



Dispute Resolution Policy and Procedure

Owner: Dragline Cleaning Services Pty Ltd

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1 Introduction

This document sets out the Dragline Cleaning Services Pty Ltd (DCS) dispute resolution policies and procedures. All DCS Management, Supervisors, and Employees have the right to have their concerns heard by a relevant member of the DCS Management Team. This document aligns with the DCS Quality Management Plan and Safe Management Plan.

2 Values

DCS is committed to:

- Adhering to the principles of natural justice.
- The equal treatment of all parties to the dispute.
- Upholding the rights of both sides to be heard, respected and treated fairly.
- Ensuring neither party is victimised or discriminated against as a result of the dispute resolution process.
- Investigating all disputes and dealing with them as soon as practical.
- Ensuring adequate notice is given of the process that will be followed.
- Ensuring that the respondent is aware of the details of the concern.
- Providing an unbiased and impartial decision-maker to resolve the dispute.
- Substantiating the alleged facts of the case.
- The resolution, where possible, of disputes to the mutual satisfaction of those involved.
- Protecting the confidentiality of all parties involved and handling complaints in a discreet and practical manner.
- Providing clear procedures for making and dealing with comments and disputes.

3 Types of disputes that may be resolved under this policy

DCS encourages management, supervisors, and employees to promptly lodge concerns that include areas and situations such as:

- DCS management, supervisor, and/or an employee have done something incorrect
- DCS management, supervisor, and/or an employee who have failed to do something in which they were directed to do so
- DCS management, supervisor, and/or an employee who have acted unfairly or impolitely
- Issues relating to DCS management, supervisors, and/or employees' behaviour that are contrary to their relevant code of conduct
- Training programs, assessment and reporting of DCS supervisor and/or employee training
- Communication with DCS management, supervisors, and/or employees
- General administrative issues

4 Responsibilities

The following responsibilities apply to all levels within DCS.

4.1 Dragline Cleaning Services Pty Ltd

DCS has the following roles and responsibilities:

- Develop, implement, promote and act in accordance with this policy.
- Appropriately communicate this policy to DCS management, supervisors, and employees.
- Upon receipt of a dispute, manage the dispute in accordance with the procedures outlined in this policy.
- Ensure appropriate support is provided to all parties to a dispute.
- Take appropriate action to prevent the victimisation or action in reprisal against the complainant,

respondent or any person associated with them.

- Appropriately implement remedies.
- Keep appropriate records.
- Monitor and report on disputes.

4.2 All Parties to a Dispute

The complainant and respondent have the following role and responsibilities:

- Apply and comply with this policy.
- Lodge disputes promptly as soon as possible after the issue occurs or as otherwise appropriate.
- Provide complete and factual information in a timely manner.
- Not provide deliberately false or misleading information
- Not make frivolous or vexatious complaints.
- Act in good faith, and in a calm and courteous manner.
- Show respect and understand for each other's point of view and value differences.
- Act in a non-threatening manner.
- To be appropriately supported.
- Acknowledge that a common goal is to achieve an outcome acceptable to all parties.
- Recognise that all parties have rights and responsibility, which must be balanced.
- Maintain and respect the privacy and confidentiality of all parties.
- Not victimise or act in reprisal against any party to the dispute or any person associated with them.

4.3 Employees Receiving Disputes

Employees receiving disputes have the following role and responsibilities:

- Act in accordance with all DCS policies and procedures.
- Forward complaints to DCS Management.
- Maintain confidentiality and keep appropriate records
- Not victimise or act in reprisal against the complainant, respondent or any person associated with them.

5 Specific Employee Grievances

DCS is committed to providing a fair, safe and productive work environment where grievances are dealt with sensitively and expeditiously. An essential part of developing that environment is ensuring that DCS management, supervisors and employees are encouraged to come forward with their grievances in the knowledge that DCS will take appropriate action to address those grievances. Grievances that are not addressed have the potential to grow into major problems that can cause tension, low morale and reduced performance and productivity.

Any member of DCS may lodge a grievance regarding work-related problems. If, however, other procedures exist that more appropriately address the grievances (e.g. sexual harassment or unlawful discrimination), then that more appropriate procedure will be followed.

6 Implementation

- DCS is committed to raising awareness of this process for resolving disputes, including the development and implementation of this policy and procedures, and via clear support and accessibility of this policy and procedures.
- DCS is also committed to appropriately training relevant employees on how to resolve disputes in line with this policy and the related procedures.
- DCS will keep appropriate records of disputes and monitor disputes and their resolutions.

- DCS will act to managers, supervisors, and/or employees to contribute to a healthy workplace where disputes are resolved with as little formality and disruption as possible.

7 Procedure

- All disputes will be treated seriously and investigated according to these procedures.
- DCS Management, supervisors, and/or employees are encouraged, in the first instance, to discuss any comments, disputes or concerns they have about DCS or any member of the company with a relevant DCS Manager.
- The complainant may choose to address the dispute directly with the Director or general manager, in order to make the terms or basis of any dispute as clear as possible.
- The complainant may elect to have a support person present during any meeting.
- The General Manager will address all disputes and concerns promptly – in general, verbally within 24 hours and in writing within 5 working days.
- A record of all complaints and documents pertaining to a dispute will be documented in the employee's file and elsewhere as necessary.
- Those involved in a dispute will have the opportunity to present their point of view.
- DCS believes that both parties to a dispute have the right to confidentiality against which will be balanced the right of a person to know who is complaining against them.
- In the absence of a court order, DCS will endeavour to follow the information provided to it, however, we will not endanger any personnel if aggressive behaviour occurs.
- A court order must be supplied before access to an employee can be denied.

8 Dispute Resolution Steps

The following steps aid in matters of dispute resolution.

Step 1: Assessment of the Dispute

- DCS Management will endeavour to deal with disputes quickly, fairly and privately.
- If DCS Management cannot resolve the issue, they will encourage the complainant to address the complaint to the Director in writing.
- On the receipt of a dispute the Director will determine:
- Whether they can manage the dispute personally; or
- Whether the Director or their delegate will need to discuss the dispute further.

Step 2: Initial Management of the Dispute

If required, DCS Management may delegate authority to the Director, on the receipt of a dispute, to appoint a guidance office to deal with the dispute.

DCS Management will:

- Meet to deal with the dispute as soon as possible and will consider the nature and the details of the dispute.
- Inform the complainant of the procedure for dealing with the dispute.
- Give the complainant the opportunity to meet with them to discuss the dispute.
- Maintain appropriate records of the information and data collected and respect the confidential nature of information relating to the dispute.
- Manage any dispute in a discreet and professional manner. All written information relating to the complaints will be kept in a secure place with access limited to those appointed by DCS Management.

Step 3: Investigation of the Dispute

DCS Management will:

- Meet individually with all witnesses to any alleged incident, giving right of reply to the person or persons against whom the allegations are made in relation to any accusation or information relating to an alleged incident.
- Obtain any information or documentation that will assist them in trying to resolve the dispute.
- Review relevant information and documents.
- Seek advice, where appropriate, from individuals and organisations that may be able to help resolve the dispute.

Step 4: Resolution Stage

- DCS Management will wherever possible, endeavour to resolve the dispute by mutual agreement of the parties involved.
- If the dispute is resolved, DCS Management will report this to the Director and where appropriate, set out the terms of any recommendation to be considered by the Principal or their delegate.
- If the dispute has not been resolved to the satisfaction of the parties involved, or decisions require the Director's approval, DCS Management will refer the matter to the Fair Work Australia.

Step 5: Director Involvement

- Where an issue is referred to the Director, the DCS Management will provide a report and include relevant information they have gained in investigations and consultations concerning the dispute.
- The Director will review the report and any recommendations from the DCS Management and decide on the action, if any, to be taken, including relevant review mechanisms.

Step 6: Report and Follow Up

- DCS Management and/or the Director will advise the complainant and other relevant parties, of any decisions that DCS has made in relation to the dispute and where appropriate, outline the company's reason for this decision and any action to be taken.
- Where a dispute is dismissed without any action being taken, DCS will outline the outcome of the investigation and provide clarification where appropriate.

9 References

- Quality Management plan
- Safety Management plan