

## SDG 8: Decent Work and Economic Growth

### 8.2: Employment Practice

#### 8.2.3. Employment policy on discrimination

NU Lipa employees are ensured that they are treated thru NU Lipa's Grievance Policy and procedures.

## SECTION 5: GRIEVANCE POLICY AND PROCEDURE

### 5.1 Policy Statement

National University provides for amicable internal procedures to settle grievances. All faculty shall be treated fairly and be free from restraint, interference, coercion, discrimination, or reprisal in presenting grievances. Due process shall be always observed, and all cases shall be disposed of expeditiously and judiciously.

No faculty shall be denied due process; dismissed, suspended, demoted, or sanctioned with disciplinary action without just, lawful, and valid cause.

### 5.2 Definition of terms

5.2.1 **Grievance:** This refers to any dispute or controversy involving the terms and condition of employment a faculty, or a group of employees may present to the employer.

5.2.2 **Due process:** This involves the issuance of three notices: Notice to Explain, Notice of Hearing and Notice of Decision which are all prerequisite of due process.

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5.2.3 **Administrative disciplinary case:** When dissatisfaction calls for disciplinary action, it is not to be considered a grievance but an administrative disciplinary case.

### 5.3 Guidelines:

5.3.1 HR is primarily bound to administer, supervise, and endorse the rules and regulations herein stated. All matters in connection to this shall be directly handled by the HR Officer or his duly designated representative.

5.3.2 Deans are directly responsible in monitoring the activities of their respective staff / faculty and correct them by imposing sanctions up to verbal and written reprimand and warning.

5.3.3 Deans should furnish HR all issued written reprimand and warning. Verbal reprimand should be recorded, including the issues (or violations), date and time of reprimand and/or warning. Copy furnished HR.

5.3.4 For serious offenses that require stiffer sanctions, e.g., suspension and dismissal, the case should be referred to HR for further investigation.

5.3.5 Only complaints and grievances expressed in writing duly signed by the complainant shall be considered for investigation and resolution.

5.3.6 If possible, all complaints and grievances must be filed within the semester when the incident occurred.

5.4 Procedure

- 5.4.1 Submission of incident report: The complainant submits a written account of the charges and the incidents pertaining to it to the HR.
- 5.4.2 Minor cases: Minor cases, where sanctions include reprimand and warning, shall be processed by the Unit Head / Dean.
- 5.4.3 Serious offenses: Offenses where sanctions include suspension and/or termination of employment, shall be endorsed to HR with the incident report and other available documents, for further processing.
- 5.4.4 HR immediately commences an investigation to come up with a report ten (10) working days from receipt of the incident report.
- 5.4.5 Depending on the result of the investigation, HR will issue a Notice to Explain to respondent. Otherwise, HR recommends the dismissal of the case in writing.
- 5.4.6 Should the case prosper, the Campus Academic Head shall create a committee to evaluate the evidence and arrive at a decision. The 4-member Committee shall be composed of the following:
  - o AVP for HR, FSO Representatives or their authorized representative
  - o Faculty Services Director
  - o Two (2) members assigned by the Campus Academic Head.
- 5.4.7 The Committee shall conduct hearings and deliberate on the case. It submits a resolution and recommendation five (5) working days upon the creation of the said committee.

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- 5.4.8 The Campus Academic Head reviews the committee resolution and recommendation, approves it, or returns the same for some revisions in twenty-four (24) hours upon receipt.

5.5 Due Process

- 5.5.1 In no way that sanctions are imposed without due process in accordance with the law. All investigations shall be executed fairly, expeditiously, and judiciously.
- 5.5.2 No faculty shall be held liable for the commission of an act deemed in violation of National University policies, rules and regulations and procedures unless he/she has been informed and allowed to explain in writing and called to a hearing (with the assistance of counsel, if desired) to respond to the charges, present evidence and rebut the charges. Thus, the following shall be prerequisite to due process:
  - a. A **Notice to Explain**, which includes the allegations, must be issued to respondent who is given five (5) days to explain why a sanction may not be imposed.
  - b. A **Notice of Hearing**, which indicates the date, time, and venue where respondent can explain his/her side further. Another hearing may be set to give respondent more opportunity to defend himself/herself. Issued three (3) days upon receipt of respondent's explanation.
  - c. A **Notice of Decision** containing the resolution, sanctions and recommendation of the committee as approved by the Campus Head (or the President, in case of termination) shall be released within ten (10) working days from the conclusion of the hearing.

5.6 Offenses and Sanctions

- 5.6.1 Without prejudice to the provisions of the Labor Code or related laws and regulations, any faculty who commits any offense may be disciplined in accordance with the following table of sanctions after investigation and establishment of guilt according to proper procedures:

a. Reprimand	Decided upon by the Unit Head
b. Written Warning	Decided upon by the Unit Head
c. Suspension	Decided upon by the Disciplinary Committee, with the approval of the Campus Head
d. Termination	Decided upon by the Disciplinary Committee, with the approval of the President

- 5.6.2 A preventive suspension of 30 days, upon approval of the President, shall be imposed on a respondent under investigation for an alleged violation whose presence poses a threat to the life and property and/or well-being of National University, its officers, employees, and students.

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5.7 Decision

- 5.7.1 The decision of the committee is recommendatory and shall be forwarded to the Campus Head for affirmation, modification, revision, and approval.
- 5.7.2 The Campus Head shall give the official decision on the case within three (3) working days. This decision shall be final and executory.
- 5.7.3 For termination cases, the President gives the final approval.

- 5.7.4 A copy of the approved committee's decision shall be issued to the respondent, Head/Dean, Campus Head and HR file (Respondent 's 201 file).
- 5.7.5 Any appeal by respondent is addressed to the President who may or may not overrule the verdict, five (5) days from receipt of the appeal.
- 5.7.6 All case evaluation and decision shall be resolved within twenty (20) days as scheduled below:

***Schedule of Case Evaluation and Decision***

<i>Submission of incident report to HR</i>	<i>1 working day</i>
<i>Investigation &amp; submission of report</i>	<i>5 working days</i>
<i>Issuance of Notice to Explain</i>	<i>1 working day</i>
<i>Respondent's reply</i>	<i>5 working days</i>
<i>Issuance of Notice of Hearing</i>	<i>2 working days</i>
<i>Evaluation and recommendation of committee</i>	<i>5 working days</i>
<i>Issuance of Notice of Decision</i>	<i>1 working day</i>
<b><i>Total</i></b>	<b><i>20 working days</i></b>

5.8 Implications of the Policy

This policy shall be a necessary tool to maintain peace and harmony at the workplace. It shall likewise promote discipline in the organization where its members are expected to be directed to the vision-mission of National University.

**SECTION 6: OFFENSES AND CORRESPONDING SANCTIONS**

- 6.1 The list of offenses and the guiding sanctions found below are not exclusive in the sense that there may be other acts not expressly included but can be considered as similar or analogous to the offenses enumerated and likewise be treated as infractions that may result in immediate disciplinary measure, up to and including dismissal, for a single offense.
- 6.2 Management reserves the right to impose lesser or stiffer penalty for a particular offense depending on mitigating or aggravating circumstances which warrant such action.
- 6.3 Faculty are enjoined to read announcements posted on bulletin boards, attend meetings and general assembly to be informed. Likewise, memoranda, policies, issued rules and regulations,