Remedial Action Policy and Procedure

HiFlex Physio

Scope: This policy applies to all employees who are employed by HiFlex Physio.

Policy Statement: This policy will to ensure employees work according to their work agreement and their Modern Award including violations of the individuals and groups with regards to the agreements.

HiFlex Physio will follow the Fair Work Best Practice Guidelines for Managing Underperformance

Procedures:

Our **remedial** action policy is intended to correct something that is wrong or to improve a bad situation by undertaking urgent or immediate remedial action. This process is relevant for several areas of the business including industrial relations.

Industrial Actions

HiFlex Physio requires staff to be employed under Modern Award or Enterprise Agreement that follows the National Employment Standards including:

- Rates of pay
- Employment conditions e.g. hours of work, meal breaks, overtime
- How and when employees and their representatives will be consulted
- Dispute resolution procedures (Conflict Resolution Policy and Procedures)
- Deductions from wages for any purpose authorised by an employee

In the event that thee is a breach of any of these conditions then remedial action will be undertaken, that ensures that all parties meet conditions in the award or agreement.

Wage issue:

A wage issue may include rates of pay, allowances, deduction from wages, and overtime payment.

Step 1 – Research

1. Inform employee of the process that will be undertaken below

2. HR are to review, gather and match data on employee's working conditions and/or wages including allowances to the award or enterprise agreement.

3. Consult Finance department of the validated information

4. Finance are to ascertain if employee is being paid correctly

5. Timeframe for this research is two (2) days.

6. Write a letter to the employee with accurate information

Step 2 - Outcome

1. If there is a discrepancy, then HiFlex Physio must pay the correct amount including any requisite back pay.

2. Payment should be made in the next pay run.

Union Involvement

If the union is representing the employee, then permission must be sought from the employee to speak to the union representative on their behalf.

1. Record issue in staff file

2. Follow Step 1 to research any pay issue prior to any discussions

3. Contact with results of research

4. If this meets union and employee view of the issue, then send letter and pay employee.

5. If this does not meet union and employee view of the issue then:

a. Arrange a meeting with both union and employee

b. Ascertain the details of their requirement

d. Negotiate with all parties

e. Give staff member a Warning Letter if in breach of their working conditions.

f. Follow up within one (1) month to ensure employee is honouring working conditions

Employee Conditions Issue

Employees who are not performing to the conditions set out in HiFlex Physio policies and procedures and in their job description then remedial action will be undertaken. Below is the process for managing performance that is linked to their award or agreement.

1. Performance Reviews are undertaken by relevant Manager to ensure that staff perform their work as per their work agreement and job description

2. Poor Performance must be reviewed to ascertain cause or issue. These may include

- Consistently arriving late for work
- Leaving early
- Taking long lunch breaks
- Not working hours in the agreement
- Lack of knowledge of business goals
- Mismatch between employee and job role
- Interpersonal differences
- Lack of feedback on performance
- Cultural misunderstanding
- Workplace bullying

3. Refusal to complete tasks due to dissatisfaction with industrial agreements may be part of the poor performance

4. Define the issue or cause of concern

5. Arrange interview with individuals or groups to discuss poor performance or failure to abide by agreements

6. Inform employee of their role, code of conduct and any relevant details

7. Provide additional support if required

8. Issue an initial Warning Letter listing specific performance improvements with a review date

9. Review performance after one month to ascertain whether performance has improved

10. Issue a second Warning Letter listing specific performance improvements by a specific date. This letter will inform the employee that their employment may be terminated if the required performance level has not been received.

Responsibilities

Site Managers are responsible for the initial review.

General Manager Human Services is to review poor performance and work with the Manager to deal with each situation. If the problem is linked to industrial action or needs a development of a policy then refer to CEO

General Manager, Finance is to arrange for a review of payment of wages and allowance and give report back to General Manager, Human Resources.

Reporting

Manager is to report any issues to the General Manager Human Services and to complete the relevant reports

Approvals and Review
Name
Job Role/Position
Next Review Date