TUBBATAHA MANAGEMENT OFFICE
GRIEVANCE MECHANISM IMPLEMENTING GUIDELINES

SECTION 1. TITLE

This document shall be known as the Implementing Guidelines for the Tubbataha Management Office (TMO) Grievance Mechanism.

SECTION 2. PURPOSE

The TMO adopts these Implementing Guidelines to promote workplace harmony and enhance productivity among personnel and stakeholders across all services, operations, projects, and official actions.

This Mechanism shall be implemented in a gender-responsive and inclusive manner and shall promote gender-equitable participation, access to information, representation, benefits, and grievance redress. TMO shall ensure that all persons, regardless of sex, gender, age, position, role, or stakeholder group, have equitable access to the grievance process, are treated with dignity and fairness, and are able to participate without fear of discrimination, exclusion, or retaliation.

SECTION 3. OBJECTIVES. This Mechanism aims to:

3.1 Provide personnel and stakeholders with a formal and accessible mechanism for raising grievances;
3.2 Promote accountability, transparency, fairness, and trust in TMO processes;
3.3 Ensure that grievances are acted upon promptly and resolved within a reasonable time;
3.4 Protect the rights, safety, and dignity of aggrieved parties and all concerned parties;
3.5 Document grievances and actions taken for monitoring, learning, and institutional improvement; and
3.6 Refer matters outside the scope of this mechanism to the proper authority when necessary.

SECTION 4. GUIDING PRINCIPLES

The implementation of this Mechanism shall be guided by the following principles:

4.1 **Accessibility.** Grievances may be submitted verbally or in writing through simple and practical channels.
4.2 **Fairness.** All parties shall be given a reasonable opportunity to be heard.
4.3 **Gender Equity and Inclusion.** Equitable access, participation, representation, and protection shall be promoted for all aggrieved parties and concerned persons, regardless of sex, gender, age, position, role, or stakeholder group.
4.4 **Impartiality.** Grievances shall be reviewed objectively and without bias.

4.5 **Timeliness.** Grievances shall be acknowledged, reviewed, and acted upon without undue delay.

4.6 **Confidentiality.** Personal information and sensitive details shall be protected in accordance with the requirements of the Data Privacy Law (Republic Act No. 10173). The aggrieved party may request confidentiality.

4.7 **Non-retaliation.** No person shall suffer retaliation, intimidation, harassment, or prejudice for filing a grievance in good faith.

4.8 **Resolution at the proper level.** Minor and straightforward grievances should be resolved as early and as close to the source as possible, while sensitive or serious cases shall be elevated or referred as required.

4.9 **Transparency.** All grievances received and actions taken shall be appropriately recorded.

SECTION 5. DEFINITION OF TERMS

1. **Grievance** refers to a concern, complaint, dissatisfaction, or claim raised by a person or group directly affected by a TMO act, omission, decision, service, personnel conduct, project, or operation.

2. **Aggrieved party** refers to the person or group directly affected by the matter raised.

3. **Person complained of** refers to the person, unit, partner, contractor, or office whose act, omission, or conduct is the subject of the grievance.

4. **Corrective action** refers to an action intended to address, remedy, clarify, prevent recurrence of, or reduce the impact of the grievance.

SECTION 6. SCOPE OF APPLICATION

These Guidelines apply to grievances concerning TMO functions, activities, operations, services, personnel conduct, project implementation, stakeholder engagement, visitor management, and official decisions or omissions. It may be used by the following:

5.1 TMO personnel and marine park rangers;

5.2 Applicants, permittees, visitors, tourists, dive operators, vessel operators, researchers, contractors, consultants, volunteers, and partners;

5.3 Community members and local stakeholders affected by TMO actions or inaction; and

5.4 Any person or group directly affected by an act, omission, decision, or conduct connected to TMO functions.

SECTION 7. MATTERS THAT MAY BE RAISED

The following matters may be raised under these Guidelines:

7.1 Poor service, unreasonable delay, or failure to act;
7.2 Discourtesy, unprofessional conduct, or other improper behavior in relation to official duties;
7.3 Unclear, inconsistent, or unfair implementation of TMO rules, procedures, or decisions;
7.4 Concerns involving permits, scheduling, coordination, access, or visitor management;
7.5 Workplace or field concerns related to safety, welfare, working conditions, or support in connection with TMO activities;
7.6 Discrimination, exclusion, or unfair treatment;
7.7 Concerns involving partners, contractors, or service providers engaged in TMO-related activities; and
7.8 Other grievances, concerns, suggestions, or feedback directly related to TMO operations or services.

SECTION 8. MATTERS NOT COVERED

The following matters are generally outside the scope of these Guidelines but may be received and referred to the appropriate office or authority:

8.1 Criminal complaints;
8.2 Formal administrative disciplinary cases governed by applicable civil service, labor, or other legal rules;
8.3 Sexual harassment, gender-based violence, violence against women and children, child protection cases, or similar matters requiring special protective procedures;
8.4 Procurement protests and disputes governed by procurement rules;
8.5 Matters already decided by a court, tribunal, or competent authority, unless the grievance concerns TMO's handling of the matter; and
8.6 Complaints clearly unrelated to TMO functions.

Where a grievance is outside the scope of these Guidelines, TMO shall inform the aggrieved party and, where appropriate, refer the matter to the proper authority.

For referred matters, the Grievance Focal Person shall record the date of referral, receiving office or authority, and action taken to inform the aggrieved party, subject to confidentiality and safety considerations.

SECTION 9. WHO MAY FILE

A grievance may be filed by:

9.1 The directly affected person;
9.2 Two or more affected persons acting as a group;
9.3 An authorized representative of the affected person or group; or

9.4 A third party acting on behalf of an affected person, where justified by the circumstances.
9.5 Grievances filed by an anonymous person may be accepted.

SECTION 10. MODES OF FILING

A grievance may be submitted through any of the following channels:

10.1 Personal appearance;
10.2 Verbal grievance made in person or by telephone;
10.3 Written grievance;
10.4 Email;
10.5 Official TMO messaging or communication channels;
10.6 Grievances raised during meetings, consultations, field engagements, or official stakeholder interactions.

Filing a grievance is free. The receiving officer shall document verbal grievances in writing and, when necessary, confirm details with the aggrieved party.

SECTION 11. MINIMUM INFORMATION REQUIRED

As far as practicable, a grievance should include the following:

11.1 Name and contact details of the aggrieved party, unless confidentiality is requested;
11.2 Name and authority of the representative, if any;
11.3 Date and place of the incident or concern;
11.4 Description of the facts and circumstances;
11.5 Name of the person, office, or activity involved, if known;
11.6 Supporting documents, photographs, messages, or other evidence, if available;
11.7 Actions already taken, if any; and
11.8 The relief, correction, or outcome sought.

Incomplete information will not automatically prevent acceptance of a grievance, provided there is enough detail to understand the concern and determine the next steps.

Anonymous grievances may be accepted when they contain sufficient factual detail to allow TMO to understand, verify, or act on the concern. However, TMO may be limited in its ability to validate facts, provide updates, seek clarification, or determine the appropriate relief when the identity or contact details of the aggrieved party are not provided.

SECTION 12. GRIEVANCE FOCAL PERSON

The Protected Area Superintendent shall designate a Grievance Focal Person. The Grievance Focal Person shall:

12.1 Receive and record grievances;
12.2 Acknowledge receipt;
12.3 Conduct initial screening;
12.4 Classify the grievance according to risk and complexity;
12.5 Refer simple matters for immediate action;
12.6 Elevate cases to the Grievance Committee when necessary;
12.7 Monitor compliance with timelines;
12.8 Keep records and safeguard grievance files; and
12.9 Provide updates to the aggrieved party, as appropriate.

SECTION 13. GRIEVANCE COMMITTEE

TMO shall establish a Grievance Committee composed of the following:

13.1 Chairperson – a TMO officer designated by the PASu;
13.2 One representative from operations or ranger management;
13.3 One representative from technical or program staff;
13.4 One rank-and-file representative; and
13.5 One member designated to assist with welfare, gender, or sensitive concerns, where available.

In designating members of the Grievance Committee, TMO shall, where practicable, consider gender balance, diversity of representation, and the availability of personnel who can assist in handling welfare, gender-related, or sensitive concerns. Committee composition and participation shall support impartial, respectful, and gender-responsive handling of grievances.

The Committee may consult other personnel for technical input, provided confidentiality is maintained.

If the grievance involves a Committee member, such member shall be excluded from the proceedings. If the grievance involves the PASu, the matter shall be referred to the TPAMB Executive Committee, which shall constitute itself into a Grievance Committee subject to the procedures of these Implementing Guidelines.

Any TMO staff or Executive Committee member who is the subject of the grievance, directly involved in the incident, or has a conflict of interest shall not participate in screening, fact-finding, deliberation, recommendation, or appeal. An alternate member shall be designated when necessary.

SECTION 14. PROCEDURE

14.1 Receipt and Recording. All grievances received by TMO shall be referred to the Grievance Focal Person, who shall promptly record them in the grievance logbook or database.

Each grievance shall be assigned a reference number. The grievance record shall include, at a minimum, the date received, subject matter, name of the aggrieved party or coded identifier, mode of filing, initial classification, status, action taken, date of referral or resolution, and date of closure.

Verbal grievances shall be documented in writing by the receiving officer or the Grievance Focal Person. When necessary, the recorded details shall be confirmed with the aggrieved party.

14.2 Acknowledgment. TMO, through the Grievance Focal Person, shall acknowledge receipt of the grievance within three (3) working days from receipt.

The acknowledgment may be sent through the same channel used by the aggrieved party or by other reasonable means, unless confidentiality, safety, or practical considerations require a different approach.

The acknowledgment shall inform the aggrieved party that the grievance has been received and recorded and will undergo initial screening. It may also request additional information when necessary.

14.3 Initial Screening. Within three (3) working days from receipt, the Grievance Focal Person shall conduct initial screening to determine whether the grievance:

a. falls within the scope of these Guidelines;
b. requires immediate protective, preventive, or interim action;
c. may be resolved quickly at the staff, supervisor, or unit level;
d. should be elevated to the Grievance Committee;
e. should be referred to another office or authority; or
f. requires classification as a sensitive or high-risk grievance.

When screening a grievance, the Grievance Focal Person shall assess whether it is made in good faith, is not clearly frivolous or malicious, and is sufficiently related to TMO functions, activities, personnel, services, operations, projects, or official actions.

Where a grievance indicates an immediate risk to safety, welfare, confidentiality, evidence, or continued retaliation, TMO may recommend interim protective or preventive measures while the matter is being assessed, resolved, elevated, or referred.

The result of the initial screening shall be recorded in the grievance logbook or database.

14.4 Risk Classification. For purposes of action, the Grievance Focal Person shall classify grievances as follows:

Level 1 – Simple Grievance. A clear and straightforward issue that may be resolved quickly through clarification, correction, apology, provision of information, or routine action.

Level 2 – Grievance Requiring Review. A grievance requiring fact-finding, coordination, validation, or review by more than one office, unit, or person.

Level 3 – Sensitive or High-Risk Grievance. A grievance involving serious misconduct, discrimination, harassment, threats, abuse, safety concerns, possible legal violations, repeated or escalating grievances, or matters likely to have significant operational, institutional, legal, or reputational effect.

The outcome of the risk classification shall be documented. A grievance may be reclassified at any stage if new information shows that the matter is more serious, more complex, or more appropriate for another process or authority.

14.5 Immediate Protective or Referral Action. If the grievance involves immediate risk to any person, possible retaliation, serious safety concerns, confidentiality risks, or possible loss or destruction of evidence, TMO may take or recommend immediate protective, preventive, or interim measures.

These measures may include, as appropriate, temporary separation of concerned parties, referral to a supervisor or competent authority, preservation of documents or records, restriction of access to sensitive information, safety reminders, or other reasonable measures necessary to prevent further harm while the grievance is being handled.

Interim measures shall not be treated as a finding of liability or fault. They shall be documented and implemented in a manner consistent with fairness, confidentiality, and due regard for all concerned parties.

14.6 Level 1 Handling: Simple Grievance. Upon classification of a grievance as Level 1, the Grievance Focal Person shall take steps to clarify and validate the concern within three (3) working days. This may include reviewing available records, requesting clarification from the aggrieved party, and obtaining the response or explanation of the person, office, unit, or activity involved.

If the matter can be resolved through clarification, correction, apology, provision of information, or other routine action, the Grievance Focal Person shall recommend the appropriate action to the concerned supervisor, unit, or personnel. The proposed action shall be communicated to the aggrieved party and, where appropriate, to the person or office concerned.

If the aggrieved party is not satisfied with the proposed Level 1 action, the party may request that the grievance be elevated to Level 2 within five (5) working days from receipt of the proposed action.

If the proposed action is accepted, it shall be implemented within a reasonable period, preferably within five (5) working days, unless the nature of the action requires a longer period. The Grievance Focal Person shall record the action taken, date of implementation, and basis for closure in the grievance logbook.

If the grievance cannot be resolved at this level, if either party does not accept the proposed action, or if the Grievance Focal Person determines that the matter requires further review, the grievance shall be reclassified as Level 2 and referred to the Grievance Committee.

14.7 Level 2 Fact-Finding: Grievance Requiring Review. Upon classification or reclassification of a grievance as Level 2, the Grievance Focal Person shall refer the matter to the Grievance Committee.

The Grievance Committee shall conduct fact-finding within seven (7) working days from referral. Fact-finding may include:

a. requesting written explanations;
b. conducting interviews;
c. reviewing documents, messages, communications, records, photographs, reports, or other available evidence;
d. conducting site validation, where necessary and practicable;
e. consulting relevant personnel for technical input; and
f. recommending interim protective or administrative measures when needed.

The Committee shall ensure that all fact-finding activities remain fair, proportionate, impartial, and consistent with confidentiality and data privacy requirements.

14.8 Level 2 Resolution or Recommendation. Upon completion of fact-finding for a Level 2 grievance, the Grievance Committee shall evaluate the findings and, within three (3) working days, prepare a resolution, recommendation, or corrective action.

The resolution may include, as appropriate, clarification, corrective action, apology, change in procedure, written reminder, referral to a supervisor or authority, improvement of service delivery, or other reasonable action to address the grievance and prevent recurrence.

The Committee may discuss the resolution with the aggrieved party, the person complained of, and other concerned parties, where appropriate. The Committee shall ensure that all parties are given a reasonable opportunity to be heard before a resolution or recommendation is finalized.

14.9 Level 3 Handling: Sensitive or High-Risk Grievance. Level 3 grievances shall not be resolved through the ordinary grievance process when they involve matters requiring formal investigation, disciplinary action, legal action, or special protective procedures.

However, TMO shall still receive and record the grievance, assess immediate safety or protection needs, preserve relevant information, and refer or escalate the matter to the appropriate authority without undue delay.

Where the grievance involves criminal complaints, formal administrative disciplinary cases, sexual harassment, gender-based violence, violence against women and children, child protection cases, procurement protests, or other matters governed by special rules, TMO shall refer the matter to the proper office, body, or authority.

For referred matters, the Grievance Focal Person shall record the date of referral, the receiving office or authority, and the action taken to inform the aggrieved party, subject to confidentiality, safety, and data privacy considerations.

Referral or elevation of a Level 3 grievance shall not prevent TMO from taking reasonable interim protective or preventive measures when necessary.

14.10 Communication of Resolution. For Level 1 grievances, the Grievance Focal Person shall communicate the proposed action or resolution to the aggrieved party and, where appropriate, to the person or office concerned.

For Level 2 grievances, the Grievance Committee shall communicate the resolution, recommendation, or corrective action to the parties or their authorized representatives within three (3) working days after the resolution or recommendation is completed.
The communication shall state the action to be taken, the reason for the action, the office or person responsible for implementation, and the expected implementation timeline.

For Level 2 grievances, the communication shall also state that any party who is not satisfied with the resolution may file an appeal with the TPAMB Executive Committee, acting as the Appeal Committee, within five (5) working days from receipt of the resolution. The appeal shall state the grounds for review or reconsideration.

If no appeal is received within the five-day period, the resolution shall be considered final under this Mechanism and shall be implemented accordingly.

14.11 Appeal, Review, and Decision. Upon receipt of an appeal from the Grievance Committee's resolution, the TPAMB Executive Committee, acting as the Appeal Committee, shall review the appeal.

The Appeal Committee may review the records, request additional information, call the concerned parties for clarification, or conduct further inquiry when necessary.

The Appeal Committee shall issue a final decision within ten (10) working days from receipt of the appeal, unless the nature of the matter requires additional time. Any extension shall be documented and communicated to the concerned parties, where appropriate.

The decision of the Appeal Committee shall be final under this Mechanism and shall be implemented accordingly.

14.12 Implementation of Resolution or Decision. For Level 1 grievances, the concerned supervisor, unit, personnel, or office shall implement the accepted corrective action within the period stated in the resolution or recommendation, preferably within five (5) working days.

For Level 2 grievances where no appeal is filed, the PASu or the responsible office shall ensure implementation of the resolution or corrective action within five (5) working days from finality of the resolution, unless the nature of the action requires a longer period.

For appealed grievances, upon receipt of the Appeal Committee's decision, the PASu shall ensure implementation of the corrective actions within five (5) working days from receipt of the decision.

The five-day implementation period may be extended, depending on the nature of the required action, provided that the reason for the extension is recorded and that periodic updates are provided to the aggrieved party, as appropriate. The implementation period shall not exceed ten (10) working days unless a longer period is necessary to ensure fairness, practicality, or completeness of the corrective action.

As proof of implementation, the PASu or the responsible office shall submit an implementation report, with supporting documents where applicable. Written confirmation from the aggrieved party may be obtained when available, but failure to provide such confirmation shall not prevent closure if the corrective action has been completed and the aggrieved party has been informed.

14.13 Close-Out. Once the resolution, corrective action, decision, or referral has been completed, the case may be closed, and the closure shall be recorded in the grievance logbook or database. A grievance may be closed upon any of the following:

a. completion of the agreed or approved action;
b. issuance of a final response, resolution, decision, or referral by the Grievance Focal Person, Grievance Committee, PASu, or Appeal Committee, as applicable;
c. written confirmation by the aggrieved party that the matter has been resolved;
d. failure of the aggrieved party to respond within five (5) working days after being informed of the final action taken; or
e. referral or elevation of the matter to the appropriate authority, in the case of matters outside the scope of these Guidelines or Level 3 grievances requiring another process.

A close-out note shall be entered in the grievance record. The close-out note shall indicate the action taken, date of completion, responsible person or office, and basis for closure.

14.14 Monitoring of Actions. The Grievance Focal Person shall monitor compliance with agreed, approved, or directed corrective actions and ensure that commitments made during resolution are implemented.

The Grievance Focal Person shall update the grievance logbook or database to reflect implementation status, pending actions, delays, referrals, and closures.

Recurring issues, delays, or patterns observed from grievances shall be reported to the PASu for appropriate management action, policy review, or institutional improvement.

SECTION 15. CONFIDENTIALITY AND DATA PRIVACY

TMO shall protect the privacy of aggrieved parties and other concerned persons and shall handle grievance records in accordance with applicable data privacy rules.

Access to grievance records shall be limited to authorized personnel. Sensitive files shall be stored securely, whether in physical or electronic form.

Where confidentiality is requested, TMO shall take reasonable steps to restrict disclosure.

SECTION 16. NON-RETALIATION

No person shall be subjected to retaliation, intimidation, harassment, discrimination, or any adverse treatment for filing a grievance or participating in grievance proceedings in good faith.

Any act of retaliation shall itself be grounds for appropriate action or referral.

SECTION 17. INFORMATION, DISSEMINATION, AND ACCESSIBILITY

TMO shall make these Guidelines known to personnel and stakeholders through appropriate means, which may include:

17.1 posting in the TMO office and ranger station;
17.2 inclusion in visitor, operator, partner, and staff orientation materials;
17.3 publication through official communication channels;
17.4 use of notices, posters, or simple grievance guides; and
17.5 explanation during meetings, consultations, and field engagements.

TMO shall make available a simplified grievance guide indicating who may file, what may be filed, where to submit, expected timelines, confidentiality options, and protection from retaliation.

SECTION 18. MONITORING AND REVIEW

TMO shall review the implementation of these Guidelines at least once every three (3) years. At a minimum, TMO shall monitor:

18.1 Number of grievances received;
18.2 Number and percentage resolved;

18.3 Number referred to other authorities;
18.4 Average processing time; and
18.5 Recurring issues that may require management action or policy improvement.

Where appropriate and consistent with confidentiality and data privacy requirements, TMO may review grievance trends by sex, stakeholder group, type of concern, and other relevant categories to identify barriers to access, recurring welfare or gender-related issues, and opportunities to improve fairness, inclusion, and service delivery.

SECTION 19. IMPLEMENTING FORMS AND TOOLS

To support the implementation of these Guidelines, TMO shall adopt and use the following:

19.1 A grievance flowchart;
19.2 A grievance form;
19.3 A grievance registry or logbook;
19.4 Simple internal guidance for screening, referral, and handling of sensitive cases, and;
19.5 A template for informing the TMO of the aggrieved party's conformity to the implementation of the corrective action (Grievance Action Confirmation Form).

The conformity template shall be used after implementation of the corrective action to document whether the aggrieved party confirms satisfactory implementation, has remaining concerns, or does not agree that the action has been satisfactorily implemented. The absence of written confirmation shall not prevent closure if the corrective action has been completed and the aggrieved party has been informed, consistent with Sections 14.12 and 14.13 of these Guidelines.

SECTION 20. NATURE OF THE PROCEEDING

Proceedings under this Mechanism are administrative, informal, and non-adversarial. They are intended to provide an accessible process for clarification, correction, referral, and resolution of grievances related to TMO functions. They shall not be bound by strict legal rules or technicalities.

The participation of legal counsel is not required. However, this Mechanism shall not prevent any party from seeking advice, assistance, or remedies available under applicable laws, rules, or formal administrative processes.

SECTION 21. SEPARABILITY

If any provision of these Guidelines is declared invalid or unenforceable, the remaining provisions shall continue in full force and effect.

SECTION 22. EFFECTIVITY

These Guidelines shall take effect upon approval by the PASu and shall remain in force until amended or repealed.