



REPUBLIC OF THE PHILIPPINES
SUGAR REGULATORY ADMINISTRATION
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SUGAR REGULATORY ADMINISTRATION GRIEVANCE MACHINERY

In line with the Revised Policies on the Settlement of Grievance in the Public Sector contained in Civil Service Commission (CSC) Resolution No. 010113 dated January 10, 2001 and implemented through CSC Memorandum Circular No. 02, s. 2001, the Sugar Regulatory Administration (SRA) 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 Sugar Regulatory Administration. However, if not settled at the lowest level possible, the aggrieved party shall present his or her grievance step by step following the hierarchy of positions.
2. The Sugar Regulatory Administration 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 service 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 five (5) working days from the date of presentation, inform verbally the aggrieved party of the corresponding action.
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 employment policies, practices and procedures (economic and financial issues) fixed by law covering 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, details, 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 other personnel actions; 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 Sugar Regulatory Administration shall establish a separate Grievance Committee in Luzon/Mindanao and in Visayas Area. The composition is as follows:
- a) In Luzon/Mindanao and in the Visayas Area the chairperson of the Grievance Committee shall be the highest official performing Administrative operations or the authorized representative of the Administrator;
 - b) Two (2) Division Chiefs chosen from among themselves;
 - c) Two (2) members from the rank and File; one from the 1st level and another from the 2nd level named by the Sugar Regulatory Administration Employees Association of the Philippines, Incorporated (SUGAREAP), the accredited employee union in the SRA, who shall serve for a term of two (2) years. The 1st Level representative shall participate in the resolution of the grievance of 1st level employees while the 2nd level representative shall

participate in the resolution of grievance of 2nd level employees. The SUGAREAP shall also designate two (2) alternates, one (1) for each level.

10. The Administrator shall ensure equal opportunity for men and women to be represented in the Grievance Committee.
11. The SRA Grievance Committee shall develop and implement proactive measures that would prevent grievance such as employee assembly which shall be conducted when warranted, "talakayan", counseling and other similar activities through the SUGAREAP interventions.
12. The General Administrative Division thru Human Resource Section personnel in collaboration with the Grievance Committee shall conduct a continuing information drive on Grievance Machinery among SRA officials and employees.
13. The SRA Grievance Committee shall conduct an investigation and hearing within ten (10) working days from receipt of the grievance and render a decision with five (5) working days after the investigation. Provided, however, that where the object of the grievance is the Grievance Committee, the aggrieved party shall submit the grievance to top management.
14. A grievance may be elevated to the Civil Service Commission Regional Office 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: history and final action taken by the agency on the grievance.
15. The Human Resource Section personnel shall extend secretariat services to the Grievance Committee.
16. The SRA Grievance Committee shall establish its own internal procedures and strategies. Membership in the Grievance Committee 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 Administrator for his approval before it is submitted 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 SRA Grievance Machinery shall be submitted to the Civil Service Commission Regional Office 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 SRA's existing Grievance Machinery.
- 2.2 Settle grievances at the lowest level possible 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 SRA. It may also apply to non-career employees whenever applicable.

DEFINITION OF TERMS

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

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.

IV. 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, 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 other personnel actions; 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 R.A. 7877; and
- c. Union-related issues and concerns.

V. GRIEVANCE PROCEDURES

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

1. **Discussion with Immediate Supervisor.** In the first instance, a grievance shall be presented verbally or in writing by the aggrieved party to his or her immediate supervisor who shall make a corresponding action within five (5) 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 position.

2. **Appeal to the Higher Supervisor.** If the aggrieved party is not satisfied with the verbal decision, he or she shall 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 if the aggrieved party is not satisfied with 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 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 decision of top management he or she may appeal or elevate his or her grievance to the Civil Service Commission Regional Office 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 the existing civil service law, rules and regulations.

VII. GRIEVANCE COMMITTEE

The Sugar Regulatory Administration shall establish a Grievance Committee for the Luzon/Mindanao Area and for the Visayas Area. 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 Administrator shall ensure equal opportunity for men and women to be represented in the Grievance Committee.

- a) In Luzon/Mindanao and in the Visayas Area, the chairperson of the Grievance Committee shall be the highest official performing Administrative Operations or the authorized representative of the Administrator.
- b) Two (2) Division Chiefs chosen from among themselves;
- c) Two (2) members from the Rank and File; one from the 1st level and another from the 2nd level named by the SUGAREAP, who shall serve for a term of two (2) years. The 1st level representative shall participate in the resolution of the grievance of 1st level employees while the 2nd level representative shall participate in the resolution of grievance of 2nd level employees. The SUGAREAP shall also designate two (2) alternates, one (1) for each level.

The Human Resource personnel shall extend secretariat services to the Grievance Committee.

Responsibilities

In addition to finding the best way to address a 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 member's regular duties;
2. Develop and implement pro-active measures or activities to prevent grievance such as employee assembly which shall be conducted when warranted, "talakayan", counseling and other activities with the intervention of the SUGAREAP. 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 Human Resource personnel.
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 by the agency on the grievance; and
8. Submit a quarterly report of its accomplishments and status of unresolved grievances for approval to the Administrator before it is submitted to the Civil Service Commission Regional Office concerned.

IX. GRIEVANCE FORMS

The following forms shall be used:

1. GRIEVANCE FORM

SUGAR REGULATORY ADMINISTRATION	
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

SUGAR REGULATORY ADMINISTRATION
GRIEVANCE AGREEMENT FORM

Name of Parties to Grievance _____
Name of the Grievance _____
Steps toward Settlement _____
Agreement/s Reached _____

We promise to abide by the above-stated agreement.

_____ Aggrieved Party _____ Subject of Grievance

_____ Chairman of Grievance Committee

3. CERTIFICATE OF FINAL ACTION ON THE GRIEVANCE

SUGAR REGULATORY ADMINISTRATION
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

X. EFFECTIVITY

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


XI. 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.


RAFAEL L. COSCOLLUELA
Administrator

Date

APPROVED BY:


ATTE. ANICIA MARASIGAN-DE LIMA
Assistant Commissioner

CSC Regional Director
(Signature over Printed Name)

Date