

“YEAR OF STAYING RESOLUTELY ON COURSE”

PUBLIC SERVICE MINISTRY

CIRCULAR NO. 15/1988

REFERENCE NO. PS: 22/0/2^{II}

FROM: Permanent Secretary,
Public Service Ministry

TO: All Permanent Secretaries,
Heads of Departments and
Regional Executive Officers

SUBJECT:

Compliance with the Grievance Procedure

DATE: 1988-04-28

At a meeting of Permanent Secretaries and Heads of Departments which was held on Thursday 18th February, 1988, the President of the Guyana Public Service Union, who was invited to address the meeting, expressed dissatisfaction with the manner in which grievances affecting public servants were handled. More specifically, an observation was made that in relation to the “Representation Procedure,” Stages I and II of the Memorandum of Agreement between the Guyana Public Service Union and the Public Service Ministry for the Avoidance and Settlement of Disputes were not being followed. The view was expressed that this situation might have arisen because many members of staff dealing with personal matters were not au fait with the contents of the Agreement. In order to assist in correcting this situation therefore, a copy of my Circular No. 9/1977 dated 1977-02-07 (to which a copy of the Memorandum of Agreement is attached) is forwarded herewith for your information and guidance.

2. Please note that in consultation with the Union, consideration is being given to amending the ‘time-frames’ allocated to the various stages set out in the Agreement. In the meantime, however, you are asked to bring this Circular to the attention of all employees in your organization, particularly those attached to the Personnel Divisions/Sections, and to do your utmost within your agencies to ensure that the spirit and intention of the Agreement are observed so as to expedite the handling of legitimate grievances.

J. E. Sinclair
Permanent Secretary
Public Service Ministry.

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PUBLIC SERVICE MINISTRY

CIRCULAR NO. 9/1977

REFERENCE NO. PS: 22/0/2

FROM: Permanent Secretary,
Public Service Ministry

TO: All Permanent Secretaries,
Heads of Departments and
Regional Executive Officers

SUBJECT:

Grievance Procedure

DATE: 7th February, 1977.

I forward herewith a copy of the Memorandum of Agreement between the Guyana Public Service Union and the Public Service Ministry for the Avoidance and Settlement of Disputes (Grievance Procedure), setting out the various stages for the processing of grievances, excluding matters which fall under the preview of the Public Service Commission.

2. You are asked to ensure that the contents thereof are read and understood by the employees referred to in the agreement and by all members of staff dealing with personnel matters. Officers are required to ensure also that the stages are followed as indicated therein, and that the time limits stipulated are honoured, when processing grievances of public servants who are members of the Guyana Public Service Union (and as such enjoy the facility of check-off of union dues in favour of the Union), and of other public service employees who pay agency fees to the Union.

(Sgd.) C.E. Douglas
C.E. Douglas
Permanent Secretary.

MEMORANDUM OF AGREEMENT

Between

THE GUYANA PUBLIC SERVICE UNION

(hereinafter referred to as the Union)

and

THE PUBLIC SERVICE MINISTRY

(hereinafter referred to as the Ministry)

for

THE AVOIDANCE AND SETTLEMENT OF SIPUTES

1. Notification of Officer Bearers and Committee Members of Union

The Union shall within fourteen (14) days of the holding of its Biennial or Annual Elections of Office Bearers notify the Permanent Secretaries of the Public Service Ministry and the respective Ministries, of the names of members of the Executive and General Council and the Officers of all Branches in respect of which they have been elected to serve.

Any changes that may be made from time to time in the holders of the various posts in the Union and its Branches shall be notified to the Permanent Secretaries concerned and copied to the Permanent Secretary, Public Service as soon as possible, thereafter.

2. Notification of Personnel of Grievance Committees

The Union shall notify the Permanent Secretary of the Public Service Ministry and all Permanent Secretaries, of the composition of the Grievance Committees of the Union and its Branches. Any changes in the personnel of these Committees shall be notified to the respective Permanent Secretaries and the Permanent Secretary, Public Service Ministry, as soon as possible, but in any event, not less than seven (7) days prior to the new personnel participating in any representations to the particular Ministry.

3. Representation Procedure

When any question relating to conditions of service, excluding matters which fall under the purview of the Public Service Commission, which may give rise to a dispute, is raised by or on behalf of any member of the Union the following procedure shall be observed:-

Stage 1 A member, individually or accompanied by not more than one, or in the case of group representation not more than two members of the Branch Grievance Committee, may approach the Supervisor/Sectional Head in the first instance with a view to avoiding a dispute or settling a matter in dispute. The Supervisor/Sectional Head shall endeavour to do all he possibly can to affect a satisfactory settlement within two (2) working days.

Stage 11 Failing a settlement at Stage 1 the member and/or his Branch Grievance Committee may approach the Head of the Personnel Unit of the particular Ministry/department for a settlement. The Head of the Personnel Unit shall endeavour to meet the member and/or his Branch Grievance Committee as early as possible, but within two (2) working days in an effort to/a settlement.

Stage 111 Failing a settlement at Stage 11 the Branch Secretary and/or the General Secretary of the Union may request in writing a meeting with the Permanent Secretary/Department Head who shall endeavour to hold such a meeting as soon as possible, but within five (5) working days in an effort to bring about a satisfactory settlement of the matter.

Stage IV Failing a settlement at Stage 111, the Grievance Committee of the Union may be then refer the matter to the Permanent Secretary of the Public Service Ministry in writing. The Permanent Secretary, Public Service Ministry shall endeavour to meet the Grievance Committee of the Union as soon as possible, but within two weeks, for the purpose of discussing the matter/in dispute, and shall endeavour to effect a satisfactory settlement with all dispatch.

Stage V Failing a settlement at Stage IV, the matter may be referred by either side within fourteen (14) days to the Ministry of Labour for conciliation.

Stage VI Failing settlement at Stage V, the matter may be referred by either side within fourteen (14) days to Arbitration. The Arbitration Panel shall consist of one member nominated by the Public Service Ministry, one member nominated by the Union and a Chairman agreed upon by the Public Service Ministry and Union. In the event of the parties failing to reach agreement, the Chairman shall be nominated by the Minister of Labour. Any award by the Tribunal shall be final and binding.

4. During the stages of negotiations outlined in the representation procedure set out in Clause 3 above, there shall be no-lock out by the Ministry concerned nor any strike, stoppage of work whether of a partial or a general character by the Union, refusal to work, slow down or retarding of production on the part of the Union, nor shall there be any reduction of the normal level of output by the members of the Union.

5. During a dispute or stoppage of work, the Union shall make every effort to prevent the intimidation of employees who are willing to work.

6. General Question

Either the Public Service Ministry or the Public Service Union may request a joint Conference between the representatives of the Union and the Public Service Ministry to discuss any matter affecting the general conditions of employment (including rates of pay) which is not being dealt with

under Clause 3, and which in the opinion of the parties is of sufficient importance to be dealt with under this Clause; and such Conference shall be held without unreasonable delay.

7. General Policy

On matters of general policy the Executive Council of the Union shall have the right to meet the Permanent Secretary of the Public Service Ministry within ten (10) days of receipt of a request in writing for such a meeting. None of the above clause shall be interpreted to preclude the right of either the Ministry or the Union to make use of any existing or future national arbitrational or other industrial machinery that may be legally established from time to time.

Signed on behalf of the
Guyana Public Service Union

Sgd. C.W. Palmer
1st Vice President

Sgd. G. Daniels
General Secretary (Acting)

Treasurer

Countersigned by:

Sgd. N.E. Semple
Chief Labour Officer (Acting)

Signed on behalf of the
Public Service Ministry

Sgd. C.E. Douglas
Permanent Secretary

Dated:

26.1.76