

Grievance Policy & Procedure



1. PURPOSE

The Synaco Group is committed to encouraging high standards of professional conduct and performance in all employees. The Synaco Group recognizes that from time to time employees may wish to seek redress for grievances relating to their employment and will ensure that the necessary framework is in place to resolve individual grievances both fairly and speedily. A grievance may be defined as “a complaint by an employee about an action which his/her employer has taken or is contemplating taking in relation to him/her”.

2. SCOPE

This procedure applies to all employees at host employer sites and all employees of the Synaco Group of companies which includes Synaco Global Recruitment, Synaco Resources Pty Ltd and at all locations.

3. RESPONSIBILITIES

- 3.1 It is the responsibility of the Company Director to ensure all personnel are made aware of the grievance procedure.
- 3.2 It is the responsibility of all Managers to encourage free communication between employees and the manager to ensure concerns and problems that arise at work can be discussed and where possible, resolved quickly and to the satisfactory conclusion of all parties.

4. LEGAL & ETHICAL FRAMEWORK

The Synaco Group adheres to the requirements of the Fair Work Act 2009, recognizes the principles set out in the Fair Work Best Practice Guide and will regularly review the Grievance Policy and Procedure in line with good practice and legislative requirements.

5. RELATED DOCUMENTATION

100-0002 – Disciplinary Policy and Procedure

6. GENERAL PRINCIPLES

The Synaco Group believes that where possible its employees should seek informally to resolve matters of concern that arise in the course of their working relationships. This approach helps minor concerns to be resolved speedily without the need to recourse to formal action.

Where this approach has been unsuccessful, or circumstances make this route inappropriate for the individual, then the Synaco Group provides employees with the platform to raise their concerns formally. All formal grievances will be dealt with fairly, consistently and speedily and within the legal and ethical framework outlined above.

7. PROCEDURE

Employees should aim to settle most grievances informally with their line manager. Many problems can be raised and settled during the course of everyday working relationships. This also allows for problems to be settled quickly. Issues that may cause grievances include:

- terms and conditions of employment
- health and safety
- work relations
- bullying and harassment
- new working practices
- working environment
- organisational change
- discrimination

7.1 Informal Procedure

Grievances or problems relating to work are sensitive issues and it is preferable to try and resolve these as quickly and informally as possible. Employees are therefore encouraged to discuss all matters openly with their line manager as they occur. The aim is to resolve routine grievances in this informal manner. There will however, be occasions when a grievance is serious or an employee has attempted to raise a problem informally without success. If this is the case, then the employee should raise it formally with management in writing.

7.2 Formal Standard Procedure

If it is not possible to resolve a grievance informally employees should raise the matter formally and without unreasonable delay with a manager who is not the subject of the grievance. This should be done in writing and should set out the nature of the grievance.

7.2.1 Grievance Meeting

- i) Arrangements will be made for a formal meeting to be held, without unreasonable delay, after a grievance is received.
- ii) Employers, clients, employees and their companions should make every effort to attend the meeting.
- iii) Employees will be allowed to explain their grievance and how they think it should be resolved.
- iv) Consideration will be given to adjourning the meeting for any investigation that may be necessary.

7.2.2 Right to be accompanied

- i) Workers have a statutory right to be accompanied by a companion at a grievance meeting which deals with a complaint about a duty owed by the employer to the worker. So this would apply where the complaint is, for example, that the employer is not honouring

the worker's contract, or is in breach of legislation.

- ii) The chosen companion may be a fellow worker, a trade union representative or an official employed by a trade union. A trade union representative who is not an employed official must have been certified by their union as being competent to accompany a worker.
- iii) To exercise the right to be accompanied a worker must first make a reasonable request. What is reasonable will depend on the circumstances of each individual case. However it would not normally be reasonable for workers to insist on being accompanied by a companion whose presence would prejudice the hearing nor would it be reasonable for a worker to ask to be accompanied by a companion from a remote geographical location if someone suitable and willing was available on site.
- iv) The companion will be allowed to address the hearing to put and sum up the worker's case, respond on behalf of the worker to any views expressed at the meeting and confer with the worker during the hearing. The companion does not however, have the right to answer questions on the worker's behalf, address the hearing if the worker does not wish it or prevent the employer from explaining their case.
- v) There is no duty on a fellow worker or trade union representative to accept a request if they do not wish to act as a companion.
- vi) Where the chosen companion cannot attend on the date proposed, the employee can offer an alternative time and date as long as it is reasonable and falls within a period of 5 working days beginning with the first working day after the day proposed by the Synaco Group.
- vii) Companions who are employed by the Synaco Group are entitled to take a reasonable amount of paid time off to fulfil this responsibility.

7.2.3 Deciding on Appropriate Action

- i) Following the meeting, a decision will be made on what action, if any, to take.
- ii) Decisions will be communicated to the employee, in writing, without unreasonable delay and, where appropriate, will set out what action the employer intends to take to resolve the grievance. The employee will be informed that they can appeal if they are not content with the action taken.

7.2.4 Appeal

- i) Where an employee feels that their grievance has not been satisfactorily resolved they should appeal. They should provide the grounds for their appeal in writing and without unreasonable delay, to the relevant manager as advised.
- ii) Appeals will be heard without unreasonable delay and at a time and place which will be notified to the employee in advance. The appeal will be dealt with impartially and wherever possible by a manager who has not previously been involved in the case.
- iii) Workers have a statutory right to be accompanied at any such appeal hearing.

- iv) The outcome of the appeal will be communicated to the employee in writing without unreasonable delay.
- v) This decision will be final and will complete the Grievance Procedure.

7.2.5 **Overlapping Disciplinary and Grievance Cases**

Where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently.

7.3 **Records**

Appropriate records relating to the grievance will be kept, this will include:

- the nature of the grievance
- what was decided and actions taken
- the reason for the actions
- whether an appeal was lodged
- the outcome of the appeal
- any subsequent developments

Records will be treated as confidential and be kept no longer than necessary in accordance with the Privacy Act 1988. This Act gives individuals the right to request and have access to certain personal data. Copies of meeting records will be given to the employee including copies of any formal minutes that may have been taken. In certain circumstances (for example to protect a witness) information may be withheld.