Company

FAO: HR Manager

Address

Also by email to [xxxx@company.com](mailto:xxxx@company.com)

**URGENT**

[Date]

Dear Sirs

**Letter of grievance**

I write to lodge a formal complaint about various issues I experienced at work, explained below.

As you know, I have been employed by the Company as a Warehouse Operator for 3 years and I have had a clean disciplinary record, with no complaints against me. The issue which led me to lodge this grievance concerns bullying and sex discrimination which first started around September/October 2017.

On 1 September 2017, John Smith joined the company as a Warehouse Operative. At first, we got on well and I was happy to offer John help and show him how to complete tasks. However, a few weeks later, John became hostile towards me. I had no idea what has brought this on.

As the weeks went by, John’s hostility grew. On one occasion, in late September, as John and I worked side by side on the production line 5, I passed a box to John and in the process my fingers accidently touched his hand. He dropped the box and exclaimed: “Don’t touch me, you fag!”. I was shocked and appalled by this. Before I could even react, John just stormed off saying that he is going on his break now.

I tried speaking to John on a few occasions following this incident, but we would not speak to me, often ignoring me completely. On 10 October 2017, when I arrived at work, I saw John talking to our colleague, Robert Green. I went over to greet them, but they just laughed at me and told me to stay away from them. I was very confused about their behaviour, however, I went on with my work as normal.

Since then, I have been alienated by the team; both John and Robert would make passing homophobic comments directed at me. I tried to resolve this issue informally by speaking to my line manager, Tom Williams, however, he just told me to “man-up” and “sort things out amongst ourselves”.

The homophobic remarks have intensified in the last few months and, recently, John has become threatening towards me. He has sent me a text message on 1 December 2017, in which he said that I should resign as this is not a job for “gays” and if I don’t I will “see what happens”. I attach a screenshot of the message to this letter.

I have, again, tried to speak to Tom Williams about this and showed him the message. Tom was not interested and said that John was probably drunk when he sent the message and that he is just “messing around”. I asked to be moved from the production line that John was working on. After a lot of persuading and pleading on my part, Tom hesitantly agreed. From 4 December 2017 I was put on production line 4.

The hostile treatment by John continued, however. I learned to just stay away from him, which was easier now that I have not been working with him on a day to day basis. I was mostly content in my role on production line 4.

However, on 1 February 2018 when I got to work, Tom asked me to work on production line 5 as it was understaffed. I agreed, as I wanted to be helpful. John was not at work on that day

On 5 February 2018, Tom again asked me to work on production line 5. John was there and as soon as he saw me he said: “what are you doing here?”. I told him I did not want to cause any trouble and l told him to go away. He them became very irate and started shouting at me. I told him to calm down but he was so infuriated he wouldn’t stop shouting. He then punched me in my face.

This took me by surprise, but I managed to stay on my feet. John then stormed off. I reported the incident straight to Tom, who took a report from me. He told me the circumstances had to be investigated and that both John and I will be suspended with pay until further notice. Tom called a taxi for me to go to the hospital and told me not to come back to work until I have been told to.

I understand that certain procedures have to be followed but I was surprised that I was suspended from work, having done nothing wrong.

I believe that had appropriate action been taken in a timely manner, the assault on 5 February 2018 would have been prevented. I now understand that Tom was never disciplined for the threatening behaviour towards me. I believe that threats of violence should be considered as totally unacceptable and a reasonable employer would treat this as gross misconduct in the workplace. I believe that the failure by my manager to hear me out directly lead to the assault.

As far as I am aware, no proper investigation or disciplinary action has been taken against John. I cannot comprehend how this Company tolerates physical violence where this should be treated as gross misconduct. I find it totally unacceptable that instead of disciplining John, I have been suspended following being subjected to physical violence and discrimination at work. What is also disappointing is that the Company has not checked on me to see how I was doing after the assault. I was a victim of a violent attack and instead of dealing with this issue appropriately, the Company has been unsupportive. I have been suspended for 2 weeks now and despite telephoning the HR department a few times, I can get no update on when I can return to work. I understand that John was allowed to go back to work and that no disciplinary procedure has been taken against him.

The only inference I can draw from this is that my assertion about assault lead to suspension. I believe that I have been penalised for raising concerns about my safety and the safety of my colleagues and for reporting discrimination at the work place. I believe that my disclosure amounts to whistleblowing, as a result of which I suffered a detriment which was my suspension.

I believe that all the unresolved issues from nine months ago, the assault on 5 February and the total lack of support from the Company in such difficult time, have all aggravated my mental health and directly caused/contributed to the stress and anxiety leading to depression for which I am currently receiving treatment. I am appalled by the action of the Company so far. I believe this has further added to my stress affecting my health and recovery even further.

In the light of the Company’s total lack of support or communication with me in relation to the investigation about the assault or the disciplinary action against me, I would like to receive access to the following documents, which I believe I am entitled to request under the data protection law:

1. My personnel file.
2. All internal and external correspondence and documents concerning the investigation into the assault on 5 February 2018 including specifically CCTV footage of the incident, which I have been informed by HR exists.
3. All correspondence and documents in relation to the investigation into the disciplinary action taken against me.
4. All communications relating to me in the last 12 months.

Under Data Protection law, you have 30 days to provide the requested information. If you do not normally deal with these requests, please pass this letter to your Data Protection Officer, or relevant staff member. If you need advice on dealing with this request, the Information Commissioner’s Office can assist you. Its website is [www.ico.org.uk](http://www.ico.org.uk) or it can be contacted on 0303 123 1113.

I look forward to hearing from you with the confirmation that the disciplinary action against me is either discontinued all together or that it will be stayed until resolution of my grievances.

Yours faithfully,

Annoyed Employee