**GRIEVANCE PROCEDURE**

|  |
| --- |
| **DOCUMENT DETAILS** |
| **Document Name:** | Grievance Procedure | **Document No:** | 006 |
| **Department Name:** | Human Resources | **Document Type:** | Policy |
| **UPDATE DETAILS** |
| **Last Updated:** |  | **Updated By:** |  |
| **Effective Date:** |  | **Approved By:** |  |
| **Approval Date:** |  | **Approved By:** |  |
| **Revision Date:** |  | **Approved By:** |  |

**PURPOSE:**

The purpose of this grievance procedure is to ensure that individual or localised group grievances are considered and resolved as close to the point of origin as possible, and as speedily as practical.

**SCOPE:**

This policy applies to all employees of the ............................

**RESPONSIBLE PERSONS:**

1. Principal Officer - Implementation and facilitation.
2. TBA - Administration, monitoring and enforcement of this policy.
3. Employees - Adherence to this policy and procedures outlined in this policy.

**POLICY STATEMENT:**

It is agreed between management and employees that this policy is not a unilateral change in the employment conditions of the employees of this company; and that the implementation of this policy is as a result of the required alignment of policies within the .........................

The fund recognises that leave may be taken under circumstances as outlined below but reserves the right to grant such leave under specific conditions.

**GENERAL OBLIGATIONS OF THE EMPLOYEE:**

In order to effectively manage this Grievance procedure, all employees shall ensure their access and adherence thereto.

* **GRIEVANCE PROCEDURE:**

**1. INTENT**

* The resolution of grievances, subject to the steps set out below, shall, whenever possible, be vested in management.
* The grievance procedure shall not be used by an employee for the purpose of processing a disciplinary matter or dismissal through it.
* The .............................. and the employee/s lodging the grievance may by mutual agreement accept the reduction of extension of the steps and time limits stated in the Grievance Procedure.
* Employees and their chosen representatives shall not suffer any prejudice in their employment as a consequence of lodging a grievance in terms of this grievance procedure.
* An employee and his/her chosen representative shall not incur loss of income *in re*spect of time spent at meetings, arranged for the purpose of resolving a grievance in terms of this grievance procedure, with the ...................... representatives.
* The employee should lodge the grievance within 2 working days of the occurrence which gave rise to it, unless special circumstances exist which may cause a delay.
* A co-worker may consult with an employee in his/her area of jurisdiction during working time for the purpose of assisting in the resolution of a grievance provided that:
* The employee and the co-worker have obtained the consent of their supervisor; and
* Disruption to the .................................... normal business operations are kept to an absolute minimum, if this is not possible; a time to enable the grievance to be dealt with shall be set aside by management.
* It is accepted that the principles of this procedure will apply to all employees.
* In the event that a grievance is filed against the Principal Officer, this will be referred to the Board of the fund and the outlined procedure will be followed.
1. **STAGES OF THE PROCEDURE FOR AN INDIVIDUAL EMPLOYEE**

**Step 1: Immediate supervisor**

* The employee shall first verbally raise the grievance with the immediate supervisor; or through the assistance of a co-worker who shall then jointly discuss the grievance with the immediate supervisor.
* If the grievance has not been resolved within 24 hours of its having been lodged with the immediate supervisor, the employee shall complete the grievance form in triplicate, outlining the pertinent facts and the solution desired.
* The employee shall hand the grievance form to the immediate supervisor, a copy of the form to the Operations Manager and retain a copy for him/herself.
* If the grievance is resolved, the solution shall be recorded on the grievance form by the immediate supervisor. The employee shall sign the grievance form thereby indicating that he/she has accepted the solution as set out in the form.
* The co-worker shall also sign the grievance form.
* The immediate supervisor shall ensure that the complete grievance form is placed on the employees’ personal file.
* If the grievance is not resolved and the employee wishes to take the grievance further, the employee shall proceed with Step II.
* Any further facts and reasons for the failure to resolve the grievance shall be set out on the grievance form by the immediate supervisor.

**Step 2: Next level of manager**

* The manager or his/her nominee shall attempt to resolve the grievance and convene a meeting/enquiry. He/she shall attempt to resolve it within 2 days of the grievance report having been submitted in terms of Step II. At the enquiry, the employee, the co-worker and relevant witnesses may be entitled to make representations.
* If the grievance is resolved the manager or nominee shall record the solution on the grievance form. The employee shall sign the grievance form thereby indicating that he/she has accepted the solution as set out in the grievance form.
* The co-worker shall also sign the grievance form in the presence of the employee.

* The manager shall ensure that the grievance form is placed on the employee’s personal file.

* If the grievance is not resolved and the employee wishes to take the grievance further the employee shall proceed to Step III.

* Any further facts and reasons for the failure to resolve a grievance shall be set out on the grievance form by the departmental head or nominee.

**Step 3: Director Level**

* If the co-worker agrees to pursue the grievances on behalf of the employee he shall give written notice to ............................. requesting a meeting for the purpose of resolving the grievance.
* The Director or nominee shall convene the meeting within 4 days of the Company having received the written request and the parties concerned shall be advised of the time and date of the meeting.
* The Director or nominee shall announce the decision at the meeting or within 2 days thereafter.

### Step 4: Independent Chairperson

* Should the employee consider the grievance unresolved the matter should be referred to a mutually agreed independent chairperson or declare a dispute in which case the Labour Relations Act provisions relating to dispute resolution will apply?

## PROCEDURE FOR GROUP GRIEVANCES

* If the grievance affects, or is common to a group of employees, then the employees concerned shall consult their spokesperson.
* The spokesperson concerned shall individually or accompanied by other staff members present their case to management

## GRIEVANCE CONCERNING EMPLOYEE’S IMMEDIATE SUPERVISOR

* When an employee alleges that a grievance has arisen out of the act of a supervisor or a manager, the grievance may be referred immediately to the next level of supervision or management.
1. **EFFECTIVE GRIEVANCE RESOLUTION**
	1. Principles in dealing with a grievance

 4.1.1. Preparation and Problem Solving

* *In re*solving grievances it is critical to remember that the purpose of the discussion is to discover and remove the cause of dissatisfaction.
* The preparation, investigation and the way the supervisor/manager behaves when resolving the problem is critical to the result. The managers could use the following as a checklist.

 4.1.2. Preparation and Investigation

* Ensure privacy and no interruptions during discussion of the grievance
* Endeavour to establish the circumstances causing dissatisfaction
* Inform the employee what avenues you will be following to resolve the grievance
* Consult with people concerned, check previous records/history
* Allow adequate time for this discussion
1. **GUIDELINES ON HOLDING A GRIEVANCE MEETING**

**Step 1: Open meeting**

* Greet the person as you would normally
* Assess whether the person is nervous or anxious
* Get right to the point and state the problem, as you understand it so far

**Step 2: Focus on the problem**

* Find out what the real problem is and what solution the person desires
* Get his/her ideas first then give yours
* Ask open questions starting with What? When? Where? Who? How much?
* How often? Why?
* Get all the details, e.g. witnesses, and make notes;
* Summarise the main problem;
* Detail actual and potential obstacles to resolving the grievance.

### Step 3: Getting a solution

* Ask for his/her suggestions *in re*solving the problem;
* Make some of your own suggestions;
* Evaluate both suggestions and decide on the best solution.

### Step 4: An action plan

* State in very specific terms the action plan with a follow-up date to

 establish whether the grievance has been resolved.

* Accountable person

**Step 5: Close the Meeting**

* Thank the person for his/her input;
* Close with a positive comment.

## GRIEVANCE FORM

A separate grievance form must be completed for each step of the grievance procedure.

|  |
| --- |
| **Grievance Form** |
| Employee Name/s: |  No/s: |
|  |  |
| Department: | Job Title: |
| Statement of Grievance: |  |
|  |  |
|  |  |
|  |  |
| Solution Desired |  |
|  |  |
|  |  |
|  |  |
| Management’s Response |  |
|  |  |
|  |  |
| Employee’s Response: |  |
| 1. Are you satisfied with Management’s response?
 | YES / NO |
| 1. Do you wish to take the grievance further?
 | YES / NO |
| Signature of employee: | Date: |
| Signature of manager: |  Date: |
| Signature of co-worker: |  Date: |
|  |  |

* **DOCUMENTS MENTIONED AND TO BE USED IN ENFORCING THIS POLICY**

As above

**EMPLOYEE POLICY CONFIRMATION:**

***I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (employee name and surname), declare that;***

1. Ihave been familiarised with and informed of the Grievance procedures.
2. I understand and agree to the contents of this policy and that;
* it may be amended from time to time,
* it forms part of my employment conditions,
* the implementation and contents of this policy are mutually agreed upon with the employer,
* I have been given the opportunity to question this policy and that my questions were satisfactorily answered
1. I agree to strictly adhere to this policy.

Signed at \_\_\_\_\_\_\_\_\_\_\_\_ (place) on the \_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [YEAR].

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature Employee

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature Manager