

## **Dispute Resolution Process**

The City of Armadale, the Shire of Murray and the Shire of Serpentine Jarrahdale acknowledge that throughout the process of Local Government Reform, matters may arise that cause a level of concern for affected officers. Affected officers are encouraged to raise the concern and they should be able to do so without fear of retribution.

Where the dispute relates to a term or condition in the relevant Award or Enterprise Agreements, the dispute should follow the Dispute Resolution Procedure outlined in those documents.

If the dispute relates to a matter that is not subject to the Awards or an Agreement, the matter should be resolved using this Dispute Resolution Process. These matters may include but are not limited to placement, appointment, promotion, working conditions and transfers.

The aims of the dispute resolution process are to be:

- quick – the issues should be resolved quickly rather than allowing them to escalate through inaction;
- fair – all relevant parties should be consulted so that all sides of the story are taken into account;
- handled sensitively – disputes should, where possible and appropriate, be resolved in a confidential context in order to minimise impact on employees not affected by the dispute; and
- transparent – the procedure should be made known to every employee.

Dispute resolution should not interfere with the continued operation of the business. Work is to continue normally during the dispute resolution process subject to any reasonable concerns about health and safety.

## **What is the dispute resolution?**

Dispute resolution refers to the processes by which disputes are brought to an end. This can occur through:

- a negotiated outcome, where the parties concerned resolve the situation themselves;
- a mediated outcome, where the parties use the services of an independent mediator to help them arrive at their own agreement; or
- an adjudicated outcome, where the CEO of the affected Local Government determines how the dispute is to be resolved.

## **The process explained**

Where a matter is raised by an employee, or group of employees, the following steps shall be observed:

### **Stage One**

The employee(s) concerned shall discuss the matter with their immediate Supervisor. If the matter cannot be resolved at this level the Supervisor shall, within three working days, refer the matter in writing to his/her Manager.

### **Stage Two**

The Manager shall, if he/she is able, answer the matter in writing, within five working days of it being referred to him/her and, if he/she is not so able, refer the matter in writing to the relevant Director for attention.

### **Stage Three**

The Director shall, as soon as practicable, consider the matter or appoint an independent person to mediate or conciliate in an attempt to resolve the dispute. The Director or the independent person will respond to the matter in writing within ten working days of it being referred to him/her.

The appointed person must be acceptable to both parties. In the event the parties cannot agree on the independent person the Director will consider the matter and notify the employee in writing of the decision.

### **Stage Four**

If resolution has still not been reached, then the matter is to be discussed (with advice) by the Combined CEOs Group before proceeding to stage Five.

### **Stage Five**

The matter be referred to the relevant Local Government CEO for conciliation or arbitration.

### **At any stage of this procedure the parties may**

- **Seek advice from an internal Grievance Officer.**
- **Appoint someone to support them in the dispute. Such appointment must be provided, in writing, to the other party.**

# Dispute Resolution Procedure

Local Government Reform

