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THEME: ENHANCING THE PERFORMANCE OF THE PUBLIC SERVICE IN A DEVELOPMENTAL STATE.

TOPIC: STRENGTHENING HUMAN RESOURCE MANAGEMENT: THE GRIEVANCE MANAGEMENT CHALLENGE

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ABSTRACT

The government of the Republic of South Africa through the Public Service Commission and other agencies has implemented employee grievance management systems in all the national and provincial government departments in South Africa one of which is the North West Provincial Administration. The grievance management system is supposed to help employees to make formal complaints about official acts or omissions where they feel aggrieved. The problem is not clear to what extend employees are utilizing the grievance management system in the various departments in the North West Provincial Administration (NWPA). This presents a knowledge gap about the utilisation of the grievance management system in the province. Specifically related to reported grievance cases in the various departments, and which racial groups report cases of grievances and also whether both male and female employees report grievance cases. This study aims at filling in this knowledge gap; therefore the study aims to determine the utilisation of the grievance management system in the North-West Province. The specific objectives of the study were four: to identify the number of grievance cases reported from various departments in North West Province; to identify the main causes of grievance; to identify the grievance distribution of cases of grievance reported from the different racial groups and finally to identify the cases of grievances according to gender. This study is exploratory as there are no studies conducted yet in the North West Provincial Administration on employee grievance. Data was collected from both secondary and primary sources. For the primary sources a un-structured interviews with some of the managers were used. Secondary data was extracted from the 2007 report of the South African Public Service Commission. The data was analyzed using descriptive statistics which included frequencies, rankings and percentages. The findings and recommendations are discussed in the text of the paper.

Keywords: grievance handling, grievance research, grievance theory, public service grievance management, public servants grievances, organisational justice, distributive justice, procedural justice, interactional justice and grievance systems.
1. INTRODUCTION

The growth in collective bargaining for public employees has been attracting public and scholarly attention worldwide. In South Africa, the Public Service Commission is, in terms of The Constitution of the Republic of South Africa 1996 (Act 108 of 1996), required to investigate grievances of employees in the Public Service concerning official acts or omissions, and recommend appropriate remedies. To give effect to this mandate the Public Service Commission has in terms of section 196 of the Constitution and section 11 of the Public Service Commission Act, 1997 (Act 46 of 1997) promulgated the Rules for Dealing with the Grievances of Employees in the Public Service (No. R 1012 of 2003) Government Gazette No, 25209 of 2004 which are referred to as Grievances Rules. To provide further clarity the PSC also promulgated Guidelines for the New Grievance Procedures for the Public Service. Employees grievance in the North-West Provincial Administration are managed by the rules.

The problem it is not clear to what extend employees are utilizing the grievance procedures in the various departments in the North West Province (NWPA). This presents a knowledge gap whether there are reported cases of grievance in the various departments and which racial groups report cases of grievance and also whether both male female employees report grievance cases. Hence this paper aimed at filling in this knowledge gap.

The specific objectives of the study were as follows:

1. To identify the number of grievance cases reported from various departments in North West Province.
2. To identify the main causes of grievances.
3. To identify the grievance the distribution of cases of grievance reported from the different racial groups and finally.
4. To identify to identify the cases of grievances in according to gender.

The paper is divided into three sections, namely: introduction, literature review, methodology, data analysis, discussion of findings, and recommendations.
2. LITERATURE REVIEW
This section covers the literature on the nature, meaning, causes, effects, types, procedures, and theories of grievances including organisational justice.

2.1 Meaning of Grievance
Public Sector Workforce Office of New South Wales Government defines a grievance as a clear statement by an employee of a work-related problem, concern or complaint, including those involving:
- the interpretation and application of people management policies including allocation of work, job design, performance management;
- a workplace communication or interpersonal conflict;
- an occupational health and safety issue;
- an allegation of discrimination; or
- a question, dispute or difficulty concerning the interpretation, application, or operation of an award/enterprise agreement or other agreement

A grievance, in terms of Grievance Rules of the South African Public Service Commission is a dissatisfaction regarding an official act or omission by the employer which adversely affects an employee in the employment relationship, excluding unfair dismissal.

Both of these definitions are wide and give employees the right to process virtually all objections, complaints, controversies, disputes and misunderstanding (Bohlander, & White, 1988: 62-66) in the workplace. This might be referred to as clinical approach or humanistic approach to grievance resolution (Holley & Jennings, 1988:288).

In contrast the other definition refers to the grievance as an employee concern over a perceived violation of the labour agreement that is submitted to the grievance procedure for eventual resolution (Holley & Jennings, 1988:285; Bohlander & White, 1988: 62-66). This definition clearly prevents employees from presenting grievances on broader job-related or personal concerns, and from presenting objections or imagined complaints.
This can be termed the **legalistic approach** (Holley & Jennings, 1988:255). However, strict legalistic approach could lead to an adversarial relationship between labour and management.

### 2.2 Causes of employee grievances

Employee grievances are caused by factors such as promotion; job content and conditions of work; compensation and benefits; safety and health environment; performance review; treatment by supervisor and other employees; and these include (Potgieter & Muller, 1998:14-23; Kochan, 2004:47-70). Other potential causes of employee grievances include: lack of feedback, lack of recognition, lack of clear performances expectation, unfair standards, being shouted at or blamed, reneging on commitments, being overworked or stressed out (Randolph & Blanchard, 2007:134).

### 2.3 Effects of grievances

Employee work-related concerns and grievances which are not promptly and effectively resolved ([http://www.eeo.nsw.gov.au/employee/grievance.htm](http://www.eeo.nsw.gov.au/employee/grievance.htm)) result in:

- lost productivity and lower quality work, products and customer services;
- distraction from corporate goals and loss of confidence and communication between employees, managers and supervisors;
- low morale and job satisfaction which can lead to industrial problems, increased absenteeism and increased staff turnover; and
- loss of reputation to the employee and lost working time of everyone involved.

Aggrieved people are not provided with the kind of leadership that matches their needs – they are under or over supervised. Whereas over-supervised employees can get very stressed at the work place the under supervised ones may not be optimally utilized. There are also numerous other potential causes: lack of feedback, lack of recognition, lack of clear performances expectation, unfair standards, being shouted at or blamed, reneging on commitments, being overworked or stressed out (Randolph & Blanchard, 2007:134).
2.4 Types of employee grievances

There are three types of grievances, individual, groups and policy, according to Canada Employment and Immigration Union and the Western University Grievance Procedure. They differ in their intent and in their processes: (http://www.ceiu.seic.ca/index.cfm?wtm_format=print&group_id=1755?).

An individual grievance is a complaint brought forward by a single employee in which a decision made affects that specific employee. Such cases can deal with issues related to the collective agreement, discipline and human rights, as well as other matters affecting the employee concerned. For example, an employee who has been overlooked for promotion within an organisation, may complain about this fact. The employee may feel that he/she has performed adequately and he is the most senior in the directorate, as per the rules. The onus will be on his immediate supervisor to present the facts.

A group grievance is a complaint brought forward by more than one employee grieving the same alleged violation with the same facts. Therefore, a group grievance involves the “effect of management action on two or more employees under same collective agreement or regulation. Grievances of this type are used in situations where a group of employees in the same department or agency face the same problem. The problem must relate to the interpretation or application of the collective agreement.

A policy grievance is a dispute of general application or interpretation of any section or paragraph of the collective agreement or rule rather than the direct management action involving a particular employee. These types of grievances are normally, initiated at the final step of the procedure.

2.5 Grievance procedures

The literature on grievance systems mention five types of procedures namely: step-review system, peer-review system, open-door policy, ombudsman system, and hearing officer policy. However, this paper focuses on step-review system. The step-review system is the most predominant system. The role of the step-review system, according to Francois (2004:8), is to process grievances through progressive steps from lower to higher levels of progressive steps from lower to higher levels of management. The
Grievance Rules (2003) also provide for a step-review. Some authors regard the grievance procedure especially the step review systems as the most significant innovations in resolving employee-management disputes (Levine, 2007; Lewin & Peterson, 1988:1; Gordon & Miller, 1984:117; Loewenberg, 1984:44).

2.4.1 Role of the grievance procedure


(1) The compliance role ensures that parties adhere to and respect the collective agreements.

(2) The judicial and adjudicative role for organizations interpret the collective agreements and rules of behaviour and serve as dispute resolution procedure for disagreements which arise during the life of the collective agreements.

(3) The administrative role applyies the rules of contract and offers guidance in the administration.

(4) It may serve as a forum for traditional bargaining where one party attempts to secure concessions it could not obtain at the bargaining table or regain what it has lost at the bargaining table.

The authors also maintain that the grievance procedure fulfils: constitutional, legislative, executive, due process, power distribution, communication and voice functions.

The Public Service Commission Grievance Rules (2003) share certain general characteristics with many other grievance procedures. They are the following (Bohlander & White, 1988: 63):

(1) a statement of purpose and application.

(2) a description of employees eligible to use the system, i.e. all employees employed in terms of the Public Service Act, 1994.

(3) a list of grievable issues being any official act or omission.

(4) an explanation of the mechanics of the grievance procedure, written forms, and required filing and reply times (for example, a department must depose of a grievance within 30 working days) and employee representation.
Contrary to other grievance procedures, the grievance rules provide for management of grievance, adherence to the time limits, provision of information, referral to Public Service Commission and evaluation. The requirement of the maintenance of records and evaluation of grievance also not appear in many grievance procedures. This requirement is a good grievance management practice. In addition, the reporting by the PSC to the National Assembly and Provincial Legislatures annually is an innovative method of public sector people management.

As well as the above reasons, other reasons implementing grievance procedures include: to check on the supervisor’s implementation of policy and procedures and to evaluate the supervisor’s treatment of employees; to foster improved employee moral and productivity; to reduce turnover; and to avoid costly employee-initiated litigation (Bohlander, & Bohringer, 1990:563-568).

There are steps in the grievance procedure. The Grievances Rules do not prescribe departmental steps but the rules also refer to the informal step. Almost every grievance procedure provides for an informal or first step grievance meeting (Fitzpatrick, 2006:10). He further states that these are almost one-on-one meetings between the employee and the supervisor. They may or may not include union representative or another employee.

Most grievance procedures also provide for a second or formal level. This normally involves a designated employee (see Grievance Rules), the grievant, union representative and supervisor. The grievance will have been reduced to writing with specifics. The request for remedy will also be provided. Management is also expected to respond in writing to the grievant. After step two many organisations will differ as to how they handle the other steps.

While grievance procedures empower employees with voice, there are also inherent weaknesses. The escalation of the grievance to a higher level may increase hardening of attitudes. Another of the major weaknesses relates to cost, both in money and in time. According to Dalton and Todor (1981:25-29); the procedure is expensive and disruptive,
since production is disturbed when grievants and supervisors are taken off their regular jobs to participate in the process. From the employee’s side, Lewin and Peterson (1988:28) maintain, that the greatest weakness may be the delay in the processing of the grievance and the fact that the procedure itself is cumbersome – both of which may discourage employees from using the grievance process. From the perspective of the lower level management, such as supervisors, the grievance procedure could be a source of frustration. The supervisory management desire to retain the greatest degree of autonomy and flexibility in the operation of their sections, and in this regard the appeals process of the grievance procedure and senior management’s desire to use it to ensure compliance with policy, undermine the authority of the former (Thomson & Murray, 1976:47-48).

2.5 Grievance Procedure and Organisational Justice

Based on the organisational justice perspectives, the following questions may be posed: what justice judgement do employees make based on the above three perspectives? What are their justice motives? The following section will answer these questions in terms of grievance management (Nodisic, no date: 1-45)
2.5.1 Employees motives for workplace justice
Employees use grievance procedures not only, to seek justice and fairness but also for measuring the fairness in grievance procedures and to a certain extent, self-interest. In this regard, Nadisic (no date: 1-45), whose work is extensively used in this section, asked why people care about justice in the workplace. Nadisic uses three models to obtain his answer as set out below.

(a) People care about justice to assure the favourability of materials outcomes – this is the case of instrumental model (Thibaut & Walker, 1975; Greenberg & Folger, 1983; Tyle, 1987 quoted by Nadisic).

(b) The second model is to derive a sense of belonging and self-worth from it – this is the proposition of what is called the relational model (Lind and Tyler, 1988; Tyler and Lind, 1992; quoted by Nadisic; no date).

(c) because they are moral – the case of deontic model (Folger, Cropanzano & Goldman, 2005: 329-354; Tarillo, Folger, Lavelle, Umpress & Gee, 2002: 839-865).

The three models, according to Nadisic (No date: 1-45), are not on the same level in the hierarchy of justice motives. The deontic model gives a higher order account of the reason why people make and use justice judgments and not only outcome favourability judgments.

2.5.2 Justice judgment
People make justice judgments based on the motives for seeking justice and on distributive justice, procedural justice and interactive justice. In this way people may compare what they have to what they have given. It is in this way that they make justice judgment (Adams, 1965:267-299).

2.5.3 Distributive justice judgment
An employee makes distributive justice judgments when receiving material rewards in exchange for the work he/she has done. These rewards, whether they take the form of pay, bonus, benefits or other, can be regarded as distributive justice antecedents that
affect perceptions of distributive justice (Ambrose and Arnaud, 2005:59-84). Therefore, an employee will feel aggrieved if the outcomes are not equal to his/her contribution.

2.5.4 Procedural justice judgment

Employee care about procedural justice because it allows them to guarantee fair outcomes – and not to guarantee the maximisation of any outcomes as it is sometimes stated (Tyler & Blader, 2000:14; van den Bos, 2005:275-300).

There are antecedents to procedural justice (Ambrose & Arnaud, 2005:59-84). Nadisic (no date: 1-45) identified seven from the literature, namely: the possibility of expressing one’s views; the opportunity to have some influence on the outcomes; the consistency with which the procedure is applied; the suppression of bias in the decision making process; the accuracy of the information used for the decision; the right to appeal the outcome and lastly; the ethicality of the procedure. Procedural justice judgments allow an employee to assess the fairness of his/her outcome. This could involve only some of the procedural justice antecedents (probably mainly the consistency and accuracy of the information used). For example, performance evaluations cannot always establish the “objective facts” or truth about one’s performance level (Cropanzano, Rupp, Mohler & Schminke, 2001:1-113). This is the reason why people will not simply trust a system of formal procedures designed by an expert, even if it is said to be based on accurate information (Nadisic, no date: 1-45). They will give importance to their capacity to influence the decision by influencing the process (Nadisic, no date:1-45). They will want to be sure that all the procedural justice antecedents are present. For example, an appraisal system is viewed “less as a fact-finding test and more as a trial involving two parties with potentially conflicting interest” (Cropanzano et.al., 2000:1-113)

2.5.4 Interactional justice judgment

Interactional justice focuses on the behaviour of the organisational leaders, how they carry out policies, and procedures and how they treat those who are subject to their authority, decisions, and actions. Interactional justice has come to be seen as consisting of
interpersonal justice judgment and informational justice judgment (Greenberg, 1993:78-103; Colquitt, 2001:386-400).

2.5.5  **Informational justice requirements**
An employee who receives material outcomes tries to determine its fairness. He/she judges if the following five antecedents are present: candid communication, thorough explanations, reasonable explanation, timely communication, and personalized communication. This allows him/her to make his/her informational justice judgments. It has been demonstrated that when employees see their managers trying to appear fair (Greenberg, 1990:111-157) by communicating about a decision in order to prove that the decision was fair, this can have an effect on “outcome related revision” and make the employees think their outcomes are fair (Shapiro & Brett, 2005:155-178).

2.5.6  **Interpersonal justice judgment**
Also, when an employee who receives a material outcomes tries to determine its fairness. He/she judges whether the four antecedents have been present: politeness, dignified treatment, respect and absence of improper remarks and comments, which makes him/her to make his/her interpersonal judgement. It has been demonstrated that when the supervisor shows consideration (which heightens the interpersonal justice judgement), this makes his/her employees to expect to have “a potential influence on him/her (Barry & Shapiro, 2000:106-134).

The above judgments tell him/her outcome is fair. Therefore, employees who consistently give more importance for justice than favourability do so because they are normal and are able to implement normal solutions (Nadic; no date:1-45).

2.6  **Grievance Research**
Grievance research does not adequately empower managers to manage employee grievances in the public sector effectively. This is due to the fact that as of 1998, there was no theory of grievance procedure which had emerged. However, there have have
been reviews which tried to summarise the research on grievances and their findings were that the literature focused on the following: factors influencing grievance filing and settlement (Lewin & Paterson, 1998; Bernnards & Foley, 1996; Labig & Greer, 1988; Gordon & Miller, 1984). The following theories which have a bearing on grievance management challenges and previous discussions on the essence of human capital, grievance and grievance procedures, and organisational justice are discussed.

### 2.6.1 Procedural Distributive Justice Theory

Based on the previous discussion on employee motives to seek workplace justice, the procedural-distributive justice theory is discussed. This theory, as already stated, was not initially applied to the labour market (Lewin, 1999:137-186), it was first used in courtroom settings. The relationship between perceptions of justice and the grievance system was highlighted by Gordon and Fryxell (1993:231-255). They asserted that a union’s relations with its constituents is tied more closely to the procedural and distributive justice afforded by its representation in the grievance system than by any other type of benefit in the collective bargaining agreement. This means that filling a grievance is a formal expression of procedural justice perceptions through their perceptions of the systems’ fairness, the employee develop their perception toward the union. In other words, perceived fairness of the grievance procedure is positively related to employee satisfaction with the grievance procedure, management and union. Perceived fairness of grievance handling has stronger effects on employee satisfaction than perceived fairness of grievance procedures outcomes; access to grievance procedure negatively related to job performance and intent to exit (Lewin & Petterson, 1988; Olson-Buchanan, 1996. 52-63; Gordon & Fryxell, 1993: 231-255).

### 2.6.2 Exit-voice-loyalty theory

The previous discussion also referred to exit-voice-loyalty theory. This was also developed out of the labour market condition. In terms of this theory, employee loyalty is negatively related to grievance filing and intent to exit; grievance filing is positively related to intent to exist; and employees fear reprisal for filing grievances (Lewin, 1999:137-186; Boroff and Lewin, 1997: 50-63).
2.6.3 Grievable event

The filing of a grievance begins with a grievable event. In the public service, a grievable event presumably involves an alleged dissatisfaction regarding an official act or omission by the employer which adversely affects an employee in the employment relationship, excluding an alleged unfair dismissal (Grievance Rules, 2003). In the absence of such an “official act or omission”, there is no grievable event. While no studies have focused primarily on modelling or explaining the occurrence of grievable events, is importance for studies of grievance initiation (Bemmelks & Foley, 1996: 359-384). In the previous section an explanation was provided for motives of employees in seeking workplace justice. This basically refers to fairness of outcomes and procedures, rather than providing a framework controlling for the occurrence of grievance events although some in occurrence could relate to the occurrence of grievable event.

Other studies have attempted to control grievable events indirectly. For example Brummels, Reshef and Stratton-Devine (1991:15-30) included measures of supervisors’ behaviours and stewards’ assessment of the supervisors’ knowledge of the collective agreement. The rationale for their inclusion is that the occurrence of grievable events will be related to the behaviour patterns of the supervisors and their knowledge of the collective agreement. Allen and Keaveny (1985:519-534) also included respondents’ “attitudes toward their supervisors and feelings pay inequity” which will likely reflect the occurrence of grievable events.

2.6.4 Grievance Initiation

Several researchers have studied grievance initiation at individual level and organisational level.

2.6.4.1 Individual level studies

Individual level studies distinguished between grievances and non-grievants. Allen and Keaveny (1985:519-530) found that grievants were less satisfied with their jobs, had poorer attitudes toward their line supervisors, had greater feelings or pay inequity, had stronger believes that workers should participate in decision-making, were less satisfied with their unions and more active in their unions. However, the lower satisfaction with
the union among grievants may be due to dissatisfaction with the processing of their grievances.

Another individual level studies investigated differences in the personal characteristics of grievants and non-grievants. Grievants are more likely to be younger, male, have more education, and hold more skilled jobs than non-grievants and blacks were more likely to have grievances than non-blacks (Peterson & Lewin, 2000: 395-406). Further, grievants are more likely to have higher absenteeism rates, dispensary visits, and insurance claim filing rates than non-grievants (Labig & Greer 1988:1-27) other studies, based on research on workplace diversity, union commitment, and labour markets, posit that a stronger case may be made for an amplification effect, with the expected positive relationship between unsatisfactory workplace conditions and grievance filing likely to be stronger among female and ethnic minority workers relative to their male ethnic majority peers (Duffy & Ferrier, 2003: 217-248. In contrast with Lewin and Peterson’s (1988) findings, Bamberger, Kohn & Nahum-Shami (2008:229-260) found that the overall rate of grievance filing by women and ethnic minorities in the USA is not significantly different from that of their male or white counterpart. Nevertheless, the employee demographic characteristics were found to serve as a significant moderator of the link between potentially dangerous workplace conditions and the rate of employee grievance filing. It is, therefore, clear that the main effects of demography may indeed be context dependent (Bamberger, Kohn & Nahum-Shami, 2008; 229-260). It is clear that the results from individual level studies are mixed.

Gordon and Bowlby (1989:309-329) conducted one of the few experimental studies of grievance initiation, grounding their work in attribution and reactance theory. They found that perceived threats to workers’ freedom and actions attributed to organisational sources and personal disposition were more strongly associated with intention to file a grievance than threats attributed to environmental sources. Boroff and Lewin (1997:50-63) found that more loyal employees were less likely to file a grievance than less loyal employees. They also concluded that employees who perceived that they experienced unfair treatment and with high loyalty to the employer are more likely to suffer in silence rather than file a grievance. Research focusing on expectancy theory and grievance filing
that more fully develop testable hypotheses derived directly from expectancy theory seems appropriate (Bemmels & Foley, 1996:359-384).

2.6.4.1 Organisational level studies

Several studies published over the past decade have focused on explaining grievance filing rates across organisational units (Bemmels & Foley 1996:359-384). The units of analysis in these studies vary from small work groups to entire plants. Labig and Greer (1988:1-27), basing their classification on the literature of Peterson and Lewin (1981:303-312) divided them into five major categories, these are:

(1) environmental factors; i.e. economic conditions, legal influences, technology and industry;
(2) management factors; supervisory behaviour and management policy;
(3) union factors; union representation, union policies and union politics;
(4) union and management interaction; union management relations, labour management agreements, relative bargaining power; and
(5) employee factors; i.e. biographical characteristics, personal file data, attitude and personality traits, occupation.

2.6.4.1.1 Environmental factors

One component of environmental factors is labour market conditions. Capelli and Chaurin (1991:3-14) developed and tested an efficiency model of grievance activity which posits that employees who feel unfairly treated which compare the cost of effectiveness of filing a grievance with other responses, such as exist and silence. This model is similar to the compensating differentials model of the grievance procedure developed by Ichniowski and Lewin (1987: 159-193), where the cost of exit depends on labour market conditions (Lewin, 1999: 137-186). These conditions relate to wage premium and rate of unemployment. For example, the higher the wage premium within an institution compared to labour market wages, the greater the cost of exit, the higher the in-evidence of grievances also the higher the rate of unemployment and the fewer the opportunities for alternative employment, the greater the cost of exit, and hence the higher the grievance rate. Therefore, the findings from this study confirm the expectancy theory (Klaas, 1989:445-558) and procedural distributive justice theory, which concluded
that employees do indeed evaluate the relative costs and benefits of grievance filing compared to other options in deciding whether or not to file a grievance.

Attention is also given to technology impact on grievance filing by Peach and Livernash, (1974). However, Bemmels, Reshef and Stratton-Devine (1991:15-30) gave little empirical support for the notion that differences in technology would explain the variation in grievance rates across work groups.

2.6.4.1.2 Management Factors
Management factors such as supervisory behaviour and management policy have been found to influence grievance initiation. Bemmels & Foley (1996:359-384) have tended to focus on two main types of indicators, namely those having to do with supervisor capability and supervisor leadership.

2.6.4.1.3 Supervisor capabilities
Researchers have found a relatively strong and consistent inverse relationship between supervisory capabilities and grievances. In this regard, Allen and Keaveny (1995:519-534) found that, non-grievants, relative to grievants, held significantly more favourable attitudes about the competence of their supervisors. In other words they believed that their supervisors were competent in doing their job. Similarly, following on steward perceptions of supervision, Bemmels, Reshef and Stratton-Devine (1991:15-30) found that higher perceived supervisor capabilities such as a better knowledge of the collective bargaining agreement were linked to lower frequencies of employee complaints to stewards and lower grievance rates. Based on this grievances, and also expected to be likely to drop when the direct supervisor is perceived to be highly qualified.

2.6.4.1.4 Leadership style of a supervisor
Bemmels,Reshef and Stratton-Devine (1991:15-30) included Fleishman’s (1957) measures of supervisor behaviour “consideration” and “structure”. Consideration measures the supervisor’s consideration of the employees needs and structure emphasise the supervisor’s attempt to achieve production and organizational goals, through the management of group activities. Meaning that supervisor’s leadership behaviour may
increase (structure) or decrease (consideration) the grievance rate. However, the results for the effect of structure on grievance rates from studies were mixed, and the mixed results do not clarify what, if any, relationship exists between structure and grievance rates. The results relating to structure are mixed. Nevertheless, it is expected that grievance will likely rise when the direct supervisor’s behaviour is perceived to be negative. In contrast, supportive supervision style characterises a supervisor who’s behaviour is supportive of his/her subordinates will provide them with one or more of these support type: (i) emotional support (e.g. showing empathy) (ii). informational support (e.g. giving guidance and knowledge about work skills) and (iii). Material support, (e.g. distributing resources). As found in several studies where a positive relationship is attained between management and employees, the levels of grievance activity are low (Gordon & Miller, 1984; Bemmels & Foley, 1996).

2.6.4.1.5 Management policies
Management policies such as, according to Peach and Livernash (1974), consultation with the union prior to the introduction of changes that affect employees are commonly thought to reduce grievances. Explanation as to why consultation with the union reduces grievances rates have included overcoming resistance to change, assisting management in working out procedures satisfactory to workers, and avoiding union defensiveness.

2.6.4.1.6 Union factors
Studies of union factors in grievance initiation focus either on general union policies towards the grievance procedure or the behaviour of union officials (usually shop stewards) in grievance initiation (Labig & Helburn, 1986: 269-284). Characteristics of union officials that have been related to grievance activity have included their experience, attitudes, personality and motivation (Labig & Greer, 1988:1-27). For example, union representatives’ experience has been found to be related to the number or quality of grievances filed (Labig & Greer, 1988:1-27). Lewin & Peterson (1988) also found that union policies to encourage grievances were related to higher grievance rate and they also found that union policies of committing grievance to writing and taking certain grievances through the procedure were positively related to grievance rates. Duane
in contrast found that the frequency of information discussions was associated with lower grievance rates. Dalton and Toolor (1982:158-169).

2.6.4.2 Union and Management interaction

Some factors related to grievance initiation may be seen as the product of union and management interaction. The union-management relationship (often described as a conflictual-cooperative continuum), labour management agreement, and relative bargaining power have been recognised as influencing grievance activity (Labig & Greer 1998:1-27). For example, some studies have related cooperative union-management relationships to lower grievance rates (Gandz & Whitehead, 1981:320-328). Other studies have examined the size of workgroup, size of bargaining unit and skills mix/occupational diversity of the bargaining unit (Stewart & Davey, 1992: 323-335; Bemmels, Reshef & Stratton-Devine, 1991: 519-354; Cappeli & Chauvin, 1991:3-14; Lewin & Peterson, 1998). Empirically, these union-management relationship characteristics were generally not associated with grievance filing rate. Attention has also not been paid by researchers to the relationship between grievance filling and the collective bargaining cycle. For example, Lewin and Peterson (1988) found that grievance filing rates were lowest at the midpoint of collective bargaining cycles and highest during the period just prior to the expiration of collective bargaining agreements. On the whole, this research indicates that workplace conflict as reflected in grievance filing rates, is systematically related to collective bargaining cycles and that the grievance procedures is itself a form of bargaining (Lewin, 1999:137-186).

2.6.5 Comparison of sector grievance rates

Recent grievance procedures research finds significant differences in grievance filing rates measured by the number of written grievances during a specific time period (such as one year) by every 100 workers among sectors and industries (Lewin, 1999: 137-186). Stewart & Davey (1992:323-335) found significantly higher grievance filing rates in private sector than in public sector organisations in the US. Bemmels (1994:285-301) found rates ranking high from 48.2 in railway transportation to a low of 0.6 in education in Canada. Lewin and Peterson (1988) observed an annual grievance rates of 16.3 in steel
manufacturing firms, 10.3 in non-profit hospitals, 7.8 in retail department stores and 7.7 in local public schools based on the Unite States data. These are related to industry labour market conditions.

It has also been found that grievance rates vary according to grievance issues. For example, in Lewin and Peterson’s 1988 study, grievances involving discipline represented 10.4 of all grievances compared to 6.6 involving work assignments, 1.9 involving paid leave time. Bemmels (1994:285-301) also found that grievances involving discipline accounted for about 10% of all the grievances.

Based on the grievance initiation research, it can be concluded that the decision of an employee to state a grievance or not is significantly influenced by environmental factors such as area pay or unemployment rates, management policies and practices, such as strict performance standards, requiring grievances to be put in writing and monitoring of grievances, supervisor behaviour- as a consideration and initiating structure, shop steward behaviour such as seeking out contract violations and assessment of supervisors’ knowledge of the collective bargaining agreement, employee behaviour and attitudes such as bringing complaints to shop stewards, assessment of the relative costs and benefits of grievance filing, preference for participation in decision making and satisfaction with work, pay, supervision and the union (Lewin, 1999:137-186). Grievance initiation has, also, been shown to vary significantly by sector or industry, employee characteristics, work-related issue, and stage of the collective bargaining cycle. In general, union-management relationship characteristics and technology are not significant to grievance initiation.

3. METHODOLOGY

This paper is primarily literature driven. It is based on the analysis of the data collected by the Public Service Commission report on grievance trends in the public service 2007. Other relevant data was collected using unstructured interviews with some Labour Relations Managers of the respective departments of the North-West Provincial Government. The South African Public Service Commission grievance rules were also compared to a few other internet sourced grievance procedures. The aim was to find out
whether existing procedures were in line with the best practices. The data accessed was analysed using descriptive statistics. The data from the Public Service Commission covers the following:
Period 1: January to June 2005
Period 2: July to December 2005
Period 3: January to June 2006

4. FINDINGS AND ANALYSIS
The purpose of the study was to examine to what extend employees are utilizing the grievance procedures in the various departments in the North West Province. There were three guiding research objectives that focused on: to identify the number of grievance cases in North West Province Departments, to identify the main causes of grievances, to identify the grievance the distribution of cases of grievance that were reported from the different racial groups and finally to identify the cases of grievances in according to gender. The findings are discussed below.

4.1.1 Number of grievances in NWPA departments
The number of grievance cases reported in the departments during the year 2005-2007 are shown in table I below. Health had the highest number of cases with a total of 136 cases which represented 42.63%, Local Government and Housing was next with 33 cases which represented 10.34%, Public Works had 24 cases accounting for 7.52%, Transport Roads and Community Safety had 23 cases representing 7.21%, Finance and Economic Development had 22 cases or 6.89%, Sports, Arts and Culture had 18 cases or 5.64%, Agriculture, Conservation and Environment had 15 cases or 4.70%, Social Development had 14 cases or 4.38%, Education had 13 cases or 4.07%, Finance and Economic Data had 12 cases or 3.76 and Office of the Premier had the lowest with 9 cases or 2.82%
### Table 1: Number of grievances lodged.

<table>
<thead>
<tr>
<th>Department</th>
<th>P1</th>
<th>P2</th>
<th>P3</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health</td>
<td>39</td>
<td>87</td>
<td>10</td>
<td>136</td>
<td>42.63</td>
</tr>
<tr>
<td>Education</td>
<td>5</td>
<td>8</td>
<td>0</td>
<td>13</td>
<td>4.07</td>
</tr>
<tr>
<td>Finance</td>
<td>0</td>
<td>2</td>
<td>10</td>
<td>12</td>
<td>3.76</td>
</tr>
<tr>
<td>Social Development</td>
<td>10</td>
<td>4</td>
<td>0</td>
<td>14</td>
<td>4.38</td>
</tr>
<tr>
<td>Public Works</td>
<td>8</td>
<td>13</td>
<td>3</td>
<td>24</td>
<td>7.52</td>
</tr>
<tr>
<td>Local Government and Housing</td>
<td>12</td>
<td>6</td>
<td>15</td>
<td>33</td>
<td>10.34</td>
</tr>
<tr>
<td>Sports, Arts and Culture</td>
<td>0</td>
<td>18</td>
<td>0</td>
<td>18</td>
<td>5.64</td>
</tr>
<tr>
<td>Transport, Roads and Community Safety</td>
<td>7</td>
<td>9</td>
<td>7</td>
<td>23</td>
<td>7.21</td>
</tr>
<tr>
<td>Office of the Premier</td>
<td>0</td>
<td>1</td>
<td>8</td>
<td>9</td>
<td>2.82</td>
</tr>
<tr>
<td>Finance and Economic Development</td>
<td>0</td>
<td>14</td>
<td>8</td>
<td>22</td>
<td>6.89</td>
</tr>
<tr>
<td>Agriculture, Conservation and Environment</td>
<td>-</td>
<td>9</td>
<td>6</td>
<td>15</td>
<td>4.70</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>81</td>
<td>171</td>
<td>67</td>
<td>319</td>
<td>100</td>
</tr>
</tbody>
</table>

**Keys:** P1 stands for period from January to June 2005, P2 stands for period from July to December 2005, and P3 stands for period from January to June 2006.

### 4.1.2 Causes of employees grievances in NWP

Table 2 shows the causes of employee grievance, performance assessment accounted for 161 cases or 50.47 %, salary problems 46 or 14.42 %, retirement and selection, 45 or 14.10%, unfair treatment 31 or 9.71%, disciplinary matters 20 or 6.26%, application approval 12 or 3.76%, undermining authority 7 or 0.62 % not listed 2 or 0.62%.

### Table 2 Causes of Grievances

<table>
<thead>
<tr>
<th>Causes of grievances</th>
<th>P1</th>
<th>P2</th>
<th>P3</th>
<th>Total</th>
<th>Rank</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement and selection</td>
<td>9</td>
<td>24</td>
<td>12</td>
<td>45</td>
<td>3</td>
<td>14.10</td>
</tr>
<tr>
<td>Undermining of authority</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>7</td>
<td>0.62</td>
</tr>
<tr>
<td>Application approval/refusal to approve application</td>
<td>2</td>
<td>4</td>
<td>6</td>
<td>12</td>
<td>6</td>
<td>3.76</td>
</tr>
<tr>
<td>Disciplinary matter</td>
<td>2</td>
<td>12</td>
<td>6</td>
<td>20</td>
<td>5</td>
<td>6.26</td>
</tr>
<tr>
<td>Salary problems (adjustment/increase payment, etc)</td>
<td>12</td>
<td>24</td>
<td>10</td>
<td>46</td>
<td>2</td>
<td>14.42</td>
</tr>
<tr>
<td>Performance assessment</td>
<td>50</td>
<td>91</td>
<td>20</td>
<td>161</td>
<td>11</td>
<td>50.47</td>
</tr>
<tr>
<td>Unfair treatment (other than what is listed)</td>
<td>4</td>
<td>14</td>
<td>13</td>
<td>31</td>
<td>4</td>
<td>9.71</td>
</tr>
<tr>
<td>Not listed</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>0.62</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>81</td>
<td>171</td>
<td>67</td>
<td>319</td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>
4.1.3 Racial distribution among aggrieved employees

Table 3 presents racial distribution among aggrieved employees in NWPA. The distribution is as follows: the Africans numbered 361 or 92.09%, the unknown cases were 22 or 5.61%, coloureds were 7 or 1.78%, Indians were 2 or 0.51% and whites 0.

Table 3: Racial distribution among aggrieved employees

<table>
<thead>
<tr>
<th>Race</th>
<th>P1</th>
<th>P2</th>
<th>P3</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unknown</td>
<td>0</td>
<td>0</td>
<td>22</td>
<td>22</td>
<td>5.61</td>
</tr>
<tr>
<td>African</td>
<td>83</td>
<td>214</td>
<td>64</td>
<td>361</td>
<td>92.09</td>
</tr>
<tr>
<td>Coloured</td>
<td>0</td>
<td>7</td>
<td>0</td>
<td>7</td>
<td>1.78</td>
</tr>
<tr>
<td>Indian</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>0.51</td>
</tr>
<tr>
<td>Whites</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>83</td>
<td>222</td>
<td>87</td>
<td>392</td>
<td>100</td>
</tr>
</tbody>
</table>

4.1.4 Gender distribution among aggrieved employees

Table 4 presents gender distribution among aggrieved employees. Females accounted for 230 or 55.02 of the aggrieved employees while male employees accounted for 178 or 42.58%. The unknown were 10 or 2.39%.

Table 4: Gender distribution among aggrieved employees

<table>
<thead>
<tr>
<th>Gender</th>
<th>P1</th>
<th>P2</th>
<th>P3</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unknown</td>
<td>0</td>
<td>0</td>
<td>10</td>
<td>10</td>
<td>2.39</td>
</tr>
<tr>
<td>Male</td>
<td>44</td>
<td>89</td>
<td>45</td>
<td>178</td>
<td>42.58</td>
</tr>
<tr>
<td>Female</td>
<td>42</td>
<td>144</td>
<td>44</td>
<td>230</td>
<td>55.02</td>
</tr>
<tr>
<td>Total</td>
<td>86</td>
<td>233</td>
<td>99</td>
<td>418</td>
<td>100</td>
</tr>
</tbody>
</table>

4.1. DISCUSSION OF THE RESULTS

The findings show that the Department of Health has the most number of grievances. The health cases were 136 (42.63%). The Department of Health has a predominantly professional workforce and one of the largest. Women are in the majority compared to men. If hospitals and other work areas of the Department of Health have injurious
conditions or adverse work conditions (exposure to hazards and temporal demands), then it is to be expected that majority of employees in the Department will seek redress through the grievance procedure if they think the process is fair and outcomes are certain. It is consistent with grievance studies on demographic difference, organisational justice and work context based studies. If there are, also, no opportunities for alternative employment, grievances will increase. The other departments had moderate cases ranging in Local government and Housing at 33(10.34%) to the lowest cases in the Office of the Premier with 9 cases (2.82%).

According to the findings, the highest grievances of 161 cases (50.47%) arose from performance assessment. This can have serous implications for pay increase because pay increase is pegged on performance (Croblser and Warnich, 2006:265). Unless there are task agreements, performance assessment will invite conflict. For example, performance assessments cannot always establish the “objective facts” or truth about one’s performance level (Cropanzano et.al., 2001:1-133). This is the reason why people will not simply trust a system of formal procedures designed by expert, even if it is said to be based on accurate information. They will give more importance to their capacity to influence by influencing the processes. For example, an appraisal system is viewed less as a fact-finding test and more as a trail involving two parties with potentially conflicting interest. Undermining authority had the lowest cases which numbered 2 accounting for (0.62%). This implies that employees have respect for authority and organizational policies.

The number of grievances lodged by African employees is higher than other racial groups at 361 (92.09%) cases out of a total of 392 cases. The majority of employees in the Province are Africans. Historically, Africans tended to have a lower power-dependence compared to whites. Due to democracy their power-dependence has increased. They will, therefore, file more grievance than other races rather than leaving an organization especially, if the alternative employment is not readily available. According to the literature, aversive supervision and job conditions, present employees with grievance opportunities. Therefore, this account for an increase in the number of grievances lodged by Africans. In this case the increase in grievance filing could be linked to temporal
work hours, the nature of supervision and compensation. Therefore, employees with higher power-dependency will file more grievances relative to employees with lower power-dependence. There was no grievance case from the whites. This might imply that they are totally happy at work. It may also mean that they do not want to complain and they could prefer to suffer in silence.

The findings show that there are no significant differences between the number of men 178 (42.58%) who file grievances compared to women 230 (55.02%). According to the literature (Petersen and Lewin), grievances filing by women is more sensitive to a grievance workplace conditions. Although earlier literature tended to support the view that men because of their high power-dependence will file more grievances than women. According to the literature, grievances filing by women is more sensitive to a grievance workplace conditions recent literature advanced the view that such differences are context dependent. For example, in an aversive workplace, women will tend to file more grievances than men.

5. RECOMMENDATIONS

The rate of grievances in an institution can mean an unhealthy condition or confidence in grievance management. Increase in filing grievance can be an indication of an aversive work condition that employees would like management to rectify, if they have confidence in the ability of management and the fairness of the process. On the other hand low grievance rate can mean that employees are happy or they suffer in silence in fear of management reprisal. Therefore, management need to demonstrate the following:

(1) that grievances are welcome and will be handled fairly and expeditiously and they serve to strengthen human resource management by providing an avenue for employee voice and thus a means available for resolving organizational conflicts;

(2) that management should devise strategies to manage younger, male, more educated and more skilled employees because these are employees who are most likely to file grievances;

(3) that the grievance active work group uses the grievance procedure to negotiate
benefits for themselves, and it is, therefore, important to strengthen human resource management by allowing employees to participate in the decisions that affect them;

(4) that management should analyse grievance procedure usage data to determine whether grievants and their line managers have lower job performance, promotions, work attendance and higher turnover than non-grievants and their supervisors;

(5) that management must determine, if management reprisal is taking place and take corrective action; and

(6) that management should formulate grievance management capacity programmes to develop the capacity of managers to handle grievances as one of their core functions, and to build employees’ confidence in the management of grievances.
6. REFERENCES


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