

# WESSEX FABRICATIONS LTD

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## WFL Grievance Policy

### Purpose of policy

1. This policy and procedure is intended to provide a mechanism to help employees of Wessex Fabrications Ltd resolve complaints or grievances about work related matters, fairly and without unreasonable delay.

Issues that may cause grievances include:

- work relations;
- structural or organization change;
- terms and conditions of employment;
- bullying or harassment;
- health and safety;
- changes to working practices;
- the work environment; or
- discrimination.

2. The Employer encourages free communication between employees to ensure that questions and problems arising during the course of employment can be aired and, where possible, resolved informally.

3. This is a statement of policy only and does not form part of your contract of employment. This policy and procedure may be amended at any time by the Employer, in its absolute discretion.

### Stages of the grievance process

4. Preliminary stage -informal discussion

- a. Promptly after a grievance or complaint has arisen, the employee should raise the matter with his or her immediate supervisor.
- b. The employee should inform his or her supervisor of the nature of the grievance and try to resolve the matter informally if possible and appropriate.
- c. Sometimes, however, a more formal approach is required and employees may move directly to stage one of the formal grievance procedure described below.

5. **Stage one** - formal written grievance

- a. If an employee is unable to resolve the grievance informally, or if the matter is too serious to be dealt with informally, the employee should set out details of his or her complaint or grievance in writing and submit it to his or her immediate supervisor (or if the complaint concerns the immediate supervisor then to the Managing Director).
- b. The notice should identify any evidence relied on and enclose copies of that evidence where possible

and also identify any witnesses to whom the Employer should speak.

- c. The grievance will be dealt with in accordance with the principles set out in the Principles of the grievance procedure section below.

#### **6. Stage two - appeals**

- a. Employees have the right to appeal against any grievance decision reached under this procedure.
- b. To start an appeal the employee should give a written notice of appeal to the Managing Director within five working days of receiving confirmation of the original decision.
- c. The notice of appeal must explain the reasons for appeal and identify any additional evidence relied on and enclose copies of that evidence where possible.
- d. The appeal will be dealt with in accordance with the principles set out in Principles of the grievance procedure section below.
- e. The appeal may proceed by way of either a review of the initial decision or a full re-hearing of the case, at the Employer's absolute discretion. Where possible, appeals will be determined by a person who is more senior than the original decision-maker and who has not previously been involved in the matter.
- f. The employee may bring a work colleague (the companion) to the appeal meeting or hearing. The rules about Companions are set out in the Companions section below.
- g. The employee will be notified in writing of the outcome of the appeal. The result of the appeal will be final and no further appeal may be made.

### **Principles of the grievance procedure**

7. Grievances will be dealt with confidentially, so far as that is reasonably practicable. Employees should keep confidential any information that they receive in connection with any grievance investigation or process.
8. Employees will not normally be suspended pending the outcome of a grievance process. However, there may be rare occasions when this is necessary as a protective measure while the facts are being ascertained, particularly in cases of alleged bullying or harassment. During any period of suspension, the employee:
  - a. will receive their normal pay and benefits subject to the following exclusions:
    - Certain aspects of performance-based pay
9. Before any grievance or appeal decision is taken under this procedure, the Employer:
  - a. will promptly conduct such investigations as it considers appropriate (or in the case of an appeal conducted by way of review, will review carefully the original decision making process); and
  - b. will arrange a meeting or hearing with the employee to discuss the complaint or concern for which the employee will have reasonable time to prepare.
  - c. This meeting may occur either prior to or after the investigation or review, depending on the circumstances. The meeting will be held without unreasonable delay.
10. The Employer may adjourn (and may subsequently re-convene) the grievance or appeal meeting if new points come to light or if further investigations are needed.
11. The purpose of the grievance or appeal meeting is for the employee to be able to explain his or her grievance and how they think it should be resolved and to assist the Employer in reaching a decision based on the evidence available and any representations the employee has made.

12. Employees who raise a grievance or persons who attend as witnesses or as a Companion may not record any meeting held in connection with the grievance process (including any investigatory meeting or appeal meeting).
13. The outcome of a grievance will be confirmed in writing. The employee will have the right to appeal against any grievance decision reached under this procedure and will be notified of this right when the decision is confirmed (or afterwards). The appeal procedure is set out in the section headed Stage Two- Appeals above.
14. The employee raising the grievance must co-operate at all stages in the grievance process, including providing details of witnesses and other relevant information and taking all reasonable steps to attend any scheduled grievance or appeal hearing. If you do not attend a grievance or appeal meeting without a good reason or if you fail to attend more than once or will not be available within any reasonable time frame, then the Employer may proceed to make a decision based on the available information without a meeting.
15. An employee who has raised a grievance (or is involved in the process as a witness or in another capacity) and has difficulty at any stage because of a disability, should discuss the situation with the Managing Director as soon as possible.
16. Employees will not be subjected to a detriment for raising a grievance in good faith, even if the grievance is not upheld. However, deliberately making a false complaint or deliberately providing false information or otherwise being dishonest during a grievance may result in disciplinary action up to and including summary dismissal.
17. The principles set out in this policy describe the way in which the Employer will aim to deal with grievances matters. However, there are many reasons why compliance with one or more of the principles may not be possible or appropriate in a particular case. The Employer may disapply one or more of the principles in respect of any given grievance.
18. The grievance process should not be used to complain about dismissal or disciplinary action. If you are dissatisfied with any disciplinary action, you should submit an appeal under the appropriate procedure in the Company Handbook.
19. A note of any formal grievance and its outcome may be placed on your personnel file or record.

## Companions

20. As noted above, the employee may bring a work colleague (the Companion) to any grievance or appeal meeting or hearing. Acting as a Companion is voluntary.
21. We request that employees are reasonable in their choice of Companion and avoid selecting someone who has a conflict of interest, is unavailable within five days of the suggested meeting date or is based at another location if someone suitable is available at your site.
22. During the meeting or hearing, your Companion may make representations and ask questions but should not answer questions on your behalf. You may confer privately with your Companion at any time during the hearing.
23. If the chosen Companion is not available to attend a grievance or appeal meeting, the employee may propose an alternative time which is reasonable and which falls within five working days of the original proposed time.

Signed by:



Date: 13<sup>th</sup> April 2018

Richard Mears  
Managing Director