



LAW VS GRACE

INTERNAL GRIEVANCE PROCEDURE

PRESENTED BY: ANKIA BESTER

DATE: 28 JULY 2022



SAOU

DIE VERANDERING IN ONDERWYS
THE CHANGE IN EDUCATION

There's a lot of truth behind the saying

“people don't leave jobs, they leave bosses”

PRINCIPAL

colleague

EMPLOYER

SAOU



Act

Like

A

Boss!



Boss

Difference Between & Leader

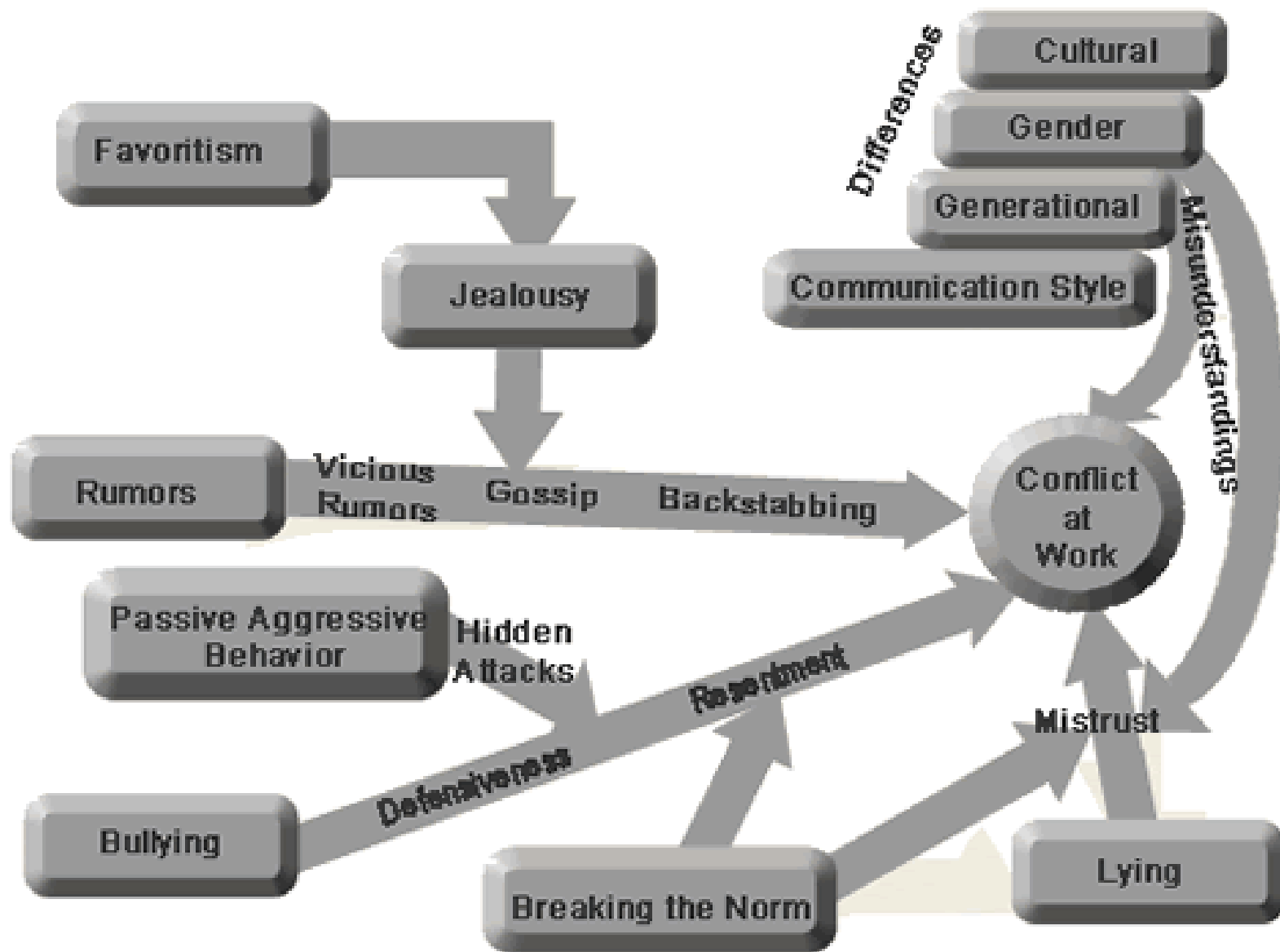


Drives employees
Depends on authority
Inspires fear
Says, "I"
Places blame for the breakdown
Knows how it is done
Uses people
Takes credit
Commands
Says, "Go"

... Coaches them
... On goodwill
... Generates enthusiasm
... Says, "We"
... Fixes the breakdown
... Shows how it is done
... Develops people
... Gives credit
... Asks
... Says, "Let's go"

PROMOTE:

**LEADERS
RATHER THAN
BOSSES**



UNSAID



**RIGHT TO LODGE A
GRIEVANCE**

LODGE A GRIEVANCE

STAY WITHIN THE TIME FRAMES



EVERY PROCESS STARTS WITH A WRITTEN MANDATE



GRIEVANCE PROCEDURE

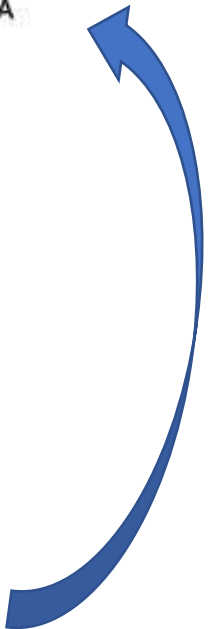
- ✓ EMPLOYMENT OF EDUCATORS ACT:
PAM: CHAPTER G
- ✓ PUBLIC SERVICE ACT: SECTION 35:
ANNEXURE A
- ✓ BASIC CONDITIONS OF EMPLOYMENT
ACT: CODE OF GOOD PRACTICE
SECTION 17



GRIEVE PROSEDURE



education
Department of Education
REPUBLIC OF SOUTH AFRICA



TIME FRAMES FOR GRIEVANCES

G.3 ADHERENCE TO TIME LIMITS

- G.3.1 In determining adherence to time limits, this should be calculated by excluding the first day and including the last day.
- G.3.2 A formal written grievance must be lodged with the employer within 90 days from the date on which the educator became aware of the act or omission which adversely affects him/her.

EMPLOYMENT OF EDUCATORS ACT:

Oral interview
and the head
of the school.

Grievance
must be
lodged within
90 DAYS after
grievance
occurred.

The head of
the school
must revert
back within **3
WORKING
DAYS** in order
to resolve the
grievance.

Outcome
communicated
within **5
WORKING DAYS**
of the
resolution or
non-resolution
of the
grievance.

Refer to the
district head
within **5
WORKING
DAYS**;
whereafter
the head of
the school
shall forward
his comments
within 5
working days.

The district
head shall
attempt to
resolve the
grievance
within **5
WORKING
DAYS** and
communicate
the outcome.

PUBLIC SERVICE ACT:

Feedback from the department within **30 DAYS**.

Grievance remains unresolved refer to the executing authority within **10 DAYS** to refer to the Public Service Commission.

The Commission has **30 DAYS** to consider the grievance and provide a recommendation and reasons to the executing authority.

The executing authority must inform the employee within **5 DAYS** of the Commission's decision.

BASIC CONDITIONS OF EMPLOYMENT ACT:

Bring to the attention of the employer.

The employer must listen to the submissions made by the complaining worker and attempt to settle the matter by discussion within **5 DAYS**.

If not resolved the employer may conduct an investigation or an inquiry at which the affected parties can make submissions.

The employer must notify the grievant and any other party affected of the decisions within a reasonable time.





CCMA & BARGAINING COUNCIL'S TIME FRAMES

REFUSAL TO BARGAIN (MATTERS OF MUTUAL INTEREST):	30 DAYS
UNFAIR DISMISSAL:	30 DAYS
PROBATION:	30 DAYS
UNFAIR LABOUR PRACTICE (SECTION 186(2)):	90 DAYS
DISPUTE TYPE 186:	90 DAYS
PROMOTION / APPOINTMENT:	30 DAYS
UNILATERAL CHANGE IN TERMS AND CONDITIONS OF CONTRACT:	30 DAYS
INTERPRETATION AND APPLICATION OF A COLLECTIVE AGREEMENT:	NONE
SEVERANCE PAY:	NONE
ARBITRATING BY DISCIPLINARY PROCEDURE:	NONE
NON-PAYMENT OF SALARY:	NONE
ENFORCEMENT OF A COLLECTIVE AGREEMENT:	NONE
UNFAIR DISCRIMINATION (CCMA):	6 MONTHS

GRIEVANCE FORM**G.1****PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING THE FORM**

1. This form must be used to lodge a formal grievance (excluding an alleged unfair dismissal) when you are dissatisfied with an act or omission and you have been unable to resolve the problem by using informal discussion.
2. You have to lodge your grievance within 90 days from the date on which you became aware of the act or omission which adversely affects you.
3. You may be assisted or represented by a fellow educator or a representative or official from a recognised trade union.
4. It is important to complete all information accurately. When the form is completed, it must be given to the person designated to facilitate grievances at your institution. The department will attach this form to the grievance documentation and it will be used through all stages of the grievance procedures.
5. At each stage where a person within the relevant structure of authority attempts to resolve the grievance, each party will complete the appropriate part of the form. You will be given an opportunity to respond to each and every comment.
6. At the conclusion of each stage of the grievance procedure, the head or supervisor will provide you with a copy of the completed form.
7. Once the grievance has been resolved, you do not need to complete the rest of the form.
8. You are required to complete Parts A and B of this form and to then hand it to the head or the supervisor, as the case may be, at your institution/office. The head or the supervisor, as the case may be, will affix his/her signature in the block below Part B of the form to indicate that the grievance has been received. Ensure that you receive a copy of the form where receipt of your grievance has been acknowledged.
9. Part C of the grievance form will be completed by the head or the supervisor, as the case may be, and the grievant will be provided with copy during the various stages where attempts will be made to resolve the grievance.

PART A: PERSONAL PARTICULARS*To be completed by the aggrieved educator*

INITIALS AND SURNAME		
PERSONAL NUMBER		
REGION/DISTRICT		
SCHOOL/OFFICE		
RANK/POST LEVEL		
DATE ON WHICH YOU BECAME AWARE OF THE ACT OR OMISSION		
PERSONAL CONTACT DETAILS	TEL: _____	CELL: _____
	FAX: _____	
CONTACT DETAILS OF REPRESENTATIVE	TEL: _____	CELL: _____
NAME OF TRADE UNION		
CONTACT DETAILS OF TRADE UNION	TEL: _____	CELL: _____

PART B: DETAILS OF THE GRIEVANCE*To be completed by the aggrieved educator***What are you aggrieved about?***(If space below is not enough, please attach additional page(s))*

What solutions do you propose?

SIGNATURE _____**DATE:** _____

Receipt of grievance form acknowledged and a copy given to aggrieved educator

SIGNATURE _____**DATE:** _____**NAME:** _____**RANK:** _____

PART C: GRIEVANCE RESOLUTION: LEVELS**NOTES:**

This part of the form makes provision for levels of authority to attempt to resolve the grievance. Depending on the circumstances, one or more pages below need to be completed.

The grievance must be dealt with by the applicable levels within the periods referred to in the procedure, unless extended by agreement with the aggrieved educator.

Should the grievance not be attended to within the periods referred to in the procedure or extended period agreed to with the aggrieved educator, in the case of an alleged unfair labour practice, the aggrieved educator has the right to refer a dispute to the Education Labour Relations Council to be dealt with in terms of the dispute resolution procedures.

<i>To be completed on behalf of the Head of Department</i>				
NAME OF OFFICIAL				
DESIGNATION				
RELATIONSHIP WITH AGGRIEVED EDUCATOR	SUPERVISOR/HEAD	COMPONENT HEAD	DISTRICT HEAD/DIRECTOR	
TEL:	CELL:		FAX:	
WAS THE GRIEVANCE RESOLVED?	YES		NO	

Comments by the aggrieved educator if necessary

SIGNATURE: _____ DATE: _____

On behalf of Employer

NAME: _____ RANK: _____

Was the grievance resolved?	YES		NO	
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Comments by the aggrieved educator if necessary

EDUCATOR SIGNATURE: _____ DATE: _____

PART D: REGION/DISTRICT OR DEPARTMENTAL LEVEL

<i>To be completed on behalf of the Head of Department</i>			
NAME OF OFFICIAL			
DESIGNATION			
RELATIONSHIP WITH AGGRIEVED EDUCATOR	DISTRICT/REGIONAL HEAD	COMPONENT HEAD	DIRECTORATE
TEL:	CELL:		FAX:

Decision in respect of the grievance and reasons for the decision:
(If space below is not enough, please attach a additional page(s))

SIGNATURE: _____ DATE: _____

On behalf of Employer

NAME: _____ RANK: _____

Was the grievance resolved?	YES		NO	
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If no, the aggrieved educator must explain why he/she is still dissatisfied:

EDUCATOR SIGNATURE: _____ DATE: _____

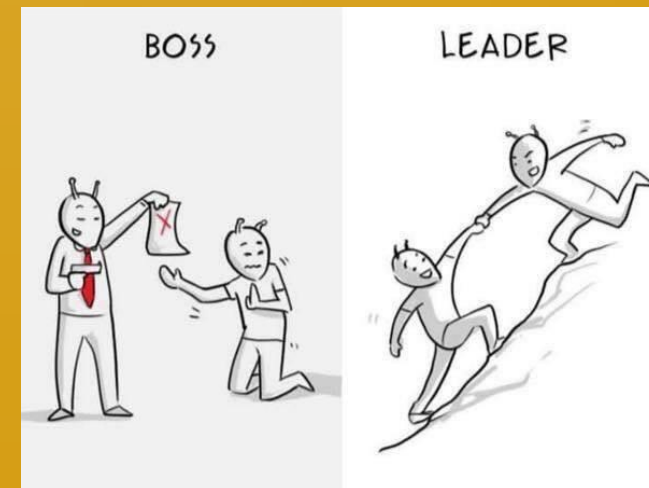
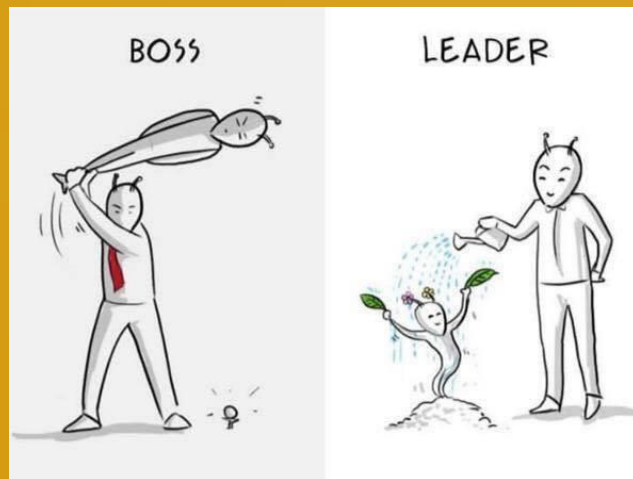
CONSEQUENCES OF CONFLICT IN A WORKPLACE:

- PRODUCTIVITY DRAIN
- WASTED RESOURCES
- NEGATIVE TOLL ON PUBLIC IMAGE
- LACK OF COMMUNICATION

DEADLIEST OF ALL:

**DESTROYS A HEALTHY AND SOUND
WORK RELATIONSHIP!**

WE PROMOTE: LEADERS RATHER THAN BOSSES



Nick Mallet:

- Pressure situations and what is required to take the correct decisions -

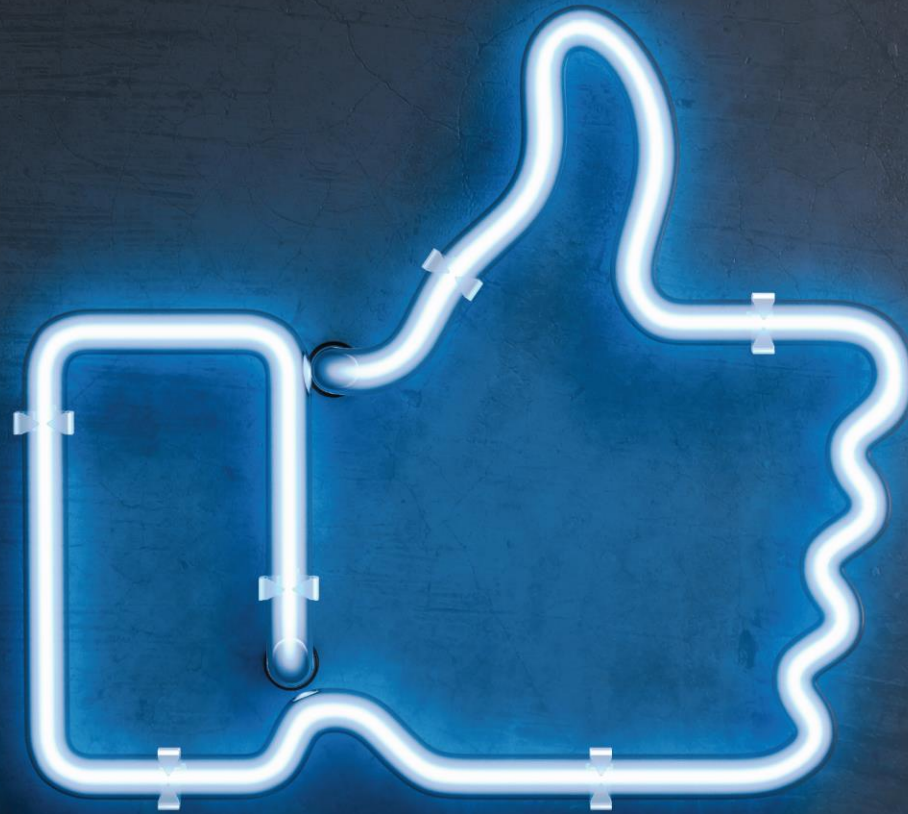
1. Deur foute te maak word lesse geleer;
2. Moenie van iemand verwag om soos 'n ander te wees nie;
3. Jy MOET met jou span kan "connect";
4. Aanhou en uithou saam met jou span tot die einde, maak nie saak hoe hopeloos die situasie is nie



SAOU



SAOU



012 023 1333



saou@saou.co.za



076 127 1921



SAOU National



[saouteachers](#)



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