GRIEVANCE/DISPUTE RESOLUTION POLICY

1. PURPOSE

This policy articulates the procedures for resolving grievances/disputes within WWF-Australia and the rights and responsibilities of WWF-Australia employees regarding the resolution of grievances or disputes.

2. POLICY

2.1. Grievances/disputes in the workplace may arise for various reasons including, but not limited to; bullying, harassment or discrimination, grievances between a staff member/volunteer and their Manager/Supervisor or between staff members/volunteers; or issues related to internal WWF processes e.g. Performance & Career Development. All grievances/disputes are to be dealt with as detailed in this policy.

2.2. WWF’s approach to grievance/dispute resolution is to:
   • Minimise the frequency of disputes;
   • Provide clear procedures that allow every party involved in a grievance or dispute the opportunity to present their case; and,
   • Achieve a resolution that considers the points of view of every party.

2.3. During the resolution of a grievance or dispute work is to continue as normal unless there is an imminent risk to the health and safety of any persons.

2.4. The resolutions of employee grievances/disputes managed through this policy are to be treated with strict confidentiality and are to be addressed promptly and fairly.

3. SOURCES OF AUTHORITY

3.1. WWF complies with all Australian Federal and State legislation relating to the resolution and management of grievances/disputes in the workplace.

3.2. All WWF staff members are subject to Australian Federal and relevant State legislation relating to Grievance/Dispute Resolution.

Federal Legislation
   • Fair Work Act 2009 and related amendments
   • Clerks – Private Sector Award 2010
   • Professional Employees Award 2010 (Incorporates all amendments up to July 2017)
3.3. Australian Council for International Development

- ACFID Code of Conduct
  - Quality Principle 9 – Commitment 3 (manage people effectively and fairly)

4. OBJECTIVES

4.1. To ensure that all WWF-Australia staff members and volunteers understand their rights and responsibilities regarding the resolution of grievances/disputes.

4.2. To ensure that all staff members/interns/volunteers are provided with fair, timely and confidential grievance/dispute resolution process that considers the views of all parties.

5. SCOPE

5.1. This policy applies to all WWF staff, interns and volunteers at all WWF-Australia workplaces.

6. DEFINITIONS

Grievance: A complaint made on the grounds of a real or perceived unjust act.

For more definitions, refer to the Bullying, Harassment and Discrimination Free Workplace and the EEO policies.

7. RESPONSIBILITIES

7.1. Executive Management are responsible for:
  - Ensuring that all relevant legislation and WWF policies are adhered to.
  - Reviewing all formal grievances/disputes as they are presented and choosing an appropriate course of action.

7.2. People & Culture are responsible for:
  - Providing advice to all WWF staff regarding the relevant legislation.
  - Identifying and addressing legislative and policy non-compliance within WWF.
• Managing and/or coordinating grievance/dispute resolution procedures.
• Maintaining comprehensive records of all formal grievances.

7.3. Managers and Supervisors are responsible for:
• Understanding their role and participating effectively in the grievance/dispute resolution processes.
• Ensuring all staff members/volunteers are aware of the existence of the grievance/dispute resolution policy and understand the grievance/dispute resolution procedures.

7.4. All employees and volunteers are responsible for:
• Reporting and resolving any grievance at its inception, before it has the opportunity to escalate.
• Providing statements at the request of Managers/Supervisors and People & Culture if they are witnesses to a grievance issue.

8. PROCEDURES

8.1. There are two procedures available to staff members/interns/volunteers who wish to make a complaint; formal and informal. A staff member/intern/volunteer with a complaint can nominate which procedure they wish to follow (informal or formal) and can change their nomination after initiating a particular procedure.

8.2. Complainants may exercise their right to nominate and involve a third person during the grievance/dispute resolution process. This applies to both informal and formal processes.

8.3. The employer may be represented by an industrial organisation of employers and the employee may be represented by an industrial organisation of employees for the purpose of each procedure.

8.4. While a grievance/dispute resolution process is being conducted, normal work must continue unless there is an imminent risk to the health and safety of any persons.

8.5. The informal process is aimed at conciliating or mediating an acceptable outcome with speed, fairness and confidentiality.

8.6. For informal grievances/disputes relating to Bullying, Harassment or Discrimination:
• The complainant tells the person who is exhibiting bullying, harassing or discriminatory behaviour that they find their behaviour unacceptable and want it to stop.
• If the complainant feels that they cannot tell the person directly, or the unwelcome behaviour continues, the complainant may discuss the complaint with their Manager/Supervisor or People & Culture.
Options for resolving the situation are discussed between the complainant and their Manager/Supervisor with the aim of reso/ving the issue/s satisfactorily, equitably, and in accordance with WWF's responsibilities to provide a workplace free of bullying, harassment and discrimination.

If the behaviour persists, or the complainant is not satisfied with the outcome of the informal process, they may choose to make a formal complaint.

8.7. For informal grievances/disputes relating to general issues:

- The complainant discusses the grievance/dispute with their Manager/Supervisor.
- Options for resolving the situation are discussed between the complainant and their Manager/Supervisor or the People & Culture Director with the aim of resolving the issue/s speedily, satisfactorily and equitably.
- If a suitable resolution is not achieved, or if the complainant is not satisfied with the outcome of the informal process, they may choose to make a formal complaint.

8.8. The formal grievance/dispute procedures involve written complaints, formal interviews of the parties and witnesses, and the preparation of a written report and recommendation to the relevant Director or CEO for his/her action.

8.9. For formal grievances/disputes relating to Bullying, Harassment or Discrimination or General issues:

- The complainant contacts their Manager/Supervisor or the People & Culture Director and submits the complaint in writing stating the substance of their complaint and the remedy sought. See Note 1.
- The Manager/Supervisor approaches People & Culture and discusses the options available for resolving the grievance.
- The complainant, Manager/Supervisor and People & Culture meet to discuss the matter and clarify the issues.
- The Manager/Supervisor or People & Culture Director advises the relevant Senior Executive of the nature of the formal complaint.
- The People & Culture Director conducts/coordinates an impartial investigation and makes recommendations. The CEO has the discretion to appoint an external investigator to investigate the complaint and make recommendations.
- Where there is a dispute over facts, statements from witnesses and other relevant evidence will be gathered.
- A summary document of the complaint is provided to the person(s) complained about and they are given an opportunity to respond in a meeting with the Manager/Supervisor and People & Culture, the external investigator if appointed and any other involved external party (such as a employer or employee association).
- The Manager/Supervisor, People & Culture, (the external investigator if appointed, and other parties if involved) will develop a recommendation for the Senior Executive.
The Senior Executive considers the grievance based upon all available evidence obtained through previous procedures and after due consideration, decides on the appropriate course of action.

The course of action chosen by the Senior Executive is executed, in conjunction with any legislative bodies where applicable.

Note 1:
- If the alleged bully or harasser is the complainants Manager/Supervisor, People & Culture will notify and consult with the appropriate member of the Senior Executive.
- If the alleged bully or harasser is the People & Culture Director the Senior Executive may appoint a trained third party to manage the grievance.

8.10. In the event that a dispute arises from redundancy in the workplace the procedure to be followed would be the formal grievance/dispute resolution process detailed at 8.9.

9. CONFIDENTIALITY AND DOCUMENT CONTROL

- This policy is available on Habitat for all staff.

APPROVAL

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