

Victorian Conference

Equal Opportunity, Anti-Discrimination, Anti-Harassment and Anti-Bullying Policy



– Complaint Resolution Procedure

Scope

This procedure applies to all employees, temporary staff, independent contractors, volunteers and work experience personnel of the Seventh-day Adventist Church (Victorian Conference) Limited.

If an employee believes they have or are experiencing discrimination, harassment or bullying in the workplace, the following Procedure is to be followed. It is in the interest of employee wellbeing, good work practice and good workplace relationships that these types of issues are resolved.

Procedure

Informal Resolution Process

Should an employee believe they have or are experiencing unlawful discrimination, harassment or bullying in the workplace, they should try and resolve the issue themselves with the person concerned or as close to the source as possible. This may be verbal and informal. At this stage, every effort should be made to resolve the issue before it is formalised. However, while it is advantageous to resolve issues relating to employment promptly, objectively and as close to the source as possible, other options are available if resolution at a lower level is not achieved satisfactorily, or if the employee feels the alleged offence is of such a nature that early steps should be bypassed.

The Informal Resolution Steps are as follows:

1. The employee should try and resolve the issue themselves with the alleged offender. This is usually face-to-face or over the telephone and verbal, though it may be written, eg. in a letter
2. If the employee is unable to resolve the situation themselves, or does not feel comfortable enacting Step 1, the employee may involve a facilitator who brings the employee and the alleged offender together for a round table discussion of what has occurred.

The person to contact as the facilitator:

- for pastoral staff excluding Youth and Lay Pastoral Workers, this is the District Pastor and/or the Ministerial Association Secretary.
- for Youth and Lay Pastoral Workers, this is their supervisor, and/or the Ministerial Association Secretary.

- for Personal Assistants (PAs), Treasury, ABC and Howqua staff this is their supervisor.
- where none of the above employee types is applicable, this is their supervisor.

If the employee has reason to believe that any supervisor is trying to discourage the employee from using this procedure it is to be brought to the attention of the Human Resources Manager, the Human Resources Advisor and/or the Conference Secretary immediately.

Formal Resolution Process

Typically, the formal resolution process would not be invoked unless the informal resolution process had been exhausted. However, circumstances may be such that an employee may go straight to the formal resolution process.

The Formal Resolution Steps are as follows:

3. To commence the formal resolution process, the employee should outline the issue/alleged offence in writing, with as much detail as possible, explaining the nature of the complaint and suggesting possible solutions. This should be sent to the relevant contact officer, as per the following:
 - for personal assistants (PAs), Treasury, ABC and Howqua staff: the Human Resources Advisor and/or the Conference Secretary
 - for all other staff: the Human Resources Manager and/or the Conference Secretary

A person appointed by the Employer will investigate the situation and recommend an appropriate course of action to Administration. Administration will determine the final course of action, including any disciplinary action. Discussions will be held in good faith in an effort to genuinely resolve the issue/alleged offence at the workplace level.

If the issue/alleged offence concerns another member of staff, the staff member against whom the complaint has been made will be given full details of the complaint against them. They will be given the opportunity and a reasonable time to respond before the process continues.

Discussions with both parties may occur in an effort to genuinely resolve the issue/alleged offence at workplace level. Both parties are entitled to have a support person present. The role of the support person is to support the participant, not to have input or an opinion on the discussion taking place. **The support person must not act as an advocate for the employee nor interfere with the process.**

It is possible that the alleged offender may be stood down on full pay during the course of the investigation pending its outcome.

Administration may exercise the option of utilising the services of an independent professional mediator to assist in the facilitation of a resolution.

4. Where the complaint has not been resolved at Employer level, the employee may request mediation/a hearing through the Australian Union Conference office of the Seventh-day Adventist Church.
5. If mediation fails, the Grievance Process as outlined in EMP. 15.06 of the South Pacific Division Policy may be available. Without seeking to circumvent opportunities available at law; within denominational structures, the decision determined under this process shall be final and binding upon all parties.
6. Additionally, the employee has the right to report the issue/alleged offence to the relevant federal/state government bodies.

Post Resolution Review

Once the issue is resolved, at any stage thereafter a review may be undertaken with all parties involved by the Human Resources Manager, the Human Resources Advisor, and/or the Conference Secretary, if deemed necessary by the Seventh-day Adventist Church (Victorian Conference) Limited. Further reviews may be held if required.

The Seventh-day Adventist Church (Victorian Conference) Limited may amend and vary this Equal Opportunity – Anti-Discrimination, Anti-Harassment and Anti-Bullying – Complaint Resolution Procedure from time to time. Changes will be communicated to employees via email, in hardcopy and/or on the organisation’s intranet.