


RECOMMENDATION OF THE SENATE*Grievance Redress Policy*

The Senate at its 383rd Meeting held on 18th August 2020 considered the under mentioned item and recommended to the Council for approval.

RECOMMENDATION OF THE SENIOR MANAGEMENT COMMITTEE
[MEMO NO. VV/383/06/01]The Open University of Sri Lanka Grievance Redress Policy

Recommended to the Council for approval.


PK Seneviratne/Actg. Registrar
15th September 2020

The Open University of Sri Lanka Grievance Redress Policy

1. SCOPE OF THE POLICY

- 1.1 This policy is applicable to all employees of the OUSL, whether permanent, temporary or on contract.
- 1.2 This policy shall be read in conjunction with other related policy documents including the Code for the Prevention and Redress of Sexual Harassment

2. DEFINITION OF GRIEVANCE

- 2.1 For the purposes of this policy a grievance is any issue, complaint, problem or concern of an employee regarding his/her working conditions, employment conditions or co-worker relationships.

3. GUIDING PRINCIPLES

- 3.1 Employees should always try to resolve problems in the workplace with the least formality and at the earliest opportunity.
- 3.2 As far as possible, problems should be addressed before they escalate into a grievance.
- 3.3 Those holding positions of authority should take all possible steps to resolve problems faced by staff members, and/or conflicts among staff members, at the level of Departments, Faculties and Divisions.
- 3.4 Where a grievance cannot be resolved informally, an employee shall be entitled to file a complaint to a Grievance redress Committee as set out below.

4. GRIEVANCE REDRESS COMMITTEE

- 4.1. The Grievance redress Committee shall be composed of
 - (a) Two members of the Council nominated from among the appointed members, one male and one female,
 - (b) Two permanent members of the Senate one male and one female,
 - (c) Two members from among the administrative staff one male and one female.

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- 4.2. The members appointed under categories 5.1 (b) and (c) shall have served in the university system for minimum of 10 years.
 - 4.3. Any person holding the post/s of Vice-Chancellor, Deputy Vice-Chancellor, Registrar, Bursar, Dean of a Faculty, Head of a Department and Head of an Administrative Divisions shall not serve on the Grievance redress Committee.
 - 4.4. One of the two members nominated by the Council shall chair the Grievance redress Committee.
 - 4.5. The term of office of a member of the Grievance redress Committee shall be three years.
 - 4.6. A member may resign his/her office at any time by giving notice in writing to the Vice Chancellor.

5. SUBMITTING A COMPLAINT

- 5.1. Any employee who has a grievance, which cannot or has not been resolved informally, may submit a complaint to any member of the Grievance redress Committee.
- 5.2. Such complaint shall be filed within thirty (30) calendar days after the act or the condition giving rise to the grievance.
- 5.3. The complaint shall be in writing and signed by the complainant. Where the complaint is made orally, the member receiving the complaint shall record it in writing and the complainant shall sign it.
- 5.4. Where the complaint has been submitted to a member, such member shall immediately forward it in turn to the Chairperson of the Grievance redress Committee.
- 5.5. On receipt of the complaint the Chairperson shall summon a meeting of the Grievance redress Committee as expeditiously as possible and in any case within seven (07) working days. In the event that the Chairperson is not available, the complaint shall be forwarded to the other member of the Council who shall summon the meeting and act as Chairperson. The quorum for a meeting shall be 4 members.
- 5.6. The Grievance redress Committee shall review the complaint and nominate a member, who shall, together with the member who received the complaint, constitute the Panel that shall handle the complaint.
- 5.7. The Chairperson shall forthwith inform the Vice-Chancellor of the complaint.

6. PROCEDURE TO ADDRESS COMPLAINTS

- 6.1. The Panel shall forward a copy of the complaint to the person/s identified as giving rise to the complaint or to the person/s who are in a position to address it.
- 6.2. The Panel shall, in the first instance, attempt to resolve the complaint informally among all parties, including agreeing on a remedy where necessary, and measures to prevent its recurrence.
- 6.3. If all parties agree to a resolution, the terms of such resolution shall be recorded and signed by the parties, and the two members of the Committee. A copy of such settlement shall be submitted to the Grievance redress Committee. The Chairperson of the Grievance redress Committee shall forward it to the Vice Chancellor who shall endorse the document and declare the matter closed.
- 6.4. Where the complaint cannot be resolved informally, or in the view of the Panel raises issues of discipline, or is of a very serious nature, the members of the Panel shall so report back to the Committee which shall institute a formal inquiry as set out below.

7. FORMAL INQUIRY

- 7.1. The Committee shall appoint a factfinding committee composed of two (02) persons to inquire into the complaint. Such factfinding committee shall include at least one person from outside the OUSL.
- 7.2. Such factfinding committee shall complete its investigations and forward its report to the Grievance redress Committee within two weeks of the date of appointment. Such report shall indicate whether the issues raised in the complaint are of such serious nature as to warrant disciplinary or any other action.
- 7.3. The Committee shall forward the report of the factfinding committee to the Vice Chancellor and in consultation with the Vice Chancellor shall determine the further course of action to be taken to resolve the issue.
- 7.4. Where the Committee in consultation with the Vice Chancellor has decided that a disciplinary inquiry is required the Vice Chancellor shall, within seven (07) working days of such decision, appoint a formal inquiry committee to inquire into the matter. The formal inquiry committee shall consist of three persons who shall be from outside the OUSL.
- 7.5. The inquiry shall be conducted in accordance with the regulations for disciplinary inquiries against staff and shall be completed as expeditiously as possible.

- 7.6. The report of the formal inquiry committee shall be submitted to the Vice Chancellor who shall forward a copy to the Chairperson of the Grievance redress Committee. Such report shall be tabled at the next Council meeting for further action, provided that the Council members who are members of the Grievance redress Committee shall not participate in any discussion or decision on the report.

8. RECORDS

- 8.1. The records of complaints shall be kept in the custody of the Establishments Division and shall be destroyed after a period of ten years from the date of the complaint being filed.
- 8.2. The records shall comprise of the following documents:
- i. The written statement of grievance
 - ii. A record of all procedures followed and action taken to resolve the grievance including the reasons for so doing
 - iii. A written statement of the decisions taken including the decision of the Council where relevant.

9. NON-COERCION AND NON- RETALIATION

- 9.1. No employee shall retaliate against another employee in any way whatsoever because the latter has filed a grievance complaint and such retaliation shall be deemed to be an offence.
- 9.2. No employee shall coerce another employee to refrain from filing a complaint or interfere with the process of filing a complaint.
- 9.3. Those in positions of authority shall ensure that a complainant is not subject to coercion or retaliation arising from the filing of a complaint.

