

## The grievance procedure

### 1. Grievance procedure

The Company 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 a grievance, in writing, with the Company.

The Company will consider and attempt to resolve any grievance timeously and to the satisfaction of both parties. The Company has therefore agreed to implement 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 Company.

### 2. Purpose and intent

- The resolution of grievances, subject to the steps set out below, shall, wherever possible, be vested in line management.
- The grievance procedure shall not be used by an employee for the purpose of processing a disciplinary matter or a dismissal through it.
- The company and the employee(s) lodging the grievance may, by mutual agreement, accept the reduction or extension of the steps and time limits stated in the grievance procedure.
- Employees and co-workers shall not suffer any prejudice in their employment because of lodging a grievance procedure.
- An employee or his co-worker shall not incur loss of wages in respect of time spent at meetings with the company representatives arranged for the purpose of resolving a grievance in terms of this grievance procedure.
- The grievance should be lodged by the employee within two days of the occurrence which gave rise to it, unless special circumstances exist which may cause a delay.
- A co-worker may consult with an employee in his/her area of jurisdiction during working time for the purpose of assisting in the resolution of a grievance provided that:
  - the employee and the co-worker have obtained the consent of their manager
  - disruption to the company's normal business operations are kept to an absolute minimum. If this is not possible, a time to enable the grievance to be dealt with shall be set aside by management.
- It is accepted that the principles of this procedure will apply to all employees.

### 3. Administration

The appropriate grievance form must be completed and submitted to the supervisor or manager in line with the stages addressed further on. All grievances lodged shall be kept on the employee's file.

### 4. Stages of the procedure for an employee

#### Stage 1: Immediate supervisor

- The employee shall first verbally raise the grievance with his/her immediate superior or a co-worker and they shall then jointly discuss the grievance with the immediate supervisor.
- If the grievance has not been resolved within 24 hours of it having been lodged with the immediate supervisor, the employee shall complete the grievance form, outlining the pertinent facts and the solution desired.

- The employee shall hand the grievance form to his/her immediate supervisor.
- If the grievance is resolved, the solution shall be recorded on the grievance form by the immediate supervisor. The employee shall sign the grievance form thereby indicating that he/she has accepted the solution as set out. The coworker/ representative shall sign the grievance form.
- The immediate supervisor shall ensure that the completed grievance form is placed on the employee's personal file.
- If the grievance is not resolved and the employee wishes to take the grievance further, the employee shall proceed with Stage 2.
- Any further facts and the reasons for the failure to resolve the grievance shall be set out on the grievance form by the immediate supervisor.

### **Stage 2: Higher level manager**

- The manager or his/her nominee shall attempt to resolve the grievance and convene a meeting / enquiry. He/she shall attempt to resolve it within two days of the grievance report having been submitted in terms of Stage 2. At the enquiry, the employee, the co-worker and relevant witnesses may be entitled to make representations.
- If the grievance is resolved, the manager or nominee shall record the solution on the grievance form. The employee shall sign the grievance form thereby indicating that he/she has accepted the solution as set out in the grievance form. A co-worker in the presence of the employee shall also sign the grievance form. The manager shall ensure that the grievance form is placed on the employee's personal file.
- If the grievance is not resolved and the employee wishes to take the grievance further, the employee shall proceed with Stage 3.
- Any further facts and reasons for the failure to resolve a grievance shall be set out on the grievance form by the departmental head or nominee.

### **Stage 3: Senior management**

- If the co-worker agrees to pursue the grievance on behalf of the employee, he/she shall give written notice to the company requesting a meeting for the purpose of resolving the grievance.
- The senior manager or nominee shall convene the meeting within four days of the company having received the written request. The parties concerned shall be advised of the time and date of the meeting.
- The senior manager or nominee shall announce the decision at the meeting or within two days thereafter.

### **Stage 4: Independent arbitration/CCMA**

Should the employee consider the grievance unresolved the matter shall be referred to a mutually agreed independent arbitrator or the employee has the right to take his/her case to the CCMA.