



GRIEVANCE POLICY AND PROCEDURE

1. Introduction

David Einig Contracting Ltd has adopted this Policy and Procedure for employees to resolve any grievances relating to their employment. This Policy and Procedure is not contractual and may be departed from, providing that the overall effect remains an impartial investigation that is no less fair.

David Einig Contracting Ltd recognises that occasionally employees may have grievances relating to their employment. In this respect, David Einig Contracting Ltd encourages free communication between employees and their Managers, to ensure that questions and problems arising during the course of employment can be aired and, where possible, resolved quickly and to the satisfaction of all concerned.

Employees should be aware that at all times grievances should, wherever possible, be raised with the Line Manager and HR, informally in the first instance. Where a grievance cannot be resolved informally, it should be dealt with under the procedure set out below, except in the following circumstances:

Where the matter constitutes an appeal against a disciplinary decision, it should be taken in accordance with David Einig Contracting Ltd Disciplinary Procedure

Where an employee or David Einig Contracting Ltd has reasonable grounds to believe there is a significant threat to personal property, such as violent, abusive or intimidating behaviour or harassment, then the disciplinary process and suspension under that process may be appropriate

2. Standard Procedure

Step 1

Where an employee has a grievance arising from his/her employment and which has not been resolved informally, it should be raised with the Line Manager and HR. This should be raised in writing, setting out as clearly as possible the grounds for the grievance and outlining what resolution the employee is seeking.

Employees should present formal grievances to the Line Manager and HR in the first instance.

An employee will be invited to attend a meeting within 28 days in order to discuss the details of the grievance. The employee must take all reasonable steps to attend this meeting, which will be rearranged only in exceptional circumstances, such as the existence of pre-booked holidays. An employee has the right to be accompanied by a work colleague or a representative from an independent trade union if they so wish.

Step 2

At the meeting, the employee will have the opportunity to explain his/her grievance and the employee should be prepared to state what action they feel will settle the matter. If any further investigation is necessary, the meeting will be adjourned until such time as that investigation can be carried out.

After due consideration of the grievance, the Line Manager and HR will give a decision in writing, normally within 5 working days of the hearing. The Employee will be notified of his or her right of appeal at this stage. If it is not possible to respond within this time period, an employee will be given an explanation for the delay and told when a response can be expected.

Step 3

In the event that an employee is dissatisfied with the decision, he/she may ask for the matter to be appealed. This should be done in writing to the Manager who made the original decision. This will then be passed to an independent person.

Any additional information will be investigated, a meeting held, and the matter will be reconsidered.

A decision will be given in writing normally within 5 working days. If it is not possible to respond within this period of time, the employee will be given an explanation for the delay and told when a response can be expected.

This decision is final. A record will be kept of each grievance hearing and a copy will be given to the employee. Certain information may be withheld in some circumstances, for example, to protect a witness.

3. Post-termination grievances

In exceptional circumstances, an ex-employee may feel that there is cause to enter a grievance following the termination of their employment. In these circumstances, the ex-employee should notify HR in writing setting out details of the grievance and outlining what resolution the employee is seeking.

HR will deal with this notification and the ex-employee will be asked to agree whether or not a face-to-face meeting should take place, or whether the grievance can be dealt with via correspondence from an appropriate Manager.

In the event that a meeting is necessary then the ex-employee will be invited to this meeting within 28 days. The ex-employee has the right to be accompanied at this meeting by a work colleague or trade union representative.

Following investigation, the Manager's decision will be communicated to the ex-employee in writing, setting out the reasons for this decision. The Manager will meet the ex-employee in order to deliver a verdict on the grievance and explain his/her reasons for that verdict.

In the event the ex-employee is dissatisfied with the response to his/her grievance, he/she has the right to appeal. Any appeal in these circumstances should be initiated in writing by the ex-employee setting out the reasons for the appeal, providing this to his or her Manager who will pass the appeal to an independent person.

4. The right to be accompanied

All ex-employees have the right to be accompanied at a meeting. A companion may be an employee of David Einig Contracting Ltd, or a trade union official of an independent trade union, certified as being competent.

An ex-employee must inform his or her Manager that he or she wishes to be accompanied and who the companion will be.

Other employees are not obliged to accept an invitation to act as a companion. Those fellow employees who accept a request to accompany another employee will receive reasonable paid time off to prepare for and go to the meeting.

The companion will be consulted by the Manager when arranging an agreeable date for the meeting.

The opportunity for the employee and the companion to confer privately will be provided and the companion will be free to ask questions and participate in the hearing as far as possible.

5. Confidentiality

All proceedings and records relating to grievance matters will be treated as confidential. Wherever possible, only those individuals directly involved will be aware of the details of the case, Managers, witnesses and those acting in an advisory capacity. Obviously, however, in a bid to conduct a fair investigation it may not be possible to keep the matters entirely confidential.

Should an employee require further advice or guidance concerning the interpretation of this Policy, he or she should contact the Line Manager or HR.

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