

## **EXAMPLE OF A GRIEVANCE PROCEDURE**

### **A. Purpose of the grievance procedure**

Through the implementation of this grievance procedure, FCB South Africa wishes to emphasise its genuine and ongoing concern for the well-being of its employees.

The Company encourages its employees to make effective use of the grievance procedure to enable management to become aware of employees' problems and of problem areas which could be subjected to further investigation.

This grievance procedure creates an opportunity for upward communication from our employees as and when they consider it necessary. Management must strive to ensure that grievances are dealt with effectively, thereby significantly reducing the possibility of disputes arising in the workplace.

### **B. Definition of a grievance**

A grievance is any dissatisfaction or feeling of injustice in connection with the employee's work or employment conditions that has been, or will be, brought to the attention of management.

### **C. General principles**

The Company and the employee agree that, should the employee have a grievance against the Company, it should be dealt with and settled in accordance with the official FCB South Africa Grievance Procedure.

The grievance procedure shall NOT be used for the purpose of:

- amending any provisions of any agreement between the Company and the employee;
- amending any substantive conditions of employment, such as salary, leave provisions, and bonuses;
- lodging a complaint concerning an alleged disciplinary offence committed by another employee: such complaints will be addressed in accordance with the relevant terms of the disciplinary procedure; and/or
- appealing against the findings of a disciplinary enquiry: such appeals will be handled in accordance with the relevant terms of the disciplinary procedure.

Any employee of FCB South Africa may lodge a grievance without any prejudice or fear of victimisation. Grievances should be lodged with the relevant management as soon as possible so that they may be speedily resolved.

### **D. Specific principles underlying the grievance procedure**

Any member of management who is approached to deal with a grievance will accord careful consideration to the grievance and make a genuine attempt to resolve it.

Any employee who lodges a grievance and would like to have a fellow employee act as their representative, has the right to such representation.

Time limits for resolution have been established for each stage of the grievance procedure.

All employees of FCB South Africa are granted the opportunity to bring their grievances, albeit in stages, to the attention of the MD of the agency concerned.

A grievance will not be declared resolved until the employee who has initially lodged the grievance declares that he or she is satisfied with the outcome.

Wherever possible, grievances will be handled by line management, but the Human Resources Department may be called on to act in an advisory capacity.

If the grievance is not resolved, the employee has the right to declare a dispute over the issue concerned.

### **E. Stages in the grievance procedure**

#### ***Stage 1***

The employee should VERBALLY communicate said grievance to the SECTION HEAD, or, if the grievance concerns the Section Head, to the Section Head's IMMEDIATE SUPERIOR. An employee may, should he/she so wish, elect to be assisted by a fellow employee who would act as his/her representative or provide support during the process.

The SECTION HEAD/IMMEDIATE SUPERIOR should attempt to resolve the grievance as soon as possible. Should the grievance not be resolved within FIVE (5) working days of having been reported, the employee may proceed to Stage 2.

### ***Stage 2***

2.1 The employee should communicate the grievance IN WRITING to the IMMEDIATE SUPERIOR of the Section Head who has failed to resolve the grievance, OR to the MANAGING DIRECTOR if the grievance has already been reported to the IMMEDIATE SUPERIOR.

2.2 The employee should at this stage also inform the HUMAN RESOURCE DEPARTMENT, IN WRITING, of the grievance which has been lodged, as well as any action already taken concerning the grievance.

The employee may, should he/she so wish, elect to be assisted by a fellow employee who would act as his/her representative or provide support during the process.

The Section Head's IMMEDIATE SUPERIOR, or the MANAGING DIRECTOR, either of whom has received the grievance in writing, should attempt to resolve the grievance as soon as possible.

Should the grievance not be resolved within FIVE (5) working days of the grievance having been reported to the Section Head's IMMEDIATE SUPERIOR or the MANAGING DIRECTOR, the employee may proceed to Stage 3.

### ***Stage 3***

The employee should communicate the grievance IN WRITING to the MANAGING DIRECTOR of the agency concerned, OR where the employee has already lodged the grievance, with the MANAGING DIRECTOR.

Where the grievance has not been communicated to the DIRECTOR OF GROUP HUMAN RESOURCES, the employee should inform the HUMAN RESOURCES DEPARTMENT, IN WRITING, that the grievance has been communicated to the MANAGING DIRECTOR.

The employee may, should he/she so wish, elect to be assisted by a fellow employee who would act as his/her representative, or provide support, during the process.

The MANAGING DIRECTOR, OR the DIRECTOR OF GROUP HUMAN RESOURCES, who has received the grievance in writing, should attempt to resolve the grievance as soon as possible.

Should the grievance not be resolved within FIVE (5) working days of the grievance having been reported, the employee may lodge an official DISPUTE against the Company.

In terms of the Labour Relations Act 66 of 1995, the above DISPUTE may be referred to the COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION (CCMA) within 30 days of the dispute having arisen. In terms of the above Act, the employer (namely South Africa) must be furnished with a copy of the referral of the dispute to the CCMA when it is lodged with the CCMA.

**GRIEVANCE FORM**

NAME OF EMPLOYEE:

AGENCY:

DATE:

NATURE OF GRIEVANCE

SETTLEMENT DESIRED

Signature of employee:

Signature of supervisor:

COMMENTS OF IMMEDIATE SUPERVISOR

Date: ..... Signature:

COMMENTS OF MANAGING DIRECTOR

Date: ..... Signature:

COMMENTS OF DIRECTOR OF GROUP HUMAN RESOURCES

Date: ..... Signature: .....

SETTLEMENT AGREED UPON

.....  
Name of Employee          Signature

.....  
For the Company Signature

.....  
For the Company Signature