



# **VIETNAM VETERANS ASSOCIATION OF AUSTRALIA**

## **VICTORIAN BRANCH (INCORPORATED)**

### **ADMINISTRATION INSTRUCTION NUMBER 24**

#### **GRIEVANCE PROCEDURES**

##### **Introduction**

1. The purpose of this AI is to enable individuals or groups within the State Branch to systematically, and with good will, work through disputed issues so as to achieve a resolution satisfactory to all concerned.
2. Within all organisations there occasionally arises a dispute between individuals or groups. Organisations that have a grievance procedure in place can usually resolve the disputed issues and continue operating with minimum disruption and without any ongoing ill-will.
3. This AI should be read in conjunction with the following National Policy Handbook Sections:
  - GE 021 – Grievance Management.
  - GE 023 – Natural Justice.

##### **Detail**

##### **Objectives of the AI**

4. The objectives of this AI are to:
  - Isolate the dispute.
  - Initiate a grievance procedure.
  - Form a grievance committee if required.
  - Refer the decision to the appropriate authority.
  - Mediate a settlement.

##### **Isolate the Dispute**

5. The most harm done by a dispute is usually when the issue has the potential to cause productive individuals or groups to take sides which damages their ability to work together for the common good. Consequently, when a dispute arises there is an urgent need to isolate the dispute and deal with the issues as soon as possible.
6. If an individual or a group has a grievance then that grievance should be real and not just a method to overcome a decision taken by a democratic majority vote. The grievance should be based on issues, which expose fundamental flaws within our organisation or operating procedures, unless of course the conduct of the vote is considered illegal.

### **Initiate a Grievance Procedure**

7. An individual or group may initiate a grievance hearing by applying in writing to the appropriate Sub-Branch or State Branch Executive. All aspects of the grievance must be stated and a surety of \$50 at Sub-Branch level and \$100 at State Branch level **must** be lodged and forfeited if the grievance committee finds the grievance to be mischievous or dishonest.

### **Form a Grievance Committee**

8. The State Secretary shall be the convenor and shall appoint the following to be the grievance committee:
  - At Sub-Branch level.  
If the State Secretary is satisfied that the individual or group making application for the grievance committee to be formed is sincere about the grievance and that the issue does not contravene existing constitutional rules and any by-laws, then he will appoint three members of the Sub-Branch who have no connection to the grievance to act as the grievance committee. When the grievance issue requires external independent representation the State Secretary shall have the authority to appoint individuals from outside the Sub-Branch.
  - At State Branch Level.  
In a grievance issue between Sub-Branches the State Secretary shall have the authority to appoint a grievance committee from other Sub-Branches or the State Executive provided the individuals appointed are not involved in the grievance.

### **Rules for the grievance committee**

9. The State Executive shall provide the terms of reference to those appointed to a Grievance Committee.
10. The following rules for the conduct of a Grievance Committee are to be adhered to:
  - The original written grievance is to be considered by the Grievance Committee and the thrust of the grievance is to be identified so that it is clearly understood.
  - If any part of the grievance is not clearly understood it is to be clarified with the originator.
  - The Grievance Committee is to contact the individual or group in writing to establish a hearing if appropriate.
  - The Grievance Committee has the authority to obtain further information from all parties involved within the terms of reference.
  - The Grievance Committee shall have the authority to resolve the grievance by arbitration.
  - The Grievance Committee shall make recommendations to the State Executive to address problems identified during the committee hearing.

### **Refer the decision to the appropriate authority**

11. The Grievance Committee has the authority to refer the grievance to the State Executive for resolution by taking one of the following actions:
  - Bring the grievance to an end by arbitration
  - Make recommendations to the State Council
  - Instruct the State Council to make a final ruling by a majority vote.
  - Any illegal occurrence to be identified for follow up action

### **Mediate a Settlement**

12. It should not be forgotten that the VVAA is a self-help organisation and all efforts to mediate a satisfactory resolution at the earliest stage of the grievance process should be the aim of all concerned. The good of the VVAA should always be considered.

### **Conclusion**

13. The successful mediation of any dispute within an organisation is a hallmark of good administration and procedures. However, all members are reminded that the VVAA is a self help organisation and that steps should be taken to resolve an issue before it gets to the stage of a grievance procedure.