

## 61. DISPUTE SETTLEMENT PROCEDURE

61.1 Any questions, difficulties or disputes arising in the course of the employment of Employees covered by this Agreement shall be dealt with in accordance with this clause.

The clause provides for any questions, difficulties or disputes 'arising in the course of the employment' to be dealt with by the procedure.

This is a change from the previous Agreement where any questions, difficulties or disputes 'arising under the General Agreement' were dealt with by the procedure.

61.2 The Employee may be accompanied by a Union representative during all stages of this procedure.

61.3 The Employee/s and the manager with whom the dispute has arisen shall discuss the matter and attempt to find a satisfactory solution within three working days.

61.4 If the dispute cannot be resolved at this level, the matter shall be referred to, and be discussed with, the relevant manager's superior and an attempt made to find a satisfactory solution within a further three working days.

61.5 If the dispute is still not resolved, it may be referred by the Employee/s or Union representative to the Employer or his/her nominee.

61.6 Where the dispute cannot be resolved within five working days of the Union representative's referral of the dispute to the Employer or his/her nominee, either party may refer the matter to the WAIRC.

61.7 The period for resolving a dispute may be extended by agreement between the parties.

61.8 Notwithstanding the operation of clauses 61.3 – 61.6, questions, difficulties or disputes involving multiple employees may be raised by the Union directly with the Employer or the Employer's nominated representative.

The Union can raise disputes involving multiple Employees directly with the Employer or the Employer's representative.

This streamlines the dispute resolution process for matters that involve multiple Employees.

61.9 If a dispute is raised by the Union via clause 61.8, the parties will make a genuine attempt to reach an agreed solution. If the dispute cannot be resolved, either party may refer the dispute to the WAIRC for conciliation or, where appropriate, arbitration.

61.10 Nothing in this clause constitutes a referral agreement within the meaning of section 12 of the *Employment Dispute Resolution Act 2008*.