

POLICY GRIEVANCE REPORTING & MANAGEMENT

Purpose	The purpose of this policy is to provide a mechanism for employees to raise a grievance arising from their employment. This policy will also ensure that such grievances are dealt with promptly, fairly and in accordance with other related policies of the organization.
Scope	Applicable to all employees
Effective Date	
Issued by	HR Department
Approved by	Managing Director

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- 1.0. Pre-steps to grievance reporting
 - 1.1. A grievance is a concern, problem, or complaint that an employee has about their work, the workplace, or someone they work with—this includes management. Something has made them feel dissatisfied, and they believe it is unfair and/or unjust to them.
 - 1.2. Most grievances can be resolved quickly and informally through discussion with the employee’s colleagues or immediate superior. However, if an employee feels unable to speak to their superior, for example, because their complaint concerns him or her, they can speak informally to a more senior person or to the Human Resources Department. Where the matter is not resolved informally or if the matter is of a very serious nature, the employee, the employee could raise the grievance through the grievance reporting channel.
- 2.0. Grievance can arise from issues below but is not limited to;
 - 2.1. Victimization at the workplace
 - 2.2. Bullying and workplace harassment
 - 2.3. Health and safety at the workplace
 - 2.4. Poor supervisor and/or management behaviour
 - 2.5. Unjust or adverse changes made to the employment agreement
 - 2.6. Policy guidelines are violated.
 - 2.7. Disputes between co-workers, suppliers, superior or management
 - 2.8. Employee development or training
 - 2.9. Leave allocation/approval
 - 2.10. Performance Appraisal
 - 2.11. Pay and benefits
 - 2.12. Work conditions and other work-related issues
 - 2.13. Problems faced due to facilities provided
 - 2.14. Other employment-related issue

3.0. Company's approach to managing grievances

- 3.1. The company recognises that employees may not perform to the best of their ability if they feel they are being treated unfairly or are feeling aggrieved.
- 3.2. Accordingly, the company will endeavour to provide a fair working environment, by aiming to ensure that employees have access to processes for the resolution of genuine personal grievances related to the workplace.
- 3.3. As such, the company will use its reasonable endeavour to:
 - 3.3.1. Encourage employees to come forward with personal grievances.
 - 3.3.2. Deal with the personal grievances in a supportive way, without victimization or intimidation of any person connected with the grievance.
 - 3.3.3. Encourage fairness, impartiality and the resolution of personal grievances as reasonably, promptly and as close as possible to the source of grievance.
 - 3.3.4. Maintain confidentiality and ensure the morale and psychological state of the employee are managed.

4.0. Filing a grievance

- 4.1. When filing a grievance, employees have the option of reporting their complaints using the company's official grievance channel or contacting their direct supervisor or the Human Resources department. In both cases, employees will be required to complete and file a Grievance Complaint Form or raise the complaint via the established channel.
- 4.2. The Complainant is advised to provide adequate information to assist in resolving the grievance. The information below will be helpful:
 - 4.2.1. The nature of the grievance
 - 4.2.2. Details of any relevant facts, individuals involved or evidence (including copies of any relevant documents)
 - 4.2.3. Any action taken by the employee to resolve the matter so far
 - 4.2.4. How the employee thinks it can be resolved.
- 4.3. Once the complaint has been submitted to the HR department, employees have the right to attend meetings with a witness or workers representative, appeal decisions, and depending on the severity of the complaint, refuse to attend work until the grievance is resolved.
- 4.4. When a grievance is filed against another employee, the accused also reserves the right to:
 - 4.4.1. View and request a copy of the official grievance complaint.
 - 4.4.2. Formally respond to the complaint after consulting Human Resources Department.
 - 4.4.3. Attend all formal meetings
 - 4.4.4. Appeal the final decision if the employee is not satisfied with the outcome of the action taken.

5.0. Responsibilities of parties involved

5.1. Employee

- 5.1.1. Attempt to resolve their issues through their superior or through internal processes at the earliest opportunity.
- 5.1.2. Provide adequate information to enable the grievance to be investigated and managed.
- 5.1.3. Co-operate fully and promptly in any investigation
- 5.1.4. Seek help or support if required from immediate superior or Human Resources Department.

5.2. Immediate superior

- 5.2.1. Identify, prevent and address potential problems before they become formal grievances.
- 5.2.2. Be aware of and committed to the principles of communicating and information sharing with their employees.
- 5.2.3. Handle the grievances in the most appropriate manner at the earliest opportunity.
- 5.2.4. Treat all employees fairly and without any fear of intimidation.

5.3. Human Resources Department

- 5.3.1. Accept and thoroughly investigate all grievances raised.
- 5.3.2. Ensure that the grievance is resolved within a reasonable timeframe depending on the severity of each case.
- 5.3.3. Treat both the complainant and the accused fairly throughout the grievance process.
- 5.3.4. Adhere to the no-retaliation policy when employees file a complaint against management.
- 5.3.5. Organize mediation meetings with the appropriate parties.
- 5.3.6. Practice a high level of confidentiality throughout the grievance process.
- 5.3.7. Accept and investigate all appeals.
- 5.3.8. Ensure that the final decision is implemented.
- 5.3.9. Maintain accurate and comprehensive records of each grievance.

6.0. Grievance management process

6.1. The general grievance management process is as follows.

- 6.1.1. Talk with the employee to ensure the matter is understood completely
- 6.1.2. Provide the employee who faces allegations with a copy of the grievance
- 6.1.3. Organize mediation procedures (eg. arranging a formal meeting)
- 6.1.4. Investigate the matter or ask the help of an investigator when needed
- 6.1.5. Keep affected employees informed throughout the process
- 6.1.6. Communicate the formal decision to all employees involved
- 6.1.7. Take actions to ensure the formal decision is adhered to
- 6.1.8. Deal with appeals by gathering more information and investigating further

6.2. This procedure may vary according to the nature of a grievance. For example, if an employee is found guilty of racial discrimination, the company will begin disciplinary procedures.

- 7.0. Outcome of the grievance management process
- 7.1. The outcome will depend upon the nature of the grievance and the procedure followed to address the grievance.
 - 7.2. Where an investigation results in the finding that the accused is unequivocally proven to have committed the grievance, he/she is being accused of, he/she shall be subject to disciplinary actions to ensure that the matter is resolved justly and according to company guidelines.
 - 7.3. The type and severity of disciplinary action will depend upon the nature of grievance and other relevant factors.
 - 7.4. The company may also take a range of other non-disciplinary outcomes to resolve a grievance.
 - 7.4.1. Training to assist in addressing the problems underpinning the grievance;
 - 7.4.2. Monitoring to ensure that there are no further problems;
 - 7.4.3. Requiring an apology or an undertaking that certain behaviour stops;
 - 7.4.4. Change work arrangements.
- 8.0. Appeals
- 8.1. If any party (or parties) to the grievance is not satisfied with the outcome, they may appeal.
 - 8.2. They should write to the Human Resource Department within five (5) working days of notification of the outcome, setting out the full reasons for their appeal.
 - 8.3. Where possible, a different person who has not previously been involved in the case will be appointed and will hear the appeal impartially.
 - 8.4. The manager-appointed person hearing the appeal
 - 8.5. Whoever hears the appeal will decide if any further meetings or investigations are required.
 - 8.6. Appeal hearings should be held promptly and employees have the right to be accompanied by a representative (if applicable) to any meeting
 - 8.7. Once the appeal has been considered, the manager hearing the appeal will confirm their final decision and this will be confirmed to the employee in writing.
 - 8.8. If any party (or parties) intend to further appeal, they may write to the Managing Director. There shall be no further right of appeal from the decision made by the Managing Director.
- 9.0. Grievance documentation
- 9.1. Adequate and accurate recordings and documentation is required in every phase of the grievance process not just as a matter of record or for future reference but to be kept appraised and up to date on the progress of the process.
 - 9.2. In case of severe misconduct, a record of disciplinary action which has been taken by the management will be placed on the personnel file of the employee who is disciplined.
 - 9.3. In case any similar grievance may crop up in the future, the management will have the previous record of that employee.

- 10.0. Confidentiality
- 10.1. The company, Human Resource Department, immediate superior, management and any parties involved in the grievance process must keep all information confidential and not disclose it to others or discuss the grievance with anyone.
 - 10.2. The complainant and those that stand accused of a grievance are prohibited from discussing the matter with anyone including other employees.
 - 10.3. Discussing the grievance before and after it has been resolved is prohibited.
- 11.0. Policy Violations.
- 11.1. Anyone found to have violated this policy will be subject to disciplinary actions, up to and including dismissal.
 - 11.2. The severity of each case will determine the type of disciplinary action, which may include a verbal or written warning, suspension, and/or termination.
- 12.0. The Company reserves the right to amend this policy from time to time and shall notify all employees when such amendment has been made and has been approved by the Management.
- 13.0. Should there be a translation of this policy into other languages, the English version of this policy shall be authoritative in the event of any dispute or confusion.

This sample policy/letter/document is merely a sample or guidance. Companies are advised to practice caution when drafting its HR documentation and shall always be in compliance with the Employment Act and Industrial Relations Act as well as past case laws so as to ensure the policy does not violate or infringe the prevailing employment regulations. Companies are encouraged to adopt best practices to be attractive employers and promote a productive and competitive operating landscape. The author shall not be held liable for any damages or claims arising from the usage of the contents of this document.

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