

Checklist

Employee Grievance Checklist

The Office of the Public Sector Standards Commissioner's grievance resolution checklist (the checklist) contains some of the key actions associated with managing an employee grievance in accordance with the grievance resolution standard.

The checklist provides a framework for agencies to incorporate their individual requirements. The checklist is not intended to be prescriptive or to replace an agency's own relevant policies and procedures.

The checklist is applicable throughout all stages of the grievance resolution process and should be regularly referred to including prior to commencement, during and at the completion of the grievance resolution process.

The parties have been informed of their rights and responsibilities in the grievance resolution process.

Both the parties (complainant and respondent) have been provided with copies of the agency's employee grievance policy and procedure.

The parties have been advised they may request the presence of a support person for any meetings.

The parties have had the opportunity to have the agency's policy and procedure explained to them by an appropriate person.

The parties have had an opportunity to ask questions and clarify any issues relevant to the grievance with an appropriate person.

An appropriate person has clarified the grievance issues with the person who made the grievance.

Where the grievance relates to the alleged actions/behaviour of an individual or individuals, those people have been informed of the full details of the grievance and given an opportunity to respond

The agency has informed the parties of the timeline it intends to follow to keep the parties informed of their rights and responsibilities.	<input type="checkbox"/>
Delays in the process has been/will be explained to the parties.	<input type="checkbox"/>
The agency has recorded and retained on the appropriate confidential file the process it has applied to keep the parties informed of their rights and responsibilities during the employee grievance process.	<input type="checkbox"/>
The agency has informed the parties of the actions being undertaken to address the issues raised in the grievance.	<input type="checkbox"/>
Further action required by the parties has been /will be identified and conveyed to the parties.	<input type="checkbox"/>
Strategies are in place to ensure appropriate confidentiality will be maintained.	<input type="checkbox"/>

The process is based on a proper consideration of the facts and circumstances prevailing at the time of the grievance

The grievance issues have been clarified with the person who lodged the grievance and ideally agreement reached on the issues to be covered.	<input type="checkbox"/>
If using external consultants ensure they have copies of all relevant documents, including the agency's policies and procedures, the grievance resolution standard and the scope of the grievance under consideration.	<input type="checkbox"/>
The agency has considered and identified if a grievance could be linked to a suspected breach of discipline prior to commencing a review of the prevailing facts and circumstances of a grievance.	<input type="checkbox"/>
If a suspected breach of discipline has been identified by the agency the two processes of grievance and discipline have been kept separate.	<input type="checkbox"/>
The agency has developed a policy/procedure for identifying and considering all of the issues raised in the employee grievance.	<input type="checkbox"/>

The agency's process of identifying all the issues has been documented. For example, in memorandums, letters to the parties the final report.	<input type="checkbox"/>
The person who conducts the consideration of the facts and circumstances is:	
• Impartial	<input type="checkbox"/>
• Is not a party to the grievance	<input type="checkbox"/>
• Does not have a conflict of interest with any of the parties	<input type="checkbox"/>
The decision takes into account all of the facts and circumstances. For example, covers all issues raised.	<input type="checkbox"/>
The agency has communicated to the parties the independent process for considering all the issues raised in the grievance.	<input type="checkbox"/>
Prior to making any conclusions, findings or recommended actions the agency has given the parties the opportunity to comment on the process for identifying and considering all of the issues raised in the grievance, and the opportunity to respond to those conclusion, findings and recommended actions.	<input type="checkbox"/>
The agency's process for considering all the issues includes informing the relevant parties about the outcome of the grievance.	

Decisions are impartial, transparent and capable of review

The investigation report has been quality checked to ensure that all areas of the grievance have been properly considered and addressed before a final decision is made.	<input type="checkbox"/>
The person who makes the decision on behalf of the agency is:	
• Impartial	<input type="checkbox"/>
• Is not a party to the grievance	<input type="checkbox"/>
• Does not have a conflict of interest with any of the parties	<input type="checkbox"/>

The process used to address the grievance has been adequately documented, and it:	<input type="checkbox"/>
<ul style="list-style-type: none"> Clearly and concisely describes the grounds upon which the final decision was made. 	<input type="checkbox"/>
The investigation report has been quality checked to ensure that all areas of the grievance have been properly considered and addressed.	<input type="checkbox"/>
The agency has provided enough information to the parties to enable them to understand how the decision was made.	<input type="checkbox"/>
The parties have been notified in writing of their right to lodge a breach of standard claim against the Grievance Resolution Standard, once a final decision has been made and the grievance process is complete. (Click onto the <i>Public Sector Management (Breaches of Public Sector Standards) Regulations 2005</i> for information setting out the notification requirements under the breach claim process.	<input type="checkbox"/>

Additional considerations

The importance of maintaining confidentiality and the implications of not doing so has been conveyed to the parties.	<input type="checkbox"/>
The parties have been provided with the opportunity and support to resolve the employee grievance informally, prior to escalating the issue to a formal grievance.	<input type="checkbox"/>
Mediation and/or conciliation have been considered as a means of resolving the workplace issue.	<input type="checkbox"/>
If using external consultants to mediate/conciliate/investigate a grievance, their experience and approach to grievance management has been checked to ensure they are consistent with the agency's philosophy and approach.	<input type="checkbox"/>
Grievance officers and /or staff dealing with grievances are able to provide information to the parties about alternative avenues to raise issues (e.g. Industrial Relations Commission, Equal Opportunity Commission, Corruption and Crime Commission, Public Interest Disclosures).	<input type="checkbox"/>