



National Power Corporation

NAPCOR RECORDS
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CIRCULAR NO. 2020- 20
1 February 2020

SUBJECT : **REVISED POLICIES ON THE SETTLEMENT OF GRIEVANCES
IN NATIONAL POWER CORPORATION**

1.0 PURPOSE

This Circular aims to foster industrial harmony among employees and between employees and management, help promote wholesome and desirable personnel relations, improve employee's morale and increase their level of productivity through an effective grievance machinery in the Corporation.

2.0 LEGAL BASIS

In line with the *Revised Policies on the Settlement of Grievance in the the Public Sector* contained in Civil Service Commission (CSC) Resolution No. 010113, dated 10 January 2001, its implementing guidelines CSC Memorandum Circular No. 02, series of 2001 and the *Revised Policies in the Resolution of Protest Cases* contained in CSC Resolution No. 0917818, dated 11 December 2009 and its implementing guidelines CSC Memorandum Circular No. 04, series of 2010.

3.0 COVERAGE

The NPC Grievance Machinery covers all levels of officials and employees in the Corporation. It may also apply to non-career employees whenever applicable.

4.0 DEFINITION OF TERMS

- 4.1 **Accredited or Recognized Employee Union/Association** – an employees union accredited pursuant to Executive Order No. 180 and its implementing rules and regulations as amended. In NPC, the Power Generation Employees Association (PGEA-NPC).
- 4.2 **Grievance** – is a work-related discontentment or dissatisfaction which had been expressed verbally or in writing and which in the employee's opinion had been ignored or not properly acted upon.
- 4.3 **Aggrieved Party** – refers to a personnel who has grievance or raises issues cognizable through the grievance machinery.
- 4.4 **Grievance Machinery** – a system or method of determining and finding the best way to address the specific cause or causes of a grievance.
- 4.5 **Grievance Committee** – refers to the duly constituted body authorized to conduct investigation and hearing and render decision which disposes of the grievance; where equal opportunity for men and women shall be represented.

5.0 BASIC POLICIES

- 5.1 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.

- 5.2 The aggrieved party shall be assured freedom from coercion, discrimination, reprisal and biased action on the the grievance.
- 5.3 Grievance proceedings shall not be bound by the legal rules and technicalities. Even verbal grievance must be acted upon expeditiously. The services of a legal counsel shall not be allowed.
- 5.4 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 date of presentation, inform verbally the aggrieved party of the corresponding action. Supervisors or officials who refuse to take action on a grievance brought to their attention shall be charged for neglect of duty in accordance with existing civil services laws, rules and regulations by the aggrieved party or management or both.

If the party being complained of is the immediate supervisor, the grievance shall be presented to the next higher supervisor.
- 5.5 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.
- 5.6 The Management shall ensure equal opportunity for men and women to be represented in the grievance committee.
- 5.7 The Human Resources Department and field officers counterparts, in collaboration with the local grievance committee/s, shall conduct a continuing information drive on grievance machinery among the NPC officials and employees. They shall also extend secretarial services to the committees.

6.0 GROUNDS FOR GRIEVANCE

The following instances shall be acted upon through the grievance machinery:

- 6.1 Non-implementation or inconsistent implementation of CSC and NPC 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, delay in the processing of claims, unreasonable withholding of salaries and inaction on application for leave;
- 6.2 Non-implementation or inconsistent implementation of policies, practices and procedures which affect employees, i.e., detail, transfer, retirement, termination, lay-offs, and other related issues;
- 6.3 Inadequate physical working conditions such as lack of proper ventilation in the workplace, 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;
- 6.4 Poor inter-personal relationships and linkages such as unreasonable refusal to give official information by one employee to another, workplace bullying and harassment, etc;
- 6.5 All other work-connected matters giving rise to employee dissatisfaction and discontentment outside of those cases enumerated in above.

7.0 LIMITATIONS

The following cases shall not be acted upon through the grievance machinery:

- 7.1 Disciplinary cases which shall be resolved pursuant to the Revised Rules on Administrative Cases in the Civil Service (RRACCS);
- 7.2 Sexual harassment cases as provided for in Republic Act 7877;

- 7.3 Union-related issues and concerns; and
- 7.4 Protest on appointments, wherein:
 - 7.4.1 A qualified next-in-rank employee shall have the right to appeal initially to the NPC President, then to the Civil Service Commission (CSC) Regional Office, and then to the CSC Proper.
 - 7.4.2 Except for the venue on the filing of protest cases, the Rules of Protest under the Revised Rules on Administrative Cases in the Civil Service (CSC Resolution No. 11-01502) shall be applicable in resolving protest cases.

8.0 GRIEVANCE PROCEDURES

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

- 8.1 **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 using the "Grievance Form".

The Supervisor shall inform the aggrieved party of the corresponding action within three (3) working days from the date of presentation.

If the subject of the grievance is the immediate supervisor, the aggrieved party may bring the grievance to the next higher supervisor.
- 8.2 **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) working days to the next higher supervisor who shall render his or her decision within five (5) working days from receipt of the grievance.
- 8.3 **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. If the object of the grievance is the Grievance Committee, the aggrieved party may submit the grievance to top management.
- 8.4 **Appeal to Top Management.** If the aggrieved party is not satisfied with the decision of the Grievance Committee, the grievance may be elevated within five (5) working days from receipt of the decision through the committee 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 his or her grievance directly to the CCS Regional Office.
- 8.5 **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 CSC Regional Office (RO) 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). The CSC-RO shall rule on the appeal in accordance with existing civil services law and rules.

9.0 GRIEVANCE COMMITTEE

Head Office (HO) Grievance Committee

- Chairperson : Department Manager, Human Resources
- Members : Immediate Supervisor of Concerned Party/s
Representative of duly accredited employee association
or his authorized representative/alternate
(for managerial or non-managerial)
- Secretariat : Industrial Relations, Human Resources Department

Small Power Utilities Group (SPUG) Grievance Committees

- Chairperson : Area Division Manager, Administration & Finance
(Luzon/Visayas/Mindanao)
- Members : Immediate Supervisor of Concerned Party/s
Representative of duly accredited employee association
or his authorized representative/alternate
(for managerial or non-managerial)
- Secretariat : Person in-charge of Human Resources in the area

Mindanao Generation Group (MinGen) Grievance Committee

- Chairperson : Department Manager, Administration & Finance
- Members : Immediate Supervisor of Concerned Party/s
Representative of duly accredited employee association
or his authorized representative/alternate
(for managerial or non-managerial)
- Secretariat : Person in-charge of Human Resources in the area

10.0 FUNCTIONS AND RESPONSIBILITIES OF THE GRIEVANCE COMMITTEE

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

- 10.1 Establish its own internal procedures and strategies. Membership in the grievance committee shall be considered part of the member's regular duties;
- 10.2 Develop and implement pro-active measures or activities to prevent grievance such as employee assembly which shall be conducted at least once every quarter, engagement programs, counseling, and other HRD interventions. Minutes of the proceedings of these activities shall be documented for audit purposes;
- 10.3 Conduct continuing information drive on Grievance Machinery among officials and employees in collaboration with Human Resources Department/field counterpart.
- 10.4 Conduct dialogue between and among the parties involved;
- 10.5 Conduct 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;

- 10.6 Direct the documentation of the grievance including the preparation and signing of written agreements reached by the parties involved;
- 10.7 Issue Certification on the Final Action on the Grievance (CFAG) which shall contain, among other things, the following information: history/background and final action taken by the NPC on the grievance; and
- 10.8 Submit a quarterly report of its accomplishments and status of unresolved grievances to the Civil Service Regional Office.

11.0 RESPONSIBILITIES OF HUMAN RESOURCES OFFICES

The Human Resources Department through the Industrial Relations Office and its counterpart HR and/or Administration staff at the field offices shall serve as the technical staff arm of the Grievance Committee and respective local grievance committee. They shall be the custodian of all records/documents pertinent to employee complaints or grievance and other related matters.

12.0 GRIEVANCE FORMS (SEE ANNEXES)

- 12.1 Grievance Form (**Annex A**)
- 12.2 Grievance Agreement Form (**Annex B**)
- 12.3 Certificate of Final Action on the Grievance (**Annex C**)

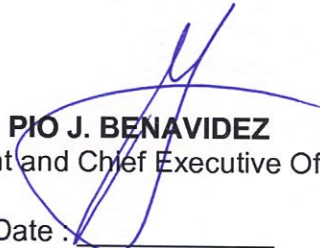
13.0 MISCELLANEOUS PROVISIONS

Cases not covered by the Circular shall be referred to the Manager, Human Resources Department, for resolution and/or recommendation.

All Circulars and other issuances, and/or parts thereof which are inconsistent with the provisions on this Circular are hereby repealed and/or modified accordingly.

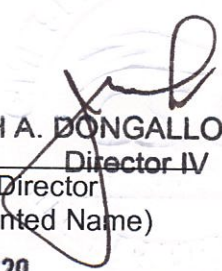
14.0 EFFECTIVITY

This Circular shall take effect immediately. Any subsequent amendments thereto shall take effect after the approval by the CSC Regional Office.


PIO J. BENAVIDEZ
President and Chief Executive Officer

Date: _____

APPROVED BY :


JUDITH A. DONGALLO-CHICANO
Director IV

CSC Regional Director
(Signature over Printed Name)

Date : **MAR 12 2020**

Cr # 2020-20



National Power Corporation

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| GRIEVANCE FORM |
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Date Filed

Name of Complainant/
Aggrieved Party

Section/Division/Department

Position Title/Designation

Complainant/Aggrieved
Party's Higher Supervisor

Nature/Subject of Complaint/Grievance:

Action Desired:

Signature of Complainant/
Aggrieved Party

