



## **GRIEVANCE MACHINERY PROCEDURE**

The following procedure shall apply in handling grievances:

- (a) An employee shall present its grievance or complaint orally or in writing to the shop steward. Upon receipt thereof, the shop steward shall verify the fact and determine whether or not the grievance is valid.
- (b) If the grievance is valid, the shop steward shall immediately bring the complaint to the employee's immediate supervisor. The shop steward, the employee and his immediate supervisor shall exert efforts to settle the grievance at their level.
- (c) If no settlement is reached, the grievance shall be referred to the grievance committee which shall have ten (10) days to decide the case.
- (d) Where the issue involves or arises from the interpretation or implementation of a provision of this Grievance Machinery, or from any order, memorandum, circular or assignment issued by the appropriate authority in the establishment, and such issue cannot be resolved at the level of the shop steward or the supervisor, the same may be referred immediately to the grievance committee.
- (e) All grievances that remain unsettled or unresolved within seven (7) calendar days from the date of its submission to the last step in the grievance machinery may be referred to the proper courts or agencies.
- (f) Likewise, by mutual agreement, the parties may choose to refer the unsettled or unresolved grievance to a voluntary arbitrator or a panel of voluntary arbitrators who shall have exclusive and original jurisdiction to hear and decide all grievances arising from the implementation of this Grievance Machinery and those arising from the interpretation or enforcement of company policies.
- (g) The voluntary arbitrator or panel of voluntary arbitrators shall have the power to hold hearings, receive evidences and take whatever action is necessary to resolve the issue/s subject of the dispute.

The voluntary arbitrator or panel of arbitrators may conciliate or mediate to aid the parties in reaching a voluntary settlement of the dispute.



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(h) All parties to the dispute shall be entitled to attend the arbitration proceedings. The attendance of any third party or the exclusion of any witness from the proceedings shall be determined by the voluntary arbitrator or panel of voluntary arbitrators. Hearing may be adjourned for a cause or upon agreement by the parties.

(i) The award or decision of the voluntary arbitrator or panel of voluntary arbitrators must state in clear, concise and definite terms the fact, the law and or/contact upon which it is based. It shall be final and executor after ten (10) calendar days from the receipt of the copy of the award or decision by the parties. Unless the parties agree otherwise, it shall be mandatory for the voluntary arbitrator or panel of voluntary arbitrators to render an award or decision within twenty (20) calendar days from the date of submission of the dispute to voluntary arbitration.

(i) All expenses of voluntary arbitration shall be charged and paid from the Special Voluntary Arbitration fund pursuant to Book IV.

**Grievance Committee:**

- Union Officers
- HRAD Manager
- Department Head of the complainant