



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 GRIEVANCE CHECKLIST

Organiser: _____ Date: _____

This form is to assist officials who are handling a grievance after receiving a Stage 2 grievance form. Attempts should be made to resolve the grievance by negotiation before a request is made to file a dispute.

Officials should not handle a grievance unless a member is prepared to fill out the forms. They should however assist in filling in the paperwork if requested.

Steps attempted	Tick
Dispute notified with immediate supervisor	<input type="checkbox"/>
Attempts made to hold meetings with higher level of management	<input type="checkbox"/>
Formal correspondence sent to Employer from USU	<input type="checkbox"/>

Grievances will not be handled by the industrial section until both forms are filled out, and until the matter has been raised with management as provided by the Stage 1 form. This is to ensure that grievances follow the Award procedure and to maximise dispute resolution at the local level.

The following checklist is to assist in making sure that members have supplied all the relevant documentation and that this is attached:

Information Required	Tick
Stage 1 Grievance Form	<input type="checkbox"/>
Stage 2 Grievance Form	<input type="checkbox"/>
Chronology of events	<input type="checkbox"/>
All Correspondence(s) to Employer	<input type="checkbox"/>
All Correspondence (s) from Employer	<input type="checkbox"/>
File notes from meetings held	<input type="checkbox"/>
Personal File (if relevant)	<input type="checkbox"/>

N.B. This form must be completed and attached to file



GRIEVANCE NOTIFICATION FORM - Stage 3 AUTHORITY TO INITIATE PROCEEDINGS

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

I understand that the New South Wales Local Government, Clerical, Administrative, Energy, Airlines and Utilities Union ("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 understand that the Union may, in its discretion release information relating to this matter to its broader membership and in other publicly released material.

I know that I cannot presume that the Union will cover any travelling expenses or any forfeited earning in attending a 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 ongoing.

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 if appropriate.

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

Dated: _____

Name: _____
(please print)

Signature: _____