



Republic of the Philippines
TARLAC STATE UNIVERSITY
OFFICE OF THE PRESIDENT

Romulo Boulevard, San Vicente, Tarlac City
Tel. No. (045) 982-5574 Fax No. (045) 982-0110
Official Website: <http://www.tsu.edu.ph> E-mail Address: pres_office@tsu.edu.ph

Tarlac State University
Records Management Unit
By *[Signature]* Date **OCT 28 2021**
P113

TSU Administrative Order

No. 46, s. 2021
October 27, 2021

EMPLOYEE GRIEVANCE MACHINERY

In accordance with the Rule 12 on Complaints and Grievances of the Civil Service Omnibus Rules, Book V of Executive Order No. 292 duly amended in the CSC Memorandum Circular No. 02, s. 2001, and in reiteration of and in addition to the existing Grievance policies and guidelines stipulated in the TSU Code, the University hereby adopts herein revised Grievance Machinery.

I. BASIC POLICIES

1. The University shall maintain a positive organizational climate and establish a machinery that shall address grievances between and among its officials and employees (teaching and non-teaching personnel).
2. The University likewise shall adopt and effectively implement the policy of conciliation and/or mediation to promote culture of harmony and camaraderie leading towards the actualization of its core values and vision to be a premier University in the Asia Pacific Region.
3. All employees of the University shall have the right to present their complaints and grievances and shall at all times have them resolved expeditiously at the lowest level possible consistent with the best interest of the concerned employees, the University, and of the community as a whole.
4. If a complaint is not settled at the lowest level possible, the aggrieved party shall present his or her grievance step by step following the hierarchy of positions.
5. The aggrieved party shall be assured freedom from coercion, discrimination, reprisal and biased action on grievance.
6. 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.
7. 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.

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

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

10. The University 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.

II. OBJECTIVES

1. General

To promote within the University the culture of harmony, camaraderie, and improved employee morale through the institutionalization of an effective and efficient grievance machinery

2. Specific

1.1. To establish and strengthen University's existing grievance machinery;

1.2. To settle grievances at the lowest possible level in the organization; and

1.3. To serve as a catalyst for the development of capabilities of personnel on dispute settlement, especially among supervisors in the University.

III. SCOPE

The grievance machinery applies to all levels of officials and employees, teaching and non-teaching personnel in the University.

IV. DEFINITION OF TERMS

1. **Complaint** – means an employee's expressed (written or spoken) feelings of dissatisfaction with some aspects of his working conditions, relationships or status which are outside his control. This does not include those involving disciplinary actions which are governed by separate rules.

2. **Conciliation** – process whereby a third party (conciliator) brings the parties together, encourages them to discuss their differences and assists them in developing their own proposed solutions.

3. **Employee** – pertains to the workforce of the University regardless of employment status and position.

4. **Grievance** – refers to a complaint in writing which has, in the first instance, and in the employee's opinion, been ignored, overridden, or dropped without due consideration.
5. **Grievance Procedure** – refers to the method of determining and finding the best way to remedy the specific cause or causes of the complaint or grievance.
6. **Mediation** – process whereby a third party (mediator) is more active in assisting parties reach acceptable solutions to the problem/s and helps the disputing parties develop or come out with an acceptable solution. The mediator can even submit his own proposal/s for the settlement of disputes.

V. APPLICATION OF GRIEVANCE MACHINERY

1. Grievance refers to work related issues giving rise to employee dissatisfaction. The following instances 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 such as delay in the processing of overtime pay, unreasonable withholding salaries and inaction on application for leave;
 - 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 such as failure to observe selection process in appointment, and undue delay in the processing of retirement papers;
 - c. SPMS Performance Rating issues and concerns;
 - d. Performance-Based Bonus (PBB) related issues and concerns;
 - e. Inadequate physical working conditions such as lack of proper ventilation in the workplace, and insufficient facilities and equipment necessary for the safety and protection of employees whose nature and place of work are classified as high risk or hazardous;
 - f. Poor interpersonal relationships and linkages such as unreasonable refusal to give official information by one employee to another; and
 - g. All other matters giving rise to employee dissatisfaction and discontentment outside of those cases enumerated above.

2. The following cases shall NOT be acted upon through the grievance machinery:

- a. Disciplinary cases which shall be resolved pursuant to the Rules on Administrative Cases in the Civil Service (2017 RACCS)
- b. Protest on appointments (*As repealed by 2017 Rules on Administrative Cases in the Civil Service*);
- c. Sexual harassment cases as provided for in RA 7877 or the Anti-Sexual Harassment Act and RA Republic Act 11313 or the Safe Spaces;
- d. Union related issues and concerns; and
- e. All other matters that are not specified in this section that may fall outside the scope of this grievance machinery under Item 1 (a-f) of Section V.

VI. GRIEVANCE PROCEDURES

At any instance, employees may submit their complaints and grievances to the Human Resource Development and Management Office for assistance through their official e-mail address **employeegrievance@tsu.edu.ph**. Nevertheless, the procedures for seeking redress of grievances shall be as follows:

1. **Discussion with Immediate Supervisor (Unit Head or Department Chair)**. At the first instance, a grievance shall be presented VERBALLY or IN WRITING by the aggrieved party to his or her immediate supervisor.

The immediate supervisor shall inform the aggrieved party of the corresponding action within three (3) working days from the date of presentation.

Provided, however, that where the object of the grievance is the immediate supervisor, the aggrieved party may bring the grievance to the next higher supervisor.

2. **Appeal to the Higher Supervisor (Director or College Dean)**. If the aggrieved party is not satisfied with the verbal decision, he or she may submit the grievance IN WRITING, within five (5) working days to the next higher supervisor who shall render his or her decision within five (5) working days from receipt of the decision of the grievance.

3. **Appeal to the Grievance Committee**. The decision of the next higher supervisor may be elevated to the Grievance Committee within five (5) working days from receipt of the decision of the next higher supervisor.

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 grievance is the Grievance Committee, the aggrieved party may submit the grievance to the Office of the University President.

4. **Appeal to the Office of the University President.** If the aggrieved party is not satisfied with the decision of the Grievance Committee, he or she may elevate his or her grievance within five (5) working days from receipt of the decision through the committee to Office of the University President who shall make the decision within ten (10) working days after the receipt of the grievance. Provided, however, where the object of the grievance is the University President, the aggrieved party may bring his or her grievance directly to the Civil Service Commission Regional Office.

5. **Appeal to the Civil Service Commission Regional Office.** If the aggrieved party is not satisfied with the decision of University President, he or she may appeal or elevate his or her grievance to the Civil Service Commission Regional Office concerned within fifteen (15) working days from the receipt of such decision. Together with the appeal, the aggrieved party shall submit a Certification on the Final Action on the Grievance (CFAG). The Civil Service Commission Regional Office shall rule on the appeal in accordance with existing civil service law, rules and regulations.

VII. GRIEVANCE COMMITTEE

The composition and responsibilities of the Grievance Committee are as follows:

1. Composition

Chair: VP for Academic Affairs (Teaching)
VP for Administration and Finance (Non-Teaching)

Members: Chief Administrative Officer
Director, Human Resource Management
TSUFPU Representative (Teaching Personnel)
TSU-NASA Representative (Non-Teaching Personnel)
(1st Level for 1st Level Employee)
(2nd Level for 2nd Level Employee)
Immediate Supervisor of the Complainant

2. Only permanent officials and employees shall be appointed or elected as members of the Grievance Committee.

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

4. The University President shall ensure equal opportunity for men and women to be represented in the grievance committee.

5. Responsibilities:

In addition to finding the best way to address specific grievance, the committee shall have the following responsibilities:

- a. Establish its own internal procedures and strategies. Membership in the Grievance Committee shall be considered part of the members regular duties;
- b. Develop and implement pro-active measures or activities to prevent grievance such as employee assembly which shall be conducted at least once every quarter, "*talakayan*," employee counseling and other HRDM interventions. Minutes of the proceedings of these activities shall be documented for audit purposes.
- c. Conduct continuing information drive on Grievance Machinery among officials and employees in coordination with the HRDMO;
- d. Conduct dialogue between and among parties involved;
- e. 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 aggrieved party may submit the grievance to the Office of the University President;
- f. Direct the documentation of the grievance including the preparation and signing of written agreements reached by the parties;
- g. Issue Certification on the Final Action on the Grievance (CFAG) which shall contain, among other things, the information on its history and final action taken by the University on the grievance.
- h. Determine whether grievance proceedings as well as the conduct of proactive measures or activities to prevent grievance may be conducted via online or virtual platforms following the new normal and relevant health and safety protocols.

This administrative order shall be effective immediately. Everyone is called for to observe the employee grievance machinery and support the Grievance Committee and the University in all its effort to promote a culture of harmony, camaraderie, and improved employee morale.


DR. MYRNA Q. MALLARI
University President



GRIEVANCE PROCEDURE FLOWCHART

RESPONSIBLE	FLOW CHART	DETAILS
Aggrieved Party	<pre> graph TD A[Employee discusses grievance to immediate supervisor] --> B{Unit or Department Level} B --> C{Director or College Level} C --> D{Grievance Committee Level} D --> E{OUP Level} E --> F{CSC-RO III Level} F --> G[CSC Ruling on the Case] </pre>	<ol style="list-style-type: none"> 1. The grievance is presented VERBALLY or IN WRITING by the aggrieved party to his or her immediate supervisor. 2. However, when the object of grievance is the immediate supervisor, VP, Grievance Committee or OUP, the grievance shall be brought to the next higher level through the HRDMO. The employee submits grievance form to the HR for proper action of the latter.
Unit Head or Department Chairperson		<ol style="list-style-type: none"> 3. The immediate supervisor acts correspondingly within 3 working days. 4. The grievance is resolved when the aggrieved party is satisfied with the verbal action
College Dean		<ol style="list-style-type: none"> 5. Otherwise, the aggrieved party submits the grievance in writing using the Grievance Form within 5 working days to the concerned Office or College. 6. Director/Dean renders decision within 5 working days from receipt thereof. 7. The grievance is resolved when decision is satisfactory to Aggrieved party
Grievance Committee		<ol style="list-style-type: none"> 8. Otherwise, the grievance is elevated to the Grievance Committee within 5 working days from receipt thereof using the Grievance Form. 9. Investigation and hearing starts within 10 working days from receipt of the grievance and renders decision within 5 working days thereafter.
Office of the University President		<ol style="list-style-type: none"> 10. The Grievance Agreement Form (GAF) and Certificate of Final Action on the Grievance (CFAG) is accomplished. 11. The grievance is resolved when decision is satisfactory
CSC-RO III		<ol style="list-style-type: none"> 12. Otherwise, the grievance shall be submitted to the OUP within 5 working days from receipt of decision. 13. The OUP makes decision within 10 working days from receipt of the grievance. 14. The grievance is resolved when decision is satisfactory 15. Otherwise, the grievance is elevated to the CSC-RO III within fifteen (15) working days from the receipt of such decision. 16. Together with the appeal, the aggrieved party shall submit a CFAG. 17. The Civil Service Commission Regional Office rules on the appeal in accordance with existing civil service law, rules and regulations