



# **GRIEVANCE PROCEDURE**

Council Approved: 05/12/2017

Council Resolution Nr: C.5

# **GRIEVANCE PROCEDURE**

## **1. PREAMBLE**

- 1.1 The purpose of this procedure is to establish a common and uniform procedure for the management of grievances and to replace all existing procedures and/or regulations.
- 1.2 This procedure shall be deemed a condition of service.
- 1.3 The objectives of this grievance procedure are to ensure fair play, to resolve problems as quickly as possible and to deal with conflict through procedural means.
- 1.4 No employee shall suffer victimisation or occupational prejudice as a result of lodging a grievance.
- 1.5 Each step of a grievance shall, except in exceptional circumstances, take place within ten (10) working days from the time the Employee first becomes aware of the matter that gave rise to such grievance.
- 1.6 This procedure shall address all grievances excluding those grievances for which a specific or particular procedure is provided.

## **2. IMMEDIATE SUPERVISOR**

- 2.1 An aggrieved Employee or group of employees must lodge in writing with his/her immediate supervisor a grievance on the 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 representative.
- 2.2 The immediate supervisor shall through the Employee Relations Practitioner and in consultation with the affected Employee(s), endeavour to resolve the grievance within five (10) ten working days of the grievance having been referred to him/her and shall inform the Employee of the outcome in writing.

## **3. HEAD OF DEPARTMENT(HOD)**

- 3.1 If a grievance has not been resolved to the satisfaction of the aggrieved Employee or group of employees, the immediate supervisor through the Employee Relations Practitioner shall refer the matter in writing within five (5) working days to the HOD.

- 3.2 The HOD and the Employee Relations Practitioner 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 supervisor may also be required to attend.
- 3.3 HOD or his/her nominee shall endeavour to resolve the grievance within ten (10) working days of the grievance being referred and shall inform the Employee of the outcome in writing.

#### **4. MUNICIPAL MANAGER**

- 4.1 If the grievance has not been resolved to the satisfaction of the aggrieved Employee or group of employees, HOD and the Employee Relations Practitioner shall refer it to the Municipal Manager or his/her nominee who shall hold an enquiry into the grievance, attended by the Employee, his/her representative, if required and any other person(s) who, in the opinion of the Municipal Manager or his/her nominee should attend.
- 4.2 The Municipal Manager or his/her nominee shall hear details of the grievance including proposal(s) to resolve the issue and shall endeavour to reach a decision within ten (10) working days.
- 4.3 The Municipal Manager shall through the Employee Relations Practitioner inform the Employee in writing of the outcome of the hearing as envisaged in 4.2 above, and such decision shall be final in terms of this procedure.
- 4.4 If the grievance has not been resolved to the satisfaction of the aggrieved party, that party may refer the grievance to the Bargaining Council SALGBC or CCMA, whichever has jurisdiction for adjudication.

**This document was signed on the \_\_\_\_\_ of \_\_\_\_\_ 20\_\_\_\_.**

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**Municipal Manager**

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**Union Representative (SAMWU)**

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**Union Representative (IMATU)**