

CODES AND POLICIES

ANNEXURE A:

GRIEVANCE POLICY AND PROCEDURE

1. OBJECTIVE

- 1.1. The Employer acknowledges that any employee who has a grievance or is dissatisfied with any matter concerning the employee's work situation or conditions of employment, shall have the right to lodge such a grievance, in writing, with the Employer.
- 1.2. The Employer will consider and attempt to resolve any such timeously and to the satisfaction of both parties.
- 1.3. The objective of the Grievance Procedure is to provide employees with the opportunity to discuss and resolve any complaint or grievance and to provide a formal guide for the satisfactory settlement of complaints, grievance or disputes.
- 1.4. The Employer has therefore implemented an appropriately documented grievance procedure, the main purpose of which will be to prevent and resolve conflict in the workplace and in so doing to protect the interests of Management and employees of the Employer.

2. PRINCIPLES

- 2.1 Any employee or group of employees may lodge a grievance with the Employer which is of direct concern to them in terms of the grievance procedure.
- 2.2 Any grievance lodged will be attended to timely and will not be unreasonably delayed.
- 2.3 Management will consider all grievances lodged in a fair and just manner.
- 2.4 No victimization of any employee who has lodged a grievance will be tolerated.
- 2.5 The Employer will allow an interpreter if necessary.
- 2.6 The Employer will allow parties to call witnesses to testify.
- 2.7 The Employer will question witnesses if necessary.
- 2.8 Cross examination should not be allowed unless agreed to by the employee.
- 2.9 The investigation will not proceed if the aggrieved party is not present.
- 2.10 Any employee lodging a grievance may be accompanied and represented at any stage of the procedure by a colleague of his/her choice, or by a shop steward, who is an employee of the Employer or a trade union representative.
- 2.11 The grievance procedure may be utilized by all employees of the Employer.
- 2.12 Employees will be remunerated at their normal pay rates for the time spent with Management in discussing grievances on condition that the prescribed grievance procedure is being complied with at all times.

3. PROCEDURE

3.1 FIRST STEP - IMMEDIATE SUPERVISORY LEVEL

- 3.1.1 An employee who has a grievance must first notify his/her immediate supervisor / manager (if the grievance does not concern the supervisor / manager) and the supervisor / manager shall endeavor to resolve the issue within 24 hours of the issue being raised. The employee need not yet

- 3.1.2 If the employee is not satisfied with the supervisor's / manager's decision, then the employee shall have the right to raise a formal grievance with the next level of Management within 48 hours of the supervisor's / manager's decision.
- 3.1.3 In failure of the employee escalating the grievance within 48 hours, the grievance will be presumed to be solved, except where the employee can give reasonable reasons as to why the grievance was not escalated within the allowed time period.

3.2 SECOND STEP - HIGHER MANAGEMENT LEVEL

- 3.2.1 If the employee is not satisfied with the supervisor's decision, or if the grievance concerns the employee's supervisor / manager, then the employee shall complete a Formal Grievance Form and submit such form to the next level of Management within two working days of the supervisor's / manager's decision.
- 3.2.2 The relevant manager shall schedule a meeting within one working day after having received the formal Grievance Form.
- 3.2.3 The time period may be extended upon agreement by the parties concerned.
- 3.2.4 The meeting which shall be attended by the employee, a representative, (if requested by the employee) and the immediate supervisor shall be chaired by the manager.
- 3.2.5 The manager shall ensure that minutes are kept of such meeting, whether written or a recording, however, any decision made shall be recorded on the Formal Grievance Form.
- 3.2.6 If no satisfactory answer has been received by the employee within 48 hours of the formal grievance having been lodged, this fact shall be noted on the Formal Grievance Form and the employee shall have the right to escalate the grievance to the Executive Management level.
- 3.2.7 Such escalation has to be done within two working days of the manager's decision.
- 3.2.8 In failure of the employee escalating the grievance within 48 hours, the grievance will be presumed to be solved, except where the employee can give reasonable reasons as to why the grievance was not escalated within the allowed time period.

3.3 THIRD STEP – EXECUTIVE LEVEL

- 3.3.1 This should be the highest level within the Employer's Managerial hierarchy (this will usually be the Managing Director or the owner of the Employer).
- 3.3.2 The manager (in Step Two) will advise Executive Management who shall schedule a meeting, to be attended by all the parties in Step Two, within two working days after the decision of the manager in Step Two has been passed to the employee.
- 3.3.3 This time period may be extended by consent of the parties concerned.
- 3.3.4 Minutes, which shall be kept of such meeting, must be in writing, however, any decision made shall be recorded on the Formal Grievance Form and such decision shall be conveyed to the employee within two working days of the date of the meeting.
- 3.3.5 Should the employee still be dissatisfied with the result, the employee may make use of the statutory dispute resolving procedure or, where applicable, the dispute settling procedure as set out in any collective agreement which may be in force at the time.