

3.2 WIRES Volunteer Respectful Workplace Policy

(Policies 3.2 & 3.3 now replace Policies 1.1 Animal Care Conflict and 3.5 General Conflict Policy)

Adopted by Council 26 June 2010

(Reviewed July 2024, distributed to members and branches 17th September 2024 and finalised 18th November 2024)

Introduction

To solve problems as they develop, WIRES Inc needs effective grievance handling procedures tailored to the needs of the organisation and its volunteers.

What is a "grievance"?

A grievance is a formal expression of dissatisfaction about a situation by one or more volunteers.

What is a "grievance procedure"?

Grievance procedures are formal and agreed procedures that an organisation and its members have agreed to follow to deal with or resolve problems which may occur from time to time within the organisation.

Grievance procedures are based on the principle of natural justice and it is recognised as good sense to have effective grievance procedures.

Features of a good grievance procedure

- Complaints must be specific and fully described by the person with the grievance;
- The person(s) should be given the full details of the allegation(s) against them;
- The person(s) against whom the grievance/complaint is made should have the opportunity and be given a reasonable time to put their side of the story before resolution is attempted;
- Proceedings should be conducted honestly, fairly and without bias;
- Proceedings should not be unduly delayed.

What is an effective grievance procedure?

An effective grievance procedure should allow the following outcomes:

- A peaceful method of conflict resolution to reduce discomfort and provide greater stability;
- Quick and effective results;
- Improved communications and relationships;
- Increased harmony and efficiency of the organisation;
- Resolution of problems according to the principles of confidentiality and fairness;
- Better emotional well-being, performance and morale of WIRES members;
- Avoidance of the costs and delays of ongoing conflict;
- Natural justice.

Handling Grievances

- Grievances should be dealt with promptly;
- Avoiding the matter creates anxiety;
- Initiate discussion quickly, investigate and double check all the facts.
- WIRES Office bearers should be accessible for assistance.
- Make sure volunteers understand the grievance procedure and how it works.
- Informality:
 - Discuss the issue in a non-threatening environment;
 - No-one should receive a printed form letter in response to a problem.
- Consistency:
 - Policies and procedures must apply equally to all volunteers.
- Admission of errors:
 - Anyone who has acted incorrectly or inappropriately should say so and then attempt to fix the problem.
- Closure:
 - Once a response is decided upon, a full explanation should be given;
 - This allows the matter to be finalised.
- Learning from it:
 - Resolving grievances should give practical insights into dealing with such a situation (and possibly others) in the future.

Policy

Stages in the grievance procedure are:

1. In the first instance an informal attempt to resolve the grievance should be made between the persons involved.
2. If it cannot be settled informally it should then move to the following formal procedure:
 - a. A volunteer with a grievance notifies the Branch Executive (in writing) as to the substance of the grievance, requests a meeting, and states the remedy sought.
 - b. Discussion will follow between the volunteer and the Branch Executive as soon as possible, but in less than 30 days.
 - c. If the matter remains unresolved:

The volunteer with the grievance must notify the WIRES Board, in writing as soon as possible or within a maximum of 21 days and may request mediation with the Community Justice Centre.
 - d. If the matter is still not resolved:

WIRES Board members will make final determination on the matter and provide actions to finalise the issue in writing to both the complainant, and any relevant branch officers.
 - e. If any parties remain dissatisfied with the decision of the Board, an appeal may be lodged with the Board within a maximum of 10 working days.
 - f. The Board may appoint a sub-committee to review the material and consider the merits of the appeal.

Appeals Procedure

On receipt of an appeal from a volunteer the Board must, within 28 days, appoint a sub-committee to hear the appeal within 60 days of receipt of the notice from the volunteer.

The appeal sub-committee must consist of no less than three members of the Association.

At the appeal hearing:

- the sub committee must abide by the Appeal Sub-Committee Terms of Reference and procedures;
- the parties must be given the opportunity to state their respective cases orally*, or in writing;
- the sub committee members present will vote by secret ballot on the question of whether the resolution should be confirmed or revoked;
- the sub committee's decision will be final.

* Where a volunteer is not confident to express his/her grievance in writing, they may seek assistance to do so or may express their grievance verbally. The Branch Executive, Board or sub-committee should record this in writing, the transcript of which should be agreed to, and signed by all parties as an accurate record of the meeting.

Records must be kept by whichever party is concerned – if resolved at branch level, the records must be kept by the Branch Secretary; if resolved by the sub-committee/Board, then records must be kept by the Board Secretary.

Addendum to WIRES Policies 2.1 WIRES Code of Conduct and 3.2 WIRES Volunteer Respectful Workplace Policy (Reviewed July 2024, distributed to members and branches 17th September 2024 and finalised 18th November 2024)

Objectives

The harassment, bullying and discrimination addendum aims to create an environment free from harassment, bullying and unlawful discrimination leading to a productive and positive setting. To achieve this objective the WIRES Council will continue to:

- Implement effective procedures to manage complaints based on the principles of natural justice,
- Promote and expect appropriate standards of conduct at all times.

Preamble

The Council and the Board do not condone harassment, bullying or unlawful discrimination and value diversity within the membership. The following definitions apply to all members of WIRES and will be treated as misconduct and dealt with under the relevant disciplinary and grievance policies.

These definitions apply in any context, including interactions between individual WIRES members.

It should be noted that any anti-social discriminatory behaviour, as covered below, may emanate from any member to any other member within the organisation.

Definitions

Harassment:

Harassment is defined as behaviour that is directed at an individual or group of members which, because of its severity and/or persistence, is likely to create a hostile or intimidating environment and detrimentally affect an individual's participation in the organisation.

Harassment is determined by reference to the nature and consequences of the behaviour, not the intent of the initiator, and occurs in circumstances where such behaviour could reasonably be considered to be offensive, humiliating or intimidating.

Sexual Harassment:

Sexual Harassment is any behaviour of a sexual nature, which is unwelcome. It may involve a single incident or a series of incidents. The Commonwealth Sex Discrimination Act 1984 and the NSW Anti-Discrimination Act 1977 declare sexual harassment to be unlawful.

Commonplace examples of sexual harassment include:

- Sexual or suggestive remarks;
- Sexual propositions or repeated requests for dates;
- Repeated questions about personal life;
- Sexual jokes;
- Physical contact such as touching, hugging, brushing up against a person;
- Offensive telephone calls, reading matter or objects, e-mails, screen savers etc;
- Suggestive looks or leers;
- Putting your hand or an object (like a pay slip or a pen) into someone's pocket (especially breast, hip or back pocket);
- The repetition of any other conduct of a sexual nature that causes a person discomfort after the person has told the harasser of their discomfort.

It is a person's right to object to behaviour which they consider falls into any of the categories above.

When identifying sexual harassment, the intent of the person whose behaviour caused offence is largely immaterial, as it is the effect of their behaviour that is relevant.

Sexual harassment is not behaviour which is based on mutual attraction, friendship or respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment

Bullying:

Bullying at work occurs when:

- a person or a group of people behaves unreasonably towards a worker or a group of workers at work AND
- this happens more than once AND
- this creates a risk to health and safety.

It includes behaviours such as:

- being aggressive or intimidating

- using abusive or offensive language
- mocking or humiliating someone
- holding 'initiation ceremonies'.

Depending on the situation, bullying can also include behaviour and actions such as:

- teasing or playing jokes
- leaving some workers out of work-related events
- giving someone too much or too little work
- giving someone work above or below their skill level
- not giving someone information that they need to do their job.

What isn't bullying at work:

Not all behaviour that makes you upset or anxious at work is bullying. For example, if someone makes a comment but they only do it once and do not repeat it, this is not bullying.

Reasonable management action:

Managers need to be able to give feedback. It is not bullying if:

- the management action is reasonable AND
- the way the manager takes action is reasonable.

'Reasonable' may include putting a worker on a performance improvement plan.

Discrimination:

Discrimination is where someone is treated less favourably because of their sex, age, race, disability, pregnancy or any of the other grounds covered by anti-discrimination legislation. Discrimination can also occur when a requirement (or rule) that is the same for everyone has an effect or result that is, or is likely to, disadvantage members because of their sex, race, disability etc.

[NB: OH&S legislation and regulations are paramount]

When acting in the course of WIRES activities, treat everyone, regardless of ethnicity, disability, sexual orientation, socio-economic circumstance, political or religious beliefs, with respect, courtesy and without any form of harassment whether real or implied (from 2.1 WIRES Code of Conduct).

Principles, Obligations and Responsibilities

- A. Reports of (and in) formal written complaints of harassment, bullying and unlawful discrimination will be treated seriously by the Board and Council and will be investigated promptly in a sensitive, thorough and confidential manner ensuring that complainants and witnesses are not victimised.
- B. Before any decision is made, members have the right to be informed about the nature and content of the issue and have the right to be heard in line with the WIRES Constitution, and as per the current WIRES Respectful Workplace Policy.
- C. All members have a role in ensuring that harassment, bullying and discrimination does not occur within the organisation and are expected to take prompt and appropriate action in circumstances where such behaviour is drawn to their attention.
- D. The complaint resolution process is carried out in good faith and complaints that are frivolous, vexatious, misconceived or lacking in substance will be rejected if a preliminary investigation of the facts indicates this.

When a complaint is brought forward by a member, it is the responsibility of the appropriate governing body* to ensure that no bullying or harassment is directed against the complainant, either directly or indirectly. (*Branch, Standards Team, Council or Board)

Resolution Options

- A. The Board and Council encourage members to endeavour to resolve issues directly and informally through a process of discussion and conciliation where possible. At any stage, strategies used to resolve a grievance may include, but need not be limited to, mediation, counselling or conciliation meetings between the parties.
- B. If the informal options do not work or are not appropriate, Members can make a formal complaint in writing under this Policy.
- C. In cases of assault or other criminal activity, members should contact the Police or appropriate government authority.
- D. Depending upon the severity of the issue, any breach of the WIRES Code of Ethics, and/or Code of Conduct or Addendum to same, will result in temporary or permanent loss of members' authorisation.