



# Fact Sheet on Grievance Resolution for the 2009/10 financial year

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## INTRODUCTION

The Public Service Commission (PSC) is pleased to present this Fact Sheet on grievance resolution in the Public Service for the 2009/10 financial year (FY). This is the second Fact Sheet produced by the PSC and provides an overview of statistical data on the status of grievances in the Public Service.

The mandate of the PSC to consider grievances of employees in the Public Service, concerning official acts or omissions, and recommend appropriate remedies, originates from section 196(4)(f)(ii) of the *Constitution of the Republic of South Africa, 1996*. In terms of section 196(6) of the Constitution, 1996, the PSC must report at least once a year, on its activities to the National Assembly as well as the legislatures of the nine provinces.

In line with its constitutional responsibility to report on the resolution of grievances in the Public Service, Rule 1.1 of the Rules for dealing with the grievances of employees in the Public Service, published in Government Gazette no 25209 on 25 July 2003, provides for a Head of Department (HoD) to monitor the management of grievances by maintaining a record of the number of grievances resolved from the beginning of each calendar year, and report to the PSC on a six monthly basis.

As all reporting by the Public Service is done on a financial year basis, HoDs were requested to submit their records of the number of grievances to the PSC in terms of a financial year. The PSC has thus far compiled two reports and a Fact Sheet on grievance resolution:

- The Report on Grievance Trends in the Public Service, 2007, covered the period 01 January 2005 until 30 June 2006.
- The Report on Grievance Trends in the Public Service, 2008 covered the periods 1 April 2006 to 31 March 2007 and 1 April 2007 to 31 March 2008 .
- The Fact Sheet: Grievance Resolution for the 2008/2009 financial year (FY), 2009.

This Fact Sheet looks at the statistical data provided by departments for the financial year 2009/10 in comparison with statistical data provided in the first Fact Sheet.

## Objectives of the Fact Sheet

The objectives of the Fact Sheet are to provide an overview of –

- grievances handled at departmental level, reported to the PSC in terms of Rule I.1 of the Grievance Rules, 2003 for the period 01 April 2009 until 31 March 2010; and
- grievances referred to the PSC for consideration in terms of section 196(4)(f)(ii) of the Constitution, 1996, for the period 01 April 2009 until 31 March 2010.



## Failure by departments to provide the PSC with grievance statistics

Heads of Department (HoDs) are through a circular reminded on a six monthly basis to submit their reports on the number of grievances resolved for the specific six monthly period. Since departments are regularly reminded to submit their reports on the number of grievances resolved to the PSC, it would be expected of departments to have their reports readily available. However, the PSC has to regularly follow-up with departments to submit their reports. Despite requests to departments to submit their reports, the PSC is left with no other option but to invoke its powers in terms of section 10(2)(a) of the *Public Service Commission Act, 1997*. The PSC may “*summons any person who may be able to give information of material importance concerning the subject of the inquiry or who has in his or her control any book, document or object which may have a bearing on the subject of the inquiry, to appear before the Commission*”. For the reporting period 01 October 2009 until 31 March 2010, the PSC summonsed the HoD of the Department of Education: KwaZulu-Natal Province to appear before an Inquiry of the PSC. This is an example of the seriousness with which the PSC regards failure by departments to comply with applicable prescripts.

## NUMBER OF GRIEVANCES LODGED WITHIN THE PUBLIC SERVICE

**Figure 1** provides an overview of the number of grievances lodged for the FYs 2006/07 to 2009/10. National and provincial departments reported a total of **7787** grievances lodged during the 2009/10 FY. In comparison with the number of grievances lodged during the 2008/09 FY (**6067**), there has been an increase of 28% in the number of grievances lodged for the 2009/10 FY. The increase in the number of grievances reported for the 2009/10 FY year can be ascribed to the fact that reports were received from all national and provincial departments. In previous reporting periods, reports were outstanding from some departments, which resulted in skewed reporting.

As can be seen from **Figure 2**, **3715** (48%) of the grievances were lodged by employees of national departments and **4072** (52%) by employees of provincial departments. Compared to the total number of employees in the Public Service (1 272 311)<sup>1</sup>, the number of grievances that are formally lodged do not appear to be excessive. This may be an indication that most employees are satisfied in their workplace. On the other hand, it may be an indication that employees are not familiar with the grievance procedure and therefore do not lodge grievances with their departments.

Figure 1: Number of grievances for the FYs 2006/07 to 2009/10

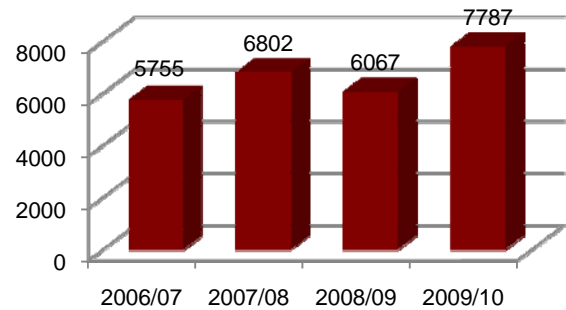


Figure 2: Number of grievances at national and provincial level



<sup>1</sup> Headcount as at 31 March 2010 as provided by the Department of Public Service and Administration



## Number of grievances lodged at national level

National departments reported a total of **3715** grievances lodged during the FY 2009/10. This is an increase of 24% from the number of grievances reported for the FY 2008/09 (**2992**).

**Table 1** provides a comparison of the number of grievances reported by national departments for the 2008/09 and 2009/10 FYs. The South African Police Service (SAPS) reported the highest number of grievances (**1546**), followed by the Department of Correctional Services (**1326**). Since between them these two departments employ 37%<sup>2</sup> of the total number of employees at national level, it is expected that they would report the highest number of grievances. However, it is alarming to note that between them, they reported 77% of the total grievances reported by national departments.

The Department of Justice and Constitutional Development (DJCD) reported the third highest number of grievances (**280**). In this case, it is encouraging to note that the Department had a decrease of 33% in the number of grievances in comparison with the previous FY.

The Department of Home Affairs also reported a decrease of 45% in the number of grievances for this reporting period. Similarly, the Department of International Relations and Cooperation (DIRCO) and the Department of Public Works reported a decrease in the number of grievances for the 2009/10 FY, with a 85% decrease for DIRCO and 25% decrease for the Department of Public Works. Although the statistics do not provide specific reasons for the decrease in the number of grievances, it may be ascribed to better management of human resource practices.

On the other hand, the increase in the number of grievances in some departments, such as Correctional Services, which more than tripled over the 2009/10 FY, is noted with concern. Similarly, the number of grievances in the Department of Agriculture, Forestry and Fisheries increased by 79% and in the case of the Department of Minerals Resources and Energy more than doubled.

Table 1: Number of grievances reported by national departments for the 2008/09 and 2009/10 FYs

| National Departments               | No of grievances |             |
|------------------------------------|------------------|-------------|
|                                    | 2008/09          | 2009/10     |
| Agriculture, Forestry & Fisheries  | 42               | 75          |
| Arts & Culture                     | 15               | 15          |
| Communications                     | 8                | 11          |
| Correctional Services              | 411              | 1326        |
| Cooperative Gov & Trad Affairs     | 3                | 1           |
| Defence*                           | 6                | 10          |
| Education*                         | 13               | 7           |
| Environment & Tourism              | 44               | 15          |
| GCIS                               | 2                | 1           |
| Health                             | 26               | 23          |
| Home Affairs                       | 185              | 101         |
| Human Settlements                  | 14               | 12          |
| Independent Complaints Directorate | 10               | 5           |
| DIRCO                              | 126              | 19          |
| DJCD                               | 421              | 280         |
| Labour                             | 16               | 13          |
| Minerals Resources & Energy*       | 12               | 28          |
| National Treasury                  | 1                | 7           |
| PALAMA                             | 1                | 12          |
| Presidency                         | 10               | 1           |
| Public Service & Administration    | 14               | 6           |
| Public Service Commission          | 4                | 1           |
| Public Works                       | 98               | 73          |
| Rural Development & Land Affairs   | 29               | 17          |
| SAPS                               | 1361             | 1546        |
| Science and Technology             | 0                | 4           |
| Social Development                 | 1                | 3           |
| Sport and Recreation SA            | 12               | 6           |
| Statistics SA                      | 24               | 20          |
| Trade & Industry                   | 18               | 19          |
| Transport                          | 23               | 8           |
| Water Affairs                      | 42               | 50          |
| <b>Total</b>                       | <b>2992</b>      | <b>3715</b> |

In respect of the 2009/10 FY, no grievances were reported in respect of the Departments of Economic Development, Public Enterprises, Women, Children & Persons with Disabilities and the Secretariat of Police.

\* The data on departments that were split after the 2009 general election are captured under the former names, as the new departments were not yet fully functional.

<sup>2</sup> Headcount as at 31 March 2010 as provided by the Department of Public Service and Administration



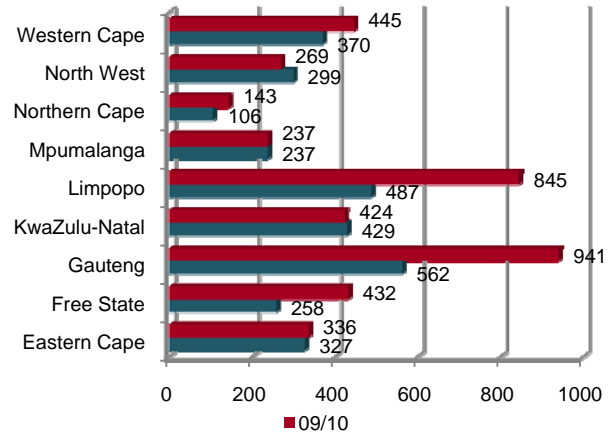
## Number of grievances lodged at provincial level

At provincial level, there has been an increase of 32% in the number of reported grievances (3075 for the 2008/09 FY against 4072 for the 2009/10 FY).

**Figure 3** provides a comparison of the number of grievances reported by the provinces for the two FYs. As can be seen, the Gauteng Province reported the highest total number of grievances for both FYs (1503), followed by the Limpopo Province (1332). The KwaZulu-Natal Province reported the third highest number of grievances for both financial years (853). However, if one looks at the number of cases for the 2009/10 FY, the Western Cape Province reported the third highest number of grievances (445) followed by the Free State Province with 432 cases.

The names of departments used are as were known before the new administration came into power. A breakdown per province for the 2008/09 and 2009/10 FYs, follows below:

Figure 3: Number of grievances on provincial level for the FYs 2008/09 and 2009/2010



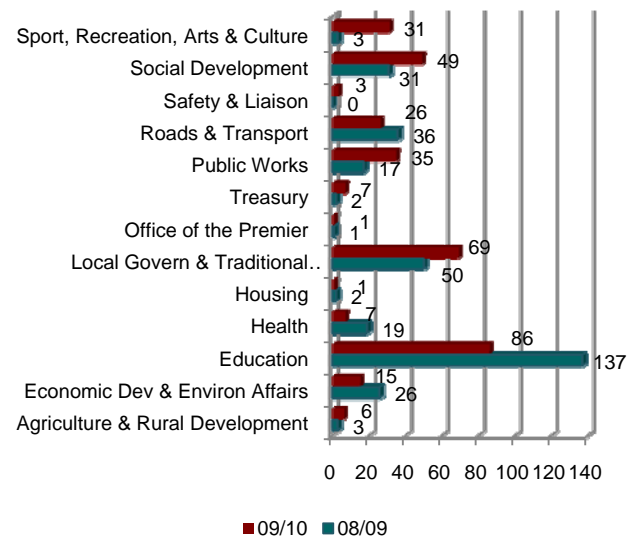
### Eastern Cape Province

The Departments in the Eastern Cape Province reported a total of 336 grievances for the 2009/10 FY. In comparison with the 2008/09 FY (327), the number of grievances has increased by 2%.

**Figure 4** provides a breakdown of the number of grievances for the two FYs per department. The Department of Education reported the highest number of grievances for the 2009/10 FY (86), which is a decrease of 37% from the 2008/09 FY. The Department of Local Government and Traditional Affairs reported the second highest number of grievances for the 2009/10 FY (69), which is an increase of 38% from the 2008/09 FY. The Department of Social Development follows with 49 cases for the 2009/10 FY. According to the number of grievances reported by the Department, it had an increase of 55% in the number of cases.

The Department of Health reported a decrease of 63% in the number of cases for the 2009/10 FY. If it is considered that the Department has the second highest number of employees in the Province (37 994)<sup>3</sup>, it is commendable that the Department had so few grievances for the past FY.

Figure 4: Number of grievances per department: Eastern Cape



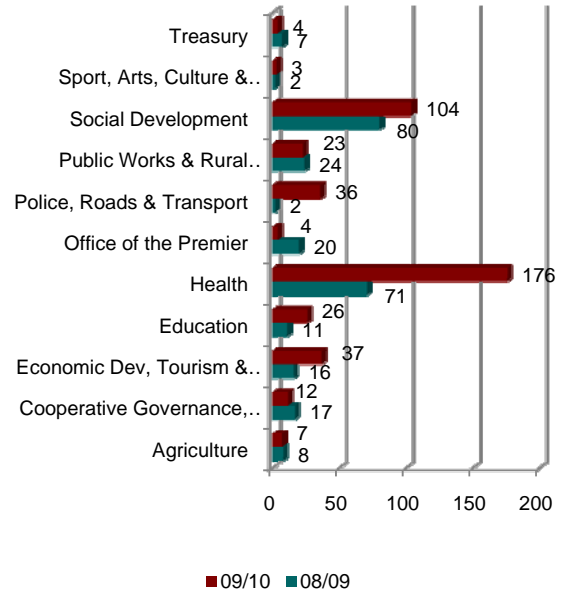
<sup>3</sup> Headcount as at 31 March 2010 as provided by the Department of Public Service and Administration

## Free State Province

Figure 5 provides an overview of the number of grievances per department for the two FYs in respect of the Free State Province. The departments reported a total of **690** grievances for both FYs indicating an increase from **258** to **432** (67%).

The Department of Health reported the highest number of grievances for the 2009/10 FY (**176**). It should be noted that although the Department did not report the highest number of grievances for the 2008/09 FY, it had a significant increase in the number of grievances for the 2009/10 FY (148%). The Department of Social Development reported the second highest number of grievances for the 2009/10 FY (**104**), indicating an increase of 30% in the number of grievances from the 2008/09 FY. The Department of Economic Development, Tourism and Environmental Affairs reported the third highest number of grievances for the 2009/10 FY (**37**), which is more than doubled compared to the 2008/09 FY (131%). Although it appears that the trend indicates a general increase in the number of grievances, it is encouraging to note a decrease in the number of grievances reported by some departments such as the Office of the Premier (80%).

Figure 5: Number of grievances per department: Free State



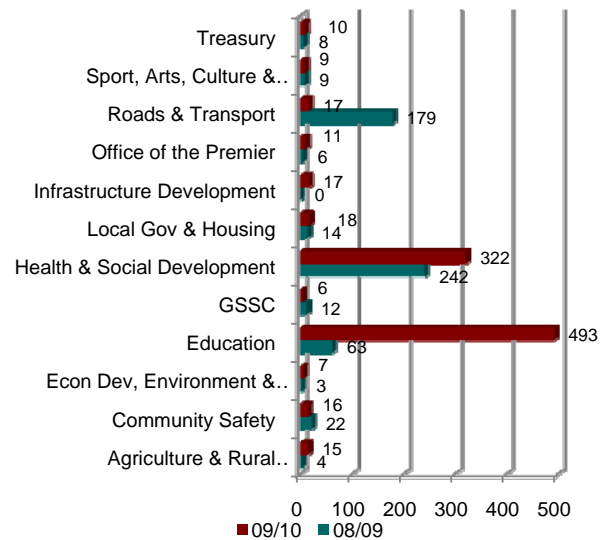
## Gauteng Province

The Gauteng Province reported a total of **1503** grievances over the two FYs. In comparison with the FY 2008/09, the number of grievances reported increased from **562** to **941** (67%) during the 2009/10 FY.

Figure 6 provides an exposition of the number of grievances per department for the two FYs. The Department of Education reported the highest number of grievances for the 2009/10 FY (**493**), which is more than 6 times higher than the 2008/09 FY (667%). The Department of Health and Social Development reported the second highest number of grievances for the 2009/10 FY (**322**). It is noted that this Department reported the highest number of grievances for the 2008/09 FY (**242**) and had an increase of 33% in the number of grievances.

It is encouraging to note that the Department of Transport reported only **17** grievances for the 2009/10 FY, which is a decrease of 90% from the 2008/09 FY. Similarly, the Department of Community Safety also reported a decrease in the number of grievances for the 2009/10 FY (27%).

Figure 6: Number of grievances per department: Gauteng



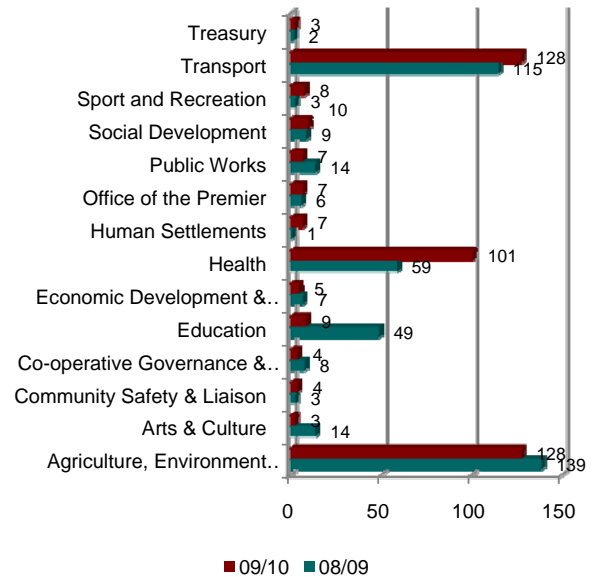
## KwaZulu-Natal Province

The KwaZulu-Natal Province reported a total of **853** grievances over the two FYs, indicating a decrease from **429** for the 2008/09 FY to **424** for the 2009/10 FY.

**Figure 7** provides an overview of the number of grievances reported by the departments for the two FYs. As can be seen, the Departments of Agriculture, Environment Affairs and Rural Development and Transport both reported the highest number of grievances for the 2009/10 FY (**128**). The Department of Agriculture, Environment Affairs and Rural Development had a slight decrease in the number of grievances from the 2008/09 FY (8%). The Department of Transport on the other hand, reported an increase in the number of grievances (11%). The Department of Health follows with a total of **101** grievances for the 2009/10 FY. In the case of the latter department, it is noted that the number of grievances increased by 71% for the 2009/10 FY.

The number of grievances reported by the Department of Education has decreased by 81%. Similarly, the Department of Arts and Culture also reported a decrease of 78%.

Figure 7: Number of grievances per department: KwaZulu-Natal

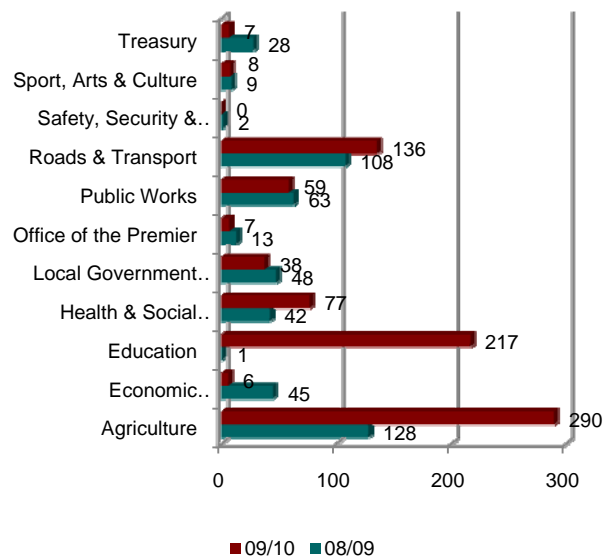


## Limpopo Province

**Figure 8** provides a breakdown of the number of grievances per department for the two FYs in respect of the Limpopo Province. In total, **1332** grievances were reported over the two FYs, with an increase of **487** to **845** (74%) grievances during the 2009/10 FY.

The Department of Agriculture has the highest number of grievances jointly over the two FYs (**418**) and reported more than double the number of cases for the 2009/10 FY. Department of Education reported the second highest number of grievances for the 2009/10 FY (**217**). It is disconcerting that the latter department reported a 200 fold increase in the number of grievances for the 2009/10 FY, which may indicate incorrect reporting by the Department for the 2008/09 FY. The Department of Roads and Transport reported the third highest number of grievances for the 2009/10 FY (**136**). In comparison with the 2008/09 FY, the latter Department had an increase of 26% in the number of grievances. It is encouraging that the Department of Economic Development, Environment and Tourism reported a decrease of 87% in the number of grievances for the 2009/10 FY.

Figure 8: Number of grievances per department: Limpopo



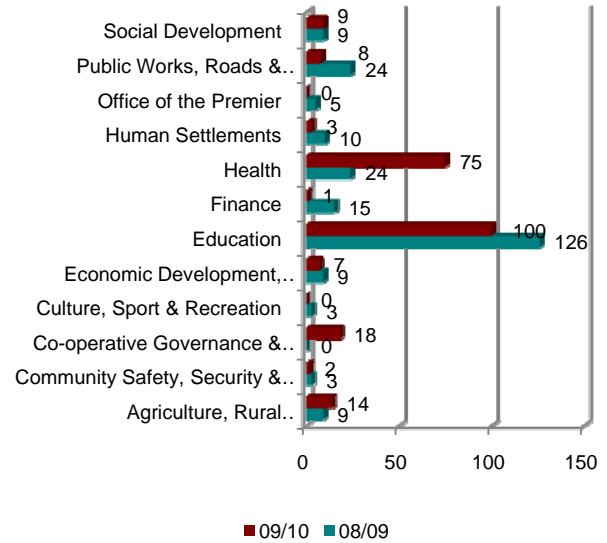
## Mpumalanga Province

Departments in the Mpumalanga Province did not report an increase in the number of grievances for the 2009/10 FY.

**Figure 9** provides an overview in respect of the number of grievances reported by departments for both FYs. In total, **474** grievances were reported for both FYs. Similar to the Gauteng Province, the Department of Education reported the highest number of grievances for the 2009/10 FY (**100**). However, the Department reported a decrease of 21% in the number of grievances for the 2009/10 FY, which is encouraging to note.

The Department of Health reported the second highest number of grievances for the 2009/10 FY (**75**). Contrary to the Department of Education, the Department of Health had an increase of 213% in the number of grievances for the 2009/10 FY. The Department of Co-operative Governance and Traditional Affairs reported the third highest number of grievances for the 2009/10 FY (**18**) compared to zero cases for the 2008/09 FY. The Department of Public Works, Roads and Transport, on the other hand, reported a decrease of 75% for the 2009/10 FY.

Figure 9: Number of grievances per department: Mpumalanga



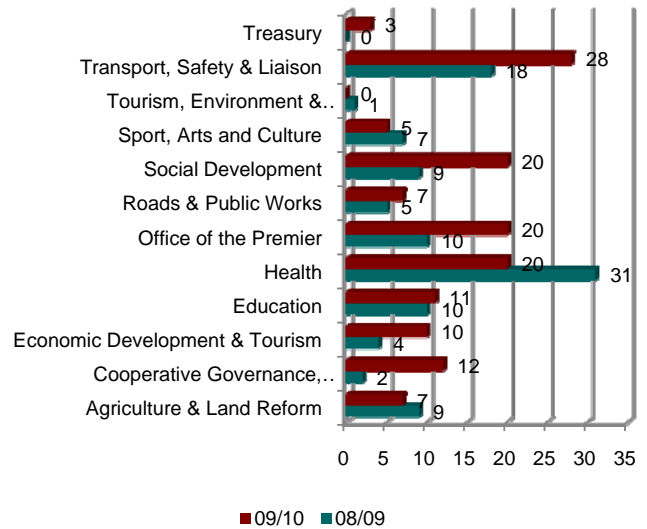
## Northern Cape

Similar to the above provinces, departments in the Northern Cape also reported an increase in the number of grievances for the 2009/10 FY.

A total of **249** grievances were reported by departments over the two FYs, with an increase from **106** to **143** grievances. **Figure 10** provides a breakdown in respect of the number of grievances for both FYs. It can be seen that the Department of Transport, Safety and Liaison reported the highest number of grievances for the 2009/10 FY (**28**), followed by the Departments of Social Development, Health and Office of the Premier with **20** grievances each. It is encouraging that the Department of Health reported a decrease of 35% for the 2009/10 FY.

However, the increase in the number of grievances reported by Office of the Premier (100%), is cause for concern. It is also disconcerting to note that the Departments of Cooperative Governance, Human Settlements and Traditional Affairs, and Social Development had reported high increases in the number of grievances (500% and 122% respectively).

Figure 10: Number of grievances per department: Northern Cape



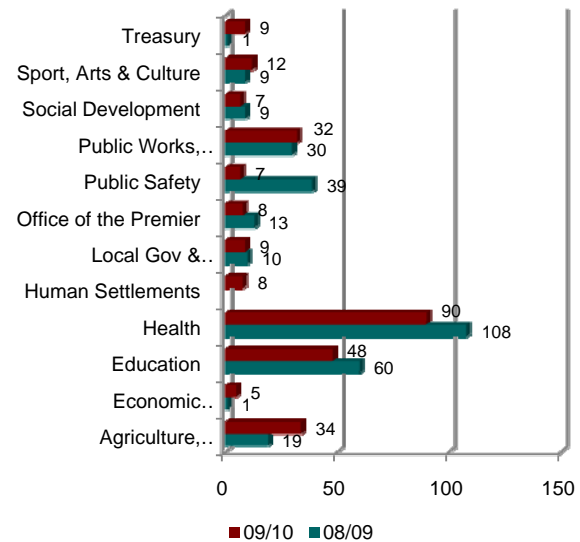
## North West Province

The North West Province reported the largest decrease in the number of grievances for the 2009/10 FY. Departments reported **269** grievances for the 2009/10 FY, against **299** grievances for the 2008/09 FY.

**Figure 11** provides a breakdown of the number of grievances per department for the two FYs. Although the Department of Health reported overall the highest number of grievances for the 2009/10 FY (**90**), it had a decrease of 17% in the number of grievances for the 2009/10 FY. The Department of Education reported the second highest number of grievances for the 2009/10 FY (**48**) which represents a decrease of 20% in the number of cases for the 2009/10 FY.

The Department of Public Works, Roads and Transport reported the third highest number of grievances for the 2009/10 FY (**32**), with a slight increase of 7% in the number of grievances.

Figure 11: Number of grievances per department: North West



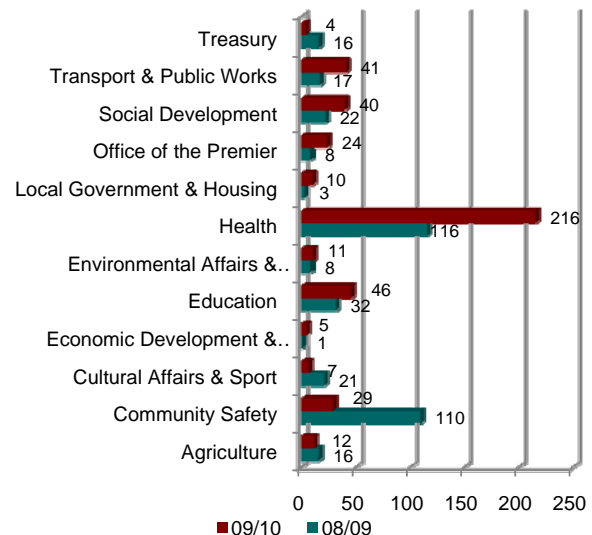
## Western Cape

Departments in the Western Cape Province reported a total of **815** grievances for the two FYs. A breakdown between the two periods, indicates that the number of grievances reported, increased from **370** for the 2008/09 FY to **445** for the 2009/10 FY.

**Figure 12** provides an overview of the number of grievances per department for the two FYs. The Department of Health reported a total of **332** grievances over the two FYs, with an increase of 86% in the number of grievances for the 2009/10 FY. The second highest number of grievances for the 2009/10 FY, is reported by the Department of Education (**46**) depicting an increase of 44% in the number of grievances. The Department of Transport and Public Works follows with **41** grievances of the 2009/10 FY, indicating an increase of 141% from the 2008/09 FY. Similarly, the Department of Social Development also reported a high increase in the number of grievances for the 2009/10 FY (82%).

On the other hand, it is encouraging to note that the Department of Community Safety which reported a high number of cases for the 2008/09 FY (**110**), reported a decrease of 74% in the number of grievances for the 2009/10 FY.

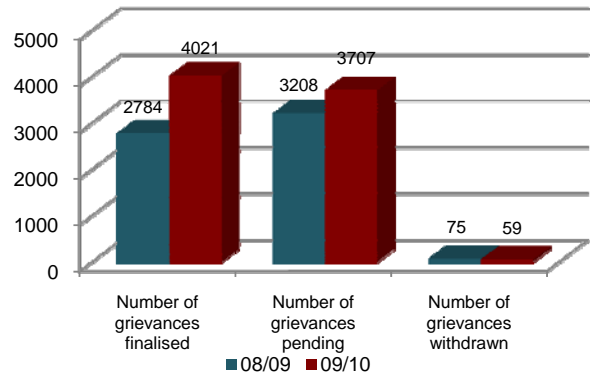
Figure 12: Number of grievances per department: Western Cape



## Status of the resolution of grievances

A disgruntled employee expects the employer to attend to his/her grievance as soon as the grievance is lodged with employer. At the core of every grievance procedure lies the importance of finalising a grievance within a prescribed time frame. In terms of the Grievance Rules, 2003, a Department, including the Executive Authority should conclude a grievance within a period of 30 working days. **Figure 13** provides a breakdown of the status of grievances for the two FYs and shows that 52% of the total number of grievances were finalised during the FY 2009/10, of which 1% were withdrawn by the aggrieved employees. This is an improvement of 6% in comparison with the FY 2008/09 where 46% of the grievances were finalised. However, the fact that 48% of the cases for the FY 2009/10 remained pending, is a worrying factor. Furthermore, according to the reports submitted by departments, only 61% of the grievances were finalised within the time frame of 30 working days determined by the Grievance Rules, 2003.

Figure 13: Status of grievances



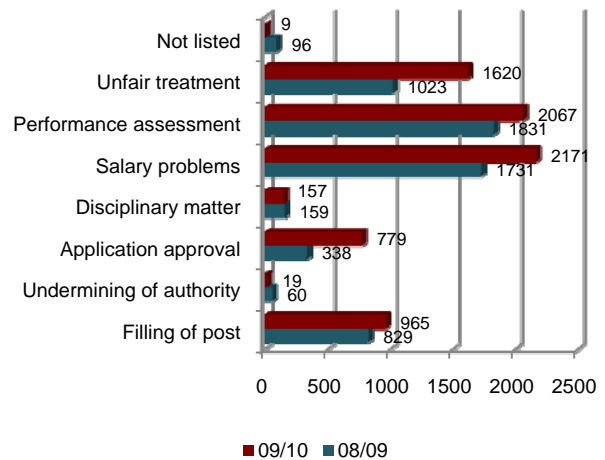
The importance of ensuring that outstanding grievances are attended to timeously, is crucial in creating a satisfied workforce. Only if employees see that their employers take their dissatisfactions seriously, will the morale of the workforce improve.

## Nature of grievances

Employees normally raise dissatisfactions with their employers which relate to their employment relationship in the workplace. These dissatisfactions can range from issues such as the filling of a post to victimisation/discrimination. In order to categorise the types of dissatisfactions raised by employees, dissatisfactions are captured in seven categories.

**Figure 14** provides a breakdown of the number of grievances per category for the two FYs as reported by departments. For the 2008/09 FY, grievances relating to performance assessment comprised the majority of grievances. This picture changed during the 2009/10 FY in that grievances relating to salary related matters rated the highest (2171). The most common reason for grievances in this category can be linked to the implementation of the Occupational Specific Dispensation (OSD). Performance assessment related grievances rated the second highest (2067) for the 2009/10 FY. It should be noted that the PSC has in its previous reports highlighted its concern with the high number of grievances relating to performance assessment<sup>4</sup>. Grievances rated under the category "Unfair Treatment", have increased with 58% during the 2009/10 FY. Dissatisfactions that fall within this category, relate to issues such as alleged discrimination, victimisation and personal relationships.

Figure 14: Nature of grievances



The increase in dissatisfactions falling within this category, gives rise to concern as it may be symptomatic of unfair labour practices within departments, which departments should take note of.

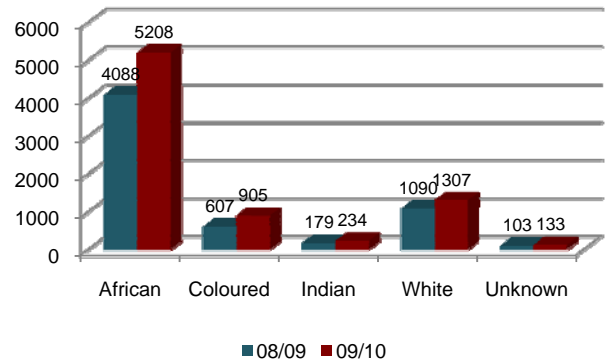
<sup>4</sup> Republic of South Africa. Public Service Commission. Report on Grievance Trends in the Public Service for the periods 1 April 2006 to 31 March 2007 and 1 April 2007 to 31 March 2008.



## Race distribution of aggrieved employees

As depicted in **Figure 15**, 67% (5208) of the aggrieved employees were African, followed by White, 17% (1307), Coloured, 11% (905), and Indian 3% (234). It is disconcerting to note that in 2% of the cases, the departments did not indicate the race of the aggrieved employees. In comparison with the 2008/09 FY, the distribution in respect of race remained more or less the same. For the 2008/09 FY, 67% of the grievances were lodged by African, 18% by White, 10% by Coloured and 3% by Indian employees. The percentage of aggrieved employees per race, is more or less in keeping with the employee demographics in the Public Service as at 31 March 2010<sup>5</sup>, in that 78% of the Public Service comprises of African, 10% of White, 9% of Coloured and 3% of Indian employees.

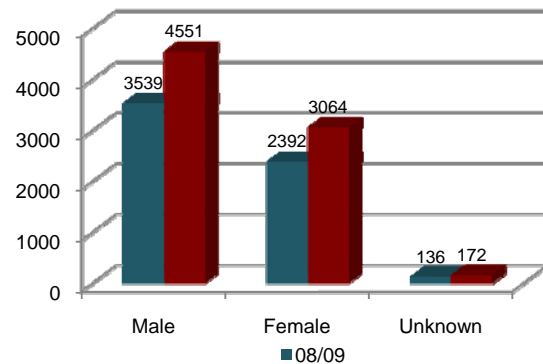
Figure 15: Race distribution of employees



## Gender distribution of aggrieved employees

The picture that emerges from the gender distribution of employees as depicted in **Figure 16**, indicates that for the 2009/10 FY, 59% (4551) of the grievances reported were lodged by male employees, against 39% (3064) that were lodged by female employees. In comparison with the 2008/09 FY, it appears that there has been no change in the percentage of aggrieved employees. It is noted with discontentment that in 2% (172) of cases, the departments did not indicate the gender of the employees. If it is considered that in terms of the employee demographics of the Public Service as at 31 March 2010<sup>6</sup>, the Public Service comprised of 56% males and 44% females; the percentage of grievances lodged by the different genders, is not significantly different.

Figure 16: Gender distribution of employees

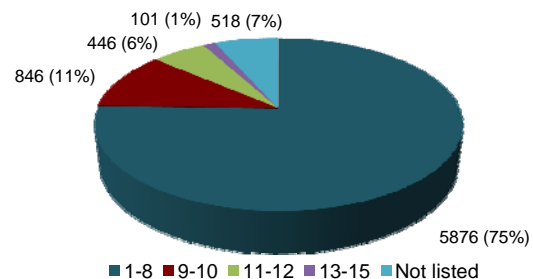


## Distribution of employees across salary levels

Departments are requested to provide the rank (designation) and salary levels of aggrieved employees in their reporting to the PSC. However, due to the wide variety of designations of employees, an overview of the salary levels of aggrieved employees are provided in **Figure 17**. The salary levels are grouped together as follows:

- Levels 1-8
- Levels 9-10
- Levels 10-11
- Levels 13 – 15

Figure 17: Salary levels of aggrieved employees



<sup>5</sup> Headcount as at 31 March 2010 as provided by the Department of Public Service and Administration

<sup>6</sup> Headcount as at 31 March 2010 as provided by the Department of Public Service and Administration

**Figure 17** *supra* indicates that 75% (**5876**) of the aggrieved employees are employed on salary levels 1 – 8. These are in most instances, employees on production level. 11% (**846**) of the aggrieved employees are on salary levels 9 and 10, which are on middle management level. In 6% (**446**) of the cases, the aggrieved employees are on the level of Deputy Director (salary levels 11-12) and 1% (**101**) of the aggrieved employees fall within the Senior Management Service. The percentage of aggrieved employees is more or less in line with the demographics of employees in the Public Service as at 31 March 2010<sup>7</sup>. In this regard, 82% of the Public Service comprises of employees on salary levels 1 to 8, 13% on salary levels 9-10, 4% on salary levels 11-12 and 1% on salary levels 13-15.

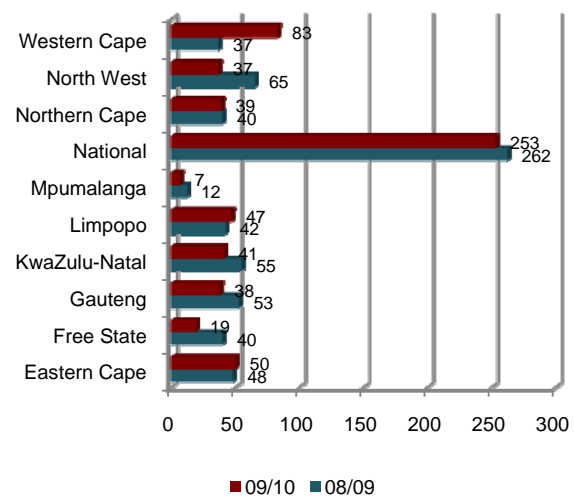
## GRIEVANCES REFERRED TO THE PSC

The PSC has a constitutional mandate to consider grievances of aggrieved employees in the Public Service. Grievances of employees may be referred to the PSC for consideration in terms of the provisions of sections 35(1) and (2) of the *Public Service Act, 1994* (as amended), once the internal grievance procedure has been exhausted. Grievances that are referred to the PSC and a recommendation(s) on its findings, is/are submitted to the Executive Authority. However, Rule F.11 of the Grievance Rules, 2003, provides that an employee may opt to refer his/her grievances to the PSC, if the Department has failed to resolve his/her grievances within the prescribed time frame. The PSC, upon receipt of such grievances, does not consider such grievances if the internal grievance procedure has not been exhausted, but plays a facilitating role in the resolution of such grievances.

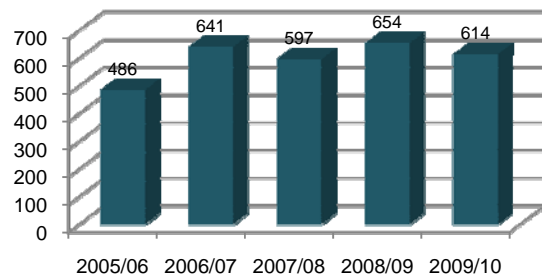
**Figure 18** provides an overview in respect of the number of grievances referred to the PSC over the two FYs. In total, **614** grievances were referred to the PSC during the 2009/10 FY. This is a decrease of 6% from the 2008/09 FY when **654** grievances were referred to the PSC.

**Figure 19** provides an overview of the number of grievances referred to the PSC from the 2005/06 FY to 2009/10 FY. Apart from the slight decrease in the number of grievances for the 2007/08 FY, the number of grievances remains above the 600 mark. The Department of Health: Western Cape Province referred the highest number of grievances to the PSC for the 2009/10 FY (**73**). Most of the grievances referred by the Department of Health were in respect of the implementation of the OSD for nursing staff. Grievances received from the Department of Justice and Constitutional Development rated the second highest (**57**), followed by the Department of Home Affairs with **47** grievances and Correctional Services with **17**.

*Figure 18: Grievances referred to the PSC*



*Figure 19: Total of the number of grievances referred to the PSC from 2005/06 to 2009/10*



<sup>7</sup> Ibid

## Status of grievances referred to the PSC

As indicated above, employees may refer their grievances to the PSC in terms of the provisions of Rule F.11 of the Grievance Rules, 2003. However, as the internal grievance procedure would not be exhausted in such cases, the PSC refers these grievances to the employing departments for their handling. **Figure 20** provides an exposition of the status of grievances received by the PSC for the FY 2009/10. Of the total of **614** grievances, **298** grievances were referred to departments for their handling in terms of the applicable grievance procedure. These grievances are regarded as “Referred (closed)”.

The PSC finalised **165** grievances, and **67** grievances were closed as a result of the facilitation of the resolution of these grievances by the PSC. **84** grievances were pending due to inadequate and incomplete information provided to the PSC. **Figure 21** provides a further breakdown in respect of the grievances that were finalised and indicates that the PSC made recommendations in respect of **96** cases to the Executive Authority.

In its previous reports, the PSC highlighted the disappointing non-compliance of departments in the finalisation of grievances within the prescribed time frame. Compliance with the prescribed timeframes would ensure that less employees refer their grievances to the PSC in terms of Rule F.11 of the Grievance Rules, 2003.

During the past two FYs, the PSC summonsed the HoDs of the departments indicated in Table 2 for the poor management of grievances, which is an indication of the seriousness accorded by the PSC to the non-compliance of departments with the Grievance Rules.

The PSC intends to act more strictly with non-complying departments and will not hesitate to summons HoDs of departments where cases have been outstanding for periods of six months and longer.

Figure 20: Status of grievances for the FY 2009/10

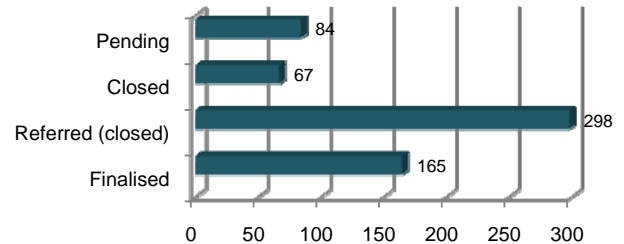


Figure 21: Breakdown in respect of finalised cases

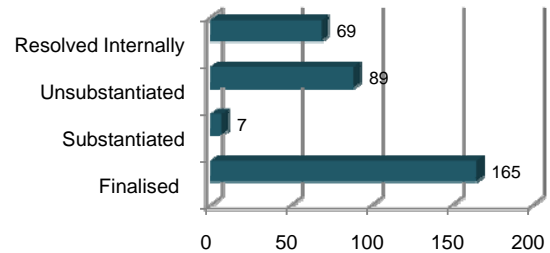


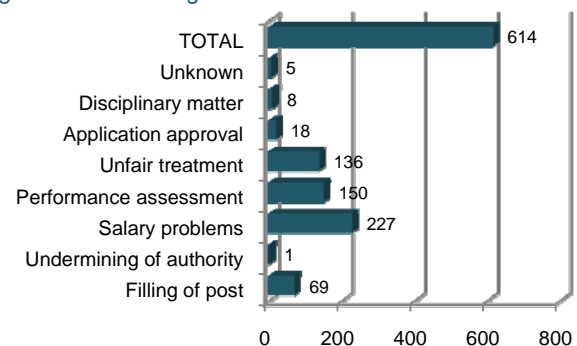
Table 2: Departments summonsed for the poor management of grievances

| National/Provincial | Department   |
|---------------------|--|
| National            | Justice and Constitutional Development                   |
|                     | Trade and Industry                                       |
|                     | Labour   |
| KwaZulu-Natal       | Health   |
|                     | Education  |
|                     | Agriculture, Environmental Affairs and Rural Development |
| Limpopo             | Education  |
|                     | Health and Social Development                            |
|                     | Roads and Transport                                      |

## Nature of grievances referred to the PSC

**Figure 21** indicates that, similar to the reporting of departments, most of the grievances referred to the PSC, related to salary problems. In this regard, **227** cases related to salary problems, followed by matters relating to performance assessment (**150**) and unfair treatment (**136**). On an increasing scale, employees are lodging grievances relating to the implementation of the OSD. From grievances that have been dealt with by the PSC, it is clear that employees are not well informed of the grievance procedure. In most cases, employees had an expectation that their translation would be more beneficial

Figure 21: Nature of grievances



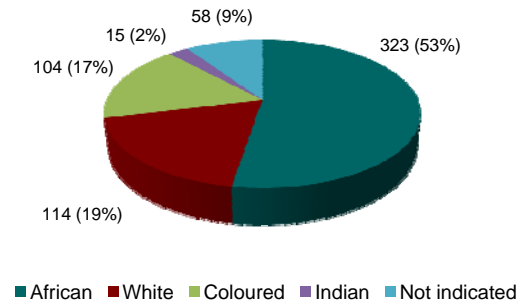
to them. In order to ensure that employees are knowledgeable on the process, it is imperative that departments provide continuous training on the implementation of the OSD to their employees.

### Race distribution of grievances referred to the PSC

**Figure 22** provides a breakdown in respect of the racial distribution of aggrieved employees. As can be seen, 53% of the grievances were lodged by African employees, followed by Whites (19%), Coloureds (17%) and Indian (2%). In 9% of the cases, the race of the aggrieved employees was not indicated.

In comparison with the 2008/09 FY, the number of grievances referred by Coloured employees has increased with 65%. This increase can be ascribed to the increase in number of grievances from the Department of Health: Western Cape. In terms of the demographics of the Public Service<sup>8</sup>, the Western Cape is the province with the highest number of Coloured employees.

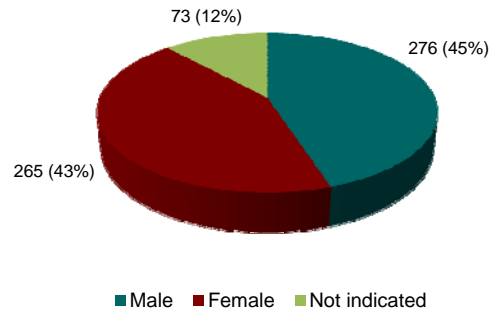
Figure 22: Racial distribution of aggrieved employees



### Gender distribution of grievances referred to the PSC

**Figure 23** depicts that 45% of the grievances referred to the PSC, comprised of male employees. In 43% of the cases, the aggrieved employees were female. 12% of the cases did not have an indication of the gender of the employees. In comparison with the employee demographics of the Public Service<sup>9</sup>, it appears that male employees are more prone to lodging grievances than female employees.

Figure 23: Gender distribution of aggrieved employees



## CONCLUSION

This Fact Sheet provides a statistical analysis of grievance resolution for the 2009/10 FY. It is disconcerting that whereas the number of aggrieved employees appeared to have decreased in the FY 2008/09, the number has increased significantly in the 2009/10 FY. Although the information submitted to the PSC does not provide specific reasons for the increase in the number of grievances, it appears that departments are not serious about the management of grievances. This is evident from the fact that grievances are not resolved within the prescribed timeframes, which results in employees losing faith in the grievance procedure.

<sup>8</sup> Headcount as at 31 March 2010 as provided by the Department of Public Service and Administration

<sup>9</sup> Headcount as at 31 March 2010 as provided by the Department of Public Service and Administration

