

IKAMVAYOUTH GRIEVANCE PROCEDURE

Approved by the IkamvaYouth board on *(18 November 2016)*



IKAMVAYOUTH

THE FUTURE IS IN OUR HANDS

1. PURPOSE

- 1.1. The purpose of this policy is to provide employees and management with a framework within which grievances will be resolved and to facilitate the resolution of employment-related issues as speedily and effectively as possible, without the unnecessary escalation of disputes within the organisation.
- 1.2. Unresolved grievances undermine morale of employees. Most grievances are known to supervisors before the formal procedure is initiated and most can be resolved without the need for a formal procedure. It is important that line managers are attentive and responsive to employees when issues are raised with them and make every attempt to resolve complaints or unhappiness before it escalates into the formal process.

2. SCOPE OF APPLICATION

- 2.1. This policy applies to all **IkamvaYouth** employees.

3. DEFINITION

- 3.1. A grievance is a complaint or concern that an employee (the complainant) may have in relation to the conduct of a manager or another employee towards the complainant or a working condition, issue or incident that has taken place or persists in the workplace.

4. GUIDING PRINCIPLES

The grievance resolution process shall be implemented in accordance with the following principles:

- 4.1. Employees are entitled to raise grievances without fear of recrimination or victimisation. **IY** guarantees that employees may raise and lodge their grievances without any fear of being victimised or treated unfairly.
- 4.2. Employees may be assisted in grievance proceedings by a colleague if they wish. No employee will be victimised or unfairly discriminated against as a result of having advised and/or represented any fellow employee lodging a grievance.
- 4.3. Grievances must be raised in writing. The employee should state as clearly and concisely as possible what the issue is and the desired outcome / solution on the Grievance Form.
- 4.4. Grievances shall be resolved as soon as possible and at the lowest level of management as possible given the circumstances. However, if the grievance cannot be resolved at that level it may be taken to the next level of management.
- 4.5. The Grievance Procedure may not be used as an appeal mechanism following a disciplinary hearing.

5. PROCEDURE

The grievance resolution process must adhere to the following procedure:

- 5.1. Most employees will raise their problem with their immediate line manager. The line manager has an opportunity to resolve the complaint without the formal procedure

needing to be triggered. Only if this effort is unsuccessful, will an employee formalise the grievance.

- 5.2. The employee must first bring the formal grievance or complaint to the notice of the immediate line manager, who must address the matter and try to resolve it.
- 5.3. If the line manager cannot resolve the grievance or the complaint concerns the line manager, the employee must bring the grievance to the attention of the Head of Department (HOD), who in turn must try to resolve the matter and see if some agreement or solution can be reached.
- 5.4. If the HOD cannot resolve the grievance or if the complaint concerns the HOD, the employee must refer it to the Executive Director (ED), for final resolution.
- 5.5. If the grievance concerns the ED, the employee must refer it to the Board.
- 5.6. If the grievance remains unresolved after being taken to the highest possible internal level, the complainant may refer a dispute to the CCMA in accordance with the provisions of the Labour Relations Act.
- 5.7. In exceptional circumstances a grievance can be raised with the Human Resources Manager and only if the complainant has a valid reason to feel uncomfortable about raising it with line management.
- 5.8. Should any grievance involve a group of employees, then such employees may select a maximum of 3 employees to represent their interests.
- 5.9. If the investigation of a grievance reveals a need to take disciplinary action against one or more employees, then this action will be taken in terms of the organisation's Disciplinary Procedure.

6. TIME LIMITS

The following schedule constitutes a guide as to the time periods within which the grievance should be dealt with. There may be valid circumstances where these timeline are not or cannot be met. Where a manager requires an extension, she/he should discuss this with the complainant. Employees and managers should have good reason to deviate from the guidelines below.

Procedural Step	Time period
Informal discussion of complaint with immediate manager	As this is informal no specific time limit is set for this. However, failure to resolve the issue may result in it being escalated into the formal procedure below
Lodge of the grievance	Lodged within 7 working days of incident giving rise to the grievance or of the failure of any prior process to resolve the matter
Grievance lodged with line manager	Heard and responded to within 5 working days of receipt thereof
Grievance referred to HOD	Heard and responded to within 5 working days of receipt thereof
Grievance or Complaint referred to ED	Heard and responded to within 5 working days of receipt thereof
Grievance referred to the Board (only in the case of grievances against the ED personally. A grievance which is	Heard and responded to within one calendar month of receipt thereof

escalated to the level of the ED is not considered a grievance against the ED.)	
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