



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF CUSTOMS
MANILA

10 April 2002

CUSTOMS MEMORANDUM ORDER
NO. 26-2002

TO: All Bureau Officials and Employees

SUBJECT: BOC 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. 02 s. 2001, the Bureau of Customs hereby adopts the herein Grievance Machinery.

I. Objectives:

1. General
To create a work atmosphere conducive to good supervisor-employee relations and improved employee morale.
2. Specific
 - 2.1. Activate the Bureau's grievance machinery
 - 2.2. Settle grievances at the lowest possible level in our organization
 - 2.3. Serve as a catalyst for the development of capabilities of personnel on dispute settlement, especially among supervisors

II. Scope:

This Grievance Machinery applies to all levels of BOC officials and employees, whether permanent, temporary or casual.

III. Definition of Terms:

Accredited or Recognized Employee Union - An employee union accredited pursuant to Executive Order No. 180 and its implementing rules and regulations, which as of this date, include the BOCEA and CURE.

Bilis Aksyon Partner - Is the counterpart Action Officer of the Civil Service Commission under the Matamayan Muna Program pursuant to CSC MC No. 3, s. 1994.

Grievance - 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 consideration.

Grievance Machinery - A system or method of determining and evaluating the best way to address the specific cause or causes of a grievance.

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

IV. Application of Grievance Machinery:

The following instances shall be acted upon through this 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 affecting personnel movement such as recruitment, promotion, transfer, detail, retirement, termination, lay-off and other related issues 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 such as unreasonable refusal to give official information by one employee to another;
5. Protest on appointments;
6. Violation of the provisions of the BOC Code of Conduct and Rules of Ethics pursuant to CMO 12-2002; and
7. 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 Uniform Rules on Administrative cases;
2. Sexual harassment cases as provided for in RA 7877; and
3. Union-related issues and concerns.

V. Basic Policies:

The following policies on grievance shall be strictly adhered to:

1. A grievance shall be resolved expeditiously at all times at the lowest level possible. However, an appeal mechanism shall have to be provided in order to afford opportunity for the aggrieved party to present his grievance following the hierarchy of positions in the Bureau.
2. The aggrieved party shall be assured freedom from coercion, discrimination, reprisal and biased action on the grievance.

CMO 76-02

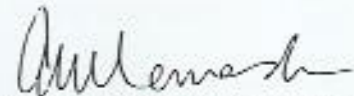
6. Direct the documentation of the grievance including the preparation and signing of written agreements reached by parties.
7. Issue Certification on the Final Action on the Grievance (CFAG). This is a certification that contains the history and final action taken by the Bureau on the grievance. 4.
8. Submit a quarterly report of accomplishments and status of unresolved grievances to the Civil Service Commission.

VIII. Effectivity

This Grievance Machinery and all subsequent amendments shall take effect immediately upon approval by the Civil Service Commission.

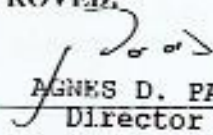
IX. Commitment

I hereby commit to implement the provisions of this Grievance Machinery and take necessary action in accordance with existing civil service law and rules and against supervisors or officials who refuse to act on a grievance brought before their attention.



ANTONIO M. BERNARDO
Commissioner

APPROVED:


AGNES D. PADILLA
Director IV

Date June 5, 2002