



ASPENDALE NORTH KINDERGARTEN INC.
13 Connewarra Avenue, Aspendale 3195
Phone/Fax: 9580 7976

STAFF GRIEVANCE POLICY

Mandatory – Quality Area 4 & 7

PURPOSE

This policy provides guidelines to ensure that:

- clear procedures exist to support the staff employed at Aspendale North Kindergarten to bring forward grievances and/or concerns to management representatives; and
- the management and administrative processes support and facilitate the timely and positive resolution of these concerns with respect to all parties.

POLICY STATEMENT

1. VALUES

Aspendale North Kindergarten aims to maintain a harmonious work environment. This policy aims to assist staff and management to resolve staff grievances and concerns effectively and to the satisfaction of all concerned.

Aspendale North Kindergarten is committed to addressing staff grievances in a prompt and effective manner. The rights of an employees will be respected in the grievance process. Both the employer and employee will abide by their obligations under the relevant industrial award or agreement. The aim of the policy is to ensure that grievances are resolved by discussion between the parties. The employer recognises that, from time to time, individual employees may have grievances that need to be resolved in the interest of good relationships.

2. SCOPE

This policy applies to staff employed at Aspendale North Kindergarten and the Committee of Management

3. BACKGROUND AND LEGISLATION

From time to time, individual employees may have grievances related to their employment that need to be resolved to maintain positive working relationships. All parties to a

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grievance should try to resolve the matter informally through discussion, proceeding to a formal process only if this does not succeed.

Relevant Agreements/Awards

Victorian Early Childhood Teachers and Educators Agreement 2016 (VECTEA 2016)

PROCEDURES

- Confidentiality is to be respected at all times. Information about a grievance will not be disclosed or discussed outside of the grievance proceedings
- A staff member who has commenced a grievance process may withdraw and stop the process at any time without penalty
- No staff member will suffer any personal or professional advantage or disadvantage because of their decision to pursue a grievance in accordance with this policy and procedure.
- Employees may elect to have a support person of their choice present as a witness at any meetings or interviews
- Employees may request the attendance of a union representative at meetings when consistent with a federal award or industrial agreement.
- The Committee of Management will endeavour to ensure that grievances are resolved without unnecessary delay and that the principles of procedural fairness are followed.
- Until the grievance is resolved, work shall continue as normal.

Step 1: Direct resolution

Staff members who wish to raise a grievance should, in the first instance, attempt to resolve the issue directly with his / her immediate supervisor, or in the absence of an immediate supervisor, a nominated representative of the employer.

Step 2: Line Management

If matters are not resolved, the staff member still feels aggrieved, or the staff member is unwilling to raise the issue with, a person outlined in Step 1, the staff member should raise their grievance with the a member of the Executive of the Committee of Management. Staff will move through each level only if they consider that their grievance has not been resolved.

Step 3: If No Resolution

As per the 'Grievance Procedure' outlined in the Victorian Early Childhood Teachers and Educators Agreement 2016, the following procedure will apply:

If the grievance is still unresolved a meeting of the parties shall be arranged at the request of any party. It is agreed that as far as is reasonably practicable a meeting be arranged within seven business days from the date that the full and complete details of the grievance

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was notified to the employer. Where resolution of the grievance is not achieved within seven business days then the period may be extended to a maximum of fourteen business days or a longer period as agreed between the parties, with such agreement not to be withheld unreasonably.

Until the grievance is determined, the employee shall continue normal work unless he or she has a reasonable concern about an imminent risk to his or her health or safety. If the employee raises a reasonable concern, they must comply with a direction given by the employer to perform other available work unless:

- the work is not safe; or
- applicable occupational health and safety legislation would not permit the work to be performed; or
- the work is not appropriate for the employee to perform; or (iv) there are other reasonable grounds for the employee to refuse to comply with the direction.

No party shall be prejudiced as to the final settlement by the continuance of work.

A nominated representative of the employee or employer shall be entitled to participate in any discussion(s) between the parties' subject to the giving of three business days' prior notice by either party or at an earlier time by mutual agreement.

If the grievance is not settled, the matter may be referred by either party to the Commission for resolution.

At any time during the grievance process, the parties may agree to attempt to resolve the matter through a process of mediation. The mediation process and cost associated with this process will be agreed to by the parties. The procedures under this clause will be suspended while a mediation process is being followed.

Step 4: Resolution and Documentation

When a grievance is resolved, the relevant parties will be notified accordingly. Where it is considered appropriate to document outcomes of a grievance procedure, it will be placed on the employee's staff record and a copy given to the employee. Any document/s will remain entirely confidential and will not be disclosed to any person/s involved outside of the grievance or resolution process. Any such documentation will be destroyed after a period of 12 months if no further issues arise.

Note: The employer may refer to and rely on the Disciplinary Procedures contained within the Victorian Early Childhood Teachers and Educators Agreement 2016 to address alleged misconduct.

Key Responsibilities

- The Committee of Management are responsible for approving any changes to this policy
- The staff are responsible for raising grievances in line with this policy.

EVALUATION

To assess whether the policy has achieved the value and purposes, the Committee of Management will:

- monitor complaints received in relation to staff grievances; and
- take into consideration feedback on this policy from employees and members of the Committee of Management

AUTHORISATION

This policy was adopted by the Approved Provider of Aspendale North Kindergarten in 2015 and reviewed in August 2019

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