

F.8 Staff Grievances

1.0 INTRODUCTION/BACKGROUND

Mercy Services believes that employees will be more satisfied at work and will work better if they feel that their views are responded to respectfully and with sincerity.

The quick and fair resolution of grievances is also seen as an essential foundation of a supportive, positive and productive environment for employees.

2.0 SCOPE

The scope of this policy applies to all Mercy Services staff and volunteers with respect to raising and seeking resolution of an issue regarding Mercy Services or another staff/volunteer.

3.0 POLICY STATEMENT

Mercy Services is committed to ensuring that employees are treated positively, fairly and justly when they ask questions, raise issues and/or seek resolution of grievances.

Employees are responsible for raising concerns at the earliest possible opportunity.

The Chief Executive Officer (CEO) and Board will consider staff concerns thoroughly, in a balanced manner, ensuring that decisions made in relation to employee grievances are in line with the relevant Legislation and the values of Mercy Services.

4.0 PROCEDURES

4.1 Types of grievances

Staff may want to raise and see a change in:

- Employment conditions;
- Conduct of Mercy Services staff/volunteer;
- Management decisions/policy; and/or
- Other issues related to Mercy Services structure and performance

4.2 Managing Poor Performance and Conduct

Staff performance and conduct issues are discussed in the Management of Poor Conduct or Performance Policy (F.06). When performance management issues cannot be resolved using the steps in that Policy the issue may be treated as a Staff Grievance and be addressed using this Policy.

4.4 Dispute resolution

Mercy Services is committed to ensuring that employees are treated positively, fairly and justly, with any concerns responded to respectfully.

The Mercy Services Orientation process for new staff will include written and verbal information on the Staff Grievance procedure.

Employees are responsible for raising concerns about their employment conditions, to their supervisor at the earliest possible opportunity.

The CEO will ensure that staff concerns are addressed thoroughly, in a balanced manner, and that decisions made in relation to employee grievances are in line with the relevant legislation.

If staff feel that they have been unfairly treated, they may consult with the relevant Union or the Fair Work Infoline (Phone: 13 13 94).

If staff feel that they have been unfairly discriminated against on the grounds of sex, race, etc. they may refer the issue to the NSW Anti-Discrimination Board (Phone: 1800 670 812).

4.4a Dispute resolution procedure

Grievances that involve possible aggression, harassment and/or bullying are to be addressed according to the Mercy Services Anti-Aggression, Harassment and/or Bullying Policy.

General provisions:

- An employee can access support during the grievance procedure through the Employee Assistance Program;
- At any stage any party can involve an advocate; and
- An employee can request that Mercy Services engage a mediator at anytime (*a mediator can help both parties clarify issues and try to find a mutually satisfying resolution – mediators do not have authority to make decisions on behalf of Mercy Services*).

Below are the steps in the staff dispute resolution procedure if an employee has a grievance about a fellow employee, employment conditions, their supervisor or Mercy Services:

Step 1

The employee is encouraged to attempt to clarify the issue with the person concerned and inform this person of outcome s/he would like to see. The person concerned should be informed that the employee wants to discuss a grievance and that the person can involve a support person/witness in this meeting.

The employee does not have to talk with the person initially if s/he is not happy to discuss the issue with the staff member concerned, or if it is not practical for her/him to contact the person concerned, or s/he would rather use an advocate to negotiate on their behalf.

Step 2 (or optional Step 1)

The employee will discuss the issue with her/his supervisor. The supervisor will provide appropriate assistance within 24 hours of being informed of the grievance.

Step 3 (or optional Step 2)

If the problem is not resolved in Step 2 the employee may discuss the issue with their supervisor's supervisor.

Step 4 (or optional Step 3)

If the problem is not resolved in Step 3 the employee may seek assistance from the CEO and/or Management Team (*Allan Collins, Catherina Kolder, Elvira Johnson, Christine Hopkins, Lawrie Hallinan, Robyn Houston or Roy Hambly*).

Appeal to Board

The CEO has authority from the Board to address employee issues. If an employee is not satisfied with the CEO's response s/he can inform the Board of Directors by writing to the Chairperson Board of Directors, Confidential Issue C/o 32 Union St , Tighes Hill 2297

4.5 Recording and reporting grievances

If a staff grievance cannot be resolved at the first attempt a written record of the grievance and the process followed is required using Appendix 1 Staff Grievance Record. Completed Staff Grievance Records are stored in the Employee File of the person making the grievance and in the file of the staff person complained about.

The Coordinator or Manager or Director of Care will include de-identified details of the grievance in her/his monthly report to the CEO.

Investigations and their outcomes will respect the privacy rights of all parties while ensuring that all those who need to know information will receive this information.

An employee is able to access his/her Employee File and obtain copies of its contents (including Grievance Reports) as set out in the Mercy Services E.07 Employee Records Policy.

4.6 Compliance

As a way of checking that this policy is being complied with the CEO will present a report to the Board each year on Complaints and Positive Feedback (including staff grievances).

4.7 Evaluation

The performance indicators for the evaluation of this policy are at least:

- 80% positive rating by staff to the satisfaction survey questions

5.0 REFERENCES

1. Australian Standards	a) None identified
2. Legislation	a) Anti Discrimination Act, 1977(NSW) b) Industrial Relations Act, 1996 (NSW) c) Fair Work Act, 2009 (Cth) d) Work Health Safety Act, 2011 (NSW) e) Work Health Safety Regulations, 2011 (NSW)
3. Professional guidelines	a) None identified
4. Codes of Practice	a) None identified
5. Codes of Ethics	a) Australian Association of Social Workers Code of Ethics http://www.aasw.asn.au/document/item/1201 b) Australian Psychological Association Code of Ethics http://www.psychology.org.au/Assets/Files/Code_Ethics_2007.pdf c) The Nursing and Midwifery Board of Australia. Registration Requirements http://www.nursingmidwiferyboard.gov.au/Registration-Standards.aspx d) Integrity in the Service of the Church https://www.catholic.org.au/media-centre/media-releases/cat_view/10-organisations/38-national-committee-for-professional-standards e) Mercy Services Code of Conduct
6. Evidence	a) None identified
7. Mercy Services Values	a) Justice, Respect, Care, Unity, Service

6.0 OTHER RELATED POLICIES

- A.01 Mission and Philosophy
- A.02 Code of Conduct Policy
- B.02 Delegations Policy
- C.01 Management Roles and Responsibilities
- D.12 Anti-Fraud and Anti-Corruption
- E.01 Service Guarantee
- E.15 Privacy Policy
- E.16 Protection and Vulnerable Adults from Abuse and Neglect
- E.17 Protection of Children from Abuse and Neglect
- F.01 Employment Conditions
- F.07 Employee Records
- F.05 Review and Development
- F.06 Management of Poor Conduct or Performance
- G.07 Anti-Aggression, Harassment and Bullying
- G.12 Stress Management Policy
- G.13 Post Traumatic Incident Policy

7.0 RELATIONSHIP WITH STANDARDS

Aged Care Accreditation Standards	Home Care Standards	Disability Standards	EQulP Standards
1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.8, 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 4.5	1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 2.1, 2.2, 2.3, 2.4, 2.5, 3.1, 3.2, 3.3, 3.5	6.1, 6.2, 6.3, 6.4, 6.6,	1.1.1, 1.1.2, 1.1.4, 2.1.2, 2.1.3, 2.2.2, 2.2.4, 3.2.1, 3.2.5

8.0 DOCUMENT CHANGES RECORD

Dates of change	Section altered	Natures of changes made
12/09/06	12. Staff Management and Development Policy	Document created
14/01/2010	All sections	Major changes
24/02/2010	a) 4.4 b) 4.4a c) 4.5 d) Appendix 1	a) Info. given to new staff at orientation b) Rename Steps; add that the accused be informed of the reason for the meeting and their right to have a witness/support person; add option not to contact person concerned in the first instance; c) Added with last two paragraphs of previous 4.4a; grievances added to monthly GM report; make writing to parties optional; a written record is needed if the first attempt does not resolve the grievance; record kept in employee file d) Added
28/03/2011	7.0 Relationship to Standards	Updated Community Care Common Standards and EQulP5 Standards
27/11/2012	All Sections	Organisation name updated
	a) 5.0 References b) 7.0 Relationship to Standards	a) Update Legislation, Codes of Ethics b) Update Disability and add Aged Care Accreditation Standards
2/04/2016	a) All sections b) 2.0 Scope c) 4.2 Managing Poor Performance and Conduct d) 4.4a Dispute resolution procedure e) 4.6 Compliance and 4.7 Evaluation f) 5.0 References g) 6.0 Other related policies h) 7.0 Relationship to Standards	a) Replace GM with CEO b) Minor rewording c) Minor re-wording d) Update Management Team membership e) New sections f) Update Legislation and Codes of Ethics g) Updated h) Update Disability and Aged Care
Review due 29/04/2019		

STAFF GRIEVANCE RECORD

Date of grievance: **Grievance received by:**

- Grievance made via:**
- Telephone
 - Letter (attached)
 - Email (attached)
 - In person
 - Other

Information to be given to the aggrieved employee:

TICK WHEN DONE

- 1. Reassure employee that all grievances are treated confidentially and thoroughly.....
- 2. Make an expression of regret that the grievance has arisen.....
- 3. Explain the staff grievance procedure.....
- 4. Remind the participants that they can choose to have an advocate/support person.....
- 5. Remind the participants that they can request a mediator be engaged.....
- 6. Thank the employee for raising her/his grievance and explain that grievances are valuable in helping to maintain and improve Mercy Services and its work.....

AGRIEVED EMPLOYEE’S DETAILS:

Name of employee raising the grievance:

Position: **Phone:**.....

Address:

ADVOCATE/SUPPORT PERSON’S DETAILS (if applicable):

Name: **Phone:**.....

Address:

Relationship to employee:

OTHERS INVOLVED:

Name: **Phone:**.....

Address:

Relationship to aggrieved employee:

Name: **Phone:**.....

Address:

Relationship to aggrieved employee:

Details of grievance (add additional sheets if needed):
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.....

Aggrieved employee's desired outcome:
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.....
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Action taken on grievance:
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Outcome:
.....

Follow-up required (include consequences if follow-up not implemented):.....
.....
.....

Aggrieved employee's feedback:

I am satisfied with the outcome of my complaint Yes No

I am satisfied with the process taken to resolve my complaint Yes No

.....
Aggrieved employee's signature *Date*

Signed:

.....
Coordinator *CEO* *Date*