



Contact and Grievance Officer Roles

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'making the workplace a better place to be'

When you select an employee to be trained as a First Point of Contact Officer, or a Workplace Grievance Officer, what is it that you're expecting them to do?

The Role of Contact Officer

Harassment Contact Officers have been a familiar presence in many workplaces since the early 1980s, when most were trained to deal with sexual and racial harassment. COs provide a confidential alternative to the line management system for dealing with complaints. Our research has shown that the presence of well selected, trained and supported network of COs can provide the following benefits:

- Presence alone has a positive impact on workplace conduct.
- Line managers are freed up when COs function effectively.
- Contacts and concerns are resolved at the lowest possible level, with the least amount of resources.
- Focus is on resolving incidents and returning to smooth operation of the workplace.
- Less formal approach preserves 'face' issues for parties involved.
- No documentation is placed on anyone's file.

COs are employee volunteers who provide support and information to others. They have been selected because they have demonstrated themselves to be trustworthy, sensitive, supportive and confidential.

Employees are usually drawn to the role because of a keen interest in people, fairness and justice. On some occasions they are motivated because of their personal experiences of grievance matters. This can be a plus if the personal experience has been resolved and the motivations are ethical.

COs are in a unique position as legitimised listeners. They hear about matters that are emotionally charged and distressing. They may receive reports and allegations about employees they work with. Managing such information requires a clear understanding of legal concepts including qualified privilege and confidentiality.

The role requires a level of emotional competency sufficient to remain impartial, withhold judgments or blame and differentiate the level of confidentiality required, whether it be 'one-to-one confidentiality', 'professional confidentiality' or 'need-to-know confidentiality'.

COs need to understand the limits of their role and be supported by the organisation to carry out the function effectively.

The value of effective COs and GOs can be measured in terms of decreased incidents, speedier resolutions and reduced turnover.

The Role of Grievance Officer

So, lets turn our attention to the Workplace Grievance Officer and identify the similarities and differences in role.

A Grievance Officer does everything that a Contact Officer does, and more!

The origin of the role is similar to the Contact Officer and GOs need to be confidential and impartial in their approach to matters. These days those carrying out Grievance Officer roles are most likely to be in organisational support functions including HR, ER, EEO, OHS or are from core business functions and have been selected because of personal or professional skills required in the role.

When selecting appropriate training, your Contact and Grievance Officers, will benefit from a program that offers action-based training.

Scenario work with skilled action-trainers provides participants with an opportunity to develop and practice skills in a supportive learning environment.



The primary function of a grievance officer is to facilitate the resolution of concerns or complaints that are covered by relevant legislation or organisational policy.

Grievance Officers have additional authority and responsibilities related to the management and resolution of matters. If required, grievance officers may be authorised to:

- Raise the matter with a respondent.
- Provide conciliation processes to resolve matters.
- Undertake preliminary investigations.
- Undertake a formal investigation at the directive of the employer.
- Work with line management and others to ensure the matter is resolved and the relevant policy is upheld.

Do Grievance Officers investigate complaints?

- Investigation is a formal process to get more information to clarify the situation, and establish the facts.
- It usually involves information gathering, information management and reporting. Investigations usually culminate in a report being written.
- GOs may be requested to undertake some investigation activities but they should not initiate investigations without proper authorisation or the requisite skills.
- Contact Officers do not investigate.

Do Grievance Officers mediate complaints?

- Mediation is a process of agreed negotiation which aims to resolve conflicts or complaints by using a third party in a face-to-face environment.
- The mediator will meet with the parties and assist them to reach an agreement and ensure the relevant organisational policy is upheld.
- In our experience, most issues brought to the attention of the GO are not suitable for mediation and require a management intervention, conciliation or investigation.

(See out article and checklist in July 2001 newsletter at www.jetson.net.au for "When to Mediate and When To Manage".



Common Costly Mistakes

The three most common mistakes COs and GOs make include:

- **breach confidentiality**
- **act outside role boundaries without authority**
- **fail to act impartially**

Each one of these can have significant consequences, as reported by those employers who have been faced with dealing with defamation claims; breach of process actions and IR challenges.

Course Assessment and Competencies

To assist employers meet the requirement of 'all reasonable steps', we offer assessment of competencies in our Contact and Grievance Officer training.

The program is accredited to Sally Jetson & Associates own local qualification, the Certificate of Grievance Management.

Sally Jetson & Association: Certificate of Grievance Management (Module 1)

- CGM 1A. *Understanding sources and types of workplace complaints*
- CGM 1B. *Understanding relevant policy/legislation governing workplace complaints*
- CGM 1C. *Understanding your role in managing workplace complaints*
- CGM 1D. *Skills to assess types, seriousness and impact of complaints*
- CGM 1E. *Skills to manage or resolve workplace complaints*
- CGM 1F. *Ability to monitor self in grievance resolution*

Additional SJA Modules in the Certificate of Grievance Management Include:

- Workplace Conciliation Skills (Module 2)*
- Workplace Inquiry/Investigation Training (Module 3)*

What does assessment of competencies mean?

Participants seeking assessment need to satisfy the full attendance and participation criteria for the program, and submit a short assignment upon completion.

What are the benefits for employers and participants?

Some employers now require their Contact Officers and Grievance Officers to be assessed before they can function in the role*.

If a participant is assessed as 'competent' it means that they have been able to demonstrate the competencies required to carry out the role. For the employer, this means that you know exactly what they've been trained to do. It reduces anxiety about whether they can actually do what they've been taught to do.

In addition to receiving a "Certificate of Attendance", participants receive a "Certificate of Competency" that lists the relevant topics in which they have demonstrated competency.

It is formal reassurance for employer confidence in this employee carrying out the role you've selected them to do.



So what are the concerns that employers and employees have about assessment?

Employers: *It's hard enough getting people to volunteer to do CO/GO roles, I don't want to put people off.*

In companies that have mandatory assessment in these roles, volunteers for the roles have increased, not decreased.

What about literacy levels and the assignment?

People from all backgrounds and levels of literacy complete and pass their assignments. Participants need to demonstrate that they understand the material, they don't need to write a book. Those with English as a second language seem to do very well in the short assignment, as they often have more confidence in their written skills, than their verbal skills.

What happens to people if they don't pass?

The 'pass' rate for the program is 95%. Participants work with highly experienced facilitators who want to see you enjoy the program, challenge yourself, and above all, do well.

For those who aren't able to meet the competency requirements, they can obtain coaching to improve their competencies or complete the program at a later date.

But I hate role-plays!

The scenario work is done in skilful, engaging and entertaining ways. Participants report accelerated learning in the action components of the program by observing the role training and participating in the group activities.

Training is expensive and we have to budget:

While employers may be tempted to make training investment decisions on the basis of cheapest price, this can be false economy if poor training results. Quality must be considered along with cost to ensure value for money.

Quality

Our training team for this program is qualified with:

- Tertiary qualifications at minimum
- Diploma in Training and Assessment System
- Train the Training Qualifications in Contact & Grievance Officer Training
- Qualifications in counselling, facilitation and psychodrama
- 15 years minimum in content expertise as workplace practitioners in EEO, IR, HR and workplace relations.
- Certified Practitioner, Conciliation & Mediation, IAMA
- General Certificate in Arbitration and Mediation
- MBTI, Advanced MBTI, FIRO-B (Accredited)
- Certificate III Investigative Services

Learning Methods

- Accelerated learning through action-based role training.

Clients

- Since 1991, over 5000 people trained in CO, GO and associated roles

Refresher

- Refresher workshops provided to ensure your COs and GOs knowledge and skills are up to date and your organisation can maintain 'all reasonable steps'.

Assessment and Management of Contacts and Complaints

It is the employer's responsibility to assess the nature of the matter and recommend the most suitable way of dealing with the situation.

Much of the time, Grievance Officers and HR personnel undertake this assessment role.

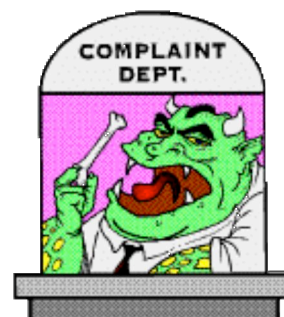
If a complainant, for example, has accused a fellow worker of an unlawful or criminal act, the employer would assess the situation and take suitable action in line with commensurate responsibilities.

It is important, therefore, to differentiate between minor concerns, concerns, complaints, grievances or disputes. It is also important to identify those issues more suited to a performance management approach from those that should be dealt with in the grievance procedure.

Remember, not every matter that an employee complains about constitutes a grievance. Conducting a proper assessment and identifying the best way to proceed will improve outcomes in such matters.

The employer has a right to make a judgment about the best way to manage a situation, even if the parties involved disagree. The judgment exercised by the employer will be in relation to a number of factors including:

- severity of the matter;
- history of the situation or the parties;
- legal requirements including duty of care and relevant legislation including industrial, OHS, EEO, criminal and common law;
- commonly accepted practice in the organisation or workplace for dealing with incidents;
- the requirements of any grievance policies and procedures, and
- extent to which the matter is:
 - interpersonal in nature,
 - affected by outside of work difficulties,
 - contributed to by other workplace factors,
 - team related,
 - work related,
 - unresolved conflict, or
 - in 'good faith'.



**Desirable Qualities and Competencies for
Workplace Contact Officers, Grievance Officers
and others dealing with harassment, discrimination and workplace
conduct matters.**

Listed below are six items of competency that form the basis of this training program.

1. Understand sources and types of workplace complaints;
2. Understand relevant policy/legislation;
3. Understand your role in managing workplace complaints;
4. Skills to assess types, seriousness and impact of complaints;
5. Skills to manage or resolve workplace complaints; and
6. Ability to monitor self in complaints resolution.

In addition to listing the general items of competency, we have identified a range of more specific skills and qualities relevant to the role. Your level of responsibility under your organisation's policy will determine to what extent these qualities apply to you.

1. LEADERSHIP *Includes the ability to:*

- 1.1 Be proactive in order to prevent occurrences of harassment or discrimination.
- 1.2 Develop within the team attitudes and behaviour which is respectful and inclusive of diversity including race, culture, gender, age, sexuality, disability etc.
- 1.3 Demonstrate flexibility in balancing business needs and Individual needs.
- 1.4 Be fair and equitable in offering work related opportunities and sensitive to barriers to employment and promotion experienced by disadvantaged groups.
- 1.5 Help others understand the organisation's strategy for employing people of diversity.
- 1.6 Foster a sense of humour and workplace camaraderie is inclusive of all, and offensive to none.

2. COMMUNICATION *Includes the ability to:*

- 2.1 Listen effectively.
- 2.2 Accurately reflect and clarify during conversation.
- 2.3 Clearly express ideas and facts.
- 2.4 Effectively deal with situations that evoke strong emotions.

3. PROBLEM SOLVING SKILLS *Includes the ability to:*

- 3.1 Clearly identify the nature of problems being presented.
- 3.2 Consider a range of options and identify those most suited to resolving the matter at hand.
- 3.3 Apply problem-solving methods to get the best possible outcomes for all parties involved.

4. KNOWLEDGE *Includes understanding and application of:*

- 4.1 Definitions of discrimination and harassment and a working knowledge of the anti-discrimination legislation that applies to the organisation.
- 4.2 Types of behaviour that constitute unlawful discrimination and harassment.
- 4.3 The organisation's policies on harassment and discrimination.
- 4.4 Other Legislation or policies relevant to your role (eg Code of Conduct, Bullying Policy, Fair Treatment Policy)
- 4.5 Your responsibilities in dealing with contacts or complaints
- 4.6 The procedures available for managing and resolving contacts and complaints.
- 4.7 Legal aspects such as: due process, natural justice, confidentiality, vicarious liability, qualified privilege.
- 4.8 Appropriate resources and support.

5. ATTITUDE AND VALUES *Includes the ability to:*

- 5.1 Be sensitive to gender, cross-cultural and other diversity considerations.
- 5.2 Put aside personal prejudices when dealing with, or talking about others.
- 5.3 Provide support to those involved in issues without being judgmental.
- 5.4 Remain impartial in any workplace incident.
- 5.5 Withhold any personal notions of blame you may feel about the situation.
- 5.6 Maintain confidentiality and the rights of those involved when dealing with complaints.
- 5.7 Ability to monitor and manage self in complaints resolution, including any conflicts of interest you may have, including your personal views about the parties or about the organisation.