

GRIEVANCE MACHINERY
OF
NATIONAL TOBACCO
ADMINISTRATION

Republic of the Philippines
Department of Agriculture
NATIONAL TOBACCO ADMINISTRATION
Sct. Reyes St., cor. Panay Avenue
Quezon City

SPECIAL ORDER No. 57 S. 2014
07 November 2014

In line with the duly approved Grievance Machinery of the National Tobacco Administration (NTA), pursuant to Section 35 of P.D. 807, Rule III of Civil Service Rules, as amended by CSC Memorandum Circular No. 45, s. 1989, and Rule XII, Book V of Executive Order No. 292, the composition of the NTA Grievance Committee is hereby reconstituted, to wit:

A. Central Office

1. The Deputy Administrator for Support Services or his representative to act as Chairman;
2. The Manager, Administrative Department;
3. The Manager, Internal Audit Service;
4. Two (2) rank and file employees chosen at large;
5. An alternate for higher supervisor and employee in case the complaint concerns any of the members of the Committee; and
6. Two (2) EANTA members chosen from among themselves to sit in the Committee only for grievance existing between the management and the EANTA.

B. Branch Offices

1. The Branch Manager to act as Chairman;
2. The Division Chief for Operations;
3. The Administrative Officer;
4. Two (2) rank and file employees chosen at large;
5. An alternate for higher supervisor and employee in case the complaint concerns any of the members of the Committee; and
6. Two (2) EANTA members chosen from among themselves to sit in the Committee only for grievance existing between the management and the EANTA.

The Committee members are hereby tasked to implement the NTA Grievance Machinery, as approved by the Civil Service Commission.

Likewise, the Committee members are tasked to conduct an orderly election of the two (2) rank and file employees to be chosen at large.

This Order takes effect immediately and shall remain in full force and effect unless sooner revoked.



EDGARDO D. ZARAGOZA
Administrator

Republic of the Philippines
Department of Agriculture
NATIONAL TOBACCO ADMINISTRATION
Panay Avenue, cor. Scout Reyes Street
Quezon City

MEMORANDUM

FOR : The **ADMINISTRATOR**

THRU : The **DEPUTY ADMINISTRATOR**
For Support Services

FROM : The **MANAGER**
Administrative Department

SUBJECT : **GRIEVANCE MACHINERY OF THE NATIONAL TOBACCO**
ADMINISTRATION (NTA)

DATE : **07 November 2014**

Anent the above subject, the undersigned respectfully submits, as follows:

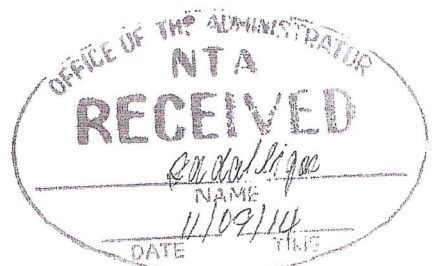
- a. The NTA has established a Grievance Machinery, as approved by the Civil Service Commission (CSC);
- b. The implementation thereof, however, has remained inactive; and
- c. The Learning and Growth Perspective has now been included by the Governance Commission for Government Owned or Controlled Corporations (GCG), in the Performance Commitment of the NTA for CY 2015.

In the light of the foregoing, the undersigned respectfully recommends the activation of the implementation of NTA Grievance Machinery and the reconstitution of the Grievance Committee.

Enclosed, is a proposed Special Order to the effect and a copy of the subject Grievance Machinery, for ready reference.

Respectfully submitted.


CRISTINA C. LOPEZ
Manager, Administrative Department



Republic of the Philippines
CIVIL SERVICE COMMISSION

NATIONAL CAPITAL REGION



6/1/95
6/1/95
1:55 PM

Mr. Amante E. Siapno
Administrator
National Telecomm. Administration
Quezon City

6.2.95
Leroy Palatino

Dear Administrator Siapno:

I am pleased to acknowledge receipt of your Agency Grievance
Petition which was submitted to the Commission for
consideration.

After evaluation of your Grievance Petition, it is noted that it
conforms with the requirements set by the Commission under MC 45,
1990. Accordingly, same is hereby approved for implementation
by that Agency.

Thank you for your support to our programs.

Very truly yours,

NELSON L. ACEBEDO
Director IV

MAY 25 1995

To: HRD

Republic of the Philippines
Department of Agriculture
NATIONAL TOBACCO ADMINISTRATION
Scout Reyes Street cor. Panay Avenue
Quezon City

GRIEVANCE MACHINERY

Pursuant to Section 35 of P.D. 907, Rule III of Civil Service Rules, as amended by CSC Memorandum Circular No. 45, s. 1989, and Rule XII, Book V of Executive Order No. 292, this Grievance Machinery is hereby established for the guidance of all NTA officials and employees.

RATIONALE

The National Tobacco Administration (NTA) in its desire to create an atmosphere conducive to good and harmonious supervisor-subordinate relations and the improvement of employee morale, promulgates these rules and regulations governing expeditious, fair and equitable adjustment of employee complaints and grievances.

OBJECTIVES

The guidelines are intended to help promote peace, harmony, and productivity through a better employee-management relations. Specifically, these guidelines should help the NTA to:

1. Prevent discontentment and disenchantment between and among employees and officials;
2. Establish an orderly method for handling disputes;
3. Settle disputes at the lowest possible level of the organization;
4. Allow the parties to appeal from the results of the grievance negotiation step by step until a final, binding, and executory decision is reached.

DEFINITION OF TERMS

The terms used in the guidelines are operationally defined as follows:

1. Complaint - means an employee's expressed (written or spoken) feelings of dissatisfaction with some aspects of his working conditions, relationships or status which are outside his control.

2. Grievance - refers to a complaint in writing which has, in the first instance and in the employee's opinion, been ignored, overridden or dropped without due consideration.
3. Grievance Procedure - refers to the method of determining and finding the best way to remedy the specific cause or causes of the complaint or grievance.
4. Modes of Settling Disputes
 - 4.1 Conciliation - process whereby a third party (conciliator) brings the parties together, encourages them to discuss their differences and assists them in developing their own proposed solutions.
 - 4.2 Mediation - process whereby a third party (mediator) is more active in assisting the parties reach acceptable solutions to the problems and help the disputing parties develop or come out with an acceptable solution. He can even submit his own proposals for the settlement of disputes.
 - 4.3 Arbitration - process whereby a third party (individual arbitrator, a board of arbitrators or an arbitration court not acting as a court) is empowered to make a decision which disposes of the dispute.

SCOPE OF GRIEVANCE MECHANISM

Complaints and grievances may exist between and among individual employees, between employee and supervisor, and between employee and management, Provided, However, That, it shall not apply to cases of dissatisfaction with official actions taken by the management or in disciplinary cases.

Complaints and grievances may refer to any of the ff:

1. Non-economic issues
 - 1.1 Policies, practices and procedures which affect employees from recruitment to promotion, detail, transfer, retirement, termination, lay-offs, etc.
 - 1.2 Physical working conditions
 - 1.3 Interpersonal and inter-organizational linkages and relationships.
 - 1.4 Arbitrary exercise of discretion and/or management prerogatives

2. Policies, practices, and procedures on economic issues such as financial and other terms and conditions of employment as fixed by law
3. Issues between the management and the CSC registered employee association (NTAEA)
 - 3.1 Economic issues and other economic packages fixed by law
 - 3.2 Political issues
 - a. Recognition and coverage of negotiating unit
 - b. Association security and check off
 - c. Violation of provisions and/or policies on self-organization
 - 3.3 Violation of voluntary agreements reached between the association and management
4. Any and all matters giving rise to employee dissatisfaction

BASIC POLICIES

1. Employees shall have the right to present their complaints and/or grievances to the management and have them settled as expeditiously as possible in the best interest of the employee concerned; the Agency, and the government as a whole.
2. Complaints and grievances shall not apply to cases of dissatisfaction with official actions taken by the management of the NTA or in disciplinary cases.
3. An employee without resorting to formal grievance procedures, may discuss informally any problem relating to conditions of employment with supervisors.
4. In presenting a complaint or grievance, the employee shall be assured freedom from coercion, discrimination, or reprisal and of speedy and impartial settlement of such complaint or grievance.
5. Complaints and/or grievance shall be considered not only in relation to its alleged object but also in relation to the personal situation of the complainant.
6. Complaints and/or grievances shall be resolved at the lowest possible level in the Agency.

7. Grievance proceedings shall not be bound by formal-legal rules and technicalities.
8. An employee shall have the right to appeal decisions on grievances to ~~complaint~~ complaint authorities.

COMPOSITION OF THE GRIEVANCE COMMITTEE

A. Central Office

1. Deputy Administrator for Support Services or his representative to act as Chairman;
2. Manager, Administrative Department;
3. The Manager, MICSD;
4. Two (2) rank and file employees chosen at large;
5. An alternate for higher supervisor and employee in case the complaint concerns any of the members of the Committee;
6. Two (2) association members chosen from among themselves to sit in the Committee only for grievance existing between the management and the recognized association.

B. Branch Offices

1. Branch Manager to act as Chairman;
2. Two (2) Division Chiefs;
3. Administrative Officer;
4. Two (2) rank and file employees chosen at large;
5. An alternate for higher supervisor and employee in case the complaint concerns any of the members of the Committee;
6. Two (2) association members chosen from among themselves to sit in the Committee only for grievance existing between the management and the recognized association.

GRIEVANCE PROCEDURES

The procedures for asking redress for complaints and grievances shall be as follows:

A. Oral Discussion

A complainant shall present orally his complaints to his immediate supervisor who shall within three (3) days from the date of presentation inform the employee orally of the decision.

B. Grievance in Writing

1. If the employee is not satisfied with the oral decision, he may submit his grievance in writing within five (5) working days from the date of the oral decision of his immediate supervisor to the next higher supervisor. The written complaint shall pass thru the immediate supervisor who shall forward the grievance with his comments within five (5) working days to the next higher supervisor, who shall within five (5) working days from receipt thereof inform the employee in writing, thru the immediate supervisor, of the decision. PROVIDED, HOWEVER, That, where the object of the complaint is the immediate supervisor, the complainant may bring the grievance to the next higher supervisor who shall take proper action within five (5) working days from receipt of the complaint.
2. If the complainant is not satisfied with the decision of the higher supervisor, he may appeal his grievance to the Grievance Committee within five (5) working days from receipt of the decision, thru the higher supervisor. After making his comments, the higher supervisor shall forward the complaint within five (5) working days to the Grievance Committee, who shall within ten (10) working days from receipt of the complaint, conduct an investigation and hearing. The Grievance Committee shall furnish the complainant with a copy of its decision within five (5) working days after the investigation and hearing, thru the higher supervisor and immediate supervisor. PROVIDED, HOWEVER, That, where the object of the complaint is the higher supervisor, the complainant may bring his case directly to the Grievance Committee. PROVIDED, FURTHER, That, if complainant is not satisfied with the decision of the Branch Grievance Committee, he may elevate the same to the Grievance Committee of the Central Office.
3. If the complainant is not satisfied with the decision of the Grievance Committee, he may elevate his grievance thru the Committee to the NTA top Management within five (5) working days from receipt of the decision. The top management shall make the decision within ten (10) working days after the receipt of the complaint. PROVIDED, HOWEVER, That, where the object of the complaint is

the top management, the complainant may bring his grievance directly to the Civil Service Commission.

4. If the complainant is not satisfied with the decision of the top management, he may appeal or elevate his grievance to the Civil Service Commission. The CSC shall, if necessary conduct an investigation and hearing and render a decision within fifteen (15) working days from receipt of the grievance.
5. The aggrieved party may file a petition for reconsideration with the CSC if he is not satisfied with its decision, within five (5) working days from receipt of the decision. Such petition shall be resolved within five (5) working days from receipt thereof.
6. The Commission's decision is final, binding and executory unless appeal from said decision is brought to the proper courts.
7. For a member of a recognized association who would like to present grievances through the body, he must submit his grievance in writing thru the association president or his authorized representative. Any and all subsequent actions of the member-employee, immediate supervisor, higher supervisor, Grievance Committee, Top Management, and Civil Service Commission shall pass thru the association president or his authorized representative.

If there is a deadlock, either or both parties may appeal to the Public Sector Labor Management Council (PSLMC) thru the Office for Personal Relations which in turn shall submit to the PSLMC its comments within five (5) working days after receipt of the complaint.

The PSLMC shall render its decision within thirty (30) working days thereafter. The decision of the Council shall be final, binding, and executory unless appeal is brought to the proper courts.

8. The complainant shall fill up the grievance form which shall provide the following information:
 - a) Name of the Complainant
 - b) Position title
 - c) Designation
 - d) Present Section/Division of Assignment
 - e) Immediate Supervisor
 - f) Present Department/Unit of Assignment
 - g) Higher Supervisor
 - h) Nature of Grievance

- i) Settlement desired
- j) Signature of Employee
- k) Date of filing from the lowest level in the Agency

DECISION IMPLEMENTATION

Unless appealed, the decision of the concerned authorities shall take effect immediately and/or upon receipt of the decision of all parties involved.

RESPONSIBILITIES

All records involving complaints and grievances shall be kept by the Human Resources Division of the Administrative Department and by the Records Officer of the recognized association.

EFFECTIVITY CLAUSE

The grievance machinery shall be made effective upon approval of the Civil Service Commission.