

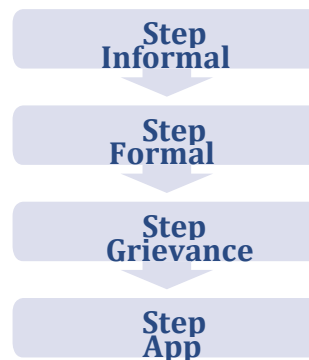


Outline of a grievance policy and procedure

Sample wording for policy statement to accompany grievance procedure:

- We are committed to a transparent process for workers to express their concerns and file grievances, including anonymous complaints.
- We will ensure that there will be no retaliation or discrimination against those who express grievances, and that any grievances will be treated confidentially.
- Management will treat grievances seriously and take prompt and appropriate action in response.

Our grievance mechanism does not replace other channels for grievance resolution as defined by law or collective agreements.



Step 1: Dealing with grievances informally

Managers and workers are encouraged to use informal methods of resolving disagreements or disputes.

If employees have a reasonable grievance or complaint regarding their work or the people, they work with they should, wherever possible, start by talking it over with their manager. It may be possible to agree a solution informally between worker and manager. This makes it more likely that disputes can be resolved faster and closer to the source of the problem and less likely that they will escalate into intractable problems.

If discussions with line managers fail to resolve the issue, it is still possible to pursue an informal approach without triggering a formal procedure. For example, a human resources (HR) manager could host an informal meeting or discussion.

Grievances from new employees about recruitment practices will typically need to be made to an HR manager.

Step 2: Formal grievance

If the matter is serious and/or the employee wishes to raise the matter formally, the employee should set out the grievance in writing to his or her manager. This submission should be factual and avoid language that is insulting or abusive.

Where the grievance is against the employee's manager and the employee feels unable to approach him or her, the employee should address the grievance to another manager or the HR department.



Step 3: Grievance hearing

A designated manager (normally from the HR department and hereafter called the 'grievance manager') will call the employee to a meeting to discuss the employee's grievance within a predetermined period of time after receiving the complaint.

The employee should have the right to be accompanied by a colleague at this meeting on request. After the meeting the grievance manager will give the employee minutes of the meeting signed by both parties and a decision in writing, within a predetermined period of time.

Step 4: Appeal

If the employee is dissatisfied with the decision on a complaint and wishes to appeal, he or she must inform the Ombudsman about this. The employee will be called to an appeal meeting within a specified time period and the appeal will be considered by a higher-ranking manager.

We may choose to create a complaints committee, representing the various functional areas of the company, as well as one or more worker representatives in order to help ensure an objective and transparent appeals process.

Usually, an employee is entitled, upon request, to be accompanied by a colleague at this meeting and minutes must be taken. Every effort must be made to secure a solution that is in the best interest of the worker (s) and the company. After the meeting, the senior manager, ombudsman, or grievance committee gives a decision to the employee within a predetermined period.

This decision is final within the terms of the company's internal grievance mechanism. However, in some legal systems, an employee or his or her chosen representative may refer the complaint or grievance to the Ministry of Labor or Inspection Authority (or any other appropriate administrative body) for decision and / or compensation, as defined in the National Labor Law.



Guidance on implementing the grievance procedure

The process is transparent, impartial and confidential	<p>Every complaint should be treated seriously and dealt with consistently, in an impartial, confidential and transparent manner. This helps to establish the legitimacy of the mechanism among workers and ensures that it will be used.</p> <p>While the procedure may specify that a grievance should first be made to the employees' line manager, there should also be the option of first raising a grievance with an alternative manager, for example, an HR manager.</p> <p>The ultimate oversight of grievance resolution procedures should rest with a single senior manager of staff (not with junior staff). The name of this individual should be communicated to workers. Having the appropriate level of management involved makes it clear that the organisation takes worker grievances seriously.</p>
Staff and management are informed and aware	<p>All staff should be made aware of the grievance mechanism at the time that they are hired. Details of how it operates – including an up-to-date list of contact points – should be readily accessible (for example, in staff handbooks and on notice boards).</p> <p>All communications about the grievance mechanism should be in a language that workers understand.</p>
Concerns are addressed promptly	<p>Procedures should allow for time to investigate grievances fully, but should aim for swift resolutions. The longer a grievance is allowed to continue, the harder it can be for both sides to get back to normal afterwards. Time limits should be set for each stage of the process, for example, a maximum time between a grievance being raised and the setting up of a meeting to investigate it.</p>
Records are kept	<p>Once a grievance has been raised formally, it is important that proper written records are kept, to aid transparency and allow for any review of the process or decision to be undertaken. If possible, the original complaint should be in writing. The employer's response should also be recorded. Any actions taken, along with the reasons for these, should also be recorded, for example, a grievance hearing and finding. Minutes of all meetings should be taken and signed by both parties.</p> <p>Documentation should respect workers' rights to privacy and data protection.</p>
The mechanism is sensitive to the needs of all workers, including vulnerable groups	<p>Employees that may feel particularly vulnerable (such as ethnic or religious minorities, migrant workers, younger workers, employees with disabilities) should not be deterred from lodging a grievance. Therefore, the process for lodging grievances should be confidential in order to allow employees to raise a grievance without anyone else knowing.</p> <p>It is also good practice to have both a male and a female staff member available for receiving and processing grievances so that employees can choose whom to speak to. Where there are language barriers, it may be necessary to provide written materials in different languages and also to engage interpreters.</p> <p>Interpreters should be perceived by both sides as being impartial.</p>
Role of worker representatives	<p>Normally, collective grievances and disputes should be handled using the same approach as that used for individual complaints and grievances; where there are existing arrangements for collective grievances or dispute resolution, any new procedures should build on this agreed framework.</p>
Access to judicial remedy	<p>The employee should understand that he or she has a right to recourse to judicial or administrative channels (such as an employment tribunal, labour court or labour inspectorate).</p>



Grievance mechanism for non-employees / Workers

- Ensure that subcontractor employees have access to a grievance mechanism. Subcontractor grievance mechanisms must be based on the same principles set forth in this document and must be made available to all workers, even those who work on a short-term or part-time temporary basis.
- Ensure that non-employee workers have access to an effective grievance mechanism.
- In cases where the third party is unable to provide a grievance mechanism, it will provide an effective grievance mechanism to serve the designated workers "the third party".



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Grievance Lodgment Form

Name:		<input type="checkbox"/> Please do not use my name when talking about this concern in public.	
Company: (if applicable)			
Date:		Time:	
Preferred Contact Method:	<input type="checkbox"/> Telephone <input type="checkbox"/> Email <input type="checkbox"/> Mail Please provide contact details: _____		
Supporting Documents Attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Please provide details of your grievance			



Stakeholder Reference:	NGO <input type="checkbox"/>	Government – Commonwealth <input type="checkbox"/>
	Neighbour - Pastoralist <input type="checkbox"/>	Government – State <input type="checkbox"/>
	Neighbour – Port <input type="checkbox"/>	Government – Local <input type="checkbox"/>
	Neighbour – Other <input type="checkbox"/>	Contractor <input type="checkbox"/>
	Indigenous <input type="checkbox"/>	Consultant <input type="checkbox"/>
	Other <input type="checkbox"/>	<input type="checkbox"/>
	Comment:	
What outcome are you seeking?		
Additional Information		

Claimant Signature:

Date:

Sandifer Signature:

Date:.....

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