



# Grievance Officer Roles

Sally Jetson & Associates Pty Ltd  
PO Box 243  
Mt Lawley Western Australia 6929  
Ph: 08 93704014  
Web: www.jetson.net.au  
Email: sally@jetson.net.au  
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*'making the workplace a better place to be'*

## **When you select an employee to be trained as a Workplace Grievance Officer, what is it that you're expecting them to do?**

### What is a Grievance Officer?

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

- Presence alone has a positive impact on workplace conduct.
- Line managers are freed up when GOs 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.

GOs 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.

GOs 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'.

Grievance Officers must appreciate the limits of their role and be supported by the organisation to carry out the function effectively.

**The value of effective GOs can be measured in terms of decreased incidents, speedier resolutions and reduced turnover associated with unresolved grievances.**

So, lets turn our attention to the Workplace Grievance Officer and your responsibilities in the role.

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

Grievance Officers 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 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 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 if required.
- 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 voluntarily agreed negotiation which aims to resolve conflicts or complaints by using a third party.
- The mediator will meet with the parties and assist them to reach an agreement to resolve the matter. Mediators cannot force agreements or outcomes.
- In our experience, many 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](http://www.jetson.net.au) for "When to Mediate and When To Manage".*



## **Common Costly Mistakes**

**The three most common mistakes 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.*

## Grievance and Issues Resolution Procedure

The organisation provides procedures and guidance to those wishing to raise issues or complaints. These procedures are designed to:

1. Provide accurate information to those seeking it.
2. If further support is required, it provides a constructive way of dealing with contacts to prevent conflict and unnecessary escalation.
3. Enable employees to deal with matters in a fair and impartial manner, and ensure consistency in dealing with similar matters across the organisation.
4. Help all employees understand what they can expect when contacts or complaints are made.
5. Help employees understand their role and the roles of others in the process.
6. Allow for those involved to follow a transparent and systematic approach to resolve or conclude matters.

## Grievance Officer Responsibilities

**Your role is to ensure that the Department's policies and expectations are upheld in the best interests all the parties concerned.**

**This means:**

- You are not an advocate for any party to a report or a complaint. An advocate argues in support of another's case or acts to defend a cause.
- It is not your responsibility to find out who is telling the truth.
- In most cases you will hear one side of the story. So avoid jumping to conclusions.
- Most matters reported are in good faith and you can deal with the matter at face value.
- However, some reports are not an accurate reflection of events and should be assessed carefully. If you are concerned about the accuracy or good faith then seek assistance from HR or a senior grievance officer before taking any further action.

**Your authority is directly delegated from your CEO through HR, so whilst your rank does not matter, your professional conduct in the role does.**

**Remember, not all matters raised will constitute a complaint. 80% of contacts require information only or low-level problem solving interventions.**

### Role of Grievance Officers

**GOs bring their skills and knowledge as a resource to all parties involved in a matter and aim to work in partnership with line management.**

#### **Your role is to:**

1. Support staff responding to complaints about harassment, etc.
2. Provide appropriate and accurate information to those seeking it (including information to complainants or respondents about the complaint resolution options they have).
3. Help employees clarify whether the decision or behaviour they are concerned about could constitute a breach of departmental policy.
4. Give employees information about their rights under the department's policies and codes, including relevant legislation and/or other processes for dealing with complaints.
5. Assist them to find the most suitable option for dealing with the matter.
6. Support employees making complaints about harassment/discrimination/bullying/code conduct.
7. Document any contacts and maintain records in accordance with department's requirements.
8. Assist in following through matters to conclusion/resolution.
9. Refer employees to the correct procedure or person if further assistance is needed.
10. Seek support and assistance for yourself in carrying out the role.



**Whilst many issues will be resolved between the parties without the involvement of the line, many issues return to the line for management or resolution.**

### Course Assessment and Competencies

To assist employers meet the requirement of 'all reasonable steps', we offer assessment of competencies in our 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.

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



**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.