

ANNEXURE - AGUIDING PRINCIPLES FOR A GRIEVANCE PROCEDURE

Existing labour legislation does not provide for a well defined and adequate procedure for the settlement of day-to-day grievances of employees in Mills and Industries. Clause 15 of the Model Standing Orders in Schedule I of the Industrial Employment (Standing Orders) Central Rules, 1946, specifies that all complaints arising out of employment, including those relating to unfair treatment or wrongful execution on the part of employer or his agent, shall be submitted to the manager or the person specified in this behalf with the right to appeal to the employer.

In some Industrial Units, however, a detailed grievance procedure has been worked out by mutual agreement. In the absence of a satisfactory grievance procedure, day-to-day grievances are allowed to pile up, with the result that the accumulated discontent sometimes turns into cases of indiscipline, strikes etc. Thus, an attempt has to be made to draw up the guiding principles for a grievance procedure. It is realised that, it may not be possible to apply all these principles in respect of each and every industrial unit or a factory. However, all units should attempt to conform to these principles.

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Complaints affecting one or more individual workers in respect of their wages payments, overtime, leave, transfer, promotions, seniority, work assignments, and dismissal would form grievances. Where the points at dispute are of general applicability or of considerable magnitude, they will fall outside the scope of this procedure.

A grievance procedure should consider the following principles :

1) Conformity with Existing Legislation :

A grievance procedure forms apart of the integrated scheme intended to promote satisfactory relations between employers and workers. This procedure should be designed to supplement the existing statutory provision and to make use of such machinery as is already provided by legislation. The grievance machinery can be commenced on the receipt by the worker of the order causing a grievance. The procedure of the order need not be held up till the grievance procedure is completely exhausted. Maximum attempt should be made to complete the grievance procedure between the time the order is passed and when it is acted upon.

2) Need to make the Machinery Simple and Systematic :

- a) As far possible grievances should be settled at the lowest level authority.
- b) No matter should be taken up at more than two levels, i.e. normally there should be only one appeal.
- c) Different types of grievances may be referred to appropriate authorities.
- d) A grievance must be settled as clearly as possible and especially the employers, in consultation with workers, should decide upon the time required for settling a grievance.

3) Designation of Authorities :

The workers should know the authorities to be approached, and hence it becomes the responsibility of the management to designate the authorities to be contacted at various levels.

It may be useful to classify grievances as those arising from personal relationship; and others arising out of the conditions of the employment. In the first case, grievance should be taken up on a priority basis, with the authority in the line management immediately above the officer against whom the complaint is made. Thereafter, the matter may go to the Grievance Committee, consisting of representatives of employees and management. The size and composition of the Committee shall be decided at the Unit level. (Annexure B )

Other grievances should be taken up in the first instance, with the authority designated by the management. Thereafter, a reference may be made to the Grievance Committee.

Where the matter goes to the Grievance Committee in the first instance, an appeal shall lie to the top management.