

**[CSC MEMORANDUM CIRCULAR NO. 02, S. 2001,
January 26, 2001]**

**REVISED POLICIES ON THE SETTLEMENT OF GRIEVANCES IN
THE PUBLIC SECTOR**

Pursuant to CSC Resolution No. 0101113 dated January 10, 2001, the Commission adopts the Revised Policies on Grievance Machinery which seeks to promote harmony in the workplace, thereby foster the productivity of each member of the organization. These policies, developed and refined in consultation with employee associations and other sectors of the governments are as follows:

1. a grievance shall be resolved expeditiously at all times at the lowest level possible in the agency. However, if not settled at the lowest level possible, an aggrieved party shall present his or her grievance step by step following the hierarchy of positions.
2. All agencies shall establish a grievance machinery that is the best way to address grievance between or among government officials and employees.
3. The aggrieved party shall be assured freedom from coercion, discrimination, reprisal and biased action on the grievance.
4. Grievance proceedings shall not be bound by legal rules and technicalities. Even verbal grievance must be acted upon expeditiously. The services of a legal counsel shall not be allowed.
5. A grievance shall be presented verbally or in writing in the first instance by the aggrieved party to his or her immediate supervisor. The latter shall, within three (3) working days from the date of presentation, inform verbally the aggrieved party of the corresponding action.

If the party being complained of is the immediate supervisor, the grievance shall be presented to the next higher supervisor.

6 Grievance refers to work related issues giving rise to employee dissatisfaction. The following cases shall be acted upon through the grievance machinery:

- a. Non-implementation of policies, practices and procedures on economic and financial issues and other terms and conditions of employment fixed by law including salaries, incentives, working hours, leave benefits and other related terms and conditions,
- b. Non-implementation of policies, practices and procedures which affect employees from recruitment to promotion, detail, transfer,

retirement, termination, lay-offs, and other related issues that affect them;

- c. Physical working conditions;
- d. Interpersonal relationships and linkages;
- e. Protest on appointments; and
- f. All other matters giving rise to employee dissatisfaction and discontentment outside of those enumerated in Item No. 6.

7. The following cases shall not be acted upon through the grievance machinery:

- a. Disciplinary cases which shall be resolved pursuant to the Uniform Rules on Administrative Cases;
- b. Sexual harassment cases as provided for in RA 7877; and c Union-related issues and concerns.

8. Only permanent officials and employees, whenever applicable, shall be appointed or elected as members of the grievance committee.

In the appointment or election of the committee members, their integrity, probity, sincerity and credibility shall be considered.

9. Agencies with regional offices shall establish separate grievance committees in their head and regional offices. The composition is as follows:

- a. In the central office, the highest official responsible for Human Resources Management (HRM) shall act as chairperson. In the regional offices, the chairperson shall be the Chief or Head of Administrative Division;
- b. Two (2) Division Chiefs or their equivalent positions chosen from among themselves;
- c. Two (2) members from the rank-and-file who shall serve for a term of two (2) years and chosen through a general assembly or any other mode of selection to be conducted for the purpose; one from the first level and another from the second level. In offices where there are accredited or recognized employee unions, the rank-and-file representatives shall be those named by the employee union. The first level representative shall participate in the resolution of the grievance of first level employees while the second level representative shall participate in the resolution of grievance of second level employees; and
- d. The Bilis Aksyon Partner (BAP) duly designated.

In the case of Local Government Units, the Local Chief Executive or his or her duly designated representative shall be appointed as member of the grievance committee

10. The agency head shall ensure equal opportunity for men and women to be represented in the grievance committee.

11. The agency grievance committee shall develop and implement pro-active measures that would prevent grievance, such as employee assembly which shall be conducted at least once every quarter, "talakayan", counseling, HRD interventions and other similar activities.

12. The personnel unit, in collaboration with the agency grievance committee, shall conduct a continuing information drive on grievance machinery among its officials and employees.

13. The grievance committee may conduct an investigation and hearing within ten (10) working days from receipt of the grievance and render a decision within five (5) working days after the investigation. Provided, however, that where the object of the grievance is the grievance committee, the grievance party may submit the grievance to top management.

14. A grievance may be elevated to the Civil Service Commission Regional Office concerned only upon submission of a Certification on the Final Action on the Grievance (CFAG) issued by the grievance committee. The CFAG shall contain, among other things, the following information: history and final action taken by the agency on the grievance.

15. The personnel unit of the agency shall extend secretariat services to the grievance committee.

16. The grievance committee shall establish its own internal procedures and strategies. Membership in the grievance committee shall be considered part of the members' regular duties.

17. The grievance committee shall submit a quarterly report of its accomplishments and status of unresolved grievances to the Civil Service Commission Regional Office.

18. Supervisors or officials who refuse to take action on a grievance brought to their attention shall be liable for neglect of duty in accordance with existing civil service law, rules and regulations.

19. The agency grievance machinery shall be submitted to the Civil Service Commission Regional Office concerned for approval. Subsequent amendments shall be subject to CSC approval and shall take effect immediately.

This circular repeals the provisions of CSC Memorandum Circular No. 45, s. 1989 and other issuances on Grievance Machinery which are inconsistent herewith.

Please be guided by the enclosed model in the preparation of your Agency Grievance Machinery which shall be submitted to the Civil Service Commission Regional Office concerned not later than June 30, 2001.

Adopted: 26 Jan. 2001

(SGD.) CORAZON ALMA G. DE LEON
Chairman

AGENCY GRIEVANCE MACHINERY

(A Model)

In line with the Revised Policies on the Settlement of Grievance in the Public Sector contained in CSC Resolution No. 010113, dated January 10, 2001 and implemented through CSC Memorandum Circular No. 02, s. 2001, the Agency hereby adopts the herein Grievance Machinery.

I. Basic Policies

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