



WHAT YOU NEED TO KNOW

DEALING WITH WORKPLACE CONCERNS

What you need to know



If you have any questions with regards to the information contained in this document or related to Dealing with workplace concerns, please contact our Workplace Relations team on 9439 8822 or via workplace@amansw.com.au



We understand that dealing with concerns in the workplace can be difficult and stressful. You're probably used to having difficult conversations with patients but it can be very different when the topic of conversation centres around you. Whether it be due to behaviour, poor rostering, unfair workloads, pay disputes or poor performance, communication is key.

When is the best time to have these difficult conversations?

As early as possible! Avoiding these conversations doesn't help anyone. You will put yourself under stress suffering in silence and those around you will be none the wiser assuming everything is ok.

You're talking about 'concerns' here but I've seen a policy that refers to 'grievances'. What is a grievance?

A grievance in the workplace simply means a problem, concern, issue or incident raised by a staff member.

What should I do if I do have a workplace grievance?

One of the best things you can do is to write out your concern. Planning will help if you think you might get flustered, emotional or angry during any discussions. Make some notes for yourself based on these questions:

- What is the key issue/concern here?
- Was there a particular incident that led me to this point?
- What impact does this have on me?
- What impact does this have on others?
- Is there documentation associated?
- What is the outcome I am seeking?
- What are some possible solutions to achieving this outcome?

I've written down my concerns. What should I do now?

Talk to someone about your concerns.

How do I know if my concerns/grievance is worth raising?

If you're unsure, it might be worthwhile talking through the situation with a mentor or colleague first. However, all employees should feel confident raising grievances of any kind and having their concerns taken seriously.

Who should I talk to?

Who you discuss your concern with may depend on the severity of the matter.

If you feel the matter is one-off and not serious in nature then it could be dealt with by having a conversation with the person concerned. You may have heard this referred to as a Self-Resolution – Level 1 grievance.

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However, if you don't feel comfortable or confident approaching the person concerned, then it is best to discuss with your supervisor/manager. If the issue is about your supervisor/manager then the JMO Manager is more appropriate.

You can also seek advice and/or support from your Employee Assistance Program (EAP) provider, HR and of course the **Workplace Relations Team** at AMA (NSW).

Is there any risk to me if I raise a workplace grievance?

As mentioned above, all employees have the right to raise any workplace grievances or concerns and have them considered seriously and dealt with in a fair, impartial and confidential manner.

I'm worried that if I raise something it will put me in the spotlight. Could it trigger a review into my work or performance?

No, it shouldn't. You cannot be victimised or harassed for raising a grievance.

What happens if self-resolution is not possible or the grievance is more serious in nature?

This would be referred to as Assisted Resolution – Level 2 grievance.

In this circumstance either your manager or another member of management may be involved. On receiving information of a workplace grievance, an initial assessment will be conducted. This may involve holding a meeting to gather more information from you about the issue.

If I'm called to a meeting, what should I take with me or have prepared?

It is a good idea to have your initial notes with you as a guide to prompt you through the discussion. Have a timeline of events recorded along with any supporting documentation where available. Take a note pad and pen in case you want to take notes.

Also consider your behaviour at the meeting. Raise your issue with respect, be clear and concise as to the facts. Make sure the other party has understood your concerns and be ready and willing to problem solve. After all, you are not just raising a problem, you are after a solution.

Can I have a support person attend the meeting with me?

Yes. You are welcome to bring a support person to any meeting related to a workplace grievance. Make sure your support person is aware of their role at the meeting. They are there purely to support you and take notes if you want them to, not to advise you or provide additional information.



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Who is an appropriate person to take as a support person?

A colleague is probably appropriate in most circumstances but if you don't feel comfortable having a colleague listen in then you could consider someone from another department or even outside the hospital such as an advisor.

A member of the **Workplace Relations Team** is able to attend as a support person for a member should they wish.

I've heard that workplace meetings are sometimes recorded (or notes taken). Can I have access to this information to check it reflects what actually happened?

Yes. Not all meetings will be recorded but there will probably be someone taking notes. You can request a copy of the recording or the written record of the meeting.

What is likely to happen following the initial 'fact finding' meeting?

Following any initial information gathering, an issue analysis will be completed. This will take into consideration background information (who, what, when, where etc), frequency and severity (how often, how serious), impact (rating of the impact on all parties involved) and any additional information.

Options for resolution will then be considered with recommendation made for outcomes and follow up. Techniques that maybe used here could include facilitated discussions, mediation, coaching, mentoring or further training.

If this more formal approach is taken, how long will this process take?

Following your initial meeting, you should expect to have information about possible resolution options or outcomes within 20 working days.

Will raising a workplace grievance lead to disciplinary action for the other side?

It may. Again, this will of course depend on the severity of the matter. You should be informed of an outcome from an investigation however, you may not find out the detail of what disciplinary action (if any) was taken.

Will the grievance be kept confidential?

Yes. All information related to a workplace grievance will remain confidential.

Will my supervisor be informed of the grievance? For example, if I raise my concern with the JMO Manager will they discuss it with my supervisor?

This will depend on the nature of the grievance. Before raising your concern with any other parties, the person you have alerted should discuss with you what steps will follow and who may be involved.

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Once the process has started, can I withdraw my grievance?

Yes. At any stage in the process you can withdraw your grievance assuming there is no threat to health and safety.

Do I need to read the Policy Directive before I raise a concern?

Compliance with NSW Health Policy Directives is mandatory. These can be accessed via the NSW Health **StaffLink** system with a number of directives also freely available on the internet. Whilst the process may differ slightly from LHD to LHD or even hospital to hospital, approaches should be consistent with the directive.

Given the very broad range of possible concerns you might be raising in the workplace, the **Resolving Workplace Grievances Policy Directive** is not supposed to be prescriptive. An appropriate process needs to be adopted to suit the particular situation raised in the grievance.

If you are considering raising a grievance or are asked to respond to a grievance, the AMA NSW **Workplace Relations Team** is here to support and assist you.



MORE INFORMATION

The NSW Health Policy Directive **Resolving Workplace Grievances** and supporting document 'Guidelines for Staff' provide more information on dealing with concerns.



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This information is for general guidance only and should not be used as a substitute for obtaining specific assistance or advice.
AMA (NSW) will not be liable for any decision made or action taken in reliance on the information in this document.
The information included in this document was collated citing the Public Hospital Medical Officers (State) Award 2019 and NSW Health Policy Directive PD2016_046 – Resolving Workplace Grievances.



Australian Medical Association (NSW) Limited

AMA House, Level 6, 69 Christie St, St Leonards NSW 2065, Australia
PO Box 121 St Leonards NSW 1590
ABN 81 000 001 614



Phone: 02 9439 8822 or
1800 813 423 from outside of Sydney.



Fax: 02 9438 3760 or
1300 889 017 from outside of Sydney.

www.amansw.com.au



Workplace relations:
workplace@amansw.com.au

Membership:
members@amansw.com.au