



CASTLEREAGH BOROUGH COUNCIL

GRIEVANCE PROCEDURE

Revised October 2008

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GRIEVANCE PROCEDURE EMPLOYEES

1.1 GENERAL

1.1.2 The following procedure has been devised for dealing with issues which constitute or are liable to constitute a source of grievance to an individual employee or group of employees (**a group will be represented by no more than 2 employees**) employed by Council.

1.1.2 The object of this procedure is to enable employees to resolve problems associated with their employment with the Council as near as possible to the point of origin.

1.1.3 Such issues of the purposes of this procedure may include:

a) differences between the Council and an individual employee on a matter which affects the employees conditions of service excluding questions of grading (separate procedure).

b) general grievances.

NB Grievances relating to non-appointment following a selection interview and job evaluation are not dealt with under this process. **There are other procedures available which relate to such issues. Please contact the Human Resource Manager for further details.**

1.1.4 To avoid confusion or misunderstanding, it is necessary for the employee to make their intention clear at the outset that he/she wishes to invoke the Grievance Procedure.

1.1.5 It is essential that the procedure operates quickly and efficiently, and the time limits specified at each stage (and between stages) of the procedure are followed unless altered by mutual agreement between the parties concerned. The existence of the formal procedure does not prevent an employee **being accompanied by** his/her Trade Union representative or (who may be either a full-time official employed by a union or a lay union official who has been reasonably certified in writing by his/her union as having experience of, or as having received training in, acting as a worker's companion at disciplinary hearings) or an employee representative or companion; if he/she so wishes, before deciding to invoke the grievance procedure.

1.1.6 An employee who wishes to pursue a grievance should do so within a reasonable period. This should normally be within 5 working days at each stage of the process.

1.1.7 Any employee who has a grievance must exhaust each stage of the procedure before proceeding to the next stage. Where this has not taken place any member of management concerned shall be entitled to refer the employee back to the appropriate stage to be followed. The matter shall not be progressed unless and until the appropriate procedural stages are complied with.

1.1.8 For grievances which proceed beyond Stage 1 (informal) an employee is entitled to be accompanied by a Trade Union representative or a fellow employee if so desired.

1.1.9 While the grievance is being dealt with, it is accepted that the status quo will be maintained, subject to the needs of the service and consultation between the parties.

1.2.1 PROCEDURE FOR DEALING WITH GRIEVANCE

Stage 1 – (Informal)

- 1.2.1** The first stage in raising any grievance is for the individual employee to discuss the matter informally with his or her line manager, with a view to resolving the grievance.
- 1.2.2** The line manager should reply orally as soon as possible (and in any case within 5 working days).
- 1.2.3** If the employee is not satisfied with the reply, or does not receive a reply within 5 working days, he/she may wish to consult with his/her Trade Union representative/staff nominee, who may then take up the matter with the supervisor informally.
- 1.2.4** Should it be impracticable for the employee to approach his/her line manager directly, he/she should go to another supervisory officer within the Council preferably within the same department. Only if the grievance cannot be resolved at this stage should it proceed to the formal procedure.
- 1.2.5** It is advisable for both parties to take a written record of the meeting or the decision taken at this stage.

Stage 2 – (Formal)

- 1.2.6** If the employee continues to be aggrieved he/she would fill in a written notification (using form G.P.1.) of the grievance submit it to his or her supervisor for comment and transmission to the section/office manager who will set up a grievance hearing (Stage 2). The employee would also send a photocopy of the G.P.1 form to the Human Resources section.

The Human Resources section will advise the manager on the setting up of a grievance hearing. The meeting will be arranged as soon as possible (not later than 5 working days) with the aggrieved employee, who is entitled to be accompanied by a Trade Union representative/staff representative or fellow companion.

- 1.2.8** The object of the hearing will be to establish whether the grievance is justified and, if so, to attempt to find a mutually acceptable solution. Both the employee and the line manager will be given an opportunity to present the case independently AND the findings of Stage 1 (IN FORMAL).
- 1.2.9** As soon as possible after this hearing (not later than 5 working days) the officer hearing the grievance should confirm the decision in writing.
- 1.2.10** If a grievance under Stage 2 is raised by a manager or director who reports directly to the Chief Executive, then the grievance will be conducted by the Chairperson of the Staff & Office Committee. (See Appendix 1 for Summary of Procedures).

Stage 3 (Final)

- 1.2.11** If a grievance is unsuccessful, or if the employee is dissatisfied with the action taken to remedy the grievance, or if a reply is not received within 5 working days, he/she may appeal in writing to their Head of Department. The appeal will be heard by an independent panel comprising two senior members of management, i.e. Chief Executive/Directors.

In the case of an appeal from an Officer whose Stage 2 Grievance hearing has been heard by the Chief Executive, a panel will be convened consisting of the Chairperson of the Finance & General Purposes Committee and a further two Members nominated by the Committee. In such cases, the panel will be balanced to ensure representation by more than one political party and take account, where possible, of Section 75 considerations

The Chairperson of the staff member's relevant Committee will be entitled to attend all Stage 3 Grievances as an observer, but will take no part in the process

- 1.2.12** The employee and his/her representative and the Section/Office Manager involved in the Stage 2 grievance will be invited to attend separate hearings. The decision of the appointed Subcommittee, will be final, and will be confirmed in writing (within 5 working days) to those present at hearings. This is the final stage of the internal grievance procedure.
- 1.2.13** The grievance should normally end with the appeal to the Director of the Service / Chief Executive / Chairperson of Staff and Office Committee (as appropriate) and with the decision of the Subcommittee of Council.

1.3. OTHER MATTERS

Other matters outside the normal terms and conditions employees can seek advice from the following statutory bodies such as the Labour Relations Agency, the Equality Commission.

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EMPLOYEE GRIEVANCE FORM

Employee Name: _____

Section/Location: _____

Line Manager: _____

Nature of Grievance: **(To be completed by employee)**

Comments of Line Manager:

I wish to make application for a hearing under Stage 2 (Formal) for grievance procedure as a result of the matter being unresolved at Stage 1 (Informal)

Signed: **Employee/Representative:** _____

Date: _____

Signed: **Supervisor/Position:** _____

Date: _____

Supervisors should date stamp receipt of form and pursue the matter in accordance with the Grievance Procedure Stage 2.

To be completed in triplicate, one copy to be retained by the employee, one copy to be forwarded to the Human Resources section and one to be issued to the supervising Officer for comment and immediate referral to the Section/Office Manager.