



Grievance Resolution Management Specification

Brief description

This Specification provides instruction on the process to resolve work-related grievances.

Document information

Current version	#1686639v7
First released	28/05/2021
Last updated	18/01/2024
Review frequency	Every 2 years or as required
Review before	18/01/2026
Audience	Executive Leadership Team and Employees

Document accountability

Owner	Executive General Manager People
Custodian	Manager HR Operations

Endorsed by **Executive Leadership Team on 18 January 2024**

If you require any further information, please contact the Custodian.

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The current version of this Specification is available on GPC's Intranet.

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1 Terms and definitions

The following key terms and definitions apply to this Specification:

“**Industrial Instrument**” means an applicable modern award or enterprise agreement including the *Gladstone Ports Corporation Enterprise Agreement*, *Gladstone Marine Pilots Agreement* and the *Gladstone Pilot Transfer Crew Agreement*.

Terms that are capitalised and not otherwise defined in this Specification are defined in the GPC Corporate Glossary Instruction (as listed in Appendix 1 – Related documents).

2 Introduction

2.1 Purpose

GPC encourages Employees to speak up and report inappropriate behaviour in the workplace and suspected breaches of GPC’s Code of Conduct and other policies and procedures.

This Specification sets out how an Employee can raise a potential grievance and establishes procedures to enable the grievance to be dealt with fairly, sensitively and in a timely matter.

The Grievance Management Specification provides GPC Employees with an effective and practical means of bringing any grievances that may arise to light and resolving those grievances.

2.2 Scope

This Specification applies to Executive Leadership Team and Employees.

This Specification may be reviewed, varied, added to or withdrawn by GPC. This Specification, and any amendments to it, do not form part of an Employee’s employment contract.

2.3 Objectives

The objectives of this Specification are to:

- encourage open communications between Employees and their Managers / Supervisors;
- ensure that there is a framework for Employees to raise and discuss any grievances and for GPC’s compliance with its duty of care and work health and safety obligations;
- encourage the prompt resolution of any grievances in a fair and practical manner;
- ensure all parties maintain the highest standards of personal and corporate integrity, responsibility, openness and accountability; and
- resolve grievances at the earliest possible stage.

3 GPC Specification

3.1 Grievances

Issues that may give rise to a grievance include, but are not limited to, the following:

1. an issue relating to the interpretation of terms and conditions of employment or application of GPC’s policies, standards, specifications/procedures etc.;
2. conflict/disagreement/disputes between Employees about a work-related matter or a matter connected to work;

3. concerns of unfair treatment in the workplace;
4. an issue relating to health, safety and the work environment;
5. concerns of bullying, harassment, sexual harassment, discrimination or inappropriate behaviour.

3.2 Raising a grievance

GPC provides its Employees with the following main avenues to address grievances:

1. resolving the grievance informally through direct resolution with the person the Employee is concerned about;
2. reporting the grievance to the Employee's Supervisor, Manager or Human Resources, this may result in the Employee's grievance being investigated or otherwise addressed in accordance with GPC's processes and procedures;
3. having the grievance dealt with under the grievance/dispute resolution process in an applicable Industrial Instrument; and/or
4. disclosing the grievance in accordance with GPC's Public Interest Disclosure Procedure. This Specification does not apply to any disclosures made in accordance with GPC's Public Interest Disclosure Procedure.

Which option the Employee prefers will depend on their level of comfort with the option as well as the seriousness and nature of the grievance.

Leaders will receive additional guidance on how to manage Public Interest Disclosures in accordance with the *Public Interest Disclosure Act 2010* by way of dedicated training.

3.3 Resolving the grievance informally

GPC supports openness, professional behaviour, respectful relationships and transparency, so if an Employee has a grievance, in the first instance, GPC encourages the Employee to raise it directly with the person involved. This should help to ensure that the other person is fully aware of the grievance, that their behaviour is unwelcome, or that the Employee believes it is unacceptable.

This recommended approach will often resolve the issue quickly and effectively. However, if informal approaches do not resolve the Employee's concerns, or if the Employee is not comfortable with raising their concerns directly with the other person, or if it involves a serious breach of GPC's Code of Conduct, the Employee should raise it with their Supervisor, Manager or Human Resources, or through GPC's independent, confidential reporting hotline on 1800 693 362.

3.4 Reporting the grievance

Employees may report the grievance to the Employee's Supervisor, Manager or Human Resources, or if applicable GPC's confidential reporting hotline on 1800 693 362. GPC will review the grievance and consider appropriate processes and take steps to make initial contact with the Employee who reported the grievance within three business days after the grievance is reported.

If the grievance involves allegations against the CEO, the Employee may report the grievance on 1800 693 362.

The Employee's grievance may be investigated or otherwise addressed, as appropriate. Investigation is an appropriate option for more serious issues such as sexual harassment, discrimination, bullying or where a substantive issue cannot be otherwise resolved. An independent and impartial investigation enables GPC to clarify what has occurred and allows GPC to consider the best course/s of action to resolve the issue.

If the grievance involves allegations of misconduct by an Employee (such as breach of GPC's Code of Conduct or Discrimination, Harassment and Bullying Standard), GPC will follow the Managing Discipline Specification.

Employees are required to participate and cooperate throughout the investigation process, including providing relevant information.

Leaders are empowered to support Employees in appropriate resolution of reported grievances and notification and escalation of grievances as necessary to higher levels of management or Human Resources. Leaders may seek assistance from Human Resources in applying this Specification.

3.5 Grievance/dispute resolution process under an applicable Industrial Instrument

The Employee may seek to have the grievance dealt with under the grievance/dispute resolution process in an applicable Industrial Instrument. Where the grievance is about a matter that is covered by the dispute resolution process in an applicable Industrial Instrument, that process must be followed, however, GPC encourages the resolution of disputes by consultation and cooperation in a prompt manner.

4 Grievance handling procedures

4.1 Timeframes

GPC will deal with grievances within reasonable timeframes. The timeframe for resolving grievances will be dependent on a number of factors including, the seriousness and complexity, the number of allegations, the number and availability of witnesses and persons handling the grievance, and legislative reporting requirements.

Once GPC has reviewed the grievance and considered these factors and the appropriate process for dealing with the grievance (e.g. investigation or other form of resolution), GPC will inform the Employee of the process, the reasons that process is appropriate, and the estimated timeframes for that process. Should the process be delayed for any reason, GPC will keep the Employee informed. GPC will endeavour to ensure that it deals with the matter and all parties involved in a timely, transparent, and efficient manner having regard to the nature of the grievance and individual circumstances.

4.2 Confidentiality

Only the people involved in the attempted resolution or the investigation of an issue or grievance will have access to information about it. This means that only those people with a genuine role to play in helping to resolve an issue or grievance should know its details or discuss them.

GPC considers confidentiality one of the most important aspects of dealing with issues and grievances about unacceptable behaviour. However, in some circumstances information may not be able to be kept confidential, such as where physical threats are involved or the law otherwise requires it.

4.3 Communication

An important aspect of handling a grievance, is keeping the Employee, informed of the status or progress of the process being undertaking to deal with their grievance. A lack of communication could lead to the Employee feeling that their grievance has been forgotten, ignored or not taken seriously. It may also be impactful to others who are involved in the grievance.

Once an Employee who is a respondent to a grievance becomes aware of the grievance, it is also important to keep them updated or informed of the process at reasonable intervals.

GPC will engage with the directly impacted Employees in relation to the appropriate frequency of updates, taking into account what reasonable contact timeframes work best with their individual needs. A record of contact with directly impacted Employees, relating to the grievance, whether by a Supervisor, Manager, Human Resources, or Health & Wellbeing, should be maintained throughout the process.

4.4 No victimisation

No action will be taken against anyone for making or helping someone to raise a grievance, or for participating in an investigation. GPC will take all reasonable steps to support anyone raising an issue, making a complaint or participating in the investigation process, and to ensure that they are not victimised. Anyone found to have engaged in victimisation may face disciplinary action (up to and including termination of employment).

4.5 Support person

An Employee will be offered the opportunity to be accompanied by a support person of the Employees' choosing at any meeting held in accordance with this Specification. The availability of the Employee's chosen support person will not unduly delay the process. GPC may reasonably require an Employee to arrange for a different support person if GPC has concerns about the chosen support person (for example, where the support person is a witness or otherwise has a conflict of interest).

4.6 Representation

An Employee with a grievance or any other party to the grievance may choose to be represented at any stage of this Specification by an authorised union representative/s or representative/s of their choosing.

4.7 Frivolous or vexatious grievances

If an Employee is found to have raised a frivolous or vexatious grievance, that Employee may be subject to appropriate disciplinary action, which may include termination of employment.

4.8 Formal review without Employee's consent

GPC may consider it appropriate to initiate a formal review of the grievance without the consent of the Employee. In circumstances where this occurs, it is done to ensure GPC complies with its legislative obligations and/or to protect the health, safety and well-being of all Employees.

5 Support

Sometimes raising grievances can be difficult. GPC encourages its Employees to access its Employee Assistance Program on 1800 056 076 for free, confidential counselling if that would be of benefit.

Human Resources are available to support Employees and Leaders in accessing and applying this Specification.

6 Interaction with applicable Industrial Instruments

To the extent that there are inconsistencies between an applicable Industrial Instrument and this Specification, the Industrial Instrument will prevail.

7 Appendices

7.1 Appendix 1 – Related documents

Gladstone Ports Corporation documents

The following documents relate to this Specification:

Type	Document number and title
Tier 1: Policy	#1507461 Code of Conduct Policy #1439735 People Policy
Tier 2: Standard/Strategy	n/a
Tier 3: Specification/ Procedure/Plan	#960456 Managing Discipline Specification #1668203 Code of Conduct Procedure #941363 Public Interest Disclosure Procedure
Tier 4: Instruction/Form/ Template /Checklist	#1621179 Corporate Glossary Instruction
Other	Gladstone Marine Pilots Agreement Gladstone Pilot Transfer Crew Agreement Gladstone Ports Corporation Enterprise Agreement

7.2 Appendix 2 – Revision history

Revision date	Revision description	Author	Endorsed by	Approved by
01/05/2021	v1-5 Initial draft, consultation, published	Julian Blight, Manager HR Operations	Rowen Winsor, EGMPCC	EMT
01/05/2023	V6 Review	Annette Hughes, HR Specialist	EGM People, Jane Blackburn	ELT
18/01/2024	V7 review Following WHS Improvement Notice		EGM People, Jane Blackburn	ELT