GRIEVANCE PROCEDURE
DOLPHIN BEACH

1.0 Introduction

1.1 Everyone has the right to fair treatment in the work place.

1.2 A disciplinary code provides measures and procedures for management to handle work place unpleasantness or employees not following the rules. A grievance procedure is an aid for the workers who feel aggrieved. The grievance procedure is a tool to be used by workers in cases where they feel they have been treated unfairly by management, or where they feel injustice about their working conditions or against their manager or even a fellow employee.

1.3 Grievances by employees may be a matter of right where an employee has a right to something to which he is entitled to and which has been denied him. This right may be entrenched in his employment contract, legislation, the Constitution or established practice etc. Grievances may otherwise be a matter of interest where an employee has no entitlement to a claim in law against his employer, but where he feels that he is entitled to it, or where he has been unfairly treated.

1.4 A grievance is a tool to make management aware of problems in the work place that management needs to address. A grievance should not be used to appeal complaints or dissatisfaction that arise out of a disciplinary process (for this refer the Disciplinary Code).

1.5 The grievance procedure is a procedure to establish an opportunity for employees to raise issues with the employer.

2.0 Procedure

2.1 A grievance must be lodged in writing by the aggrieved employee with the Human Resource Trustee within 30 days from the date of the incident or from when the employee became aware of the matter that adversely affects him/her.

2.2 The hearing of the grievance must be heard by the appointed Trustee within 10 working days after receiving the grievance unless the parties mutually agree to extending the timeframe in writing.

2.3 During the hearing, the employee may be represented by a fellow employee or a recognised union representative, but not by a management representative.

2.4 The hearing must be recorded and transcript in writing to ensure future reference.

2.5 Management must make genuine attempts to resolve the grievance, conducting business in a fair and impartial manner. Employees must not be victimised because of lodging the grievance.

2.6 The employee must regularly be informed of progress in the matter.

2.7 The grievance will only be considered resolved when the employee indicates this.

2.8 If the employer fails to respond to the grievance within the stipulated time, or if a grievance remains unresolved, the employee can declare a dispute. A dispute will be handled by the Board of Trustees.

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