Instructions for lodging an Employee Grievance

A grievance process is available to all IEA employees. A grievance is defined as the behaviour or action of another member or members of staff, which has or is likely to have an unreasonable negative impact on the ability of a staff member to undertake their duties.

All time frames may be extended in writing by mutual agreement:

The formal procedure for the settlement of grievances will not normally be invoked unless the matter has been first referred for settlement under the Informal Procedure.

1. If settlement of the grievance has not been achieved for any reason, including as a result of a determination by the supervisor that the subject matter falls outside the definition of a grievance or as a result of the grievance being dismissed under the Informal Procedure, a party may seek settlement of the grievance through the Formal Procedure. The Formal Procedure will normally be invoked within five working days of the supervisor notifying the parties of the outcome of the Informal Procedure or from the date of the conclusion of the unsuccessful mediation and/or conciliation.

2. A formal grievance may only be commenced by lodging this Grievance Lodgment Form, with the Administrator Manager.

3. Within ten (10) working days of receipt of the Grievance Lodgment Form the RTO Manager or CEO must appoint an Investigator to hear the grievance.

4. The Investigator will, within ten (10) working days of appointment:
   a. interview both the complainant and respondent and such other persons or seek any further information the Investigator considers necessary and will conduct any investigation in accordance with Principles of Natural Justice;
   b. determine whether the grievance is justified; and
   c. Recommend to the RTO Manager appropriate action which may include: counseling for either or both parties; arranging for conciliation of the grievance; recommending disciplinary action; or that no further action be taken.

If in the Investigator’s view, the grievance is ill-advised, misguided, frivolous, malicious or vexatious, the RTO Manager will advise the complainant, and where appropriate other parties, in writing of this finding and the reasons for the finding and where appropriate take action in accordance with relevant staff provisions against the complainant.

1. On receipt of the Investigator’s report, the RTO Manager will:
   a. take such action as the RTO Manager deems appropriate; and
   b. Notify in writing both the complainant and respondent of the outcome of the process, the reasons for the decision and specify any action to be taken.

2. The decision of the RTO Manager is the final step in the grievance process and is not open to challenge via any other dispute settling procedures of the RTO.
Part 1: To be completed by the Complainant

<table>
<thead>
<tr>
<th>Employee’s Name:</th>
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<tbody>
<tr>
<td>Position Title:</td>
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<tr>
<td>Supervisor’s Name:</td>
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<tr>
<td>Supervisor’s Title:</td>
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A grievance will be considered incomplete if any of these items are missing. The investigator handling the grievance shall only consider issues clearly articulated on or attached to this grievance lodgment form.

1. **What is the specific action or situation which causes you to file this grievance?**
   (Be very specific with all information.)
   a) **Date** (When did this action or situation happen?):
   b) Approximate time:
   c) **Location** (Where did this action or situation happen?):
   d) Name of Person(s) responsible for causing this action or situation:
   e) **Specific action or situation. Describe what happened to cause you to file this grievance.** (Use attachment(s) if necessary)

2. **What do you feel is the resolution to this specific situation?** (Provide a statement of the remedy or adjustment sought. Use attachment(s) if necessary)

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By signing below, I certify this information to be truthful and that I have satisfactorily completed at least a three month probationary period in my current position.

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Employee’s Signature ___________________________ Date ____________

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Version: 1.0 Next Review Date: 1.1.16 Approved by: SF
Office Use Only: Part 2: To be completed by the Investigator

NOTE: Investigators are reminded to address and respond to each specific issue within the time limits specified within the Grievance procedure.

I acknowledge receipt of this grievance:

Date Grievance Received ____________________________ Investigators Name ____________________________ Signature ____________________________

☐ I have met with and interviewed both the complainant and respondent and such other persons to seek any further information in relation to the investigation.

Date of Interview with Complainant: ____________________________ Date of interview with Respondent: ____________________________

☐ I have conducted the investigation in accordance with Principles of Natural Justice.

☐ I have determined that the grievance is justified  ☐ Yes ☐ NO

Provide reason for judgment:

_____________________________________________________________________________________________________________

_____________________________________________________________________________________________________________

I have recommended to the RTO Manager the following actions:

☐ counseling for either or both parties ☐ arranging for conciliation

☐ recommending disciplinary action ☐ No further action be taken.

Notes to support actions:

__________________________________________________________________________________________

RTO Manager or CEO signature ____________________________ Date ____________________________

(Decision is final at this level)