

FAIR TREATMENT PROCESS



Purpose:

To ensure that grievances are resolved by negotiation and discussed between the parties, it is recognized that from time to time individual employees may have grievances which need to be resolved in the interest of good relationships. The purpose of this policy is to outline Emprevo’s fair treatment process and how Employees and Supervisors can promptly, fairly and openly resolve any concerns.

Scope:

Emprevo encourages Employees to resolve grievances with the initial parties as soon as possible. It is the responsibility of all Employees to follow the fair treatment process and to ensure confidentiality throughout processes.

Policy:

The fair treatment process aims to balance the needs of Employees with those of the business that you are employed in. While Emprevo endeavours to have a flexible approach to work, sometimes it is difficult to precisely match employment and business needs. If an Employee and the Supervisor cannot quickly resolve an issue to mutual satisfaction, then the fair treatment process should be followed.

Term	Definition
Fair Treatment Process	<ul style="list-style-type: none"> › Should be prompt, simple, accessible and effective in resolving concerns › All Staff are to be treated in a fair, open and honest manner by their fellow colleagues and Supervisors at a worksite › Until grievance is determined, work should continue normally in accordance with established custom and practice unless it is deemed unsafe. › Enables Employees to appeal against a decision or against the application of a policy where the employee believes they have been unfairly or unjustly treated › Has an agreed escalation process
Third Party	<p>Manager/supervisor or Employee may want a third party present during the discussion/s – confidentiality must be stressed</p>
Resolution	<ul style="list-style-type: none"> › Responsible for taking any agreed action to resolve the concerns. This might include seeking advice from others including Emprevo staff before taking action. The aim should be to resolve the concern locally › Consider all decisions and the possible impact on Emprevo Employees, site Employees and the Client.
Investigation Process	<ul style="list-style-type: none"> › It is the responsibility of the Emprevo Representative in consultation to resolve the grievance in a sensitive and confidential matter using the Investigation Meeting Notes form. › Upon receipt of the Employee Fair Treatment Form the Emprevo Representative should to hold initial discussions to determine the nature of the grievance and the Employee’s desired outcome. › Options for resolution of grievance and possible outcomes are to be discussed with the complainant: <ul style="list-style-type: none"> › Substantiated › Not substantiated › Vexatious, staff found to have made vexatious complaints may have disciplinary taken against them › Ensure Employee understands that for an investigation to be undertaken the respondent must be advised of the nature of the allegations and who has made them. › Advise the Employee that they must maintain confidentiality and only discuss the grievance with those involved in managing resolution of the grievance, their representative or support person. Failure to do so may result in disciplinary action. › Additionally, all parties are required to maintain confidentiality and only discuss the grievance with those involved in managing resolution of the grievance, their representative or support person. › Advise the complainant they have a right to be free from victimisation as a result of lodging the grievance, and they may not victimise or treat detrimentally others involved with the grievance, such as the respondent or witnesses. › Advise the Employee of the right to have a support person during the resolution process. › Parties to the grievance may also have a support person or representative present during the process. › Notes are to be taken during the investigation (using the Investigation Meeting Notes form) and grievance resolution process, this is to be recorded and retained on the Employee’s file. › Where it is found, on the balance of evidence, that the Employee has been aggrieved by another party at a Client site, the Emprevo Representative must seek a formal method of conciliation process from that Client to the aggrieved Employee’s satisfaction and ensure that the agreed conciliation outcomes are implemented in a timely and satisfactory manner.

Escalation Process:

Procedure	Responsibility	How
Employee has an issue with a peer or colleague	Employee	<ul style="list-style-type: none"> › In the first instance, the employee is to attempt to raise the issue directly with the person concerned. If the matter is not resolved or may exacerbate the situation, the grievance should be lodged (Employee Fair Treatment Form) with the employee's Supervisor and Emprevo on a confidential basis. › Both parties should seek to understand the other's point of view and come to an amicable and workable solution. › Where the grievance may have resulted in injury to the complainant a staff incident form is to be completed by the site Supervisor and Emprevo contacted immediately.
Employee has an issue or does not agree with a decision	Employee	<ul style="list-style-type: none"> › Raise concern promptly with their Supervisor then try to resolve it by informal discussion/s. › If matter not resolved then the Supervisor needs to escalate to Emprevo.
Escalation to Emprevo	Client Contact Person at Emprevo	<ul style="list-style-type: none"> › Once the Emprevo has formally been advised that a grievance has been raised it must be attended to within seven days or as mutually agreed upon between the Employee and the Client. › Until the grievance is determined, work shall continue normally according to the custom or practice existing before the grievance arose. No party shall be prejudiced on final settlement by the continuance of work.
Concerns Raised	Client Contact Person at Emprevo	<ul style="list-style-type: none"> › Ensure issue is acknowledged and resolved (and escalated if appropriate) within a reasonable timeframe – (max 48 business hours) › Ensure Employee understands the fair treatment process
Matter NOT settled to mutual satisfaction	Employee, Supervisor and Emprevo representative	Manager to advise HR, and/or their representative, of employee concerns and measures that have been made to resolve the issue so far so that they may endeavour to resolve the issue
Matter still unresolved	Employee, Client and Emprevo management workplace representative	<ul style="list-style-type: none"> › Review issue/s and undertake to settle issue after consultation with the initial parties
Matter still unresolved	Employee, Senior level Client workplace representatives and Senior Emprevo management representative	<ul style="list-style-type: none"> › Independently review grievance/s and endeavour to settle issue after consultation with the initial parties › In the event that the matter still cannot be resolved, the Employee may ask to have the matter referred to Fair Work Commission.
Grievance Still unresolved	Fair Work Commission	The decision of the Fair Work Commission shall be binding to all parties.

Related Policies:

- › Emprevo Code of Conduct
- › Contract of Employment – Office Staffing Services
- › Employee Privacy & Confidentiality

Related Forms:

- › Employee Fair Treatment Form
- › Investigation Meeting Notes