



DISPUTES AND MEDIATION POLICY

Policy number	PN57	Version	1.0
Reviewed by	Denise Kuchmar	Approved by COM on	17/8/15
Responsible person	President	Scheduled review date	17/8/16

Introduction

This policy is enshrined in the extract from the Plenty Valley FM Constitution

Scope

The grievance procedure set out in this rule applies to disputes between:

- (a) a member and another member; or
- (b) a member and the Association.

Policy

The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.

The mediator must be-

- (a) a person chosen by agreement between the parties; or
- (b) in the absence of agreement-
 - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Association; or
 - (ii) in the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

A member of the Association can be a mediator.

The mediator cannot be a member who is a party to the dispute.

The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.

The mediator, in conducting the mediation, must:

- (a) give the parties to the mediation process every opportunity to be heard; and
- (b) allow due consideration by all parties of any written statement submitted by any party; and
- (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

The mediator must not determine the dispute.

If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

Note: A dispute over a management decision by Plenty Valley FM Committee of Management, Staff or other authorised persons would be defined as a dispute between a Member and the Association.

Related Policies

Committee of Management Dispute Resolution
COM Code of conduct
Complaints

Related Documents

Board Induction Kit

President Signature _____

Approved: 17/8/15