



LIMPOPO

PROVINCIAL GOVERNMENT

REPUBLIC OF SOUTH AFRICA

**GRIEVANCE POLICY
DEPARTMENT OF SPORT, ARTS & CULTURE**

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GRIEVANCE POLICY/PROCEDURE

1. Preamble

An effective grievance procedure is integral to the Department communication system. It enables workers and managers to be aware of each other's needs, desires, attitudes, opinions, values and perceptions.

In order to prevent the need to apply grievance procedure management acknowledges the right of any employee to submit a grievance via prescribed channels without prejudice whatsoever with regard to status, job security or promotional opportunities. Thus it becomes necessary to identify causes of dissatisfaction and take steps to avoid them.

2. Purpose

- 2.1 To provide employees with an effective channel through which a grievance can be addressed at more than one level of management.
- 2.2 To facilitate timeous resolution of grievances and to avoid evolution into a major dispute.

3. Legal Framework

- Labour Relations Act (Act 66 of 1995);
- Public Service Act (Act 103 of 1994);
- Public Service Coordinating Bargaining Council (PSCBC) Resolution No. 3 of 1999;
- Promotion of Administrative Justice Act (Act 3 of 2000).

4. Scope of Application

This policy applies to all employees of the department employed in terms of the Public Service Act, 1994 as amended.

5. Outcomes

- 5.1 Availability of avenues to ease stress.
- 5.2 A conducive environment created for employees to raise grievances without fear of victimization.
- 5.3 Promotion of the development of employee morale and adjustment of managerial behaviour, eliminating weak human resources practices.

- 5.4 Creates an easy, open and honest relationship between the supervisor and employees
- 5.5 Enables management to identify and alleviate causes of dissatisfaction and conflict.
- 5.6 Promote sound organizational climate.

6. Steps and Application of the Grievance Procedure

6.1 Step one (1): Informal

- a) An aggrieved employee raises a grievance with his or her immediate supervisor.
- b) If this cannot be done alone a third party should be involved from Human Resource, Labour Relations or employee representative.
- c) A decision is made on how to deal with the grievance within 24 hours.
- d) If the worker is still dissatisfied step 2 follows.
- e) If satisfied, the fact that the grievance has been settled is recorded and sent through to Labour Relations in Human Resource Management & Development.

6.2 Step two (2): Formal

6.2.1 Step one of two

- a) The dissatisfied employee and his representative (if so preferred), together with the immediate supervisor (if applicable) refer the grievance in writing within 3 working days to the next level of management.
- b) The same problem solving process is followed by the high level supervisor with the outcome of the previous step in mind.
- c) The level of management must within 3 working days, where reasonably possible, take a decision, put it in writing and notify the aggrieved employee and Labour Relations.
- d) These must be dealt with within 24 hours or as otherwise agreed between the parties.
- e) If the aggrieved person is still dissatisfied with the solution the matter remains unsettled, the next step follows.
- f) If the grievance cannot be resolved, the employee or union appeals the decision to step two of the process.

6.2.2. Step two of two

- a) The first completed grievance form, together with the report, is now included in a second completed grievance form which is sent to higher management, as the case may be, depending on the size and structure of the sub-branch.
- b) Should the employee not be satisfied with the decision in step 1 of 2, he or she can within four (4) working days submit a written representation to the next level of management.
- c) This level must within four (2) working days, where reasonably possible, take a decision and advise the employee of the finding and Labour Relations in writing. If the employee remains dissatisfied the next step follows.

6.2.3. Step three of two

- a) Should the employee not be satisfied with the decision in step 2 of 2 he, or she can within six (6) working days submit a written representation to the next level of management.
- b) The employees are represented by a labour representative where possible. The Labour Relations expert or manager from Human Resource Management plays a consultative and supportive role as official members of the grievance committee. The sub-branch manager should represent management in the hearing proceedings. Management hears the union case and arguments and issues a ruling on the matter.
- c) A ruling and a written report to the interested parties must follow within three working days. If the employee is still dissatisfied the next step follows.
- d) This level must take a decision and advise the employee of the findings within 6 working days.

6.3.4. Step four of two

- a) Should the employee not be satisfied with the decision in step 3 of 2 he, or she should make a representation to the Head of Department(HOD) within six (6) working days.
- b) All information developed from the informal level of problem solving to where a decision in the previous step was taken is provided.
- c) The HOD should in turn provide a written response within 3 working days. The decision taken at this level is final.

- d) Should the employee still be dissatisfied he or she can pursue the matter further by utilizing the dispute mechanism at his or her disposal, that is, lodge grievance within 90 days from the date of the official act or omission which adversely affects him/her.
- e) An agreement by parties to submit an unresolved dispute to a third party for binding settlement through arbitration shall be reached.
- f) This could lead to an external process such as referring the matter to the Council for Conciliation, Mediation and Arbitration.
- g) The arbitrator's role should be to study the evidence, written arguments and listen to arguments on both sides and render a decision.
- h) The decision will be accepted by both parties as it cannot be appealed further.

7. Monitoring, evaluation and reporting

The Manager Labour Relations will be responsible for process monitoring and compilation of reports.

8. Policy implementation

The policy shall come into effect on the first date of the month following the month which the Executing Authority approved it.

9. Amendment of Policy

This policy shall be reviewed annually and amended as and when necessary and it shall follow the initial process of policy development.

Recommended/Not Recommended



HEAD OF DEPARTMENT
Approved /Not Approved/Amended:

2008/09/19

DATE



MEMBER OF EXECUTIVE COUNCIL

2008/10/16

DATE