



## GRIEVANCE POLICY & PROCEDURE

<b>POLICY NUMBER</b>	
<b>POLICY TYPE</b>	<b>HUMAN RESOURCE POLICY</b>
<b>LAST APPROVAL DATE</b>	<b>19 JANUARY 2026</b>
<b>COMMENCEMENT DATE</b>	<b>19 JANUARY 2026</b>
<b>INITIAL APPROVAL DATE</b>	<b>19 JANUARY 2026</b>
<b>PREVIOUS REVIEWALS</b>	
<b>NEXT REVIEW DUE</b>	<b>19 JANUARY 2027</b>
<b>RESPONSIBLE MANAGER</b>	<b>HEAD: CORPORATE SERVICES</b>

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## **1. PREAMBLE**

1.1 The Entity believes in ensuring the highest standards of professional and ethical conduct. In pursuing these, the Entity shall make all efforts to resolve grievances as quickly as possible with the utmost concern for reconciling and respecting the privacy concerns of staff members.

1.2 This procedure shall be deemed to be a condition of service. The objective of this grievance procedure is to ensure substantive and procedural fairness to resolve problems as quickly and as close to their source as possible, and to deal with conflict through procedural and consensual means. No employee shall suffer victimisation or occupational prejudice directly or indirectly as a result of lodging a grievance.

1.3 The parties shall disclose relevant documents which may assist to resolve a grievance to one another save that no party will be required to disclose information that is legally privileged; that the employer cannot disclose without contravening a prohibition imposed on the employer by any law or order of any court; that is confidential and, if disclosed, may cause substantial harm to an employee or the employer; or that is private personal information relating to an employee, unless that employee consents to the disclosure of that information.

1.4 Nothing in this grievance procedure shall prevent a union from pursuing a dispute in its own capacity in terms of any agreed or other disputes procedure provided it has the right in law to pursue such dispute. The parties shall take steps to ensure that employees and managers are informed about this procedure and are trained to implement this procedure effectively.

## **2. PROBLEM STATEMENT**

2.1 The Entity aims to create a working environment in which all employees can freely raise concerns relating to their employment and seek a resolution promptly, fairly and informally wherever possible.

2.2 Where informal resolution is not possible, the grievance procedure exists to provide a means to achieve formal resolution. The emphasis of this policy is on problem solving and mediation rather than confrontation or an adversarial process.

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H.T.

### 3. PURPOSE

3.1 The purpose is to ensure a fair environment to resolve problems and conflict as quickly as possible, through formal measures beyond informal and verbal interventions.

### 4. SCOPE OF APPLICATION

4.1 This policy applies to all staff members of the Entity.

### 5. LEGISLATIVE AND POLICY FRAMEWORK

- 5.1 Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996)
- 5.2 Municipal Systems Act, 2000 (Act No. 32 of 2000)
- 5.3 Labour Relations Act, 1995 (Act No. 66 of 1995)
- 5.4 Employment Equity, 1998 (Act No. 55 of 1998)
- 5.5 South African Local Government Bargaining Council (SALGBC): Collective Agreements

### 6. DEFINITIONS

- 6.1 **Entity** refers to PSJ Development Agency.
- 6.2 **Board** refers to Board of Directors.
- 6.3 **PSJLM** refers to Port St Johns Local Municipality.
- 6.4 **CEO** refers to the Chief Executive Officer.
- 6.5 **CFO** refers to the Chief Financial Officer.
- 6.6 **HOD** refers to Head of Department.
- 6.7 **Labour/Employee Relations Officer** refers to an official who advises on specific areas of employment/labour law to, to negotiate during union or employee disputes and to ensure the wider workforce is aware of company policies and procedures.
- 6.9 **SALGBC** refers to South Africa Local Government Bargaining Council.
- 6.10 **Grievance** refers to any dissatisfaction, perceived or otherwise, on the part of a staff member arising from factors that include a staff member's job, working environment or the municipality's employment practices.

## 7 PRINCIPLES OF THE POLICY

The following principles apply:

- 7.1 Managers will try to resolve problems informally and deal with them at the earliest opportunity.
- 7.2 Confidentiality will be always maintained by everyone involved.
- 7.3 The intention of this policy is not to apportion blame but to resolve grievances objectively, sensitively, consistently and fairly. This considers the fact that employment issues are not necessarily clear cut and responsibility cannot always be decisively established.
- 7.4 Managers will make decisions based on the 'balance of probabilities' meaning they will consider, having weighed up the evidence, whether it is more likely than not that the complaint has been substantiated.
- 7.5 The Entity will assume that all grievances are raised in good faith. In the unlikely event that a complaint is frivolous, malicious or vexatious, the employee raising the grievance may be subject to disciplinary action.
- 7.6 As a rule, employees may not raise a grievance anonymously as this hamper's consideration of the case. In exceptional circumstances where an employee has a genuine fear of the consequences of being identified as the complainant, they should contact Human Resources for advice.

## 8 POLICY PROVISIONS

### 8.1 Grievance resolution framework

8.1.1 The grievance resolution framework is aimed at providing management and staff members of the Entity with a credible mechanism for resolving staff grievances fairly, objectively and expeditiously.

8.1.2 A staff member may not use the grievance resolution mechanisms –

- (a) to amend any performance agreement or terms and conditions of any performance agreement concluded between that staff member and the Entity.
- (b) to process a disciplinary matter or dismissal; or
- (c) for the purposes of collective bargaining.

8.1.3 All grievances shall be resolved as soon as possible and at the lowest possible level in the reporting structure.

8.1.4 A grievance that is brought to management's attention shall be considered in a fair manner.

8.1.5 Neither staff member nor his or her representative shall suffer any prejudice, directly or indirectly, including victimisation or occupational prejudice, in their employment because they lodged or participated in a grievance in terms of this policy.

8.1.6 The grievance proceedings shall be conducted in compliance with the standards of procedural fairness, using the latest or updated version of the grievance procedure entered by parties to the SALGBC.

8.1.7 The parties to the grievance shall disclose relevant documents which may assist to resolve a grievance except that no party is required to disclose information that

- (a) is legally privileged.
- (b) the Entity cannot disclose without contravening a prohibition imposed on it by any law or order of any court.
- (c) is confidential and, if disclosed, may cause substantial harm to a staff member or the Entity; or
- (d) is private personal information relating to a staff member, unless that member of staff consents to the disclosure of the information.

8.1.8 All proceedings and meetings relating to a grievance shall be considered to be confidential.

8.1.9 A grievance shall be resolved **within 30 working days**, from the date of being lodged.

## 9. STEPS TO BE FOLLOWED FOR GRIEVANCE RESOLUTION

Each step of a grievance shall, except in exceptional circumstances, take place within ten (10) working days from the date of lodging the grievance.

### 9.1. Immediate Supervisor (step one)

9.1.1 An aggrieved Employee or group of employees must lodge in writing with his/her immediate supervisor a grievance on the prescribed form, setting out the complaint and the desired result. Such an Employee may, if he/she so wishes to be assisted by a shop steward, fellow employee or union representative.

9.1.2 The immediate supervisor shall through the Human Resource Manager and in consultation with the affected Employee(s), endeavour to resolve the grievance within ten (10) ten working days of the grievance having been referred to him/her and shall inform the Employee of the outcome in writing.

## 9.2 Head of Department (HOD) (step two)

9.2.1 If a grievance has not been resolved to the satisfaction of the aggrieved Employee or group of employees, the immediate supervisor, through the Human Resource Manager, shall refer the matter in writing within five (5) working days to the HOD.

9.2.2 The HOD and the Human Resource Manager shall arrange a meeting to consult and hold discussions

with the affected party/ies in an attempt to achieve a resolution. The Employee may be assisted by a fellow Employee, shop steward or union official at such a meeting and the immediate supervisor may also be required to attend.

9.2.3 The HOD or his/her nominee shall endeavour to resolve the grievance within ten (10) working days of the being referred and shall inform the Employee of the outcome in writing.

## 9.3 Chief Executive Officer (CEO) (step three)

9.3.1 If the grievance has not been resolved to the satisfaction of the aggrieved Employee or group of employees, the HOD and the Human Resource Manager shall refer it to the CEO or his/her nominee who shall hold an enquiry into the grievance, attended by the Employee, his/her representative, if required and any other person(s) who, in the opinion of the CEO or his/her nominee should attend.

9.3.2 The CEO or his/her nominee shall hear details of the grievance including proposal(s) to resolve the issue and shall endeavour to reach a decision within ten (10) working days.

9.3.3. The CEO shall through the Human Resource Manager, inform the Employee in writing of the outcome of the hearing and such decision shall be final in terms of this procedure.

9.3.4. If the grievance has not been resolved to the satisfaction of the aggrieved party, that party may refer the grievance to the Bargaining Council SALGBC or CCMA, whichever has jurisdiction for adjudication

## 10 ROLES AND RESPONSIBILITIES

10.1 The Chief Executive Officer or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy.

10.2 The financial implications related to implementing this policy shall be qualified and quantified by Human Resource Management in consultation with the Chief Financial Officer.

## 11 RECORD KEEPING

Documentation concerning the submitted grievance/s process need to be recorded and kept in a safe manner by Human Resources Unit, for record and easy retrieval purposes.

## **12 BUDGET AND RESOURCE IMPLICATIONS**

The CEO or his / her delegated assignee(s) accept overall responsibility for the implementation and monitoring of the policy. The financial implications related to implementing this policy shall be qualified and quantified by the Human Resource Unit, in consultation with the Chief Financial Officer (CFO). Departments must be responsible for budgeting for the implementation, monitoring and evaluation of the policy. Senior managers must take note of cost implications of the approved policy that should be borne by the respective department.

## **13 POLICY MONITORING AND EVALUATION**

13.1 This policy will be implemented and effective once recommended by the Human Resource Committee and approved by Board of Directors.

13.2 Head of Corporate Services shall carry out the monitoring and evaluation of the policy's implementation.

## **14 COMMUNICATION AND CONSULTATION**

This policy will be communicated to all employees using the full range of communication methods available to the entity and posted on the entity's website. This communication and awareness of the policy will be the responsibility of the Corporate Services.

## **15 PENALTIES**

Non-compliance to any of the stipulations contained in this policy will be regarded as misconduct, which will be dealt with in terms of the Disciplinary Code.

## **16 DISPUTE RESOLUTION**

Internal dispute resolution processes must be followed in the event of any grievances and disputes arising out of the implementation of this policy.

## **17 POLICY REVIEW**

This policy must be reviewed annually from its effective date to determine its effectiveness and appropriateness. This policy may be assessed before that time as necessary to reflect substantial organisational changes at the Entity or any change required by law.

## **18 POLICY APPROVAL**

This policy was formulated by the entity for approval by the Board of Directors.

Recommendations done

**19 APPROVAL AND SIGNATURES**

Chief Executive Officer

  
Signature

19 January 2026  
Date

Board Chairperson

  
Signature

19/01/2026  
Date

**Annexure A**

**GRIEVANCE FORM**

NAME OF DEPARTMENT :		
PERSONAL DETAILS		
	Name of Employee :	
	Employee No:	
	Designation	
	Nature of Grievance:	

To be completed by employee/if more than one employee, attach a separate sheet				
	Desired Solution:			
	Signature of Employee:		Date	
STEP 1				
To be completed by immediate supervisor within 10 working days of receipt of grievance	Name :			
	Date Received:			
	Results of Discussions with Employee:			

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Signature of Immediate Supervisor:		Date	
Comments of Employee:			
Signature of Employee:		Date	

*CB* *H.T.*

To be completed by Immediate Superior and handed to Aggrieved Employee		CONFIRMATION OF RECEIPT OF GRIEVANCE FORM			
		Name :			
		Employee No:			
		Name of Immediate Supervisor:			
		Signature:		Date	
Signature of Immediate Supervisor:		Date			
Comments of Employee:					
Signature of Employee:		Date			

**STEP 2**

*Handwritten initials/signature*

To be completed by the Head of Department or Nominee Within 10 working days of receipt

Name :			
Date Received:			
Results of Grievance Investigation and Decision of Head of Department or Nominee:			
Signature of Head of Department or Nominee:		Date	
Comments of Employee:			
Signature of Employee:		Date	
Name of Shop Steward or Union Official:			
Signature of Shop Steward or Union Official:		Date	

*SS H.T.*

**STEP 3**

To be completed by Chief Executive Officer or Nominee within 10 working days of receipt	Name :			
	Date Received:			
	Results of Grievance Investigation and Decision of Chief Executive Officer or Nominee			
	:			
	Signature of Chief Executive Officer or Nominee:		Date	
	Name of Shop Steward or Union Official:			
Signature of Shop Steward or Union Official:		Date		