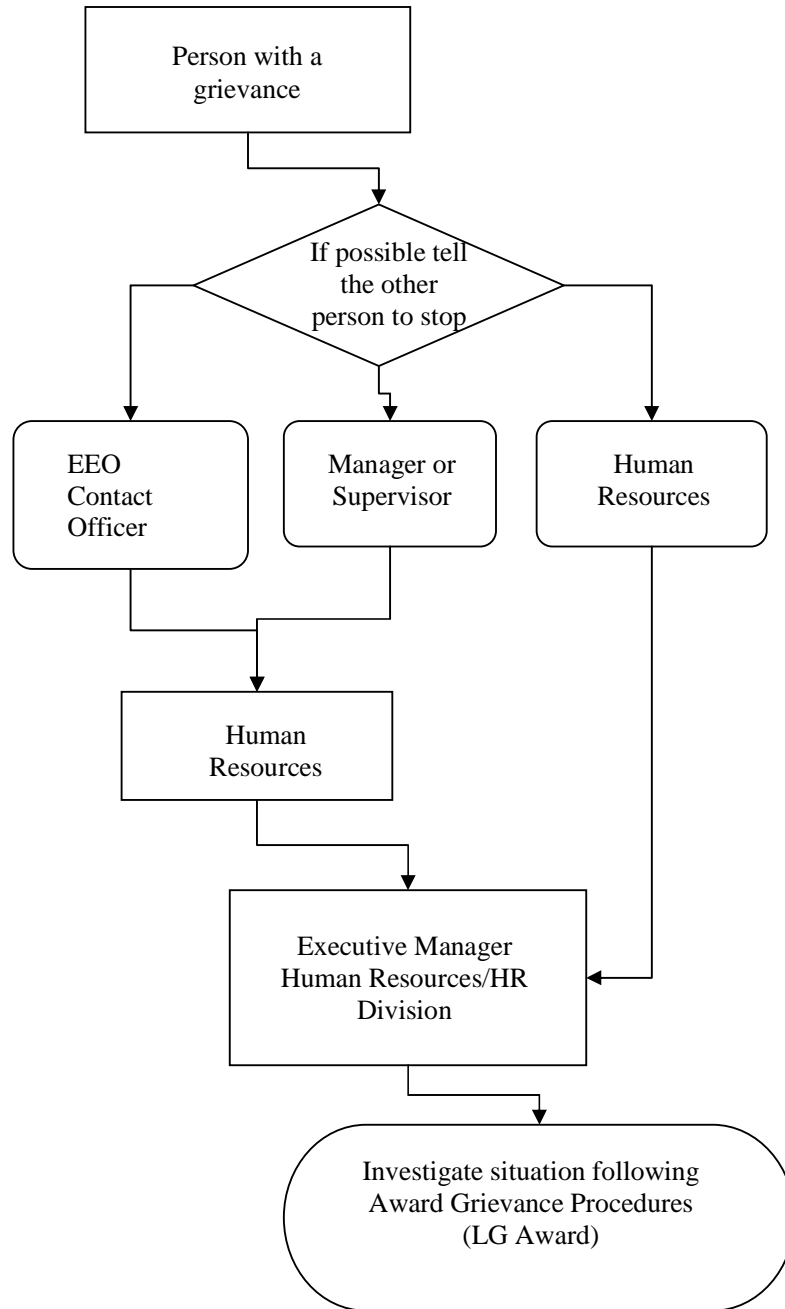
Discipline will be imposed in a fair and consistent manner across the organisation.

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## Attachment 1

### FLOWCHART

#### DISCRIMINATION, HARASSMENT & BULLYING GRIEVANCE



# ATTACHMENTS

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## Attachment 2



### GRIEVANCE NOTIFICATION FORM

TO: \_\_\_\_\_ (Manager/Supervisor)

DATE: \_\_\_\_\_

I have spoken to \_\_\_\_\_ (*name*) about the following issue, however, it has not yet been resolved. I wish to notify you in writing of my grievance and the remedy I am seeking. The issue is:

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The remedy I seek is:

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Employee Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Employee Number: \_\_\_\_\_

Date Received by Supervisor/Manager: \_\_\_\_\_

Meeting held between employee and Supervisor/Manager on: \_\_\_\_\_  
(*within 2 working days of notification*)

Outcome of Meeting: \_\_\_\_\_

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Copy of form to Human Resources for employee's personal file on: \_\_\_\_\_