

This document contains general information and does not constitute legal advice. As always, specific professional advice should be taken on each individual matter.

STANDARD GRIEVANCE PROCEDURE

STEP 1: STATEMENT OF GRIEVANCE

The employee must set out the grievance in writing and send the statement or a copy of it to the employer.

Each step and action under the procedure must be taken without unreasonable delay.

STEP 2: MEETING

The employer must invite, in writing, the employee to attend a meeting to discuss the grievance. The employee is entitled to be accompanied by a work colleague or trade union rep.

The meeting must not take place unless:

- a) the employee has informed the employer what the basis for the grievance was; and
- b) the employer has had a reasonable opportunity to consider his response to that information.

The employee must take all reasonable steps to attend the meeting.

After the meeting, the employer must inform the employee of his decision as to his response to the grievance and notify the employee of the right to appeal against the decision if the employee is not satisfied with it.

Each step and action under the procedure must be taken without unreasonable delay. Timing and location of meetings must be reasonable.

Meetings must be conducted in a manner that enables both parties to explain their case.

STEP 3: APPEAL

If the employee does wish to appeal, he or she must inform the employer.

If the employee informs the employer of his or her wish to appeal, the employer must invite the employee to attend a further meeting.

The employee must take all reasonable steps to attend the meeting.

After the appeal meeting, the employer must inform the employee of his final decision.

The following general requirements should also be borne in mind:

- Each step and action under the procedure must be taken without unreasonable delay.
- Timing and location of meetings must be reasonable.
- Meetings must be conducted in a manner that enables both parties to explain their case.

In the case of appeal meetings, the employer should, as far as is reasonably practicable, be represented by a more senior manager than attended the first meeting (unless the most senior manager attended that meeting).

STEP-BY-STEP GUIDE

MODIFIED GRIEVANCE PROCEDURE

The MGP applies only in cases where:

- The SGP would otherwise be applicable (see Step-by-step guide: standard grievance procedure);
- The employee has ceased to be employed by the employer;
- At the time of termination, the grievance had either not been raised or had been raised but the SGP had not been completed;
- The parties have agreed in writing to use the MGP; and
- That agreement was made after the employer became aware of the grievance.

STEP 1: STATEMENT OF GRIEVANCE

The employee must set out in writing: (1) the grievance; (2) the basis for it.

The employee must send the statement or a copy of it to the employer.

Each step and action under the procedure must be taken without unreasonable delay.

STEP 2: RESPONSE

The employer must set out his response in writing and send the statement or a copy of it to the employee.