|  | Plan  Industrial Relations Case Study |
| --- | --- |
| Goal | *The aim of writing this report is to sort out the problems that my staff has been facing at* ***Bounce Fitness*** *regarding**their breaks. I will try to settle down the problems as quickly as possible so that we don’t lose our staff or our clients.* |
| Your Role | *As a human resource manager, I will plan for the training and development of the staff, manage payrolls, maintaining a healthy work culture, resolving conflicts, organising various activities, provide rewards and incentives, maintaining employee relations.* |
| **Policy and Procedure** | * *Policy 1:* [Digital Communication Policies and Procedures](http://bouncefitness.precisiongroup.com.au/wp-content/uploads/2021/09/digital-communication-policies-and-procedures-v1.1.pdf)   Bounce Fitness guarantees that all staff individuals follow proficient correspondence decorum, in any event, while utilizing computerized correspondence.  Utilizing just authority Bounce Fitness recommended stages while imparting about business related matters, like the accompanying: ▪ Report checking ▪ Booking of occasions and gatherings ▪ Archive input.   * At Bounce Fitness, all staff individuals follow proficient correspondence decorum, in any event, while utilizing computerized correspondence. These include: • Including appropriate good tidings toward the beginning of each email • Follow legitimate syntax and right sentence structures • Involving amiable language in all correspondence • Trying not to talk about private matters with clients • Restricting the utilization of emoticons • Not committing pardons or accusing others when errors are made. * *Policy 2:*  [Information Management System Policy](http://bouncefitness.precisiongroup.com.au/wp-content/uploads/2021/12/Bounce-Fitness-Information-Management-System-v1.1.pdf)     Bounce Fitness contains four wellness habitats, with its administrative center situated in Cairns, Queensland. Each middle comprises a rec center loads area,separate roomsfor heart stimulating exercise/circuit classes, change rooms with showers, latrines and storage spaces, a bistro, and a retail region.  Bounce Fitness sells yearly participations and relaxed visits. Their data framework gathers information on all region of the business. Strategy that Bounce Fitness utilizes a hand crafted all encompassing data the executives framework called 'Bounce Fitness IT'. |
| Policy and Procedure Title 1 | [Digital Communication Policies and Procedures](http://bouncefitness.precisiongroup.com.au/wp-content/uploads/2021/09/digital-communication-policies-and-procedures-v1.1.pdf) |
| Policy Statement 1 | *Workers can discuss with the HR about the issues that they have been facing at the gym directly through email.* |
| Policy Procedures 1 | Whenever communicating with business-related issues, use only the official Bounce Fitness-recommended channels, such as: Checking reports Meeting and event planning • Document feedback • This is done between the Chief Executive Officer, who receives the reports, and the following Managers, who produce the reports for submission: General Managers: General Managers of Finance, Human Resources, and Marketing. |
| Policy and Procedure Title 2 | * [Information Management System Policy](http://bouncefitness.precisiongroup.com.au/wp-content/uploads/2021/12/Bounce-Fitness-Information-Management-System-v1.1.pdf) |
| Policy Statement 2 | The data gathered enables Bounce Fitness to track customer membership activities, more precisely, the day and hour of the customer's visit. It can also keep tabs on stock use inside the company and business finances. The system adheres to all applicable laws, rules, codes of conduct, and standards for safeguarding the safety and privacy of their clients while securely retaining the personal information of both internal and external clients. This channel can be used to voice complaints to the HR manager. |
| Policy Procedures 2 | The client database contains all internal and external personal information about every member, including name, address, email, contact number, payment and finance arrangements, fitness goals, personal training sessions, preferred personal trainer, composition, measurements, and progress; the staff database contains all name, address, email, contact number, qualifications, experience, KPI's, goals, and professional development information. The Corporate Finance System can generate a variety of reports and keeps track of all business transactions. This system is used by managers to track product use, as well as sales and refunds from memberships, casual visits, the café, and the retail store. This system is used by the owner for tax, payroll, and income/expense reporting. This is used by staff personnel to carry out sales transactions, establish new memberships, access client records, and track client outcomes. |
| **Reports** | *Employee Complaints Reports* |
| Report Name | *Complaints* |
| **Legislation** | *Equal Employment Opportunity (EEO) Act 1987* In essence, everyone should be equal under the Equal Employment Opportunity Act of 1987, which governs the right to equal access to jobs and the benefits that go along with them. It attempts to guarantee just and equitable outcomes in all employment-related sectors that have to do with how personnel are chosen, hired, trained, and managed.  In conclusion, EEO aims to: • ensure that decisions are not based on employee differences; encourage fair practises; ensure that skilled staff remain with the company; ensure that training is based on customers' and employees' needs; ensure there is no harassment in the workplace; eliminate discrimination; and, • ensure that the business respects and acknowledges all cultural backgrounds. |
| Legislation Title | *Equal Employment Opportunity (EEO) Act 1987* |
| Provision | *The provision according to the act would be that there will be equal benefits for the employees* |
| **Regulation** | *It will allow the employees to get the equal treatment and listened to their complains according to their rights.* |
| Regulation Title | *The regulation Title is Equal Employment Opportunity* |
| Regulation Provision | *There are many laws in effect that prohibit discrimination on the basis of sex, marital status, pregnancy, race, colour, descent, or national or ethnic origin (under the Commonwealth Racial Discrimination Act 1975). (under the Commonwealth Sex Discrimination Act 1984).* |
| **Code of Practice** | *There will be a need to write down a report about the complains that the employees are facing and how the management of the gym have tried to sort them out.* |
| Code of Practice Title | Complain Report |
| Provision | *Complaints: This is a list of all complaints that each centre has received. It includes information about when the complaint was made, what it was about, and the steps the centre took to ensure that it was resolved.* |
| **Award / Agreement** | *Agreement between Employee and Management* |
| **Other relevant information** | *Results of the customer satisfaction survey are shown below. Each center's sample results are shown. These cover the following service categories: equipment, service delivery, and personal training.* |
| **Specialist Advice** | *The employees should put forward their complains as it is their legal right.* |
| Name of Specialist Individual/ Organisation | Human Resource Manager |
| Expertise/ Specialisation | HR Manager |
| Question for specialist individual / organisation | Are you going to solve the issue of the employees working at the gym? |
| **References Used** | [*http://bouncefitness.precisiongroup.com.au/performance/*](http://bouncefitness.precisiongroup.com.au/performance/) |
| **Plan** | *Write between 400- 500 words here to plan your approach to this issue. Ensure your plan is in line with any relevant Bounce Fitness policy or procedure. Your plan must include:*   * *Go through the laws that are to be concerned while carrying out the research* * *I will write down all the requirements that the employees need and the response of the manager and form a report.* * *I will make sure to resolve the issue by arranging a meeting with the employees and then, with the manager to implement the new strategy of the shift system in the gym. Bounce Fitness will follow the new plan after the meetings have been arranged because I would make sure that the employees and the management both get equally treated according to their rights and law.* * *Moreover, the customers are provided with a platform where they can complain, or give their feedback. It can be utilized by the clients as it would allow them to be more secure. According to the Sex Discrimination Act 1984, customers have the right to raise voice against any activity that is being done out of their will. By utilizing their right, they could step forward and complain, just as in the case of Merlin and Aaron.* * *Being a manager, I would recommend all my customers at Bounce Fitness utilize the opportunity of using email as a means of contact with the management. Accroding to Digital Complains Policy and Procedure, the clients are allowed to have a dirsct contact with the management through digital medium. Therefore, Merlin has used her right by keeping the policy in her mind and used her right for it.* * *Also, I would use the right of the manager to sue any employee who is not behaving properly. In addition, to sort out the issues and complaints that the employees have, I would recommend the manager of Bounce Fitness to use and implement the shift system so that this matter could be resolved easily and everyone at Bounce Fitness gets a chance to enjoy his job.* * *There would be a need to make customers and employees aware of the policies and procedures that are being followed at Bounce Fitness as the reason could also be a lack of knowledge about the rules being followed at the gym.* * *The manager of Bounce Fitness should be reminded that the decision of the gym would be taken by the HR manager and not him, thus, he should discuss the matter with him and the employees in order to resolve the matter as soon as possible.* |

Activity 2

**Role Play**

Carlos: “*Good Morning, Sir!”*

Specialist: “*Good Morning, Carlos!”*

Carlos: *“How are you?”*

Specialist: *“Good, how are you doing?”*

Carlos: “*Well, I am doing great, thank you!”*

Specialist: “*Please have a seat.”*

Carlos: “*Thank you!”*

Specialist: “*Would you like to have tea or coffee?”*

Carlos: “*No, thank you, sir!”*

Specialist: “*So, what brought you here is everything ok?”*

Carlos: “*I am here to discuss an issue that the staff at Fitness Bounce has been facing and after trying a lot, I had to reach to you.”*

Specialist: “*It’s ok, you can tell me what is it?”*

Carlos: “*Actually the staff at the gym has complaints regarding the break times that they get.”*

Specialist: “*What complaints?”*

Carlos: “*They believe they should get a longer break instead of a five minute break.“*

Specialist: “*Alright, and what makes them think that?”*

Carlos: “*At the gym, they get mini breaks for five minutes twice a day. During this time, they are not able to enjoy their meal, tea or a snack. Most of them have complained about it and they want one longer break than a five minute break.”*

Specialist: “*Alright.”*

Carlos: “*Sir, most of our employees are working from 9am to 9pm. This makes it a hectic day for them.”*

Specialist: “*Yes, it does!”*

Carlos: “*Could we do anything to sort this out?”*

Specialist: “*Off course, did they tell you about the time they needed break?”*

Carlos: “*Not exactly, but the problem is that we cannot give them breaks because of the customers.”*

Specialist: “*It’s ok. We have to find a way out.”*

Carlos: “*Yes, we do.”*

Specialist: “*Ok, so, what we can do is, we can divide them into two groups and then divide their duties in two shifts. When one is gone for a short break, the other group can enjoy its long break which will be of 30 minutes. And when the second group goes for short break, the first one could enjoy their long breaks.”*

Carlos: “*Umm sounds good!”*

Specialist: “*Yes, for the time being, we cannot afford to lose our employees as we have more customer’s footfall now. We need to get it done.”*

Carlos: “*Alright, sir.”*

Specialist: “*I will sign the agreement and send it over to you so that you can implement the new regulation. But, I would need to have a meeting with the boss as well.”*

Carlos: “*Yes.”*

Specialist: “*I will inform you after discussing with him then.”*

Carlos: “*Alright sir, and, thank you.”*

Specialist: “*My pleasure.”*

Activity 3

|  | Role Play Information – Carlos Trapero  Industrial Relations Case Study |
| --- | --- |
| Employee Relations Case Study | *Supply relevant information from the case study in Task 1.* |
| **Role Play Details** |  |
| Meeting Purpose | *To discuss the complains that the employees have been facing at Bounce Fitness* |
| Student’s Role | *I would play the role of the HR manager in the role play.* |
| Helper’s Role | *The helper would play the part of Carlos in the role play* |
| The issue from the employee’s perspective | *They are not being treated equally as they have the full right to take breaks to have lunch or tea. They are concerned to work in shifts as there will be more time for the others to have breaks and feel better.* |
| The employee’s goal | *To get enough time to have their meals or snacks and relax for a while as they are on their duty.* |
| Challenges | *Job security will be at risk, also, their salary could be deducted as they work in shifts.* |
| Questions | * *For how long will we have to wait to get the decision implemented?* * *Can we get more breaks for tea?* * *Can we get a short break to relax?* |

Activity 4

The notes that are taken during the meeting:

* Discussion with the employees about shift system
* Provide them tea during their job
* Allow them rest leave for a while
* Give them an option if they take break, their salary will be deducted, if they do not, they will be paid full
* In case they want more breaks, they can lose jobs
* Discussion with the employees
* Meeting between employees and Boss
* Time will be informed
* Check mail tomorrow from sir

Activity 5

|  |  |
| --- | --- |
|  | Dispute Resolution Report |
| Student’s name |  |
| Workplace/Organisation | University |
| Student’s Work Role | AS an HR Manager at Bounce Fitness |

Table 6 Dispute Resolution Report Part 2

|  |  |  |
| --- | --- | --- |
|  | Version Control & Summary of Modifications |  |
| **Date** | Summary of Modification | Version |
|  |  |  |

Table 7 Dispute Resolution Report Part 3

|  |  |
| --- | --- |
|  |  |
| Reason for the Dispute | Employees do not get enough time during their breaks to have their meals or tea. Therefore, they require to have more time for breaks. |
| People/Group Involved | Employees, Manager (Carlos), and the HR Manager |
| Current Progress of Investigation | It is under observation by the HR Manager |
| Current Resolution Procedure Implemented | Not yet |
| Date of Implementation | Not informed yet. |

Activity 6

|  |  |
| --- | --- |
|  | Feedback Survey Industrial Relations process |
| Name | Employee 1 |
| Date | 18. 10. 22 |
| What was the industrial relations process you participated in? | The process was a conflict between the employees and the employer regarding their problem of getting less time for them to enjoy their tea or meals at Bounce Fitness Gym. |
| Date of the industrial relations process | 18. 10. 22 |
| Result of the implementation | Not decided yet. |
| Issues that occurred during implementation | Manager is not ready to allow long breaks to the employees. |
| Suggestions for any improvements to the industrial relations process | There could be shift system for the employees so that the other one could have proper meals. |
| Any other feedback | Employees are on right as there is a solution to this in the form of shift system. |

Activity 7

|  |  |
| --- | --- |
|  |  |
| Industrial Relations Process | The reports about the complains were collected from the employees and then they were submitted to the HR Manager for review.  The three phases of industrial relation process in this case would include: forming a union, negotiating a collective bargaining agreement, and managing or enforcing the agreement.  The administration's activities once the two parties have commonly settled on the worker association are known as the employee relations process. The means in the worker relations process help in controlling how the board moves toward the recruiting system, issues, and work relations with its staff.  For this situation, the elements that would influence the industrial relations between the administration, workers and the clients would be Individual way of behaving, authoritative construction, mental variables, initiative style, and others are completely thought of.  The mechanical and monetary climate.  Political and lawful environment.  Keeping up with and encouraging positive, solid connections among representatives and businesses, or laborers and the executives, is the significant objective of modern relations.  The organization of the Aggregate Dealing Arrangement (Expert Understanding), which covers talks, complaints, and unjustifiable work rehearses, is taken care of by the executives with the guide of work relations.  The act of dealing with an organization's singular workers all through the representative life cycle — from recruiting to preparing to yearly surveys — is the accentuation of HR the board (HR). The field of business relations (trama center) is worried about how an association and its representatives collaborate by and large.  The Five Elements of Working environment Wellbeing  Close to home and mental help: This has to do with the feelings and experiences that create and keep up with hopeful mental energy.  Feeling of mission. Having three things at work provides one a feeling of motivation: Individual help, Monetary position, and persevering through ties. |
|  | The fundamental features of modern relations are: I Advancing and creating positive work the board connections; (ii) Forestalling modern clash; and (iii) Keeping up with modern harmony.  In an association working environment, the board of HR (HR) and modern relations (IR) habitually addresses contradicting perspectives. HR addresses the business. The expression "modern relations," which is indistinguishable with "work relations," is often used to allude to issues influencing association representatives. |
| Date of Implementation of the Process | 17. 10. 22 |
| Result of Implementation | Awaited |
| Issue that occurred during implementation | No |
| Continuous Improvement Activity | Trying to give the benefit of shifts to other workers while one team goes to have their meal or tea. |

Activity

|  | Plan  Employee Relations Scenario |
| --- | --- |
| Goal | *To Immediately fire* Aaron McArthy due to inappropriate behaviour with the customers. |
| Your Role | *I would gather all the reports that would have similar issues so that I am able to take action against such supervisors.* |
| **Policy and Procedure** | According to the Fair Work Act 2009, no employee would be involved in any such activity that would harm the reputation of the firm. |
| Policy and Procedure Title 1 | *Human Rights and Equal Opportunity Commission Act 1986* |
| Policy Statement 1 | *Every human will have the right to raise voice for any activity that would run against his will.* |
| Policy Procedures 1 | *Inform the supervisor about the policy and action being taken with reference to the Human Rights and Equal Opportunity Act 1986.* |
| Policy and Procedure Title 2 | *Sex Discrimination Act 1984* |
| Policy Statement 2 | *No gender will use their gender superiority according to the Sex Discrimination Act 1984 in any organisation.* |
| Policy Procedures 2 | *With reference to this, the supervisor could be punished, fired or even could be sentenced to be punished.* |
| **Reports** | *The report from the customers feedback about their supervisors so that it could be resolved and confirmed.* |
| Report Name | *Customer Feedback Report* |
| **Legislation** | *Sex Discrimination Act 1984* |
| Legislation Title | Sex Discrimination Act 1984 |
| Provision | *No gender would be allowed to disturb any opposite gender in places where equality must be treated.* |
| **Regulation** | *The supervisor will be punished if found guilty of such a behaviour. Both Federal and State law make provision for EEO, anti-discrimination, and workplace and sexual harassment.* |
| Regulation Title | *Human Rights and Equal Opportunity Commission Act 1986* |
| Regulation Provision | *Nobody would be allowed to discriminate the other gender in terms of physical or mental torture.* |
| **New or changed legislation** | *None* |
| Provision | *Customers must feel free to visit at public places* |
| **Code of Practice** | *Complain Report* |
| **Plan** | * *The matter was brought to the HR manager through customer email.* * *He called the Carlos, manager at the Bounce Fitness* * *He suggested to collect feedback from other customers as well.* * *Customers feedback was gathered and presented to the HR Manager.* * *He reviewed and prepared a report to take action and implement it.* * *He has to inform what actions are o be taken next.* |

Role Play

**Role Play**

Merila: *“Good Morning, Sir!”*

HR Manager: “*Good Morning! Please have a seat.”*

Merila: “Thank you, sir!”

HR Manager: “I have received an email from you regarding the harassment that you have been facing at Bounce fitness. Please could you tell me the details? The reason I want to know the details is that we need to gather feedback from other customers as well and take a serious action to this.”

Merila: “Sir, Aaron, the supervisor, is a strange personality. He calls out different awkward names to me and other female customers. Moreover, he touches our bodies without any reason which makes us feel bad. This is not only me, I have heard similar complaints from other females as well in the changing room. They have experienced the same and want t get this resolved. Many of them have even stopped attending the gym due to this. But, I have to visit here as it is the only gym near my house. I could not stand this so I emailed you regarding the issue. Also, I could have complained to the police, using my right, but I wanted to inform you first if you could take any action.*”*

HR Manager: “Sure, you don’t need to do that. I will take a serious action according to the law and order against this.”

Merila: “This is alarming, sir. You must take immediate action about this.*”*

HR Manager: “*Exactly. I will make sure this gets resolved.”*

Merila: “*Please let me know what I have to do in this case? “*

HR Manager: “*Well, firstly, I need to take feedback from other customers as well. If we find similar complains, then, according to the Sex Discrimination Act, we are free to fire the supervisor due to his inappropriate behaviour. According to the law, we have to take legal action against this issue.”*

Merila: “*The supervisor is good, but, equally strange! This means he is not what he pretends to be! I am shocked that nobody has ever complained against his behaviour which is so irritating!”*

HR Manager: “Yes, I feel the s*ame; he has a good experienced background as well. I checked his profile. But look, the most important part of us is you, the customers, we have to deal with these complains that lie under physical harassment. I have to get this done according to the law and punish him according to the Sex Discrimination Act, in which it says makes it illegal to discriminate against a person on the basis of their sex, gender identity, intersex status, sexual orientation, marital or relationship status, family responsibilities. I have gone through the entire regulations according to it.”*

Merila: “Alright sir, please have a look into the matter, you may decide then.*”*

HR Manager: “*Yes, sure! But we need to work on this as soon as possible. We cannot lose our customers, also, if this leaks out in market, we will have a negative reputation which we cannot afford and you know that I am sure.”*

Merila: “Yes, you do, s*o.”*

HR Manager: “Do you think if I send an email to the female customers, would they send me an honest answer? *Because this is the only way to secure our customer’s privacy. This way, we would make our customers safe and feedback would be more secured.”*

Merila: “*Sure. You may do it that way. It will work.”*

HR Manager: “*It’s ok. We have to find a way out, without putting the customers under threat. This is not a simple case, though. I need to get this done as soon as possible.”*

Merila: “*Yes, I understand, you do need to get this resolved soon.”*

HR Manager: “I will do that for sure!”

Merila: “*Thank you, but I am all glad to know that!”*

HR Manager: “*Sure! Anyway, thank you for being here and putting this matter forward.”*

Merila: “*It was my need, sir.”*

HR Manager: “*Ok, so wait for my mail.”*

Merila: “*Yes.”*

HR Manager: “*You will get to know the outcome soon!”*

Merila: “*Alright sir, and, thank you for listening to me and taking action on this matter!”*

HR Manager: “*My pleasure.”*

Activity

|  | Role Play Information  Employee Relations Case Study |
| --- | --- |
| Employee Relations Case Study | *Supply relevant information from the case study in Task 7.* |
| **Role Play Details** |  |
| Meeting Purpose | *To discuss the complains of the customer about a supervisor harassing her physically and mentally at the gym.* |
| Student’s Role | *I would discuss with the manager and provide suitable outcome for taking actions against the concerned person.* |
| Helper’s Role | *He acted as a manager at Bounce Fitness* |
| The issue from the employee’s perspective | *It is from the customer that she is being tortured at the gym by her supervisor who passes inappropriate remarks on her body and touches her without any reasons.* |
| The employee’s goal | *To get the issue resolved so that she is able to exercise there without hesitation.* |
| Challenges | *The names of the customers can be revealed which could be more threatening.*  *The supervisor may get to know the customer who had complained as he might only be teasing her this way.* |
| Questions | *Why has the other customers not complained so far if they are being tortured this way?*  *Has the supervisor some intention to disturb this customer?* |

Activity

Notes from the meeting held with Merila

* Needless touches
* Inappropriate remarks about customers physique
* Gazing their bodies without a reason
* During discussion looking at her chest
* Calling her with senseless names such as “baby girl’ and stuff
* Trying to come closer even if it is not required

|  |  |
| --- | --- |
|  |  |
| Reason for the Grievance | Physical Harassment |
| People/Group Involved | Customers, Manager and HR Manager |
| Current Progress of Investigation | Ongoing Progress as report from customers feedback has been submitted |
| Current Resolution Procedure Implemented | Not yet because the HR Manager is going through the feedback and preparing the report. |
| Date of Implementation | Not decided |

Table 17 Observation Checklist Identification

|  |  |  |  |
| --- | --- | --- | --- |
| Student Name |  | Date of Session |  |
| **Assessor Name** |  | **Title of Session** |  |
| **Assessor Signature** |  | **Date Signed** |  |

| Task | Items for Submission | Assessment Criteria |
| --- | --- | --- |
| **Part A Task 1** | Completed **Plan** template for Industrial relations Scenario containing:   * your Goal and your Role including responsibilities and limitations * at least 2 relevant policies including statements and procedures * at least one relevant Bounce Fitness report * relevant State or Federal Legislation * relevant Regulations with Provisions * relevant Codes of Practice with Provisions * relevant Awards * any other relevant information * relevant sources of specialist advice including expertise and advice needed | * Locates information required to identify relevant legislation, agreements, policies and procedures * Demonstrates knowledge of relevant industrial relations policies and procedures. * Supports implementation of organisational agreements, policies and procedures according to relevant organisation, enterprise and statutory requirements. * Identifies relevant terms and conditions of employment, employee entitlements, awards, agreements, and individual work contracts. * Comprehends and analyses complex texts from a variety of sources and records to determine relevance to requirements or review implementation of strategies. * Uses self management skills to follows policies, procedures and legislative requirements and identifies implications of new legislation or regulation for self and others. * Uses self management skills to understand responsibilities and limits of own role. * Uses self management skills to plans and organise tasks required to achieve required outcomes, seeking advice from others, as required. * Uses problem solving skills to make a range of critical and non-critical decisions in relatively complex situations. * Prepares industrial relations processes for an organisation or work area. * Demonstrates knowledge of key aspects of employee relations application in the workplace. * Demonstrates knowledge of relevant legislation, codes of practice and national standards. * Demonstrates knowledge of relevant state/territory and federal industrial relations systems. * Identifies and demonstrates knowledge of key sources of expert advice relevant to case study |