# POLICY ON EMPLOYEE RIGHTS, PAY GRIEVANCE AND APPEAL

ISO 21001:2018 Educational Organizations Management System

## 1. Policy Statement

Misamis University shall provide every employee with an accessible, fair, confidential, timely, and impartial process to question, grieve, and appeal decisions or actions affecting employee rights, wages, salary placement, benefits, deductions, workload compensation, employment conditions, and related entitlements. No employee shall suffer retaliation for raising a good-faith concern, assisting another employee, providing evidence, or using an internal or lawful external remedy. Decisions shall be based on verified facts, applicable law, University policy, employment terms, and consistently applied criteria, with written reasons and a genuine opportunity for review by an authority not responsible for the challenged decision.

## 2. Purpose

- Provide clear informal, formal grievance, and appeal stages for employee-rights and pay concerns.
- Correct payroll errors quickly and provide due process for disputed employment decisions.
- Ensure independence, conflict-of-interest controls, confidentiality, representation, accessibility, and non-retaliation.
- Define responsibilities, service timelines, records, monitoring, internal audit, management review, and THE evidence.
- Use grievance information to correct systemic causes and improve employment practices without disclosing personal case details.

## 3. Scope

This policy covers all employees paid or employed directly by the University, including academic and non-academic personnel who are regular, probationary, fixed-term, contractual, project-based, part-time, or temporary. Former employees may use the process for claims arising during employment, subject to applicable time limits. Job applicants, agency personnel, contractors, and students shall use the applicable process unless the University is their employer of record. Nothing in this policy removes rights under law, a collective bargaining agreement, an employment contract, or a specialized University policy.

Appealable matters include pay computation or delay, salary grade or step, lawful deductions, benefits, overtime or overload, honoraria and allowances, leave, hours and workload, appointment status, promotion or reclassification, performance-related employment consequences, discrimination, reasonable accommodation, health and safety, freedom of association, privacy, disciplinary action, and interpretation or application of an employment policy or contract.

Academic judgment, research integrity, sexual harassment, gender-based sexual harassment, whistleblowing, occupational safety emergencies, data-privacy complaints, and disciplinary dismissal may have specialized procedures. HRMDO shall route the concern correctly, preserve the filing date, and explain the

route in writing. A specialized procedure may incorporate this appeal stage if it provides equal or stronger due-process protections.

**4. Legal and Standards Basis**

| AUTHORITY | POLICY RELEVANCE |
|---|---|
| 1987 Philippine Constitution, Art. III Sec. 1 and Art. XIII Sec. 3 | Supports due process, equal protection, labor rights, humane conditions, living wage, participation, and protection of workers. |
| Labor Code of the Philippines, as amended | Governs wages, hours, labor standards, termination, labor relations, grievance machinery where applicable, money claims, and available remedies. |
| Republic Act No. 6727 and applicable wage orders | Establishes wage-rationalization mechanisms and binding regional minimum wage requirements. |
| Republic Act No. 6715 and Republic Act No. 10396 | Strengthen labor dispute settlement and institutionalize the Single Entry Approach for speedy, accessible settlement of labor issues. |
| Republic Act No. 9710; Republic Act No. 6725 | Require non-discrimination, substantive equality, and equal treatment in compensation and employment conditions. |
| Republic Acts No. 7877 and 11313 | Require mechanisms addressing sexual harassment and gender-based sexual harassment; such cases follow protected specialized procedures. |
| Republic Acts No. 7277, 10911, 11058, and 10173 | Protect disability and age equality, occupational safety and health, and personal-data privacy. |
| ISO 21001:2018 clauses 4.4, 5.1–5.2, 5.3, 7.1.2, 7.4–7.5, 9.1–9.3, 10.2–10.3 | Require controlled processes, leadership and responsibilities, communication, documented information, monitoring, audit, management review, corrective action, and improvement. |
| THE Impact Rankings SDG 8 indicator 8.2.8 | Requires evidence of an institution-wide process allowing employees to appeal employee-rights and/or pay matters. |

**5. Definitions**

| TERM | DEFINITION |
|---|---|
| Concern | A question or problem that may be resolved through clarification or prompt correction without a formal grievance. |
| Grievance | A written allegation that a right, law, policy, employment term, pay entitlement, or fair process has been violated, misapplied, or unreasonably administered. |
| Appeal | A written request for a higher or independent authority to review a grievance |

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| | decision or an eligible original employment decision. |
| Pay matter | Any issue concerning wages, salary placement, deductions, benefits, overtime, overload, allowances, honoraria, incentives, leave conversion, or other compensation. |
| Appellant | The employee or former employee who files an appeal, personally or through an authorized representative. |
| Respondent or decision owner | The person or office whose action, omission, or decision is challenged. |
| Impartial reviewer | A person or panel without prior material involvement, personal interest, bias, or reporting conflict that could reasonably affect independence. |
| Retaliation | Any adverse action, threat, intimidation, harassment, exclusion, or disadvantage linked to good-faith use of this process or participation in a case. |

## 6. Governing Principles

- Accessibility: employees may file in person, electronically, or through an authorized representative; reasonable accommodation and language assistance shall be provided.
- Fairness: both sides may know the material allegations, submit relevant evidence, and respond before a decision, subject to lawful confidentiality protections.
- Independence: an appeal shall not be decided by the original decision maker or investigator.
- Promptness: payroll errors and urgent risks receive expedited treatment; other cases follow published service timelines.
- Confidentiality: information is shared only with persons who need it for resolution, safety, legal compliance, or review.
- Non-retaliation: interim safeguards and separate investigation apply to alleged retaliation.
- Good faith: an unsubstantiated grievance is not misconduct merely because it was not upheld; knowingly false or malicious submissions may be addressed through due process.
- Preservation of rights: internal filing does not waive statutory, contractual, union, regulatory, or judicial remedies.

## 7. Responsibilities

| ROLE | RESPONSIBILITIES |
|---|---|
| University President | Ensures independence, resources, and implementation; decides or designates final appeals not involving the President. |
| HRDO | Owns the process; receives and logs cases; gives guidance; coordinates investigation, mediation, decisions, remedies, and trend reports. |

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| Payroll / Finance | Performs prompt pay reconciliation, preserves payroll evidence, explains calculations, and implements approved corrections. |
| Employee Grievance and Appeals Committee | Hears formal appeals through impartial members; evaluates the record; conducts meetings when necessary; issues reasoned recommendations or decisions. |
| GAD / CODI / Safety / Privacy and other specialist bodies | Handle matters assigned by law or specialized policy and coordinate without duplicating or prejudicing proceedings. |
| QA / Internal Audit | Tests process conformity, timelines, records, corrective actions, and EOMS integration without substituting its judgment for the appeal body. |
| Supervisors and Heads | Attempt fair early resolution; preserve records; cooperate; implement final decisions; prevent retaliation. |
| Data Protection Officer | Advises on lawful collection, access, redaction, retention, and disclosure of case information. |
| Employees and representatives | File promptly, provide truthful relevant information, respect confidentiality, attend meetings, and identify the remedy sought. |

## 8. Procedure

### 8.1 Access and Initial Guidance

HRDO shall maintain a public policy, a confidential filing address or portal, a grievance and appeal form, contact information, and an explanation of alternate channels. An employee may seek confidential procedural guidance before filing. Oral concerns shall be documented with the employee's confirmation where they require action. Anonymous information may trigger inquiry but may limit individualized relief or procedural findings.

### 8.2 Informal Resolution

Where safe and appropriate, the employee may first discuss the matter with the dean/head, HRDO, or responsible office. Informal resolution may include explanation, payroll reconciliation, correction, facilitated discussion, or mediation. It is voluntary for discrimination, harassment, retaliation, safety threats, significant power imbalance, or other serious allegations. An employee may proceed directly to a formal grievance. Informal efforts do not extinguish the right to file, and HRDO shall record any agreed extension of time.

### 8.3 Formal Grievance

A formal grievance should be filed within thirty calendar days from the challenged action, receipt of the decision or payslip, or reasonable discovery of the matter. A continuing pay error may be raised while it continues, subject to legal prescriptive periods. Late filing may be accepted for illness, delayed discovery, fear of retaliation, failed informal resolution, inaccessible procedure, or another just reason. The filing should

identify the action challenged, relevant dates and persons, right or rule involved if known, supporting documents, prior steps, and remedy requested. Lack of technical wording shall not defeat an otherwise understandable grievance.

**8.4 Intake Triage and Interim Protection**

HRDO shall acknowledge receipt within three working days, assign a confidential case number, check jurisdiction and conflicts, preserve evidence, identify urgent pay or safety issues, and give a written process and timeline. Interim measures may include preservation of salary status, correction of an undisputed payroll error, separation of parties, alternate reporting lines, leave or schedule adjustment, or protection against retaliation. Interim action shall not predetermine the merits.

**8.5 Investigation and Grievance Decision**

The Head of the Grievance Committee shall define the issues, gather payroll and employment records, interview relevant persons, allow the employee and respondent to respond to material information, and assess facts using the balance of probabilities unless law or contract requires another standard. The investigation should be completed within fifteen working days for straightforward pay errors and thirty working days for other cases. A justified extension shall be communicated in writing with a revised date. The written decision shall state the issues, material facts, applicable rules, findings, reasons, remedy, implementation date, and appeal instructions.

**8.6 Appeal**

Either affected party may appeal within ten working days after receipt of the grievance decision. Grounds include material error of fact; incorrect interpretation or application of law, policy, contract, or pay rule; material procedural unfairness; conflict of interest or reasonable apprehension of bias; new material evidence that could not reasonably have been presented earlier; or a remedy that is clearly disproportionate or incomplete. The appeal shall identify the challenged findings and requested outcome. The appeal body may dismiss an appeal that merely repeats arguments without an appeal ground, but it shall give written reasons.

**8.7 Appeal Review and Final Internal Decision**

The appeal body shall be independent of the original action, investigation, and decision. It may review the record, request written submissions, conduct an appeal meeting, or return the matter for limited reinvestigation. The employee may be accompanied by a union representative, colleague, counsel, or support person, subject to reasonable rules and applicable law. A final internal decision should be issued within twenty working days after a complete appeal record. It may affirm, vary, reverse, remand, order correction or payment, direct policy or process changes, or require another appropriate remedy. The written outcome shall state reasons, implementation responsibility, completion date, and available external options without giving legal advice.

**8.8 Expedited Pay Correction**

Undisputed payroll errors shall be corrected at the earliest practicable payroll run or through an authorized off-cycle payment. Within five working days of a pay grievance, Payroll shall provide an itemized reconciliation or written status. Disputed deductions, wage rates, hours, overload, benefits, or salary placement proceed through the formal process, but the University

shall promptly release any undisputed amount. Interest, back pay, or other monetary relief shall follow applicable law, contract, and approved authority.

### 8.9 Collective and Represented Grievances

Employees affected by the same policy or pay practice may file jointly or through a representative. Each employee's consent and requested remedy shall be documented when individual rights or records are involved. Where a collective bargaining agreement provides grievance machinery, the University shall honor that process and coordinate routing without diminishing statutory rights.

### 8.10 External Remedies

The internal process is intended to provide prompt institutional resolution and does not prevent or delay an employee from contacting DOLE, using the Single Entry Approach, filing before the NLRC or another competent agency or court, consulting a union or counsel, or using remedies under anti-discrimination, harassment, safety, or privacy laws. HRDO shall not misrepresent internal exhaustion as a legal prerequisite where the law does not require it.

## 9. Service Standards

| STAGE | RESPONSIBLE OFFICE | STANDARD |
|---|---|---|
| Acknowledgment and case number | HRMDO | Within 3 working days |
| Payroll reconciliation or status | Payroll / Finance | Within 5 working days of a pay grievance |
| Informal resolution attempt | Relevant office / HRMDO | Normally within 10 working days |
| Straightforward pay investigation | Impartial reviewer | Normally within 15 working days |
| Other formal grievance investigation | Impartial reviewer | Normally within 30 working days |
| Appeal filing | Appellant | Within 10 working days of receiving the decision |
| Final internal appeal decision | Appeal body | Normally within 20 working days after complete record |
| Approved remedy implementation | Named action owner | By the date in the decision; monitored until verified closed |

Timelines are service standards unless a law, contract, collective bargaining agreement, or specialized procedure requires a different period. Delay shall not silently close a case. The responsible office shall explain any extension, protect urgent rights, and give a revised completion date.

## 10. Remedies

- Correction of payroll, classification, records, workload credit, leave, benefits, or employment status.
- Payment of an established wage or benefit deficiency and other relief authorized by law or contract.
- Reconsideration of a decision through an unbiased process.
- Cessation of an unlawful or unfair practice and restoration of an opportunity.
- Reasonable accommodation, safety measure, or protection against retaliation.
- Training, supervision, process redesign, policy clarification, audit, or systemic corrective action.
- Referral for separate disciplinary or legal review when evidence warrants it, with due process for all affected persons.

## 11. Confidentiality Data Protection and Records

Case information shall be collected for a legitimate purpose, limited to what is necessary, secured through role-based access, and disclosed only as authorized or legally required. Decisions circulated beyond the parties shall be anonymized. The University cannot promise absolute confidentiality where disclosure is necessary for a fair investigation, safety, implementation, audit, or legal compliance; affected persons shall be informed as appropriate.

| RECORD | CUSTODIAN | MINIMUM RETENTION |
|---|---|---|
| Approved policy and revisions | QA / Document Control | Permanent |
| Grievance and appeal register | HRDO | Five years or longer if legally required |
| Submissions, notices, evidence, and recordings if authorized | HRDO / designated body | Five years after final closure or per applicable schedule |
| Decisions, remedies, and verification | HRDO / QA | Five years after final closure |
| Payroll correction records | Payroll / Finance | Per payroll, tax, labor, audit, and records requirements |
| Anonymized monitoring and THE evidence | QA / HRDO | At least five ranking cycles |

## 12. Monitoring and Performance Evaluation

| INDICATOR | TARGET / CONTROL | FREQUENCY |
|---|---|---|
| Workforce access | Policy and channels available to 100% of employee categories | Annual |

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|---|---|---|
| Acknowledgment timeliness | At least 95% within 3 working days | Quarterly |
| Decision timeliness | At least 90% within applicable standard or documented extension | Quarterly |
| Pay-error response | 100% receive reconciliation or status within 5 working days | Quarterly |
| Remedy completion | 100% implemented or formally monitored with approved revised date | Quarterly |
| Retaliation | Zero tolerated; every allegation separately assessed | Continuous |
| Process fairness feedback | Annual review of anonymized user feedback and recurring barriers | Annual |
| Systemic improvement | Root-cause action for recurring or material issues; effectiveness verified | Annual |

HRMDO shall report anonymized trends by issue type, employee group, stage, timeliness, outcome, recurrence, and action status. Low case volume shall not automatically be treated as success; the University shall also assess awareness, accessibility, fear of retaliation, and employee confidence. Results shall be reviewed through internal audit and Management Review under the EOMS.

**13. Internal Audit Management Review and Improvement**

The risk-based internal audit program shall examine accessibility, impartiality, conflicts, timeliness, confidentiality, records, remedy implementation, and non-retaliation. Management Review shall consider case trends, overdue matters, systemic pay or rights issues, employee feedback, legal and THE changes, resource adequacy, audit results, and corrective-action effectiveness. Identified nonconformities shall be corrected and root causes addressed. The policy shall be operationally reviewed each year and formally reapproved at least every three years or sooner after a material legal, organizational, payroll, or process change.

**14. Comparable University Practices Considered**

The policy reflects common university grievance practices: attempting early resolution where appropriate; permitting direct formal filing for serious matters; written statements and responses; impartial investigation; a reasoned outcome; representation or a companion; an appeal to a person or panel not previously involved; published timelines; confidentiality; non-retaliation; and institutional learning. These practices were adapted to Philippine law and Misamis University's EOMS and do not import foreign legal rules.

## 15. Related Documents

- Human Resource Manual and compensation, payroll, promotion, classification, workload, leave, benefits, discipline, and separation procedures
- Gender and Development policy; CODI rules; Safe Spaces and anti-sexual-harassment procedures
- Occupational Safety and Health, whistleblowing, data privacy, reasonable accommodation, and anti-discrimination procedures
- Collective bargaining agreement and grievance machinery, where applicable
- EOMS procedures for documented information, risk, internal audit, Management Review, nonconformity, corrective action, and continual improvement

## 16. Suggested Approval and Appeal Structure

| FUNCTION | PRIMARY ROLE | INDEPENDENCE SAFEGUARD |
|---|---|---|
| Intake and guidance | HRMDO grievance officer | Not the merits decision maker when HRMDO action is challenged |
| Initial pay review | Payroll plus impartial HR reviewer | Reviewer did not authorize the disputed transaction |
| Formal grievance decision | Designated officer or committee | No prior material involvement or direct reporting conflict |
| Final internal appeal | President or impartial appeals panel / designated authority | No participation in the original decision or investigation; alternate authority when the President is involved |

## References

- 1987 Philippine Constitution: https://lawphil.net/consti/cons1987.html
- Labor Code of the Philippines: https://lawphil.net/statutes/presdecs/pd1974/pd_442_1974.html
- Republic Act No. 6727: https://lawphil.net/statutes/repacts/ra1989/ra_6727_1989.html
- Republic Act No. 6715: https://lawphil.net/statutes/repacts/ra1989/ra_6715_1989.html
- Republic Act No. 10396: https://lawphil.net/statutes/repacts/ra2013/ra_10396_2013.html
- Republic Act No. 9710: https://lawphil.net/statutes/repacts/ra2009/ra_9710_2009.html
- Republic Act No. 10173: https://lawphil.net/statutes/repacts/ra2012/ra_10173_2012.html
- Republic Act No. 11058: https://lawphil.net/statutes/repacts/ra2018/ra_11058_2018.html
- ISO 21001 Educational organizations management systems: https://www.iso.org/standard/66266.html
- Times Higher Education Impact Rankings: https://www.timeshighereducation.com/impact-rankings

- ACAS grievance procedure good-practice reference: https://www.acas.org.uk/grievance-procedure-step-by-step
- University of Oxford grievance procedure: https://hr.admin.ox.ac.uk/grievance-procedure

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