

PROPOSED AMENDMENT TO THE PSC Manual & Craft MOA 2015

Ref:	PSC 15-125 PSC Manual & Craft MOA Appendix 7 Grievance
Re:	Grievances
Proposal:	To replace existing text with a link to the PSC Harmonised Grievance Procedure.
Existing Regulation:	
Grievances procedure	
Settling grievances Policy and introduction	
<ol style="list-style-type: none">1. It is established policy that all employees should have available to them a fair and effective procedure for the speedy resolution of grievances. In particular, they should-<ul style="list-style-type: none">• be given a fair hearing by their immediate supervisor or manager concerning any grievances they may wish to raise• have the right of appeal to a more senior manager against a decision made by their immediate supervisor or manager• have the right to be accompanied by a fellow employee of their own choice (this may be a recognised trade union or staff association representative/shop steward) when raising a grievance or appealing against a decision2. The aim of the procedure is to settle any grievance as near to its point of origin as possible and without unreasonable delay3. All stages in the handling of a grievance should be recorded on the form <u>(POG34)</u> provided at <u>Annex A</u> for that purpose. One copy should be retained by the employing authority and one copy handed to the aggrieved employee4. In the interests of simplicity, the masculine pronoun is used throughout the procedure but it applies equally to male and female employee	
The procedure	
The procedure set out below is to be used.	
Stage 1	
<ol style="list-style-type: none">1. An employee who has a grievance on matters relating to his employment should discuss the same with his line manager/foreman/supervisor. Where this is impracticable for any reason, the grievance may be raised with another appropriate person2. If the employee is dissatisfied with the reply he should refer the matter to his recognised trade union official/shop steward who may then take the matter up with the line manager/foreman/supervisor or another appropriate person3. If the grievance has not been resolved satisfactorily, where practicable within 3 working days of being raised, it should be put in writing by the aggrieved	

employee using the form at **Annex A**. One copy should be retained by the employee and the other copy should be handed to the person who dealt with Stage 1 for transmission to a more senior manager who will conduct the second stage meeting. The aggrieved employee must be told which manager will deal with Stage 2 of the procedures

Stage 2

1. Where practicable, the more senior manager, whose identity has been given to the employee (by name or by reference to his post) must arrange a meeting with the parties within 4 working days. The employee may be accompanied, if he wishes, by a work colleague (who may be a recognised trade union official/shop steward) and should be reminded of this right when the meeting is being arranged
2. The nominated more senior manager who is to conduct the meeting may seek advice on procedural matters from the Office of Human Resources, if he so desires
3. As soon as possible after the meeting the nominated senior officer should confirm the decision in writing to the parties
4. If the employee concerned remains aggrieved in respect of the original grievance he, (or his recognised trade union official/shop steward), may submit a written request to the Chief Officer to move to **the third and final stage** in the procedure giving the reasons for this request

Stage 3

1. Where the Chief Officer of the employing authority receives a written request for the third and final stage to be activated he shall arrange to hear the grievance personally or by a panel of not more than 3 senior managers. The person or persons hearing the grievance should have had no previous direct involvement in handling it
2. The Chief Officer shall invite the parties to attend the appeal hearing which shall be held, where practicable, within 7 working days of his receiving the written request
3. The decision of the appeal body shall be notified to the parties as soon as possible after the hearing and shall be final

Note 1

The foregoing procedure does not exclude the possibility that:-

- an employee and his recognised representative may approach the foreman in the first instance
- an employee may be represented or be without representation if he chooses
- it may operate as a disputes procedure where a group of employees share a common grievance and where this occurs the group may be represented by a recognised trade union official

Note 2

The handling of grievances and disputes using the above procedure must operate fairly but the normal rules of evidence used in a court of law will not apply.

Note 3

It will not be appropriate to use the foregoing procedure in relation to disciplinary matters where a different procedure will operate.

Note 4

Exceptionally, there is a possibility that an issue which remains unresolved after the grievance procedures have been exhausted could be referred to any established mechanism for conciliation or as a dispute under the Trade Disputes Act.

Proposed Regulation:

Grievances procedure

Settling grievances

Policy and introduction

- ~~5. It is established policy that all employees should have available to them a fair and effective procedure for the speedy resolution of grievances. In particular, they should-~~
 - ~~• be given a fair hearing by their immediate supervisor or manager concerning any grievances they may wish to raise~~
 - ~~• have the right of appeal to a more senior manager against a decision made by their immediate supervisor or manager~~
 - ~~• have the right to be accompanied by a fellow employee of their own choice (this may be a recognised trade union or staff association representative/shop steward) when raising a grievance or appealing against a decision~~
- ~~6. The aim of the procedure is to settle any grievance as near to its point of origin as possible and without unreasonable delay~~
- ~~7. All stages in the handling of a grievance should be recorded on the form (POG34) provided at Annex A for that purpose. One copy should be retained by the employing authority and one copy handed to the aggrieved employee~~
- ~~8. In the interests of simplicity, the masculine pronoun is used throughout the procedure but it applies equally to male and female employee~~

The procedure

~~The procedure set out below is to be used.~~

~~Stage 1~~

- ~~1. An employee who has a grievance on matters relating to his employment should discuss the same with his line manager/foreman/supervisor. Where this is impracticable for any reason, the grievance may be raised with another appropriate person~~
- ~~2. If the employee is dissatisfied with the reply he should refer the matter to his recognised trade union official/shop steward who may then take the matter up with the line manager/foreman/supervisor or another appropriate person~~
- ~~3. If the grievance has not been resolved satisfactorily, where practicable within 3 working days of being raised, it should be put in writing by the aggrieved employee using the form at **Annex A**. One copy should be retained by the employee and the other copy should be handed to the person who dealt with Stage 1 for transmission to a more senior manager who will conduct the second stage meeting. The aggrieved employee must be told which manager will deal with Stage 2 of the procedures~~

Stage 2

- ~~5. Where practicable, the more senior manager, whose identity has been given to the employee (by name or by reference to his post) must arrange a meeting with the parties within 4 working days. The employee may be accompanied, if he wishes, by a work colleague (who may be a recognised trade union official/shop steward) and should be reminded of this right when the meeting is being arranged~~
- ~~6. The nominated more senior manager who is to conduct the meeting may seek advice on procedural matters from the Office of Human Resources, if he so desires~~
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Stage 3

- ~~4. Where the Chief Officer of the employing authority receives a written request for the third and final stage to be activated he shall arrange to hear the grievance personally or by a panel of not more than 3 senior managers. The person or persons hearing the grievance should have had no previous direct involvement in handling it~~
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[Please use this link to access the PSC Harmonised Grievance Procedure](#)

Last amendment September 2020 – Amendment No 15-125

Agreed and authorised by:

Signed on behalf of
Prospect



Date: 11-9-2020

Signed on behalf of Unite
the Union



Date: 11-09-2020

Signed on behalf of the
Commission



Date: 09/09/2020

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