

GRIEVANCE POLICY

Policy Number:	Approved Date:
Effective Date:	Review Date:

GRIEVANCE POLICY

Purpose

The Municipality recognises that it is normal for conflicts, complaints, grievances, disputes and disagreements to arise in the workplace and that their resolution may contain valuable lessons for the further development of a workplace that is fair to all employees and free of unfair discrimination and harassment. The purpose of this policy is to ensure that employees who feel aggrieved shall have an opportunity to raise those grievances and to have them resolved in a fair and expeditious manner.

Scope

Any employee or other person who wishes to raise a complaint against the Municipality's employees and managers in terms of the Municipality employment policies may do so using the Municipality's grievance procedure. Any such grievance shall be dealt with as a very serious and urgent matter. This Policy will remain in force until any changes have been implemented and amended by the South African Local Government Bargaining Council

Grievances

All employees who feel aggrieved about any issue related to the workplace are encouraged to lodge a grievance in accordance with this policy. It is a basic democratic right of an employee to have access to the proper channels to correct a situation and no employee shall be penalised or victimised in any way for having raised a valid grievance. All parties shall approach a grievance in a constructive manner and shall attempt to settle the issue / s at the lowest possible level of authority.

The Grievance Policy shall not be used to appeal against a decision made in terms of the Disciplinary Policy.

All of the appropriate phases of the grievance procedure shall be exhausted before a dispute can be declared.

Disputes

Employee's who have reasonable grounds to disagree with a management decision about an issue related to the workplace and who have been unsuccessful in their attempts to resolve the matter through proper use of proper procedures, are entitled to lodge a dispute with the Commission for Conciliation, Mediation and Arbitration (CCMA).

Management and administration of grievances

The grievance procedure starts when an employee or employees raises a grievance with his / her / their immediate superior and it ends with the highest authority in the Municipality.

Step One (1): Immediate Superior

- A. The lodging of a grievance shall, except in exceptional circumstances, take place within ten (10) days from the time the employee first becomes aware of the matter that gave rise to such grievance.
- B. An aggrieved employee or group of employees must lodge in writing with his/her immediate superior a grievance on a prescribed form setting out the complaint and the desired result. Such an employee may, if he/she so wishes, be assisted by a shop steward, fellow employee or union official. Should the grievance concern the conduct of an employee's immediate superior, the employee may proceed directly to Step 2 provided that he/she submits the grievance on the prescribed form.
- C. The immediate superior shall endeavour, in consultation with the affected employees(s), to resolve the grievance within five (5) days of the grievance having been referred to him/her and shall inform the employee of the outcome in writing.

Step Two (2): Head of Department

- A. If a grievance has not been resolved to the satisfaction of the aggrieved employee or group of employees, the immediate superior shall refer the matter in writing within five (5) days to the Head of the Department or his/her nominee.
- B. The Head of the Department or his/her nominee shall arrange a meeting to consult and hold discussions with the affected parties in an attempt to achieve a resolution. The employee may be assisted by a fellow employee, shop steward or union official at such a meeting and the immediate superior may also be required to attend.
- C. The Head of the Department or his/her nominee shall endeavour to resolve the grievance within five (5) days of the grievance being referred and shall inform the employee of the outcome in writing.

Step Three (3): Municipal Manager

- A. If the grievance has not been resolved to the satisfaction of the aggrieved employee or group of employees, the Head of the Department or his/her nominee shall refer it to the Municipal Manager or his/her nominee within five (5) days in writing who shall hold an enquiry into the grievance, attended by the employee, his/her representative, if required, and any other persons who, in the opinion of the Municipal Manager or his/her nominee should attend.

- B. The Municipal Manager or his/her nominee shall hear details of the grievance including proposals to resolve the issue and shall endeavour to reach a decision within five (5) days.
- C. The Municipal Manager or his/her nominee shall inform the employee in writing of the outcome of the hearing as envisaged in B. above, and such decision shall be final terms of this procedure.
- D. If the grievance is against a Municipal Manager, the aggrieved employee shall refer the grievance to the Office of the Speaker, which may either resolve the grievance itself or engage the services of an appropriate Senior Manager of another Municipality to resolve the grievance.
- E. If the grievance has not been resolved to the satisfaction of the aggrieved party, that party may refer the grievance to the Bargaining Council for adjudication, provided that a dispute has been declared.

