



# KNOW YOUR AGREEMENT

## Dealing with disputes

*Westpac Group Enterprise Agreement 2016*

Source: Clause 43 Westpac Group Enterprise Agreement 2016

# FACT SHEET

### What is the process for dealing with disputes?

The Westpac Group Enterprise Agreement 2016 has a process for dealing with and resolving disputes, commonly known as the Dispute Settlement Procedure. This process includes arbitration by an independent umpire.

This means that if there is a dispute that isn't resolved in the workplace or through discussions, an independent arbitrator will hear both sides of the argument and make a binding decision.

In most instances the union expects that very few disputes would need to go to arbitration and that, generally, issues will be resolved in the workplace.

To reduce the likelihood of disputes arising, it is important that everyone is familiar with the provisions of the Agreement and ensure that these provisions are properly applied. In the event that a dispute does arise, the following applies:

#### Dispute Settlement Procedure

The following steps set out the process that will be followed to address concerns you may have about a matter arising under this Agreement or the National Employment Standards:

1. In the first instance, you should try and resolve the dispute through discussions with your immediate manager (if this is appropriate).
2. If the dispute does not resolve at step one, you or your immediate manager may attempt to resolve the dispute through discussions with the next level manager (if this is appropriate).
3. If the dispute does not resolve at step two, you, your immediate manager or the next level manager may discuss the dispute with the relevant General Manager Human Resources or delegate.
4. If the dispute does not resolve at step three, either party to the dispute may refer the dispute to the Fair Work Commission (FWC) for conciliation.
5. If the dispute does not resolve at step four, either party may refer the dispute to arbitration. If you have initiated the arbitration, you may advise your preferred dispute resolution forum and Westpac will consider your preference. Westpac will choose whether the arbitration is conducted by FWC or LEADR & IAMA.

Union members have the right to contact the FSU for advice, information and presentation at any during the dispute process.

Even if you have raised a dispute, you should continue working as normal unless doing so poses a risk to you e.g. health, safety or security, or it is not practical to do so. If you have concerns that continuing to work poses a risk to you, contact us immediately for advice.

**Need more information?** For more information on your rights under the new Westpac Group Enterprise Agreement 2016, contact your FSU Organiser or the FSU Member Rights Centre on 1300 366 378.

#### Not already an FSU Member?

Join now to access fully qualified member-only assistance. You can join online today at [www.fsunion.org.au](http://www.fsunion.org.au) or call 1300 366 378.