

GRIEVANCE PROCEDURE?

Grievance procedure for possible solutions

If **departmental educators** are aggrieved about a particular matter with regard to the honouring of conditions of service or with regard to conditions of service, it is possible that this matter can be addressed by means of a **grievance procedure**, before moving on to refer a formal **dispute**.

The procedure therefore offers the opportunity for an aggrieved educator to address any act or omission, which would lead to the aggrieved party feeling unhappy, uncomfortable or disadvantaged within the workplace and/or employment relationship.

The WCED Circular 45 of 2017 provides an outline of the grievance procedure that must be followed if an educator wishes to lodge a grievance in accordance with the latest amendments to the PAM (2016).

The aim of lodging a grievance is as follows:

1. To resolve a complaint at personal level;
2. To address it as close to the source as possible; and
3. To resolve it as quick as possible.

Steps in the grievance procedure

STEP 1: THE INFORMAL PHASE	
Report your complaint / grievance orally to your direct supervisor or principal and try to resolve the problem through a personal conversation before following the official route.	<p>The process is as follows:</p> <ul style="list-style-type: none"> • The supervisor / principal must make a bona fide attempt to resolve any grievance by means of an oral interview. • The supervisor / principal is encouraged to complete the process within 10 working days after the complaint has been reported. • No minutes are taken. • No representation is allowed. • You may request that someone come and observe the process.
Aim: To strengthen the <u>complaint process</u> and effectively deal with it to avoid a <u>formal grievance</u> .	
STEP 2: THE FORMAL PHASE AT SCHOOL LEVEL	
If step 1 does not produce the desired result after a reasonable time, a written grievance (Grievance Form - Annexure A) can be lodged with the	<p>The process is as follows:</p> <ul style="list-style-type: none"> • The principal must immediately report such grievance to the local district office of the education department and hand over a copy. • The principal must, within 3 working days of receipt of the written and signed grievance, discuss the matter

<p>principal. The written grievance must contain full details. This must be done within 90 days from the date on which the alleged grievance occurred.</p>	<p>with the aggrieved person and make a bona fide attempt to resolve it to the satisfaction of the parties involved.</p> <ul style="list-style-type: none"> The principal must report the outcome of the aforementioned meeting to the district office within 5 working days, regardless of whether the matter has been resolved or not.
<p>Aim: To strengthen the <u>formal grievance procedure</u> and effectively deal with it to avoid a <u>dispute</u>.</p>	
<p>STEP 3: THE FORMAL PHASE AT DISTRICT LEVEL</p>	
<p>The principal must report his comments, together with all relevant information regarding the grievance or grievances, to the district office, within 5 working days of receiving the grievance.</p> <p>The head of the region / district, or their authorized delegate, must, within 5 working days after the date of receipt, endeavour to resolve the grievance or grievances and communicate their decision in writing to the parties.</p>	<p>The process is as follows:</p> <ul style="list-style-type: none"> The aggrieved party (ies) is entitled to report the matter in writing, by hand or by courier, to the district office within 5 working days if: <ul style="list-style-type: none"> a. The principal did not make a bona fide attempt to resolve the grievance satisfactorily. b. The aggrieved party (ies) is not satisfied with the outcome of the process, and after the principal and the aggrieved party (ies) could not reach an agreement. A copy of the referral must be handed to the principal, as well as to the SAOU.
<p>Aim: To strengthen the <u>formal grievance procedure</u> and effectively deal with it to avoid a <u>dispute</u>.</p>	
<p>STEP 4: DISPUTE REFERRAL TO THE ELRC</p>	
<p>If the aggrieved party (ies) is not satisfied with the outcome, a formal dispute may be registered with the ELRC in accordance with the provisions of the ELRC's Constitution.</p>	<p>The process is set out in the ELRC Constitution PART C - Dispute Resolution Procedures and can be further discussed with members on request.</p>

General:

The SAOU may register a grievance with the WCED on behalf of SAOU members. However, the matter must first be fully discussed before the grievance is declared.

The party (ies) to the grievance or grievances may extend the above periods by means of a written agreement.

If SAOU members are unsure about the process and procedures to be followed, advice can be sought from the SAOU office.