

**DENR Circular  
No. 02  
April 14, 1992**

**Subject : Rules and Regulations that shall Govern  
the Adjustment of Complaints and  
Grievances of Officers and Employees of  
DENR**

The DENR Grievance and Complaint Committee in pursuit of more efficiency, competence and responsiveness in the Civil Service, hereby promulgates the following Rules and Regulations that shall govern the adjustments of grievances and complaints of DENR employees and officials in all units of the Department.

- 1.0 Purpose** - The grievance procedure is intended to help promote wholesome and desirable employee relations in this Office and to prevent employee discontent and dissatisfaction.
- 2.0 Definition** - As used in these regulations, the following terms shall have the following meanings indicated.
  - 2.1 Complaint** - means all employee's expressed feelings of dissatisfaction with some aspects of his working conditions, relationships or status which are outside his control.
  - 2.2 Grievance** - is a complaint which has, in the first instance and in the employee's opinion been ignored, overridden or dropped without due consideration.
  - 2.3 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.
- 3.0 Scope** - The grievance procedure shall be applied when the dissatisfaction arises in the day-to-day working relationship between employees or between employees and supervisor. It shall not apply to cases of dissatisfaction with official actions finally taken by this Office nor in disciplinary cases.

Complaints and/or grievances may refer to any of the following:

- 3.1 Unsatisfactory working conditions**

- 3.2 Improper, tedious or laborious work assignments
- 3.3 Faulty tools or equipment
- 3.4 Unsatisfactory personnel and/or work processes
- 3.5 Improper placements
- 3.6 Improper appreciation of the factors relative to lay-offs, promotions, salary increases and transfers.
- 3.7 Arbitrary exercise of discretion
- 3.8 Inter-personal relations
- 3.9 Policies, practices and procedures which affect employees.
- 3.10 Any and all matters giving rise to employee dissatisfaction.

**4.0 Guiding Principle - Officers and employees of this Office shall have the right to present their complaints and or grievances to the Management and to have such complaints and/or grievances resolved in accordance with these regulations.**

The following principles shall govern implementation of these regulations.

- 4.1 the employee shall first discuss his problem informally with the immediate supervisor before considering the filing of a formal written complaint.
- 4.2 an employee presenting a complaint or grievance shall be assured freedom from coercion, discrimination or reprisal and of a speedy and impartial adjustment of such complaint or grievance.
- 4.3 complaint and/or grievances shall be settled at a lowest possible level.
- 4.4 the grievance proceedings shall be kept as simple as possible and shall not be bound by legal rules or technicalities. Employing the services of counsel is not necessary.
- 4.5 the grievance proceedings shall be aimed at determining what is right, not who is right.
- 4.6 a complaint or grievance shall be considered not only in relation to its alleged object, but also in relation to the personal situation of the complaint.

4.7 the right to appeal decisions on grievance in accordance with the provisions of these regulations shall not be curtailed.

**5.0 Procedure** - The procedure for seeking redress of complaints/grievances shall be as follows:

5.1 **Oral discussion** - a complaint shall be presented at first instance to the employee's immediate supervisor who shall, within three days from the date of presentation, inform the employee orally of his decision. In the oral discussion, the following shall be observed.

5.1.1 **The employee 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.

5.1.2 **The employee shall be encouraged to talk** - the employee shall be allowed to tell or explain his side during the oral discussion.

5.1.3 **Privacy in discussion** - oral discussion shall be held in a quiet and secluded place where the conversation cannot be interrupted or overheard.

5.1.4 **The case shall be heard fully** - the supervisor shall seek to keep his views and opinion entirely to himself until after the employee has explained his side.

5.1.5 **A definite closure of the grievance shall be reached** - At the end of the discussion the supervisor must be prepared to state his position clearly, accurately and without any ill feeling towards the employee. He needs definite decision, but it shall be rendered within three (3) days from the presentation of the complaint.

5.2 **Grievance in writing** - If the employee is not satisfied with oral decision, he may submit his grievance in writing through his immediate supervisor, who shall forward the grievance with his comments within 24 hours to the Chief of the primary unit, or to the next higher supervisor as the case may be, who shall, within five (5) days from receipt thereof, inform the complainant in writing through the immediate supervisor of his decision. Provided, however, that if the object of his complaint or grievance is the

Chief of his Unit or Section in the same Division or the personnel of another Division, the personnel may bring his complaint or grievance orally, in the first instance, and then in writing directly to his Chief of Division who in the latter case, shall refer the complaint or grievance to the Division Chief concerned who shall render his decision within five (5) days from his receipt of the complaint. Provided, furthermore, that where the object of his complaint or grievance is the Chief of Division, the complainant may bring his complaint or grievance orally, in the first instance, and then in writing, to the next higher supervisor (Director).

5.2.1 if the complainant is not satisfied with the decision of his immediate supervisor or of the Chief of Division, he may appeal his complaint or grievances in writing to the next higher supervisor, his Chief of Division, who shall forward the same to the next higher supervisor (Director) together with any comment he wishes to make within five (5) days from receipt.

5.2.2 Upon receipt of the complaint or grievance, the next higher supervisor shall review the issues involved and resolve such complaint or grievance within ten (10) days.

5.3 **Appeal to the Secretary** - if the employee is still not satisfied with the action of the Director or officer equivalent in rank, he may elevate, through channels, his grievance to the Secretary who may forthwith decide the case or refer it to a Grievance Committee constituted for the purpose.

## **6.0 The Grievance Committee Procedure**

6.1 Upon receipt of the complaint or grievance, the chairman shall immediately schedule a Hearing within a reasonable period during office hours at a suitable time and place.

6.2 All members of the Committee shall be present during the Hearings, and all proceedings before the Committee shall be reduced to writing. For this purpose, the Committee may avail of the services of any stenographer in this office.

- 6.3 The procedures enumerated under No. 5.1.1 to 5.1.3 of these regulations shall also apply in Committee adjustments or employee grievance.
- 6.4 The complainant shall be given ample time for an oral exposition of his grievance, citing, if possible, the management principles or sound personnel practices violated by inaction on his grievance, or detriment to his rights and privilege or to the public interest if correction is not made on the complained aspect of his working condition, relationships or status.
- 6.5 The complainant shall not be permitted to dwell on aspects not covered by his grievance in writing.
- 6.6 The officer or employee affected by the grievance shall be allowed by the Committee ample chance to present his side before it.
- 6.7 Both complainant and respondent or any officer or employee involved shall be allowed to submit evidence or present witnesses before the Committee Hearing.
- 6.8 The committee shall immediately set in consultation and shall submit its findings and recommendations to the Secretary, within ten (10) days after termination of the Hearing. A draft of decision shall be prepared for the signature of the Secretary.
- 7.0 **Secretary's Decision** - unless otherwise provided, the decision of the Secretary shall take effect immediately after receipt thereof by the complainant and all parties affected.
- 8.0 **Secretariat** - the Chief of Personnel Division shall designate two staff from the Personnel Division who shall compose the Grievance Secretariat.
- 9.0 **Responsibilities of the Secretariat** - All written proceedings and records involving complaints and grievances shall be kept by the Secretariat.

This Order shall take effect immediately.

**VICTOR O. RAMOS**  
OIC, Secretary

**Memorandum Circular  
NO. 13  
August 20, 1992**

**SUBJECT : Upholding the Authority Delegated to the Assistant Secretary for Management Services to Issue Appointments**

In the interest of the service and to continue facilitating the issuance and renewal of appointments in the DENR Proper, the authority delegated to Assistant Secretary for Management Services ROLANDO L. METIN under DENR Memorandum Circular No. 16, issued by former Secretary Fulgencio S. Factoran, Jr., on 04 September 1989, to approve and issue appointments for first and second level positions below Division Chief, is hereby upheld.

Assistant Secretary Metin shall, therefore, continue discharging this delegated function and shall sign as follows:

**"By Authority of the Secretary:**

**ROLANDO L. METIN  
Assistant Secretary for  
Management Services"**

This Circular takes effect immediately until otherwise repealed or revoked.

**RICARDO M. UMALI  
OIC, Secretary**

**Copy furnished:**

**All Concerned**

**Memorandum Circular**  
**No. 15**  
**September 04, 1992**

**SUBJECT : Autonomous Region for Muslim Mindanao (ARMM)**

Under Section 2, Article XIII of RA 6734, the Organic Act creating the ARMM, the jurisdiction and control over all watershed, forest and national reservations and national parks has been retained by the national government through the DENR even if these reservations are located within the territory of ARMM such as the Lake Lanao Watershed Reservation (LLWR).

However, pursuant to the DENR-ARMM MOA executed on January 15, 1991, the management, rehabilitation and protection of watershed reservations, protected areas and national parks has been delegated to the ARMM. This delegation of authority, however, does not include utilization of forest resources in these areas as this is not allowed under the forestry law - PD 705. (Proclamation No. 817 dated 26 February 1992, mandated the DENR to administer and manage the LLWR, in coordination with other government agencies).

Accordingly, all permits to cut (TPSAs, PLTPs, etc.) issued by ARMM over these areas or within the LLWR are invalid. Forest products cut pursuant to the said permits issued by ARMM shall be subject to confiscation by the DENR even if said products are transported inside ARMM's territory. Thus, further to the memorandum dated March 13, 1992 reiterating to the Regional Executive Directors (REDs) the ban on the transport of said products outside ARMM's territory and the establishment of physical blockades in exit points, the REDs are hereby directed to apprehend, seize and confiscate these forest products even if the same are transported inside ARMM's territory.

PLTP/SPLTP issued by ARMM in areas which are not within the reservations are valid but are subject to national policies issued by the DENR on the matter such as the ban on the transport of logs/lumber cut pursuant to these permits outside the province where the PLTP/SPLTP is located and the suspension of the processing and issuance of the same. However, as agreed during the dialogue between DENR and ARMM officials on 25 August 1992, those forest products cut outside the LLWR prior to December 10, 1991 shall be allowed to be disposed of/transported outside the province subject to reasonable conditions to be agreed upon by DENR and ARMM.

**RICARDO M. UMALI**  
**OIC, Secretary**

**Memorandum Circular  
No. 18  
October 16, 1992**

**SUBJECT : Upholding the Authority Delegated to the  
Assistant Secretary for Management  
Services to Issue Appointments**

In the interest of service and to continue facilitating the issuance and renewal of appointments in the DENR Proper, the authority delegated to Assistant Secretary for Management Services ROLANDO L. METIN under DENR Memorandum Circular No. 16, issued by former Secretary FULGENCIO S. FACTORAN, JR., on 04 September 1989, and upheld by OIC Secretary RICARDO M. UMALI under Memorandum Circular No. 13 dated August 20, 1992 to approve and issue appointments for first and second level positions below Division Chief, is hereby likewise upheld.

Assistant Secretary Metin shall, therefore, continue discharging this delegated function and shall sign as follows:

**"By authority of the Secretary:**

**ROLANDO L. METIN  
Assistant Secretary for  
Management Services**

**This Circular takes effect immediately until otherwise repealed or revoked.**

**ANGEL C. ALCALA  
Secretary**



**Memorandum Circular**  
**No. 21**  
**November 6, 1992**

**TO :** **To All Concerned and DENR**  
**Officials/Employees**

**SUBJECT :** **Giving and Receiving of Gifts**

The Department of Environment and Natural Resources (DENR) is a government service agency. Each day thousands of people are served by its personnel all over the country.

It is natural for people to express goodwill and/or gratitude in a concrete manner by giving gifts. We know that such tokens of appreciation are prompted by the best of intentions, but we would prefer and therefore request that gifts not be given to the officials and employees of DENR this Christmas, or at any time of the year.

DENR Officials and Employees are likewise reminded to observe at all times a high standard of ethics in public service and see to it that they discharge their duties with utmost responsibility, integrity, competence and loyalty, and uphold interest over personal interest.

Your continued understanding and cooperation will be greatly appreciated.

**ANGEL C. ALCALA**  
**Secretary**