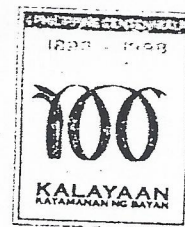
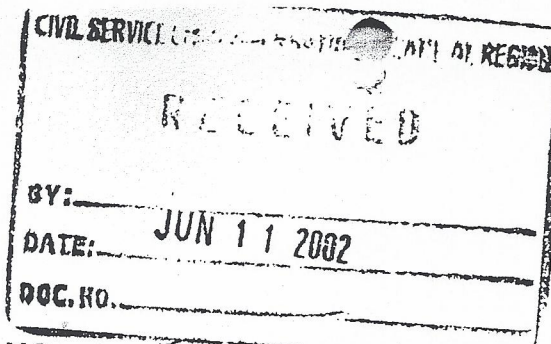




**PHILIPPINE  
CROP INSURANCE  
CORPORATION**

June 10, 2002



**MEMORANDUM CIRCULAR NO. 02-005**  
**Series of 2002**

**Subject: 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. 2, s. 2000, the Philippine Crop Insurance Corporation (PCIC) 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 agency. 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 PCIC hereby establish a grievance machinery that is the best way to address grievance between or among each 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 letter shall, within five (5) 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. PCIC hereby establishes separate grievance committees at the head office and the regional offices. The composition is as follows:

Head Office

1. The Vice-president Support Services Group shall act as the chairperson.
2. Two Department Managers chosen from among themselves.

Two (2) members from the rank, and file one from the first level and one from the second level, designated by the PCIC-Employees Association who shall serve for a term of two (2) years. Where there are no accredited or recognized employees' associations, the representatives shall be those chosen through a general assembly or any other mode of selection to be conducted for the purpose. The first level representative shall participate in the resolution of the grievance of the first level employees while the second level representative shall participate in the resolution of grievance of second level employees.

Bilis Aksyon Partner

The Chief, Human Resource Division will be the designated Bilis Aksyon Partner.

Regional Office

1. The Chief Administrative and Finance Division shall be the chairperson.
  2. Two Division Chief chosen from among themselves.
  3. Two members from the rank and file designated by the PCIC Employees Association, who shall serve for a term of two (2) years. Where there are no accredited or recognized employees' associations, the representative shall be chosen through a general assembly or any mode of selection to be conducted for the purpose.
  4. Duly designated BAP at the RO level.
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10. The head of the corporation shall ensure equal opportunity for men and women to be represented in the grievance committee.
  11. The grievance committee shall develop and implement proactive measures that would prevent grievance, such a employee assembly which shall be conducted at least once every quarter, "talakayan", counseling, HRD interventions and other similar activities.
  12. The personnel unit, in collaboration with the agency grievance committee, shall conduct a continuing information 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 object 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 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, history and final action taken by the agency on the grievance.
15. The HRD shall act as the secretariat to the grievance committee.
16. The 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 Civil Service Commission.
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 PCIC grievance machinery shall be submitted to the Civil Service Commission 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 improve employee morale.

### 2. Specific

- 2.1 Activate and strengthen the corporation's existing grievance machinery;
- 2.2 Settle grievances at the lowest level possible in the organization; and
- 2.3 Serve as 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 corporation. It may apply to non-career employees whenever applicable.

### IV. DEFINITION OF TERMS

**Accredited or Recognized Employees 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 has 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.

### 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 pages such as unreasonable refusal to give official information by one employee to another;
- e. Protests 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. **Discuss 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 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 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 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 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 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 the his or her grievance directly to the Civil Service Commission.
5. **Appeal to the Civil Service Commission.** 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 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 shall rule on the appeal in accordance with existing civil service law, rules and regulations.
6. Grievance not filed thru proper channel shall not be entertained.

## VII. GRIEVANCE COMMITTEE

The PCIC hereby establishes separate grievance committees in the 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 PCIC head shall ensure equal opportunity for men and women to be represented in the grievance committee.

### Head Office

1. The Vice-president Support Services Group shall act as the chairperson.
2. Two Department Managers chosen among themselves.

3. (2) members from the rank-and-file, one from the first level and one from the second level, designated by the PCIC-Employees Association who shall serve for a term of two (2) years. Where there are no accredited or recognized employees' associations, the representatives shall be chosen through a general assembly or any other mode of selection to be conducted for the purpose. The first level representative shall participate in the resolution of the grievance of the first level employees while the second level representative shall participate in the resolution of grievance of second level employees.

Bilis Aksyon Partner

The Chief, Human Resource Division will be designated the Bilis Aksyon Partner.

Regional Office

1. The Chief Administrative and Finance Division shall be the chairperson.
2. Two Division Chief chosen from among themselves.
3. Two member from the rank and file, designated by the PCIC-employees Association who shall serve for a term of two (2) years. Where there are no accredited or recognized employees' associations, the representatives shall be chosen through a general assembly or any mode of selection to be conducted for the purpose.
4. Duly designated BAP at RO level.

The personnel unit of the corporation shall extend secretariat 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 which shall form part and parcel of this memorandum circular. 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 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 object of the grievance is the grievance committee, the aggrieved party may submit the grievance to top management;
6. Direct the documentation of the 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 others things, 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 to the Civil Service Commission.

#### **VIII. GRIEVANCE FORMS**

The following forms that will be used in the grievance machinery are shown in attachments A, B and C.

#### **IX. EFFECTIVITY**

This Grievance Machinery and subsequent amendments thereto shall take effect immediately upon approval by the Civil Service Regional Office.

#### **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.

B. F. Estacio, Jr.  
BENITO F. ESTACIO, JR.  
President

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Date

APPROVED BY:

AGNES D. PADILLA  
CSO Director

7/3/02

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Date