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Dear Sir or Madam

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Yours faithfully

Monaco Solicitors

**MONACO SOLICITORS - Grievance letter:**

**Executive demoted & benefits changed**

20thFebruary 2016

[HR Manager] address

Dear [Company],

**Re: Formal Grievance**

It is with the deepest regret that [Employee] finds himself writing this letter after a successful 17 years unblemished career with [Company]. Please institute the formal grievance procedure for the following reasons.

1. During [September 2015] [Managing Director], told [Employee] that he looked forward to working with me in 2016 in an “Operational Directors” role grade X2. We even discussed the actual job role which was very exciting indeed. I was also given a job description as well on this new role in which gave me encouragement and confirmation of my contributions at a senior level within the business.  This was a [Regional Director] role, grade X2.
2. a)       At the meeting on [13thDecember 2015] in Maidenhead with [Managing Director], it came as a complete surprise to me that I would not be considered to go back to this role, as according to the [Company] felt I did not have the qualities in that capacity. Instead I would be offered a demotion with a huge real-terms pay reduction. Also I would be expected to stay in Northampton for 3 / 4 nights per week. This was discussed verbally with [Managing Director]in [December 2015] in some detail.   As you can image this came as a shock to me, as this is the first time I had been given feedback like this during my career, especially as I have been written to on a regular basis on my outstanding performance. That also includes the period of time when I relocated my family in [July 2012] to Yorkshire for the position of [Regional Director]. Most recently in November I also received a ‘getting it right’ award.
3. I feel that after my loyal service and commitment to the company, and having been told numerous times, that “I am one of the good guys in the business”, I am being stripped of so many benefits and status – why?  To add to this, I was informed in the December meeting, that some of this was due to “*You can not be on the same deal as the new gaffer”.*
4. I do feel that [Company] should have managed my expectations a long time ago on this. On around [5thJanuary 2016] [HR Director], mentioned that the whole process had been handled in a poor manner, which I agree with. It also alarmed me that if there were any performance issues that no one has ever discussed them with me. I do not believe there was, as I am sure they would have been addressed at the time, and maybe the offer of some coaching or training or the chance to improve.
5. I have not been placed on performance review. I have never had any negative feedback from [Company]or been told that certain areas of my work need improving. The only time I have ever been told that my performance was an issue was in the meeting of [December 2015], and that was informal and verbal.  It seems to me that the reason why you are doing this to me is because of internal politics and also partly that my contract is the same as the [Multi Channel Director], who would be my new boss.
6. From having the meeting in [December 2015] and receiving the letter dated [20thDecember 2015], there seems to be some communication difference which I feel is not on my side.

6. Your letter dated [20thDecember 2015] states “for the purposes of clarity and as discussed and agreed” with reference to the new proposed job role for me.  As you know I have not agreed anything at all, as the whole situation is far from agreed. The letter also details entitlements which will cease and highlights what is non-contractual. I also am fully aware of what is contractual. The changes which you have outlined in the letter of [20th December 2015] would have the following detrimental affects on me:-

a)       Grade – my grade has been demoted from X2 [‘Regional Director’] (which is in my contract of employment) to M2 ‘Support Functions Management’, which is 4 grades below X2. You could have demoted me to X1, O or N (the 3 grades below X2) but you have jumped me down 4 grades

b)       Notice – The current notice period of change of contract is 6 months by both parties. This is proposed to be changed to 3 months, which is unacceptable.

c)       Temporary basis – ‘the appointment is initially on a temporary basis’. It is to be reviewed in [December 2016] – this gives me no confidence that there is any job security on a permanent basis.

d)       Benefits – In the meeting in December it was clearly discussed that, where there is any loss of benefit, this would be detailed in writing to me along with the new offer of appointment, and payments would be made to me of the equivalent value of the loss. This has not happened.

e)        Bonus – the new bonus scheme that has been offered has certainly been a de-motivator. There was a huge concern in the December meeting on how to continually keep myself motivated in a new role. By dropping my potential earnings by 30% has certainly not helped.  My old X2 level bonus enabled me to earn £24,224 p.a. above basic salary, which I actually achieved consistently in the last few years payment. The new proposed M2 bonus would put me on a maximum of £5,318 p.a. above basic salary, being a decrease of some £18,906.

f)       Shares – I would no longer be entitled to [Company] performance share plans which are calculated at 16% of basic salary, being around £8,613. I have received this share benefit every year since my X2 appointment in 2012.

g)       Company car – In a Senior Executive role, the benefit of a luxury car is a benefit. This benefit is to be lost at renewal in September 2017 or sooner. This could be worth a considerable amount.

h)         Death cover – a reduction from 5 times to 3 times salary is of huge concern to me and my family. This is a huge £106,366 difference if the worst should happen.

i)         Permanent Health Insurance – this is completely removed, without explanation. A typical annual cost of this would be in excess of £1,200 at the age of 40.

j)       Salary – I am being kept on the same basic salary and being given no standard company salary increase for 2016. My colleagues have all had a salary increase of minimum 2% (£1063 p.a for me).

1. This poor managing of my expectations, and a huge pay cut and demotion without warning has certainly caused me great personal concern and exacerbated my health issues recently, hence the delay in writing this letter.
2. As you know, since [December 2015] I have also had to deal with my mother having Radiotherapy, and it seems that she may now be in remission. These various causes of anxiety have caused me to be signed off work from 9th January 2016 to the current time, which is the first time in my 17 years of service that I have had an extended period of time off sick.
3. Since I have been off sick you have taken the opportunity to put your proposed changes into practice, without any agreement from me or without written notice.
4. I have noticed that there has been a status downgrade on the system, my current X2 contract has already been changed on the HR computer system to M1-M2 Head Office contract. This should not have happened especially as the full notice has not been given, and I have not accepted the proposed changes
5. Since I have been off sick, even the new proposed role has been given away to someone else – the [Project Manager] role which I was to be appointed has now been handed silently to another [Regional Director] and kept on the same X2 grade and benefits.  This shows that I could easily have been kept on the X2 grade and benefits, and by trying to demote me you are clearly trying to manage me out of the business
6. Fuel benefit – in an email of [4th January 2016] you stated that I would lose my fuel allowance, worth £1500 p.a. but that I would be compensated accordingly in the January 2016 salary. This has not been paid.
7. I have been given no annual review for the New Year 2016.
8. In conclusion, you are tearing up my contract of employment by trying to reduce not only my real terms salary, but by slashing my bonus and eliminating nearly all of my benefits, relocating me to a different part of the country and telling me that I am not up to the job.9. Can you imagine how you would feel if you were told one minute that you’re doing a great job, and shortly afterwards you are demoted, relocated, and effectively have your income halved? Of course I feel that the relationship of trust and confidence has been destroyed and I have no choice but to consider resigning.10. Resigning would be a huge step for me after 17 years of loyalty and commitment, and not one I would take lightly, so I would like to give you a chance to reconsider your decision and reinstate my package as per my contract and a chance for you to formally apologise for the way that this has been handled – in which case I could consider not resigning.

I look forward to hearing from you at your earliest convenience.

Yours Faithfully,

[Employee]