

MAY 29 2001

PPA Memorandum Circular
No 28 2001

SUBJECT Revised PPA Grievance Machinery

Pursuant to Civil Service Commission Resolution No 010113 dated January 10, 2001, and CSC Memorandum Circular No 02 s 2001, the Philippine Ports Authority hereby adopts the herein revised policies in the settlement of grievances in the Philippine Ports Authority

I OBJECTIVE

It is the policy of the Philippine Ports Authority to promote harmony in the workplace. In this pursuit, the Revised Grievance Machinery aims to

- 1 Create a work atmosphere conducive to good supervisor-employee relationship
- 2 Improve employees' morale
- 3 Foster and enhance productivity of each employee in the Philippine Ports Authority

II SCOPE

The Grievance Machinery shall apply to employees occupying first and second level positions in the Philippine Ports Authority including non-career employees occupying casual/contractual and co-terminus positions

III DEFINITIONS OF TERMS

- 1 PAMBANSANG TINIG AT LAKAS SA PANTALAN (PANTALAN) – Accredited PPA Employee Union pursuant to EO No 180 and its implementing rules and regulations
- 2 Bilis Aksyon Partner - is the counterpart Action Officer of the Civil Service Commission under the Mamayan Muna Program pursuant to CSC MC No 3 s 1994
- 3 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

- 4 Grievance Machinery - a system or method of determining and finding the best way to address the specific cause or causes of a grievance
- 5 Grievance Committee - A duly constituted body, hereinafter referred to as the "Committee" equally composed of representatives from management and employees, the main functions of which are the settlement of grievances
- 6 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 BASIC POLICIES

- 1 A grievance shall be resolved expeditiously at all times at the lowest levels/units in PPA. 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 PPA Revised Grievance Machinery shall address grievance between or among PPA 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. Officials or supervisors 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

V APPLICATION OF GRIEVANCE MACHINERY

- 1 The following instances shall be acted upon through the PPA Grievance Machinery

- 1 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, payment of overtime pay, unreasonable withholding of salaries and inaction on application for leave, among others,
- 1 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, among others,
- 1 3 Inadequate physical working conditions such as lack of proper ventilation of 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,
- 1 4 Poor interpersonal relationships and linkages such as unreasonable refusal to give official information by one employee to another,
- 1 5 Protests on appointments, and
- 1 6 All other matters giving rise to employee dissatisfaction and discontentment outside of those cases enumerated above
- 2 The following cases shall not be acted upon through the PPA Grievance Machinery
 - 2 1 Disciplinary cases which shall be resolved pursuant to the Uniform Rules on Administrative Cases
 - 2 2 Sexual harassment cases provided for in RA 7877, and
 - 2 3 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 using the prescribed **Grievance Form** which is herein attached as **Annex "A"** 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 Head Office, PDO/PMO 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 HO/PDO/PMO Grievance Committee, the aggrieved party may submit the grievance to the Assistant General Managers concerned

In the event that an agreement is reached or the aggrieved party is satisfied with the decision, the subject of the grievance, the aggrieved party and the Chairman shall sign in the **Grievance Agreement Form** which is herein attached as **Annex "B"** to abide with what has been agreed upon during the settlement of the case

- 4 **Appeal to Top Management.** If the aggrieved party is not satisfied with the decision of the HO/PDO/PMO 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 the Assistant General Managers concerned 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 Assistant General Managers concerned, the aggrieved party may bring his or her grievance directly to the General Manager
- 5 **Appeal to the Civil Service Commission Regional Office** - If the aggrieved party is not satisfied with the decision of the General Manager, 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)** using the herein

attached **CFAG Form** marked as **Annex "C"** The CFAG shall contain, among other things, the following information history and final action taken by the General Manager on the grievance The Civil Service Commission Regional Office shall rule on the appeal in accordance with existing civil service law, rules and regulations

VII GRIEVANCE COMMITTEE

- 1 The Head Office Grievance Committee shall be composed of the following

Assistant General Manager, Finance & Administrative Services	-	Chairman
Manager, Human Resource Management Division HRMD	-	Member
Manager, Legal Services Department	-	Member
Manager, Personnel Division	-	Member
PANTALAN Second Level Representative	-	Member
PANTALAN First Level Representative	-	Member
Duly designated Bilis Aksyon Partner (BAP)	-	Member

The Personnel Relations Section, Personnel Division, Administrative Services Department shall provide secretariat services to the Head Office Grievance Committee

- 2 The PDO/PMO Grievance Committee shall be composed of the following

FOR PDO

Port District Manager	-	Chairman
Manager, Resource Management Division	-	Member
Manager, Legal Affairs Division	-	Member
Pantalan Second Level Representative	-	Member
Pantalan First Level Representative	-	Member
Duly designated Bilis Aksyon Partner (BAP)	-	Member

The Administrative Services Section, Resource Management Division, Port District office concerned shall provide secretariat services to PDO Grievance Committee

FOR PMO

Port Manager	-	Chairman
Manager, Resource Management Division	-	Member
Manager, Port Services Division	-	Member
PANTALAN Second Level Representative	-	Member

PANTALAN First Level Representative	-	Member
Duly designated Bilis Aksyon Partner (BAP)	-	Member

The Administrative Section, Resource Management Division, Port Management Office concerned shall provide secretariat services to the PMO Grievance Committee

VIII RESPONSIBILITIES OF THE GRIEVANCE COMMITTEE

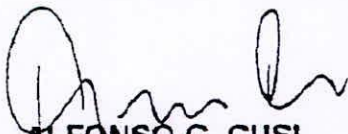
In addition to finding the best way to address specific grievance, the Grievance Committee of Head Office/PDO/PMO shall have the following responsibilities

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 concerned,
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 HO/PDO/PMO Grievance Committee concerned, the aggrieved party may submit the grievance to Assistant General Managers concerned,
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 PPA on the grievance, and
8. Submit a quarterly report of its accomplishment and status of unresolved grievances to the Civil Service Commission Regional Office concerned

IX EFFECTIVITY

This Grievance Machinery shall take effect upon approval by the General Manager and subsequent approval of the Civil Service Commission-National Capital Region


This Memorandum supersedes PPA Memorandum Circular 01-85 dated January 14, 1985 and all other issuances which are inconsistent herewith



ALFONSO G. CUSI
General Manager

Encls	Annex "A"	-	Grievance Form
	Annex "B"	-	Grievance Agreement Form
	Annex "C"	-	Certification on the Final Action on the Grievance (CFAG)

Approved By:



AGNES D. PADILLA
Director IV
CSC-NCR Director
Signature Over Printed Name

02-28-02
Date

Handwritten initials