

GRIEVANCE AND DISPUTE RESOLUTION

Approved by Board Minute: 5687



Date: 9 / 12 / 2008

Company Secretary

APPLICATION:

This policy applies to all PCQ employees and others acting on behalf of PCQ.

PURPOSE:

To provide an avenue through which PCQ employees can resolve work-related complaints or other matters about which they are aggrieved in their capacity as employees as they arise.

POLICY:

PCQ is committed to developing and maintaining an effective, timely, fair and equitable grievance and dispute handling system which is easily accessible.

For the purpose of this policy, a grievance exists where a staff member lodges a complaint or notifies a grievance according to the procedures set out in this policy. The grievance procedures do not replace or modify procedures or responsibilities which may arise under statute or any other law.

POLICY PRINCIPLES:

1. Grievance resolution is an integral part of a manager's or supervisor's duties. It is the primary responsibility of the supervisors to identify, respond to and address problems in the workplace and to ensure that victimisation of either the complainant or a respondent does not take place.
2. The grievance resolution process will be conducted as expeditiously as possible.
3. The principles of procedural fairness will be observed. These principles include:
 - a. Any person who is subject to of a grievance must be informed of the allegations in relation to their behaviour;
 - b. They must have full opportunity to put their case forward;
 - c. All parties to the complaint must have the right to be heard;
 - d. All relevant submissions and evidence must be considered;
 - e. Irrelevant matters must not be taken into account; and
 - f. The decision maker must be impartial and fair in their dealings with the parties.
4. Confidentiality will be respected and maintained at all times within the constraints of the need to fully investigate the matter, subject to any legal requirements for disclosure.
5. Staff members should be advised that they are entitled, if they so request, to a representative at all stages.
6. Whilst a dispute or grievance is being dealt with, work must continue in accordance with usual practice provided that the employee does not have reasonable concern about an imminent risk to his or her health or safety

7. The allocation of any costs associated with a dispute process will be as agreed between the parties on a case-by-case basis, or if no agreement can be reached, each party shall meet its own costs.
8. At any time industrial action is threatened or taken, PCQ must inform Department of Employment and Industrial Relations as soon as possible.
9. Victimisation of employees who raise a grievance will not be tolerated by PCQ. Disciplinary action may be taken against any employee or Manager who victimises or retaliates against a person who has raised a grievance, is involved in a grievance or in an investigation of a grievance.

Employees engaged under the Collective Agreement

In the situation where an employee engaged under the Collective Agreement believes that they have a justifiable complaint, they must follow the formal processes set out in the Collective Agreement.

All employees are to be made fully aware of this process as part of their induction to the organisation.

Employees engaged under Executive Agreements

In the situation where employee's or others acting on behalf of PCQ who are engaged outside of the Collective Agreement believe they have a justifiable complaint, they must follow the formal processes set out in the Collective Agreement.

All employees are to be made fully aware of this process as part of their induction to the organisation.

Confidential Grievances and Complaints

If the employee is not comfortable with raising a grievance due to the requirement to identify themselves, they are open to discuss the matter confidentially with any member of the ACC or discuss a way to proceed through PCQ's Employment Assistance Program policy.

PROCEDURAL IMPLICATIONS:

Related policies:

- Anti-Discrimination
- Organisational Structure
- Induction
- Code of Conduct
- Performance Agreements
- Managing Diminished Performance
- Complaints

Refer to Ports Corporation of Queensland Collective Agreement for the formal grievance process.

REVIEW DATE:

This policy should be reviewed by June 2012.

E08/37926