



UNIVERSITY OF THE  
WITWATERSRAND,  
JOHANNESBURG

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|---------------|-----------------|
| Risk Factors: | None identified |
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DATE: 11 August 2025



UNIVERSITY OF THE  
WITWATERSRAND,  
JOHANNESBURG

**THE UNIVERSITY OF THE  
WITWATERSRAND, JOHANNESBURG**

**EMPLOYEE DISPUTE RESOLUTION POLICY**

## 1. PURPOSE

- 1.1. The University recognises that a positive working environment and constructive working relationships can have a positive impact on staff well-being. The University also recognises that conflict in the workplace can arise and when it does, that staff and managers should feel supported in aiming to address such conflict.
- 1.2. The University is committed to fostering a work environment where disputes are addressed fairly and efficiently. This procedure ensures that employees have a clear avenue for raising concerns, with alternative dispute resolution options available at every stage to promote a collaborative and peaceful resolution.
- 1.3. The purpose of this Policy is to provide a structured and fair process for staff members to raise concerns relating to their work environment or relationships with colleagues or managers. The procedure seeks to resolve disputes promptly and at the earliest possible stage, while also allowing for escalation if the complainant is not satisfied with the proposed resolution.
- 1.4. At each level of the procedure, alternative dispute resolution (ADR) methods, such as early neutral intervention ('ENI'),<sup>1</sup> and where relevant, mediation, are encouraged to resolve conflicts without the need for formal or escalated actions.
- 1.5. ENI will primarily be offered as a tool through which conflict can be addressed in its earliest stages. The aim of this is to facilitate a voluntary and collaborative process in which the parties can communicate effectively, identify their underlying interests, and explore mutually acceptable solutions. ENI aims to resolve conflicts or disputes in a manner that maintains or improves relationships, reduces hostility, and avoids the need for formal disciplinary action. Where attempts to resolve conflict through ENI have proven unsuccessful, mediation will be offered.

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<sup>1</sup> Early Neutral Intervention in the context of workplace conflict refers to a confidential, voluntary, informal, and impartial intervention at an early stage of a dispute, aimed at diagnosing issues, facilitating communication, and guiding the parties toward resolution before it escalates into formal dispute resolution processes.

## **2. SCOPE**

This procedure applies to all staff employed by the University. It covers disputes related to working conditions, alleged treatment by colleagues or management, and any other workplace-related concerns. This procedure is not intended to address issues that fall under other policies and/or procedures, such as disciplinary action, retrenchment, gender-based harm, bullying and/or discrimination.

## **3. STAGES OF THE DISPUTE PROCEDURE**

If, at any stage of the dispute resolution process, the line manager responsible for handling the dispute fails to adhere to the timelines set out in this Policy, the employee may escalate the matter to the next level.

### **3.1. Stage 1: Informal Resolution**

Objective: To encourage resolution of disputes at the earliest opportunity and with the least formality.

#### **3.1.1. Procedure:**

- 3.1.1.1. The employee should raise the dispute directly with their immediate supervisor or line manager. This should be done verbally or in writing, outlining the nature of the dispute and the desired outcome.
- 3.1.1.2. The manager must discuss the dispute with the employee as soon as possible, seeking to understand the issue fully and provide necessary intervention.
- 3.1.1.3. If both parties to the dispute agree, ENI or a facilitated discussion will be offered at this stage to help resolve the issue.
- 3.1.1.4. A written record of the discussion and any agreed resolutions will be kept for transparency.
- 3.1.1.5. The manager will provide a report on how the matter was resolved within 10 (ten) working days of the dispute being raised.

3.1.1.6. If the employee is not satisfied with the outcome of this stage, they may proceed to Stage 2.

### **3.2. Stage 2: Formal Dispute Submission**

Objective: To formally address disputes that could not be resolved informally.

#### **3.2.1. Procedure:**

3.2.1.1. The employee must submit a written dispute to their departmental head. The dispute form should clearly state the issue, what steps have been taken to resolve it informally, and why the resolution was unsatisfactory.

3.2.1.2. Upon receiving the dispute, the departmental head will arrange a meeting with the employee within 10 (ten) working days to discuss the dispute in detail.

3.2.1.3. The departmental head will also involve any relevant parties to ensure a full understanding of the situation.

3.2.1.4. ENI as an ADR method will again be offered at this stage if the parties are willing. A neutral person from within the University can be appointed for this purpose.

3.2.1.5. A written report will be provided to the employee within 14 (fourteen) working days of the meeting specified in 3.2.1.2 above.

3.2.1.6. If the employee is dissatisfied with the outcome, they may request the dispute be escalated to Stage 3.

### **3.3. Stage 3: Escalation to Senior Management**

Objective: To provide a higher level of review by senior university management for unresolved disputes.

#### **3.3.1. Procedure:**

3.3.1.1. The employee must submit a formal escalation in writing to the relevant senior executive responsible for the employee's area of operation within 5 (five) working days of receiving the decision or outcome from Stage 2.

- 3.3.1.2. The escalation should detail why the employee believes the dispute was not adequately addressed and what outcome they are seeking.
- 3.3.1.3. The senior executive will arrange a meeting with the employee within 14 (fourteen) days of receipt of the escalation and will review all relevant documentation from earlier stages.
- 3.3.1.4. ENI will be offered again at this stage if both parties agree, especially if no ENI was used in previous stages. Should ENI have been used in previous stages and proven to be unsuccessful, formal mediation will be offered in line with the University's Mediation Policy.
- 3.3.1.5. Where neutral intervention or mediation is not possible or does not yield a mutually agreed outcome, the relevant senior executive will make a final determination on the dispute and issue a written report within 15 (fifteen) working days of the appeal being lodged.
- 3.3.1.6. The decision of the relevant senior executive will be considered final and binding. Should the employee be dissatisfied with the outcome of the process, they may explore external remedies.

#### **4. CONFIDENTIALITY**

All disputes will be handled with the utmost confidentiality to protect the privacy of all parties involved. Information related to the dispute will only be shared with individuals directly involved in the dispute resolution process.

#### **5. RETALIATION PROHIBITION**

Employees raising disputes in good faith may not be subjected to retaliation or any adverse treatment. Any form of victimisation against an employee for using this procedure in good faith will be considered a serious offense and dealt with under the

University's Policy and Procedure on the Prevention and Eradication of Bullying within the University.

## **6. MISCONDUCT AND DISCIPLINARY ACTION**

- 6.1. Any employee lodging an unsubstantiated, frivolous or malicious dispute may be subjected to the appropriate disciplinary action in terms of the University's policies and procedures.
- 6.2. If, in the course of handling a dispute, it emerges that any party involved may have engaged in misconduct, the matter will be referred for further investigation and, where appropriate, the individual concerned may be subjected to disciplinary action in accordance with the University's Disciplinary Code and Procedure.

## **7. SUPPORT FOR EMPLOYEES**

- 7.1. Employees are encouraged to seek advice and support from Human Resources, Employee Relations, their union representative, or another trusted colleague at any stage of the dispute resolution process.
- 7.2. Employees that require any psycho-social support as part of the dispute resolution process may contact HR for assistance.

## **8. RECORD KEEPING**

HR will maintain records of all formal disputes, including the nature of the dispute, the process followed, the decision reached, and any follow-up action taken. These records will be kept in accordance with data protection regulations.

THE UNIVERSITY OF THE WITWATERSRAND, JOHANNESBURG

FORM: LODGING A DISPUTE

|                  |  |
|------------------|--|
| Name of Employee |  |
| Staff Number     |  |
| Department       |  |
| Job Title        |  |
| Date             |  |

**Nature of the Dispute:**

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|---------------------------------------------------------------|
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| (Attach further particulars on additional paper if necessary) |

**What steps have been taken to resolve the matter internally / informally?**

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**Why was previous resolution unsatisfactory?**

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**Outcome desired:**

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|-----------------------|--|
| Signature of Employee |  |
| Representative's name |  |
| Department            |  |
| Date                  |  |