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<b>HQ Approver</b>	Robert J. Vitillo, Secretary General
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International Catholic Migration Commission

# STAFF GRIEVANCE POLICY & PROCEDURE

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Effective: 1 December 2020  
Approved by the ICMC Governing Committee on 28-29 October 2020

Revised to include [staffcomplaints@icmc.net](mailto:staffcomplaints@icmc.net) email address  
2 February 2024

## PURPOSE

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ICMC is committed to the well-being of its staff and recognizes that it has a duty to care for them. To this end, ICMC management aims to address problematic work-related, stress-producing situations at an early stage so that they can be resolved efficiently and durably. Furthermore, ICMC wishes to raise employees' awareness of work-related psychosocial risks and to preserve a healthy work-environment in all its offices.

Moreover, ICMC management is well aware that staff who believe that they have been treated with integrity, dignity, impartiality, transparency and accountability will perform to the best of their ability. This is essential if ICMC is to carry out its mandate to the highest possible standards but also to do so while contributing to the physical and psychosocial well-being of its staff and those whom it serves. This is why a safe and ethical working environment is essential for ICMC staff – both at management and line staff levels. As part of this commitment, ICMC guarantees staff access to processes for the resolution of workplace-related grievances and provides them with an environment in which they can work without any discrimination or harassment, an environment that allows for free expression of grievances that may arise in the workplace. This policy applies to all grievances in accordance with national and local laws, labor customs as well as with ICMC terms of employment, conditions and guidelines.

**A work-related grievance** is any type of problem, concern or complaint related to the staff member's work and individual working conditions, his/her work environment or relationships with colleagues or supervisor(s). Issues causing grievances related to the workplace can include any act, behavior, omission, situation or decision impacting on ICMC staff which the staff member considers to be unfair, unlawful or unjustified.

ICMC aims to resolve any workplace related grievances in a fair and timely manner, ensuring due process and independent hearings to all its staff. This policy and procedure support efficient handling of staff grievances alleging any violation of their rights or of rights linked to their employment contracts.

**Note: Alleged breaches of the Code of Conduct (CoC) and the Policy on Prevention of Sexual Harassment, Exploitation and Abuse (PSHEA) should be reported through the Whistleblowing Procedure.**

Whenever possible, ICMC aims to address grievances informally through discussion among the people concerned<sup>1</sup>. However, when informal discussions have not been successful and concerns cannot be resolved among those directly involved, they will be considered and dealt with in accordance to this policy and procedure.

<sup>1</sup> If informal discussions are not successful, consideration may have to be given to a formal mediation process, depending on local resources and after consultation with ICMC headquarters.

## OBJECTIVE

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The objective of this grievance policy and procedure is to ensure that ICMC staff has an effective way of raising grievances related to the workplace and, more specifically, to relationships between employer and employee as well as among employees themselves and that they can be dealt with in a fair, thorough, confidential and independent way. ICMC wishes to encourage staff to come forward with grievances, guaranteeing confidentiality without victimization, intimidation or risk of retaliation.

This grievance policy and procedure apply to all ICMC staff, defined for the purpose of this policy as all permanent and temporary employees, persons related to governance bodies and/or related to ICMC affiliate offices, subsidiaries and branches, interns, volunteers and all individuals working for or representing ICMC.

Grievances may include, for example:

- application and interpretation of terms and conditions of employment
- health and safety in the workplace
- workplace relations and workload
- staff development and training
- new working practices / organizational changes
- bullying and harassment
- discrimination

## GRIEVANCE PROCEDURES

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Staff are encouraged whenever possible to resolve a grievance by addressing their issue directly with the person(s) involved. Staff might find that the other person(s) was/were not aware of a problem and that the matter can be resolved easily and directly.

However, if the grievance is not resolved in these discussions or if a staff member lacks the confidence needed to address the other party directly or has a very sensitive issue to report, s/he may submit a grievance in writing without unreasonable delay and in accordance with the process outlined below:

- Staff will need to bring the grievance to the attention of their line manager in the first instance.
  - If the grievance involves the line manager, staff shall bring the matter directly to the attention of the relevant senior manager (Head of Office or Country Director at field level, Head of Department at headquarters level).
  - If the grievance involves local ICMC leadership, or if the complainant is concerned that the grievance has not been adequately addressed at the level of the field, affiliate or other local ICMC office/programme, the complaint should be directed to Headquarters by emailing [staffcomplaints@icmc.net](mailto:staffcomplaints@icmc.net).
- Formal grievances will be acknowledged within three working days and the follow-up process will be outlined.
  - All formal grievances will be reviewed and examined by either the line manager or the relevant senior manager (if necessary, with support from headquarters) applying best practice procedures, which will include a meeting with all concerned staff (grievance hearing). All reported concerns shall receive a written response within thirty working days from the date of reception of the formal grievance. In exceptional cases, the delay may be prolonged; in such a case, the complainant will be informed about the delay and when to expect an answer. The written response shall state the reasons for the decision and will include notes of any meetings and any other evidence that was gathered. If the grievance has been against another employee(s), they too will be advised of the outcome.
- In case the grievance involves the Secretary General or a member of one of the governance bodies, the complaint must be addressed to the President / the Vice-President or to the members of the Governing Committee.

## LOCAL REVIEW COMMITTEE

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If the complainant is not satisfied with the outcome of the grievance review, s/he can submit her/his grievance to the local Review Committee. The grievance should be submitted by the complainant without unreasonable delay and at the latest within fifteen working days of s/he having been notified of the written response.

Each ICMC country office, branch and affiliate office will set up a local Review Committee. The ICMC Secretariat will also establish a local Review Committee. Each local Review Committee should consist of at least three to maximum five members<sup>2</sup>, with a balanced representation of women and men staff members, preferably with human resources experience and relevant seniority in their position as well as within the organization. All Review Committee members should commit to a term of one year and will need to sign a Confidentiality Agreement at the beginning of their term.

- The local Review Committee will review the grievance, considering best practice in the fact-finding process of handling the grievance as well as of information which might have been disregarded in the initial analysis. The Review Committee will also assess how information has been analyzed by the initial review and whether decisions have been taken based on the legal framework in an inclusive way; they will also verify any potential conflict of interest. The local Review Committee shall provide the complainant with a written response within thirty working days. In exceptional cases, the delay may be prolonged; in such a case, the complainant will be informed about the delay and when to expect an answer. The final written response shall state the reasons for the decision and will include notes of any meetings and any other evidence gathered. If the grievance has been against another employee(s), s/he/they too will be advised of the outcome.
- The staff member who submitted the grievance to the Review Committee may invite a staff colleague to observe her/his meeting with the Committee. However, since this is an internal process, the staff member cannot be accompanied by a legal counsel.
- If one member of the Review Committee is directly involved in the initial grievance or managing one of the staff members involved, s/he needs to withdraw from the Review Committee. The Review Committee functions with a minimum of three members.
- The decision of the local Review Committee is final. If not satisfied, the complainant can appeal this decision to the Secretary General or, if the Secretary General was involved in the complaint initially, to the President / Vice President or to the ICMC Governing Committee.

The local Review Committee reports annually to the Secretary General on the number of received grievances and their resolution.

<sup>2</sup>Taking into account and adapted to the size and capacity of the country office, branch or affiliate office

## APPEALS PROCEDURE

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A staff member who is not satisfied with the final written decision made in relation to the grievance that s/he submitted through the above-described procedure is entitled to appeal the decision to the Secretary General. Appeals can be made by both sides.

The appeal to the Secretary General must be a statement in writing signed by the staff member, stating the basis for the appeal. To be receivable, it must clearly state the reasons for the appeal, based on evidence, to explain why the final decision of the local Review Committee did not, in the view of the staff member, adequately address the complaint. The Secretary General will notify the respective Review Committee about the appeal and ask for all relevant information and reports of the initial grievance. He will conduct necessary consultations with Review Committee members, senior management and other individuals involved in the grievance as he deems necessary to reach a final decision.

Appeals will be acknowledged within ten working days. The appeals decision will be communicated to the complainant in writing within one month. If there is a necessary delay in the above-outlined process, the complainant will be notified in writing.

If the appeal concerns the Secretary General, the appeal should be addressed to the President / Vice-President or the ICMC Governing Committee<sup>3</sup>.

**Any decision made by the Secretary General (or by the Governing Committee in the case of complaints concerning the Secretary General) is final. Outside mediation may be considered on the discretion of the Secretary General (or by the Governing Committee in the case of complaints concerning the Secretary General).**

**Notwithstanding the above procedures, in grave situations, the Secretary General (or the Governing Committee in the case of complaints concerning the Secretary General) reserves the right and responsibility to intervene in the grievance process as necessary and appropriate.**

<sup>3</sup> Depending on which instance dealt with the grievance in the first place.