



Cook Islands Sports & National Olympic Committee

## **GRIEVANCE & COMPLAINTS POLICY**

### **1. POLICY**

The purpose of this policy is to provide a guideline for conducting disciplinary action in a procedurally fair and legally correct manner.

### **2. SCOPE**

This policy indicates procedures specific to operational management of Cook Islands Sports & National Olympic Committee. The procedures outline a progressive discipline approach to correct unsatisfactory work performance.

### **3. PRINCIPLES**

- 3.1. Ensure prompt action is taken as soon as practicable after an event.
- 3.2. Ensure equitable and fair treatment of all employees.
- 3.3. Ensure procedural consistency.
- 3.4. Disciplinary action aims to provide corrective / preventative action.
- 3.5. Ensure fairness and natural justice.

### **4. PROCEDURES**

- 4.1. A progressive Disciplinary Procedure will be imposed if an employee breaches any Trust policy, has a significant performance problem or where conduct takes place that is not in the interest of CISNOC, its clients and/or other employees.
- 4.2. When incidents occur they are reported to the Secretary General / Chief Executive Officer immediately.
- 4.3. The Secretary General / Chief Executive Officer informs the employee of the concern at the earliest opportunity and the process that will be taken to address the issue(s).
- 4.4. The employee is informed that a meeting will be arranged to discuss the matter:
  - 4.4.1. The employee shall be notified in writing in advance of the meeting. They are also informed of issues to be discussed and recommended to bring a representative / support person to the meeting.
  - 4.4.2. The employee must be given time to consider the issue.
  - 4.4.3. At the meeting the issues are stated and consequences if improvement does not occur outlined.
  - 4.4.4. The employee then has the opportunity to explain or give reasons for their actions.
    - 4.4.4.1. A written record of the meeting is kept, including date, time, and statement of the problem, explanations, corrective action, consequences and time frames.
    - 4.4.4.2. After this meeting the Secretary General / Chief Executive Officer may need to undertake further investigations (interview others involved, check records).
    - 4.4.4.3. After all reasonable inquiries are completed a decision is made.
    - 4.4.4.4. The decision is then communicated to the Employee along with improvements required, measurement of improvement, support and training to aid improvements, time frame for improvement and consequences if improvement does not occur. One of three discipline steps will be actioned:
      - (a) First written warning;
      - (b) Second and final written warning;

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(c) Termination.

## 5. ACTIONS

- 5.1. All warning documents are given to the employee and a copy is kept in their personnel file.
- 5.2. If improvement does not occur within the given time frame the next level of warning is actioned.
- 5.3. A general exception to the above procedure will occur if there is a very serious breach of CISNOC's policy. In this situation, steps (a) and (b) will be omitted and depending on the severity of the breach a final warning or termination will be imposed.
- 5.4. When the issue is of a serious nature CISNOC may choose to suspend the employee on full pay until an investigation is completed.
- 5.5. Only the Secretary General / Chief Executive Officer after consultation with the President of the Board can suspend an employee.
- 5.6. The suspended employee must be informed both verbally and in writing.
- 5.7. If an employee is on bail awaiting trial for a work related offence their employment may be suspended.
- 5.8. An employee whose performance deteriorates for health reasons should be counselled to seek appropriate professional assistance. Transfer to other duties or termination of employment may on occasion, be necessary.
- 5.9. If corrective performance occurs within the given time frame the warning is removed from the file. An oral warning will be removed after three months, a written after six months and a final after one year.
- 5.10. Any staff member who considers they have received an unjustified or unfair warning may seek to have the matter reviewed.
- 5.11. Staff have the right to invoke the "Personal Grievance" procedure under the Employment Act.

## Other Relevant Documents

Individual Employment Agreement

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