



GUIDE FOR GRIEVANCE RESOLUTION

What to do if you have a dispute or grievance:

If members have a concern about an issue at work, we recommend they take the following steps:

1. Keep notes, diary records and copies of any paperwork that are relevant to the issue.
2. Talk to your local delegate or Union official about the issue if there is any more information that you need, or if you generally need some support.
3. If you want the matter resolved, use the USU Grievance Notification Form – Stage 1 attached to this flyer. This should be lodged with your employer.
4. If you are not satisfied with the response that is given, use the Stage 2 form to receive more assistance from your Union. Once we have received this form, an official will contact you to discuss the grievance further and your options.
5. If a matter cannot be resolved and the case needs to be dealt with in a tribunal, you will receive assistance in taking the matter further subject to the Union's policies and the merits of the case.

Your Rights and Obligations:

Every USU award and agreement contains a procedure for settling disputes. These procedures apply the following principles:

- ∞ Wherever possible, grievances should be resolved at the local level
- ∞ An employer is required to respond to the grievance in a reasonable time period. In some awards, such as the Local Government (State) award, time periods are set – in that case two working days. The USU recommends that wherever possible, initial attempts to resolve a dispute should occur within two days.
- ∞ Members are entitled to be represented by a USU delegate or official at any stage of the process.
- ∞ If an immediate supervisor cannot resolve a grievance, you are entitled to escalate the issue to higher levels of management.
- ∞ If the matters are still not able to be resolved, you are generally entitled to seek the assistance of the NSW Industrial Relations Commission (or in some cases the Australian Industrial Relations Commission) in resolving the matters.
- ∞ During the disputes procedure and while the matter is in the course of negotiation, conciliation and / or arbitration, the work practices existing prior to the dispute shall as far as practicable proceed as normal.
- ∞ You should be clear about the outcome you are seeking
- ∞ Both sides should be honest, fair and reasonable about the matters at issue



ORGANISER DISPUTE CHECKLIST



Organiser: _____

Dispute Location: _____

This form must be completed and attached to file.

(Please tick & attach if supplied)

Information Required	Tick	Dates	
Grievance & Dispute Form			
Background Information relating to dispute. Information will include: <ol style="list-style-type: none"> 1. Up to date details of address, home phone and mobile phone number; 2. Date first employed; 3. Occupation; 4. Weekly net Salary and any other non-wage benefits (such as a private use of a vehicle) ; 5. If the employee is from a non-English speaking background; 6. Any special requirements such as hearing or vision impairment; 			
Correspondence(s) to Employer			
Correspondence(s) from Employer. NB- If this is an application for relief of an unfair dismissal then the letter of termination must be included unless the letter was not provided by the employer.			
File notes from meetings			
Summary of documents			
Draft dispute notification			
Personal File (if relevant)			
Waiver Form signed and copy sent to member. The Waiver Form must be signed for all unfair dismissals or individual disputes.			

Membership Number & Financial Status_____

Contact person(s) at site and phone numbers: -

Other Unions involved (contact name(s) & phone numbers): -

Industrial Officer's notes:

Re: Court, Commission or Tribunal proceedings on behalf of myself

I understand that the Union exercises its own discretion as to whether it will undertake proceedings on my behalf.

I understand that the Union will, from time to time, review and assess my claim both in terms of its prospects of success and in terms of negotiations for settlement.

I understand that the Union will advise me as to its views on prospects of success and conciliation negotiations.

I understand that the Union may, in its discretion, decline to act on my behalf in the event I either decline to conciliate or refuse an offer that the Union considers reasonable and in the range of conciliation outcomes (having regard to all the circumstances or failure to appear at any pre-determined Court, Commission or Tribunal date). I understand in limited circumstances costs can be ordered against me and I understand the Union will not pay such costs.

I understand the Union will also review its continued involvement in the matter having reviewed documents and/or witness statements submitted by the employer.

For my part, I will co-operate with the processes put in place by the Union and/or the Court, Commission or Tribunal including making myself reasonably available for interviews for the purpose of either conciliation or the preparation of witness statements. In this regard I appreciate that I may be required to confer from as early as 7.00am through to as late as 7.30pm.

I know that I cannot presume that the Union will cover any travelling expenses or any forfeited earning in either attending before the Court, Commission or Tribunal for any purpose or in attending for interview. These expenses will not be recovered in any order of the Court, Commission or Tribunal.

I understand it is my obligation to endeavour to find suitable work having regard to my education, vocational skills and training whilst an application for Unfair Dismissal is pending. I similarly understand that it will be my obligation to continue to pay my Union fees whilst the matter remains pending.

It may be, that the employer will wish to be represented by persons who are legally qualified and I understand that it will be at the Union's sole discretion as to whether the Union shall authorise the expenditures of any monies for the purpose of providing assistance in either the preparation or presentation of this claim by persons who are legally qualified.

Appreciating all the above I request the Union to at least initiate Court, Commission or Tribunal proceedings on my behalf.

I understand that once my matter is concluded the Union will in normal circumstances archive my file and it will be destroyed in accordance with any lawful statutory legislation and the Union's policy.

I hereby accept all of the above conditions contained herein without duress.

Dated: _____

Name: _____
(please print)

Signature: _____