

Republic of the Philippines  
DEPARTMENT OF EDUCATION, CULTURE AND SPORTS  
UL Complex, Pasig, Metro Manila

April 17, 1995

DECS O R D E R  
No. 21, s. 1995

ESTABLISHING COMPLAINT/GRIEVANCE MACHINERY AT THE DEPARTMENT  
OF EDUCATION, CULTURE AND SPORTS


To: Undersecretaries  
Assistant Secretaries  
Bureau/Cultural Agency Directors  
Directors of Services/Centers and Heads of Units  
Regional Directors  
Schools Superintendents

1. In order to maintain and improve at optimum level employees morale and to promote wholesome and desirable employee-employer relationship in the Department, the Complaint/Grievance Machinery of the Department of Education, Culture and Sports is hereby ordered established.

2. Accordingly, all concerned shall establish their respective grievance machinery within their offices in accordance with the set of rules and procedures inclosed herewith.

3. The Employees Welfare and Benefits Division of the Human Resource Development Service shall supervise the proper and immediate adjustment of complaints/grievances in coordination with the grievance committees of the different offices of the Department. In this connection, therefore, the said Division is hereby tasked to plan and supervise the grievance arbitrators and to monitor and oversee the organization of the Grievance Machinery in the regional offices.

4. This Order takes effect immediately and strict compliance is directed.

  
RICARDO T. GLORIA  
Secretary

Incl.: As stated

Reference: Office Order dated March 5, 1990

Allotment: 1-2--(M.O. 1-87)

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

BUREAUS & OFFICES  
EMPLOYEES  
COMMITTEES

COMPLAINTS  
OFFICIALS  
TEACHERS

## DECS COMPLAINT AND GRIEVANCE ADJUSTMENT PROCEDURE

### I. Purpose

The grievance procedure is intended to help promote wholesome and desirable working relationships in the Department of Education, Culture and Sports and to prevent employee discontent and dissatisfaction,\* thus minimizing if not eradicating causes of mass actions.

### II. Definitions

The following terms shall have the meaning indicated:

1. Complaint - means an employee's expressed (written or spoken) feelings of dissatisfaction with some aspect of his working conditions, relationships or status which are outside his control.\*
2. Grievance - is any complaint of dissatisfaction, irritation, or misunderstanding arising from the job or relationships among co-workers that he thinks or feels wrong, unfair, ignored or dropped without due consideration.\*
3. Grievance Procedure - refers to a workable procedure for determining or providing the best way to remedy the specific cause or causes of the complaint or grievance.
4. Grievance Arbitrator - refers to an employee of the Department of Education, Culture and Sports trained and tasked to resolve employees' complaints and grievances.
5. Grievance Machinery - refers to a system designed to maintain and improve wholesome and desirable employee-employer relations in order to prevent employee discontent and dissatisfaction, thus upgrading his/her effectiveness and efficiency.

### III. Scope

The grievance procedure shall be applied when the dissatisfaction arises in the day-to-day working relationships between employees or between employee and employer.

The following may be the subject/object of complaints and/or grievances:

1. Unsatisfactory working conditions;
2. Improper, tedious or laborious work assignments;
3. Faulty tools or equipment;
4. Unsatisfactory personnel and/or work processes;
5. Improper placement and selection of personnel;\*

6. Improper appreciation of the factors relative to lay-offs, promotions, salary increases and transfers;
7. Arbitrary exercise of discretion;
8. Inter-personal relationships;
9. Policies, practices and procedures which affect employees; and
10. Any and all matters giving rise to employee dissatisfaction.

This grievance procedure, however, shall not apply when mass actions occur. In such cases, a fact-finding committee, to be created by the Secretary, in the case of the Central Office and the head of the office for field offices, shall be responsible in solving the problem.

#### IV. Guiding Principles

In resolving complaints/grievances before the DECS Complaint/Grievance Machinery, all concerned shall be guided by the following principles:\*

1. An employee must be encouraged to express and informally discuss with the supervisor any problem relating to his working conditions, relationships or status and the supervisor shall in turn take the initiative to ascertain the same without resorting to formal grievance procedure.\*
2. An employee presenting a complaint or grievance shall be assured freedom from coercion, discrimination or reprisal and of speedy and impartial adjustment of such complaint or grievance.
3. Complaints and/or grievances shall be settled at the lowest possible level.
4. The grievance proceedings shall be aimed at determining what is right, not who is right.
5. The right to appeal decisions or grievances in accordance with the provisions of these regulations shall not be curtailed.
6. As much as possible, trained arbitrators shall represent the complainant and the object of the complaint in the grievance committee in order to facilitate the amicable adjustment of grievance/complaint.

#### V. Pool of Grievance Arbitrators\*

There shall be a pool of grievance arbitrators both in the Central Office and in the field offices from which the complainant and respondent may choose to represent him/her in the Grievance Committee.

## A. Central Office

Initially, the core group of the pool of grievance arbitrators in the Central Office shall be those who attended the One-Day Seminar Workshop on the Revision of the DECS Grievance Machinery conducted last August 28, 1992 plus three (3) more representatives from each division. This group shall be tasked to monitor the effective implementation of the DECS Complaint/Grievance Machinery in their respective offices. Other grievance adjusters may be added to this pool as the need arises.

## B. Field Offices

Each region, division, district and school shall organize and train their respective pool of grievance arbitrators. The trained grievance arbitrators at the regional level shall organize, coordinate and train their respective pool of grievance adjusters in their region. It shall be the duty of the pool of arbitrators to monitor the effectiveness of the Grievance Machinery in their respective offices.

Notwithstanding the presence of the pool of grievance arbitrators in their respective offices, the complainant or respondent is free to be represented by any grievance arbitrator from other offices of his/her choice. However, if he/she is not comfortable with any of the members of the pool of grievance arbitrators, he/she may tap the services of any employee in his/her office.

The Employees Welfare and Benefits Division, Human Resource Development Service, DECS Central Office, shall be tasked to plan and conduct comprehensive training for the pool of grievance handlers, and monitor and coordinate the organization of the Grievance Machinery in the region. In addition, the said Division shall have functional supervision over the members of the pool of grievance arbitrators, both at the Central and field offices. The head of the core regional grievance adjusters shall perform similar functions over the division grievance adjusters, and so on down to the district or school level.

## VI. Grievance Committee Composition

Grievance Committees should be constituted to resolve a grievance/complaint made in writing both in the Central Office and field offices. Hereunder are the composition of the different grievance committees:

### Central Office

#### 1. Division Level (Division Grievance Committee)

- a) the Chief of Division
- b) the complainant and/or his representative
- c) the person who is the object of the complaint and/or his representative

2. Service Level (Service Grievance Committee)
  - a) the Service Chief
  - b) the Chief of the locus of the complaint
  - c) the complainant and/or his representative
  - d) the person who is the object of the complaint and/or his representative
3. Bureau Level (Bureau Grievance Committee)
  - a) the Director
  - b) the Chief of the locus of the complaint
  - c) the complainant and/or his representative
  - d) the person who is the object of the complaint and/or his representative

In the Field/Region

1. School Level (School Grievance Committee)
  - a) the Principal or Head Teacher
  - b) the complainant and/or his representative
  - c) the person who is the object of the complaint and/or his representative
2. District Level (District Grievance Committee)
  - a) the District Supervisor
  - b) the Principal of the locus of the complaint
  - c) the complainant and/or his representative
  - d) the person who is the object of the complaint and/or his representative
3. Division Level (Division Grievance Committee)
  - a) the Division Superintendent
  - b) the District Supervisor of the locus of the complaint
  - c) the complainant and/or his representative
  - d) the person who is the object of the complaint and/or his representative
4. Regional Level (Regional Grievance Committee)
  - a) the Regional Director or his designated representative
  - b) the Division Superintendent of the locus of the complaint
  - c) the complainant and/or his representative
  - d) the person who is the object of the complaint and/or his representative
  - e) the Personnel Officer of the regional office

## VII. Procedure

The procedure for seeking redress of complaints and grievances shall be as follows:

### A. Oral Discussion

A complaint and/or grievance shall be presented orally in the first instance to the employee's immediate supervisor who shall, within three (3) days from the date of presentation, inform the employee orally of his decision. In the oral discussion, the following shall be observed: (This shall also apply to teachers in the field.)

1. Both parties shall be put at ease. - Every effort shall be exerted to make them feel at ease during the oral discussion.\*
2. Both parties shall be encouraged to talk. - The employee shall be allowed to tell or explain his side during the oral discussion.
3. Privacy in discussion. - Oral discussion shall be held in a quiet and secluded spot where the conversation cannot be interrupted or overheard.
4. The case shall be heard fully. - The supervisor shall seek to keep his views and opinions entirely to himself until after the employee has explained his side.
5. A definite decision shall be reached. - At the end of the discussion, the supervisor must be prepared to state his position clearly and accurately based on the merits of the grievance.\* He need not immediately give a definite decision, but the decision shall be rendered within three (3) days from the presentation of the complaint.

### B. Grievance in Writing

1. For employees in the Central Office

If the employee is not satisfied with the oral decision, he may submit his grievance or complaint in writing through his immediate supervisor to the Division Grievance Committee. The Division Grievance Committee shall within five (5) days from receipt of the written complaint or grievance inform the aggrieved employee of its decision. If the complainant is not satisfied with the decision of the Division Grievance Committee, he or she may elevate his appeal to the Service Grievance Committee or Bureau Grievance Committee, as the

case may be; the Service Grievance Committee or Bureau Grievance Committee shall render its decision within 5 days from receipt of the written appeal. If still the complainant is not satisfied of the decision of the Service Grievance Committee or Bureau Grievance Committee, he may elevate his or her complaint to the Office of the Undersecretary for Legal Affairs, which shall in turn forward its findings and recommendations within 10 days to the Secretary for final action. Written complaint or grievance against Chiefs of Divisions shall be coursed and settled by Service Grievance Committee or Bureau Grievance Committee; if not satisfied with the committee decision, the complainant may appeal such decision to the Office of the Undersecretary for Legal Affairs.

2. For teachers in the field

If the teacher is not satisfied with the oral discussion, he may submit his grievance or complaint in writing to the School Grievance Committee. The School Grievance Committee shall within 5 days from receipt of the written complaint inform the grievant of its decision. If the grievant is not satisfied with the School Grievance Committee decision, he or she may appeal his case to the District Grievance Committee; if still not satisfied with the decision of the District Grievance Committee, he may elevate his or her appeal to the Division Grievance Committee; decision of the Division Grievance Committee can still be elevated to the Regional Grievance Committee; and if still not satisfied with the Regional Grievance Committee's decision, his or her case could be elevated to the Office of the Undersecretary for Legal Affairs.

The Office of the Undersecretary for Legal Affairs shall forward its findings and recommendations within 10 days to the Secretary. Provided however that where the object of the complaint or grievance is the Head Teacher or District Supervisor or Division Superintendent, the grievant may submit his written complaint to the District Grievance Committee or the Regional Grievance Committee as the case may be. Provided, finally, that where the object of complaint is the Regional Director, the grievant may forward his or her written complaint to the Office of Undersecretary for Legal Affairs. All complaints or grievances lodged in the different Grievance Committees shall be decided within five (5) days from receipt of the written complaint. The decision of the Secretary shall be final and executory.

### 3. For non-teaching employees

In the case of the non-teaching employees in the regional and division offices, the procedure to be followed in the settlement of grievance shall be similar with that of the Central Office. If the complainant is not satisfied with the decision of the committee, the principle to be observed is to appeal his/her case in the next higher committee organized in the region/division offices.

### VIII. Evaluation and Monitoring System

An evaluation and monitoring system shall be established at the Central, regional and division offices of DECS to monitor the problems and progress of the grievances filed in the different committees. The Employees Welfare and Benefits Division (EWBD) shall perform the aforementioned function at the Central Office. In addition, EWBD will monitor and evaluate the performance of the different Grievance Committees in the regions. The Regional and Division Grievance Committees shall supervise and monitor the activities, as well as the progress and problems of the cases filed in the different grievance sub-committees in the division and regional offices.

\* Inputs from the One-Day Seminar Workshop on the Revision of the DECS Complaints Grievance Adjustment Procedure