

Sheffield Law Centre.
Employment Law Fact sheet No. 19

Writing a grievance letter

1. Since October 2004, in order to bring a claim in the employment tribunal in respect of certain claims, there has been a requirement that an employee must first of all write to the employer to raise a grievance and must set out the basis of that grievance. This is called the statutory grievance procedure.
2. The claims to which this applies are set out in Schedule 4 to the Employment Act 2002. Basically these are the claims, which are not about a dismissal.
3. The statutory grievance procedure is in fact two separate procedures but if you follow the following steps you will satisfy the requirements for explaining your grievance for both procedures. (See separate Factsheet 18 'Using the Grievance Procedure' if you want more information about the two procedures).
4. You must: -
 - (a) Set out in writing the grievance, and the basis for it,
 - (b) Send this written grievance to the employer.

The employer should have sufficient information, contained within the grievance, to enable him/her to understand exactly what the grievance is about in order to be able to attempt to resolve the problem.

5. Once the grievance has been sent, the employee must *wait 28 days* before an application to an employment tribunal can be submitted (in practice we suggest you wait 30 days so you don't accidentally send the tribunal application to early).
6. Below are some examples of grievance letters: -

Wages.

I write to inform you that I wish to raise a grievance about my wages. I believe that I have been wrongly paid for week ending 27/1/08. My wage slip shows that I have been paid for 37 ½ hours and a deduction has been made from my wages for till shortages. I believe that I should have received more pay as I worked 4 hours overtime on the 26/1/08, which has not been paid and I also believe that you have no right to make the deduction.

Holiday pay.

I write to raise a grievance about holiday pay. I resigned with effect from 1/7/07. I was entitled under my contract to 24 days holidays a year plus bank holidays. I believe your holiday year runs from 1st April. As I had not taken any holidays since April 1st I had accrued 3 months worth of holiday pay and believe therefore that I should have been paid for 6 days holiday (3/12ths of 24 days). I did not receive any accrued holiday pay when I left so would be grateful if you could send this to me as soon as possible

7. All you need to do is address the letter, put the date on, sign it and keep a photocopy. The statutory requirement is to send the letter so if you are going to obtain any proof you have sent it this should be proof of posting (free from the post office) rather than recorded delivery
8. If your grievance relates to a claim for constructive unfair dismissal it will normally be best to seek legal advice before writing the grievance letter relating to this and if possible you should seek legal advice even before resigning.
9. If you require assistance from Sheffield Law Centre, the telephone advice line (0114 2731888) is open Monday to Friday 10am - 4pm but if you have already spoken to an employment adviser at the Law Centre you should phone them on the number they gave you.

Factsheet updated March 2008.