



ICE HOCKEY AUSTRALIA

GRIEVANCE PROCEDURES

July 2004

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Where a person, be they a member or an officer or other employee or agent of the Federation has a grievance arising [from their involvement in the activities of the Federation, whatever that may be OR under this Team Agreement], with another such member, officer, employee or agent of the Federation, and that person considers the grievance warrants investigation and action by the Federation that person shall follow the following procedure.

1.1 Grievances Officer

The person shall contact, either by telephone or in writing, the Federation Grievances Officer, appointed by the Executive, and advise they have a grievance which they wish to discuss. The identity of the nominated Federation Grievances Officer will be communicated to all parties within the Federation by written notice. Where a grievance is to be submitted in writing it should be addressed clearly to the Federation Grievances Officer and marked "Private & Confidential".

1.2 Action by Grievances Officer

- (a) Where a grievance has been received by the Federation Grievances Officer he shall, as soon as practicable, meet with, or discuss the grievance with the aggrieved party. The Federation Grievances Officer may take whatever steps and conduct whatever investigations necessary to determine whether the grievance is legitimate.
- (b) Where the Federation Grievances Officer determines the grievance is legitimate they shall take all reasonable steps to resolve the grievance.
- (c) Where the Federation Grievances Officer determines the grievance is not legitimate they shall advise the aggrieved party accordingly. If the aggrieved party is not satisfied with the Federation Grievances Officer's determination they may take whatever further action they consider necessary or appropriate including requesting the commencement of judiciary action under the Rules.
- (d) Where the Federation Grievances Officer is unable to resolve a grievance or considers the grievance of a very serious nature they shall report the grievance to the Chief Executive Officer and/or the Executive for action.
- (e) All grievances received by the Federation Grievances Officer, and all information surrounding the circumstances of a grievance which is discovered by the Federation Grievances Officer on investigation shall be confidential and may be communicated only to the Chief Executive Officer and/or the Executive.

1.3 Procedures by Grievances Officer

In investigating a grievance and/or determining its legitimacy, the Federation Grievances Officer shall observe and apply the procedures applicable to a proceeding before a Federation Judiciary Committee (set out below) in so far as they are applicable.

1.4 Procedure at Proceedings

- (a) The Judiciary Committee Chairman shall announce the opening of the proceedings, stating the Judiciary Committee's authority, jurisdiction, composition and the nature and purpose(s) of the proceedings.
- (b) The procedure to be followed at proceedings shall be clearly explained by the Judiciary Committee Chairman. The Judiciary Committee Chairman shall state who is entitled to be present throughout proceedings during evidence and submissions.
- (c) The matter(s) which is/are the subject of proceedings shall then be read to the person(s) concerned. The body or person reporting the matter(s) and the subjects of the proceeding shall be given the opportunity to report the circumstances of those matter(s). The person(s) concerned will be given the opportunity to respond to this report and present

evidence/submissions as to their view of the circumstances of those matter(s). Any witnesses called by either the reporting body or the person(s) concerned will be given the opportunity to give evidence or make submissions. Witnesses may be questioned on their evidence. Evidence and/or submissions may be tendered in writing.

- (d) The Judiciary Committee will consider the evidence presented. The Judiciary Committee may adjourn the hearing if considered necessary. No other person shall be present or partake in any discussion with the Judiciary Committee at this time. If the Judiciary Committee finds an offence has not been committed or not proved it will advise the referring authority and dismiss the charge, accordingly.
- (e) If the Judiciary Committee finds an offence has been committed or proved, it may impose, in its discretion, an appropriate penalty or penalties, or it may report its findings to the referring authority with such recommendations as it considers appropriate. The Judiciary Committee Chairman will declare the proceedings closed.
- (f) If a decision cannot be given immediately after proceedings, the relevant party or parties must be advised of the time and place at which the decision will be given. The decision, any penalty, the reasons for the decision and notice of the person's appeal rights shall be given in writing and signed by the Judiciary Committee Chairman. A referring authority must advise persons found guilty of an offence under these Regulations of their rights of appeal (if any).
- (g) Every decision of a Judiciary Committee appointed by the Executive under these Rules shall be conveyed in writing to the parties concerned.