



SMART GROUP OF COMPANIES

GRIEVANCE MECHANISMS FOR WORKPLACE AND COMMUNITIES

Compliance/1/004
Effective Date : 12/06/2015
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GRIEVANCE MECHANISMS FOR WORKPLACE AND COMMUNITIES



	Prepared By	Reviewed By	Approved By
Signature			
Name	Naing July	Yadana Su Hlaing	Kyaw Kyaw Hlaing
Position	Document & Compliance Leader	Managing Director	Chairman
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1) INTRODUCTION

This grievance mechanism is increasingly important for development projects where ongoing risks or adverse impacts are anticipated. This serve as a way to meet requirements, prevent and address community concerns, reduce risk, and assist larger processes that create positive social change. Recognizing this, and noting a lack of effective alternatives, companies and communities are becoming more proactive in their efforts to design and build more effective strategies for addressing community grievances. Both in managing for social and environmental risk and in furthering company and community development objectives. This grievance mechanisms can be provide significant benefits to both companies and communities. We comply an effective complaints solving by the consistent with UN Guiding Principles on Business and Human Rights such as “Legitimate, Accessible , Predictable , Equitable , Transparent , Rights-compatible , Source of continuous learning and Based on engagement and dialogue”.

Operational Grievance Mechanism can be more advantageous to formal judicial processes as they may be more accessible to victims , provide a forum for empowerment , improve company-community relationships and enable swift distribution of remedies.

2) OBJECTIVE

To manage a project’s potential human rights impacts and reduce the potential for complaints to escalate onto litigation, protests security incidents or regulatory challenges that could result on project delays or production deferments. We promotes early identification and resolution of operational impacts and the avoidance of potential harm.

3) DEFINITION

GRIEVANCES MECHANISMS is a structured process that addresses disputes or grievances that arise between two or more parties engaged in business, legal, or societal relationships. **Grievance Mechanisms** are used in dispute resolution, and may incorporate conciliation, conflict resolution, mediation, and negotiation.

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COMMUNITY is a social group of any size whose members reside in a specific locality, share government, and often have a common cultural and historical heritage.

4) BUSINESS IN CASE

Following types of grievance may occur from community and workplace where we operate.

Type of grievance	Complaints	Examples
Relatively minor and one-time problems related to company operations	An individual or family	A company truck damaging a community member's fence; a one-time disrespectful encounter between a company employee and a community member
Relatively minor but repetitive problems related to company operations	An individual or family or small group of people	Livestock getting loose because company employees fail to close gates
Relatively minor but repetitive and widespread problems	Multiple individuals, families, or larger groups	Company-related road traffic raising dust that settles on clothes hung out to dry
Significant and larger repetitive problems	Community groups, nongovernmental or community-based organizations, or local governments	Company blasting allegedly causing structural and/or aesthetic damage to buildings
Major claims that company activities have resulted in significant adverse impacts on larger populations of people	Community groups, nongovernmental or community-based organizations, or local governments	Company operations adversely impacting a community's water supply, making it unsafe for drinking, livestock, and/or irrigation
Major claims over policy	Nongovernmental organizations, community	A company's noncompliance with its own policies; failure to follow

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or procedural issues	groups or community based organizations, or local governments	guidelines of multilateral lenders for adequate consultation to achieve prior and informed consent; inadequate resettlement and compensation of affected populations
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5) OPERATIONAL GRIEVANCE MECHANISMS PROCEDURE

5.1 RECEIVE

Everyone has the opportunity when you believe that your human rights have been or adversely impacted by SMART' operation work. Our project coordinator accept the grievance and forward it to SMART Ethical Committee for registration. The following information may display every operation site's information board. The reporter should be address by filling SMART Grievance Form.

SMART Ethical Committee

City Bank Building , 5th Floor , Banyardala Road , Myingalar Taung Nyunt Township,
Yangon , Myanmar
+95-1-701593
ethicalofficer@smartmyanmargroup.com

5.2 ASSESS & ASSIGN

We classify the grievance according by risk matrix based upon severity. The level of severity can determine who needs to be informed and who manages the case.

5.3 ACKNOWLEDGE

During two working day, The complainant will receive upon registration acknowledgement by letter, telephone call or copy of the grievance form. It acknowledgement typically includes information about the next steps in the process, timelines and contact details of the Compliance Team personnel.

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(Compliance Team is the member of SMART Ethical Committee and responsible for Grievance Investigation)

5.4 INVESTIGATE

Especially, many complaints are addressed with a quick response and by compliance team. The process begins by look into the circumstances of the case, speaking with the parties involved and also conducts the investigation as technical expertise, if needed. In serious or complex cases, it may be advisable to segregate responsibility for investigation with the third parties resolution to achieving a successful outcome.

5.5 THIRD PARTIES

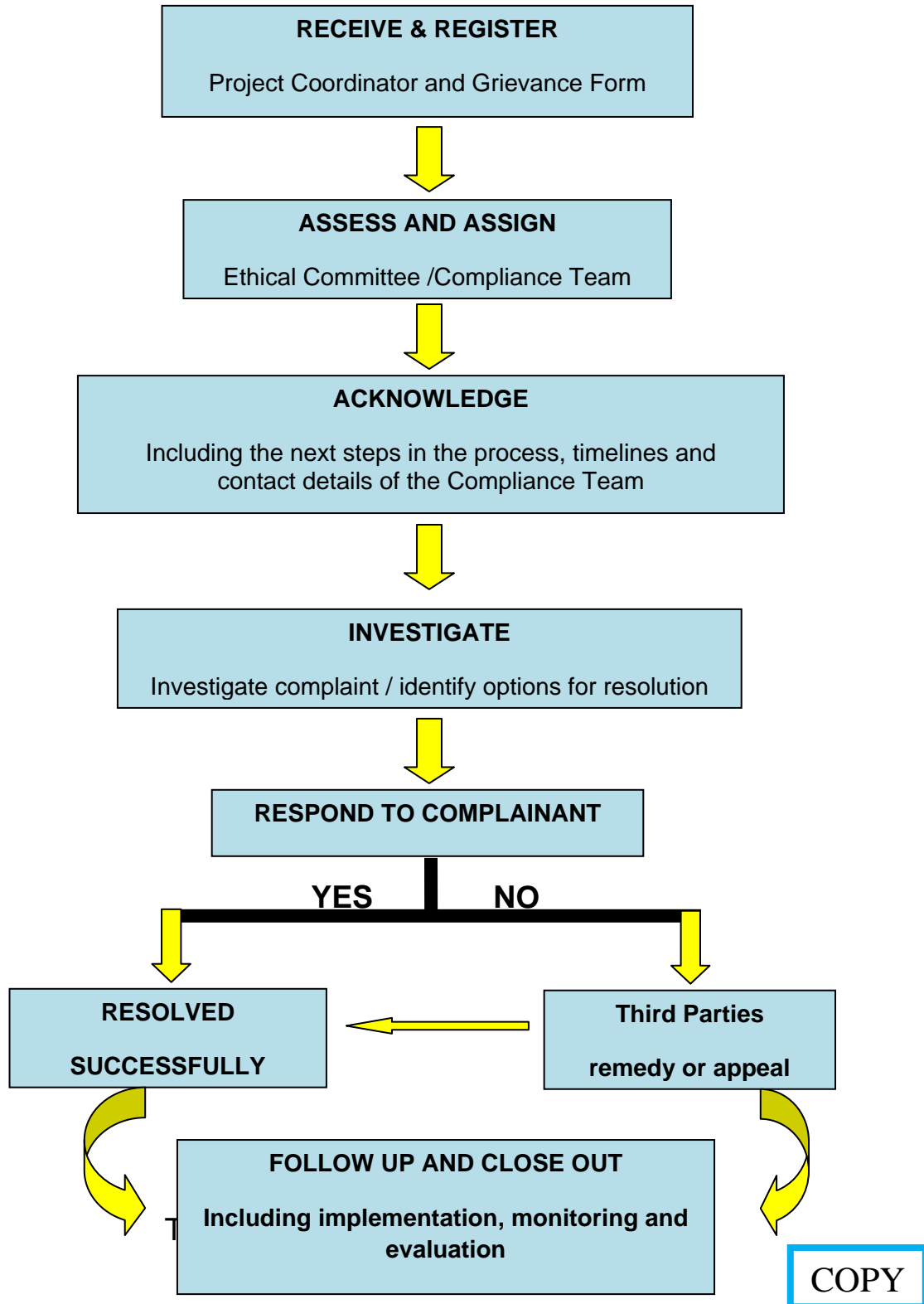
We have also engaged third parties in Myanmar to provide independent monitoring of the serious or complex mechanism. The third party can serve as facilitator, access points for the mechanism, technical expert, co-investigator, mediator.

5.6 RESPOND TO COMMUNITY

Once the investigation is complete, the Compliance Team discusses with the complainant. The complainant has the opportunity to accept the proposition, offer an alternative for further discussion or reject it or consider another dispute resolution process. The final agreement will specific, time bound and agreed upon by both parties.



6. PROCESS STEP



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7. PREVENTIVE , IMPROVEMENT AND IMPLEMENTATION

Compliance Team has a responsible for designing and implementation the mechanism and promoting it internal and external stakeholder. The compliance team should conduct a regular risk assessment to evaluate the nature and frequency of expected complaints. The risk assessment report will be used to guideline for any important decision regarding the design of the mechanism. This assessment will be resources and how stakeholder are engaged in the process.

Before starting new project, compliance team need to prepare impact assessment to reduce potential complaint from the community. HESS department should be participate impact assessment preparation. Employee and third parties are invited to comment in this policy for improvement. Any comment, suggestion or questionnaires regarding this policy must be addressed to compliance leader. Compliance Team must obtain Ethical Committee approval for revision of this Grievance Mechanisms for workplaces and community.

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8. ROLES AND RESPONSIBILITIES

WHO IS RESPONSIBLE FOR.....	OPTIONS
Serving as the custodian for the Grievance Mechanisms	Chairman Managing Director
Accepting a complaint or grievance	SMART Ethical Committee Compliance Team Third-Party (Legal Advisor)
Capturing and recording the complaint in a centralized database?	Compliance Team
Assigning the case to a department?	Compliance Team Project Manager
Assigning an investigator in the department?	Compliance Team Third Party (Legal Advisor)
Leading the investigation?	Compliance Team (Supported by Project Manager)
Keeping the complainant informed during the investigation process?	Compliance Team
Escalating a case internally if investigation timelines are not kept?	Compliance Team
Ensuring the investigation is completed within the designated time frame?	Compliance Team
Proposing a company response?	The investigator with the complainant
Agreeing on a company response?	Project Manager (for easy cases) Compliance Team
Discussing the company response with the complainant?	Project Manager Compliance Team
Triggering a recourse mechanism?	The complainant
Closing a complaint if the complainant cannot be found?	Compliance Team Third-Party (Legal Advisor)
Representing a case that is escalated to court?	Third-Party (Legal Advisor)
Paying compensation costs (if applicable)	Compliance Team SMART Ethical Chairman

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9. GRIEVANCE FORM

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	GRIEVANCE REPORT FORM	

Date နေ့စွဲ		Report No.	
Reported by မှတ်တမ်းရေးသူ		Reporting Date သတင်းပို့သည်နေ့	
Place ဖြစ်ပွားသည်နေရာ		Persons involved အခြားပါဝင်သူများ	

Detail Description
 တိုင်ကြားလိုသည် အသေးစိတ်အချက်အလက်

Information of Reporter (မှတ်တမ်းရေးသူဆက်သွယ်ရမည်လိပ်စာအပြည့်အစုံ)

Name အမည် : _____
 Contact Phone Number ဖုန်းနံပါတ် : _____
 Addressလိပ်စာ: _____



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