



## South of Perth Yacht Club

### General Problem Resolution / Grievance Procedure

#### Policy:

Any dispute arising between SoPYC staff or staff and members that is unable to be resolved is to be referred to a mediator. The mediator is required to be a person who is accredited with the Institute of Arbitrators & Mediators Australia (IAMA) on whom the parties agree.

The following procedure shall be applied **prior** to mediation being undertaken:

- In the first instance, the dispute is to be resolved with your appropriate supervisor or delegated representative of management (Within 3 days).
- If the dispute is still unresolved within twenty-four hours, the matter shall be referred to Management.
- If the grievance is still unresolved after 24 hours, the General Manager and two other members, one chosen by each party, shall meet or may refer the situation to an acceptable third party for mediation (Within 3 days).
- Except in the instance of a bona fide safety issue, work shall continue normally in accordance with the custom and practice existing before the dispute arose, while discussions take place to resolve the issue.
- No party shall be prejudiced as to the final settlement by the continuance of work.
- Any resolution achieved with the assistance of a mediator will be final and binding on all parties to the dispute.

Grievances are to be recorded onto a Grievance Reporting Form and lodged with the General Manager.

Separate grievance procedures are legislated for occupational health and safety issues. Refer to the Occupational Safety & Health Act 1984 Part III, Division 6, Section 24.

#### Procedure:

Complete a grievance reporting form, stipulating the grievance and the expected outcome. Lodge this form with your supervisor or any other appropriate manager, or General Manager for action.

All grievances are investigated by management within a suitable timeframe. Should a grievance be retracted, management may decide to continue with the investigation and implement any actions as necessary to improve working relationships and work practices at the workplace.

#### General:

The following sections relate to behaviour by staff and members that South of Perth Yacht Club considers inappropriate.

It is important to note that bullying or harassment or consumption of alcohol or drugs is unacceptable and may result in termination of your employment by South of Perth Yacht Club without notice.

### **Breaches of this policy**

Employees who breach this policy will, on the first occasion be issued with a warning and encouraged to undertake treatment or counselling to assist them to comply with policy requirements. Employees who have been issued a warning and who commit a further breach of the policy will be subject to disciplinary action which may result in termination of employment without notice. Employees who believe that they will be unable to comply with this policy should discuss this issue with the General Manager

## **Harassment**

### **Policy:**

Harassment is any unwelcome, offensive comment or action concerning a person's race, colour, language, ethnic origin, gender, gender history, marital status, age, pregnancy, disability or political or religious persuasion. It is behaviour towards another employee which is intimidating or embarrassing. South of Perth Yacht Club does not condone harassment or bullying of any type.

It is the responsibility of all staff and Members to ensure that proper standards of conduct are upheld in the workplace and to ensure the work environment is free from all forms of harassment. Complaints of harassment are considered seriously and sympathetically and will be attended to promptly and confidentially.

Employees are required to immediately report any known or suspected harassment to either the employee's immediate supervisor or the General Manager. All reports are treated as strictly confidential. Any employee found to be in violation of the harassment policy will be subject to appropriate disciplinary action which may include warnings, suspension or dismissal.

### **Procedure:**

Inform the person immediately when their behaviour makes you feel uncomfortable, demanding that the behaviour stop. It is important that the person be made aware that you do not appreciate their behaviour. This should happen as soon as possible after the behaviour took place.

Report the behaviour to your immediate supervisor or appropriate manager.

Complete the grievance report form and hand it to an appropriate manager.

Follow the process as set out in the grievance procedure document if appropriate.

## Bullying and Occupational Violence

Workplace bullying and violence are unacceptable and against the law.

South of Perth Yacht Club (SoPYC) is committed to ensuring that bullying and occupational violence does not occur amongst our employees or members.

Bullying is considered to be repeated, unreasonable behaviour directed toward an employee/member or group of employees/members that creates a risk to health and safety. It includes:

- verbal abuse or psychological harassment
- abusing an employee when they fail to achieve a work activity that is expected of them by a co-worker
- belittling or ridiculing an employee in front of a co-worker, subcontractor or member
- assigning meaningless tasks unrelated to the job
- giving employees tasks that they believe may injure them
- giving workers impossible assignments
- deliberately withholding information that is vital for effective and safe work performance.

Occupational violence is considered to be any incident where a person is physically attacked or threatened in the workplace, whether by a co-worker, subcontractor or member. It includes:

- any other type of direct physical contact such as fighting
- throwing objects
- attacking with knives, guns, clubs or any other type of weapon
- pushing, shoving, tripping grabbing
- any form of indecent physical contact.

Bullying and occupational violence is not tolerated. Any employee experiencing such actions should contact the General Manager immediately and in confidence.

Responsibility for implementation of this policy lies with the General Manager, and all staff shall be made aware of this policy. Department Managers shall work in conjunction with employees to review and update this, and other, policies and procedures annually.

A breach of this policy may initiate appropriate action such as loss of employment.

### **Procedure:**

Inform the person immediately when their behaviour makes you feel uncomfortable, demanding that the behaviour stop. It is important that the person be made aware that you do not appreciate their behaviour. This should happen as soon as possible after the behaviour took place.

Report the behaviour to your immediate supervisor or appropriate manager.

Complete the grievance report form and hand it to an appropriate manager.

Follow the process as set out in the grievance procedure document if appropriate.



South of Perth Yacht Club  
**EMPLOYEE GRIEVANCE PROCEDURE**  
**GRIEVANCE FORM 24.1**



## I. Grievance

Employee's Full Name:		Job Title:	
Home Address:		Work Telephone No. (    )    -    ext.	Home Telephone No. (    )    -
		Work E-mail Address:	Home E-mail Address:
Date Grievance Occurred:		Role Title:	
The issues are (use attachments if necessary):  			
The facts supporting this are (use attachments if necessary):  			
The relief I want is (use attachments if necessary):  			
Date:	Employee's Signature:		
<i>Grievances must be presented or mailed to the General Manager within 3 calendar days with certain exceptions. If the grievance alleges discrimination or retaliation by the immediate supervisor or member, the grievance may be submitted to the next level supervisor in the line of supervision.</i>			
Tick if you decided not to present this to your immediate supervisor because (tick one): Discrimination or Retaliation by Immediate Supervisor Expedited Process			

## II. First Resolution Step

Date Received:		Action:	
Response (use attachments if necessary):  			
Date:	Respondent's Signature:	Telephone No.: (    )    -	
Date Received: _____			
Employee's response (Tick one): <div style="display: flex; justify-content: space-between;"><div style="width: 45%;">I conclude my grievance and am returning it to the General Manager.</div><div style="width: 45%;">I want the General Manager to determine whether I have access to the grievance procedure.</div></div> <div style="display: flex; justify-content: space-between;"><div style="width: 45%;">I advance my grievance to the second step.</div><div style="width: 45%;"></div></div>			
Employee's comments (optional - use attachments if necessary):  			
Date:	Employee's Signature:		
<b>NOTE: The employee is responsible for having the grievance delivered to the General Manager within three working days.</b>			

### III. Second Resolution Step

Date Received:		Date of Meeting:
Response (use attachments if necessary):		
Date:	Respondent's Signature:	Telephone No.: (   )   -
Date Received: _____		
Employee's response (Tick one):		
<input type="checkbox"/> I conclude my grievance and am returning it to the General Manager. <input type="checkbox"/> I advance my grievance to the third step.		
<input type="checkbox"/> I want the General Manager to determine whether I have access to the grievance procedure.		
Employee's comments (optional - use attachments if necessary):		
Date:	Employee's Signature:	
<b>NOTE: The employee is responsible for having the grievance delivered to the General Manager within three working days.</b>		

### IV. Third Resolution Step

Date Received:		Resolution:
Response (use attachments if necessary):		
Date:	Respondent's Signature:	Telephone No.: (   )   -
Date Received: _____		
Employee's response (Tick one):		
<input type="checkbox"/> I conclude my grievance and am returning it to the General Manager. <input type="checkbox"/> I request qualification of my grievance.		
<input type="checkbox"/> I want the General Manager to determine whether I have access to the grievance procedure.		
Employee's comments (optional - use attachments if necessary):		
Date:	Employee's Signature:	
<b>NOTE: The employee is responsible for having the grievance delivered to the General Manager within three working days.</b>		