

Republic of the Philippines  
Department of Social Welfare and Development  
Batasan Pambansa Complex, Constitution Hills  
Quezon City  
Telephone No. 931-8101 to 07

6 February, 2003

MEMORANDUM CIRCULAR

NO. 1  
Series of 2003

SUBJECT: **DSWD GRIEVANCE MACHINERY**

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 Department of Social Welfare and Development adopts the herein Grievance Machinery.

**I. OBJECTIVES**

1. General

Create a work atmosphere conducive to good relation between and among management officials and employees to help promote organizational harmony and productivity.

2. Specific

- 2.1 Activate and strengthen the existing grievance machinery of the Department;
- 2.2 Settle grievances at the lowest possible level; and
- 2.3 Serve as a catalyst for the development of capabilities of personnel on dispute settlement, especially among supervisors.

**II. SCOPE**

The Grievance Machinery applies to all career and non-career officials and employees in the Department.

**III. DEFINITION OF TERMS**

**Accredited or Recognized Employees' Association** - an employees' association accredited pursuant to Executive Order No. 180, series of 1987 and its implementing rules and regulations.

**Bilis Aksyon Partner** - is the counterpart Action Office of the Civil Service Commission under the Mamamayan Muna Program in every agency pursuant to CSC MC No. 3, s. 1994.

**Grievance** - a work-related discontentment or dissatisfaction which had been expressed verbally or in writing and which, in the aggrieved employee's opinion, has been ignored or dropped without due consideration.

**Grievance Machinery** - a system or method of determining and finding the best way to address the specific cause or causes of a grievance.

**Public Sector Labor Management Council (PSLMC)** - the Council responsible for the promulgation, implementation and administration of the guidelines for the exercise of the right of government employees to organize pursuant to Executive Order No. 180.

**Top Management** - refers to the Secretary and Undersecretaries.

#### IV. **BASIC POLICIES**

1. A grievance shall be resolved expeditiously at all times at the lowest level possible. However, if not settled at the lowest level possible, an aggrieved party shall present his or her grievance step by step following the hierarchy positions.
2. The aggrieved party shall be assured freedom from coercion, discrimination, reprisal and of a speedy and impartial action on the grievance.
3. Grievance must be presented in writing. Grievance proceedings shall not be bound by legal rules and technicalities.
4. 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, reassignment, detail, transfer, retirement, termination, lay-offs and other related issues that affect them;
  - c. Inadequate physical working conditions such as lack of proper ventilation in the workplace, 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;

- d. Protest on appointments; and
  - e. Interpersonal and interorganizational relationships and linkages; and
  - f. All other matters giving rise to employee dissatisfaction and discontentment.
5. 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.
  6. 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.
  7. The 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.
  8. The Personnel Division/Unit, in collaboration with the duly constituted Grievance Committee, shall conduct a continuing information drive on grievance machinery among its officials and employees.
  9. The Grievance Committee may conduct an investigation and hearing within ten (10) working days from receipt of the grievance and to 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 top management.
  10. 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 history and final action taken on the grievance.
  11. 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.

12. The Grievance Committee shall submit a quarterly report of its accomplishments and status of unresolved grievances to the Civil Service Commission Regional Office.
13. The Personnel Division/Unit shall extend secretariat services to the grievance committee.
14. The SWEAP, upon request by the concerned party, shall be allowed to act as adviser to any rank and file employee involved in the grievance issue, and may sit during the Grievance Committee meetings.
15. Supervisors or officials who refuse to take action on grievance/s brought to their attention shall be liable for neglect of duty in accordance with existing civil service law, rules and regulations.
16. The Department's 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.

#### V. GRIEVANCE PROCEDURES

The procedures for seeking redress of grievances shall be as follows:

1. **Discussion with Immediate Supervisor.** At the first instance, a grievance shall be presented in writing by the aggrieved party to his or her immediate supervisor.  
  
The 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 who shall take proper action within five (5) working days from receipt of the grievance.
2. **Appeal to the Higher Supervisor.** If the aggrieved party is not satisfied with the decision of the immediate supervisor, 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 also within five (5) working days from receipt of the grievance. Provided, however, that where the object of the Grievance is the higher supervisor, the aggrieved party may bring the grievance to the next higher supervisor, if any, or to the Grievance Committee, as the case may be.
3. **Appeal to the Grievance Committee.** If the aggrieved party is not satisfied with the decision of the highest supervisor(s) following the

hierarchy of positions, he/she may elevate the matter to the Grievance Committee within five (5) working days from receipt of the decision.

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 aggrieved party may submit the grievance to the top management.

4. **Appeal to Top Management.** 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 of the Committee to top management who shall make the decision within ten (10) working days after the receipt of the grievance. Provided, however, that where the object of the grievance is the top management, 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 top management, 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 receipt of such decision. Together with the appeal, the aggrieved party shall submit a Certification on the Final Action on the Grievance (CFAG) to be issued by the Grievance Committee. The Civil Service Commission - Regional Office shall rule on the appeal in accordance with existing civil service law, rules and regulations.

## VI. GRIEVANCE COMMITTEE

The Central Office and the Field Offices shall establish separate Grievance Committees. The composition and responsibilities of the Committee are as follows:

### **Composition**

#### Central Office

- Chairperson : Undersecretary or as designated by the Secretary
- Members : One (1) higher supervisor chosen from among their level
- : The Bilis Aksyon Partner (BAP) duly designated by authorized DSWD official.
- : 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. In offices where there is an accredited or recognized employees' association, the rank-and-file

representatives shall be those named by the employees association.

Secretariat : Personnel Division

#### Field Office

Chairperson : Assistant Regional Director or designated Division Chief by the Regional Director

Members : Two (2) Division Chiefs designated by the Regional Director  
: Bilis Aksyon Partner  
: 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. In offices where there is an accredited or recognized employees' association, the rank-and-file representatives shall be those named by the employees association.

Secretariat : Personnel Unit

#### **Responsibilities**

In addition to finding the best way to address/resolve specific grievance(s), the committee shall have the following responsibilities:

1. Establish its own internal procedures and mechanisms. Membership in the Grievance Committee shall be considered part of the members' regular duties;
2. 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", counseling and other HRD interventions. Minutes of the proceedings of these activities shall be documented for audit purposes;
3. Conduct continuing information drive on grievance machinery among officials and employees in collaboration with the Personnel Division/Unit;
4. Conduct dialogue between and among the parties involved;
5. 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 top management;

6. Direct the documentation of the grievance including the preparation and signing of written agreements reached by the parties involved;
7. Issue Certification on the Final Action on the Grievance (CFAG) which shall contain, among other things, the following information: history and final action taken on the grievance; and
8. Submit a quarterly report of its accomplishments and status of unresolved grievances to the Civil Service Commission Regional Office concerned.

**VII. GRIEVANCE FORMS**

The following forms shall be used:

1. Grievance Presentation Form – Annex 1
2. Grievance Agreement Form – Annex 2
3. Certificate of Final Action on the Grievance – Annex 3


**VIII. CUSTODY OF RECORDS**

All records involving complaints/grievances shall be kept by the Personnel Division. The recognized employees' association shall be furnished and maintain copies of similar records.

**IX. EFFECTIVITY**

This Grievance Machinery shall take effect immediately upon approval by the Civil Service Commission Regional Office concerned. Previous Orders or provisions thereof, which are inconsistent herewith are deemed revoked or amended accordingly.

  
CORAZON JULIANO N. SOLIMAN  
Secretary 

APPROVED BY:   
AGNES D. PADILLA  
Regional Director

5/21/03  
Date

**GRIEVANCE  
PRESENTATION FORM**

\_\_\_\_\_  
(Date Filed)

\_\_\_\_\_  
Name of Aggrieved Party

\_\_\_\_\_  
Section/Division/Office

\_\_\_\_\_  
Position Title/Designation (if any)

\_\_\_\_\_  
Aggrieved Party's Higher Supervisor

Nature/Subject of Grievances:

\_\_\_\_\_

\_\_\_\_\_

Action Desired :

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Aggrieved Party



**GRIEVANCE AGREEMENT FORM**

Name of Parties to a Grievance \_\_\_\_\_  
Nature of the Grievance \_\_\_\_\_  
Steps toward Settlement \_\_\_\_\_  
Agreement/s Reached \_\_\_\_\_

We promise to abide by the above-stated agreement.

\_\_\_\_\_  
Aggrieved Party

\_\_\_\_\_  
Chairman Grievance Committee

\_\_\_\_\_  
Subject of Grievance

**CERTIFICATE OF FINAL ACTION  
ON THE GRIEVANCE**

This certifies that the grievance filed by \_\_\_\_\_  
on \_\_\_\_\_ has been acted upon by this Committee (or by the Top  
Management, as the case may be) on \_\_\_\_\_.

Final Action Taken: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairman Grievance Committee

Date \_\_\_\_\_