

Theatre North Inc.

Version: 1.1

Approved by: Theatre North Inc. Management Committee

Approval date: 14 December 2015

Updated: 19 April 2017



Signed:

GRIEVANCE POLICY AND PROCEDURE

OBJECTIVE

The purpose of this document is to provide an avenue through which employees, volunteers and their managers can resolve work-related complaints as they arise.

SCOPE

This policy applies to all employees and volunteers of Theatre North. It may also in appropriate circumstances apply to contractors and hirers at the discretion of the General Manager.

DEFINITIONS

For the purpose of this Grievance Policy, the following words or phrases take the following definitions:

Complainant: The person who wishes to lodge a grievance.

Disciplinary Action: Includes counselling and/or coaching, the provision of a formal written warning, termination of employment and summary dismissal.

Employee: Any paid employee of Theatre North.

Grievance Manager: The person who is responsible for the management of the grievance.

Theatre North: Theatre North Inc. trading as Theatre North at the Princess.

Respondent: The person against whom a grievance is lodged.

Support Person: A person who accompanies a complainant, respondent or witness to a meeting. The support person is not a spokesperson or advocate. They have no role of input into the meeting content.

Volunteer: Any person who agrees to represent or provide assistance or support to Theatre North in any way but who is not paid or employed by Theatre North for that role and includes the members of the Committee of Management and Subcommittees and Working Groups which operate under the Committee of Management from time to time.

Witness: A person who witnesses or has relevant knowledge of the issue.

POLICY

1. Underlying Principles

- 1.1. Theatre North will establish mechanisms to promote fast and efficient resolution of workplace issues.
- 1.2. Employees should feel comfortable discussing issues with their manager or supervisor in accordance with the procedures outlined below.
- 1.3. Open communication and feedback are regarded as essential elements of a satisfying and productive work environment.
- 1.4. Theatre North encourages its employees and volunteers to resolve any issues or concerns that they may have at the earliest opportunity with each other or, failing that, with their immediate supervisor.
- 1.5. The preferred process involves employees and volunteers resolving issues to their satisfaction internally, without feeling they have to refer to external organisations or authorities for assistance.
- 1.6. All formal avenues for handling of grievances will be fully documented and the complainant's wishes will be taken into account where possible and appropriate in determining the appropriate steps and actions.
- 1.7. Respondents will be provided with the details and substance of the grievance and be given an opportunity to respond to all issues raised.
- 1.8. No employee will be intimidated or unfairly treated in any respect as a consequence of utilization of this policy to resolve an issue.
- 1.9. Grievances raised maliciously will be taken seriously by Theatre North. Should a grievance be determined to have been raised maliciously, Theatre North will discontinue the grievance process, and the person raising the malicious grievance may be subject to disciplinary action, including possible dismissal.

2. Responsibilities

- 2.1. It is the responsibility of managers and supervisors to ensure that:
 - 2.1.1. They identify, prevent and address potential problems before they become formal grievances;

- 2.1.2. They are aware of, and are committed to the principles of communicating and information sharing with their employees;
 - 2.1.3. All decisions relating to employment practices are made with consideration given to the ramifications for the individual, as well as the organisation in general;
 - 2.1.4. Any grievance is handled in the most appropriate manner at the earliest opportunity;
 - 2.1.5. All employees and volunteers are treated fairly and without fear of intimidation.
- 2.2. It is the responsibility of employees to ensure that they attempt to resolve any issues through their immediate supervisor and through internal processes at the earliest opportunity.
- 2.3. Where a grievance has been brought to a manager's attention, they should assess whether the employee involved is covered by an award or agreement, and if so should refer to that document for grievance procedures that may be relevant.

PROCEDURE

1. Raising a Grievance

- 1.1. An employee who considers that they have a grievance (the complainant) should raise the matter with the person against whom they have the grievance (the respondent) in the first instance. The two parties should discuss the matter openly and work together to achieve a desired outcome.
- 1.2. If the complainant feels that they cannot raise the matter with the respondent, or if discussions with the respondent have not resolved the issue, then the complainant should complete the formal Grievance Form and lodge that form with either their supervisor, or if the respondent is their supervisor, with their supervisor's manager.
- 1.3. Concerns raised in relation to the General Manager are to be raised with the Chair of the Theatre North Committee who will appoint a grievance manager.

2. Appointing a Grievance Manager

- 2.1. A grievance manager will be appointed by the General Manager.
- 2.2. If the grievance is related to the General Manager, the Chair of the Theatre North Committee will appoint a grievance manager.
- 2.3. The grievance manager will be appointed from Theatre North management where possible, but an external grievance manager may be appointed in certain circumstances.

3. Responsibilities of the Grievance Manager

- 3.1. The grievance manager should open a file for compilation of all data relating to the grievance.
- 3.2. The grievance manager should check for clarification of the issue to ensure he/she fully understands the complainant's concern. This may involve interviews with both the complainant and the respondent.
- 3.3. The grievance manager must ensure that the respondent is provided with all details on the substance of the grievance.
- 3.4. Grievance managers should follow the standard procedure of offering interviewed employees the opportunity to have an independent support person at the discussions, ensuring they follow the steps outlined below:
 - 3.4.1. If more than one person is present, establish the role of each person.
 - 3.4.2. Outline the process that is to be followed.
 - 3.4.3. Inform the parties that any information obtained in the conduct of the review is confidential.
 - 3.4.4. Take accurate and detailed notes of all conversations including dates and people involved and attach any supporting documentation. The grievance manager may, at their discretion, bring a person to the meeting to record the notes.
 - 3.4.5. Provide the complainant and respondent with a written summary of each meeting and clarification of the next steps to be taken.
- 3.5. The grievance manager must ensure that all communications will be conducive to maintaining positive working relationships, and will provide a fair, objective and independent analysis of the situation.

4. Mediation

- 4.1. After obtaining clarification of the grievance (including references to witnesses if relevant), and the input of the complainant and the respondent, the grievance manager may bring the complainant and respondent together for a meeting to seek mediation of the issue, or refer the matter to another person (internal or external to Theatre North) for mediation.
- 4.2. The purpose of mediation is for the parties to come to a mutual agreement about how the grievance will be handled which is satisfactory to all parties.
- 4.3. The complainant and respondent must participate in mediation if it is held. Refusal to participate in mediation may mean grievance procedures will be terminated. Refusal to participate in mediation without a valid reason may result in disciplinary action.
- 4.4. If mediation is successful, the agreement will be documented and provided to all parties, and the grievance will be considered to have been resolved.

- 4.5. Should mediation be unsuccessful, the grievance manager will determine the outcome, following the procedure in section 5.

5. Outcome

- 5.1. The grievance manager will make a decision on a resolution of the grievance and advise the complainant and respondent of the outcome. The parties will be provided with a written account of the outcome.
- 5.2. The grievance manager will ensure all documentation is complete and that the file is stored in the appropriate filing system.
- 5.3. Should disciplinary action be considered against any party following the clarification and/or resolution of the grievance, the grievance manager will refer the matter to the employee's immediate supervisor, who will follow the process outlined in the Disciplinary Policy.
- 5.4. If the matter is not resolved and the employee or volunteer wishes to pursue it, the issue should be discussed the General Manager, or the Chair of the Theatre North Committee if the matter involves the General Manager.

6. Confidentiality

- 6.1. Notwithstanding the required communications in investigating, mediating and determining the outcome of the grievance, all parties must maintain complete confidentiality at all times.

RELATED POLICIES & PROCEDURES

Disciplinary Procedure

Code of Conduct

REFERENCES

REVIEW

This policy and procedure will be reviewed no more than five years after the date of approval (version) or more frequently, if dictated by operational demands or legislative changes.

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