



Zenith Energy Grievance Policy

POL-000004


14/12/2017

1. Purpose

- 1) Zenith Energy Pty Ltd has responsibility to provide a workplace which is free of unfair treatment, harassment, discrimination, bullying, conflict, and vilification. Zenith Energy is an equal opportunity employer and aspires to maximises the talent, potential and contribution of all employees
- 2) This policy:
 - a) aims to promote the internal resolution of issues via direct discussions between the individuals involved, in the shortest timeframe possible,
 - b) helps ensure that, wherever possible, grievances are resolved at the operational level closest to the source, and
 - c) should be read in conjunction with the Grievance Procedure.

2. Scope

- 1) This policy applies to all Zenith Energy employees, management, directors, and contractors in relation to complaints about unfair treatment, discrimination, harassment, victimisation, vilification, and bullying.
- 2) This policy is applicable to the employment of employees but operates independently of their contract of employment and does not form part of it.
- 3) Actions by employees outside of working hours may also fall within the scope of this policy if they impact on the employee’s ability or suitability to do their job, or the actions bring Zenith Energy or its employees into disrepute.
- 4) It is expected that the majority of issues raised under this policy will be resolved by direct discussion and cooperative investigation by the parties involved. Due to their sensitivity or seriousness, some issues may require urgent attention (severe harassment or physical assault). In such a circumstance the Prevention of Discrimination, Harassment and Bullying Policy describes the process to be undertaken.
- 5) Matters excluded from being dealt with under this policy include those relating to:
 - a) unsatisfactory performance,
 - b) termination of employment,

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- c) criminal matters,
- d) employee recruitment, appointment, promotion, or other conditions of employment,
- e) occupational safety and or workers’ compensation, or
- f) a breach of privacy.

3. Examples of situations where a grievance might be raised

- 1) Perceived unlawful behaviour/misconduct issues (discrimination, harassment, bullying).
- 2) Conflict with another employee.
- 3) Perception of unfair treatment.
- 4) Work environment / workplace safety issues.

4. Obligations under this Policy


- 1) Employees and management of Zenith Energy are responsible for seeking to resolve grievances before there is an opportunity for them to escalate further.
- 2) Concerns should be raised as early as possible after the incident occurring which leads to the grievance being raised.
- 3) Complainants should not instigate grievances which are frivolous or malicious.
- 4) All parties will participate in the grievance resolution process in good faith.
- 5) Aggrieved parties may choose to resolve their grievance either formally or informally. If it is not possible to resolve a matter informally, it can subsequently be dealt with formally.
- 6) Grievances will be treated seriously, sensitively, and as close as possible to their source, having due regard for procedural fairness, confidentiality, and the potential for victimisation.
- 7) Grievances will be dealt with expeditiously.
- 8) The lodging of a grievance does not prejudice an aggrieved party’s employment in any way.
- 9) People against whom a complaint has been made have the right to:

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- a) be informed about the nature and content of the grievance and to be heard before a decision is made against them, and
 - b) an unbiased decision maker.
- 10) Both the complainant and the respondent are entitled to use a support person. A support person is a person of the employee’s choosing (a colleague, a union representative, or another person, but not a legal representative) who may accompany the employee into a grievance meeting. A support person is not permitted to act as an advocate for the employee or speak on their behalf; their role is to provide support. The support person is bound by the requirements of confidentiality.
- 11) Confidentiality is vital in promoting the effectiveness of this policy. Information regarding employees' grievance claims will be kept confidential. Zenith Energy will not release any information that identifies a particular individual to anyone outside the company, without the written consent of the person concerned, subject to Zenith Energy’s rights to seek confidential professional advice and/or legal representation.
- 12) Where necessary, grievance resolution will be escalated to the next level of authority and continue to escalate until it can be resolved. This may involve the appointment of an external mediator.

5. Remedial Action

- 1) If the grievance is substantiated, the kinds of remedial action open to the decision maker are:
- a) counselling the respondent with the aim of making them more aware of their inappropriate behaviour, Zenith Energy’s expected standard of behaviour, and the likely consequences if the behaviour is repeated,
 - b) requiring an apology be made to the complainant,
 - c) denying the respondent certain opportunities for a specified period of time,
 - d) providing the respondent with further training, or
 - e) recommending that the matter be dealt with in accordance with the Discipline Policy.

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- 2) In making the decision about the type of remedial action to take, the decision maker will consider:
- a) the seriousness of the incident,
 - b) whether the respondent knew what they were doing and intended to do it,
 - c) whether remedial action had been taken in relation to this type of breach before against the respondent ,or another person, and
 - d) if there are any particular circumstances that apply.

6. Consequences of a Breach

- 1) Any action in breach of this policy may result in disciplinary action in accordance with the Discipline Policy.

7. Related Documents

- 1) [Grievance Procedure](#)
- 2) [Prevention of Discrimination, Harassment and Bullying Policy](#)
- 3) [Discipline Policy](#)

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