

Grievance: Handling, and Redressal Settlement Machinery

Meaning of Grievance

Grievance may be any genuine or imaginary feeling of dissatisfaction or injustice which an employee experiences about his job and its nature, about the management policies and procedures. It must be expressed by the employee and brought to the notice of the management and the organization.

Grievances take the form of collective disputes when they are not resolved. Also they will then lower the morale and efficiency of the employees. Unattended grievances result in frustration, dissatisfaction, low productivity, lack of interest in work, absenteeism, etc. In short, grievance arises when employees' expectations are not fulfilled from the organization as a result of which a feeling of discontentment and dissatisfaction arises. This dissatisfaction must crop up from employment issues and not from personal issues.

Grievance may result from the following factors

- a. Improper working conditions such as strict production standards, unsafe workplace, bad relation with managers, etc.
- b. Irrational management policies such as overtime, transfers, demotions, inappropriate salary structure, etc.
- c. Violation of organizational rules and practices

Manage grievance effectively

The manager should immediately identify all grievances and must take appropriate steps to eliminate the causes of such grievances so that the employees remain loyal and committed to their work. Effective grievance management is an essential part of personnel management. The managers should adopt the following approach to manage grievance effectively-

1. **Quick action-** As soon as the grievance arises, it should be identified and resolved. Training must be given to the managers to effectively and timely manage a grievance. This will lower the detrimental effects of grievance on the employees and their performance.
2. **Acknowledging grievance-** The manager must acknowledge the grievance put forward by the employee as manifestation of true and real feelings of the employees. Acknowledgement by the manager implies that the manager is eager to look into the complaint impartially and without any bias. This will create a conducive work environment with instances of grievance reduced.
3. **Gathering facts-** The managers should gather appropriate and sufficient facts explaining the grievance's nature. A record of such facts must be maintained so that these can be used in later stage of grievance redressal.
4. **Examining the causes of grievance-** The actual cause of grievance should be identified. Accordingly remedial actions should be taken to prevent repetition of the grievance.
5. **Decisioning-** After identifying the causes of grievance, alternative course of actions should be thought of to manage the grievance. The effect of each course of action on the existing and future management policies and procedure should be analyzed and accordingly decision should be taken by the manager.
6. **Execution and review-** The manager should execute the decision quickly, ignoring the fact, that it may or may not hurt the employees concerned. After implementing the decision, a follow-up must be there to ensure that the grievance has been resolved completely and adequately.

An effective grievance procedure ensures an amiable work environment because it redresses the grievance to mutual satisfaction of both the employees and the managers. It also helps the management to frame policies and procedures acceptable to the employees. It becomes an effective medium for the employees to express t feelings, discontent and dissatisfaction openly and formally.

Procedure to deal with the employees grievances

1. Timely Action:

The first and foremost requisite in grievance handling is to settle them immediately as and when they arise. Or say, grievances need to be nipped in the bud. Sooner the grievance is settled, lesser will be its effects on employees' performance. This requires the first line supervisors be trained in recognizing and handling a grievance properly and promptly.

2. Accepting the Grievance:

The supervisor should try to recognize and accept the employee grievance as and when it is expressed. It must be noted that acceptance does not necessarily mean agreeing with the grievance, it simply shows the willingness of the supervisor to look into the complaint objectively and dispassionately to deal with the grievance. Evidences suggest that more the supervisor shows his or her concern for the employees, lesser is the number of grievances raised by the employees.

3. Identifying the Problem:

The grievance expressed by the employee maybe at times simply emotionally, over-toned, imaginary or vague. The supervisor, therefore, needs to identify or diagnose the problem stated by the employee.

4. Collecting the Facts:

Once the problem is identified as a real problem, the supervisor should, then, collect all the relevant facts and proofs relating to the grievance. The facts so collected need to be separated from the opinions and feelings to avoid distortions of the facts. It is useful to maintain the facts for future uses as and when these are required.

5. Analyzing the cause of the Grievance:

Having collected all the facts and figures relating to the grievance, the next step involved in the grievance procedure is to establish and analyze the cause that led to grievance. The analysis of the cause will involve studying various aspects of the grievance such as the employees past history, frequency of the occurrence, management practices, union practices, etc. Identification

of the cause of the grievance helps the management take corrective measures to settle the grievance and also to prevent its recurrence.

6. Taking Decision:

In order to take the best decision to handle the grievance, alternative courses of actions are worked out. These are, then, evaluated in view of their consequences on the aggrieved employee, the union and the management. Finally, a decision is taken which is best suited to the given situation in the organization. Such decision should serve as a precedent both within the department and the organization.

7. Implementing the Decision:

The decision, whatsoever taken, must be immediately communicated to the employee and also implemented by the competent authority. McGregor's "Hot-stove Rule" should be strictly followed while implementing the decision. The decision, thus, implemented should also be reviewed to know whether the grievance has been satisfactorily resolved or not.

In case, it is not resolved, the supervisor once again needs to go back to the whole procedure step by step to find out an appropriate decision or solution to resolve the grievance.

However, if the grievance is not resolved at the internal level, the grievance is, then, referred to an arbitrator who is acceptable to the employee as well as the management. The arbitrator follows a quasi-judicial process where both the parties present evidence.

Based on the evidences so produced, the matter is cross-examined in thread-bare. The arbitrator then thinks, applies his mind and arrives at a decision. The decision taken by arbitrator is final and binding on both the parties.

Preventive Machineries

The preventive machinery comprises the following for settlement of disputes:

1. Tripartite Bodies:

The bodies consisting of representatives of management, workers and government shaped up to resolve disputes through consultation, mutual understanding and goodwill through the following.

(a) Indian Labor Conference:

Indian Labor Conference (ILC) in its yearly meeting suggests ways and means to settle industrial disputes. It promotes uniform labor legislation and lays down procedures for settling disputes. It discusses out the matter relating to employers and employees of national importance such as labor welfare and morale of labor. It makes necessary suggestions to government on the matters referred to it giving due considerations to suggestions made by the representatives of employers and employees.

(b) Standing Labor Committee:

Standing Labor Committee or SLC considers matters referred to it by Indian Labor Conference or by Central Government and takes into accounts the suggestions by the state governments, employers and workers. The agenda for the meetings of both the above organs is set by the Ministry of Labor now Ministry of Human Resources after receiving suggestions from various members, organizations. These bodies facilitate complete and detailed discussions among members on all aspects of matters referred to it. Meeting of Indian Labor Conference held once in a year and that of Standing Labor Committee as and when deemed necessary.

(c) Industrial Committees:

Industrial Committees are meant for discussing specific problems of industries. After due consideration and discussion they submit their report to Indian Labor Conference. ILC then reviews and coordinates their activities. These committees are meant for seventeen selective industries only which include coal mining, cotton textiles, jute, plantations tanneries, cement, building and construction, engineering industries.

2. Code of Discipline:

The 16th Indian Labor Conference held in 1958 approved code of discipline for the public and private sector industries for maintenance of good relations between employees and management. Code consists of self imposed mutually agreed voluntary principles. Code prescribes that both

employers and employees should recognize the rights of each other and should discharge their duties and responsibilities for each other willingly.

According to this code workers and management have to resolve their disputes at appropriate level and forbids both workers and management not to take any unilateral action in respect of industrial relations causing disputes. It also forbids management to increase workload without the consent of workers and to interfere the workers for joining any union.

It prohibits unions to engage in violence of any kind. However the code does not impose any penalty. The code helps in speedy settlement of dispute. The high hopes in respect of code turned futile because it could not stand the test of time.

3. Voluntary Arbitration:

Resolving disputes through legal procedures consumes lot of time. Code of conduct prescribes and favors settlement of disputes through voluntary arbitration. It takes less time. The provisions for voluntary arbitration are made in the Industrial Disputes Act, 1947. Under this an arbitrator is chosen by the parties to the dispute mutually. The arbitrator submits the award to the government. It is published and becomes enforceable within 30 days of its publication.

The voluntary arbitration is favored because:

- (i) It is easy and consumes less time,
- (ii) It encourages industrial democracy through due encouragement to collective bargaining and avoids lengthy litigation,
- (iii) Promotion of goodwill and confidence between the parties at dispute is an added advantage,
- (iv) It is acceptable to both the parties as it impeach their personal freedom and aspirations.

The voluntary arbitration suffers from certain limitations.

They are:

- (a) Arbitrators do not command confidence of the parties at disputes,

(b) There is a provision for appeal against the award of arbitrator,

(c) Tedious procedure of voluntary arbitration.

The voluntary arbitration has not made appreciable progress in resolving disputes.

4. Standing Orders:

The provisions for standing orders are made in the Industrial Employment Standing Order Act 1946. Standing orders govern the conditions of employment from entry into to an exit from the enterprise. It prevents disputes arising out of terms and conditions of employment.

Standing orders provide code of conduct for the workers during their tenure in the enterprise. They regulate patterns for industrial relations. Standing orders govern not only conditions of employment but also grievances, misconduct, discharge, disciplinary action, base for promotion etc. for the employees of an enterprise.

5. Grievance Redressal:

Code of discipline provides for grievance redressal machinery. Management should set up it. The grievances should be settled at the lowest level immediately and efforts must be made not to allow the dispute to take serious turn. The grievances arising out of personal matters and conditions of employment should be referred to the officer deputed by the management for the purpose. If employee is not satisfied with the settlement it may then be referred to a committee meant for dealing with grievances.

6. Employees' Participation in Industry:

The joint management councils were set up in 1958 with the object of restoring better industrial relations and having cooperation between employers and employees. Many shop councils were set up in manufacturing and mining units. The decisions are taken through consensus.

7. Legal Machinery:

Legal provisions are made under the Industrial Dispute Act 1947 for settling the disputes.

It consists of the following:

(a) Conciliation:

It is a method of resolving industrial dispute through a mediator. A conciliation officer is appointed by the government for a specific area. The efforts of conciliation officer are to patch up the differences between the parties at the disputes and attain the agreement. The conciliation officer possesses the powers of a civil court. The government can appoint a board of conciliation and can set a court of enquiry. The agreement reached through conciliation is binding on both employers and employees.

(b) Works Committees:

Works committees comprise equal representatives of employees and employers are to be set up in the industrial concern employing 100 or more persons. These committees are responsible to resolve the causes of conflicts between employees and employers and maintain good industrial relations. They have assigned the responsibility to remove the causes of conflict between employees and employers and to establish better industrial relations.

(c) Adjudication:

It is a legal process. When all the above efforts have failed the solutions through adjudication are sought to the disputes. Adjudication means determining solutions to the disputes through court. Under adjudication the disputes are settled through labor courts and industrial tribunals and national tribunals.

(i) Labor Courts and Industrial Tribunals:

The Labor Courts have the jurisdiction relating to interpretation, application and violation of standing orders, illegal termination of employees, legality of strikes and lockouts. Industrial tribunals deal with the aspects such as wages, allowances, bonus, provident fund, gratuity, retrenchment etc.

(ii) National Tribunals:

National tribunals deal with the disputes referred to them by the government. If a dispute is referred to the national tribunals then the labor court or industrial tribunals have no jurisdiction over the matter. Most of the disputes are referred to adjudication. The adjudication machinery is time consuming because of delay in proceedings. The awards passed by the machinery are also not properly implemented. Each person or union prefers to go to the court for settlement of those disputes also which can be settled through other means.

Settlement through courts takes lot of time. The industrial relations machinery should strive to attain industrial stability and encourage employee participation in management of the enterprises. Maintaining industrial peace is the joint and collective responsibility of employees, employers and government.

Everyone must play his/its role with fair intention and integrity. It is because the interests of all are interwoven and no one can escape the implications. Effective communication between employers and employees, mutual understanding, cooperation and faith, better facilities for workers, sense of belonging to the organization, higher wages, bonus, welfare facilities and a care for employees from the management etc. are some of the essential tips for smooth and cordial, and dispute free industrial relations.