



GRIEVANCE PROCEDURE

In any organisation workers may have problems or concerns about their work, working environment or working relationships that they may wish to have addressed. The Council has introduced this mechanism for these issues to be dealt with fairly.

1. INTRODUCTION

- (a) The following formal procedure has been agreed between Antrim Borough Council and the relevant Trade Union(s) for dealing with grievances, which employees of the Council may have relating to their employment. Questions about pay grading are excluded from this procedure.
- (b) Antrim Borough Council undertakes to deal with all grievances seriously. Where it is established that there is a case to be answered a fair investigation will be carried out.
- (c) Any false, vexatious, malicious accusation or grievance made on the part of one employee against another will be treated as serious misconduct and as such the Council's disciplinary procedure will be enforced.
- (d) It is not anticipated that all grievances will need to go through all stages of the procedure.
- (e) In order that the procedure may operate quickly and effectively, certain time limits have been specified at each stage and it is essential that these be adhered to, as far as possible. However, there may be circumstances when time limits may have to be modified by mutual agreement.
- (f) Each stage of the procedure must be exhausted before proceeding to the next stage. Where this has not been observed the matter will not be progressed unless and until the appropriate procedural stages are complied with.
- (g) The existence of this Formal Procedure does not prevent employees from consulting their Trade Union Representative, if they so wish, before deciding to invoke the procedure.
- (h) Employees have the right at every stage of the procedure to be accompanied by a work Colleague or Trade Union Representative.
- (i) The Council fully recognises the importance of the working relationship between the employee(s) and the immediate supervisor and actively encourages attempts to settle grievances at this level on an **informal basis** before invoking the formal grievance procedure.





- (j) It has been agreed with the Trade Union(s) involved that the status quo will be maintained and no stoppage of work, or restrictive practices shall take place until the grievance at issue has been fully progressed through all stages of the Formal Procedure.
- (k) This procedure and the Council's disciplinary rules will be revised regularly by the Council in consultation with the Trade Union and in the light of changing legislation and current good management practices.

This procedure does not remove any statutory rights which you may have in respect of accompaniment at certain types of grievance hearings under Article 12 of the Employment Relations (N.I.) Order 1999

INFORMAL STAGE

Discuss the grievance informally with your direct supervisor. If this fails to resolve the matter then the formal procedure may be invoked.

2. FORMAL PROCEDURE - STAGE I

Reference to Immediate Supervisor/Line Manager

- (a) Applicable to issues, which involve one or more employee(s) responsible to a single Supervisor. When an issue affects a group of employees the Union Representative, accompanied by a maximum of two employees may raise the issue.
- (b) In the first instance an alleged grievance should be raised in writing with the immediate Supervisor, detailing the nature of the grievance and who has raised it. The grievance should be signed and dated. It should be made clear to the Supervisor in writing that the first stage of the Formal Grievance Procedure is being invoked, as failure to do so will result in the grievance being treated in an informal manner. Upon receipt of a written request the Supervisor will hold a meeting with the employee. If the Supervisor is unable to give a decision immediately he/she will let the employee(s) concerned have a written decision within 7 full working days.
- (c) If the grievance is not resolved to the satisfaction of the employee(s) within 7 full working days, the employee(s) may proceed to the next stage of the procedure by submitting a written request to the Supervisor to have the matter referred to the next level of management.





- (d) Depending on the rank of the aggrieved employee(s) and/or the management structure within the Department, the next level of supervision, in certain cases, may be the Director, in which event, Stage II of the procedure will obviously not be applicable.

3. FORMAL PROCEDURE - STAGE II

Reference to next designated level of Management

- (a) Applicable to issues unresolved at Stage I.
- (b) Upon receipt of a written request the appropriate Manager/Assistant Director will hold a meeting with the immediate Supervisor and employee(s) concerned within 7 full working days. If he/she is unable to give a decision at this meeting he/she will let the employee(s) concerned have a written decision within 7 full working days from the date of the meeting (not 7 full working days from receipt of the written request).
- (c) If the grievance is not resolved to the satisfaction of the employee(s) within 7 days of the meeting, the employee(s) may proceed to Stage III of the procedure by submitting a written request to the appropriate Manager/Assistant Director to have the matter referred to the relevant Assistant Director/Director.

4. FORMAL PROCEDURE - STAGE III

Reference to Assistant Director/ Director

- (a) Applicable to
 - (i) Issues unresolved at previous stage
 - (ii) Issues involving employees from two or more sections within a Department
 - (iii) Issues involving employees from two or more Departments
- (b) Upon receipt of a written request the Director or his nominee, who should be an Officer not previously involved and at least one grade above the Supervisor(s), will hold a meeting with the Supervisor(s) and employee(s) concerned within 10 full working days. This meeting will be arranged after consultation with the Human Resource Officer who may also be present at the meeting. If the Director is unable to give a decision at this meeting he/she will let the employee(s) concerned have a written decision within 10 full working days from the date of the meeting.
- (c) If the grievance is not resolved to the satisfaction of the employee(s) within 10 full working days of the meeting the employee(s) may proceed to Stage IV of the procedure by submitting a written request to the Director to have the matter referred to the Chief Executive.





5. FORMAL PROCEDURE - STAGE IV

Reference to Chief Executive

- (a) Applicable to
 - (i) Issues unresolved at previous stage
- (b) Upon receipt of a written request the Chief Executive, or his/her nominee, who should be an Officer not previously involved, will hold a meeting with the Supervisor(s), Manager(s) Director(s) and employee(s) involved within 15 working days. This meeting will be arranged after consultation with the Human Resources Officer who may also be present at the meeting.
- (c) The employee(s) may elect to have a Trade Union Official present at this meeting.
- (d) If the Chief Executive is unable to give a decision at this meeting he/she will let the employee(s) concerned have a written decision within 15 working days from the date of the meeting (or within such other time scale as is mutually agreed at the meeting).

6. REFERENCE TO THE LABOUR RELATIONS AGENCY

- (a) If the employee is not satisfied with the outcome of Stage IV, the matter may by mutual agreement, be referred to the Labour Relations Agency for conciliation where a substantive issue can be established. Where conciliation fails to resolve the grievance, it shall be open to the aggrieved employee(s) to refer the matter to independent arbitration.
- (b) The Appeals Committee shall consist of an Independent Chairperson appointed by the Labour Relations Agency and two panel members, one drawn from a list supplied by the recognised unions and the other drawn from a list supplied by the Management.
- (c) The Agency shall also appoint a Secretary to the Appeals Committee who shall be responsible for the setting up of the Committee and for the provision of administrative services.
- (d) The Secretary, in conjunction with the Chairperson, shall fix a date for the Committee's hearing of the appeal and shall advise the parties accordingly, and shall invite nomination to the committee.





- (e) The Secretary shall also invite the parties to make written submissions to the Committee. Such submissions to be received not later than ten days before the date of the hearing. The Secretary shall distribute copies of the submissions to the Committee members and to the other party not later than five days before the date of the hearing.
- (f) The Committee shall meet the parties to hear the appeal within twenty working days of the matter being referred to the Labour Relations Agency. The Chairperson shall determine the order of the oral presentations to the Committee.
- (g) The decision of the Appeals Committee shall be given in writing to both parties within ten working days of the hearing.
- (h) The work of the Appeals Committee shall not be invalidated by the absence of one or other of the parties.
- (i) The decision of the Appeals Committee will be final and binding on both parties.

Note

Nothing in this agreement may be construed as in any way diminishing the rights of the individual in law.

7. NOTES

- (a) In cases where groups of employees from two or more sections within the same Department have the same alleged grievance the matter should be referred through the normal supervisory channels to the Assistant Director (Stage II) who will arrange a meeting at which all the groups of employees will be represented. **This is to ensure consistency of treatment for all aggrieved groups.**
- (b) In cases where groups of employees from two or more Departments have the same alleged grievance the matter should be referred through the normal supervisory channels to the Director(s) (Stage III) who will arrange a meeting at which all the groups of employees will be represented. **This is to ensure consistency of treatment for all aggrieved groups.**





- (c)** Where a grievance from a group or groups of employees is at issue, the maximum number of employees permitted to be present at any meeting will be 2 representatives from each group.
- (d)** For the purposes of this procedure Saturday and Sunday are not regarded as working days.
- (e)** If an employee(s) require further information in respect of their grievance, this information must be shown to be reasonable and relevant to the specific grievance in hand.

