Grievance management in the workplace

One of the important provisions of collective agreements is the grievance procedure. It has historically been regarded as both an institutional mechanism and a process for managing workplace conflict arising from the contract between employer and employee.

The use of grievance procedures has become institutionalized in union/management relations. Such usage admits of the inevitability of conflict that emanates from the contradictory relationship between workers and employers. Grievance procedures, however, are intended to provide a “peaceful” means for resolving that conflict.

While formalized systems with well-defined stages are more likely to be found in the unionized sectors of the economy, employers in the non-unionized sector can ill afford to ignore the concerns of their employees for due process and fair treatment. Some non-union employers therefore make provision for the disposition of complaints and grievances in employee manuals and handbooks in their attempt to contain dissatisfaction and conflict, and perhaps forestall unionization of their employees.

Importance of the grievance process

The existence of grievance procedures and the practice of grievance management express the reality that conflict is inevitable in the management of workplace relations between workers and employers. The use of grievance procedures institutionalizes conflict by providing an orderly means of settlement of grievances.

Students of workplace relations have long recognized the importance to both managers and workers of effective grievance administration. From the employees’ standpoint, it provides an opportunity for the use of the “voice” mechanism, thereby creating upward communication channels to management and the conditions under which workers and their unions can assert and protect job rights under the contract.

Through effective grievance management, workers can legitimately protest contract violations, and seek redress when contract clauses have been improperly applied or inappropriately interpreted. Grievance management assists with the resolution of disagreement over facts and employees initiate the process if they perceive that the treatment received at the hands of management is unjust, unwarranted, discriminatory, or inconsistent when compared with that received by others under similar circumstances. Workers also engage in the process to draw management’s attention to problems at the workplace and to ensure that they are put on the agenda for action.

Management, too, benefits from the effective management of the process. It constitutes an alternative to job action, thereby creating conditions under which the affairs of the organization are not interrupted as a result of employee disaffection or dissatisfaction.

Grievance systems can reduce or eliminate work stoppages during the life of the collective bargaining agreement. Processing a grievance permits resolution of interpretive disagreements without reliance on economic threat by either of the parties. Compliance with the contract is effected by an orderly process that allows the parties to determine whether the labour agreement has in fact been violated.

Another benefit derives from the contradiction that is inherent in the practice of invoking the “voice” mechanism. Workers do this in their own interests, but the results can also be to management’s advantage. When workers, through this medium, choose to remain in the organization and have their problems resolved rather than to quit, there is the strong likelihood that the results will assist management in its
attempts to control some of the costs associated with turnover and the corresponding need to recruit, select and train new employees.

Once trade unions and employers enter into a collective bargaining relationship and they wish to maintain it, the effective use of grievance procedures, among other things, can assist in strengthening that relationship.

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Grievance management as an element of the process of contract administration, extends the collective bargaining process by giving dynamic meaning to contract terms and operational significance to the written word. Moreover, it plays an important role in helping the parties to collective bargaining as they search for meaning and understanding where collective agreements are silent or vague on certain issues. This is an especially important consideration since the collective agreement cannot speak to every possible eventuality or contingency.

Careful and skilful grievance administration is particularly useful under such circumstances. It can influence the perceptions of employees regarding justice, and the effectiveness with which their unions represent their interests at work, and ultimately their relationships with the union. Grievance administration also has consequences for individual behaviour. It may discourage or foster “disruptive behaviour” and influence job performance and job satisfaction, as well as the relationship between the aggrieved and the employer and trade-union respectively.

Characteristics of effective grievance systems

The use of grievance procedures is intended to serve the needs of both employers and employees. It is therefore important for organizations to employ effective grievance management systems to address the concerns raised by employees in the interest of promoting justice and avoiding conflict, especially in a unionized establishment. Grievance systems and grievance management should possess certain characteristics and demonstrate the use of certain principles to ensure their effectiveness.

One of the cardinal principles of effective complaints and grievance management is that workers must be aware of and have unencumbered access to well-defined procedures that are easy to understand and use. Another principle of effective grievance management is that workers' concerns should be addressed in a timely fashion. For this to happen, one of the conditions that must be present in the unionized environment is that there should be a sufficient number of competent trade-union representatives and supervisors at the workplace. The same holds for union officials who must be available for providing this essential service to union members, in the event disagreements and misunderstandings are not resolved at the local level, and especially if third party assistance in the form of conciliation or grievance arbitration is required.

Grievance systems should also ensure “voice”, or the opportunity to be heard in the organization. “Voice” allows an employee to assert and protect their job rights. Grievance systems should also specify employees' rights to representation and allow for appeal against decisions with which they disagree. Effective grievance management ultimately affords workers an ability to assist in shaping decisions at the workplace that affect them. Employees tend to view work systems as fair when these procedures allow them the opportunity to contribute or participate in management decision-making. Procedural justice afforded by grievance systems seems to be a function of how grievances are handled and resolved in the organization. It is thus important to understand certain characteristics of a grievance system in promoting positive perceptions of organizational justice.

Some argue that grievance procedures can be thought of as procedural justice channels that allow employees the opportunity to seek the distributive justice they believe they were denied when the unfair treatment occurred. Thus, one important factor in promoting procedural justice in an organization is the presence of adequate opportunities for airing complaints as part of the process of promoting “voice”.

Other important features of an effective voice system, in constituting procedural justice, are efficiency and responsiveness (to grievants). An efficient and responsive grievance system handles workers' complaints in a timely manner and ensures that decisions for resolving grievances are made in a timely manner. The former refers to the time that elapses between the time a complaint is issued and the time any
action by management is initiated. The latter refers to length of time spent in reaching a formal resolution for a grievance or complaint raised. Furthermore, the stages of the grievance management process and the procedures for handling workers’ complaints should be adequate in effective grievance systems because these elements contribute to workers’ perceptions about the seriousness with which the parties treat their grievances, and the justice-producing potential of any effort to resolve them.

To summarize, the six major characteristics deemed important for effective grievance systems are:

- existence of adequate opportunities for airing complaints;
- fair handling of workers’ complaints;
- timelines of grievance/complaint handling;
- timelines of grievance resolution;
- adequate stages of the grievance management process; and
- adequate procedures for handling workers’ complaints.

Improving procedures

Much work still needs to be done in both the union and non-union sectors to improve the procedural environment for the management and disposition of complaints and grievances. Much more attention needs to be paid to the management of the different stages of the process, and especially to the availability of trade-union personnel at both the shop floor and trade-union organizational levels.

If the practice of workplace relations is a vehicle for promoting justice in organizations, then it is incumbent on the principal players in the non-union and unionized sectors to pay as much attention to the means at their disposal for resolving complaints and grievances as they do to ensuring that such complaints and grievances are satisfactorily resolved.

The potential contribution that grievance procedures can make to organizational justice can only be maximized if managers and trade-union leaders pay attention to the effectiveness of the governance structures that they employ for dealing with workplace grievances and to the quality of the outcomes that derive from their usage.

Improving the procedural environment can increase workers’ satisfaction with outcomes and improve their attitudes toward the trade union as well as organizational citizenship behaviour. □

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