

GRIEVANCE PROCEDURE

Introduction

A grievance is a difference, complaint or a dispute regarding the interpretation or application of established policies and/or procedures governing terms of employment, working condition, hours of work or compensation.

A Grievance procedure is one of the Human Resource Management tools that set out the ways in which certain actions concerning people should be carried out by the management, employees or other stakeholders. It is a formalized approach to deal with specific matters of grievance and complaints at work or concerning the work place. A written and well publicized grievance procedure ensures that every one knows exactly what steps need to be taken when faced with situations that adversely affect the well-being of individual employees in terms of work relationships and work environment.

Rationale for a Grievance Procedure

In an effort to help the civil service attain its best in terms of performance and service delivery, the Public Service Commission is constantly in search of new and modern approaches in human resource practice. It has been realized that while there are well spelt out regulations and procedures for guiding the service, nearly all of them are management centered and there are few avenues if any for the employees to initiate expression of their dissatisfaction with regard to their work situations. This grievance procedure is therefore meant to give employees an opportunity to alert the management of difficult situations to allow for intervention and search for solutions so as to make the working environment conducive for sound performance by all employees.

Aims/Objectives of the Procedure

The grievance procedure spelt out the Public Service Communications policy on handling grievances for its employees and the approach to dealing with them. It facilitates communication in the work place and enables the officers to:-

- have good staff/manager working relations
- be satisfied that they are being fairly treated
- have a fair hearing by their immediate supervisor concerning any grievance that the former may wish to raise
- have the right to appeal to a more senior officer against a decision made by their immediate supervisor
- have the right to be accompanied by a fellow employee of their choice when raising a grievance or appealing against a decision

- understand what is happening to their case and who is involved and what their role in the matter is.

Application of the Procedure

The grievance procedure is intended for employees who have a grievance or complaint about:-

- Their work or conditions of employment
- Harassment and bullying (unwanted and unjustified verbal or physical advances or derogatory remarks made by an employee to another or by a senior to a junior officer in the work place or within an environment connected to the work of an employee)
- Unfair or perceived unfair treatment by an officer's supervisor(s), of the team leaders or and by management
- Unfair performance assessment including annual performance appraisal
- Management act or failure to act which affects them individually
- Discrimination on the basis of gender, ethnicity, disability or other unjustified grounds in the workplace.

It is emphasized that no retaliation or victimization will be meted on a grievant who applies this procedure.

Main stages of the procedure

Public Service Commission of Kenya advocates settling of a grievance as quickly as possible to its point of origin and encourages staff and their superiors/managers to resolve grievances informally. However the following three (3) stages are set to address the situations where this is not possible. A Grievance Form (PSC GF) has been designed for easy application of the procedure.

Stage I: Statement of Grievance

An officer who has any grievance or complaint should raise it with his/her Head of Department in writing by completing the Grievance Form. The Head of the Department will give an answer as soon as possible and within a maximum of seven (7) working days.

State II: First Appeal Level

If the matter is unresolved at stage II the aggrieved officer can appeal in writing to the Senior Deputy Secretary, Administration. The Senior Deputy Secretary Administration will at his discretion arrange a personal interview with the

aggrieved officer and will give a written reply to the latter within fourteen (14) working days.

Stage III: Second and Final Appeal Level

It is expected that most of the cases will be solved at Stage II but in exceptional circumstances where this is not possible and matter remains unresolved, the aggrieved officer may present it in writing to the Secretary, Public Service Commission who will handle the matter and give an written reply within a further fourteen (14) working days.

Role of the Human Resource Office in the Procedure

The Human Resource Office is responsible for advising the concerned parties on the handling of staff matters including grievances and may be directly involved at all stages. It is also responsible for monitoring the effectiveness of the grievance procedure and ensuring sufficient supply of Grievance Forms for use by staff when need arises. In addition the office will receive the grievance forms at the conclusion of the grievance procedures, for records and for future reference if need arises.

PUBLIC SERVICE COMMISSION GRIEVANCE PROCEDURE

GRIEVANCE FORM – PSC GF

| | | |
|---|-------------------------------------|--------------------------------|
| Officer's Full Name | P/No. | Designation & Grade |
| Department | | Section |
| Office Tel. No. | Official E-mail Address: | Mobile Telephone No. |
| Stage I | | |
| Grievance Statement/Issues (Use attachments if necessary): Submitted to: Name:..... Head/Officer in ChargeDept/Section Date | | |
| Date Received: | | |

Response/Action taken:

Respondent's Name

Designation.....

Signature: Date

.....

Employee's response

I conclude my grievance and am returning the form to the Human Resource Office

I request that my grievance be taken to the next stage.

Signature Date

Stage II

Submitted to:.....

Name: Senior Deputy Secretary (Administration)

Date:

Date Received:

Response/Action taken:.....

Respondent's Name Designation

Signature: Date

Employee's Response

I have documented my grievance and am returning the form to the Human Resource Office

I request that my grievance be taken to the next stage

Stage III

Submitted to the Secretary PSCK

Date Received

Action taken/Secretary's Comments & instructions:-

.....
.....

Employee's Response :

.....
.....

I have been informed of the Secretary's decision.

Signed Date