Republic of the Philippines
Department of Education
Region XII
City Schools Division of Tacurong

14 July 2023

DIVISION MEMORANDUM
OSDS No. 105 s. 2023

RECONSTITUTION OF THE DIVISION GRIEVANCE COMMITTEE

To: Assistant Schools Division Superintendent
Chiefs of SGOD and CID
Cluster Heads
Elementary and Secondary School Heads
Division Office Personnel
Teachers and Other Non-Teaching Personnel
All Concerned
This Division

1. Pursuant to DepEd Order No. 35, s. 2004, the Division Grievance Committee is hereby reconstituted as follows:

Chairperson:	Mervie Y. Seblos, CESE	- OIC Asst. Schools Division Superintendent
Members:	Mayflor D. Romualdo	- Chief, SGOD (Regular Member)
	Zenaida B. Porras	- Administrative Officer V (Regular Member)

Provisional Members:

Concerning Elementary Teachers
* President of CSDTTEA
*Cluster Head/Principal where the grievance originated

Concerning Secondary Teachers
* President of CSDTTEA
*School Principal where the grievance originated

Concerning Non-Teaching Personnel

*Glenda A. Orcinado	-	Administrative Officer IV (HRMO)
*Joey M. Lozano	-	Information Technology Officer I 2nd Level Employees Representative
*Alma S. Gamboa	-	Administrative Assistant III 1st Level Employees Representative

2. It is understood that the regular members shall sit with the Committee in all the proceedings and the provisional members shall sit in when the grievance is under their jurisdiction as stated above.

3. Each cluster/school shall also establish a Grievance Committee with the following composition:

Address: Alunan Highway, Poblacion, Tacurong City 9800
Telephone Numbers: (064)-200-6316; 0919-065-6425
Email: tacurong.city@deped.gov.ph

Cluster Grievance Committee
(1) Cluster Head or his/her designated representative
(2) Principal of the school where the grievance originated
(3) President of the Cluster Teachers' Association or his/her designated representative

School Grievance Committee
(1) Principal or Head Teacher
(2) President of the Faculty Club
(3) A teacher who is acceptable to both the aggrieved party and the object of the grievance to be appointed by the Principal

4. The Personnel Section or staff-in-charge of personnel matters shall extend secretariat services to the Division Grievance Committee as follows:

1) Shirlyn D. Cuyong
2) Monalyn A. Lopez

5. The Division Grievance Committee shall entertain grievances that were not resolved at the school and cluster levels.

6. The different Grievance Committees shall follow the procedures for seeking redress of grievance as stated in **DepEd Order No. 35, s. 2004, "The Revision of the Grievance Machinery of the Department of Education".**

7. This Memorandum shall take effect immediately and remain in force until rescinded by the undersigned or proper authority.

8. Dissemination and compliance to this Memorandum is highly enjoined.

GILDO G. MOSQUEDA, CEO VI
Schools Division Superintendent

Enclosures: DepEd Order No. 35, s. 2004
Reference: DepEd Order No. 35, s. 2004; Division Memo No. 3, s. 2021
Allotment:
To be indicated in the Perpetual Index under the following subjects:

COMMITTEE COMPLAINT GRIEVANCE

ZBP/ADMIN/DM/RECONSTITUTION OF THE GRIEVANCE COMMITTEE/JULY 14, 2023

REPUBLIKA NG PILIPINAS
REPUBLIC OF THE PHILIPPINES
KAGAWARAN NG EDUKASYON
DEPARTMENT OF EDUCATION
DepEd Complex, Meralco Avenue, Pasig City

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JUN 0 3 2004

DepED O R D E R
No. 35, s. 2004

REVISION OF THE GRIEVANCE MACHINERY OF THE DEPARTMENT OF EDUCATION

To: Undersecretaries
Assistant Secretaries
Bureau Directors
Directors of Services, Centers and Heads of Units
Regional Directors
Schools Division/City Superintendents

1. For the information and guidance of all concerned, enclosed is a revised copy of the Department's Grievance Machinery approved by the Civil Service Commission, which is self-explanatory.

2. Immediate dissemination of and compliance with this Order is directed.

EDILBERTO C. DE JESUS
Secretary

Encl.:
As stated

Reference: DepED Order: No. 35, s. 2004

Allotment: 1 - -(D.O. 50-97)

To be indicated in the Perpetual Index
under the following subjects:

BUREAUS & OFFICES
CHANGE
COMPLAINT
OFFICIALS
POLICY
TEACHERS

Draft by: RHEA/Maricar-DO-Revision of Grievance Machinery
05-11-04 Computer: Rudy

(Enclosure to DepED Order No. 35, s. 2004)

DEPARTMENT OF EDUCATION

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, 2002 and implemented through CSC Memorandum Circular No. 02, s. 2001, the Department of Education hereby adopts the herein Grievance Machinery.

I. BASIC POLICIES

1. A grievance shall be resolved expeditiously at all times at the lowest level possible. However, if not settled at the lowest level possible, an aggrieved party shall present his/her grievance step by step following the hierarchy of positions.

2. The aggrieved party shall be assured freedom from coercion, discrimination, reprisal, and biased action on the grievance.

3. 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.

4. The head of agency shall ensure equal opportunities for men and women to be represented in the grievance committee.

II. OBJECTIVES

As provided under the Rules of Procedure of the Department, the grievance machinery shall refer to a workable system for determining or providing the best way to remedy the specific cause or causes of the grievance. It is intended to help promote wholesome and desirable employee relations in the Department and to prevent employee discontent and dissatisfaction. In order to create a work atmosphere that is conducive to good supervisor-employee relations and improved employee morale, the machinery shall aim to:

1. activate and strengthen the Department's existing grievance machinery;
2. settle grievances at the lowest possible level in the Department; and
3. provide a catalyst for the development of capabilities of personnel to settle disputes.

III. SCOPE

The Grievance Machinery shall apply to all levels of officials and employees in the Department of Education (DepEd), including non-career employees whenever applicable.

IV. DEFINITION OF TERMS

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

2. **Career Service** - positions in the civil service characterized by (1) entrance based on merit and fitness to be determined as far as practicable by competitive examination, or based on highly technical qualifications; (2) opportunity for advancement to higher career positions; and (3) security of tenure.

3. **Department** – refers to the Department of Education (DepEd).

4. **First Level Positions** – includes clerical trades and crafts, and custodial services which involve sub-professional work in a non-supervisory or supervisory capacity.

5. **Grievance** – refers to 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.

6. **Grievance Machinery** – a system or method of determining and finding the best way to address the specific cause or causes of a grievance.

7. **Non-Career Service** – positions expressly declared by law to be in the non-career service, or those whose entrance in the service is characterized by: (1) entrance on bases other than those of the usual tests of merit and fitness utilized for the career service, and (2) tenure which is limited to a period specified by law, or which is coterminous with that of the appointing authority or subject to his pleasure, or which is limited to the duration of a particular project for which purpose employment was made.

8. **Public Sector Labor-Management Council (PSLMC)** – responsible for the promulgation, implementation and administration of the guidelines for the exercise of the right of government employees to organize pursuant to Executive No. 180.

9. **Third Level Positions** – generally require either Career Service Executive Eligibility (CSEE) or Career Executive Service (CES) Eligibility. These include Undersecretary, Assistant Secretary, Bureau Director, Assistant Bureau Director, Regional Director, Assistant Regional Director, Director of Services, Schools Division Superintendents, Assistant Schools Division Superintendents and other officers of equivalent rank.

10. **Bilis Aksyon Partner** – the counterpart action officer of the Civil Service Commission under the Mamamayan Muna Program pursuant to CSC Memorandum Circular No. 3, s. 1994.

V. Application of Grievance Machinery

As earlier defined, a grievance refers to a work-related issue that causes employee dissatisfaction or discontentment. The following instances shall be acted upon through the grievance machinery:

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 such as delay in the processing of overtime pay, unreasonable withholding of salaries and inaction on application for leave;

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;

3. 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;

4. Poor interpersonal relationships and linkages;

5. Protest on appointments; and

6. 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:

1. Disciplinary cases which shall be resolved pursuant to the DECS Rules of Procedures on Administrative Disciplinary Cases (DECS Order No. 33, s. 1999);

2. Sexual harassment cases as provided for in RA 7877; and

3. Union-related issues and concerns.

VI. GRIEVANCE PROCEDURE

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

1. **Discussion with Immediate Supervisor**

At the first instance, the employee/aggrieved party shall present his/her grievance orally or in writing to his/her immediate supervisor, who shall, within three (3) days from the date of presentation, inform the employee orally of his or her decision. Provided however, that where the object of the grievance is the immediate supervisor, the aggrieved party may bring the grievances to the next higher supervisor.

In the oral discussion, the following shall be observed:

a. The employee/aggrieved party shall be put at ease - Every effort shall be exerted to make the employee who has a grievance feel at ease during the oral discussion.

b. The employee/aggrieved party shall be encouraged to talk – The employee shall be allowed to tell or explain his/her side during the oral discussion.

c. Privacy in discussion – The oral discussion shall be held in private in a quiet and secluded spot where the conversation cannot be interrupted or overheard.

d. The case shall be heard fully - The supervisor shall seek to keep his/her views and opinions entirely to himself/herself until after the employee has explained his/her side during the oral discussion.

e. A definite decision shall be reached - At the end of the discussion, the supervisor must be prepared to state his/her position clearly and accurately based on the merits of the grievance. He/She need not immediately give a definite decision, but the decision shall be rendered within three (3) days from the presentation of the grievance.

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 the Office of the Secretary, through the Undersecretary for Legal Affairs.

4. **Appeal to the Office of the Secretary**

If the aggrieved party is not satisfied with the decision of the grievance committee, he/she may elevate his/her grievance within five (5) working days from receipt of the decision to the Office of the Secretary through the Undersecretary for Legal Affairs who shall make the decision within ten (10) working days after the grievance. Provided, however, that where the object of the grievance is the Secretary, the aggrieved party may bring his/her grievance directly to the Civil Service Commission Regional Office.

In the oral discussion, the following shall be observed:

a. The employee/aggrieved party shall be put at ease - Every effort shall be exerted to make the employee who has a grievance feel at ease during the oral discussion.

b. The employee/aggrieved party shall be encouraged to talk – The employee shall be allowed to tell or explain his/her side during the oral discussion.

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d. The case shall be heard fully - The supervisor shall seek to keep his/her views and opinions entirely to himself/herself until after the employee has explained his/her side during the oral discussion.

e. A definite decision shall be reached - At the end of the discussion, the supervisor must be prepared to state his/her position clearly and accurately based on the merits of the grievance. He/She need not immediately give a definite decision, but the decision shall be rendered within three (3) days from the presentation of the grievance.

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4. **Appeal to the Office of the Secretary**

If the aggrieved party is not satisfied with the decision of the grievance committee, he/she may elevate his/her grievance within five (5) working days from receipt of the decision to the Office of the Secretary through the Undersecretary for Legal Affairs who shall make the decision within ten (10) working days after the grievance. Provided, however, that where the object of the grievance is the Secretary, the aggrieved party may bring his/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. The aggrieved party shall submit a Certification on the Final Action on the Grievance (CFAG) together with the appeal. 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 Department shall establish separate grievance committees in the central, regional and division and district offices and in schools. Only permanent officials and employees 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. Officials who refuse to take action on a grievance brought to their attention shall be liable for neglect of duty in accordance with civil service laws, rules and regulations.

1. **Jurisdiction of Grievance Committees.**

a. The School Grievance Committee shall have original jurisdiction over grievances of teachers and non-teaching personnel in the school that were not orally resolved.

b. The District Grievance Committee shall have original jurisdiction over grievances of employees in the district that were not orally resolved. It shall also have appellate jurisdiction over grievances that were not resolved in the School Grievance Committee.

c. The Schools Division Grievance Committee shall have original jurisdiction over grievances of employees in the division that were not orally resolved. It shall also have appellate jurisdiction over grievances that were not resolved in the District Grievance Committee.

d. The Regional Grievance Committee shall have original jurisdiction over grievances of employees in the region that were not orally resolved. It shall also have appellate jurisdiction over grievances that were not resolved in the Schools Division Grievance Committee.

e. The Department Grievance Committee shall have original jurisdiction over grievances of employees in the different bureaus/services/centers and offices in the Central Office that were not orally resolved. It shall also have appellate jurisdiction over grievances that were not resolved by the Regional Grievance Committee.

2. **Decision of the Grievance Committee.**

The Grievance Committee shall render its decision within fifteen (15) days from receipt of the grievance in writing and the decision of the next higher supervisor as appealed by the aggrieved party. Within the fifteen (15) working day period, the committee may conduct an investigation and hearing ten (10) days from receipt of the grievance and render a decision within five (5) working days after the investigation. The decision shall be in writing and shall contain all relevant facts and circumstances as well as the law or rule that was applied, if any.

3. **Composition of the Grievance Committee.**

The different Grievance Committees shall be composed, as follows:

a. School Grievance Committee

(1) Principal or Head Teacher
(2) President of the Faculty Club
(3) A teacher who is acceptable to both the aggrieved party and the object of the grievance to be appointed by the Principal or Head Teacher.

b. District Grievance Committee

(1) District Supervisor/Coordinator or his/her designated representative
(2) Principal of the school where the grievance originated
(3) President of the District Teachers' Association or his or her designated representative.

c. Schools Division Grievance Committee

(1) Schools Division Superintendent or his or her designated representative
(2) District Supervisor/Chair/Coordinator of the district where the grievance originated
(3) The President of the Schools Division Teachers Association or his or her designated representative.

d. Regional Grievance Committee

(1) Regional Director or his/her designated representative
(2) Chief or Head of the Administrative Division
(3) Two (2) division chiefs to be chosen among themselves
(4) Two (2) members of the rank and file, one from the first level and another from the second level, to be chosen through a general election or any other mode of the like. In case there is an accredited or recognized employees union, the same shall designate said representatives. 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 the grievance of second level employees. The two (2)

representatives from the rank and file shall serve for a term of two (2) years.

(5) Designated Bilis Aksyon Partner.

e. Department Grievance Committee

(1) Highest official responsible for Human Resource Management
(2) Two (2) Division Chiefs, one from the OSEC proper and one from the bureaus to be chosen from among themselves
(3) Two (2) members of the rank and file, one from the first level and another from the second level, to be nominated by the accredited or recognized employees union. 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 the grievance of second level employees. The two (2) representatives from the rank and file shall serve for a term of two (2) years.
(4) Designated Bilis Aksyon Partner.

Each Grievance Committee shall create its own rules of procedure that is deemed most appropriate in the settlement of grievances in its respective level. The Personnel Unit or staff-in-charge of personnel matters shall extend secretariat services to the regional/schools division/district/school grievance committee, while in the Central Office, the Personnel Division and Employees Welfare and Benefits Division shall extend secretariat services to the department grievance committee.

4. **Responsibilities of the Grievance Committee.**

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

a. Establish its own procedures and strategies. Membership in the grievance committee shall be considered part of the members' regular duties

b. Develop and implement pro-active measures or activities to prevent grievance such as an 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

c. Conduct continuing information drive on the Grievance Machinery among officials and employees

d. Conduct dialogue between and among the parties involved

e. Direct the documentation of the grievance including the preparation and signing of written agreements reached by the parties involved

f. Issue final certification on the Final Action on the Grievance (CFAG) which shall contain, among other things, the history and final action taken by the agency on the grievance

g. Submit a quarterly report of its accomplishments and status of unresolved grievances to the Civil Service Commission Regional Office concerned.

VIII. **Effectivity**

This Grievance Machinery shall take effect immediately upon approval by the Civil Service Commission Regional Office concerned. Subsequent amendments shall be subject to CSC approval and shall take effect immediately.

IX. **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.

JUAN MIGUEL M. LUZ
Undersecretary for
Administration and Finance