

6: Employees Grievance and Redressal Policy

Title: Employees Grievance and Redressal Policy

Scope: Applies to all employees of the Company irrespective of cadre and type of employment.

Description: To provide guidelines to supervisory and management staff on how to deal with employee grievances and the importance of taking early notice and to redress employee complaints before these take the shape of a formal grievance.

It is the policy of the Company

- a. To ensure that employees receive fair treatment.
- b. To provide employees with an accessible procedure for expressing their grievance and
- c. To promote sound employee – supervisor relations through communication and ultimate resolution of work-related procedures.

For this purpose, the grievance procedure that follows has been established as a means of meeting our policy objectives.

When supervisory staff (managers and supervisors) listen to employee complaints carefully with understanding and patience, there is a good possibility that the matter would be settled right there and then without the need to go into any formal paper work and further steps. Many employees look for a sympathetic hearing and if they can unload their burden before an understanding supervisor, they would probably go no further.

It is also advisable to avoid reference to the rules and regulations by which the complainant is bound. Instead, a full and impartial hearing is a first positive step, which the supervisors need to adopt.

Important Note: There is mention of redress of individual grievances in the Industrial Relations Act 2012 (section 33) wherein "A worker may bring his grievance in respect of any right guaranteed or secured to him by or under any law or any award or settlement for the time being in force to the notice of his employer in writing, either himself or through his shop steward or collective bargaining agent within ninety days of the day on which the cause of such grievance arises."

The grievance procedure laid down in the next pages relates to grievances that DO NOT fall under the purview of the quoted clause of the above Act. The company's Human Resource Department will deal with grievance cases agitated under the labour laws and also de concerned departments in this matter. The relevant provision of grievance procedure under section 33 of the Industrial Relations Act, 2012is given hereunder:

Redress of Individual Grievances

A worker may bring his grievance in respect of any right guaranteed or secured to him by or under any law or any award or settlement for the time being in force to the notice of his employer in writing, either himself or through his shop steward or (collective bargaining agent) within three months of the day on which cause of such grievance arises.

Where a worker himself brings his grievance to the notice of the employer, the employer shall, within fifteen days of the grievance being brought to his notice, communicate his decision in writing to the worker.

Where a worker brings his grievance to the notice of his employer through his shop steward or collective bargaining agent, the employer shall, within seven days of the grievance being brought to his notice, communicate his decision in writing to the shop steward or as the case may be the collective bargaining agent.

If the employer fails to communicate a decision within the period specified in sub-section (2) or, as the case may be sub-section (3), or if the worker is dissatisfied with such decision, the worker or the shop steward may take the matter to his collective bargaining agent or to the Commission or, as the case may be, the collective bargaining agent may take the matter to the Commission, and where the matter is taken to the Commission, it shall give a decision within seven days from the date of the matter being brought before it as if such matter were an industrial dispute:

Provided that a worker who desires to so take the matter to the Commission shall do so within a period of sixty days from the date of the communication of the employer or, as

the case may be, from the expiry of the period mentioned in sub-section (2), or sub-section (3), as the case may be.

In adjudicating and determining a grievance under sub-section (4), the Commission shall go into all the facts of the case and pass such orders as may be just and proper in the circumstances of the case.

If a decision under sub-section (4) or an order under sub-section (5) given by the commission or a decision in an appeal against such a decision or order is not given effect to or complied with within seven days or within the period specified in such order or decision, the defaulter shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to seventy-five thousand rupees, or with both.

No person shall be prosecuted under sub-section (6) except on a complaint in writing:-

- a. by the workman if the order or decision in his favour is not implemented within the period specified therein; or
- b. by the Commission if an order or decision thereof is not complied with.

For the purposes of this section, workers having common grievance arising out of a common cause of action may make a joint application to the Commission.

Procedure

Department Heads and Supervisors are responsible for making certain that employees under their supervision have knowledge of and understand the Grievance Procedure and that the employees feel free to use the procedure without fear of victimization.

Responsibility	Action
Employee (aggrieved party)	<ol style="list-style-type: none">1. Discuss any complaints they may have with their immediate supervisors.2. He may also meet the Human Resource Department representative prior to initiating the grievance to receive guidance and

	assistance.
Immediate Supervisor	3. Take positive steps to answer employee's questions and resolve complaint.
Stage 1	
Employee	4. If the problem is not resolved by supervisor, employee may take his grievance to the Department Head. Grievances must be presented to management within 10 days following the date the employee first had knowledge of incident that gave rise to the grievance.
Department Head	5. The Department Head arranges a meeting with employee, gathers all the available facts and information related to the grievance and issues a decision within 10 days after receiving the grievance. A written report of this meeting should be given to the Head of Human Resource function, HO or Head of Unit in field operations, as applicable.
Stage 2	
Employee	6. If the grievance was not resolved satisfactorily, employee may request that the grievance be moved to the Head of Human Resource function or Head of Unit in field operations, as applicable. This should be done in writing within 7 days after receiving the decision in step 5.

Head of Human Resources function in Corporate office or Head of Field Unit not below grade	<p>7. Upon receiving the grievance, appeal conducts a preliminary investigation and meets the employee within 7 days after receiving the appeal.</p> <p>8. Conveys written decision to employee within 7 days following the meeting, under advice to the Competent Authority.</p>
Stage 3	
Competent authority	<p>9. If the grievance is not resolved satisfactorily, the employee may request for further review by the Competent Authority within 7 days of receiving the decision. If such a request is not received by the competent authority, the grievance shall be considered as settled.</p> <p>10. If the competent authority is to consider the grievance, the hearing should be conducted within 14 days after receiving the appeal. He will review all available facts and information and issue a written decision within 7 days following the hearing. This decision will be final and binding.</p>

Note: The Company could alternatively appoint a 3-member panel in place of the competent authority as the final recourse. The panel members shall not be from the same department as the aggrieved employee nor have had prior involvement in the grievance.