

KUMBA IRON ORE

Herein after referred to as the Company or the Employer

COMPANY POLICY: GRIEVANCE PROCEDURE

This policy, effective 1 July 2009, replaces all previous policies and documents in this regard.

1. PURPOSE

The purpose of this policy is to provide guidelines of the grievance procedures.

2. APPLICATION

This policy is applicable to all employees into positions within the Company.

3. DEFINITION OF A GRIEVANCE

A grievance is any feeling of discontent or of having been wronged which an employee might have in respect of his work and/or his work situation and which is brought to the attention of management.

4. DEFINITION OF A GRIEVANCE PROCEDURE

A grievance procedure is created with a view to resolving employee grievance about work and work-related matters. Such a procedure is instituted to promote harmonious labour relations by making available a reasonable and fair means of settling grievances and preventing disputes. A grievance procedure is therefore an additional mechanism for promoting upward communication. A grievance procedure can therefore be regarded as a mechanism for upward communication which enables an employee to exercise the right to discuss a grievance at different management levels with a view to finding a meaningful and constructive solution. The procedure functions within the framework of a range of predetermined steps and provides the employee with the right of appeal to higher managerial authority if a grievance cannot be resolved satisfactorily at a particular level.

5. PURPOSE OF A GRIEVANCE PROCEDURE

The purpose of a grievance procedure is to solve employee problems or grievances effectively at the lowest level possible and as soon as possible. It is accepted that there are also other means of airing grievances which may be either formal or informal. The purpose of a grievance procedure is not to supersede all other methods that may exist for solving grievances, but to be used as a supplementary method aimed especially at solving the grievances of the employee, recognising the power and authority of the supervisor or foreman and promoting the relationship between him and his subordinates.

Employees or their representatives may under no circumstance be victimised or subjected to discrimination when they submit or deal with grievances.

6. RIGHTS OF THE EMPLOYEE**6.1 Right to be represented**

An employee has the right to be represented by one of the following if he/she so wishes:

- a recognised shopsteward
- a recognised full-time trade union official
- a fellow employee of his choice

The designated representative is entitled to represent an employee at the grievance inquiry and during any possible reinvestigation.

6.2 Right to be heard

An employee has the right to state his case.

6.3 Right to produce witnesses

An employee has the right to call witnesses to substantiate his case. The employer in turn also has the right to call witnesses to substantiate his side of the case.

6.4 Right to examine witnesses

An employee and his designated representative have the right to question witnesses about relevant matters.

6.5 Right to a reinvestigation

An employee has the right to apply to have his grievance referred to higher authority for revision or reinvestigation. The highest authority will be the General Manager.

6.6 Right to interpreter

An employee has the right to request the service of an interpreter.

7. PROCEDURE FOR INDIVIDUAL EMPLOYEES

The following procedure is applicable to all employees as far as the handling of a grievance is concerned:

7.1 The employee consults his foreman or supervisor**7.1.1 *The employee conveys his grievance orally to his foreman or supervisor.*****7.1.2 *The foreman or supervisor must, to the best of his ability –***

- a) listen to the employee's grievance in private
- b) encourage the employee to state his case frankly and honestly
- c) obtain all facts regarding the grievance and distinguish facts from opinions
- d) procure aid from other functionaries such as personnel officers, his superior, etc

- 7.1.3** *The foreman or supervisor must make every effort possible to solve the grievance as soon as possible but at least within the space of three working days. Unless otherwise agreed with the employee concerned.*
- 7.1.4** *If the decision of the foreman or supervisor is unacceptable to the employee, the employee may, if he so wishes, discuss his grievance with his representative at a time justified by the work load. It is preferable if, to begin with, the employee talks to his supervisor or foreman himself but it is also acceptable if at this stage he already takes along his representative.*
- 7.1.5** *The employee and, where applicable, his representative, again convey the grievance orally or in writing to the employee's supervisor and, if no satisfactory solution is found, the employee may with the help of his representative, complete a grievance form in duplicate.*
- 7.1.6** *The grievance form is then given to the foreman or supervisor so the he may note his decision on it and a duplicate is forwarded to the personnel officer. The supervisor returns the completed grievance form to the employee and the next step takes place.*
- 7.2** The employee and, where applicable, his representative, approach the next higher line authority
- 7.2.1** *The employee submits the completed grievance form to the next higher line authority who has to arrange an inquiry within three working days unless otherwise agreed with the employee.*
- 7.2.2** *The inquiry is attended by the next higher line authority, the employee and his representative, the foreman or supervisor and a personnel officer. Minutes must be kept of the inquiry and a copy must be sent to the Personnel Division.*
- 7.2.3** *The next higher line authority must take a decision within three working days of the inquiry, unless otherwise agreed with the employee, and note his decision on the grievance form. Thereafter he must return the form to the employee.*
- 7.2.4** *If a satisfactory solution cannot be found, the employee may request that his case be referred to the next higher authority. This action may be repeated until the level of the general manager, who must either revise or ratify the decision, is reached.*

8. PROCEDURE FOR GROUPS OF EMPLOYEES

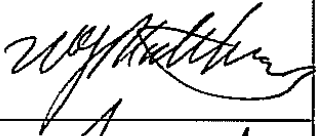
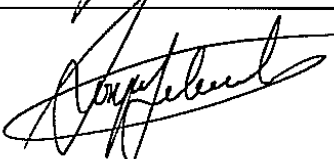
In a case where a group of employees have a common grievance, the following procedure is applicable:

- 8.1** The employees refer the grievance to their representative. The representative and not more than three employees report the grievance to the foreman or supervisor who must make every effort to solve the grievance.
- 8.2** If the foreman or supervisor is unable to resolve the grievance, the same procedure may be followed as in the case of individual employees.

- 8.3 If the grievance is of a serious nature and could result in labour unrest, the full-time trade union official and the manager, personnel officer and/or any other functionaries whose assistance may be required in resolving the grievance, may be approached directly.

9. **APPROVAL**

This policy is approved by the General Manager Human Resources

	NAME	TITLE	SIGNATURE
Recommended for approval by:	M. MATTHEE	HEAD OF EMPLOYEE RELATIONS AND PROJECTS	
Recommended for approval by:	S. SCHOOMBIE	HEAD OF REMUNERATION AND ORG DESIGN	
Approved by:	C. VAN DER VENTER	HEAD OF HUMAN RESOURCES	