



NATIONAL CAPITAL REGION

August 22, 2016

JOSELITO V. GREGORIO

Office-In-Charge, Corporate Affairs
Tourism Promotions Board
4th Flr., Legaspi Towers 3000
Roxas Blvd., corner P. Ocampo, Sr. St.
Malate, Manila

Dear **OIC Gregorio**:

This refers to the Grievance Machinery (GM) of the Tourism Promotions Board (TPB), which was submitted to this Office, for appropriate action.

A review of the proposed TPB-GM shows its compliance with the existing policies enunciated in CSC Memorandum Circular No. 2, s. 2001¹ dated January 26, 2011. Hence, the same is hereby APPROVED.

We look forward to the successful implementation of the TPB-GM in that office.

Very truly yours,


JUDITH A. DONGALLO-CHICANO
Director IV

¹ Revised Policies on the Settlement of Grievances in the Public Sector.

*And
CP 28 Sept
2016*

TOURISM PROMOTIONS BOARD

GRIEVANCE MACHINERY

as of 29 March 2016

Pursuant to the Revised Policies on the Settlement of Grievance in the Public Sector through CSC Resolution No. 010113, dated January 10, 2001 and implemented through CSC Memorandum Circular No. 02, s. 2001 and No. 45, s 1989, the Tourism Promotions Board (TPB) hereby adopts its Grievance Machinery.

I. BASIC POLICIES

1. The Grievance Machinery shall serve as workplace-based mechanism to resolve differences and conflicts in a convenient, prompt and efficient way between or among its officials and personnel.
2. A grievance shall be resolved expeditiously at all times at the lowest level possible in the TPB. However, if not settled at the lowest level possible, an aggrieved party shall present the grievance step by step following the hierarchy of positions.
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 the technical rules of evidence and procedures. Even verbal grievance must be acted upon expeditiously. The services of a legal counsel shall not be allowed.
5. Supervisors or officials who refuse to take action on a grievance brought to their attention shall be charged for neglect of duty in accordance with existing civil service laws, rules and regulations by the aggrieved party of management or both.
6. All grievance complaints and proceedings shall be treated with confidentiality except when the interest of public service requires disclosure.

II. OBJECTIVES

The Grievance Machinery is intended to help foster a harmonious working environment and relationship of personnel within the TPB; prevent personnel discontent and dissatisfaction; and to ensure that grievance complaints are acted upon as expeditiously as possible.

Generally, these policies aim to create a work atmosphere conducive to sound supervisor-employee relations and improve personnel morale.

Specifically, these are intended to:

- a. strengthen TPB's existing Grievance Machinery;
- b. settle grievances at the lowest level possible in the TPB; and,
- c. serve as a catalyst for the development of capabilities of personnel on dispute settlement in the TPB.

III. COVERAGE

This Grievance Machinery applies to all levels of officials and personnel in the TPB.

IV. DEFINITION OF TERMS

Accredited or Recognized Employees Union/Association – refers to the an employee's union/association accredited pursuant to Executive Order No. 180 (Providing Guidelines for the Exercise of the Right to Organize of Government Employees, Creating a Public Sector Labor-Management Council and for Other Purpose), and its implementing rules and regulations as amended.

Aggrieved Party – refers to a personnel who has grievance or raises issues or complaints cognizable under the grievance machinery.

Bilis Aksyon Partner – refers to the counterpart Action officer of the Civil Service Commission under the Mamamayan Muna Program in every agency pursuant to CSC MC. No. 3 s1994

Grievance – refers to work-related issues giving rise to employer-employee dissatisfaction and discontent.

Grievance Machinery – refers to a system or procedure of determining and finding the best possible means to address the specific cause/s of a grievance.

Grievance Committee – refers to the duly constituted body authorized to conduct fact finding investigation and hearings and render decision which disposes of the grievance.

Higher Supervisor – refers to the Department Manager whether permanent or acting as officer-in-charge who exercises supervision over the aggrieved party directly or indirectly.

Immediate Supervisor – refers to a person whom the aggrieved party directly reports to.

Intra-Union Issue – refers to an issue between the members of the same union/association arising from violation of rights and conditions of union/ association membership or of the union/association constitution and by-laws.

Inter-Union Issue – refers to an issue between and among the legitimate employees organizations involving questions of representation for purposes of collective negotiation.

Management – refers to officials occupying executive and managerial positions in the Civil Service.

Rank-and-file – refers to employees occupying first and second level positions in the Civil Service.

V. INSTANCES COGNIZABLE UNDER THE GRIEVANCE MACHINERY

The following instances shall be acted upon through the TPB Grievance Machinery:

1. 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 of salaries and inaction on application for leave;
2. 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;
3. 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;
4. Poor interpersonal relations and linkages such as unreasonable refusal to give official information by one employee to another;
5. All other matters giving rise to employee dissatisfaction and discontentment outside of those cases enumerated above.

The following cases shall not be acted upon through the Grievance Machinery:

1. Disciplinary cases which shall be resolve pursuant to the Revised Rules on Administrative Cases in the Civil Service (RRACCS);
2. Sexual harassment cases as provided for in RA 7877;
3. Union-related issues and concerns: and
4. Protest on appointment shall be resolved pursuant to Rule XVII of the Revised Rules on Administrative Cases in the Civil Service (RRACCS)

VI. GRIEVANCE COMMITTEE

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

1. COMPOSITION

- a. Only permanent officials and employees, whenever applicable, shall be appointed by the Chief Operating Officer as members of the TPB Grievance Machinery.
- b. In the appointment or election of the committee members, their integrity, probity, sincerity and credibility shall be considered.
- c. The Head of Agency shall ensure equal opportunity for men and women to be represented in the grievance committee.
- d. Membership in the TPB Grievance Committee shall be considered part of the members' regular duties.
 - Chairperson - Deputy Chief Operating Officer, Corporate Affairs;
 - Members -
 - Two (2) members of Management
 - (1) Head, Legal Department
 - (2) Division Chief chosen from among themselves;
 - Two (2) members from the rank-and-file who shall serve for a term of (2) years, and named by the TPB Employees Association. The first level representative shall participate in the

employees while the second level representative shall participate in the resolution of grievance of the second level employees; and

- Bilis Aksyon Partner (BAP) duly designated.
- Secretariat - Legal Department

2. RESPONSIBILITIES

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

- a. Establish its own internal procedures and strategies.
- b. Develop and implement pro-active measures or activities to prevent grievance such as employee assembly, counselling and other PHRDD 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 collaboration with the TPB PHRDD;
- d. Conduct dialogue between and among the 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 investigation and hearing. Provided, however, that where the object of the grievance is the TPB Grievance Committee, the aggrieved party may submit the grievance to the Head of Agency.
- f. Direct the documentation of the grievance including the preparation and signing of written agreements reached by the parties involved;
- g. Issue Certification on the Final Action on the Grievance (CFAG) which shall contain, among other things, the history and final action taken by the TPB Grievance Committee; and
- h. Submit a quarterly report of its accomplishments and status of unresolved grievances, whenever applicable, to the Civil Service Commission Regional Office concerned.

VII. GRIEVANCE PROCEDURES

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

1. Discussion with the Immediate Supervisor

A grievance shall be presented verbally or in writing by the aggrieved party to the immediate supervisor who shall immediately act on it.

Oral grievance should be immediately settled by the supervisor. In case the aggrieved party pursues the grievance, said party shall be advised to put it in writing. The supervisor shall inform the aggrieved party of the corresponding action within three (3) working days from the date of submission.

If 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

If the aggrieved party is not satisfied with the oral decision, said party may submit the grievance in writing, within five (5) days to the next higher supervisor who shall render decision within five (5) working days from receipt of the grievance.

3. Appeal to the Grievance Committee

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

The TPB Grievance Committee shall 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 TPB Grievance Committee, the aggrieved party may submit the grievance to the Head of Agency.

4. Appeal to Top Management

If the aggrieved party is not satisfied with the decision of the TPB Grievance Committee, said party may elevate the grievance within five (5) working days from receipt of the decision through the committee to the Head of Agency who shall make the decision within ten (10) days after the receipt of the grievance. Provided, however, that where the object of the grievance is the Head of Agency, the

aggrieved party may bring the 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 the Head of Agency, said party may appeal or elevate the 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.

VIII. GRIEVANCE FORMS (Annexes)

1. Grievance Form (Grievance Form No. 1)
2. Grievance Agreement Form (Grievance Form No. 2)
3. Certificate of Final Action on the Grievance (Grievance Form No. 3)

IX. EFFECTIVITY

The TPB implementation of the Grievance Machinery shall take effect upon approval of the Civil Service Commission.


JOSEMITO V. GREGORIO
Officer-in-Charge
Tourism Promotions Board

3.29.14

Date


JUDITH DONGALLO-CHICANO
Director IV
Civil Service Commission
National Capital Region

AUG 22 2016

Date

GRIEVANCE FORM

Updated as of 29 August 2015

Name of Aggrieved Party	
Position Title / Designation	
Section / Division / Office	
Aggrieved Party's Supervisor / Position Title / Designation	

NATURE / SUBJECT OF GRIEVANCE		
DESIRED ACTION		
SIGNATURE OVER PRINTED NAME OF AGGRIEVED PARTY	DATE FILED	SEX
_____	_____	<input type="checkbox"/> F <input type="checkbox"/> M

GRIEVANCE AGREEMENT FORM

Updated as of 29 August 2015

NAME OF PARTIES TO THE GRIEVANCE	
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NATURE / SUBJECT OF GRIEVANCE
STEPS TOWARDS SETTLEMENT
AGREEMENT/S REACHED

WE PROMISE TO ABIDE BY THE ABOVE STATED AGREEMENT.

AGGRIEVED PARTY SIGNATURE OVER PRINTED NAME _____ DATE	SUBJECT OF GRIEVANCE SIGNATURE OVER PRINTED NAME _____ DATE	CHAIRPERSON, GRIEVANCE COMMITTEE SIGNATURE OVER PRINTED NAME _____ DATE
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CERTIFICATE OF FINAL ACTION TAKEN

Updated as of 29 August 2015

This certifies that the grievance filed by _____
on _____ has been acted upon by the TPB Grievance
Committee on _____.

FINAL ACTION TAKEN

CERTIFIED BY:

**CHAIRPERSON
TOURISM PROMOTIONS BOARD
GRIEVANCE COMMITTEE**

DATE

cc: PHRDD