# Grievance Management

### Overview

A ‘grievance’ is usually interpreted to mean a disagreement or dissatisfaction of a minor form between an employee and management or a group of employees and the management that concerns a violation of the terms of employment, the law, company regulations, worker’ rights or accepted past practices.

***What is Grievance?***

***“A grievance is any dissatisfaction arising out of anything connected with the employment that any team member believes unfair, unjust or inequitable.”***

Any staff member has the right to raise any matter connected with his / her employment and the company will endeavour to resolve matters referred to it to the best of its ability.

The objective of grievance handling, dispute resolution and conflict management is to settle employee grievances promptly and amicably in a systematic manner through identifying, reporting, resolving and reviewing of grievances to have a just and fair procedure, improve employer-employee relationship and understanding and promote workplace harmony to facilitate overall higher performance and organizational excellence.

### Policy on Grievance Handling, Dispute Resolution and Conflict Management

CSO is committed towards upholding and implementing effective grievance handling procedures through a formal process to settle employee grievances in a fair and equitable manner and to establish positive working relations whilst explicitly prohibiting any manner of victimization or prejudice which may cause to the employment status of employees related to the grievance process.

### Framework

* A grievance under this policy shall mean and include a violation of the terms of employment, the law, company regulations, and worker’ rights or accepted past practices.
* The grievance may relate to personal/ individual grievance, group grievance, principal grievance against violation of contract or a violation of policy.
* The grievance policy shall be applicable for all staff of the CSO including probationary and contract employees.
* The HR division shall make aware of the grievance procedures to the employees and shall include same in the induction programs ensuring periodic updates to all employees.
* The grievance process shall be treated with strict confidentiality and any manner of victimization or prejudice to the employment status of employees related to the grievance process shall not be accepted.
* All grievances shall be duly reported within 4 days of occurrence of such grievance. Having received a grievance from an employee, the next step of action in the grievance process shall be taken within three working days and a solution reached not exceeding 10 working days from the date of initial reporting of grievance. An employee may if required withdraw a reported grievance within 3 working days and the withdrawal shall be in writing, providing reasons for such withdrawal.
* The grievance handling, dispute resolution and conflict management system shall operate towards achieving a higher standard of workplace harmony and employee relations and shall avoid using the policy framework or procedures towards tolerating anonymous or malicious, fabricated and deceitful complaints.

### Procedures

* All grievances shall be in writing with the mandatory information of; who is involved, what really happened, when it happened, where it took place, who the witnesses are, why this incident is identified as a grievance.
* A grievance shall be reported to successive levels of management; firstly, to the immediate supervisor, secondly head of the division, thirdly head of the HR division and fourthly to ED/CEO. However, if the grievance involves the employee’s direct line of command, he may report to the head of division directly with the complaint. At each level the decision of the hearing shall be given in writing against which, the aggrieved party may appeal to the next level of management.
* The facts, data and information of reported grievance shall be analyzed and observations, opinions and recommendations shall be formulated in arriving at alternative solutions in a logical and un-biased manner by each successive level of management. This process shall have and maintain written documentation and the decision shall be presented to the complainant in writing.
* Each successive level of management shall submit this documentation to the next level of management and the specific level shall review this documentation prior to submitting their opinion and recommendations in arriving at a solution.
* Accordingly, an appeal against a grievance remedial action shall be made to the successive levels of management and the decision of the CEO/ED shall be final and conclusive.
* The HR division shall write to the employee with the result and the reason for the decision as soon as possible and indicate that the decision is final.
* Having arrived at the findings, if it requires taking certain disciplinary action, the procedure set down under disciplinary procedure shall follow. However, depending on the seriousness of the proved offence, the ED/CEO shall authorize the relevant disciplinary action.
* The HR division shall keep track of the effectiveness and the functioning of grievance handling procedure and make necessary changes to improve it from time to time.

# Key Steps and Guidelines

**Discovery of Grievance and Conciliation**

In the first instance any grievance relating to one’s employment should be raised with the immediate supervisor and it is hoped that matter will be resolved at this level. This is most desirable because, firstly, it is the supervisor who best knows the staff member and circumstances related to the matter. Secondly, it is in the interest of both parties to resolve the matter then and there and reinforce the relationship. However, discussing the grievance with the aggrieved staff member should be ideally within **three working days**.

**Internal Review Hearing**

**Level I**

If the staff member is not satisfied with the decision of the immediate supervisor he/ she may present his grievance to the officer in the next level of management (that is sectional or unit head).

There may be instances where staff member feels it is inappropriate to refer the matter (grievance) to his/ her immediate supervisor as per accepted practice. In such an instance, the staff member may refer the matter in writing to the respective officer in the next level of management directly (sectional or unit head). The respective officer would response to the aggrieved staff member by taking all necessary steps to resolve the problem within **five working days**. He will discuss issue with all parties, takes appropriate action and inform aggrieved staff member in writing.

**Level II**

Only if it is not possible to resolve matters with the respective officer (sectional or unit head) or if the staff member consider that he / she has not been fairly treated by both immediate supervisor and the particular officer mentioned, he/ she may request the grievance to be heard by next level of management that is the divisional head.

If the grievances cannot be resolved, to one’s satisfaction by respective officer (sectional or unit head) or if the staff member feels that he/ she has not been fairly treated by both immediate supervisor and the relevant officer (sectional or unit head), he/she may request the grievance to be heard by next level of management (divisional head). He will discuss issue with all parties, takes appropriate action within **eight working days** and inform aggrieved staff member in writing

**Level III**

Grievance unresolved at level II above by respective officer (divisional head) will be determined by the ED/CEO. The decision at this level represents the final stage (appeal stage) of the grievance procedure. Aggrieved staff member’s request to this final stage should be put in writing to the ED/CEO through divisional head who will inquire into the incident and take appropriate action to settle the issue within **ten working days.**

**Arbitration Hearing**

* If there may be cases unresolved even at the final stage (level III) ED/CEO may appoint an arbitrator chosen from a list of seven possible candidates supplied by the State Conciliation Service. Legal counsel represents both parties and all testimony by witnesses is under oath. After reviewing evidence, testimony and argument briefs from both parties, the arbitrator renders a written decision that is binding on both parties.

**Dismissal of complaint**

* However, if the issue appears to have no substance or misconceived or frivolous, respective head of the HR division can dismiss the complaint with the consultation of ED/CEO, however, the respective decision will be communicated to the aggrieved staff member.

**Responsibilities of the Officer in Grievances Handling**

* It is the primary responsibility of each and every supervisor to objectively assess the grievances and determine whether a genuine problem exists. Thereafter if in opinion of the supervisor a problem does exist, then he should discuss with his superior his analysis of the problem and what measures are recommended to resolve the problem. It may be necessary to discuss possible solutions to the problem even at senior management level.
1. Supervisors should endeavour to promote two way communications at all times in order to minimize grievances.
2. When responding to grievances, supervisor must always be impartial and identify the real issue without having any prejudices with regard to the individual who raises the grievance.
3. Supervisors also have the responsibility of communicating to the employee the agreed response speedily. Even if it is believed that there is no justification for raising a grievance that should be communicated to the employee with reasons.
4. The officers engaged in grievance handling should try to resolve the grievance in the shortest possible time.
5. Once a grievance has passed beyond the first stage, it is necessarily get momentum. Therefore all possible steps should be taken to resolve any differences at the very early stage.
6. Written records should be kept from internal hearing level I

**General**

* If the staff members concerned have no objection to the decision given for his/her grievance at any stage in the process, the decision will be final and shall be enforced with immediate effect.

**Withdrawal of Grievances**

* At any point, the aggrieved staff member can withdraw the grievance. The possible solutions to grievances may include;
1. Provide relief
2. Give explanation for such behavior
3. Correct previous discriminatory practice
4. Offer an apology
5. Ensure no harassment or unpleasant happening again