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1. Grievance Redressal

A grievance can be defined as any sort of dissatisfaction, which needs to be redressed in order to bring about the smooth functioning of the individual in the organization. Broadly, a grievance can be defined as any discontent or dissatisfaction with any aspect of the organization. It can be real or imaginary, legitimate or ridiculous, rated or unvoiced, written or oral, it must be however, find expression in some form of the other.

Discontent or dissatisfaction is not a grievance. They initially find expression in the form of a complaint. When a complaint remains unattended to and the employee concerned feels a sense of lack of justice and fair play, the dissatisfaction grows and assumes the status of grievance.

Usually grievance relate to problems of interpretation of perceived non-fulfillment of one's expectation from the organization. Aggrieved employees usually manifest defiant behavior.

The grievance procedure can be divided into two parts:-

- A formal grievance redressal process and
- An informal process of grievance handling

All the employees of the Corporation fall under the broad purview of the grievance redressal system.



2. Handling grievances

There are three formal stages in which any grievance can be redressed. Each stage has a 'form' which is numbered according to whichever stage it belongs to.

A grievance can be of any type ranging from problems regarding promotion to discharge and dismissal, and suspension but it is mandatory that the grievance should be work related and not personal.

It is required that the grievance must fall under the following category to be considered one:

1. Amenities
2. Compensation
3. Conditions of work
4. Continuity of service
5. Disciplinary action
6. Fines
7. Leave
8. Medical benefits
9. Nature of job
10. Payments
11. Promotions
12. Safety environment
13. Super Annuation
14. Supersession
15. Transfers
16. Victimisation

The list is indicative and not comprehensive. The apparent because or sources of grievances may always be the real ones. There is need for deeper analysis of the policies, procedures, practices, structures and personality dynamics in the organization to arrive at the real causes of grievances.



Grievances stem from management policies and practices, particularly when they lack consistency, fair play and the desired level of flexibility. Grievances also may arise because of intra-personal problems of individual employees and union practices aimed at reinforcing and consolidating their bargaining, strength. The absence of proper two-way flow of communication can indeed be a fertile ground for breeding grievances.



3. Individual or Collective (Group) Grievances

The International Labour Organisation (ILO) defines a grievance as a complaint of one or more workers with respect to wages and allowances, conditions of work and interpretation of service, condition covering such areas as overtime, leave, transfer, promotion, seniority, job assignment and termination of service. The National Commission on Labour observed that “complaints” affecting one or more individual workers in respect of their wage payments, overtime, leave, transfer, promotion seniority, work assignment and discharge would constitute grievances.

It is important to make a distinction between individual grievances and group grievances. If the issue involved relate to one or a few individual employees, it needs to be handled through a grievance procedure, but when general issues with policy implications and wider interest are involved they become the subject matter for collective bargaining.



4. Reasons for grievances

Grievances occur for a variety of reasons:

Economic

Wage fixation, wage computation, overtime, bonus

Employees feel they are getting less than what they ought to get

Working Environment

Poor working conditions, defective equipment and machinery, tools, materials.

Supervision

Disposition of the boss towards the employee perceived notions of favoritism, nepotism, bias etc.

Work Group

Strained relations or incompatibility with peers. Feeling of neglect, obstruction and victimisation.

Work Organisation

Rigid and unfair rules, too much less work responsibility, lack of recognition.

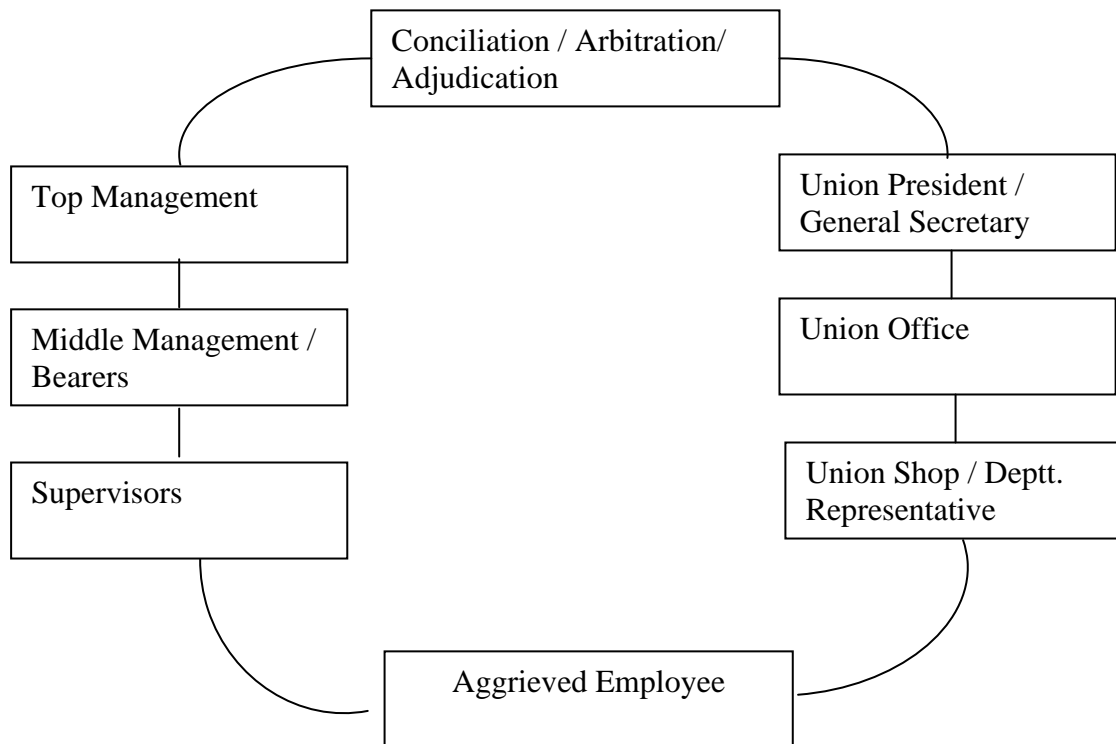
Effects of Grievances

Grievances can have several effects which are essentially adverse and counterproductive to organizational purposes. The adverse effects include:

- a. Loss of interest in work and consequent lack of moral and commitment
- b. Poor quality of production
- c. Low productivity
- d. Increase in wastage and costs
- e. Increase in employee turnover
- f. Increase in the incidence of accidents
- g. Indiscipline
- h. Unrest, etc.



Fig1. Grievance Procedure



5. Do's and Don'ts in Grievance Handling – Check Lists

All the points are not applicable to every case, but if the supervisor is familiar with all of them and observe them in his handling of grievances, he will be prepared for almost any kind of case that may arise.

1. Investigate and handle each and every case, though it may eventually result in an arbitration hearing.
2. Talk with the employee about his grievance, give him a good and full hearing
3. Enforce the contractual time limit
4. Comply with contractual time limits on the company for handling the grievance
5. Don't argue the merits of the grievance first if the grievance is untimely
6. Don't make agreements with individuals that are inconsistent with the labour agreement
7. Don't hold back the remedy if the company is wrong
8. Visit the work area of the aggrieved part
9. Determine if there were any witnesses
10. Examine the relevant contract provisions
11. Determine if the company has been consistent
12. Examine the total agreement and make interpretations based on the whole
13. Don't admit to the binding effect of a past practice
14. Examine prior grievance records
15. Produce all available evidence
16. Permit a full hearing of the issues
17. Treat the union representative as your equal
18. Don't relinquish your authority to the union
19. Admit your errors and take corrective action
20. Don't settle grievances on the basis of what is fair
21. Bear burden of proof in discipline and discharge case
22. Treat union representatives and employees as people
23. Don't argue grievance issues off work premises



-
24. Don't give away your copy of the written grievance
 25. Don't discuss grievances of striking employees during an illegal work stoppage
 26. Satisfy the union's right to relevant information
 27. Don't file management grievances
 28. Don't overlook the precedent value of prior grievance settlement
 29. Don't give long-written answers
 30. Don't trade a grievance settlement for a grievance withdrawal
 31. Handy cases involving discipline or discharge of union representatives with extra caution and consideration
 32. Don't deny grievances on the premise that your hands have been tied by management
 33. Control your emotions, your remarks and your behaviours
 34. Don't withhold grievance information
 35. Maintain records of matters relevant to your labour relations situation
 36. Fully inform your own supervisor of grievance matter
 37. Remember the union is the moving party
 38. Determine if there has been equal treatment of employees
 39. Command respect from employees and union representatives
 40. Hold your grievance discussions privately
 41. Don't make mutual-consent agreements regarding future management action
 42. Use the grievance meeting as another avenue of communication
 43. Know your employees as individuals



6. Stage – I of Grievance Redressal

If an employee has a grievance, he meets his shift incharge or his equivalent and talks it over with him. If required he obtains from him a copy of the grievance form 1(Annexure I). This should be done within one week of the date on which the facts, on the basis of which the complaint has arisen became known to him, except that in the case of promotion, a time limit of six weeks of the date of the promotion in question, would be allowed.

The employee fills up the particulars regarding name, ticket number, designation, section, department etc. in the boxed space provided at the top of the form, and under the heading “Grievance” writes down his grievance in brief, puts his signature on the statement and hands it over to the shift incharge or his equivalent and obtains his acknowledgement receipt. In cases of appeal against punishments excluding suspension, discharge or dismissal, the form should be handed over to the Incharge or Shift incharge or his equivalent. The Incharge or Shift incharge or his equivalent as the case may be will make the necessary enquiries and return the form to the employee with the remarks in the space provided for the purpose, within two working days from the date of receipt of this form. In cases requiring reference to higher authorities or to another department this time will be relaxed.



7. Stage – II of Grievance Redressal

If the employee is not satisfied with the reply at stage I from the (Incharge or Shift Incharge or his equivalent), as the case may be, a copy of the grievance form II (Annexure II) can be obtained from the (Incharge or shift Incharge or his equivalent). In this form the employee can state the reasons therein for the reconsideration of his case and submit this form to his departmental head (who is bound to reply within a period of three working days of his receipt of the reply at stage I) and obtain an acknowledgement receipt.

Appeals against suspension should be addressed to the department head on grievance form II, and they will be considered at stage II in the first instance.

The department head will discuss the issue with the concerned supervisor and the employee and return this form to the employee with his remarks. Here the employee is provided with an option to be assisted by the Union representative in the department.



8. Stage – III of Grievance Redressal

If the employee is still not satisfied with the reply of the departmental head, he may appeal to the Chairman of his Unit Grievance Redressal Committee on grievance form no. III (Annexure III) within 7 working days of the receipt of reply at Stage III (copies of grievance form III can be obtained from the Incharge or Shift Incharge or his equivalent). There are seven functional Unit Grievance Redressal Committees and one non-factory employees works committee who deals with the redressal of grievances in stage III.

Only the Unit Grievance Redressal Committee, under which the concerned department falls, will deal with that particular grievance. (Annexure – 3)

Management's decision reached after the consideration of the recommendation of the Unit Grievance Redressal Committee is communicated to the concerned employee on the grievance form, through the proper channel.

The works committee's unanimous recommendations to which no objections are raised by management or union within ten days of the receipt of such recommendations, will be final.

Where such recommendations are not unanimous or has not been accepted by Management or union, the Unit Grievance Redressal Committee refers the case to the Central Grievance Redressal Committee for consideration with all the relevant papers and the concerned grievances form.

The Recommendations of the Central Grievances Redressal Committee unanimous and binding on the employee, if no objections are raised by either the management or the union. If objections are raised, the matter is sent for further consideration to the resident director who discusses it over with the President or the Deputy President before he arrives at a definite conclusion.



9. The Unit Grievance Redressal Committee

The Unit Grievance Redressal Committee comes into picture in stage III of the grievance redressal procedure. Matters to be dealt with by the committee include the following:

- Settlement of grievances relating to or arising out of the terms and conditions of employment of employees in the day today working
- Questions as to whether or not the Company's rules have been followed in any particular case, e.g. breach of acting rules
- Matters relating to discipline and conduct as between the management and the employees
- Matters relating to propriety or otherwise and severity of punishment given as a disciplinary measure.
- Complaints regarding withholding of increments.
- Questions relating to the abuse of privileges of provision of amenities

Limitations of functions

- i) The committee is not concerned with the problems of planning and development in their wide sense. The committee also does not discuss matters which are trade questions such as wages, allowance, hours of work, leave, old age benefits and the like, which are covered by agreement with the trade unions or by reports of Conciliation boards or awards of Industrial tribunal.
- ii) Any decision of the committee must be superseded by an agreement between the management and the union.

Members of the Committee

- i) The committee consists of ten members of whom five represent the management and five represent the employees
- ii) Management Representatives : The representatives of the Management on the committee are nominated by the management
- iii) Employees Representatives : The representatives of employees on the committee are nominated by the union, which is registered under the Trade



Union Act, is representative of the employees and is recognized by the management for this purpose.

Officers of the Committee

The Committee has a Chairman, a Vice-Chairman and a member Secretary

- i) The Chairman is nominated by the management from amongst its representatives on the committees
- ii) The Vice-Chairman is nominated by the union from amongst its employees' representatives on the committee.
- iii) The Secretary is nominated by the management from amongst its representatives on the committee

Term, of Office

- i) Term of office of the employee's representative on the committee other than members nominated to fill casual vacancies, is 36 months from the date of formation of the Committee.
- ii) A member nominated to fill a casual vacancy holds office for the unexpired term of his predecessor.

Vacancies

In the event of a representative of the Management or the employees ceasing to be employed in the establishment or in the event of his resigning membership from the Committee, or absenting from attending three consecutive meetings of the committee without sufficient cause, the successor of such representative is nominated by the management or the union as the case may be.

Power to co-opt

The Committee has the right to co-opt in consultative capacity persons employed in the establishment having the particular or special knowledge of a matter under discussion. Such co-opted members are not entitled to vote and are to be present at meetings only for the period during which the particular question is before the committee.



Quorum for the Meetings

At least one-third of the number of members from each side can form the quorum for a meeting of the committee. No quorum is necessary for an adjourned meeting.

Meetings

The committee can meet as often as necessary but not less than once a month.

Payment to employee's representatives

The employee's representatives, if they attend meetings while on duty, are paid by the Corporation their full wages of the time they spend in the committees as if they are on their usual duty.

Decisions of the committee

The unanimous decisions of the committee are binding on the management, the employees and the union.

Where the recommendations of the Unit Grievance Redressal Committee are not unanimous, the Chairman puts up the case to the Central Grievance Redressal Committee for consideration.

Date and time of meeting:

Date and time of the meeting is fixed by the Chairman.

Notice of meeting

The notice of meeting with its agenda is ordinarily sent by the secretary to each member of the committee three days before the date of the meeting.



10. The Central Grievance Redressal Committee

The scope of the committee extends to matters, mentioned below in relation to the non-supervisory employees under the administrative control of the General Manager.

In addition to the matters that can be dealt with by the Unit Grievance Redressal Committees and the non-factory employees works committee, if the question involved is one of principle, or if it affects a large number of employees, the Central Grievance Redressal Committee has the power to deal with :-

- a) Cases which have been referred by the Unit Grievance Redressal Committees and the non-factory employees works committee.
- b) Cases in which the unanimous decisions of any of the Unit Grievance Redressal Committees and the non-factory employee's works committee have been objected to by management or union.
- c) Individual grievances or complaints of employees, which the union wishes to discuss
- d) Issues of policy and their interpretation in regard to labour matters which the union wishes to discuss.

Limitations of functions

- a) The committee is not concerned with the problems of planning, works development and management of the plant in the wider sense.
- b) Any decision of the committee can be superseded by an agreement between the management and the union

Membership

The Committee consists of eight members of whom four represent the management and four represent the employees.

Term of Office

Term of office of the members on the committee, other than those nominated to fill casual vacancies, is 36 months.



Vacancies

In the event of a representative of the management or the employees ceasing to be employed in the establishment or in the event of his resigning membership from the committee, or absenting from attending three consecutive meetings of such representative is nominated by the management or the union as the case may be.

Power to co-opt

The committee has the right to co-opt in consultative capacity persons employed in the establishment having the particular or special knowledge of a matter under discussion. Such co-opted members are not entitled to vote and are to be present at meetings only for the period during which the particular question is before the committee.

Officers of the Committee

- a) The committee has a Chairman who is nominated by management from amongst its representatives on the committee.
- b) The Vice Chairman is nominated by the union from amongst the employee's representatives on the committee
- c) And the Secretary, works committee is the Secretary of the Committee.

Quorum for the Meetings

Atleast half of the number of members representing management and the employees constitute the quorum for a meeting of the committee. No quorum is necessary for an adjourned meeting.

Meetings

The Committee can meet as often as necessary but, not less than once a month, at the date and time decided by the Chairman.

Notice of meeting

The notice of the meeting, together with the agenda, is ordinarily sent one day before the date of the meeting.



Acting on Committee's decision

Ordinarily, the unanimous decision of the committee is binding on the Management, the employees, and the union where the decision relates to a matter of policy or general principle, the approval or order of the managing agents is necessary. In all such cases, decision of the committee is forwarded by the Chairman to the appropriate authority for necessary action.



11. The Informal Grievance Redressal Procedure

Apart from the formal system of grievance redressal, there can be an informal method of resolving grievances working simultaneously. In fact more than half of the employees interviewed said that the informal method of resolving grievances by way of oral consultations with their superiors is a much better and less complicated method to undertake. Most of them felt that the formal system was too tedious and time consuming.

In the informal method, the aggrieved employee can directly approach his shift incharge or the section head (in case of a major grievance) engage into a direct consultation and have his grievance resolved amicably in stage I itself. Therefore, he not only saves himself from a lot of time but also mental tension and pressure, which many employees claim to have acquired during the course of a formal grievance redressal procedure.

Nonetheless, the formal procedure of handling grievances exists and has been successful in resolving extremely major grievances which the informal system cannot claim to have done. The time factor involved with the formal process makes the informal method more successful and preferable, but it definitely does not deteriorate the effectiveness or importance of the formal system.



Annexure - 1

Corporation

Grievance Form No. 1 (In Hindi or mother-tongue as applicable)

Name T. No.

.....

P. No. Destination

.....

Section Department

.....

Grievance regarding



Date

Signature of employee



1.	Acting	9.	Compensation	15.	Increments
2.	Fines	10.	Continuity of service	16.	Misconduct
3.	Suspension	11.	Warning letter	17.	Nature of job
4.	Transfer	12.	Leave	18.	Promotion (excluding selection by interview)
5.	Victimization	13.	Discharge		
6.	Safety applications	14.	Amenities / facilities		
7.	Nature of job				
8.	Medical				

Remarks of Shift Incharge or their equivalent or Dept. Head where necessary (to be entered within two working days from the date of receipt of this form. In cases requiring reference to higher authorities or to another department, the above time will be relaxed.

Date received

No.

Date

Signature

Designation



Annexure - 2

Corporation

Grievance Form No. 2 (In Hindi or mother tongue as applicable)

Name T. No.
P. No. Destination
Section Department

Appeal to Departmental Head



Date

Signature of employee



1.	Acting
2.	Fines
3.	Suspension
4.	Transfer
5.	Victimization
6.	Safety applications
7.	Nature of job
8.	Medical

9.	Compensation
10.	Continuity of service
11.	Warning letter
12.	Leave
13.	Discharge
14.	Amenities / facilities

15.	Increments
16.	Misconduct
17.	Nature of job
18.	Promotion (excluding selection by interview)

Decisions of the Head of the department (to be entered within three working days of receipt of form. In case requiring reference to higher authorities or to another department the above time will be relaxed

Date received

No.

Date

Signature

Designation



Annexure - 3

Corporation

Grievance Form No. 3 (In Hindi or mother-tongue as applicable)

Name T. No.
P. No. Destination
Section Department

Appeal to the Works Committee

Date

Signature of employee



1.	Acting
2.	Fines
3.	Suspension
4.	Transfer
5.	Victimization
6.	Safety applications
7.	Nature of job
8.	Medical

9.	Compensation
10.	Continuity of service
11.	Warning letter
12.	Leave
13.	Discharge
14.	Amenities / facilities

15.	Increments
16.	Misconduct
17.	Nature of job
18.	Promotion (excluding selection by interview)

Management's decision

Through : Shift Incharge or his equivalent

Date received

No.

Date

Signature

Designation

