

Grievance and Managing Discipline

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Grievance Definition

- Grievance refers to any form of discontent or dissatisfaction arising out of anything connected with the company that an employee thinks, believes or even feels is unfair, unjust or inequitable.

Causes of Grievances

Promotions

1. Supersession
2. Acting Promotion
3. Seniority
4. Pay Fixation

Compensation

1. Increments
2. Payment
3. Recovery of Dues

Contd....

□ Amenities

1. Inequitable distribution
2. Entitlement
3. Medical Benefits

□ Service Matters

1. Transfers
2. Continuity of service
3. Superannuation

Contd...

□ Disciplinary Action

1. Punishment
2. Fines
3. Victimization

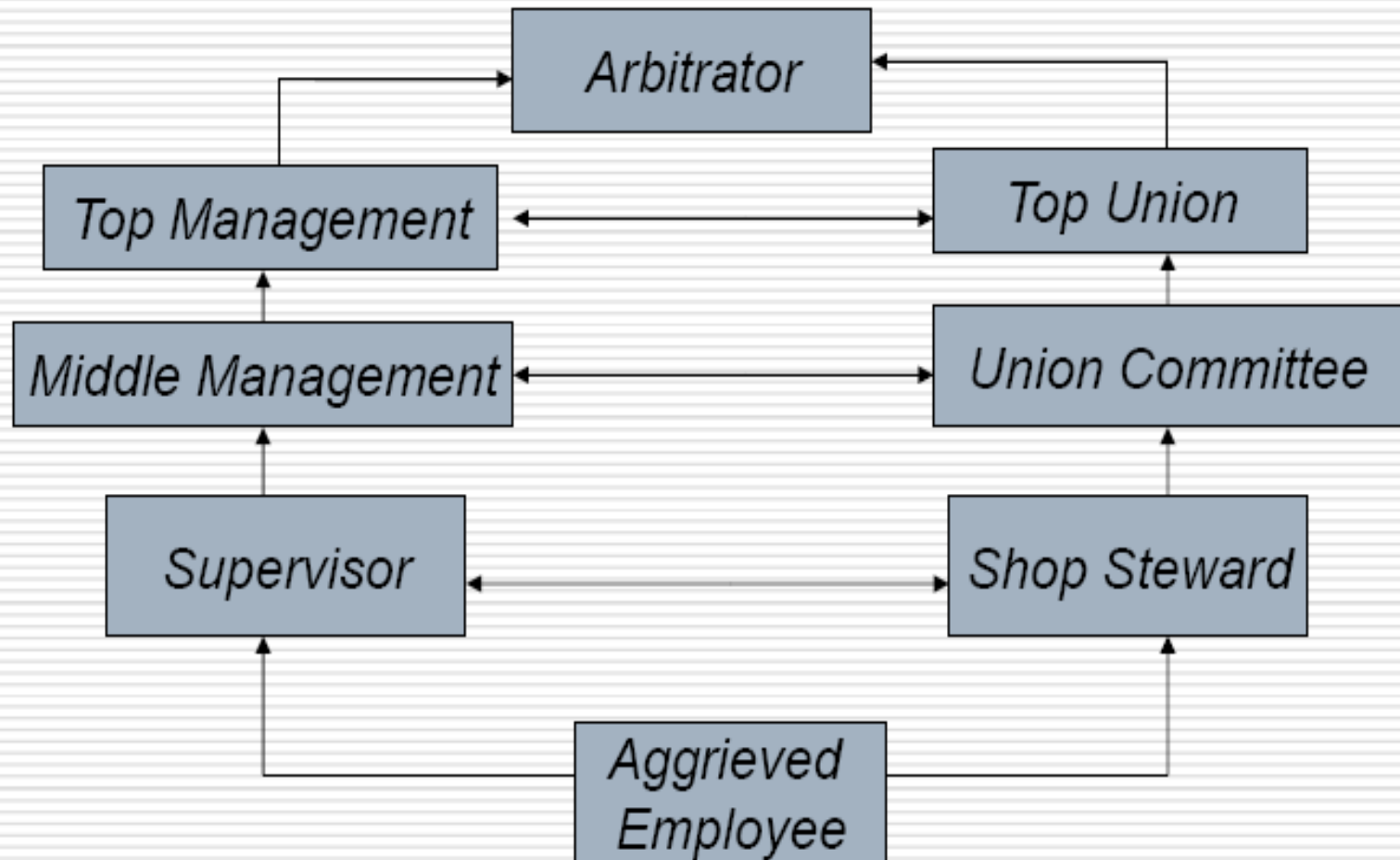
□ Nature of Job

1. Job Allocation

□ Condition of Work

1. Safety
2. Hazards

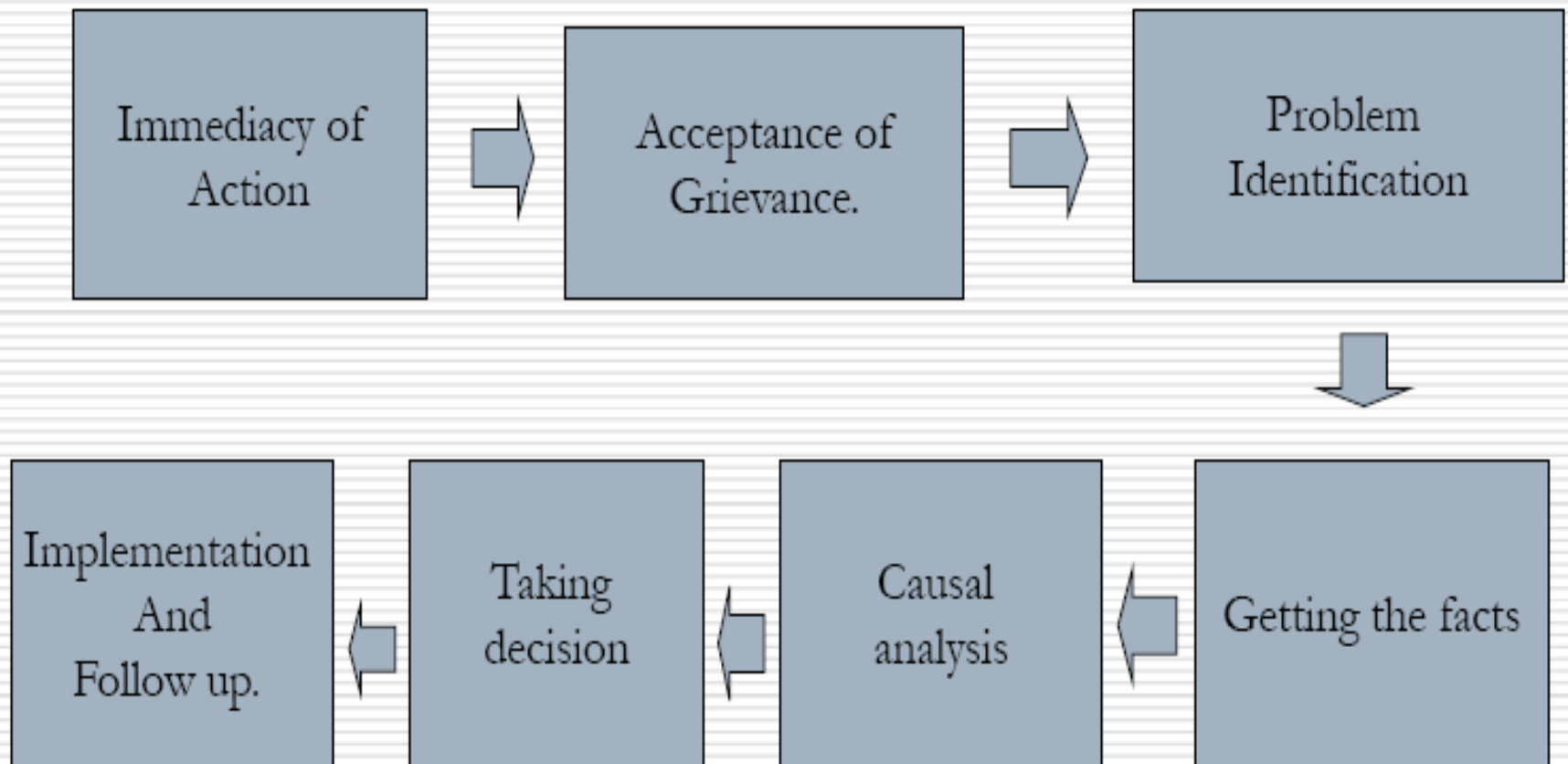
The Grievance Procedure



The provisions attached to Employee Grievances

- Chapter II B . Sec.9 C, of the Industrial dispute Act has made compulsory provisions for industrial establishments employing 50 or more workman to set up grievances settlement authorities and reference of certain individual disputes to such authorities.

Handling Grievances Alternative Routes



Interpretation of Discipline

- ❑ It connotes a state of order in organizations.
- ❑ It also means compliance with the accepted order or proper appreciation of the hierarchical- superior – subordinate – relationship.
- ❑ It also means adhering to established rules and regulations

Indiscipline/Misconduct

- Used interchangeably. The term can be described as a Non conformity and deliberate violation to formal and informal rules relating to standard of behavior.

Antecedents leading to Indiscipline

- Poor Management.
- Errors of Judgment by employees about their respective unions or about Management Policy.
- Management's Negligence or non response to Employee Grievances.
- Unfair labor practices. (As laid down by Industrial Disputes act 1948 'Schedule -V')
- Victimization by Management.
- Wage Differential.
- Poor Communication.
- Wrong Work Assignment.

Acts lead to Misconduct

☐ Insubordination

- Direct disregard for the Boss's authority
- Flat out disobedience
- Deliberate defiance of clearly stated company policies, rules, regulations and Procedures
- Public criticism of the Boss
- Disregard for the chain of Command
- Participation in an effort to undermine or remove the Boss from Power

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- Theft, Fraud or dishonesty in connection with the Employers Business
 - Willful damage to or loss of employers goods or property
 - Taking or giving bribes or any Illegal gratification.
 - Habitual absence without leave
 - Carrying weapons to the workplace
 - Sexual Harassment
 - Suicides
 - Physical abuses

Approaches to Deal with Indiscipline

The Approaches available for dealing with indiscipline are,

[A] Progressive Approach.

 Punitive approach.

 Judicial Approach.

[B]. Positive Approach.

 Behavioral Approach.

 HRD Approach.

[C]. Unconventional Approach

 Admitting mistakes—encouraging openness
 (Captain Asoh and the Concept of Grace)

Punitive Approach

- ❑ This is one of the traditional approaches to deal with the problems of Indiscipline in Industries.
- ❑ The assumptions underlying are,
 1. The workers need to be coerced or forced to conform to the established norms and regulations.
 2. Punishment is necessary for correcting deviations and changing the behavior of people in a desirable action.
 3. The approach advocates to use fear as a means to Secure compliance to Present Terms.

Judicial Approach

- ❑ The judicial approach advocates of following disciplinary proceedings in case of employees alleged of misconduct.
- ❑ A Domestic enquiry to be held before awarding punishment to the alleged employee.

Industrial Employment (Standing orders) Act 1946

The Industrial Employment (Standing orders) Act 1946 requires all industrial establishments of 100 or more workers to define with sufficient precision and clarity their service rules and conditions of employment.

Matters to be Part of Standing Orders

- Classification of workmen
- Working Hours
- Holidays
- Attendance and late coming
- Leave
- Termination of employment
- Suspension or dismissal for misconduct
- Redressal of grievances against unfair treatment

Disciplinary Procedure (The Process of Holding Domestic Inquiry)

Stage 1 - Issuing letter of charge/Show-Cause Notice.

Stage 2 - Consideration of explanation.

Stage 3 –Notice of Enquiry.

Stage 4 – Holding of a full fledge enquiry.

Stage 5 – Making a final order of punishment.

Stage 6 – Communication and Follow Up.

Principle of Natural Justice

- ❑ Principle of Natural justice imposes on the adjudicator the minimum standard of fair decision making.
- ❑ The rules of natural justice consists of the following,
 1. Right to a fair hearing.
 2. The rule against bias.

Punishment

□ The different forms of Punishment are:

1. Warning or Censure.
2. Fine.
3. Withholding of increments.
4. Demotion to a lower grade.
5. Suspension.
6. Termination

Suspension

- ❑ Suspension means prohibiting an employee from attending work and withholding the wages payable to Him.
- ❑ Suspension may be of two types.
- ❑ Suspension pending an Enquiry.
- ❑ Punitive suspension.

Termination

- The service of an employee can be terminated in either of these three ways,
 1. Discharge.
 2. Discharge simpliciter.
 3. Dismissal.

Behavioral Approach

- Douglas McGregor (1967), a leading behavioral Scientist advocated for the use of an approach Which he termed as "The Hot Stove Rule".
- As per the Hot Stove Rule A sound disciplinary system in an organization should possess the following characteristics.

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- Advance warning.
- Immediacy of Action.
- Consistency.
- Impersonality.

The HRD Approach

- The HRD approach emphasizes on to treat employees as the most Important resource in the organization
- The Approach Stresses on the causes of indiscipline in Industries to factors such as:
 1. Lack of motivation
 2. Improper job Allocation
 3. inadequate training
 4. lack of communication
 5. Misinterpretation of Company Policies

Contd...

- The objective of this approach are to create conditions whereby employees can Voluntarily and willingly contribute their best to organizational goals with the framework of organizational Norms.
- The corrective steps can be taken not in the form of penalty, but analysis should be made of the working conditions ,supervisory and managerial attitudes, styles and practices as well as the fit between Technology and employee.
- The emphasis is on Self-control and Self- Discipline.