



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
MANILA

097,13 - DPWH
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DEPARTMENT ORDER)
No. 147)
Series of 2003 06-02-03)

Subject: Reconstitution of the DPWH-CO
Grievance Committee

Pursuant to CSC Memorandum Circular No. 2, series of 2001, the DPWH Grievance Machinery was approved for implementation by the Civil Service Commission on 28 August 2002. In accordance with Section 9 of the approved DPWH Grievance Machinery, the DPWH-Central Office Grievance Committee is hereby created with the following composition.

Assistant Secretary In-charge of Administration	-	Chairperson
Director III – Legal Service	-	Vice Chairperson
Director III – Internal Audit Service	-	Member
Chief of the Division from where the complainant is	-	Member
3 Designated representatives from the DPWH Employees Association who shall each serve for two years and who shall participate during the discussion when the complainant comes from his or her rank:	-	Member
<ul style="list-style-type: none">• Division Chief• 2nd Level other than Division Chief• 1st Level		

The Personnel Division, Administrative and Manpower Management Service, shall serve as the Secretariat of the Grievance Committee.

This order shall take effect immediately and supersedes previous issuances inconsistent herewith.

FLORANTE SORIQUEZ
Acting Secretary

DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS

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 Public Works and Highways hereby adopts the herein Grievance Machinery.

I. BASIC POLICIES

1. A grievance shall be resolved expeditiously at all times at the lowest level possible in the Department of Public Works and Highways (DPWH). 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. The DPWH shall establish a grievance machinery that is the best way to address grievance between or among its 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 cases 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. The DPWH 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 Resource 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 chosen from among themselves;
 - c. Two (2) members from the rank and file who shall serve for a term of two (2) years; one from the first level and another from the second level who shall be those named by the DPWH COEU. 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.
10. The DPWH Secretary shall ensure equal opportunity for men and women to be represented in the grievance committee.

11. The DPWH 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 Division, Administrative and Manpower Management Service (AMMS), in collaboration with the DPWH grievance committee, shall conduct a continuing 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 objective of the grievance is the grievance committee, the aggrieved 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 Division, AMMS, Central Office, and its counterparts in the Regional Offices, shall extend secretarial services to the grievance committees concerned.
16. The grievance committee shall establish its own internal procedures and strategies. Membership in the grievance 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 DPWH 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

Create a work atmosphere conducive to good supervisor-employee relations and improved employee morale.

2. Specific

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

III. SCOPE

The Grievance Machinery applies to all levels of officials and employees in the DPWH. It may also apply to non-career employees whenever applicable.

IV. DEFINITION OF TERMS

Accredited or Recognized Employee Union – an employee union accredited pursuant to Executive Order No. 180 and its implementing rules and regulations.

Bills Aksyon Partner – is the counterpart Action Officer 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.

V. APPLICATION OF GRIEVANCE MACHINERY

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 of 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. 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;
- d. Poor interpersonal relationships and linkages such as unreasonable refusal to give official information by one employee to another;
- e. Protest on appointments; and
- f. 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:

- 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.

VI. 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 verbally or 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.

2. **Appeal to the Higher Supervisor.** If the aggrieved party is not satisfied with the verbal decision, he or she may submit the

grievance in writing, within five (5) days to the next higher supervisor who shall render his or her decision within (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 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 the grievance is the grievance committee, the aggrieved party may submit the grievance to 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 through 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 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 DPWH Regional Offices shall establish separate grievance committees in their head and regional offices. The composition and responsibilities are as follows:

Composition

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.

The DPWH Secretary shall ensure equal opportunity for men and women to be represented in the grievance committee.

- a) In the central office, the highest official responsible for Human Resource 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; one from the first level and another from the second level who shall be those named by the DPWH COEU. 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.

The Personnel Division/Section of the agency shall extend secretarial services to the grievance committee.

Responsibilities

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

- 1. Establish its own internal procedures and strategies. 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 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 objective of the


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

IX. EFFECTIVITY

The DPWH Grievance Machinery shall take effect immediately upon approval by the Civil Service Commission Regional Office concerned.

X. COMMITMENT

I hereby commit to implement the provisions of this Grievance Machinery and take necessary action in accordance with existing civil service law and rules against supervisors or officials who refuse to act on a grievance brought before their attention.


SIMEON A. DATUMANONG
Secretary
Date: JUL 22 2002

APPROVED BY:


AGNES D. PADILLA
Director IV, CSC-NCR

Date

VIII. GRIEVANCE FORMS

The following forms shall be used:

1. GRIEVANCE FORM

GRIEVANCE FORM	
Date Filed: _____	
Name of Aggrieved Party _____	Section/Division/Office _____
Position Title/Designation (if any) _____	Aggrieved Party's Higher Supervisor _____
Nature/Subject of Grievance: _____	
Action Desired: _____	
Signature of Aggrieved Party: _____	

2. GRIEVANCE AGREEMENT FORM

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	Subject of Grievance

Chairman, Grievance Committee	

3. CERTIFICATE OF FINAL ACTION ON THE GRIEVANCE

CERTIFICATE OF FINAL ACTION ON THE GRIEVANCE	
This certifies that the grievance filed by (Aggrieved Party) _____	
on _____ has been acted upon by this Committee on _____.	
Final Action Taken: _____	

Date: _____	_____
	Chairman, Grievance Committee