

A-Z Guide

SAMPLE OF PLAIN LANGUAGE EMPLOYMENT RESOLUTION CLAUSES



Samples of Plain Language Employment Relationship Problem Resolution Clauses

Refer also to the **A-Z Guide on Employment Relationship Problems** for information on the requirements of the Employment Relations Act 2000.



Sample 1

PROCEDURE FOR RESOLVING EMPLOYMENT RELATIONSHIP PROBLEMS AND PERSONAL GRIEVANCES

1. INTRODUCTION

This procedure applies to the resolution of all employment relationship problems and personal grievance matters within our organisation. You are reminded that an employment relationship problem is as defined in the Employment Relations Act 2000 and in your employment agreement.

If you feel that you have an employment relationship problem, we urge you to first raise the matter with us. We will do everything we can to resolve it as soon as possible after the event.

If the matter, you are raising is a personal grievance you must raise it with us within 90 days of the event giving rise to it.

2. PROCEDURE

2.1 Step 1

You must first speak with your manager or supervisor. If for any reason you don't wish to raise it with your manager, you should speak to another manager, or someone else who can deal with it, so we can deal with your concern early.

2.2 Step 2

If you prefer to raise the matter with us in writing, or if any matter you have raised under Step 1 has not been resolved, you should write a letter regarding your problem or grievance, setting out;

1. Details of your problem or grievance, and
2. What solution you seek to resolve the matter.

2.3 Step 3

Upon receipt of your advice in writing under Step 2 we will respond in writing setting out our version of the facts within fourteen days.

2.4 Step 4

We will then meet (within 7 days of our written reply in Step 3), to discuss and attempt to resolve the matter.

2.5 Step 5

If the problem or grievance cannot be resolved at the Step 3 meeting, and you wish to pursue the matter further, then you may do so by seeking the services of the Mediation Services of the Ministry of Business, Innovation and Employment, or with any alternative mediation provider as may be agreed. An employee who believes that he/she has a personal grievance must raise it with the employer within the period of 90 days beginning with the date on which the action alleged to amount to a personal grievance occurred or came to the notice of the employee. You must raise a personal grievance for sexual harassment with the employer within 12 months of the grievance arising or coming to your notice.



Sample 2

RESOLUTION OF EMPLOYMENT RELATIONSHIP PROBLEMS

All employment relationship problems which include personal grievance matters will be dealt with in accordance with following procedure.

1. If you have an employment relationship problem or personal grievance you should first raise it and try to resolve it with your manager.
2. If any matter you have raised under step 1 has not been resolved you should write to your manager covering the details of your problem or grievance and the solution you seek to resolve the matter. A meeting will be arranged with you to discuss the issues raised.
3. If the problem is still not resolved you may refer the details to the Mediation Services of the Ministry of Business, Innovation and Employment or any alternative mediation provider as may be agreed.
4. If the problem is not resolved by mediation, it may be referred to the Employment Relations Authority for investigation and determination.

You must raise a personal grievance for sexual harassment with **{Company name}** within 12 months of the grievance arising or coming to your notice.

You must raise a personal grievance with **{Company name}** within 90 days of the grievance arising or coming to your notice.

Remember

- Always call AdviceLine to check you have the latest guide
- Never hesitate to ask AdviceLine for help in interpreting and applying this guide to your fact situation.
- Use our AdviceLine employment advisors as a sounding board to test your views.
- Get one of our lawyers or consultants to draft an agreement template that's tailor-made for your business.

This guide is not comprehensive and should not be used as a substitute for professional advice.

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