



GRIEVANCE POLICY

Policy : Grievance policy
Manual : Human Resources Policies and Procedures Manual
Applicability : All Employees within the Digicall Group.

	NAME	SIGNATURE	DATE
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1. INTRODUCTION AND PURPOSE

- 1.1. The purpose of this policy is to provide a process whereby the Grievance of an individual Employee or small groups of Employees can be resolved.

2. DEFINITIONS

The definitions listed in Table 1-1 apply to this document.

A capitalised item within the text indicates the availability of a definition.

Item	Definition
Company / Employer / Organization	Digicall Group
Employees	Salaried staff on the Company payroll
Contractors	Contractors working for the Company in an individual capacity who are not considered to be Employees of the Company
HR	A representative of the Human Resources department
Grievance	A Grievance is any dissatisfaction or feeling of injustice in connection with an Employee's work or conditions of employment, which merits the formal attention of Management at any level, but excludes both collective wage grievances, and appeals against disciplinary action.
Representative Trade Union	A Trade Union registered in terms of the Labour Relations Act who has been granted organisational rights by way of recognition agreement with the Employer.
Divisional Executive Head	A representative of the relevant Divisional Executive committee as appointed by the Company

3. OBJECTIVES

- 3.1. It is in the policy of the Company:

- To ensure that Grievances are resolved at the earliest possible stage and as quickly as possible to promote sound industrial relations between the Company and its Employees, for their mutual benefits.
- To encourage an Employee who has a work-related problem or feels that there has been an element of unfairness in the treatment meted out to him/her to discuss the Grievance with the Company. Keeping the problem to himself/herself or expressing discontent to other members of staff, could be harmful to good industrial relations within the Company.

- That Employees may lodge Grievances with the Company without fear of victimisation and any prejudice whatsoever to their employment, bearing in mind that false accusations will be dealt with in accordance with the disciplinary policy.
- That a Grievance may be held by an individual Employee or by a group of Employees. For the sake of convenience, this procedure refers only to “the aggrieved Employee”. Should a group of Employees share the same Grievance, only one Grievance form should be completed, which shall be signed by all aggrieved Employee’s.
- That the Grievance procedures shall not be invoked by an Employee or group of Employees for the purpose of disputing a disciplinary matter or dismissal. The Grievance procedures shall further not be invoked by an Employee for bargaining on substantive issues (conditions of employment).
- That an Employee may not misuse this procedure but must have a bona fide Grievance which he/she wish to have resolved.
- That it is the responsibility of the Employee to escalate the Grievance to the next stage/s of the Grievance procedure if the Grievance remains unresolved.
- That an Employee raising a Grievance has the right at each stage of the procedure to be assisted or represented by a fellow Employee or Shop Steward if the Employee is a member of a Representative Trade Union. No representation from outside the Company will be permitted.
- That the Company or aggrieved Employee may, by mutual agreement, waive any or all of the time limits referred to in the procedure set out below.
- That no industrial action of whatsoever nature is taken to force the Grievance, until all stages of the Grievance procedure has been completed.
- Where the Employer deems it to be necessary Human Resources may instruct that the Grievance be mediated under the auspices of an independent dispute resolution service provider. This process would be considered as a bona fide attempt without prejudice to parties concerned, to resolve issues internally.

4. GRIEVANCE PROCEDURE

4.1. Any grievance which an Employee wishes to raise with the Company shall be dealt with in terms of the procedure set out below.

4.2. Summary of the stages:

- Stage 1 - Immediate supervisor
- Stage 2 - Higher level of authority
- Stage 3 - Human resources representative
- Stage 4 – Divisional Executive Head
- Stage 5 - Legal procedure

Stage 1: Immediate supervisor

Description
4.1.1 The aggrieved Employee shall communicate the Grievance verbally to his/her immediate Supervisor or the latter's Supervisor in the event of a Grievance against the immediate Supervisor. All Grievances should however first be dealt with at the immediate Supervisor level unless the nature of the grievance does not allow it.
4.1.2 The Employee shall lodge the Grievance within 2 (two) working days of the occurrence which gave rise to it unless special circumstances exist which may cause a delay. The Grievance shall be lodged in such a way that it is clear to the Supervisor that the Employee is lodging a formal Grievance.
4.1.3 The Supervisor concerned shall set up a mutually convenient meeting between himself/herself and the aggrieved Employee. The purpose of the meeting shall be to provide the aggrieved Employee with the opportunity to relate to his/her immediate Supervisor all information concerning the Grievance such as background, full details and nature of the resolution desired. The Supervisor concerned will then be given the opportunity to investigate the matter, establish the facts and to attempt to solve the matter.
4.1.4 The Supervisor concerned shall advise the Employee of his/her success/failure in solving the matter within 2 (two) working days of the Grievance raised.
4.1.5 All statements made, points agreed and any action taken, must be recorded and signed by the parties concerned.

Stage 2: Higher level of authority

If the Grievance is not resolved by the immediate Supervisor in Stage 1 (see 4.1 above) the aggrieved Employee may, within two working days of the outcome conveyed to him/her in 4.1.4 above, inform the Supervisor in Stage 1 that he/she wishes to take the matter further.

Description
4.2.1 The Supervisor in Stage 1 shall inform the higher level of authority of the unresolved Grievance and that the Employee wishes to pursue the matter. The Supervisor in Stage 1 shall immediately send all minutes, statements, notes as well as reasons for failing to solve the Grievance to the Stage 2 level of Authority.
4.2.2 The Employee shall complete the applicable Grievance form.
4.2.3 Within two working days after having received the Grievance form, the Stage 2 level of authority shall convene a meeting with the parties concerned and attempt to resolve the Grievance.
4.2.4 The Supervisor concerned shall advise all parties concerned, including the representative of the aggrieved Employee (if any), of his/her decision within two working days of the meeting in 4.2.3 above.

4.2.5 All statements made, points agreed upon, and any action taken, must be recorded and signed by the parties concerned.

Stage 3: Human Resources

If the Grievance is not resolved in Stage 2, the aggrieved Employee may, within two working days of the outcome conveyed to him/her in 4.2.4 above, inform the Stage 2 level of authority that he/she wishes to take the matter further.

Description
4.3.1 The Stage 2 level of authority shall inform Human Resources of the unresolved grievance and that the Employee wishes to pursue the matter. The Stage 2 level of authority shall immediately send the grievance form and all minutes, statements, notes as well as reasons for the failure to solve the Grievance to Human Resources.
4.3.2 Within two working days after having received the information in 4.3.1 above, Human Resources shall convene a meeting with the parties concerned including a higher level of authority and attempt to resolve the Grievance.
4.3.3 Human Resources shall advise all parties concerned, including the representative of the aggrieved Employee (if any), of the decision reached within two working days of the meeting in 4.3.2 above.
4.3.4 All statements made, points agreed and any action taken, must be recorded and signed by the parties concerned.

Stage 4: Divisional Executive Head

If the aggrieved Employee is not satisfied with the decision in stage 3, he/she may, within two working days of the outcome conveyed to him/her in 4.3.3 above, inform Human Resources that he/she wishes to take the matter further.

Description
4.4.1 Human Resources shall inform the Divisional Executive Head of the unresolved Grievance and that the Employee wishes to pursue the matter. Human Resources shall immediately send the Grievance form and all minutes, statements, notes as well as the reason for the failure to solve the grievance to the Executive Head.
4.4.2 Within two working days after having received the information in 4.4.1 above, the Executive Head who was not involved in the matter, shall convene a meeting with the parties concerned and attempt to resolve the grievance.
4.4.3 The Executive Head shall review all evidence and facts presented to him/her and advise all parties concerned, including the representative of the aggrieved Employee (if any), of his/her decisions within five working days of the meeting in 4.4.2 above.
4.4.4 The decision of the Executive Head shall be final, and no further procedures within the Company shall be granted.

Stage 5: Legal procedure

Should the decision taken in Stage 4 not be acceptable to the aggrieved Employee, and should the Employee wish to pursue the matter of his / her Grievance, the Employee shall follow formal and legal procedures for the resolutions of the dispute, for example, as per the dispute procedure of the LRA (Labour Relations Act 66 of 1995) as amended, alternatively Private Dispute Resolution mechanisms as agreed to with the Employer.

5. GRIEVANCE PROCESS FLOW

