



Australian Government

BSBWRK409 Prepare for and participate in dispute resolution

Release: 1

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Modification History

Release	Comments
Release 1	This version first released with BSB Business Services Training Package Version 1.0.

Application

This unit describes the skills and knowledge required to prepare for and participate in a dispute resolution process.

It applies to individuals who work in a support position to assist in dealing with conflicts and issues.

No licensing, legislative or certification requirements apply to this unit at the time of publication.

Unit Sector

Workforce Development – Workplace Relations

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
<i>Elements describe the essential outcomes.</i>	<i>Performance criteria describe the performance needed to demonstrate achievement of the element.</i>
1. Prepare for dispute resolution	1.1 Establish facts and issues surrounding the dispute 1.2 Analyse key strengths and weaknesses of own and opposing case 1.3 Determine and analyse dispute resolution process to be applied 1.4 Identify evidence that can be used to support own case 1.5 Make an assessment of realistic and achievable outcomes and agree on objectives for participating in the processes 1.6 Develop an appropriate strategy to deal with the dispute through agreed or established processes 1.7 File appropriate documentation in accordance with agreed procedure and/or tribunal requirements

ELEMENT	PERFORMANCE CRITERIA
2. Participate in dispute resolution processes	2.1 Present an outline of position to support own case and respond to and/or rebut opposing arguments 2.2 Identify common areas of agreement, seek to minimise areas of disagreement and achieve an outcome that aligns with own objective/s
3. Reach an outcome to dispute resolution	3.1 Use communication techniques to put forward options for dispute resolution 3.2 Seek agreement on identified options consistent with own objectives 3.3 Consult with appropriate parties over authority to reach agreement on particular options 3.4 Refer to appropriate tribunal/person in accordance with dispute resolution process, where agreement cannot be reached 3.5 Clarify agreement or withdraw from dispute resolution process
4 Evaluate and review outcome against objectives	4.1 Report back to relevant personnel 4.2 Review outcome with relevant personnel against objectives 4.3 Review dispute resolution processes for effectiveness

Foundation Skills

This section describes language, literacy, numeracy and employment skills incorporated in the performance criteria that are required for competent performance.

Skill	Performance Criteria	Description
Reading	1.1-1.5, 2.1, 2.2, 3.5, 4.2, 4.3	Gathers, interprets and analyses relevant information from a wide range of sources to inform negotiations, clarify preparation process and review documented outcomes
Writing	1.1, 1.2, 1.4, 1.5, 1.7, 2.1, 3.1-3.4, 4.1-4.3	- Documents outcomes and discussions using industry relevant terminology - Prepares documentation expressing ideas and exploring complex issues that is constructed logically, succinctly and accurately
Oral Communication	1.1, 1.3-1.5, 2.1, 2.2, 3.1-3.5, 4.1, 4.2	Engages in complex oral interactions using active listening and questioning techniques

Navigate the world of work	1.6, 1.7, 3.4	- Takes personal responsibility for following explicit and implicit policies, procedures and legislative requirements - Identifies and acts on issues that contravene relevant policies, procedures or legal requirements
Interact with others	1.1, 1.5, 2.1, 2.2, 3.1-3.3, 4.1-4.3	- Selects and uses appropriate conventions and protocols when communicating with clients and co-workers in a range of work contexts - Reflects on conflict resolution process and outcomes to improve skills and understanding - Recognises behaviours and triggers that contribute to conflict and implements strategies to moderate conflict
Get the work done	1.1-1.7, 2.1, 2.2, 3.2, 3.4, 3.5, 4.2	- Takes responsibility for planning, sequencing and prioritising complex tasks for efficient and effective outcomes - Recognises and addresses complex problems involving multiple variables - Makes a range of critical and non-critical decisions in relatively complex situations.

Unit Mapping Information

Code and title current version	Code and title previous version	Comments	Equivalence status
BSBWRK409 Prepare for and participate in dispute resolution	BSBWRK409A Prepare for and participate in dispute resolution	Updated to meet Standards for Training Packages	Equivalent unit

Links

Companion Volume implementation guides are found in VETNet -

<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=11ef6853-ceed-4ba7-9d87-4da407e23c10>

Assessment Requirements for BSBWRK409 Prepare for and participate in dispute resolution

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Performance Evidence

Evidence of the ability to:

- document at least one case relating to an individual grievance, workplace dispute or related matter which includes:
 - supporting evidence of how facts were gathered and analysed
 - a description of the process that occurred to achieve a resolution
 - a review of the process
- analyse roles of parties involved in at least one dispute, and effectiveness of strategies used in the dispute resolution
- report on outcomes of at least one example of a dispute process.

Note: If a specific volume or frequency is not stated, then evidence must be provided at least once.

Knowledge Evidence

To complete the unit requirements safely and effectively, the individual must:

- outline relevant industrial relations legislation or regulations
- describe relevant policies and procedures
- identify key entities in the current Australian industrial relations system
- explain relevant common law rights and obligations
- identify sources of expert advice.

Assessment Conditions

Assessment must be conducted in a safe environment where evidence gathered demonstrates consistent performance of typical activities experienced in the workforce development – workplace relations field of work and include access to:

- awards and enterprise bargaining agreements
- relevant legislation, regulations, standards and codes
- relevant workplace documentation and resources
- case studies and, where possible, real situations
- interaction with others.

Assessors must satisfy NVR/AQTF assessor requirements.

Links

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