

## Grievance Advice to Branches

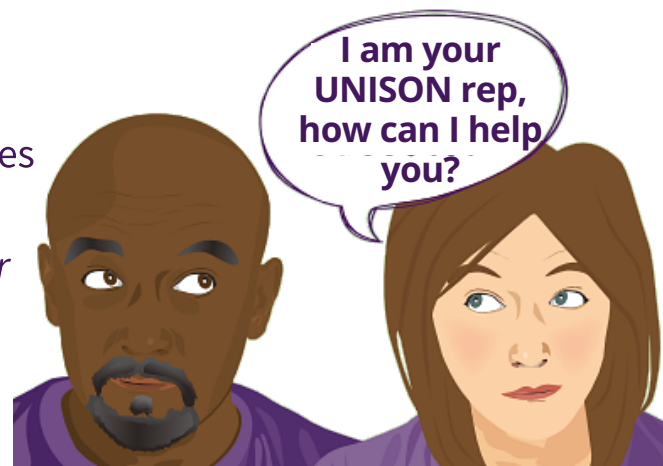
Most individual grievances will be dealt with by the local UNISON branch and are often resolved without recourse to the Regional Office. A wide range of issues affecting the individual employee may be dealt with by using the grievance procedure. This may include complaints about changes in role, start and finish times, disagreements about duties and a wide range of other day to day matters. A grievance is also, of course, raised on matters affecting the member which may potentially require legal action by UNISON. For example discrimination is unlawful therefore advice should be sought on whether there is a need to ensure time limits are adhered to. Three months less a day from the "incident" if an application to the Tribunal is necessary. In such cases do not await the conclusion of the internal procedure as this could lead to time limits being missed.

Sometimes the "grievance" may be more appropriately dealt with under a "Dignity at Work" policy or a "Bullying and Harassment" procedure. The parameters of the potential grievance will be defined by the procedure and will include the various levels of grievance, the right to be accompanied, the arrangements that will apply, such as who can hear the grievance, the timeframe for outcomes and the Right of Appeal.

Members will need to contact their branch/representative in order to discuss and agree the submission of a grievance with UNISON support.

## Time Limits for Legal Claims

As already noted, there may be potential legal implications for the member if their grievance relates to discrimination (*sex, race, disability, sexual orientation, political or religious belief, age, being or becoming a transsexual person, being married or in a civil partnership, being pregnant or on maternity leave*).



Time limits can also apply in regard to issues of fixed term or part time status or because a statutory right has been asserted) non payment of wages, statutory payments, Protected Disclosures (Whistleblowing).

Invariably time limits will be applicable in the potential submission of a claim for Early Conciliation. This needs to be referred to the Regional Representation & Systems Management Team (RRSM) (*See guidance sent to branches*)

In conclusion, the UNISON representative needs to be mindful that the date of the issue arising **may be the trigger date**, the date the clock starts counting down in order to make a claim. Therefore advice should always be sought in good time to avoid missing the potential deadline. This may be before the grievance is concluded. If appropriate this will also allow the Case Team to obtain legal advice on any potential claim prior to the deadline date being reached.

## Advice

### Advice on cases and any deadlines can be obtained by:



Advice can be obtained by telephoning the RRSM Team and speaking to the Regional or Area Organiser.



Case Surgeries are held monthly across the Region for the purpose of Branch Representatives seeking advice on cases from the Regional Organiser.



Email request for advice/contact from the RRSM team.

When a Case Form is submitted, it can be sent to the SE Referrals mailbox

### Further Reference:

<https://www.unison.org.uk/get-involved/in-your-workplace/key-documents-tools-activists/>

<https://www.unison.org.uk/content/uploads/2013/06/On-line-Catalogue205303.pdf>

<http://www.acas.org.uk/media/pdf/b/l/Discipline-and-grievances-Acas-guide.pdf>