

P 19 – Grievance Resolution

1 Objectives

The objective of this Grievance Resolution Policy is to provide a fair, transparent, lawful and efficient process for addressing and resolving grievances within the Shire of Bridgetown-Greenbushes.

This policy is in accordance with principles and procedure defined by the Western Australian State Industrial Relations System.

2 Scope

This policy applies to all workers and Elected Members.

3 Definitions

3.1 Elected Member

An elected member of the Council.

3.2 Grievance

A complaint or dispute raised by a worker regarding any aspect of their employment, working conditions, or relationships within the organization. This includes breaches of legislation and/or policy.

3.3 Grievance Resolution Officer

An appointed individual responsible for overseeing the grievance resolution process impartially.

3.4 Grievant

A worker who has a grievance and wishes to seek resolution.

3.5 Supervisor

The immediate supervisor or manager of the worker lodging the grievance.

3.6 Mediation

A voluntary process in which an impartial third party (who may be the Grievance Resolution Officer) assists in resolving the grievance through communication, negotiation and/or other action.

3.7 Worker

A part-time or full-time employee, casual employee, contractor, subcontractor, self-employed person, outworker, apprentice or trainee, work experience student, employee of a labour hire company placed with a 'host employer' and volunteers.

4 Policy

4.1 Grievance Resolution Officer

- a. The Shire will establish the position of Grievance Resolution Officer.
- b. The Grievance Resolution Officer will be officially trained to perform in the role and will ensure that when any allegation is made against an individual, that individual will be afforded every lawful right of response, defense and action.

4.2 Informal Resolution

- a. Workers are encouraged to address grievances informally by discussing concerns with the worker relevant to the complaint, the immediate supervisor or the Grievance Resolution Officer.
- b. If the worker does not feel comfortable raising the grievance informally or if this informal approach does not work, formal mediation will be offered.
- c. Supervisors and the Grievance Resolution Officer should make every effort to resolve grievances promptly and fairly.

4.3 Mediation

- a. If the informal grievance procedure does not result in resolution, the Shire may offer mediation as an option. Mediation is a voluntary process in which an impartial third party (who may be the Grievance Resolution Officer) facilitates communication and negotiation between the parties.
- b. The mediator will work with both parties to explore potential solutions and assist in reaching a mutually acceptable resolution.

4.4 Formal Grievance Procedure

- a. If the grievance is not resolved informally, nor through mediation, the grievant may submit a written grievance to their supervisor or the Grievance Resolution Officer. The written grievance should include a clear statement of the issue, relevant facts, and the desired resolution.
- b. The supervisor or the Grievance Resolution Officer will investigate the grievance and provide a written response within 10 working days.
- c. If the grievance remains unresolved, the grievant may escalate the matter to the next level of management within the organization until it reaches CEO level.

4.5 Independent Investigation for Executive Team

If the grievance involves a member of the Executive Team, including the CEO, and the complaint is not resolved through informal mechanisms or mediation, an independent consultant will be engaged to investigate the allegation and provide appropriate recommendations.

4.6 Grievances Involving Elected Members

If a worker raises a grievance about an Elected Member, attempts will be made to resolve the complaint informally and via mediation. If these attempts fail, the grievance can be escalated to the Local Government Standards Panel or the Department of Local Government, depending on the level of the alleged grievance.

4.7 Vexatious Complaints

Vexatious complaints or allegations made in bad faith will not be tolerated. Workers who engage in vexatious complaints may be subject to disciplinary action.

4.8 Rights of Individuals

- a. When any allegation is made against an individual, the individual will be afforded every lawful right of response.
- b. The individual will be provided with the time, date, and details of the alleged activity that occurred.
- c. The individual will be offered the opportunity to bring a support person to every related meeting.

4.9 Review Process

- a. If the grievant is dissatisfied with the outcome of the formal procedure or mediation, they may request a review by the CEO, unless the grievance is about the CEO or an Elected Member.
- b. In cases where the grievance is about the CEO or an Elected Member, the review may be requested from an external independent consultant.

4.10 Disciplinary Action for Substantiated Allegations

If the investigation substantiates the grievance, appropriate disciplinary action will be taken. The disciplinary action will be commensurate with the severity and type of the alleged misconduct.

4.11 Confidentiality

All parties involved in the grievance resolution process are expected to maintain confidentiality to the extent possible. Information related to the grievance should only be disclosed to those who have a legitimate need to know.

4.12 Non-Retaliation

The Shire prohibits retaliation against any worker who raises a grievance in good faith. Retaliation is a serious violation of this policy and will result in disciplinary action.

4.13 Policy Review

This Grievance Resolution Policy will be reviewed every three years to ensure its effectiveness and compliance with relevant laws and regulations.

5 Applicable Legislation and Documents

Statutory Power <i>(Acts, Regulations, Local Laws, TPS)</i>	Shire of Bridgetown-Greenbushes Outside Works Staff Enterprise Bargaining Agreement 2023 Shire of Bridgetown-Greenbushes (Administration Staff) Employee Collective Agreement 2023 Local Government Officers' (Western Australia) Award 2021 Municipal Employees (Western Australia) Award 2021 Industrial Relations Act 1979 Local Government Act 1995
Shire Policies	P1 - Anti-Discrimination, Sexual Harassment and Bullying
Related Documents	Corporate Business Plan
Related Procedure	N/A

6 Administration

Original Adoption Date	30 November 2023
Last Variation Date	
Last Reviewed	
Scheduled Reviewed Date	30 November 2025