

GRIEVANCE PROCEDURE

1. General
2. Steps in the application of the procedure
3. Late submission of representations
4. Standardized forms

1. General

- 1.1 It is in the interest of Management as well as the employee that grievances should be dealt with and settled in an orderly and systematic manner. It is also important that grievances, whether of a group or individual nature, be resolved as promptly as possible and at the lowest possible level.
- 1.2 The primary object of the grievance procedure is to provide the employee with an effective channel through which he can address a grievance to more than one level of management.
- 1.3 For the purposes of this clause “a grievance” means any dissatisfaction or feeling of unfair practice of working condition experienced by an employee or a group of identified employees working under the same management authority and relating to his/their service situation, but does not include the following:
 - 1.3.1 A disciplinary decision or disciplinary action in any individual case.
 - 1.3.2 The filling of a vacancy in terms of the promotions system.
 - 1.3.4 Any matter that, as an acquisition of a new right, is open to collective bargaining within the prevailing negotiating system of Transnet.
- 1.4 For the purposes of this clause, a reference to the “employee”, in the singular includes the plural, and the masculine include the feminine.
- 1.5 An employee who addresses written representations in accordance with clause 2 sub-clause 2.1, 2.2 and 2.3, may have the right to furnish a supplementary verbal explanation. In the aforementioned instances, an employee of his choice, who, if possible, shall be stationed at or near the place where he is employed, or by a Union Representative of a recognized trade union of which he is a member, may assist him.

2. STEPS IN THE APPLICATION OF THE PROCEDURE

2.1 ANNEXURE F

- 2.1.1 An employee who wishes to raise a grievance shall, where possible, submit written representations to his representative trade union, and if he is not a member, to the Company’s Employee Relations Department.
- 2.1.2 The union on behalf of the member or the Employee Relations Department on behalf of the non-union member would complete an Annexure F form, and distribute it to the employee’s immediate Supervisor.
- 2.1.3 In the case of a union-member, the union representative would issue Employee Relations with the original grievance, to distribute said to the employee’s immediate Supervisor.

- 2.1.4 On the handing over of the Annexure F, the Employee Relations Officer would schedule a meeting between the Supervisor, the Union Representative (if applicable) and the aggrieved party.
- 2.1.5 This meeting should be held within 3-days after the grievance has been formally logged at the Employee Relations Department.
- 2.1.6 The Employee Relations' Officer's role in the Grievance meeting would serve as a Facilitator in the process, to try and facilitate an amicable solution.
- 2.1.7 Should the parties fail to reach agreement at said meeting, the Supervisor would complete Section #2 of Annexure F, and hand copy said to both the Employee Relations Department and the aggrieved party.
- 2.1.8 The aggrieved party now reserve his right to complete Annexure G, within 2-days of the Grievance meeting, should he wish to take the matter further.

2.2 ANNEXURE G

- 2.2.1 The union on behalf of the member or the Employee Relations Department on behalf of the non-union member would complete an Annexure G form, and distribute it to the employee's immediate Supervisor's Manager.
- 2.2.2 In the case of a union-member, the union representative would issue Employee Relations with the original grievance Annexure G, who would be responsible to distribute said to the employee's immediate Supervisor's Manager.
- 2.2.3 On the handing over of the Annexure G, the Employee Relations Officer would schedule a meeting between the Supervisor's Manager, the Union Representative (if applicable) and the aggrieved party.
- 2.2.4 This meeting should be held within 5-days after the grievance has been formally logged at the Employee Relations Department.
- 2.2.5 The Employee Relations' Officer's role in this Grievance meeting would serve as a facilitator in the process, to try and facilitate an amicable solution.
- 2.2.6 Should the parties fail to reach agreement at said meeting, the Manager would complete Section #2 of Annexure G, and hand copy said to both the Employee Relations Department and the aggrieved party.
- 2.2.7 The aggrieved party now reserve his right to complete Annexure H, within 2-days of the Grievance meeting, should he wish to take the matter further.

2.3 ANNEXURE H

- 2.3.1 The union on behalf of the member or the Employee Relations Department on behalf of the non-union member would complete an Annexure H form, and distribute it to the employee's Manager's, Executive Manager.
- 2.3.2 In the case of a union-member, the union representative would issue Employee Relations with the completed Annexure H, to distribute said to the employee's Manager's Executive Manager.
- 2.3.3 On the handing over of the Annexure H, the Employee Relations officer would schedule a meeting between the Executive Manager, the union representative (if applicable) and the aggrieved party.
- 2.3.4 This meeting should be held within 10-days after the grievance has been formally logged at the Employee Relations Department.
- 2.3.5 The Employee Relations' Officer's role in this Grievance meeting would serve as a Facilitator in the process, to try and facilitate an amicable solution.
- 2.3.6 The Executive Manager would be afforded 2-days in which to evaluate the grievance and complete Section #2 of Annexure H of his findings. Copies of this completed

Annexure H would be distributed to both the Employee Relations Department as well as the Union Head Office (if applicable).

2.3.7 The Executive Manager's failure to comply with sub-clause 2.3.6 above, would initiate a dispute, in terms of sub-clause 2.3.8 below.

2.3.8 Should the employee not be satisfied with the Executive Manager's findings, the employee has the right to declare a dispute in terms of the Dispute procedures, Schedule C, within 10-days but not exceeding 10-days after receiving the Executive Manager's response.

3. LATE SUBMISSION OF REPRESENTATIONS

3.1 Late submissions of Grievances would be accompanied with a letter of motivation for the late submission.

3.2 The Company would use its discretion on whether or not there are enough merits in the motivation to accommodate this late grievance.

3.3 Should the Company acknowledge the Grievance, such grievance would continue to be dealt with in terms of Clause #2 above.

4. Standardized forms

The standard item forms for the Grievance Procedure is attached as Annexure F, Annexure G and Annexure H.

-oooOooo-

GRIEVANCE FORM

SECTION #1

Name: _____ Employee No. : _____
Grade: _____ Station/Depot : _____
Date : _____

Nature of Grievance:

Possible Solution:

Signature or thumb-print of employee (must be signed by him personally)

Signature of assistance or, if no assistance, signature of witness to thumb print

SECTION #2

With reference to the grievance meeting held on (date) my decision is as follows:

The motivation for this decision is:

If you are not satisfied with this decision, you can address further representation to
..... Within 2-days days of receipt hereof, by completing section 1 of the form in Annexure G and
submitting it to him.

Signature of immediate supervisor
Designation
Date

Employee notified on(date)

-oooOooo-

GRIEVANCE FORM

SECTION #1

Name: _____ Employee No. : _____
 Grade: _____ Station/Depot : _____
 Date : _____

Nature of Grievance:

Possible Solution:

Signature or thumb-print of employee (must be signed by him personally)

Signature of assistance or, if no assistance, signature of witness to thumb print

SECTION #2

With reference to the grievance meeting held on (date) my decision is as follows:

The motivation for this decision is:

If you are not satisfied with this decision, you can address further representation to
 Within 2-days days of receipt hereof, by completing section 1 of the form in Annexure J and submitting it to him.

Signature of Manager

Designation

Date

Employee notified on(date)

-oooOooo-

GRIEVANCE FORM

SECTION #1

Name: _____ Employee No. : _____
Grade: _____ Station/Depot : _____
Date : _____

Nature of Grievance:

Possible Solution:

Signature or thumb-print of employee (must be signed by him personally)
Signature of assistance or, if no assistance, signature of witness to thumb print

SECTION #2

With reference to the grievance meeting held on (date) my decision is as follows:

The motivation for this decision is:

If you are not satisfied with this decision, you have the right to declare a dispute in terms of the Dispute procedures, Schedule C, within 10-days after having received this response.

Signature of Executive Manager
Designation
Date

Employee notified on(date)

-oooOooo-

