

INTERCHANGE SHOALHAVEN INC

Staff and Volunteer Performance Dispute and Grievance Procedure

1. Staff and Volunteers Performance Dispute

The Staff and Volunteers performance dispute procedure is the procedure for dealing with issues of poor performance by a Staff person or Volunteer. The procedure provides Staff and Volunteers with an opportunity to improve their performance through training and trial periods.

The following is the procedure for dealing with a Staff or Volunteer performance dispute not involving misconduct which would result in instant dismissal.

Step 1: Verbal Warning

The employee or volunteer will be told as soon as possible of any complaint concerning the performance of his/her work and will be provided with an opportunity to discuss the complaint.

The employee or volunteer will be informed of this Dispute Procedures and the organisation's Grievance Procedure.

If appropriate, the Manager/Coordinator will, in consultation with the employee or volunteer, outline how the employee or volunteer must improve his/her performance. Any assistance needed by the employee or volunteer to improve his/her performance will be identified and provided where possible.

A date to review the employee or volunteer's performance will be set if required.

Step 2: First Written Warning

If at the time of review set in Step 1, the employee or volunteer's performance is still unsatisfactory, there will be further discussion with the employee or volunteer. This will include the employee or volunteer, a representative of their choice and the Manager/Coordinator.

The complaint against the employee or volunteer and plans for improvement will be recorded in writing and a copy given to the employee or volunteer clearly stating that a lack of improvement by a given time will result in a final written warning.

Step 3: Final Written Warning

If at the date set in Step 2, the employee or volunteer's performance has not improved, there will be further discussion with the employee or volunteer. This will include the employee or volunteer, a representative of their choice and the Manager/Coordinator. The complaint against the employee or volunteer and plans for improvement will be recorded in writing and a copy given to the employee or volunteer clearly stating that a lack of improvement by a given time will result in termination of employment.

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Step 4: Termination of Employment

If the problem still persists after the final written warning the employer may terminate the employment of the employee or volunteer. In the case of a Staff and Volunteers performance dispute between the Manager/Coordinator and the Board of Management, any dismissal must be by a majority vote of the Board. Detailed notes of these meetings will be recorded on the Employee or volunteers file.

The terminated employee or volunteer must be given information regarding unfair dismissal appeals process.

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2. Staff and Volunteer Grievance Procedure

The Staff and Volunteer grievance procedure specifies the procedures Staff and Volunteers can follow if they have a grievance about their employment conditions, their supervisor or the Board of Management.

Step 1

The employee or volunteer may approach their supervising Coordinator or Manager for discussion and advice on the issue. The discussion is confidential.

Step 2

If the problem is not resolved in Step 1 the employee or volunteer may put the issue in writing to the Manager and request that the issue be raised with the Board of Management at the next Board meeting.

The Board of Management shall make a decision on the issue and advise the employee or volunteer within 7 days.

Step 3

If the problem is not resolved in Step 2 the employee or volunteer may attend a meeting of the Board of Management and shall be entitled to address that meeting. The employee or volunteer may be accompanied by a representative of their choice. The employee or volunteer may request that their supervisor not be present while they address the meeting.

The Board of Management shall make a decision on the issue and advise the employee or volunteer of their decision within 7 days. The decision of the Board is final.

Appeal

The Coordinators, Manager and Board will ensure that their decisions are in line with the relevant Acts of Parliament which govern the employment of Staff and Volunteers.

If Staff and Volunteers feel that they have been unfairly treated, they may consult with the relevant Union or the Industrial Relations Commission of NSW.

If Staff and Volunteers feel that they have been unfairly discriminated against on the grounds of sex, race, etc. they may refer the issue to the Equal Opportunity Tribunal.

Staff and Volunteers should be made aware of their rights to consult with the Industrial Relations Commission of NSW or the Equal Opportunity Tribunal.

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Misconduct

Misconduct includes very serious breaches of agency rules which warrant the instant dismissal of an employee or volunteer or Board member.

Examples of misconduct include:

- theft of property or funds from INTERCHANGE SHOALHAVEN ;
- wilful damage of service property;
- intoxication through alcohol or other substances during working hours;
- verbal or physical harassment of any other employee or volunteer or consumer particularly in respect of race, sex or religion;
- the disclosure of confidential information regarding the organisation to any other party without prior permission;
- the disclosure of information concerning the consumers of the organisation other than the information that is necessary to assist consumers and to ensure their safety;
- carrying on a private business from INTERCHANGE SHOALHAVEN premises or using the service's resources for private business;
- Bringing dishonour to the organisation.
- falsification of any organisation's records for personal gain or on behalf of any other employee or volunteer;
- Failure to comply with the relevant Code of Behaviour.

This is explained to all workers and Board Members at Orientation