



**FACT SHEET ON GRIEVANCE  
RESOLUTION FOR THE 2017/18  
FINANCIAL YEAR**

**DECEMBER 2018**

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**List of Acronyms**

DCS	:	Department of Correctional Services
COGTA	:	Co-operative Governance and Traditional Affairs
COGHSTA	:	Co-operative Governance, Human Settlements and Traditional Affairs
DPSA	:	Department of Public Service and Administration
FY	:	Financial year
GCIS	:	Government Communication Information Services
IPID	:	Independent Police Investigative Directorate
HoD	:	Head of Department
OPSC	:	Office of the Public Service Commission
PSC	:	Public Service Commission
PMDS	:	Performance Management and Development System
SA	:	South Africa
SAPS	:	South African Police Service
SMS	:	Senior Management Service

## 1. INTRODUCTION AND BACKGROUND

The Public Service Commission (PSC) is mandated in terms of section 196(4)(b) of the *Constitution of the Republic of South Africa*, 1996, to investigate, monitor and evaluate the organisation, administration and personnel practices of the Public Service. Section 196(4)(f)(ii) of the *Constitution*, 1996, read with section 35(1) of the *Public Service Act*, 1994, further mandates the PSC to investigate grievances of employees in the Public Service concerning official acts or omissions. 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 and the provincial legislatures of the nine provinces.

The PSC published Rules on Referral and Investigation of Grievances of Employees in Public Service (the Rules) on 21 October 2016 in Government Gazette 40359. In terms of Rule 19 (4) the PSC must, on a six monthly basis, request Heads of Department to provide the PSC with information relating to grievance resolution in their departments in order for the PSC to –

- analyse trends and promote the cultivation of good human resource management and career development in order to maximize human potential in the Public Service;
- promote accountability in public administration; and
- report on departments that fail to respond to the PSC's recommendations made in respect of grievances.

## 2. OBJECTIVES OF THE FACT SHEET

The objectives of the Fact Sheet are to provide –

- a statistical overview in respect of grievance resolution within the Public Service for the 2017/18 financial year (fy), as reported by national and provincial departments;
- a statistical comparison of grievances reported for the 2015/16, 2016/17 and 2017/18 financial years; and
- an overview in respect of the number of grievances investigated by the PSC and the findings made in respect of these grievances.

## 3. STATISTICAL OVERVIEW

### 3.1 Overview of the total number of grievances lodged

A total of **8770** grievances were reported in both national and provincial departments for the 2017/18 fy, which reflects a decrease of 2.9% from the total of **9031** grievances reported for the 2016/17 fy. However, in comparison with the total of **9191** grievances that were reported for the 2015/16 fy, the number of grievances for the 2017/18 fy has decreased by 4.6%. **Figure 1** provides an overview of the total number of grievances reported by departments for the three financial years.

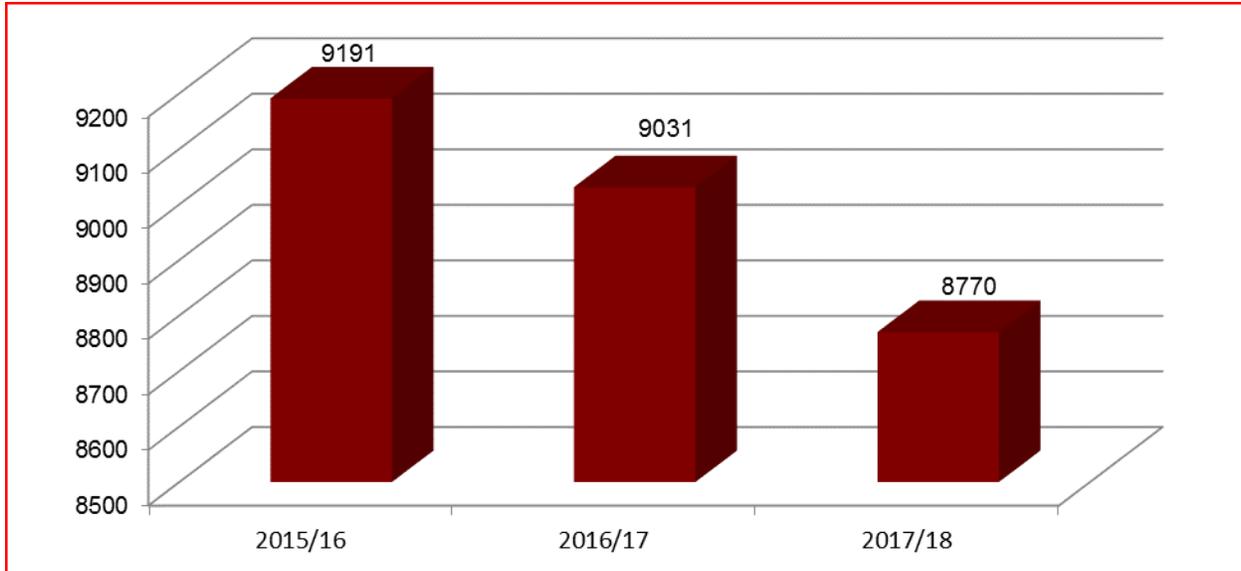


Figure 1: Total number of grievances lodged in the Public Service

A further breakdown in respect of the number of grievances lodged with national and provincial departments is provided in **Figure 2**. National departments reported a total of **3914** cases for the 2017/18 fy, which reflects a decrease of 1.3% from **3965** cases reported for the 2016/17 fy, and a decrease of 4.3% from the total of **4092** cases reported for the 2015/16 fy. Provincial departments reported a total of **4856** cases for the 2017/18 fy. The reporting by provincial departments indicates a decrease of 4.1% in comparison to the reporting of **5066** cases for the 2016/17 fy, and a decrease of 4.8% compared to **5099** cases reported for 2015/16 fy.

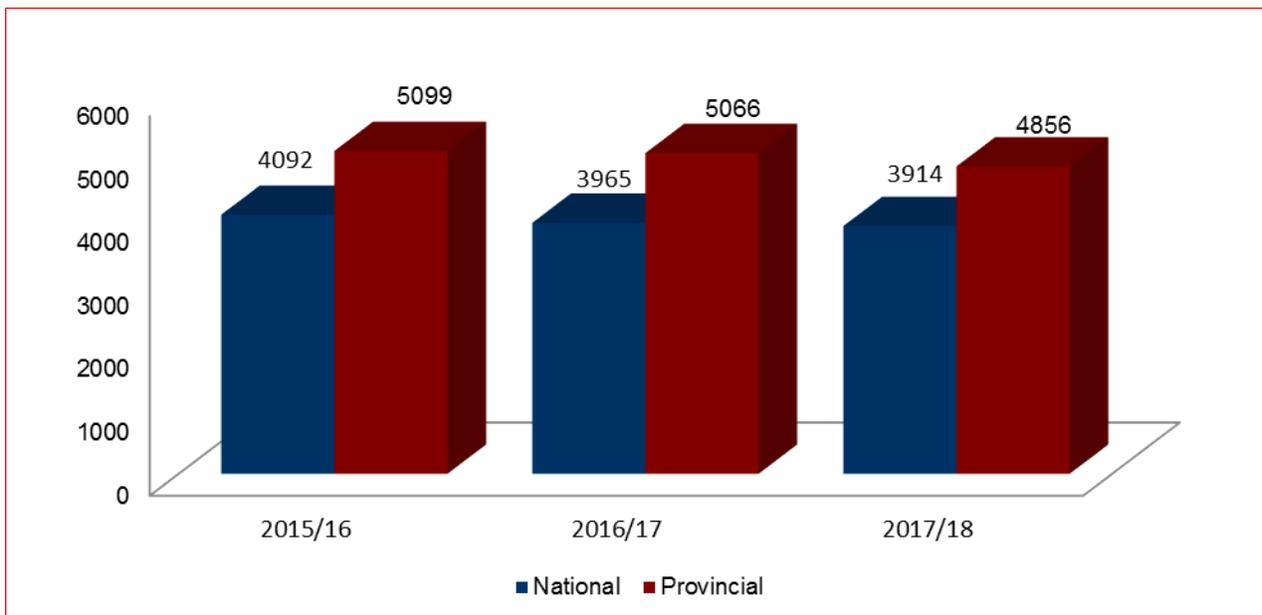


Figure 2: Number of grievances lodged with national and provincial departments

### 3.2 Total number of collective grievances reported

A total number of **177** collective grievances were reported by national and provincial departments for the 2017/18 fy. This is a decrease of 19.5% from the total of **220** cases reported for the 2016/17 fy. In comparison with the total number of **167** cases reported for the 2015/16 fy, the total number of collective grievances for the 2017/18 fy indicates an increase of 6%. An overview in respect of the number of collective grievances reported by national and provincial departments is provided in **Table 1** below.

*Table 1: Number of collective grievances reported by national and provincial departments*

National and Provincial departments	2015/16	2016/17	2017/18
<b>National</b>	138	154	136
<b>Eastern Cape</b>	2	4	0
<b>Free State</b>	12	7	7
<b>Gauteng</b>	6	14	14
<b>KwaZulu-Natal</b>	1	19	6
<b>Limpopo</b>	3	11	11
<b>Mpumalanga</b>	1	0	1
<b>Northern Cape</b>	0	1	1
<b>North West</b>	3	10	1
<b>Western Cape</b>	1	0	0
<b>Total</b>	<b>167</b>	<b>220</b>	<b>177</b>

As illustrated in **Table 1** above, a total of **136** collective grievances were reported by national departments for the 2017/18 fy. The Department of Correctional Services (DCS) reported the highest number of collective grievances (**61**), followed by the South African Police Service (SAPS) with **58** cases. In comparison with 2016/17 fy, it is noted that the number of collective grievances reported by the DCS, increased by 24.5% from **49** cases to **61**. In respect of SAPS, the number of collective cases for 2016/17fy decreased by 27.5% from **80** cases, compared to **58** cases reported in the 2017/18 fy.

### 3.3 Number of grievances reported with National Departments

National departments reported a total of **3914** grievances for the 2017/18 fy. This includes **136** collective grievances reported by national departments. **Table 2** provides an overview of the number of grievances reported by national departments from the 2015/16 to the 2017/18 financial years.

*Table 2: Number of grievances reported by national departments*

Department	No of grievances		
	2015/16	2016/17	2017/18
Agriculture, Forestry and Fisheries	89	90	74
Arts and Culture	13	5	8
Basic Education	9	11	2
Civilian Secretariat for Police	3	2	7

Department	No of grievances		
	2015/16	2016/17	2017/18
Communications	0	1	3
Cooperative Governance	2	5	6
Correctional Services	967	984	939
Defence	441	487	205
DPSA	14	9	21
Economic Development	8	4	9
Energy	21	22	21
Environmental Affairs	90	23	47
GCIS	1	3	11
GPAA	0	13	45
Government Printing Works	48	23	24
Health	33	59	16
Higher Education and Training	61	118	84
Home Affairs	94	95	76
Human Settlements	11	15	9
International Relations and Cooperation	31	17	18
IPID	22	11	9
Justice and Constitutional Development	409	323	236
Labour	217	236	259
Military Veterans	4	1	22
Mineral Resources	20	21	18
National School of Government	4	5	6
National Treasury	10	17	7
Office of the Chief Justice	8	24	11
OPSC	3	4	6
Planning, Monitoring and Evaluation	4	6	12
Public Enterprises	0	2	0
Presidency	9	9	7
Public Works	68	82	100
Rural Development and Land Reform	111	68	274
SAPS	980	943	919
Science and Technology	2	2	5
Small Business Development	7	4	12
Social Development	6	5	3
Sport & Recreation SA	0	0	1
Statistics SA	0	39	31
Telecommunications and Postal Services	7	7	7
Tourism	6	5	7
Trade and Industry	82	65	67
Transport	49	5	21
Traditional Affairs	1	0	1

Department	No of grievances		
	2015/16	2016/17	2017/18
Water and Sanitation	122	90	243
Women	5	5	5
<b>Total</b>	<b>4092</b>	<b>3965</b>	<b>3914</b>

The DCS reported the highest number of grievances, namely **939** cases for the 2017/18 fy. In comparison with the previous financial year of 2016/17, a decrease of 4.6% is noted from **984** grievances, and a decrease of 2.9% is noted from the reporting of **967** cases for the 2015/16 fy.

The second highest number of grievances for the 2017/18 fy were reported by SAPS with **919** cases, which shows a decrease of 2.6% from **943** cases reported for the 2016/17 fy, and a 6.2% decrease from the **980** cases reported for the 2015/16 fy.

The Department of Rural Development and Land Reform reported the third highest number of grievances with **274** for the 2017/18 fy, which was an increase of 302.9% from the total of **68** cases reported for 2016/17 fy. This was due to **154** cases relating to performance assessment reported by employees between salary levels 2 to 12. In comparison with the 2015/16 fy, the total number of cases increased with 146.9% from the total of **111** cases reported.

The Department of Labour follows with **259** grievances, an increase of 9.7% from the **236** cases reported for the 2016/17 fy and 19.3% increase from the **217** grievances reported for the 2015/16 fy.

In comparison with the reporting for the 2016/17 fy, the Department of Water and Sanitation reported an increase of 170% in the number of grievances for the 2017/18 fy, as reflected by **243** reported cases against **90** reported cases for the 2016/17 fy. This vast increase of reported cases is due to **172** cases relating to the upgrading of salaries for Security Officers, General Workers and Messengers/Drivers at levels 2-4. This is despite the Department of Water and Sanitation not having reported for the October 2017 until March 2018 reporting period. In comparison with the 2015/16 fy, the number of cases for the department increased by 99.2% from the total of **122** cases.

### 3.4 Number of grievances lodged with Provincial Departments

For the 2017/18 fy, departments at provincial level reported a total of **4856** grievances, which in comparison with the 2016/17 fy, decreased by 4.2% from **5066** cases, and further decreased by 4.8% from **5099** cases for the 2015/16 fy.

**Figure 3** below, provides an overview in respect of the total number of grievances reported by provincial departments, including collective grievances.

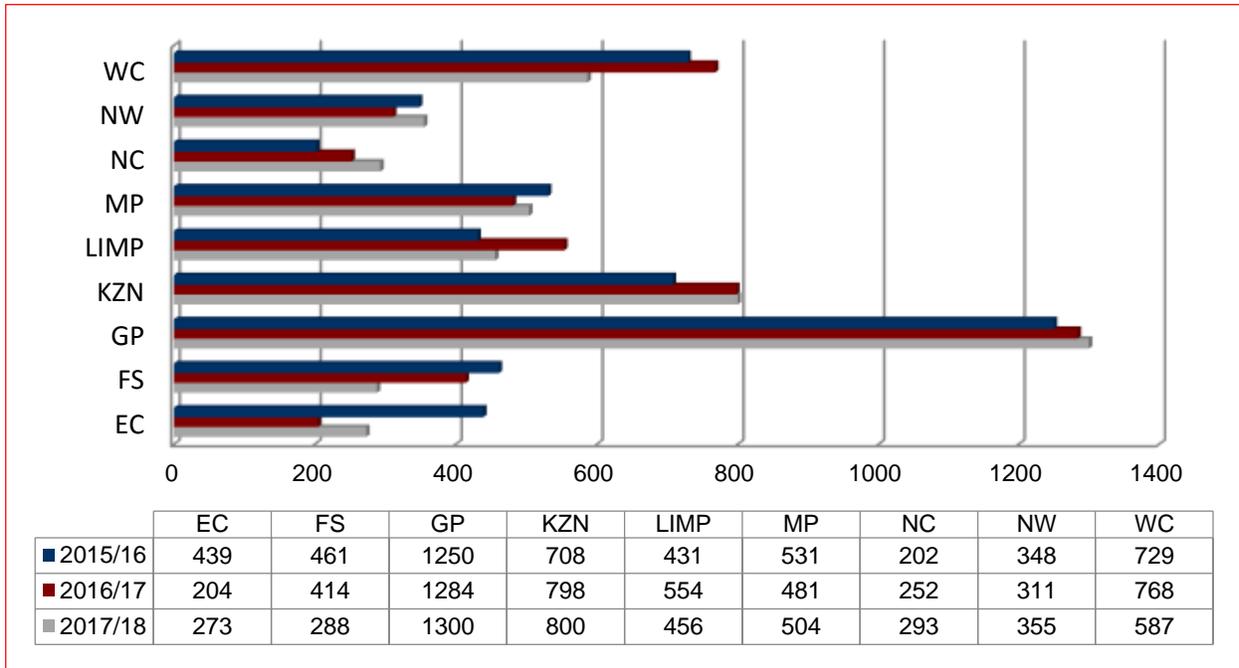


Figure 3: Total number of grievances per province

Similar, to the previous reporting periods, the Gauteng Province reported the highest number of grievances for the 2017/18 fy with **1300** cases, reflecting an increase of 1.2% from the previous financial year where **1284** cases were reported. In comparison with the total of **1250** cases reported for the 2015/16 fy, the number of cases for the 2017/18 fy has increased with 4%.

The KwaZulu-Natal Province follows with **800** grievances for the 2017/18 fy, which is a slight increase of 0.3% from the reporting of **798** grievances for the 2016/17 fy and an increase of 13% from the total of **708** cases reported for the 2015/16 fy.

The Western Cape Province reported the third highest number of grievances, with **587** cases for the 2017/18 fy, which is a decrease of 23.6% from the total of **768** cases reported for the 2016/17 fy and a decrease of 19.5% from the **729** cases reported for the 2015/16 fy.

A detailed overview in respect of each province is provided in the sections below.

### 3.4.1 Eastern Cape Province

A total of **273** cases were reported by the Eastern Cape Provincial departments for the 2017/18 fy, which indicates an increase of 33.8% from the total of **204** cases reported for the 2016/17 fy and a decrease of 37.8% from the total of **439** cases reported for the 2015/16 fy. **Figure 4** below, provides an overview in respect of grievances reported by the Eastern Cape departments for the past three financial years.

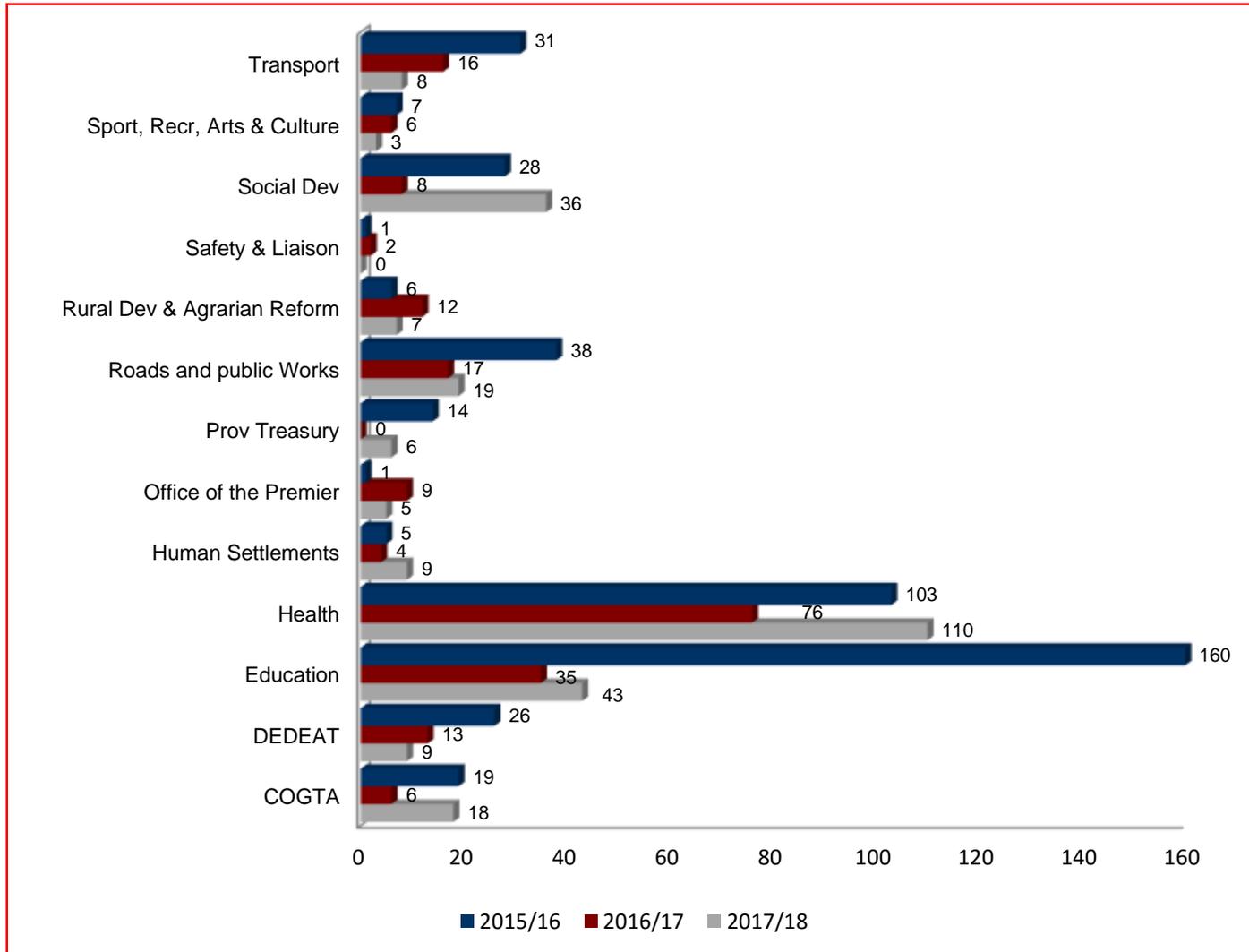


Figure 4: Number of grievances reported by Eastern Cape departments

The Department of Health reported the highest number of grievances for the 2017/18 fy with **110** cases. The number of cases reported by the Department of Health reflects an increase of 44.7% from the total of **76** cases reported for the 2016/17 fy, and 6.8% increase in comparison with **103** cases reported for the 2015/16 fy. The second highest number of grievances were reported by the Department of Education with **43** cases, reflecting an increase of 22.9% from the **35** cases reported for the 2016/17 fy. However, in comparison with the 2015/16 fy, the number of reported cases decreased with 73.1% from the total of **160** cases reported for the 2015/16 fy. The Department of Social Development reported the third highest number of cases for the 2017/18 fy. with **36** cases, which is an increase of 350% from the total of **8** cases reported for the 2016/17 fy and an increase of 28.6% from the total of **28** cases reported for the 2015/16 fy.

### 3.4.2 Free State Province

The departments in the Free State Province reported a total of **288** grievances for the 2017/18 fy. In comparison with the 2016/17 fy, the number of grievances reported decreased by 30.4% from **414** cases, and further decreased by 37.5% from **461** reported cases for the 2015/16 fy. **Figure 5** which follows, provides an overview in respect of the number of grievances reported by the Free State Provincial departments.

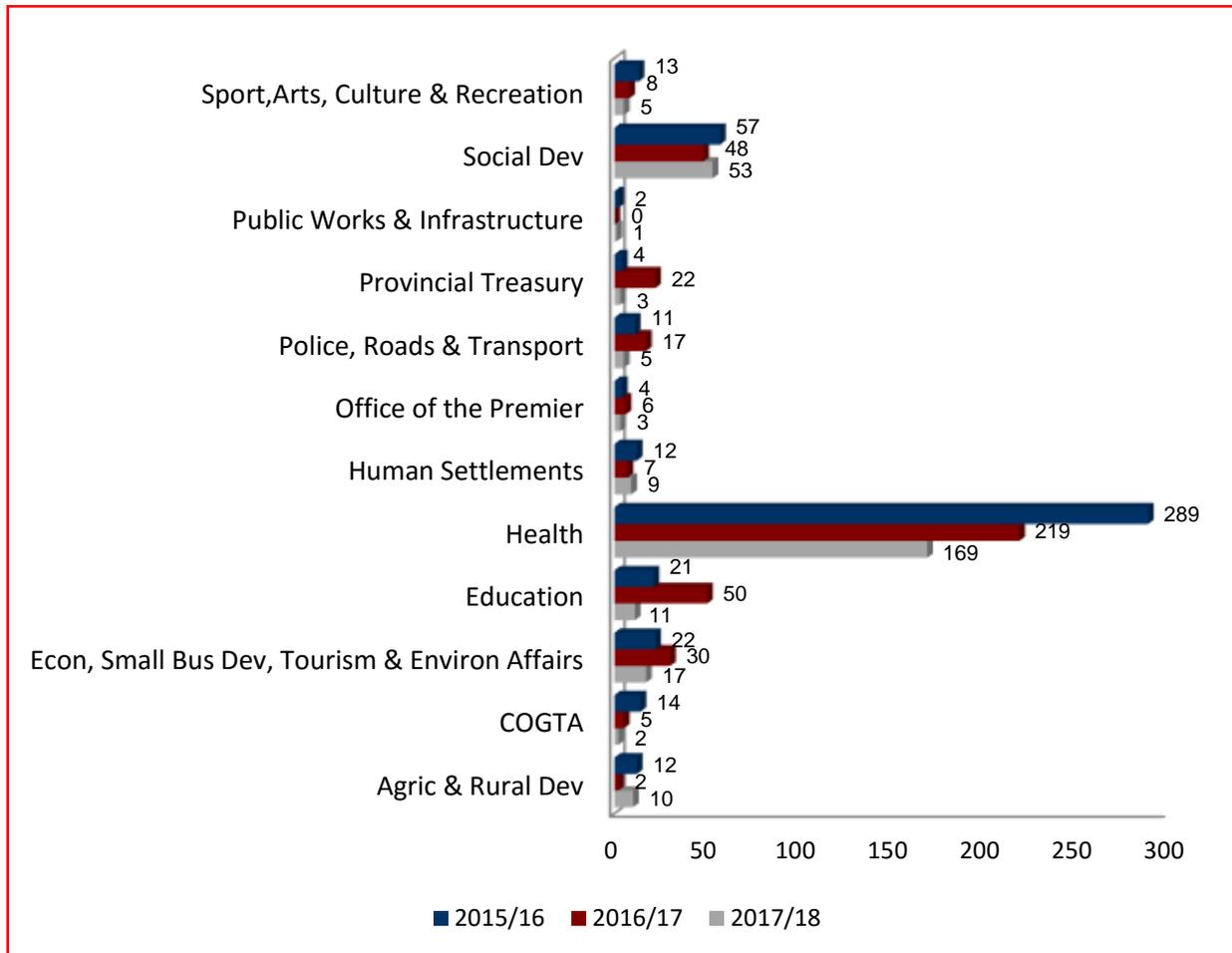


Figure 5: Number of grievances reported by Free State departments

Similar to the previous reporting periods, the Department of Health reported the highest number of grievances, with **169**; but reflects a decrease of 22.8% from the **219** cases that were reported for the 2016/17 fy and 41.5% decrease from **289** cases reported for the 2015/16 fy. The second highest number of grievances for 2017/18 fy were reported by the Department of Social Development with **53** cases, which is an increase of 10.4% from the **48** cases reported for the 2015/16 fy. However, when compared with **57** grievances reported for 2015/16 fy a decrease of 7% was noted. The Department of Economic, Small Business Development & Environmental Affairs reported the third highest number of cases with **17** cases for the 2017/18 fy, which

reflects a decrease of 43.3% from the total of **30** cases reported for the 2015/16 fy, and 22.7% decrease compared to the total of **22** cases reported for the 2015/16 fy.

### 3.4.3 Gauteng Province

Departments in the Gauteng Province reported a total of **1300** grievances for the 2017/18 fy, which is an increase of 1.2% from the total of **1284** cases reported for the 2016/17 fy and 4% from the total of **1250** cases reported for the 2015/16 fy. **Figure 6** which follows, provides an overview in respect of the number of grievances reported by departments in the Gauteng Province for the past three financial years:

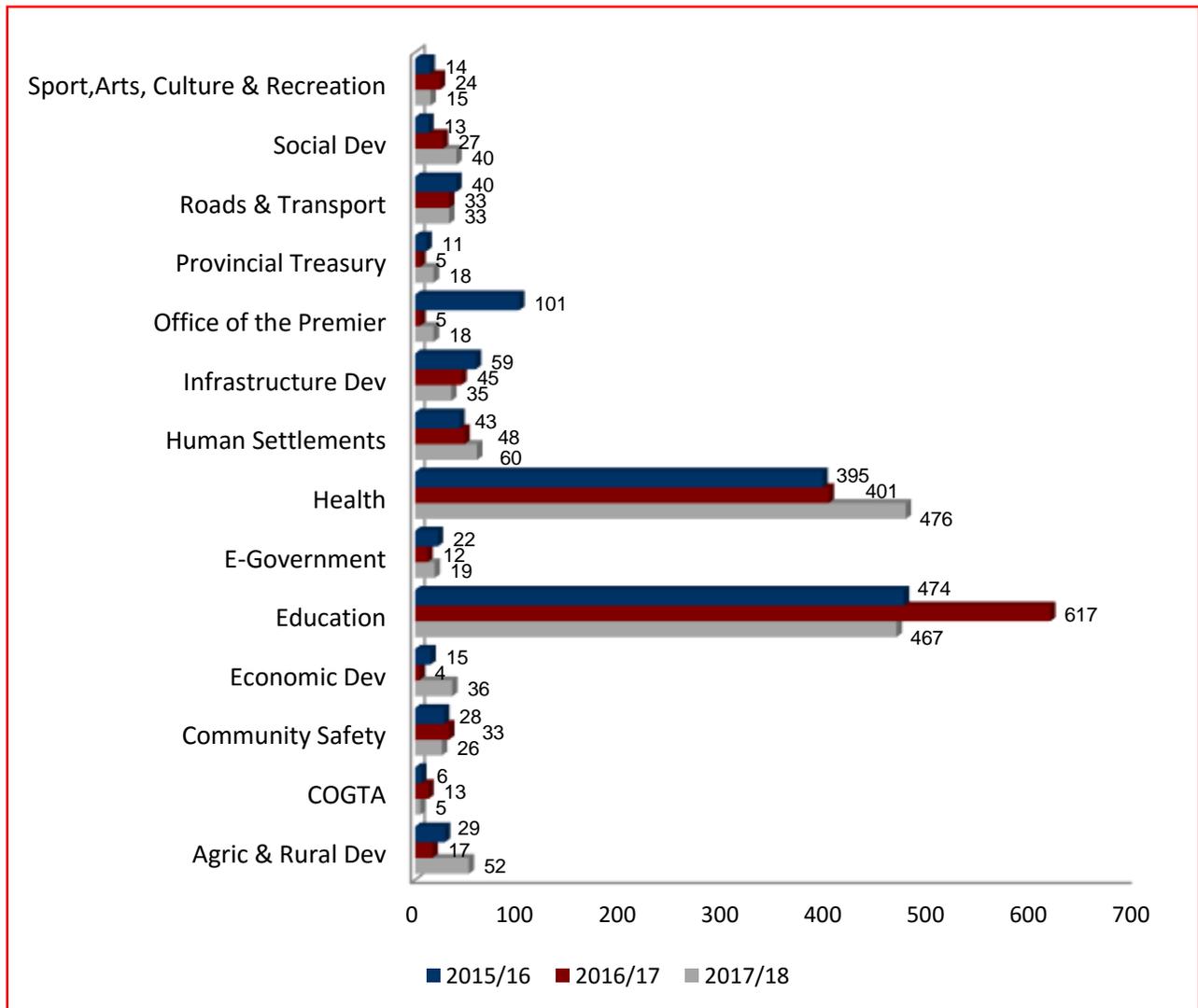


Figure 6 : Number of grievances reported by Gauteng departments

The Department of Health reported the highest number of grievances for the 2017/18 fy with **476**, which reflects an increase of 18.7% from the total of **401** cases reported for the 2016/17 fy and 20.5% from **395** cases reported for the 2015/16 fy. The second highest number of grievances for the 2017/18 fy were reported by the Department of Education with **467** cases,

which indicates a decrease of 24.3% from the total of **617** cases reported for the 2016/17 fy and 1.5% decrease from the **474** cases reported for the 2015/16 fy. The Department of Human Settlements reported the third highest number of grievances for the 2017/18 fy with **60** cases, which reflects a 25% increase from the of **48** reported cases for the 2016/17 fy and 39.5% increase from the **43** cases for the 2015/16 fy.

### 3.4.4 KwaZulu-Natal Province

KwaZulu-Natal province reported a total of **800** cases for the 2017/18 fy, which is a slight increase of 0.3% from the total of **798** cases reported for the 2016/17 fy. In comparison with the reporting for the 2015/16 fy, the total number of grievances has increased with 12.9% from **708**. **Figure 7** below provides an overview in respect of reported grievance cases by the KwaZulu-Natal departments for the past three financial years.

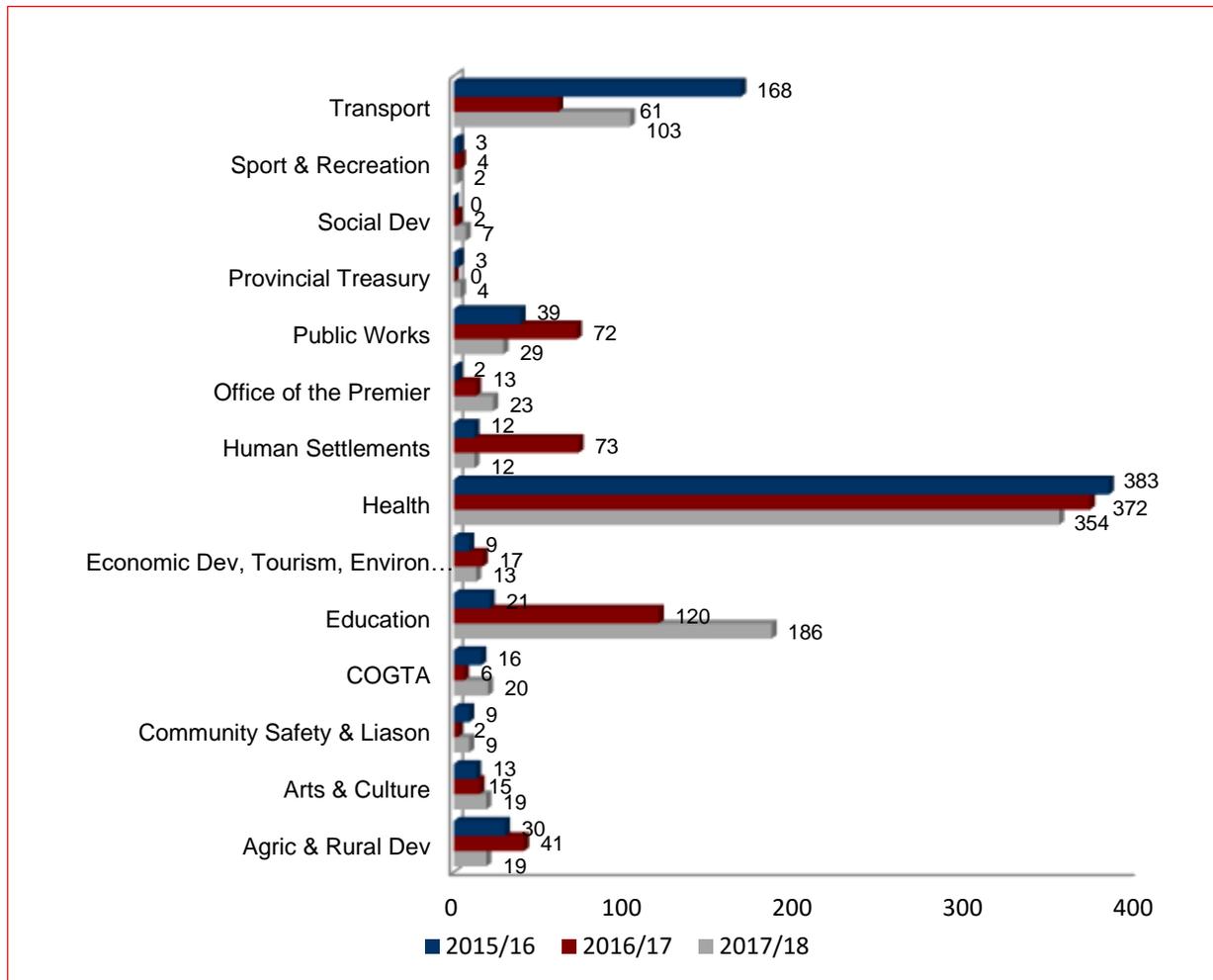


Figure 7: Number of grievances reported by KwaZulu-Natal departments

Similar to previous financial years, the Department of Health reported the highest number of cases for the 2017/18 fy with **354** cases, reflecting a decrease of 4.8% from the total of **372** cases reported for the 2016/17 fy and a decrease of 7.6% from the total of **383** cases reported

for the 2015/16 fy. The Department of Education reported the second highest number of grievances for the 2017/18 fy with **186** cases, which is an increase of 55% for the 2016/17 fy when **120** cases were reported. A massive increase of 785.7% from the total of **21** cases reported for the 2015/16 fy was noted. The third highest number of grievances were reported by the Department of Transport with **103** cases, which reflects an increase of 68.9% from the **61** cases reported for the 2016/17 fy, and a decrease of 38.7% from the **168** cases reported for the 2015/16 fy.

### 3.4.5 Limpopo Province

Departments in the Limpopo Province reported a total of **456** grievances for the 2017/18 fy, which in comparison with the total of **554** cases reported from the 2016/17 fy indicates a decrease of 17.7% and a further decrease of 5.8% in comparison with the **431** cases reported for the 2015/16 fy. **Figure 8** below provides an overview in respect of cases reported by departments in the Limpopo Province for the past three financial years.

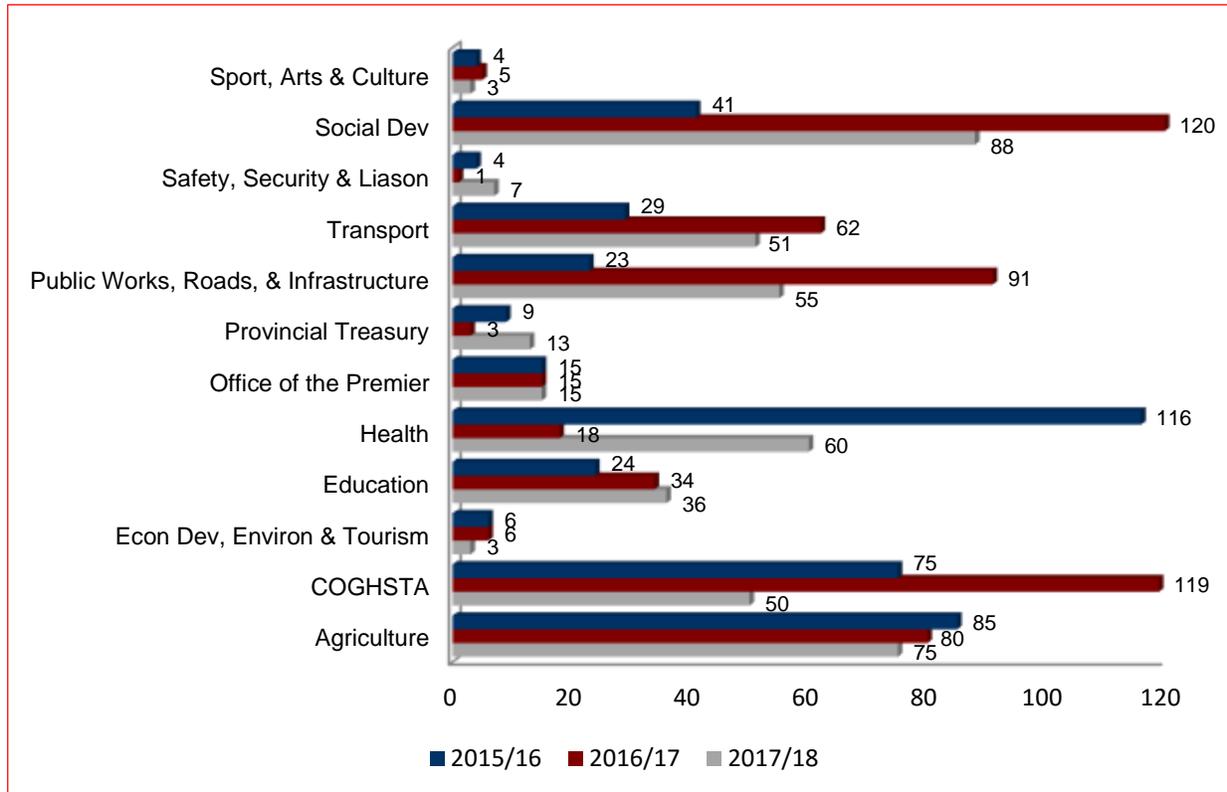


Figure 8: Number of grievances reported by Limpopo departments

The Department of Social Development reported the highest number of grievances with **88** cases for the 2017/18 fy, which is a decrease of 26.7% compared to the total of **120** cases reported for the 2016/17 fy. However, compared with **41** grievances reported from 2015/16 fy it indicates a high increase of 114.6%. The Department of Agriculture reported a second highest number of grievances with a total of **75** cases, which in comparison with **80** cases reported for the 2016/17 fy indicates a decrease of 6.3%, and 11.8% decrease for the 2015/16 fy with **85**

cases. The Department of Health reported the third highest number of cases with **60** for the 2017/18 fy, which reflects a vast increase of 233.3% when compared with **18** cases reported for the 2016/17 fy, but reflects a decrease of 48.3% compared to **116** grievances reported cases for 2015/16 fy.

### 3.4.6 Mpumalanga Province

A total of **504** cases were reported by departments in the Mpumalanga Province, which is a 4.8% increase from the **481** cases reported for the 2016/17 fy, and 5.1% decrease from the **531** cases reported for the 2015/16 fy. **Figure 9** below provides an overview in respect of the total number of grievances reported per department.

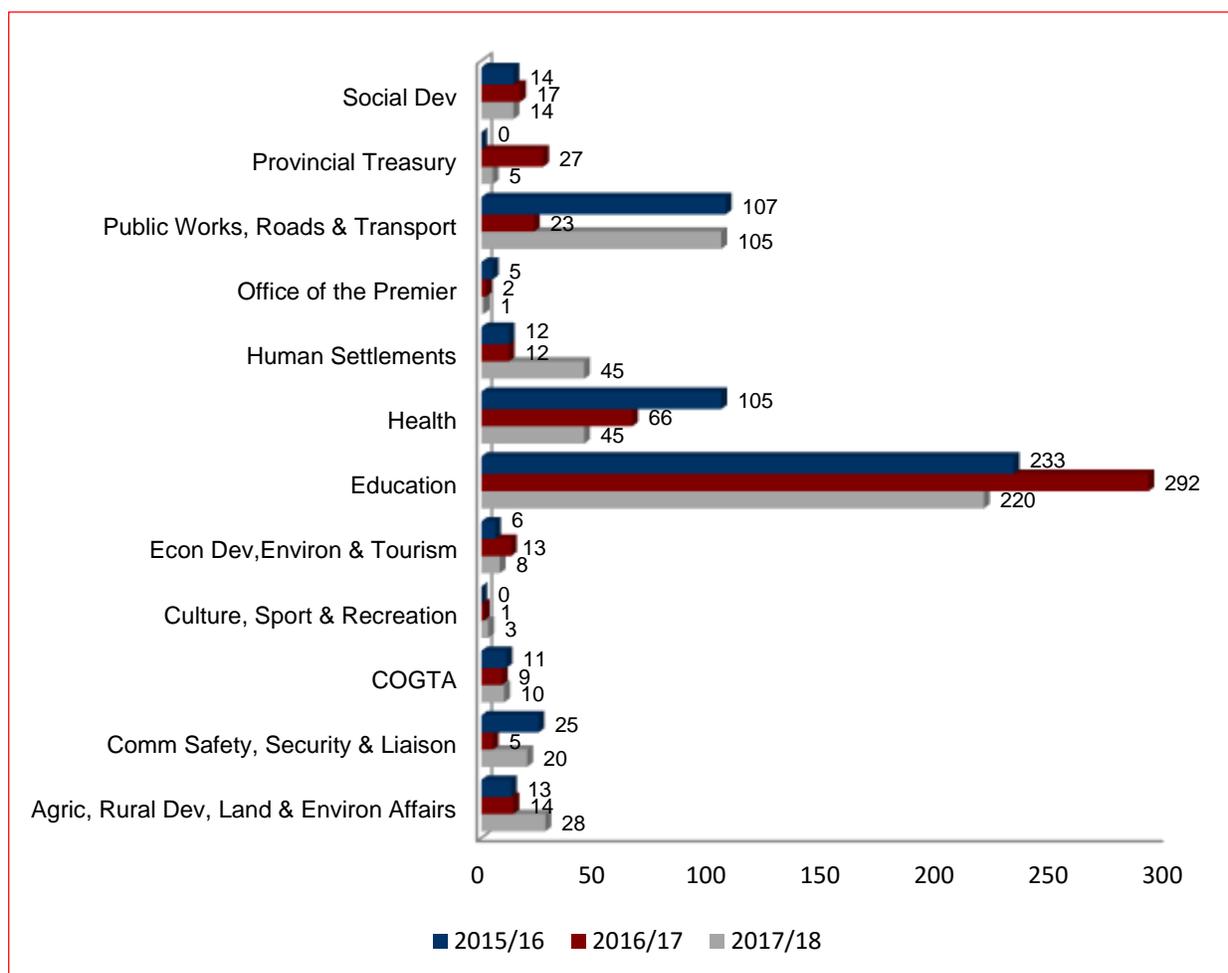


Figure 9: Number of grievances reported by Mpumalanga departments

Similar to the previous financial years, the Department of Education reported the highest number of cases with **220** cases, which is a decrease of 24.7% from the total of **292** cases reported for the 2016/17 fy, and a 5.6% decrease from the total of **233** cases reported for the 2015/16 fy. The Department of Public Works, Roads and Transport reported the second highest

number of cases with **105** cases which indicates a 356.5% increase from the **23** cases reported for the 2016/17 fy, and 1.9% decrease from **107** cases reported for the 2015/16 fy. The third highest number of grievances were reported by the Department of Health with **45** cases, reflecting a decrease of 31.8% from the total of **66** cases reported for the 2016/17 fy, and 57.1% decrease from the total of **105** cases reported for the 2015/16 fy.

### 3.4.7 Northern Cape Province

Departments in the Northern Cape Province reported a total of **293** cases for the 2017/18 fy, which is an increase of 16.3% from the total of **252** cases reported for the 2016/17 fy and a 45% increase from the **202** cases reported for the 2015/16 fy. **Figure 10** below, provides an overview of the grievances reported by the Northern Cape Province departments for the past three financial years.

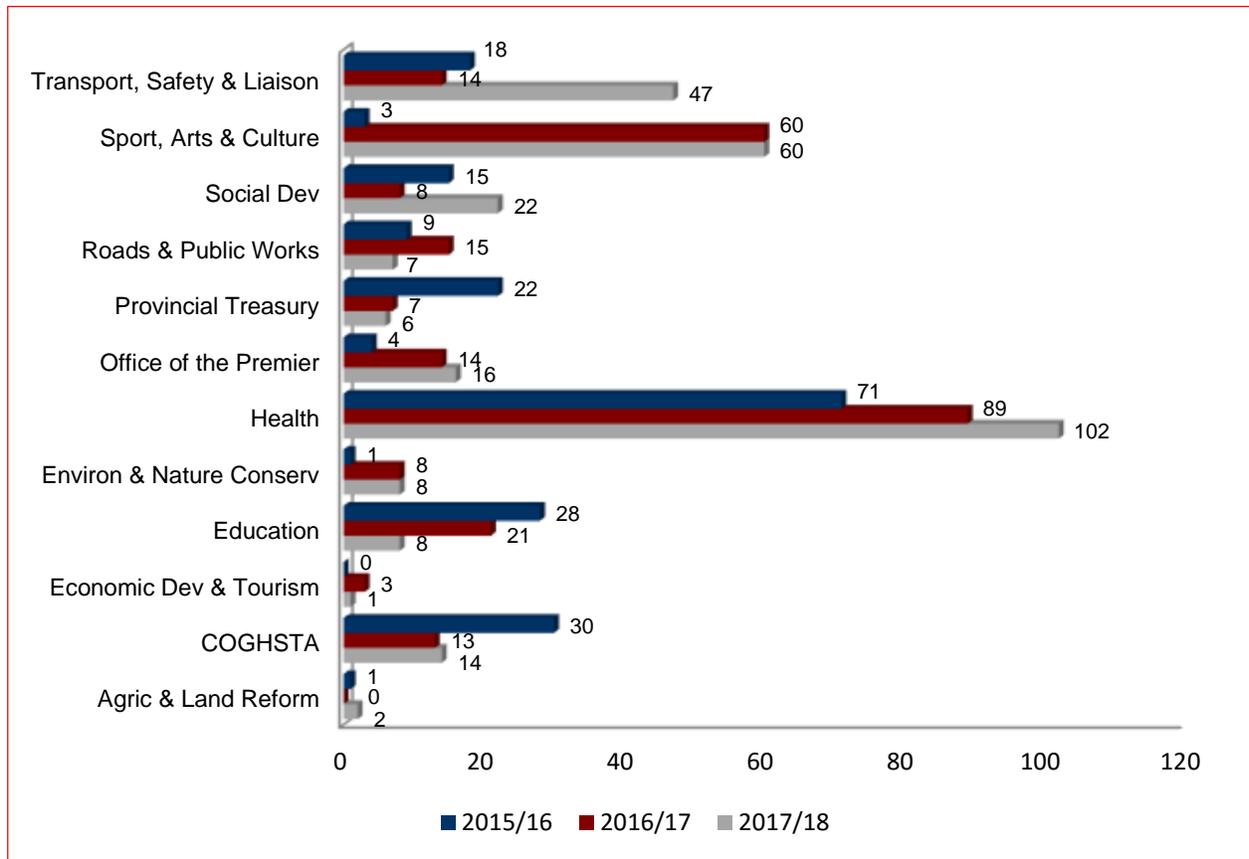


Figure 10: Number of grievances by Northern Cape departments

Similar to the previous financial years, the Department of Health reported the highest number of grievances with **102** cases, which in comparison with reporting for the 2016/17 fy, indicates an increase of 14.6%, **89** cases and 43.7% increase in comparison with the total of **71** cases reported for the 2015/16 fy. The Department of Sport, Arts and Culture reported the second highest number of grievances for the 2017/18 fy with **60** cases, which equals the total number of grievances reported for the 2016/17 fy, but indicates a 1900% increase from the total of **3**

grievances reported for the 2015/16 fy. The Department of Transport, Safety & Liaison follows with a total of **47** cases for the 2017/18 fy, reflecting an increase of 235.7% compared to the total of **14** cases reported for the 2016/17 fy and 161.1% increase from **18** cases reported for the 2015/16 fy.

### 3.4.8 North West Province

Departments in the North West Province reported **355** cases for the 2017/18 fy, which is an increase of 14.1% from **311** the reported cases for the 2016/17 fy and an increase of 2% from the reporting of **348** cases for the 2015/16 fy. **Figure 11** below provides an overview in respect of the reporting by departments in the North West Province.

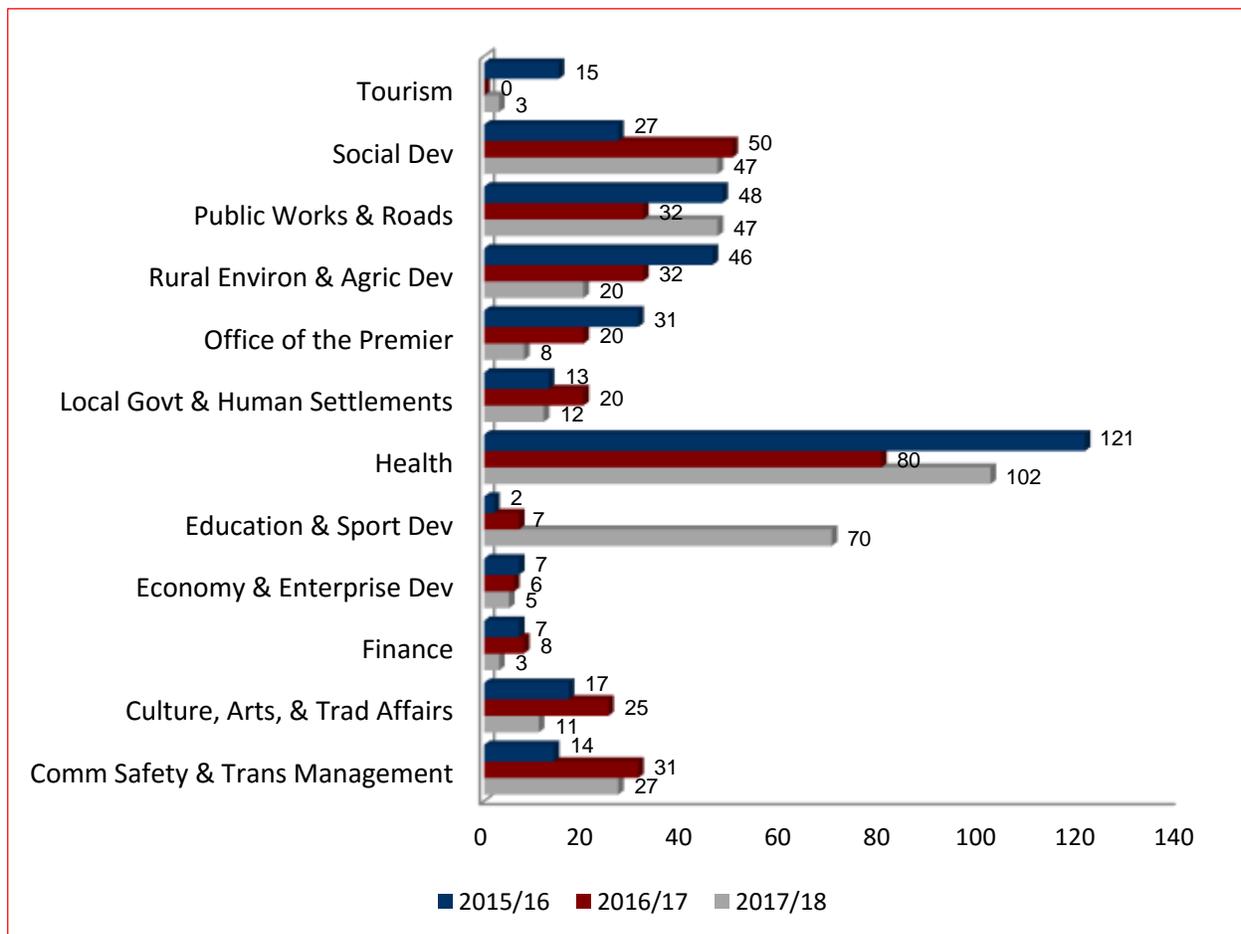


Figure 11: Number of grievances reported by North West departments

The Department of Health reported the highest number of grievances for the 2017/18 fy with **102** cases. In comparison with the reporting for the 2016/17 fy which was **80** cases, this is an increase of 27.5%. On the other hand, a decrease of 15.7% is reflected when compared to **121**

cases reported for the 2015/16 fy. The Department of Education and Sport Development reported the second highest with a total of **70** cases for the 2017/18 fy, which is an increase of 900% when compared to **7** grievances reported during the 2016/17 fy, and 3400% increase from the reporting of **2** cases for the 2015/16 fy.

Both the Department of Public Works and Roads and the Department of Social Development, reported the third highest number of cases for the 2017/18 fy with a total of **47** each. In comparison with the 2016/17 fy, the number of grievances reported by the Department of Public Works and Roads increased by 46.9% from **32** cases and the number of grievances reported by the Department of Social Development decreased by 6% from **50** cases. However, when compared to the 2015/16 fy, the Department of Public Works and Roads had a slight decrease of 2.1% from **48** grievances reported, whereas the **27** cases from the Department of Social Development increased by 74.1%.

### 3.4.9 Western Cape Province

For the current reporting period, Western Cape Province departments reported a total of **587** cases. In comparison with the reporting of **768** cases for the 2016/17 fy, the number of cases decreased by 23.6%. However, in comparison with the **729** cases reported for the 2015/16 fy, the number of cases decreased by 19.5%. **Figure 12** below provides an overview in respect of the number of cases reported by departments in the Western Cape Province for the past three financial years.

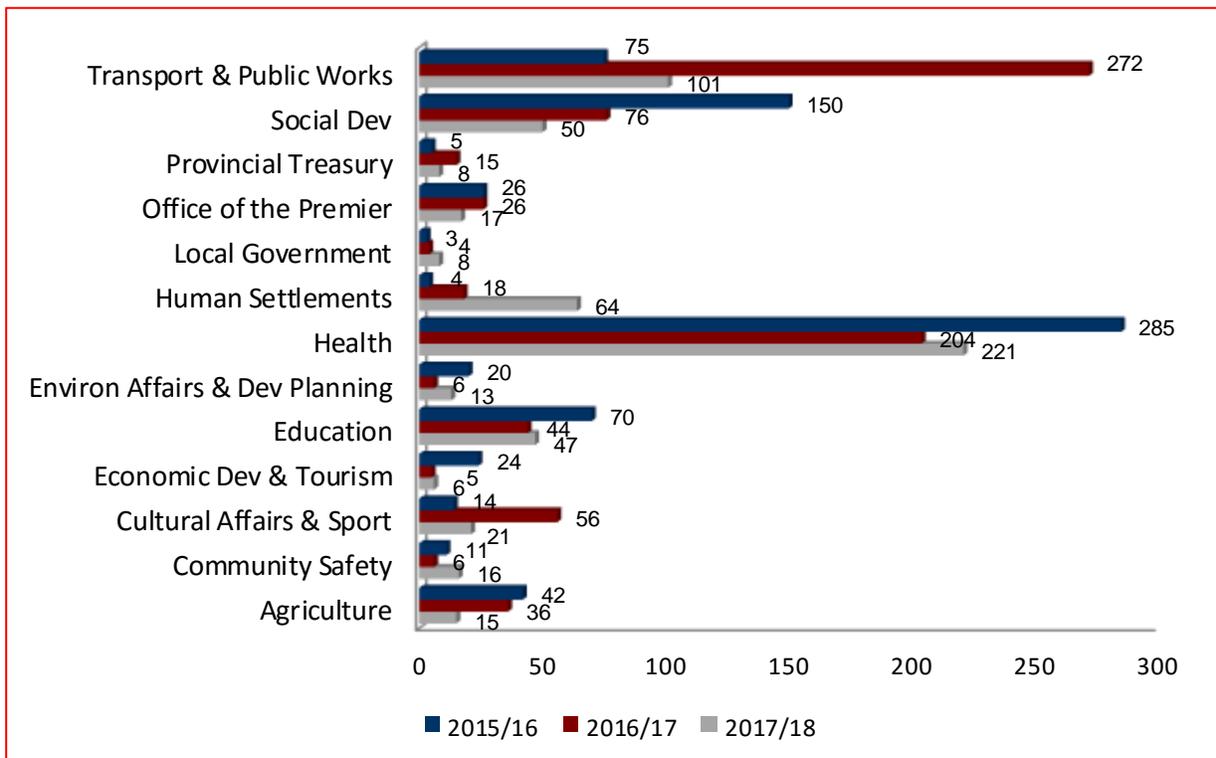


Figure 12: Number of grievances reported by Western Cape departments

Similar to Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Northern Cape and North West Provinces, the Western Cape Province Department of Health also reported the highest number of grievances with **221** for the 2017/18 fy, depicting an increase of 8.3% from the total of **204** cases reported for the 2016/17 fy but a decrease of 22.5% from the total of **285** reported for the 2015/16 fy. The Department of Transport and Public Works reported the second highest number of cases with **101**. It is noted that in comparison with the 2016/17 fy, the number of cases decreased by 62.9% from the reported **272** cases. However, in comparison with the 2015/16 fy in which **75** cases are reported, an increase of 34.7% was reflected. The third highest number of grievances was reported by the Department of Human Settlements with **64** grievances, reflecting an increase of 255.6% from the total of **18** cases reported for the 2016/17 and 1500% against the total of **4** cases reported for the 2015/16 fy.

### 3.5 Observation regarding the highest number of grievances in provincial departments

It was observed that in all nine (9) Provinces, the department of Health is amongst the top three departments with highest number of grievances reported. It is noted that in seven (7) provinces the departments of health reported the highest number of grievances, except for Limpopo and Mpumalanga where it was reported as the third highest. It was also observed that in five (5) Provinces, the Department of Education falls amongst the top three, except for FS, LIMP, NC and WC.

## 4. RESOLUTION OF GRIEVANCES

Resolution 14 of 2002, also known as the Grievance Rules<sup>1</sup> and the Rules for dealing with grievances of SMS members<sup>2</sup> provides a specific time frame (30 and 45 days respectively) for departments to resolve grievances of employees. An analysis in respect of the reporting by departments indicates that for the 2017/18 fy, **4846** cases which is 55.2 % of grievances were finalised. In comparison with the 2016/17 fy, the cases finalised have decreased from **5136** to **4846** for the 2017/18 fy, depicting a decrease of 5.6%. For the 2015/16 fy, the cases finalised have decreased from **4923** to **4846** fy, which is a decrease of 1.6%.

In respect of pending grievances for the 2017/18 fy, a total of **3867** cases which is 44.1% were pending at the end of the reporting period. In comparison with the 2016/17 fy a total of 42.6%, which is **3847** cases were pending, depicting an increase of 0.5%. The number of pending cases decreased from **4229** for the 2015/16 fy to **3867** for 2017/18, which is a decrease by 8.6%.

For the 2017/18 fy, **55** (0.6%) of the cases were withdrawn whereas in **2** (0.02%) the aggrieved employees resigned before the grievance process could be concluded. In comparison with the 2016/17 fy, the number of withdrawn cases has increased from **48** to **55**, which is an increase of 14.6%. Similar to the 2015/16 fy the number of grievances also shows an increase from **39** to

<sup>1</sup> Republic of South Africa. Public Service Commission. Rules for dealing with the grievances of employees in the Public Service. Published in Government Gazette No. 25209 dated 25 July 2003.

<sup>2</sup> Republic of South Africa. Public Service Commission. Rules for dealing with the grievances of members of the SMS including HoDs. Published in Government Gazette No.33540 dated 17 September 2010.

**55** which reflects an increase of 41%. **Figure 14** below provides a breakdown in respect of the total number of grievances that were finalised, pending, withdrawn as well as for employees who resigned for the past three financial years.

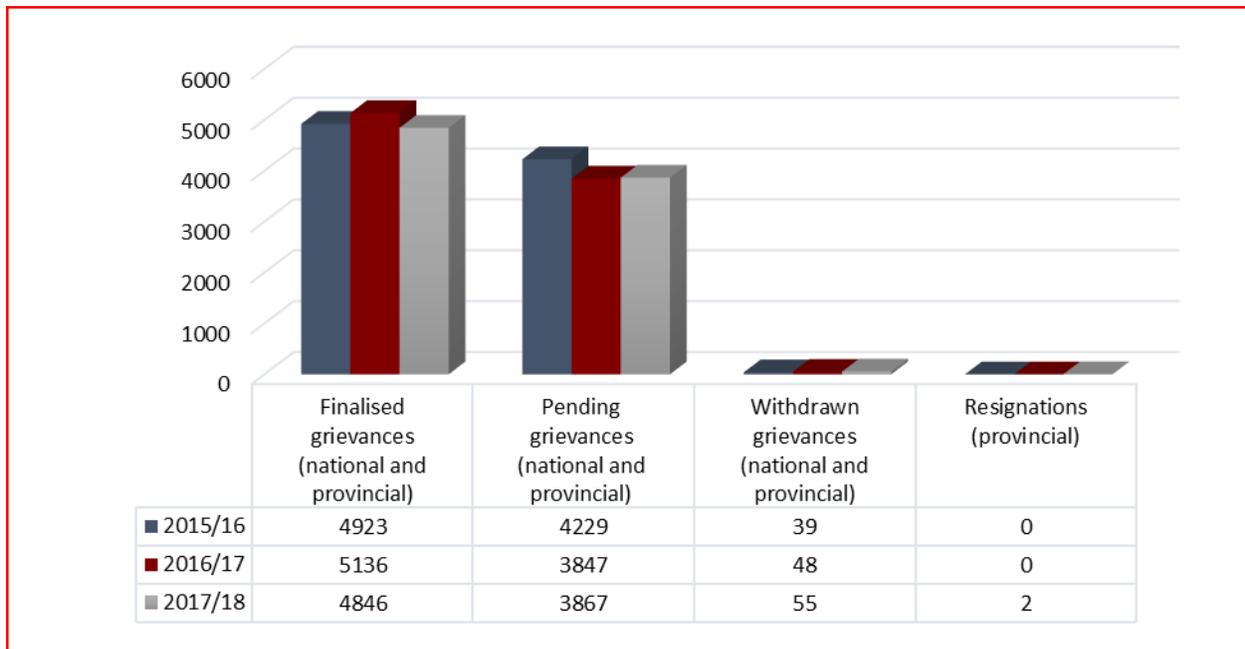


Figure 13: Number of grievances finalized, pending and withdrawn

In terms of the provisions of Rule F.8 of the Grievance Rules, and Rule 6(g) of the Rules for dealing with grievances of SMS members, a grievance must be resolved within a period of 30 and 45 working days respectively, unless the period is extended by mutual agreement. According to the reporting by departments for the 2017/18 fy, a total of **1593** (32.9%) cases were not concluded within the prescribed timeframe. The failure by departments to conclude grievances within the prescribed timeframe has been noted by the PSC in previous Fact Sheets. Failure to comply with the prescribed timeframe defeats the purpose of the Grievance Rules, i.e. the speedy resolution of grievances.

The PSC, in its Report on the Evaluation of Grievances to Determine Good Practices<sup>3</sup>, extensively discussed the challenges faced by departments in respect of the speedy resolution of grievances. It appears that departments still face the same challenges. In order to improve sound labour relations, departments need to make concerted efforts to ensure that grievances are dealt with speedily and effectively.

## 5. NATURE OF GRIEVANCES

### 5.1 Nature of grievances in national and provincial departments

The PSC found that the majority of grievances for the 2017/18 fy related to salary problems, which rates the highest with **2178** cases, whereas unfair treatment rates the second highest with

<sup>3</sup> Republic of South Africa. Public Service Commission. Report on the evaluation of grievances to determine good practices. 2011

**2049** cases, followed by performance assessment with **1948** cases. **Figure 14** below provides a comparison in respect of the nature of grievances lodged by aggrieved employees for the past three financial years.

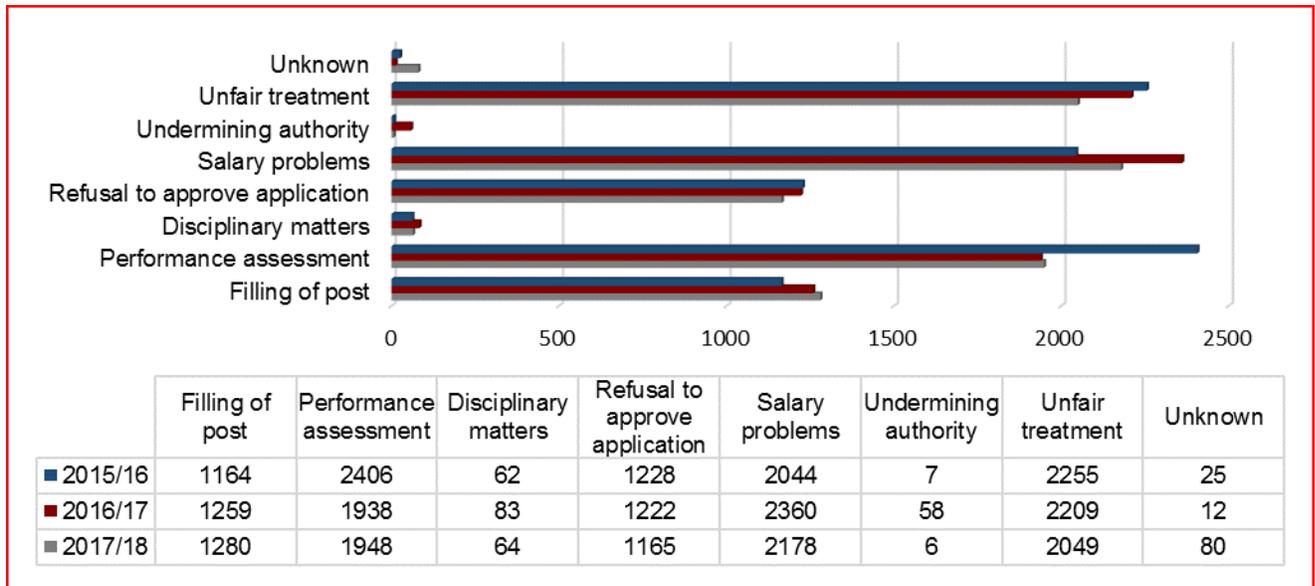


Figure 14: Nature of grievances reported by national and provincial departments

Of the **8770** grievances reported for the 2017/18 fy, **2178** (24.8%) cases related to salary problems which reflects a decrease of 7.7% from the **2360** cases reported for the 2016/17 fy. However, as compared to the 2015/16 fy, the cases reported increased by 6.6% from the **2044**.

The second highest dissatisfaction lodged by employees for the 2017/18 fy relates to unfair treatment with **2049** cases, which is 23.4% of the total number of grievances lodged. This is a decrease by 7.2% from the **2209** cases received in the 2016/17 fy. However, when compared to the 2015/16 fy where **2255** cases were received, a decrease of 9.1% was noted. In order for the Public Service to comply with the national law such as the Labour Relations Act, 1995, and international labour conventions, employees should be treated fairly in the workplace.

Grievances relating to PMDS rate the third highest at **1948**, which is 22.2% of grievances lodged for the 2017/18 fy. This is a slight increase of 0.5% from the 2016/17 fy where **1938** (21.5%) grievances related to PMDS were reported. It also indicates a decrease of 4.7% from the total of **2406** (26.2%) grievances reported in this category for the 2015/16 fy.

A further breakdown is provided below in **Figure 15** in respect of grievances that fall in the categories: salary problems, unfair treatment and PMDS as reported by national and provincial departments for the 2017/18 fy.

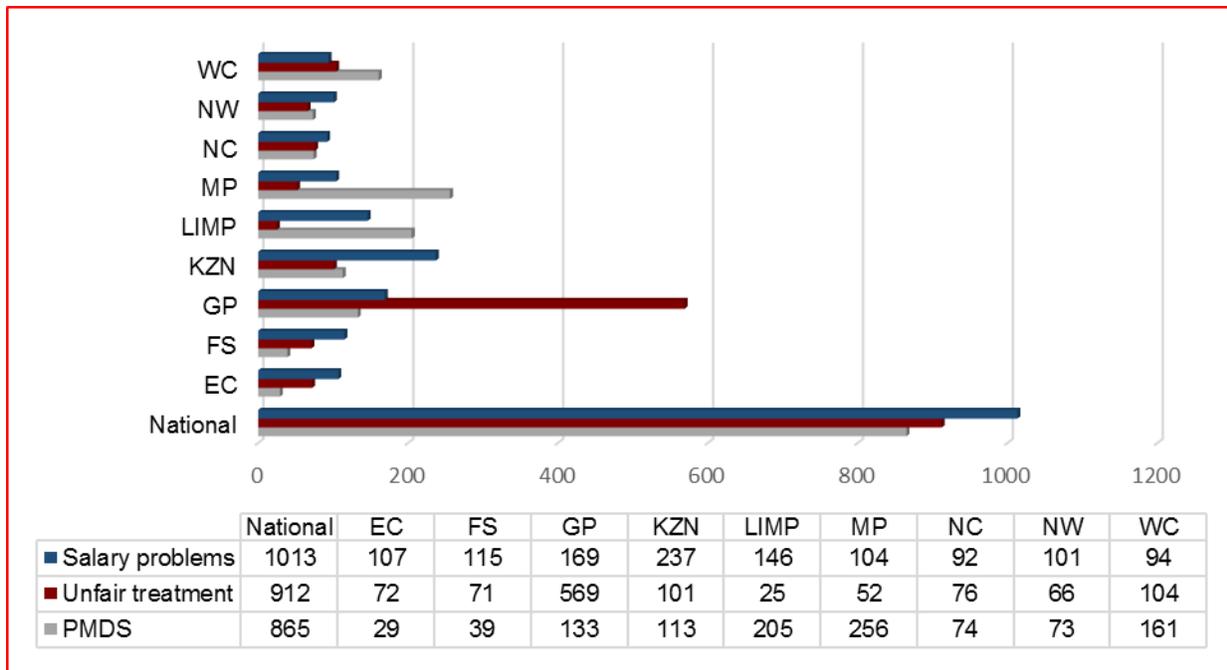


Figure 15: Nature of grievances in respect of the three highest categories for national and provincial departments for the 2017/18 fy

National departments reported the highest number of grievances relating to salary problems with **1013** cases, which is 25.9% of the total number of grievances reported by national departments. This is followed by unfair treatment grievances with a total of **912** cases, which amounts to 23.3% of the total number of grievances reported by national departments and the third is performance management with a total of **865** reported grievances, which is 22.1% of the total number of grievances reported by national departments.

Reporting by provinces in respect of the three categories for the 2017/18 fy indicates that grievances relating to salary problems were the highest in Eastern Cape at **107**, which is 39.1% of the total grievances received by the Province; Free State reported **115**, which is 39.9% of its total grievances received; and KwaZulu-Natal had **237**, which is 29.6% of the total grievances received by the Province. The Northern Cape reported **92** cases, which is 31.3% of the total number of grievances received by the Province and North West reported **101**, which is 28.5% of the total number of grievances received by the Province. This means that a total of **652** (60%) of the **1165** cases of salary problem were reported by provincial departments.

The Limpopo, Mpumalanga and Western Cape Provinces reported PMDS as the highest dissatisfaction in their Provinces with **622** cases, which amounts to 57.4% of the total number of **1083** PMDS grievances reported by Provinces. Gauteng Province is the only province that reported unfair treatment as the highest number of grievances in the provinces at **569**, representing 50% of unfair treatment grievances reported by all provinces.

## 5.2 Nature of grievances in the Departments of Health: National and Provincial

It is noted in paragraph 3.5 above that the Departments of Health in all provinces were amongst the top three with highest number of grievances. In seven (**7**) provinces, the Departments of

Health reported the highest number of grievances and in two (2) provinces, namely, Limpopo and Mpumalanga, the Departments of Health reported the third highest number of grievances. The national Department of Health reported the lowest number of grievances as compared to the provincial departments.

Table 3: Nature of grievances in the Departments of Health: National and Provincial

NATURE OF GRIEVANCES									
	Filling of post	Performance assessment	Disciplinary matters	Refusal to approve application	Salary problem	Undermining authority	Unfair treatment	Unknown	Total
National	4	6	0	5	0	0	1	0	16
EC	6	3	0	11	52	0	38	0	110
FS	15	16	3	15	84	1	35	0	169
GP	22	17	0	35	48	0	353	1	476
KZN	8	71	5	103	115	1	49	2	354
LIMP	1	21	0	6	25	0	4	3	60
MP	1	39	0	1	3	0	1	0	45
NC	9	38	1	7	29	0	17	1	102
NW	0	26	1	31	27	0	17	0	102
WC	31	28	6	101	19	0	36	0	221
Total	97	265	16	315	402	2	551	7	1655

Out of **1655** grievances reported by the Departments of Health for the 2017/18 fy, grievances related to unfair treatment are rated the highest at **551** cases, which reflects 33.3% reported by all ten (10) Departments of Health. Grievances related to salary problems rated the second highest at **402** cases, which is 24.3% of cases reported and the third highest number of grievances relate to refusal to approve application at **315**, which reflects 19% of reported grievances.

### 5.3 Nature of grievances in the Provincial Department of Education

The Departments of Education in five (5) provinces were also amongst the top three with second highest number of grievances reported. In four (4) provinces, the Departments of Education reported the second highest number of grievances and in Mpumalanga Province; the Department of Education reported the highest number of grievances.

Table 4: Nature of grievances in the Provincial Departments of Education

NATURE OF GRIEVANCES									
	Filling of post	Performance assessment	Disciplinary matters	Refusal to approve application	Salary problem	Undermining authority	Unfair treatment	Unknown	Total
EC	7	5	0	1	27	0	3	0	43
FS	0	1	0	2	0	1	7	0	11
GP	286	5	6	0	21	0	149	0	467
KZN	65	1	0	74	25	0	20	1	186
LMP	7	18	0	1	5	0	5	0	36
MP	40	69	0	48	39	0	24	0	220
	Filling of post	Performance assessment	Disciplinary matters	Refusal to approve application	Salary problem	Undermining authority	Unfair treatment	Unknown	Total
NC	2	1	0	0	0	0	5	0	8

NW	2	4	1	27	27	0	9	0	70
WC	28	6	0	2	3	0	8	0	47
Total	437	110	7	155	147	1	230	1	1088

Out of **1088** grievances reported by the Provincial Departments of Education for the 2017/18 fy, grievances relating to the filling of post rated the highest at **437** cases which is 40.2%. Grievances relating to unfair treatment rated the second highest at **230**, which is 21.1% of cases reported, and third highest number of grievances is relating to refusal to approve application at **155**, which represented 14.2% of cases reported by the Provincial Departments of Education.

## 6. RACE AND GENDER DISTRIBUTION OF AGGRIEVED EMPLOYEES

**Figures 16** and **17** provide an overview in respect of the race and gender distribution of aggrieved employees as reported by national and provincial departments.

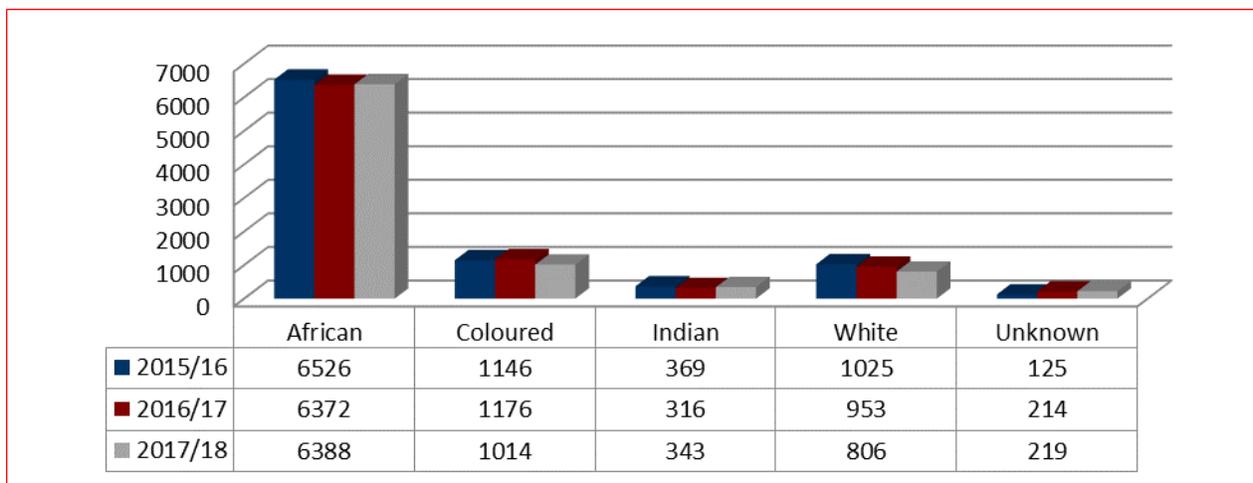


Figure 16: Race distribution of aggrieved employees

A total of **6388** grievances were lodged by African employees for the 2017/18 fy, which amounts to 72.8% of the total number of grievances lodged. The total number of African employees that lodged grievances for this reporting period represent increase from the **6372** (70.6%) cases of employees that lodged grievances in the 2016/17 fy, and a decrease from **6526** (71%) for grievances reported in 2015/16 fy. In respect of Coloured employees, **1014** employees lodged grievances, which amounts to 11.6%. This is a decrease from **1176** (13%) cases reported for the 2016/17 fy, and a decrease from **1146** (11.5%) cases for the 2015/16 fy. The number of cases lodged by Indian employees for the 2017/18 fy is **343** (3.9%) which is an increase when compared to the **316** (3.5%) cases lodged in 2016/17 but a decrease from **369** (4%) cases when compared to 2015/16 fy. Similarly, the number of grievances lodged by White employees decreased from **953** (10.5%) cases reported in 2016/17 to **806** (9.2%) cases in 2017/18, while for the 2015/16 fy a decrease from **1025** (11.2%) grievance has been recorded. In respect of **219** (2.5%) cases, the racial distribution was not known or provided. The **219** cases include **177** collective grievances reported, where departments did not provide the race of the individual employees involved.

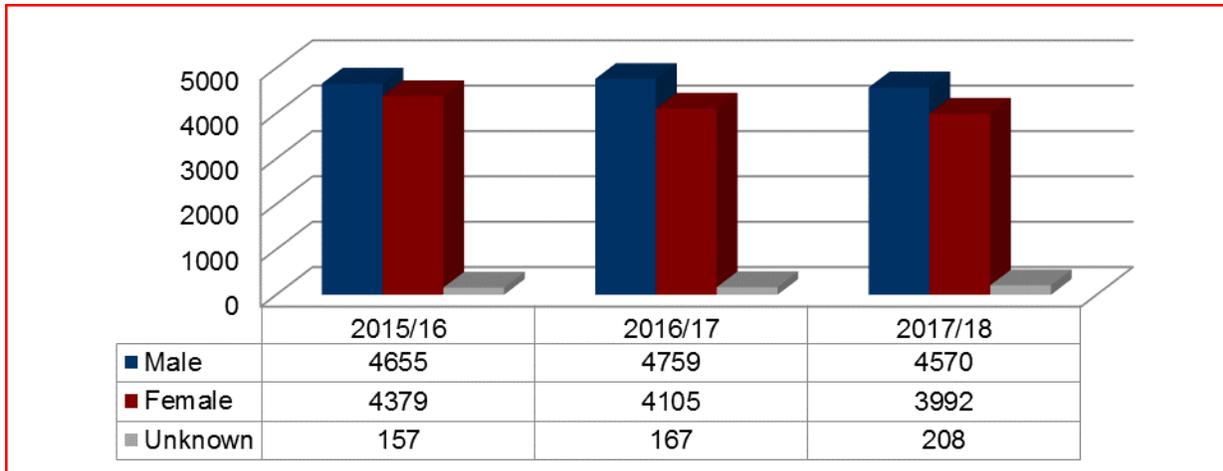


Figure 17: Gender distribution of aggrieved employees

As far as the gender distribution is concerned, a total **4570** grievances were lodged by males against **3992** grievances lodged by females for the 2017/18 fy, which is a ratio of 52.1%:45.5%. This compares to a ratio of male to female of 52.7%:45.5% in the 2016/17 fy and 50.6%:47.6% for the 2015/16 fy. It is noted that the three-year trend shows that fewer female employees lodged grievances compared their male counterparts. The gender of **208** (2.4%) employees for the current reporting period was not indicated by departments.

## 7. SALARY DISTRIBUTION OF AGGRIEVED EMPLOYEES

**Figure 18** provides an overview in respect of the salary distribution of aggrieved employees.

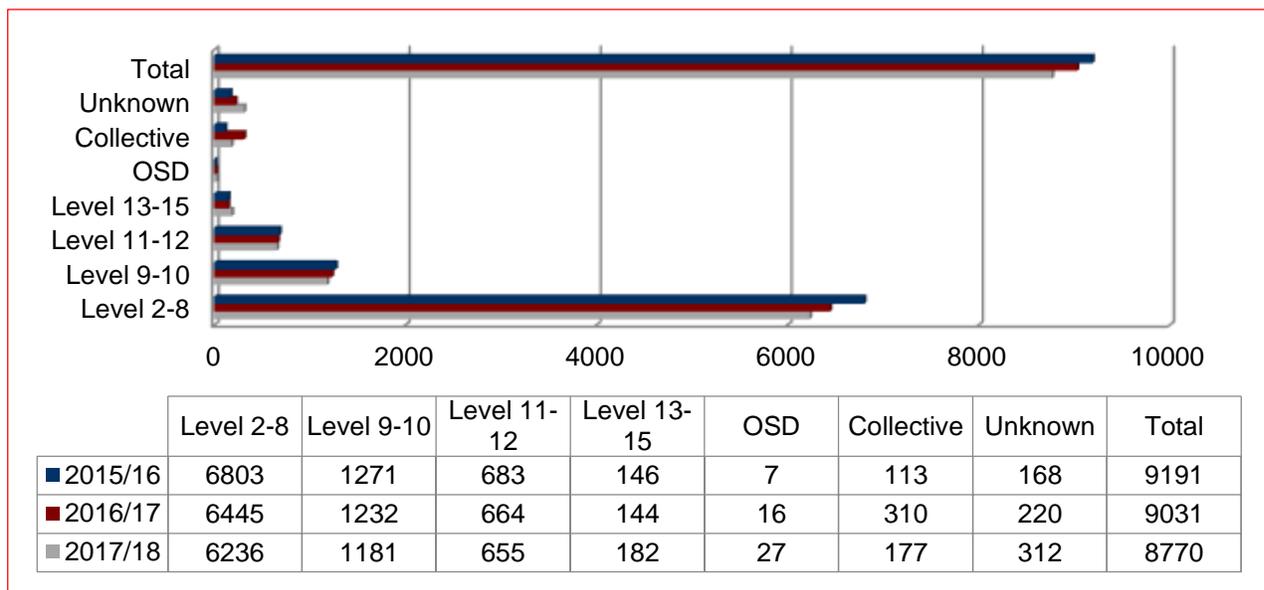


Figure 18: Salary distribution in respect of aggrieved employees

As can be seen from **Figure 18** above, the total number of grievances lodged by employees on salary levels 2 to 8 decreased from **6445** reported for the 2016/17 fy to **6236** reported for the

2017/18 fy, which is a decrease of 3.2%. In comparison with the total of **6803** grievances lodged by employees on salary level 2-8 for the 2015/16 fy, a decrease of 8.3% is noted. In 2017/18 fy, the total number of aggrieved employees on salary levels 9 to 10 decreased by 4.1% from **1232** for the 2016/17 fy to **1181**. As compared with **1271** grievances reported for the 2015/16 fy, a further decrease of 7.1% was recorded for 2017/18 fy.

In respect of salary levels 11 to 12, the total number decreased from **683** employees for the 2015/16 fy, to **664** employees in the 2016/17 fy and also decreased to **655** for the 2017/18 fy, which is, respectively, a decrease of 4.1% from the 2015/16 fy and a further decrease of 1.4% for the 2016/17 fy when comparing with 2017/18 total. The number of grievances lodged by aggrieved employees on SMS level increased by 26.4% from **144** for the 2016/17 fy to **182** cases reported for the 2017/18 fy.

The number of grievances of employees translated to the OSD indicates an increase to **27** cases for 2017/18 fy from **7** cases reported for the 2015/16 fy which is an increase of 285.7%, and 68.8% from the **16** reported for the 2016/17 fy. The salary levels in respect of **312** cases, which is 5%, are unknown. It is noted that the number of cases in this category, shows an increase of 85.7% from **168** cases reported for the 2015/16 fy, and a decrease of 41.8% from **220** cases reported for the 2016/17 fy. In respect of the **177** collective grievances reported for the 2017/18 fy as compared to **310** for the 2016/17 fy and **113** for 2015/16 fy, the departments did not indicate the salary levels of the individual employees. Nonetheless, cases in this category reflect a decrease of 42.9% from 2016/17 fy, and an increase of 56.9% from 2015/16 fy.

## **8. GRIEVANCES CONSIDERED BY THE PUBLIC SERVICE COMMISSION (PSC)**

Grievances of employees can be referred to the PSC by the executive authority in terms of section 35(1)(a) of the Public Service Act, 1994, read with the PSC Rules, 2016; or by the aggrieved employee if the executive authority fails to –

- provide the employee with his/her decision within the prescribed timeframe or on the lapse of the agreed date of extension; or
- refer the employee's grievance to the PSC for investigation within the prescribed 10 days of receiving a written request from the employee.

The PSC resolves some of the cases through mediation or conducts a full investigation into grievances that are properly referred to it. This section of the Fact Sheet provides a statistical overview in respect of those grievances that were referred to the PSC. It is also important to note that the PSC conduct advocacy sessions to assist departments resolve grievances closest to the point of origin, hence only a fraction of grievances lodged in departments are referred to the PSC.

### **8.1 Total number of grievances referred to the PSC**

A total of **647** grievances were referred to the PSC during the 2017/18 fy, which is a decrease by 8.7% from **709** cases for the 2016/17 fy. However, the number of grievances referred to the

PSC for the 2017/18 fy, decreased by 5.1% from **682** cases referred during the 2015/16 fy. See **Figure 19** below.

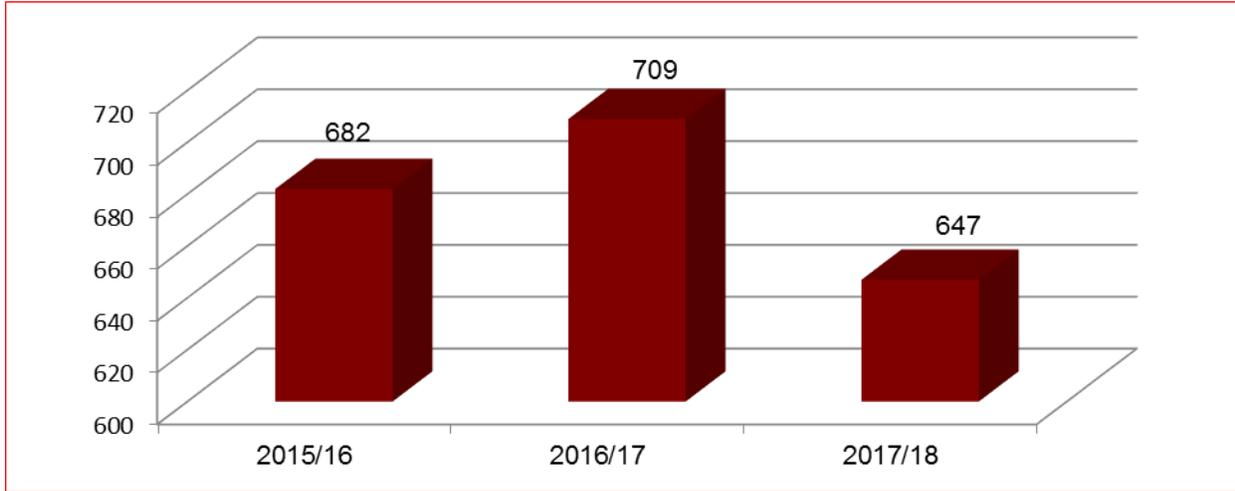


Figure 19: Grievances referred to the PSC

### 8.2 Overall status of cases referred to the PSC

**Figure 20** below provides an overview in respect of the status of grievances referred to the PSC for the past three financial years. For the 2017/18 fy, a total of **559** (86.4%) grievances were concluded and **88** cases (13.6%) were pending. In respect of the 2016/17 fy a total of **615** (86.7%) cases were concluded and a total of **94** cases (13.3%) remained pending. The percentage of cases in respect of the 2015/16 fy, **605** (88.7%) of cases were concluded and 11.3% (**77**) cases were pending.

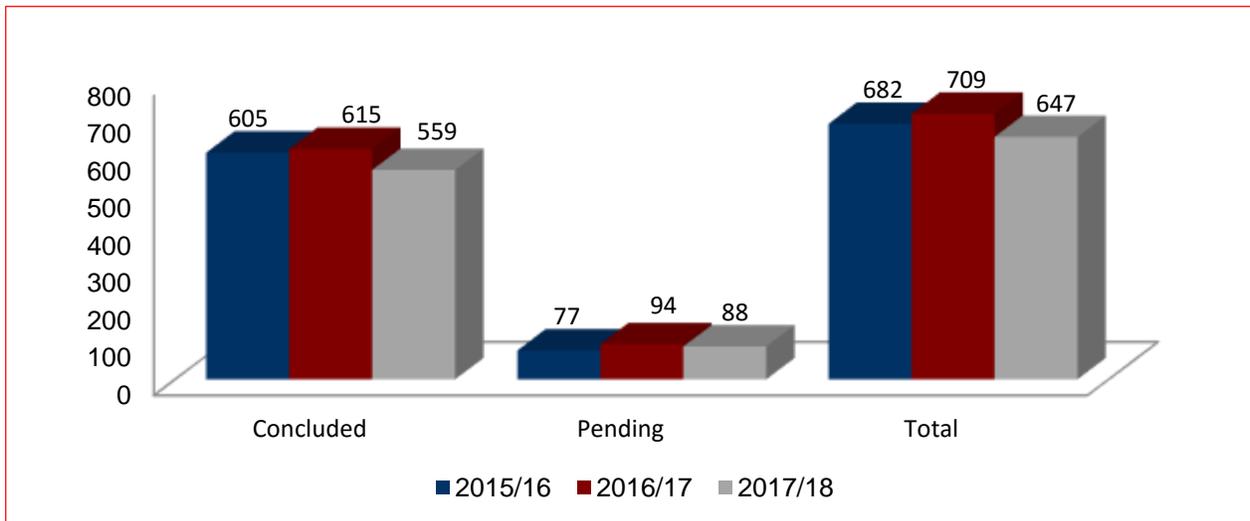


Figure 20: Status of cases referred to the PSC

### 8.3 Status of properly lodged grievances referred to the PSC

A total of **381** properly referred grievances were referred to the PSC during the 2017/18 fy. As can be seen from **Figure 21** below, the number of properly referred grievances referred to the PSC decreased from **431** for the 2016/17 fy to **381** for the 2017/18 fy (11.6%). In comparison with 2015/16 fy, the total number of properly referred grievance also shows a decrease by 21.3% (**484**). An overview in respect of grievances that were properly referred to the PSC by national and provincial departments is reflected in **Figure 21** below.

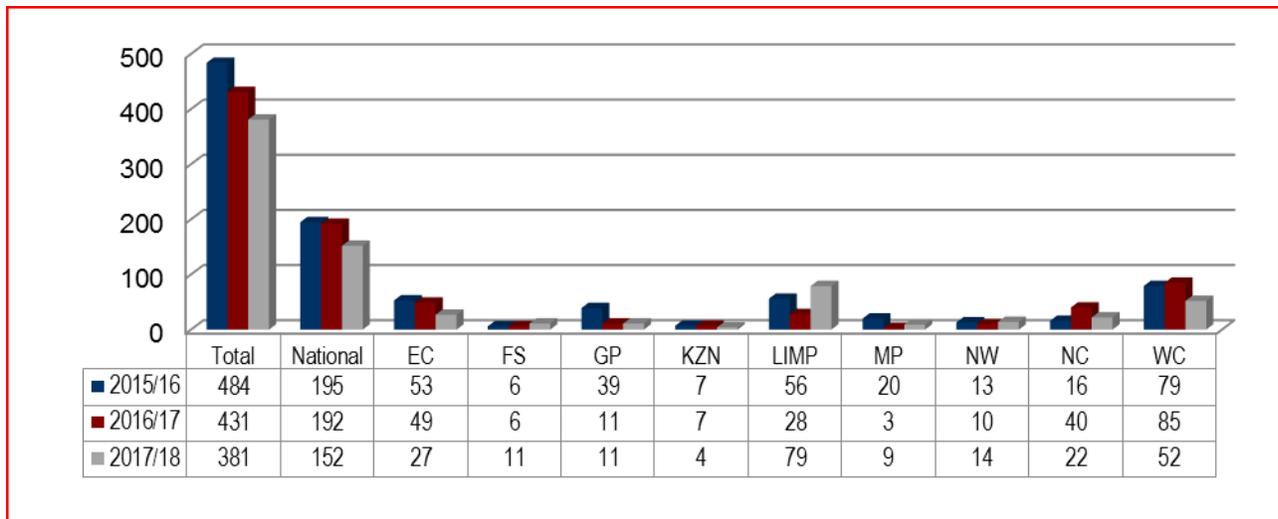


Figure 21: Number of grievances referred to the PSC in respect of national and provincial departments

As can be seen from the above figure, the number of properly referred grievances in respect of employees in national departments reflects a decrease of 20.8% from the total of **192** cases referred in the 2016/17 fy to **152** cases reported for the 2017/18 fy, and a decrease of 22.1% compared to **195** grievances received for the 2015/16 fy.

In the Eastern Cape Province, **27** cases were referred during the 2017/18 fy, reflecting a decrease of 44.9 % from the **49** reported for the 2016/17 fy and a decrease of 49.1% compared to **53** cases referred in the 2015/16 fy. The Free State Province recorded the same number (**6**) of grievances for the 2015/16 and the 2016/17 financial years, but recorded **11** cases for the 2017/18 fy, which reflects an increase of 83.3%.

The number of cases in the Gauteng Province decreased by 71.7% from **39** cases recorded for the 2015/16 fy, to **11** cases for the 2016/17 and 2017/18 financial years. KwaZulu-Natal Province registered **7** grievances for both 2015/16 and 2016/17 financial years, respectively, but recorded a decrease of 42.9% to **4** cases for the 2017/18 fy.

In respect of the Limpopo Province, the total number of grievances for the 2017/18 fy (**79**) reflects an increase of 182.1% from the **28** cases reported for the 2016/17 fy and an increase of 41.1% (**56**) for the 2015/16 fy. In Mpumalanga Province, **9** cases were referred for the 2017/18 fy, reflecting an increase of 200% from the total of **3** cases referred in the 2016/17 fy, and a decrease of 55% for the 2015/16 fy. In the North West Province, the number of grievances

increased from **10** cases referred in the 2016/17 fy to **14** cases referred in the 2017/18 fy which reflects a 40% increase; which is also an increase by 7.7% compared to **13** cases recorded for the 2015/16 fy.

In the Northern Cape Province, a total of **22** grievances were referred for the 2017/18 fy, reflecting a decrease of 45% from the **40** grievances reported for the 2016/17 fy and an increase of 37.5% from **16** cases reported for the 2015/16 fy. In the Western Cape Province, a total of **52** grievances were referred for the 2017/18 fy, which is a decrease of 38.8% from the **85** cases referred in the 2016/17 fy and 34.2% compared to **79** cases referred in the 2015/16 fy.

**Figure 22** provides an overview in respect of the status of properly lodged grievances referred to the PSC for the three financial years.

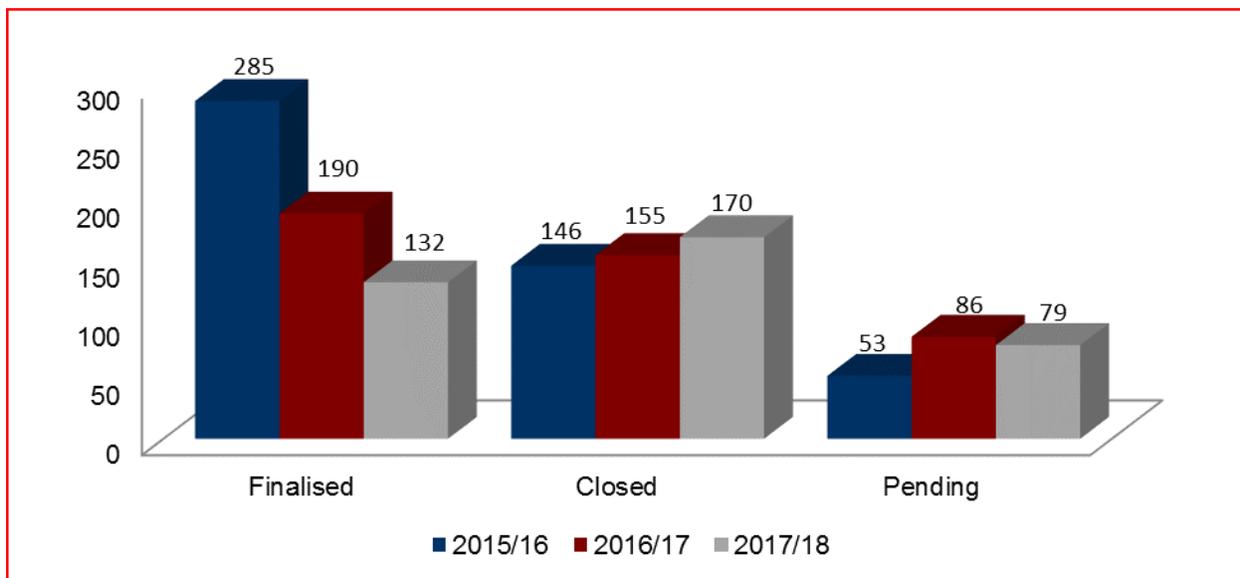


Figure 22: Status of properly referred grievances

For the 2017/18 fy, **302** cases (79.3%) of the total of **381** properly lodged cases were concluded and **79** (20.7%) remained pending. Of the **431** properly referred cases for the 2016/17 fy a total of **343** (79.6%) cases were concluded and **88** (20.4%) of these cases remained pending at the end of the financial year, and for the 2015/16 financial year, **431** (89%) of the **484** cases referred were concluded and **53** (11%) cases could not be finalized by the end of the financial year as they were either received by the PSC during the last month of the financial year or not all the information had been provided to the PSC.

#### 8.4 Nature of properly referred grievances lodged with the PSC

**Figure 23** below provides an overview in respect of the nature of grievances lodged with the PSC. The reporting by departments in respect of the nature of grievances is consistent with that of the PSC where grievances relating to salary matters rated the highest. This has been the trend in the nature of grievances referred to the PSC since the 2015/16 fy when a total of **185** cases relating to salary problems, which was 38.2% of the **484** properly referred, were referred to the PSC. In 2016/17 fy, **141** salary problems grievances were referred to the PSC,

representing 32.7% of the **431** properly referred grievances. In 2017/18 fy, **108** cases relating to salary problems were referred, which was 28.3% of the **381** properly referred grievances. This category of grievances relating to salary problems includes dissatisfaction with the implementation of the Occupation Specific Dispensation (OSD) in respect of several post classes.

Grievances relating to unfair treatment rate the second highest with **113** (29.7%) cases reported for 2017/18 fy, which reflects an increase of 18.9% when compared to **95** cases for the 2016/17 fy, and 37.8% of the **82** cases reported for the 2015/16 fy.

Performance assessment cases rate the third highest for the 2017/18 fy at **89** (23.3%) cases reported, which shows a decrease of 6.3% from **95** cases reported for the 2016/17 fy and 4.3% from **93** cases reported for the 2015/16 fy.

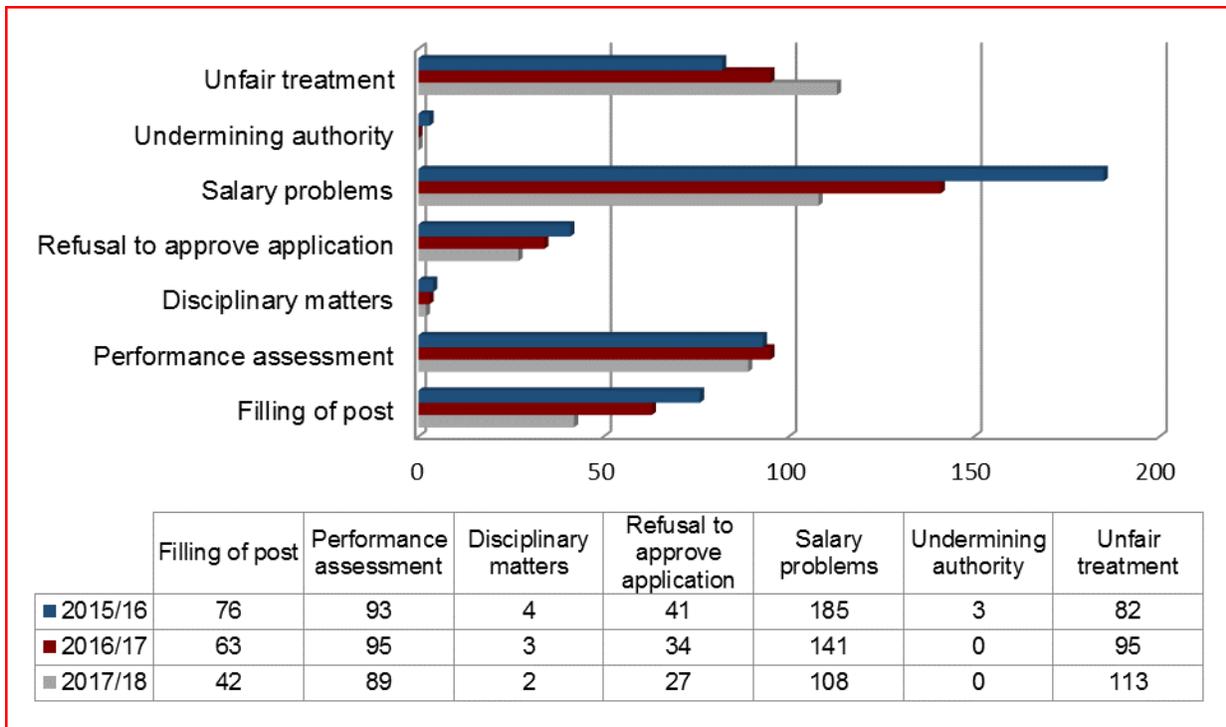


Figure 23: Nature of grievances lodged with the PSC

### 8.5 Race and gender distribution of grievances properly referred to the PSC

Figures 24 and 25 below provide an overview in respect of the race and gender of employees that lodged grievances with the PSC.

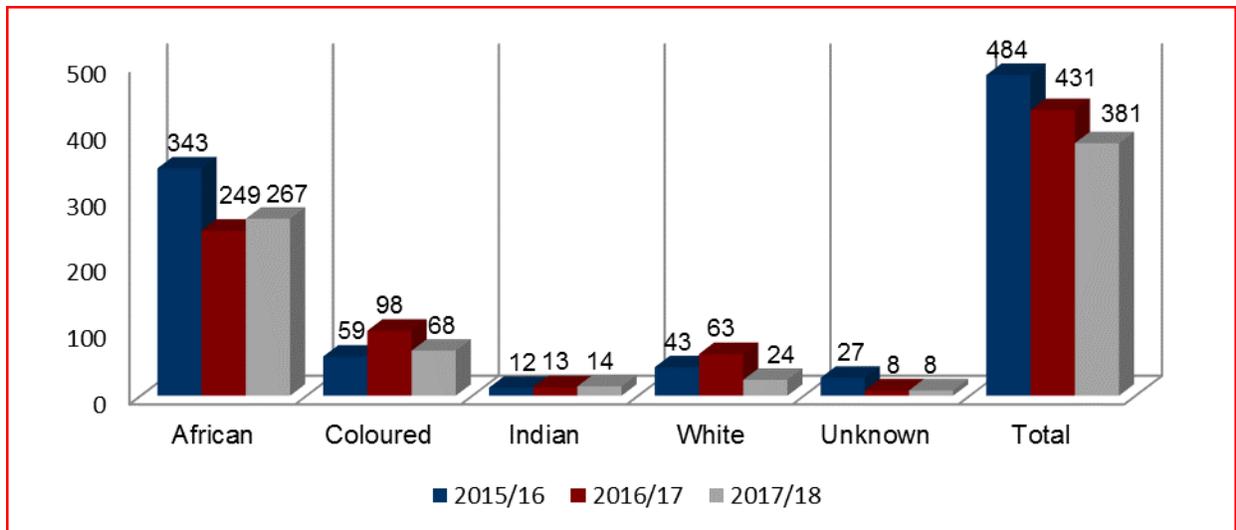


Figure 24: Race distribution of aggrieved employees

As can be seen from **Figure 24**, grievances referred by African employees are the highest at **267** cases which indicates 70% of cases referred, followed by Coloured employees at **68** (17.8%) cases, Whites at **24** (6.3%) and Indians at **14** (3.7%) cases. In **8** (2.1%) of the cases, information relating to the race distribution of the aggrieved employees was not provided by departments.

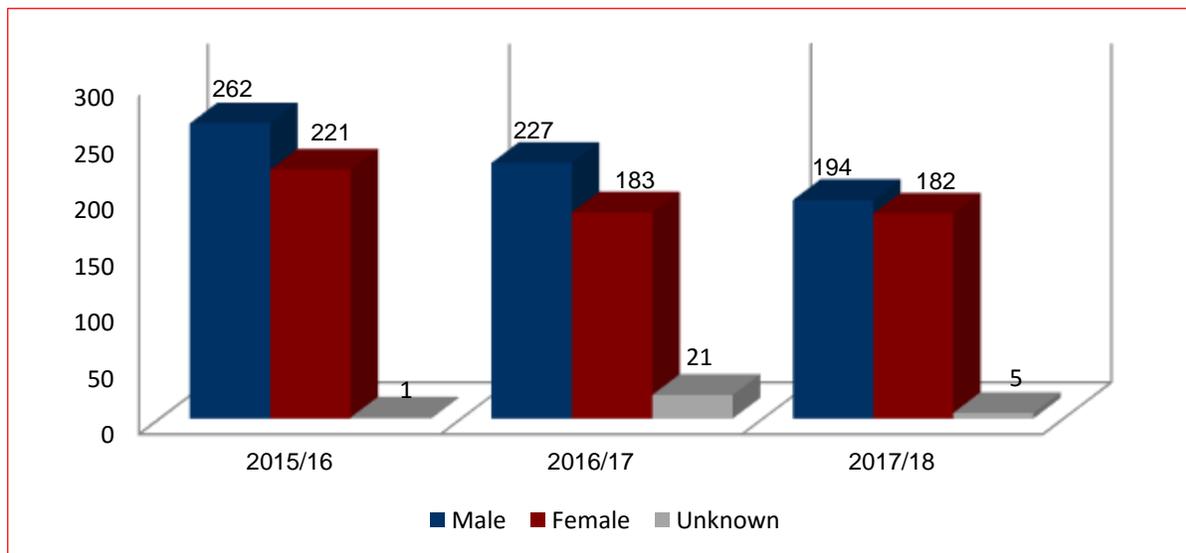


Figure 25: Gender distribution of aggrieved employees

In respect of the gender distribution it is noted that the three-year trend shows that male employees lodged more grievances compared to female employees, with **194** (50.9%) grievances compared to **182** (47.8%) reported by females for the 2017/18 fy. For the reporting period 2016/17, male employees reported **227** (52.7%) grievances compared to **183** (42.4%) grievances which were reported by females. For the 2015/16 fy, male employees reported **262** (54.1%) compared to **221** (45.7%) grievances reported by female employees. The gender of

the remaining **5** (1.3%) grievances for the 2017/18 fy, **21** (4.9%) grievances reported for the 2016/17 fy, as well as **1** (0.2%) grievance for 2015/16 fy was not indicated by departments.

## **9. CONCLUSION**

There is a noticeable decrease in the total of grievances reported by National and Provincial departments over the past three years. Although, grievances relating to salary problems continue to be amongst the top three nature of grievances lodged with departments, there is however, a decrease by 7.7% for the 2017/18 fy from the 2016/17 fy. The same applies to performance management which decreased by 7.2% from the 2016/17 fy. There is however, an increase by 0.5% observed with regard to unfair treatment from the 2016/17 fy.

The PSC has further observed that grievance resolution within the specified timeframes has improved in that from **4846** grievances concluded for the 2017/18 fy, 67.5% (**3253**) were resolved within 30 and 45 days of the Grievance Rules. However, the resolution of grievances remains a challenge as it is evident that from the **8770** reported cases, 44.1% (**3867**) grievances remained unresolved which could result in employees lacking confidence in the grievance procedure. In addition, delays in the resolution of grievances can lead to poor service delivery and labour unrest. Executive Authorities must ensure that there is consequence for those entrusted with the responsibility to deal with grievances within specified timeframes but fail to meet the standard set.

The PSC has also observed that the Provincial Departments of Health have the highest number of grievances in seven provinces, and in two Provinces, they are third amongst the top three Departments. There is therefore a need for the National and Provincial Departments of Health to investigate and address the underlying causes. The PSC will also engage with Provincial Departments of Health in order to address the root causes of grievances.

It has been observed that, although grievances relating to the filling of posts do not fall amongst the top three, there is a gradual increase from 2015/16 fy. From a total of **1164** for the 2015/16 fy the grievances increased by 8.2% for the 2016/17 fy and 10% for the 2017/18 fy. The PSC will engage the departments with a view to deal with systematic issues in that regard.