

Grievance Procedure

1. Purpose of this procedure

This internal grievance procedure provides a means for you, our employees, to raise your concerns with us about work-related problems; such as decisions about pay, benefits and holidays, or about health and safety, or about how you have been treated by a co-worker or manager. The procedure may also be used to raise concerns about incidents of discrimination, harassment or bullying.

We strongly encourage you to use this procedure, as it will provide us with an opportunity to try to resolve your problems simply, quickly and fairly.

NOTE: this procedure does not replace your rights to also pursue complaints to an Industrial Tribunal, the Fair Employment Tribunal or to the courts where appropriate. If you wish to consider that option you may obtain advice from the Equality Commission in relation to incidents of discrimination or harassment (telephone: 028 90 500 600), or from the Labour Relations Agency in relation to incidents of bullying or about concerns relating to other employment rights (telephone: 028 90 321 442).

2. Obtaining assistance

Do not hesitate to ask us for any assistance that you might need when using this procedure: for example, if you are a disabled person or a migrant worker and you require some help in writing a grievance letter, or if you require a sign language interpreter or other kinds of help to take part in a meeting. We will make efforts to provide reasonable assistance.

3. Dealing with grievances informally

In the first instance, you may seek to resolve matters informally. This is a useful way of resolving some problems quickly and easily. For example, if you are concerned about the behaviour of another person, or about a decision they made, you may prefer to speak to that person directly to explain your concerns and try to work out a satisfactory solution between yourselves. You may also try to do this with the help and support of a co-worker or a manager or supervisor.

If the informal process fails to resolve your problem, you may then try to find a solution through the formal procedure.

There are limits to the informal option. It is unlikely to be suitable for dealing with very serious incidents of misconduct as it will not involve a formal investigation of your concerns or lead to disciplinary action against any other person. In situations where a more in-depth investigation and a disciplinary outcome may be needed, then the formal procedure would be more suitable.

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4. Dealing with grievances formally.

The formal procedure consists of the following steps-

Step 1 – starting the process

Try to bring the matter to our attention as soon as possible. Do this by informing [*insert name or job title of a line manager*] of your grievance in writing. Set out brief details of what concerns you and explain how you believe it may be resolved.

Note for employers (delete from your final document): If possible, set up your procedure so that several different managers will have authority to hear grievances. This will provide flexibility in case practical difficulties arise, such as holidays and other absences.

It will also help with situations where a grievance is made against a particular manager and where it would be better if the matter was considered by another person. In situations like this, if another manager is not available (for example, in very small firms where there may be only one manager), then the manager hearing the complaint against himself or herself should proceed to hear the grievance and deal with it as impartially as possible).

Step 2 – invitation to a meeting

On receiving the written notice of the grievance, the relevant manager will invite you to a meeting. We will normally aim to hold the meeting as soon as possible, but otherwise without unreasonable delay.

You will also be informed that you may be accompanied at the meeting by a trade union official or by a co-worker.

Step 3 – the meeting

At the meeting, the relevant manager will seek further information from you. This is your opportunity to give further details about your grievance and to make suggestions for how it may be resolved.

There may also be a need to investigate your grievance further; for example, to interview witnesses or to make other enquiries. If so, the meeting may have to be adjourned to allow for this. The manager may need to speak to you again as the investigation proceeds.

Harassment, bullying or other misconduct allegations

Where the grievance concerns an allegation of harassment, bullying or of other misconduct against another person, you will be informed that that person has the right to a fair hearing, including the right to have an opportunity to defend the allegation.

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The manager will also consider and discuss with you whether special measures are required to ensure that you and the other person avoid having further contact with each other while the complaint is being investigated.

Note: If the alleged misconduct is of such a serious nature that it may amount to gross misconduct, consideration may have to be given to suspending the employment of the other person while the complaint is being investigated.

Step 4 – meeting the other party (if necessary)

This step will be followed where the grievance concerns an allegation of harassment, bullying or other misconduct against another employee or manager.

Following the meeting with the aggrieved employee, the manager will meet with the other person against whom the complaint is made to-

- outline the nature of the allegation that has been made;
- confirm that it is being handled as a formal grievance;
- give him or her an opportunity to answer the allegation;
- inform him or her that the matter will be investigated further;
- inform him or her of the next steps under both the grievance and disciplinary procedures and the possible disciplinary action that may be taken should the allegation be proven;
- inform him or her of the need to avoid contact (or, of any steps to be taken to avoid contact) with the aggrieved employee until the matter is resolved.

Step 5 – general notes about interviews and investigations

The manager will carry-out any further investigations that are necessary and will keep detailed and accurate records of all meetings with the aggrieved employee and witnesses and of any other enquiries that are made. The manager will aim to complete the investigation as soon as possible, but otherwise without unreasonable delay.

All witnesses who give information will do so privately and not in the presence of anyone else who was involved in, or who was present during, the events giving rise to the grievance. All information or evidence provided by witnesses will be treated as confidential.

Step 6 – making a decision and informing the parties

Having obtained all relevant information, the manager will consider whether the facts support the grievance and, if so, what disciplinary action, if any, needs to be taken, or whether other action is warranted. The manager will prepare a written report of the investigation and its findings.

As soon as possible afterwards, you will be informed about the outcome of the investigation. This will be done in a meeting, if possible, and will be confirmed in writing.

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You will be informed of your right to submit an appeal against the findings in the event that you are not satisfied with the outcome.

Any person affected by the findings of the investigation, particularly any employees against whom allegations of harassment, bullying or other misconduct were made, will be informed about the outcome of the investigation too. This will be done in a meeting, if possible, and will be confirmed in writing.

Step 7 – Appeals

Where the grievance has not been upheld and/or where you are not otherwise satisfied with the outcome, you will have an opportunity to submit an appeal and to attend an appeal meeting.

Inform us of your wish to appeal as soon as possible. Put your request in writing. Set out brief details of the reasons for your appeal.

You will be invited to an appeal meeting. We will normally aim to hold the meeting as soon as possible, but otherwise without unreasonable delay. You may be accompanied at the meeting by a trade union official or by a co-worker.

Where possible, the appeal will be considered by a different manager. If that is not possible, the manager who hears the appeal will try to consider it as impartially as possible.

As soon as possible after the appeal meeting, or otherwise without unreasonable delay, you will be informed of our final decision in writing.

Step 8 – what happens next?

Where the grievance has been upheld, and especially where there has been a finding of harassment or bullying we will take all reasonably practicable steps to reassure and protect you from further such acts. This may include offering special support or counselling; or, taking disciplinary action against wrongdoers; or, providing appropriate training for employees and managers.

Where it was concluded that it is appropriate to take disciplinary action against certain employees, we will implement our formal disciplinary and dismissal procedure against those persons.