

CHAPTER 10

GRIEVANCES AND PETITIONS/APPEALS

Section 1 . . . General

Section 2 . . . Petition Rules

GENERAL PRINCIPLES

Government makes every effort to ensure that all members of staff in its employment are treated with consideration and fairness under the best possible conditions. However, procedures have been established whereby concerns, grievances or dissatisfaction are addressed. A grievance procedure as contained in the Civil/Public Service Rules shall be adhered to.

SECTION 1—GENERAL

100101: Whistle blowing/Grievance definition

All officers have the opportunity to raise concerns should they have a reasonable suspicion that unlawful conduct, malpractice or criminal negligence is occurring, has occurred or is likely to occur.

(a) A whistleblower raises concern to higher authority about alleged misconduct occurring in his office or the Service. He is not expected to suffer a detriment or any form of retribution as a consequence of the action if allegations are upheld. These suspicions should be investigated by the relevant PMB. However, officers with no reasonable grounds for making malicious claims of misconduct, malpractice or otherwise shall be subject to appropriate disciplinary actions in accordance with the provisions of the relevant Rules in Chapter 4.

(b) A grievance is an adverse situation inimical to the interest of an officer. It includes but not limited to the following: injustice, wrong, disservice, hurt, injury etc. Such matters will be formally investigated by the relevant Personnel Management Board.

100102

If an officer is not satisfied with a decision made which affects him directly or indirectly, or the outcome of a grievance or a whistleblowing matter raised, a representation shall be made to the Permanent Secretary/Head of Extra-Ministerial Department/Agency, if the representation is unsuccessful, a formal written appeal can be made.

100103: Procedure

Every officer who has any representation of a public or private nature to make to the State Government should address it to:

(a) The Chairman, State Civil Service Commission or any other such body, in respect of matters relating to appointments (including acting appointments), promotion, transfer, discipline, whistle-blowing and grievances; or

(b) The Head of Service or similar authority on matters relating to other conditions of service, e.g. leave, passages, allowances, pensions, gratuities, etc.

100104: Petition to Head of Government

(a) Any officer in the State Public Service may address the Head of Government, by transmitting such a communication unsealed and in triplicate to any of the channels mentioned in the preceding Rule requesting that the petition be forwarded promptly to the Head of Government. The rule requiring transmission of communications to the Head of Government through the appropriate channel is based on the strongest grounds of public convenience, in order that all communications shall be duly verified as well as reported on before they reach the Head of Government.

(b) Any petition which does not follow the laid down channels shall be returned to the writer.

SECTION 2—PETITION

100201

(i) For the purpose of this section, a “petition” is a formal appeal to the ultimate authority, that is, to the Head of Government, for special consideration of a matter affecting an officer personally.

(ii) Without prejudice to their constitutional rights, officers should as much as possible exhaust all avenues provided in the Public Service Rules and Circulars for redress before proceeding to courts.

100202: Application

Petitions by an officer (or by an ex-officer) on matters relating to his conditions of employment as an officer or his condition as a pensioner of Government must be submitted in accordance with the rules set out in this section.

100203: External influence

An officer must not attempt to bring political or other external influence to support his individual claims. If he is dissatisfied, his proper course is to make representation to his immediate Superior Officer or Permanent Secretary/Head of Extra-Ministerial Department/Agency. If his representation is not successful, it is open to him to submit a formal petition to the appropriate authority under Rule 100103.

100204: Identity of petitioner

A petition must bear the full name, Oracle Employee Number, signature and address of the petitioner. When written by a person other than the petitioner, the signature and address of the writer must be included.

100205: Petition submitted on behalf of an illiterate

When a person submits a petition on behalf of an illiterate, the petition should contain a statement that he has been asked to write on behalf of the illiterate.

100206: Routing of petition

A petition must be submitted through the proper departmental channels, namely through the petitioner's immediate superior officer and the Permanent Secretary/Head of Extra Ministerial Department/Agency, who will forward the petition with his comments and recommendations to the Chairman, Civil Service Commission or any other such body or the Head of Service in accordance with administrative instructions in force at the time. It is in the petitioner's interest that the above-mentioned rule concerning the routing of a petition should be strictly observed in order that the petition will be duly verified and reported on before it reaches the final destination.

100207: Number of copies

A petition addressed to any of the channels mentioned in the preceding Rule must be submitted in triplicate, and an advance copy shall be sent direct to the appropriate authority. In either case, one copy will be retained by the Permanent Secretary/Head of Extra-Ministerial Department/Agency.

100208: Disqualification

- (a) A petition will not be entertained if it:
 - (i) does not comply with Rule 100204;
 - (ii) deals with a case in which legal action is pending in a Court of Law;
 - (iii) is illegible or meaningless;

- (iv) is anonymous;
- (v) is worded in abusive, improper or foul language; or
- (vi) merely repeats the substance of a previous petition without introducing new relevant matter.

Delay in petition to be explained

(b) A petition submitted more than six (6) months after the date of the decision complained of, will also not be entertained, unless such delay is supported by valid reasons as determined by the appropriate authority.

100209: Conclusion of petition

A petition should conclude by stating concisely the nature of the redress sought, and a petition which exceeds two (2) pages of foolscap in length must also include a summary of the reasons adduced in support of the redress sought.