



Province of the
EASTERN CAPE

COOPERATIVE GOVERNANCE
& TRADITIONAL AFFAIRS

**STANDARD OPERATING PROCEDURE:
GRIEVANCE MANAGEMENT AND HANDLING**

**DEPARTMENT OF COOPERATIVE
GOVERNANCE AND TRADITIONAL AFFAIRS
(EC COGTA)**

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SIGN OFF

I. Head of Department

The Grievance Management Standard Operating Procedure has been approved by the Head of Department: Ms G. Gumbi-Masilela in my capacity as the Accounting Officer of the Department of Cooperative Governance and Traditional Affairs Department.

I am satisfied and concur with the contents of this Procedure Manual.

The development of this Standard Operating Procedure will ensure the Department is able to exercise its powers in compliance with the applicable law and guide decision- making in the Department.

Signed:	
Designation:	Head of Department
Date:	03/8/18

1. MANAGEMENT OF GRIEVANCE

2. STANDARD OPERATING PROCEDURE ONE

3. PURPOSE

To determine the procedure for the investigation and consideration of grievances by the Designated Employee and determination of appropriate remedies and referral of same to the Public Service Commission.

4. SCOPE

This SOP is applicable to all employees of the Department of Cooperative Governance and Traditional Affairs as an instrument for expeditiously resolving grievances.

5. RESPONSIBILITY

Managers and Supervisors of directorates are responsible for ensuring that employees comply with the SOP. Employee Relations will conduct awareness session on the SOP.

6. PROCEDURE

Grievance handling and resolution is a Management responsibility that must be attended to at the point of origin as soon as it reported. It is the duty of line Managers and/or Supervisors to promote labour peace and tranquility in their areas of jurisdiction. There are steps that must be complied with:

6.1 Informal Grievance Procedure

- Should the employee who is adversely affected by the official act or omission, the employee must first report his/her complaint to his /her immediate supervisor.
- The immediate supervisor must attempt to resolve the employee's complaint as soon as it is reported.
- The employee must exhaust all the internal grievance resolution mechanism in their respective Directorates up to the authority of the Deputy Director-General before referring his/her grievance to Labour Relations office.
- If the complaint is not resolved to the satisfaction of the aggrieved employee, a formal grievance procedure must be followed.

6.2 Formal Grievance Procedure

- Should the employee remain dissatisfied with the outcome of the informal procedure, may refer a formal grievance to the Designated Employee not exceeding a period of 90 days from the date of being aware with the informal outcome.
- A grievance must be captured on Persal System and also be recorded on the grievance register (the data base is established).
- When good cause shown, a condonation may be granted to an employee who failed to refer a grievance within the stipulated 90 days period.
- On receipt of the formally lodged grievance, the Designated Employee must liaise with the relevant structures of authority that include the Head of Department in an attempt to facilitate resolution of the grievance(s).
- The Designated Employee has 30 days to facilitate for the resolution of the grievance.
- If the aggrieved employee remains dissatisfied of the outcome of the formal grievance procedure, he/she may refer his/her dissatisfaction to the Executive Authority within 10 days.
- The Executive Authority must in terms of Section 35(1) of the Public Service Act 103 of 1994 as amended, forward the grievance and the relevant documentation to the Public Service Commission for a recommendation within 5 days of being informed by the aggrieved employee.

7. REVIEW AND REVISION

This SOP will be reviewed and amended in line with future legislative promulgation and collective bargaining agreements.

8. CONTINGENCIES

More employees will be victims to abuse of authority which will result to unsound labour relations. Non-compliance will be reported to the Accounting Officer and the Executive Authority.

9. REFERENCES

GPSSBC Resolution 14 of 2002, Grievance Procedure and PSC Grievance Rules.

10. DEFINITIONS

In this Standard Operating Procedure (SOP), any word or expression to which a meaning has been assigned in the Act (Public Service Act as amended) has the meaning so assigned, unless the context indicates otherwise:

Words/Terms	Definition (with examples if required)
Accounting Officer / Head of Department	Means a person mentioned in section 36 of the PFMA and or the incumbent of a post mentioned in Schedule 1, 2 and 3 of the Public Service Act 103 of 1994 as amended.
Executive Authority	Member of the Executive Council (MEC)
Commission	Public Service Commission established in terms of section 196 (1) of the Public Service Act as amended
Aggrieved employee	Means an employee- a. On whose behalf a grievance is referred to the HoD or Designated Employee. b. Who has lodged a grievance with the HoD or Designated Employee.
Employee	A person contemplated in section 8, but excludes a person appointed in terms of section 12A of the Public Service Act as amended.
Grievance	A dissatisfaction or complaint formally lodged in writing by an aggrieved employee over an official act or omission contemplated in section 196(4) (f) (ii) of the Constitution, but excludes a grievance over an unfair dismissal.
Grievance Referral Form	The form prescribed in Annexure A in the PSC Rules.

Designated Employee	A person officially delegated or authorized by the Head of Department to investigate grievances that are formally lodged by the employee (s) or on their behalf.
Official / employee	The Public Service Act has repealed the word "official" and substituted it with the word "employee".
PSC	Public Service Commission as established in terms of Section 196 of the Constitution.
Executive Authority	In relation to a national department, means the Cabinet member who is accountable to Parliament for that department. In relation to a provincial department, means the member of the Executive Council of a province who is accountable to the provincial legislature for that department.

11. ATTACHMENTS

GPSSBC Resolution 14 of 2002, Grievance Procedure and PSC Grievance Rules.

12. HISTORY OF CHANGE

This is the first document in line with the DPSA requirements for SOP to be developed for effective administration of grievance handling.