



NZWLA Grievance Policy

1. Introduction

1.1. This Policy applies where a grievance has occurred in relation to a member of the NZWLA.

2. Definitions

2.1. For the purposes of this Policy the following terms are defined as:

- (a) Aggrieved Person means a person against which a grievance has occurred
- (b) Aggrievor means a person or persons against which a grievance has been lodged

3. Procedure for lodging grievance

3.1. An Aggrieved Person must, in the first instance, lodge their grievance with their regional body where this is appropriate.

3.2. Where a grievance is lodged with the NZWLA, that grievance must be made in writing by the Aggrieved Person within 7 days of that grievance occurring.

3.3. The grievance must be lodged in writing with the NZWLA President. The grievance must set out:

- (a) The circumstances within which the grievance has arisen;
- (b) The grounds on which the grievance is based; and
- (c) If the matter has already been referred to the regional body, the decision made by the regional body; and
- (d) Any other relevant information.

3.4. Nothing in this Policy prevents an Aggrieved Person withdrawing their grievance at any time in writing to the NZWLA President.

4. Consideration of the grievance

4.1. As soon as practical after receiving a grievance, the NZWLA President will:

- (a) Investigate and consider the grievance and shall within 7 days of the date of receipt of such grievance, determine whether:
 - (i) The matter should be dismissed, because in the President's determination, the matter is trifling in nature or has no merit; or

- (ii) The matter should be dismissed, because in the President's determination, the matter has been appropriately resolved by the regional body; or
 - (iii) The grievance warrants further review and determination in accordance with this Policy; or
 - (iv) The matter should be referred to the regional body.
- 4.2. The President will not refer matters to the regional body where:
- (a) The grievance has already been lodged with the regional body and has been through the regional body's grievance process; or
 - (b) In the President's opinion it would not be appropriate in the circumstances to refer the grievance to the regional body.

5. **Grievance Review Panel (GRP)**

- 5.1. If the President considers the grievance warrants further review and determination then the following shall occur:
- (a) The appointment of a GRP which shall be constituted by any three suitably qualified persons available to consider the grievance;
 - (b) The nomination of a chairperson of the GRP; and
 - (c) The immediate forwarding of any relevant documents to the GRP.
- 5.2. No member of the GRP appointed under this clause may be a party to or directly interested in the matter under consideration by the GRP.

6. **Procedures for the GRP**

- 6.1. The GRP shall, as soon as practicable after receiving a notice under clause 5.1, serve a notice in writing on the Aggrieved Person:
- (a) Stating that the Aggrieved Person may address the GRP at a meeting to be held as soon as practicable, being not earlier than 4 days from the date of the notice; and
 - (b) Stating the date, place and time of that meeting; and
 - (c) Informing the Aggrieved Person that he/she may do any one or more of the following:
 - (i) Attend that meeting; or
 - (ii) Give the GRP, no later than 24 hours before the time of that meeting, a further written statement setting out relevant information surrounding the grievance.
- 6.2. The GRP shall, at the same time as serving a notice under clause 6.1, also serve a notice in writing on the Aggrievor:
- (a) Stating that the Aggrievor may address the GRP at a meeting the meeting held under clause 6.1(a); and
 - (b) Stating the date, place and time of that meeting; and
 - (c) Informing the Aggrievor that he/she may do any one or more of the following:
 - (i) Attend that meeting; or
 - (ii) Give the GRP, no later than 24 hours before the time of that meeting, a further written statement setting out relevant information surrounding the grievance.
- 6.3. The GRP may conduct a meeting convened, or any adjournment thereof, in such manner as it sees fit, but shall:

- (a) Give the Aggrieved Person and the Aggrievor every opportunity to be heard; and
 - (b) Give due consideration to any written statement from any party including by the Aggrieved Person;
 - (c) Allow the Aggrieved Person to be present along with his/her adult representative (not legally trained or qualified) if the Aggrieved Person is under the age of 18 years; and
 - (d) May request or require the Aggrieved Person or any other witness to attend the meeting or provide such evidence as is available.
- 6.4. Following consideration of all relevant and available information, the GRP shall arrive at a finding within 3 days of the date of such GRP meeting. A decision of the GRP must be a majority decision.
- 6.5. The GRP shall notify the President, the Aggrieved Person and the Aggrievor within 24 hours of making such a finding, which shall be confirmed in writing within 7 days of the date of determination.
- 6.6. The Aggrieved Person and the Aggrievor must comply with any direction of the GRP.

7. Appeal

- 7.1. If an Aggrieved Person is dissatisfied with the finding of the GRP, that Person can apply to the NZALU to have the matter resolved by them.
- 7.2. Further appeal to the Sports Tribunal of New Zealand is also available. Any application under this clause will be heard in the appeals jurisdiction of the Sports Tribunal.