

EQUAL EMPLOYMENT OPPORTUNITY PRINCIPLE

Tourism Promotions Board (as of February 14, 2022)

TABLE OF CONTENTS

	Page
1. NATURE AND SCOPE	2
2. PURPOSE	2-3
3. RELATED LAWS/STANDARDS	3-5
4. RELEVANT ISSUANCES AND POLICIES	6
5. DEFINITION OF TERMS	6-7
6. POLICY STATEMENT	
6.1. Recruitment Selection and Placement	7-9
6.2. Performance Management System	9-10
6.3. Learning and Development	10-11
6.4. Rewards and Recognition	12
7. RESPONSIBILITY	12-13
8. COMPLAINT PROCEDURE	
8.1 Complaint Resolution	13
8.2 Lodge a Complaint	13
8.3 EEOP Focal Person	14
8.4 System Review	14
9. EFFECTIVITY CLAUSE	14

1. Nature and Scope

Equal Employment Opportunity Principle (EEOP) states that "No person with disability shall be denied access to opportunities for suitable employment."¹

This policy covers all TPB personnel and all other interested parties involved in the process of Recruitment, Selection and Placement, Performance Management, Rewards and Recognition, and Learning and Development.

2. Purpose

To define and describe TPB's commitment as an agency that adheres to Equal Employment Opportunity (EEO) Agency.

TPB's EEO Policy aims to achieve a harmonious workplace and recognizes the right of TPB personnel and people who interact with the TPB to be treated with dignity and respect.

The purpose of this policy is to make TPB employees aware of the importance of the EEO Principle in Recruitment, Selection and Placement, Performance Management, Rewards and Recognition, and Learning and Development.

It shall be prohibited to discriminate against someone based on the following, as defined:

- Age – discrimination resulting from selective age preference or fitting to an "age group"²
- Sex - categories into which humans are divided on the basis of their reproductive role/functions to include childbearing, rearing, and care for family members such as children and elderly
- Race - physical differences that groups and cultures consider socially significant, including color, nationality, ethnicity, or ethnic origin
- Marital status - when solo parents, unmarried and married couples are treated differently³
- Disability/impairment –when a person/employee is treated less favorably because they have a disability or a history thereof, is regarded as having a disability or has a family member with a disability.⁴
- Sexual Orientation, Gender Identity, and Expression (SOGIE) – discrimination or segregation on account of being lesbian, gay, bisexual, transgender, queer, intersex, asexual, and more⁵.

¹ Section 5 of Republic Act No. 7277, as amended

² "R.A. NO. 10911: Eliminating Age Discrimination in Employment

³ Ibid

⁴ RA 7277 – An Act Providing For The Rehabilitation, Self-Development, And Self-Reliance Of Disabled Person And Their Integration Into The Mainstream Of Society And For Other Purposes.

⁵ House Bill No. 4982 or SOGIE Equality Bill

- Career status, family responsibilities – denied employment of a person or employee promotion because of family responsibilities which include caring for a spouse, child, or parent, being pregnant, or even the chance of becoming pregnant, caring for a disabled child, or sibling or caring for an aging parent.⁶
- Industry activity – discrimination in relation to involvement in an industrial organization such as a union or chamber of commerce.
- Physical features – discrimination against a person based on their height, weight, size, shape, facial features, hair, birth/body marks, etc.
- Political belief or activity - discrimination in relation to political party affiliation or membership
- Religious belief or activity - discriminate against a person or group of people based on their religious beliefs or lack thereof.

3. Related Laws/Standards

<ul style="list-style-type: none"> • Article II Sec. 14, 1987 Philippine Constitution - Declaration of Principles and State Policies 	<p>"The State recognizes the role of women in nation-building and shall ensure the fundamental equality before the law of women and men."</p>
<ul style="list-style-type: none"> • Article XIII Sec. 3, 1987 Philippine Constitution 	<p>"The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all. "</p>
<ul style="list-style-type: none"> • RA 10524 - An act expanding the positions reserved for persons with disability, amending for the purpose RA 7277, as amended, otherwise known as the Magna Carta for Persons with Disability 	<p>"A qualified employee with disability shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, fringe benefits, incentives or allowances as a qualified able-bodied person."</p>
<ul style="list-style-type: none"> • R.A. No. 10911 - An act prohibiting discrimination against any Individual in Employment on Account of Age and Providing Penalties therefor 	<p>"Elimination of age-based discrimination not only by employers but also by labor contractors or subcontractors.</p>
<ul style="list-style-type: none"> • Presidential Decree No. 966 dated July 20, 1976 - Declaring violations of the international convention of the elimination of all forms of racial 	<p>"All organizations and propaganda activities, which promote and incite racial discrimination, are hereby declared illegal and prohibited."</p>

⁶ PMAP 2019 Publication: Employees' perceptions of a family-responsive workplace and their productivity

discrimination to be criminal offenses and providing penalties therefor	
<ul style="list-style-type: none"> • Republic Act 6725 - An act strengthening the prohibition on discrimination against women with respect to terms and conditions of employment, amending for the purpose article one hundred thirty-five of the labor code, as amended; 	"Prohibits discrimination with respect to terms and conditions of employment solely on the basis of sex."
<ul style="list-style-type: none"> • Republic Act 6713 -AN ACT ESTABLISHING A CODE OF CONDUCT AND ETHICAL STANDARDS FOR PUBLIC OFFICIALS AND EMPLOYEES 	"Public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost responsibility, integrity, competence, and loyalty, act with patriotism and justice, lead modest lives, and uphold public interest over personal interest."
<ul style="list-style-type: none"> • RA 7877 - Anti-Sexual Harassment Act of 1995 	"Sexual harassment unlawful in the employment, education or training environment, and for other purposes."
<ul style="list-style-type: none"> • Republic Act No. 11313: Safe Spaces Act (Bawal Bastos Law) 	<i>"An act or series of acts involving any unwelcome sexual advances, requests or demand for sexual favors or any act of sexual nature, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems, that has or could have a detrimental effect on the conditions of an individual's employment or education, job performance or opportunities"</i>
<ul style="list-style-type: none"> • RA 9262 - Anti-Violence Against Women and Their Children Act of 2004 	"Economic abuse refers to acts that make or attempt to make a woman financially dependent."
<ul style="list-style-type: none"> • RA 7192 - Women in Development and Nation Building Act 	"Integration of women as full and equal partners with men in development and nation-building."
<ul style="list-style-type: none"> • RA 10354 - The Responsible Parenthood and Reproductive Health Act of 2012 	"The State shall protect and promote the right to health of women, especially mothers

<ul style="list-style-type: none"> • Executive Order No. 273 - Approving and Adopting the Philippines Plan for Gender-Responsive Development, 1996- 2025 • RA 8972 - The Solo Parents' Welfare Act of 2000 • RA 10028 - An Act Expanding the Promotion of the Breastfeeding, amending for the purpose Republic Act no. 7600, otherwise known as Government and Private Health Institutions with rooming-in and for other purposes • RA 8371 - An to Recognize, Protect and Promote the Rights of Indigenous Peoples, Creating a National Commissions, Appropriating Funds thereof and for other purposes • RA 7041 - An Act Requiring Regular Publication of Existing Vacant Positions in Government Offices, Appropriating Funds thereof and for Other Purposes • RA 9257 - An Act Granting Additional benefits and Privileges to Senior Citizens Amending for the Purpose RA 7432, Otherwise Known as "An Act to Maximize the Contribution of Senior Citizens to Nation Building, Grant Benefits, and Special Privileges and for Other Purposes." 	<p>in particular and of the people in general and instill health consciousness among them."</p> <p>"Approval and Adoption of Philippine Plan for Gender-Responsive Development, 1995-2025."</p> <p>"An act providing for benefits and privileges to solo parents and their children, appropriating funds therefor and for other purposes."</p> <p>"It shall create an environment where basic physical, emotional, and psychological needs of mothers and infants are fulfilled through the practice of rooming-in and breastfeeding."</p> <p>"Equal enjoyment of the full measure of human rights and freedoms, without distinction or discrimination, by indigenous cultural communities."</p> <p>"Efficiency in the allocation of personnel in the civil service, as well as transparency and equal opportunities in the recruitment and hiring of</p> <p>"Grant of additional privileges such as the provision on employment, free skills training, and education, among others."</p>
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4. Relevant Issuances and Policies

- Memorandum Circular No. 48 Series of 2013 Directing All Concerned Government Agencies to Adopt the Gender Equality Guidelines in the Development of their Respective Media Policies and Implementing Programs in Order to Promote
- Gender Mainstreaming
- CSC Resolution No. 1000432 - Guidelines on the availment of the Special Leave Benefits for Women under R.A. 9710 (An Act Providing for the Magna Carta of Women)
- CSC MC No. 2, Revised Policies on the Settlement of Grievances in the Public Sector
- Executive Order No. 292, s. 1997 - Administrative Code of the Philippines
- CSC MC No. 07 Series of 2007 PRAISE (Program on Awards and Incentives for Service Excellence)
- CSC MC No. 7 (Encouraging Government Agencies to Hire PWDs)
- CSC MC No. 10 S. 1989 on Establishing the Personnel Development Committee (PDC)
- CSC MC No. 43 S. 1993 (Streamlining and Deregulating HRD Functions)
- CSC MC No. 28 s. 1990 (Reiterating Certain Policies in the Conduct of Government Training and Development Program.)
- CSC MC No. 6 s. 2012 (Guidelines in the Establishment and Implementation of Agency Strategic Performance Management System (SPMS))
- TPB Grievance Machinery
- TPB Strategic Performance Management System
- TPB Merit Selection Plan
- TPB PRAISE
- TPB CODI Guidelines

5. Definition of Terms

Discrimination	Any distinction, exclusion, or restriction made based on sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, based on equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.
Indirect Discrimination	It occurs when a policy or requirement is imposed or proposed, and someone with a particular attribute does not comply with the condition.

Bullying	Repeated, unreasonable behavior, which can be physical or verbal, directed towards a person or group of people, creating a risk to their health and safety, psychological or physical.
Specialized Group	Those groups who need special attention or consideration from the Agency, such as but not limited to the following: Pregnant Women; Solo Parent; Senior Citizen; Differently-Abled Person; and Indigenous Peoples

6. Policy Statement

The Tourism Promotions Board commits to provide a safe and inclusive workplace that is free from all forms of discrimination on account of age, sex, race, marital status, disability/impairment, Gender identity, lawful sexual activity, sexual orientation, career status, family responsibilities, industrial activity, physical features, and political/religious belief or activity.

It recognizes the rights of each TPB personnel for fair treatment. It commits to providing consistent, merit-based employment practices that follow the EEO principle and where TPB Management is expected to carry out its duties professionally and ethically and comply with the corporation's EEO Policy.

6.1 Recruitment, Selection, and Placement

TPB shall adhere to the principles of merit, fitness, and equality. The selection of employees shall be based on their qualifications and competence to perform the duties and responsibilities of the position. There shall be no discrimination in the selection of employees on account of age, school, gender, civil status, disability, religion, ethnicity, social status, income class, paternity and filiation, political affiliation, or other similar factors/personal circumstances which run counter to the principles of merit, fitness for the job and EEO Policy.

6.1.1 Posting of vacancies:

- a. TPB shall cause to be printed or published, in any form of media, including the internet, any notice of advertisement relating to employment absent of preferences, limitations, specifications, and

discrimination based on age, or decline any employment application because of individual's age, situation gender, disability, ethnicity social status.

- b. Vacancy posts should always include the Agency's statement on EEOP – "TPB strictly adheres to the EEO policy and highly encourages all interested and qualified applicants including persons with disability, members of the Indigenous Communities, and those from any Sexual orientation and gender identities and expression (SOGIE). In keeping with this conviction, TPB likewise adheres to the principles of merit, fitness, and equality in all its RSP processes."

6.1.2 Initial assessment

During the preparation of the database of applicants, the PHRDD shall note if there are differently-abled or senior citizen applicants needing assistance in the entire application process.

TPB shall not discriminate and shall base its assessment on the EEO Policy.

6.1.3 Technical/Competency Assessment

During competency assessment, TPB shall ensure that assistance to the examinee shall be given as follows:

- For vision-impaired applicants, TPB shall assign a qualified reader and encoder and ensure the availability of laptops during their scheduled technical exam. A different schedule shall also be provided to them if the need arises.
- For deaf or hard-of-hearing applicants, TPB shall provide a written exam or encoded questionnaire and a laptop, and a qualified encoder shall also be provided if the need arises.
- TPB shall provide a qualified encoder and laptop during the process for senior citizen applicants.
- For applicants with a physical disability, TPB shall ensure that the elevator at the Office shall be adequately maintained and functioning. If the elevator is out of order, the examinee shall be accommodated in a more accessible room.

6.1.4 HRMPSB Interview

- The differently-abled and senior citizen applicants shall be appropriately informed of their interview schedule. The Panelists shall only ask questions related to the selection criteria. Questions shall not pertain to age, disability, social status, income class, paternity and filiation, political affiliation, or other similar factors/personal circumstances.
- For deaf or hard hearing applicants, the Panelists shall write their questions and give them enough time to write their answers.
- A separate schedule may also be provided to the said applicants.

6.1.5 Psychological/Competency Assessment

TPB subjects all shortlisted applicants to a Psychological/Competency Examination. In addition, and when necessary, TPB shall arrange with the third-party provider to provide an online psychological exam for the differently-abled and senior citizen applicants.

6.1.6 Board Interview

Same assistance and consideration shall also be provided as stated in the HRMPSB interview.

TPB shall ensure that the Recruitment Selection and Placement process of the Agency shall be compliant with the Agency's EEO Policy. If the PHRDD has encountered applicants within the specialized groups, such shall be recorded, and proper assistance shall be provided to them. The PHRDD shall also inform the PSB/Board on the diversity status of the applicants during the meeting and inform them with the assistance and consideration that TPB shall be afforded to them.

6.2 PERFORMANCE MANAGEMENT

TPB Performance target setting, evaluation, and review shall be based on accomplishment and merit and not on employee age, gender, civil status, disability, religion, ethnicity, social status, income class, paternity and filiation, political affiliation, pregnancy, or other similar factors/personal circumstances which run counter to the principles of merit and fitness for the position and EEO principle.

6.2.1 The corporation shall exercise due diligence in promoting the welfare of its employees by responding to the needs, situations, and circumstances of their

employees. To strengthen the EEO principle, the following consideration and support shall be provided, such as but not limited to:

- i. In cases where there is a vehicle request, the request of the differently-abled, pregnant staff or senior citizen staff shall be given priority as long as it will only cause minimum burden to the Agency's operation.
- ii. Provide assistance/ staff support to Senior citizens, differently-abled persons, and pregnant staff whenever necessary to ensure a more accurate and faster disposition of their functions.
- iii. Assign targets or success measures to the senior citizen or differently-abled staff that will not prevent them from meeting their targets efficiently due to their circumstances or situation.
- iv. Provision of breastfeeding room for nursing employees.
- v. Solo parents' work assignments shall not affect the quality time spent with their children.
- vi. Pregnant staff shall not be given challenging work targets that may endanger their life as well as their baby. However, they may be given temporary job assignments necessary to ensure a safe pregnancy.
- vii. Employees belonging to the Indigenous Peoples shall not be given work targets or activities contrary to their cultural beliefs and practices.
- viii. TPB must adjust work schedules for religious practices, provided that it will not hamper the operations of TPB. Further, TPB shall ensure that the religious practices of personnel are respected.

6.2.2 During the Performance Review and Evaluation, the Performance Management Team and PMT-TWG shall conduct the review and evaluation based on accomplishment and not on the limitations and restrictions of the employees, especially those under the specialized group.

6.2.3 TPB shall ensure that the consideration as mentioned above shall also be provided to future employees of TPB under the specialized groups (Senior Citizen, Solo Parent, Differently-abled Person, Indigenous Peoples, Pregnant Women).

6.3 LEARNING AND DEVELOPMENT

TPB shall be fully committed to the maximum utilization of employees' abilities and the principles of EEO. Therefore, the opportunities afforded throughout the Agency are available equally to all.

6.3.1 The provision of external training, scholarship, or study leave to employees shall be evaluated based on accomplishment, job requirement, merit, and performance, not on age, disability, gender, sexual orientation, religion, marital status, political affiliation, or other factors similar factors/personal circumstances.

6.3.2 Every employee shall have access to agency-sponsored educational, training, and recreational activities and shall not deny employees' opportunity for training because of age, disability, gender, sexual orientation, religion, marital status, political affiliation, or other similar factors/personal circumstances.

6.3.3 TPB shall also provide orientation or training to staff belonging to the specialized groups such as but not limited to the following topics:

- i. Orientation on R.A. No. 8371, An Act to Recognize, Protect and Promote the Rights of Indigenous Peoples
- ii. Orientation on the Benefits and Privileges of Solo Parents According to R.A. 8972, "The Solo Parents' Welfare Act of 2000
- iii. Orientation on Republic Act no. 9257 an Act Granting Additional Benefits and Privileges to Senior Citizens
- iv. Orientation Republic Act No. 7277, otherwise known as the Magna Carta for Persons with Disability
- v. Orientation on Guidelines on the Availment of the Special Leave Benefits for Women under R.A. 9710 (An Act Providing for the Magna Carta of Women

6.3.4 TPB shall provide the same support and consideration to future employees belonging to the specialized group. Furthermore, the PHRDD shall orient the rights and privileges of newly hired staff belonging to the said group.

6.3.5 The corporation shall also ensure the provision of other training or development interventions as deemed necessary to ensure that these employees will be more informed and equipped with their rights and privileges.

6.3.6 TPB shall institute measures to increase awareness on the prevalence of and harmfulness of discrimination and prejudice on the grounds of race, religion or belief, color, sex, age, national origin, disability or sexual orientation, and the needs and abilities of people with disabilities or other disadvantages;

6.3.7 Include EEOP on the orientation of newly hired staff during the onboarding program; and

6.3.8 Ensure that employees will be informed of the updates on the TPB EEOP.

6.4 REWARDS AND RECOGNITION

TPB shall ensure that the rewards and recognition of staff shall be based on an equal opportunity, merit, performance, and accomplishments and shall not be based on race, color, religion, creed, sex, sexual orientation, gender identity, national origin, age, disability, marital, or domestic partner status, citizenship or any other status or characteristic covered by pertinent laws.

6.4.1 Equal opportunities shall be given to all employees and those belonging to the specialized group. The corporation shall ensure that they should not be left behind because of their limitations and restrictions.

6.4.2 TPB shall also ensure that the nomination and deliberation of the PRAISE Award or Special Awards of TPB shall be in accordance with the EEO Principle.

7. RESPONSIBILITIES

7.1 Agency's Role

- i. TPB shall undertake the necessary actions to uphold practices that prevent discrimination, harassment, gender-based violence, sexual harassment, victimizations, and vilification from occurring in the workplace.
- ii. TPB shall institute mechanisms to educate employees about appropriate behavior relative to these guidelines.
- iii. TPB shall implement grievance procedures and ensure compliance with these guidelines by all work units.
- iv. TPB shall treat all complaints with confidentiality. However, each formal complaint shall be investigated, and, if substantiated, TPB shall undertake appropriate disciplinary.

7.2 Employee's Role

- i. All employees shall ensure that they do not practice discrimination, harassment, bullying, gender-based violence, victimizing, and vilifying their colleagues in the workplace and persons they deal with outside TPB in the conduct of their assignments.
- ii. All employees shall endeavor to be active bystanders and assist management in upholding practices that prevent discrimination and harassment.
- iii. All TPB employees should ensure that the principles of Equal Employment Opportunities are also applied to guests, partners, suppliers, stakeholders, and any other person or organization that deals with the TPB.

- iv. Employees must report any incident to their immediate supervisors.

7.3 Role of Supervisors and Managers

The Supervisors/Managers shall exercise the following:

- Prevent inappropriate workplace behavior;
- Ensure that they do not discriminate against, harass, bully, victimize or vilify workers or any other person in the conduct of their work;
- Ensure that all employees understand and implement the EEO policy and maintain appropriate work culture; and
- Act with due diligence and adhere to the prescribed guidelines of the EEO for any observation of inappropriate behavior or complaints received.

8. Complaint Procedure

8.1 Complaint Resolution

If an employee/person feels unable to communicate directly with the bully, discriminator, or harasser, the matter should be referred to their manager/supervisor and/or PHRDD.

If the employee/person has sufficient evidence in support of violations relative to the EEOP in Recruitment, Selection and Placement, Performance Management, Learning and Development and, Rewards and Recognition, such must be directly communicated to the TPB Grievance Committee.

8.2 Lodge a Complaint

In cases when complaints are not resolved through settlement, the process on complaints handling and procedure contained in the approved TPB Grievance Machinery (GM) shall be followed.

8.2.1 Submission of complaint Letter addressed to the GM Chairperson.

8.2.2 Complaint letter shall be received by the Legal (GM Secretariat)

8.2.3 The TPB Grievance Committee shall conduct an investigation within ten (10) working days from the receipt of the complaint and shall submit its recommendation within five (5) working days from completion of the investigation.

8.2.4 The Grievance Committee shall also submit a Terminal Report on this matter.

8.3 EEOP Focal Person

If an employee needs to ask any questions about any aspect of unacceptable conduct or any violation of this policy, they may contact their Supervisors or PHRDD.

The EEOP focal person shall provide information about TPB EEOP, harassment, bullying, and victimization policies and discuss options available to employees who may have a complaint.

8.4 Consequences for breach of EEO policy

If a complaint is substantiated, TPB shall institute appropriate disciplinary action under pertinent laws for government employees.

Appropriate disciplinary action may include the provision of an apology, a transfer, warning, formal counseling, and/or dropping from the rolls, or termination after due process.

8.5 System Review

Recruitment, Selection and Placement, Learning and Development. Rewards and Recognition and Performance management system, procedures, and practices shall be regularly reviewed to ensure that this policy is adhered to and that they do not include requirements or conditions that constitute, or may lead to, unlawful discrimination and violation of this policy.

9. EFFECTIVITY CLAUSE

These Guidelines shall take effect immediately and shall remain valid until revoked, revised, or modified. All previous guidelines, resolutions, issuances inconsistent with these Guidelines are hereby repealed and modified accordingly.

DONE, in the City of Manila, this 14th day of February 2022.


MARIA ANTHONETTE VELASCO-ALLONES
Chief Operating Officer