

GRIEVANCE PROCEDURE

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1 SCOPE

A grievance procedure is necessary to eliminate the possibility of any harmful effects arising out of unresolved grievances and aims to ensure that all communication channels are open and receptive and that all employees, (sub)contractors and suppliers have an adequate opportunity to express their grievances. It further aims to ensure that grievances are resolved timeously and fairly by adopting a problem-solving approach and implementing any appropriate corrective action necessary. However, the purpose of the grievance procedure must not simply be seen as a reactive measure to avoid disputes and excessive costs. The grievance procedure must also be seen as a proactive approach aimed at creating an environment that is seen as just and fair. The purposes of the grievance procedure are summarized below:

- ✓ It creates awareness of employee problems or of problem areas, which should be subjected to further investigation.
- ✓ It emphasizes management concern for the wellbeing of employees and their business relationship
- ✓ It renders disciplinary procedures more acceptable since employees also have a means of objecting to management performance/ behavior.
- ✓ It prevents disputes from arising.

2 STRUCTURE

The present procedure should be followed by all NSSG employees and all types of partners and is structured to give guidance and to provide a framework about how to deal with grievances raised effectively, at the earliest possible stage.

3 OBJECTIVE

The rationale of such a procedure being that if this type of issue is not given formal consideration by management and remains unresolved it may lead to a dispute between NSSG and employee (or group of employees), or with business partners.

If an individual grievance is not dealt with timeously and fairly, the employee may well become disgruntled, demotivated, disloyal, and even disobedient.

If a collective grievance is not dealt with fairly and timeously the problems experienced with the unattended individual grievance are exacerbated and may often result in industrial action. The sensitive grievance which is a perceived problem related to issues such as discrimination or harassment by fellow employees or superiors must be attended to with the utmost sensitivity. The objective and purposes of this procedure will only be achieved if it functions effectively and is properly utilized.

Considering the above, NSSG is committed to ensuring that:

- employees and business partners are aware of the opportunity to express grievances.
- employees and business partners feel free to express their grievances without the fear of victimization or intimidation or prejudice to their employment / business relationship.
- employees and business partners are encouraged to use the procedure, but also warned not to abuse it with false grievances.
- sensitive grievances are dealt with privacy and confidentiality of information is maintained.

NSSG gives commitment to the following:

- the resolution of all grievances is made in the timeously matter.
- to recognize the employees right to be represented by a fellow employee if he/she wishes to do so.
- to ensure that the NSSG Management handles grievances with the Human Resources or any other entitle department, acting in an advisory capacity.
- to create an environment in which an employee or a business partners may lodge a grievance without fear of being victimized or prejudiced.
- to ensure that all grievances are handled in a confidential manner.
- to ensure that each step in the procedure shall be subject to the stipulated time limits, unless otherwise determined by the parties through mutual agreement.

4 GRIEVANCE GUIDELINES

Grievances are wide ranging and may vary from general dissatisfaction with wages or working conditions to dissatisfaction with training and promotion, lack of facilities or inadequate equipment till the service providing conditions. Grievances may also involve unhappiness on the

part of the employee due to unfair treatment, for example a manager/supervisor or fellow employee may have consistently discriminated against an employee or group of employees, treated employees with unnecessary harshness or insulted them.

5 TYPE OF GRIEVANCES

5.1 EXTERNAL GRIEVANCES

We at NSSG take grievances seriously and will investigate them in an objective and factual manner. We believe that through dialog and communication we encourage third parties to engage in dialogue on matter of mutual concern, to improve understanding and identify solutions to problems. In this way most issues of dissatisfaction can be resolved early and without the need for a formal procedure.

If an external person or body (third party) wishes to raise an informal grievance, relating to any individual or the company in general, they can anytime write anonymous or not to: **complaints@nssg.global** This email address is available on our company website.

All verbal or written complaints will be recorded in the complaints log at the time the complaint is made, or as soon as possible afterwards. When recording a complaint, staff will record the date and as well as full details of the complaint and name and contact details of the person, if not anonymous. Details of all communication with the complainant and any actions to resolve the complaint will be recorded in the same place.

All our partners have the possibility to address us their feedback in a direct way, by filling the following form at the end of each task / mission/ project we supported them. The forms are sent by our operations representatives once the task / mission/ project is completed.

➤ <https://share.hsforms.com/1MZAiAlsQRwep8ahZxQRKBQ2o72h>

Action to resolve the grievance should begin immediately and not later than 3 working days since receiving it. The complaint is investigated further, and the whole investigation process cannot exceed more than 5 working days. A decision is taken, and corrective actions applied. If any.

5.2 INTERNAL GRIEVANCES

5.2.1 INDIVIDUAL GRIEVANCES

Or grievances regarding a group of employees concerning dissatisfaction with promotion, training, facilities, equipment, or unfair treatment may be channeled through the grievance procedure.

5.2.2 GENERALLY COMMON GRIEVANCES

Regarding wages or working conditions of all employees or a substantial number of employees will be channeled through a representative body such as employee representative.

6 GRIEVANCE PROCEDURE

Usually, a grievance procedure is initiated when, within the day-to-day work situation of an employee, an incident has occurred, or the employee's position is such that she / he is left with a general feeling of dissatisfaction or sense of injustice.

6.1 STAGES AND STEPS IN THE GRIEVANCE RESOLUTION PROCEDURE

Resolving a grievance may involve couple of stages and steps. Lack of resolution at one stage becomes the trigger for referral to the next stage. At any stage of the process the complainant may have the support of a support person.

6.1.1 IDENTIFICATION STAGE AND PRELIMINARY INVESTIGATIONS

Employees and business partners must be informed of their rights to lodge a grievance and where the applicable grievance application form can be obtained. All grievances may be lodged with the direct superior, or alternative superior/ Human Resource Department if the employee / business partner feels more comfortable doing so. No employee may leave his/her normal place of work or engage in any grievance discussion without prior permission, and such permission shall not be unreasonably withheld. Assistance must be offered, if necessary, by the superior in lodging such a grievance and completing the grievance application form. (See form attached). The superior must consider the nature and type of the grievance lodged and based on this assessment decide as to the best grievance resolution procedure to follow.

Step 1 - Discussion between the parties will take place as soon as possible. In some cases, the grievance may be resolved at this stage. The parties reach agreement about how the grievance should be resolved through discussion or conciliation. You may find that the person didn't mean to do what they did. This is called a **joint agreement**.

Step 2 - The complainant discusses the grievance with the supervisor, manager, or human resources officer, this may occur if the person is not sure how to handle the problem or wants information and advice about their options or assistance to fill up the grievance application form. The person contacted about the grievance must discuss it as soon as they can and preferably on the same day that they are contacted.

Step 3 - The person who receives the written grievance decides whether to take responsibility for handling it themselves, or refers it to another person, having considered conflict of interest. This is preferred to be someone more senior. Action to resolve the grievance should begin immediately and not later than 3 working days since receiving it.

The grievance may be handled by the person with whom it is first raised, or it may be referred to someone else to handle, such as an external, independent mediator. This may occur if:

- ✓ the person with whom it is first raised has a conflict of interest or is perceived to have one.
- ✓ the grievance is complex or sensitive and should be handled by someone with more skills and experience.
- ✓ the grievance is very serious or involves a senior member of staff and should be handled at a more senior level.

The person resolving the grievance is satisfied that **the grievance is justified**. This decision must be reasonable in view of the available information. They will then decide on a course of action that is fair and reasonable in all the circumstances.

6.1.2 THE GRIEVANCE INVESTIGATION

The aggrieved employee's superior, or person with whom the grievance has been lodged must ensure the grievance application form has been correctly completed and the grievance is clearly understood.

Step 1 - The person taking responsibility for handling the grievance should interview the respondent of allegations and decide what action to take. The parties cooperate fully to resolve the grievance. Resolving a grievance should be prioritized and the investigation should be a priority and should not be delayed by other issues.

Each step of the grievance procedure must be documented to avoid misunderstandings and provide a record of what has been done. Records or notes about the grievance will not go on an employee's personnel file unless disciplinary action is taken against them. All other records will be filed in a secure, confidential place. Only the entitled personnel will have access to this file.

Step 2 - The person taking responsibility issues a resolution immediately and proposed corrective action with the employee in private, not later than 5 working days after the interview. If required, the complaint is investigated further. The decision on corrective action, if any, must be detailed on the grievance application form. The aggrieved employee or employee representative or witness must sign the form. The corrective actions must be implemented and recorded on the form.

Step 3 - Grievance is resolved and person taking responsibility advises the parties of a decision. Possible options to resolve a grievance include:

A. Informal discussion between the parties

B. Conciliation to reach an agreement between the parties.

Conciliation involves an impartial person assisting the parties to a grievance to reach an agreement about how it should be resolved. The conciliator does not take sides but is responsible for ensuring that the agreed outcome is fair and practical.

Conciliation is most likely to be used when:

- ✓ there is some basis for agreement, for example the parties may agree about what happened but have different interpretations
- ✓ the parties show some willingness to cooperate
- ✓ both parties have equal bargaining power.

Conciliation is less likely to be used when:

- ⓪ there is no agreement about what happened
- ⓪ one party is accusing the other of serious misconduct
- ⓪ one party is in a position of power or influence over the other
- ⓪ one or both parties do not show willingness to cooperate

C. Full investigation followed by a decision based on the findings of the investigation.

An investigation is required when the grievance is more serious, or the parties do not agree about what happened. The aim of the investigation is to uncover facts which may inform the decision about how to resolve the grievance. The investigator interviews the complainant and respondent to get each party's version of what happened. If necessary, the investigator interviews witnesses and collects other relevant information. The investigator prepares a report on the investigation, giving all the relevant facts that have been uncovered. It may also make recommendations on how the grievance should be resolved (see point B). The whole investigation process cannot exceed more than 5 working days if the time frame will not be affected by the availability of the parties.

6.1.3 THE DECISION TO RESOLVE GRIEVANCE AND POSSIBLE OUTCOMES

If the parties to the grievance cannot agree on how to resolve it, the decision about how it will be resolved may be made by the person handling it, or by a more senior person. This will depend on:

- the type of grievance [sensitive (grievances about discrimination, sexual harassment, and other forms of harassment), mild (does not involve a dispute of facts or require that evidence be led to understand the nature of the grievance), serious (revolves around a dispute of facts and further evidence or witness testimonies may be necessary to understand the nature of the grievance)]
- how senior the parties are within the organization?
- how serious the grievance is?

The person responsible for deciding on a resolution will:

- consider possible outcomes and decide on what is appropriate, based on the facts and anything that might partly explain or excuse the behavior (mitigating circumstances)
- explain their decision to the parties and if required, provide a written statement of their reasons
- explain the need for confidentiality and privacy to be continued after the resolution and the need to avoid victimization
- decide on and implement a process for monitoring the effectiveness of the resolution

Examples of possible outcomes include: an apology, training, changes in work practices, counselling and/or disciplinary action.

A decision to take disciplinary action should consider the seriousness of the grievance, the attitude, intent and previous record of the respondent and any mitigating circumstances. Disciplinary action could include: an official warning, demotion and or dismissal. If disciplinary action is taken, a record of the grievance and the outcome will be placed on the personnel file of the person who is disciplined.

6.2 WITHDRAWING A COMPLAINT REDRAWING

A grievance can be withdrawn at any time unless management consider it to be too serious to be withdrawn. For example, it may be too serious if it involves a serious breach of NSSG Code of Conduct or a risk to workplace health and safety.

If a complaint is withdrawn it cannot be raised again, unless there is victimization, the behavior is repeated, or new facts come to light.

7 GRIEVANCE APPLICATION FORM

NAME OF AGGRIEVED EMPLOYEE

(If this is a collective grievance attach list of the names of all aggrieved employees)

ADDRESS AND PHONE NUMBER

JOB TITLE

DEPARTMENT

NAME AND PHONE NUMBER OF SUPERVISOR WITH WHOM GRIEVANCE HAS BEEN LODGED

REPRESENTATIVE'S NAME

(Only if you wish to be represented by a delegate or other nominated person at this stage)

DATE GRIEVANCE LODGED



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NATURE OF THE GRIEVANCE (DETAILED)

SOLUTION PROPOSED BY AGGRIEVED EMPLOYEE

DATE:

SIGNATURE OF AGGRIEVED EMPLOYEE:

DATE:

SIGNATURE OF SUPERIOR: