



## UNIT-8

## Dealing with Grievances at work

### Learning Outcomes

By the end of this unit the learner will be able to:

- ✓ Understand grievance procedures from the perspective of the employer and employee
- ✓ Know what to do in the event that an employee voices a grievance
- ✓ Discuss the options available for resolving potentially complex grievances

## Unit 8

### Dealing with Grievances at work

If you're a worker and you haven't been able to resolve a problem or concern informally by speaking with your manager, you can file a formal grievance complaint in writing.

Your employer should have a written grievance procedure that outlines what you should do and what will happen at each stage. Following the filing of the grievance, you will be invited to a meeting to discuss the matter.

If you disagree with your employer's decision, you can file an appeal.

Read Acas's guide to workplace discipline and grievances.

Mediation can also aid in the resolution of a problem, and it can occur at any point during the dispute.

#### Following the Acas Code of Practise

The Acas code of practise on disciplinary and grievance procedures should be followed by both you and your employer.

Otherwise, any compensation you receive could be reduced by up to 25% if you take your case to an employment tribunal.

#### Grievance Procedure

Your employer should document their grievance procedure and make it available to all employees, for example, on the company intranet or in the HR manual.

It should contain information on:

- How to write down the specifics of your complaint
- To whom you should address your letter
- Who to contact if the usual point of contact is involved in the complaint
- A meeting with your boss to discuss the situation
- How to challenge your boss's decision
- How long should each stage take?

#### The Grievance Hearing

##### Getting Ready for the Hearing

Employers should do the following before holding a hearing:

- Provide notice to the employee so that they can prepare their case

- If necessary, conduct a full investigation and obtain statements from any witnesses who are unable to attend,
- Make it clear that if an employee wants to, they can bring a colleague or a union representative.
- Appoint a second manager to attend the hearing to ensure that it is conducted properly
- Appoint someone to take notes

### Delays

If the employee is unable to attend the hearing (for example, due to illness), provide them with a reasonable alternate date and time.

If the person accompanying them is unable to attend, the employee can suggest a different time for the hearing. They must do so within 5 working days of the original meeting time you proposed.

If you meet the following criteria, you can make your decision without having a hearing:

- You've already rescheduled the meeting, but the employee does not show up.
- The employee is on long-term sick leave and won't be able to attend meetings anytime soon (they can supply written information instead if they want to)

### Employers' Decisions and Appeals

#### Following the Hearing,

A copy of the meeting minutes should be given to the employee. In some cases, you may be able to leave out some information (eg to protect a witness).

After you've decided on a course of action, write to the parties involved, explaining:

- Your choice and the reasons for it
- The procedure for filing an appeal and the deadline for doing so

It's critical to notify the employee as soon as possible if there are any delays in the appeal process.

#### Appeals

If the employee files an appeal, the decision should be re-examined at a new hearing. The procedure is the same as it was at the first hearing, but you should also consider:

- The reasoning behind the appeal
- Any new information

The appeal should not be heard by the same person who conducted the original hearing if at all possible.

You should write down your decision and state that it is the final outcome after the appeal hearing.

### **Mediation**

Mediation is when an independent, unbiased third party meets with you and your employer (or between you and another employee) to discuss a problem and try to find a solution. It's frequently used after informal discussions have failed to resolve the problem.

Mediation is a completely voluntary and private process. You or your employer cannot be forced to accept a solution by the mediator; both parties must agree on how to resolve the dispute.

It should not be used to investigate problems that require formal investigation (such as harassment or discrimination).

### **Grievance Meetings**

#### **What Happens at the Meeting?**

The meeting's goal is to establish the facts and come up with a solution to the problem. The meeting will be led by your boss. They'll usually go over the complaint and give the employee an opportunity to respond. If you wish, you may bring supporting documents.

#### **Who can accompany you to Meetings?**

You can be accompanied to grievance meetings (and any appeal meetings) by one of the following people:

- Colleague
- Representative of a trade union

Depending on your workplace's HR procedures, you may also be able to bring a family member or a Citizens Advice Bureau employee.

#### **Following the Meeting,**

Following that, the employer will send you a letter outlining their decision and including the following information:

- Specifics on any actions they plan to take
- Instructions on how to file an appeal

#### **Appealing a grievance decision**

The grievance procedure at your place of business will state:

- To whom you should address your appeal
- The deadline by which an appeal must be filed
- Any meetings that will be held information
- The manner in which the appeal meeting will be conducted

During any appeal meetings, you have the right to be accompanied. If at all possible, the appeal should be handled by a manager who was not involved in the process.

### Further Reading:

- ✓ *Essential Guide to Workplace Investigations, the: A Step-By-Step Guide to Handling Employee Complaints & Problems by Lisa Guerin J.D.*
- ✓ *Employee Complaint Handling: Tested Techniques for Human Resources Managers*
- ✓ *by Charles Boyd , D. Keith Denton*