



POLICY

Drafted by	J. Briscoe	Approved by Board on	April 2014
Date drafted	April 2014	Last reviewed date	June 2018
		Scheduled review date	June 2021

Grievance and Conflict / Dispute Resolution

Purpose

To establish the policy and guidelines to address disciplinary measures and dismissal based in part on the Community Radio Broadcasting Code of Practice handbook (see References below). It aims to provide a fair structure that is understandable to Valley FM (VFM) Members, Presenters, Board Members, Contractors and Visitors.

The policy includes an appeal mechanism to ensure a 'right of reply' to a volunteer who has been disciplined. This is further complimented by this VFM 89.5 policy and procedure which may be used in a situation where a volunteer believes he or she has not been fairly heard or that the procedures for disciplinary action and dismissal of volunteers has not been adequately followed.

This document does not include the procedure for expulsion of a member from the association, which is laid out in the 2015 Valley FM Broadcasters Association Inc. Constitution.

Procedure for Disciplinary Action and Dismissal of Volunteers

The procedure for disciplinary action is a three-step process which includes:

- First formal notice in writing
 - Second formal notice in writing
 - Notice to the volunteer of dismissal from duties.
1. For issues that are considered minor a conversation with a volunteer may be appropriate. This will not be part of the formal disciplinary action although it may be referred to in later action. It is however recommended that a written 'Record of Discussion' be prepared and signed by the VFM Board representative.
 2. Written notice will include details of the issue and, where feasible, evidence where the disciplinary measure has been instigated on the basis of a complaint. It may be appropriate to include a copy (with identification removed) or extract of the complaint. It should be signed

by both parties but if the party being disciplined refuses to sign, this must be noted with a reason stated.

3. Further disciplinary actions, such as a suspension of volunteer duties for a period of time, may also be appropriate. In such cases these actions will be included with the formal notice in writing.
4. Every effort will be taken to ensure that notice of a disciplinary measure, whether formal or informal, will be given at an appropriate time, e.g. not immediately prior to or during a broadcast.
5. Note of a disciplinary measure will be given by a designated Board Member.
6. Volunteers will be provided with an appeal against the action. This may take the form of a meeting with the Board, or representation in person and/or in writing to the Board.
7. The volunteer may bring a representative to any such meeting.
8. Should an appeal result in a change or removal of the disciplinary action, this will be confirmed in writing to the volunteer within one week (7 days).
9. Conduct which may lead to disciplinary action includes, but is not limited to:
 - Poor timekeeping or unreliability
 - Not following pre-existing station rules and policies, including programming policies.
 - Engaging in acts or broadcasts which may breach broadcasting Codes.
 - Engaging in broadcasts which may breach other related legislation e.g. Broadcasting Services Act 1992 (which provides sponsorship provisions), copyright or defamation laws.
 - Inappropriate handling or use of station equipment or property
 - Rudeness or hostility towards other volunteers or members
 - Intoxication, or evidence of consumption, from alcohol or other substances when broadcasting, and/or
 - Publicly bringing VFM into disrepute.
10. Some conduct may be tantamount to "gross misconduct" - in this instance a volunteer may be dismissed without prior warning.
11. Conduct which may be classed as gross misconduct may include, but is not limited to:
 - Verbal or physical harassment of any other volunteer, member or guest of Valley FM 89.5 particularly with respect to race, sex or religion
 - Willful damage to or theft of property belonging to VFM, or another volunteer, member or guest of VFM
 - Falsifications of any of the organisation records for personal gain, and
 - Commercial misrepresentation of VFM.
12. Where a volunteer is being dismissed without prior warning that volunteer will be provided an appeal as outlined in point 6.

Valley FM Compliance Obligations

The Board is responsible for the development, implementation, operation and review of this policy. Compliance with the policy is also the responsibility of all Board Members and Presenters who are all, by virtue of their membership, volunteers.

Legislation Framework

Commonwealth

Broadcasting Services Act 1992

Copyright Act 1968

Privacy Act 1988

References

Community Broadcasting Association of Australia (CBAA). 2008 and 2016. Community Radio Broadcasting Codes of Practice available at [CBAA Broadcasting Codes of Practice 2008/2016](#)

Fair Work Australia Ombudsman available @ [Fair Work Australia Effective Dispute Resolution](#)