



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRICULTURE
FERTILIZER AND PESTICIDE AUTHORITY

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OFFICE ORDER

No. 03

Series of 2019

**SUBJECT : ESTABLISHING THE EQUAL OPPORTUNITY PRINCIPLE IN
THE PROGRAM TO INSTITUTIONALIZE MERITOCRACY AND
EXCELLENCE IN HUMAN RESOURCE MANAGEMENT
(PRIME-HRM)**

1. Purpose

To define and describe FPA's commitment to being an Equal Employment Opportunity Agency.

FPA's Equal Employment Opportunity Policy aims to achieve a harmonious workplace and recognizes the right of all people who interact with the agency to be treated with dignity and respect.

The purpose of this policy is to make FPA employees aware of the importance of Equal Employment Opportunity Principle (EEOP) in Recruitment, Selection and Placement, Performance Management, Rewards and Recognition and Learning and Development.

2. Scope

This policy and its related procedures and forms are applicable to all employees, job orders, organizational representatives and all other interested parties on the processes, management and control of the FPA.

3. External Related Standards / Legislation

Relevant Equal Employment Opportunities Legislation including:

- Executive Order No. 292, s. 1997, Administrative Code of the Philippines

- *An act expanding the positions reserved for persons with disability, amending for the purpose Republic Act No.*

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cc: Office of the Executive Director, Finance and Administrative Division, Laboratory Services Division, Fertilizer Regulations Division, Pesticide Regulations Division, Planning, Management and Information Division, Field Operations Coordinating Unit, Field Units

7277, as amended, otherwise known as the Magna Carta for Persons with Disability

➤ RA NO. 10911

- *An act prohibiting discrimination against any Individual in Employment on Account of Age and Providing Penalties therefor*

➤ Presidential Decree No. 966 dated July 20, 1976

- *Declaring violations of the international convention of the elimination of all forms of racial discrimination to be criminal offenses and providing penalties therefor*

➤ Republic Act 6725

- *An act strengthening the prohibition on discrimination against women with respect to terms and conditions of employment, amending for the purpose article one hundred thirty-five of the labor code, as amended*

Guidelines on the availment of the Special Leave Benefits for Women under R.A. 9710 (An Act Providing for the Magna Carta of Women) – CSC Resolution No. 1000432

➤ Republic Act 7877, Anti- Sexual Harassment Act of 1995

➤ Republic Act 9262 Anti- Violence Against Women and Their Children Act of 2004

➤ Republic Act 7192 Women in Development and Nation Building Act

➤ Memorandum Circular No. 48 Series of 2013

- *Directing All Concerned Government Agencies to Adopt the Gender Equality Guidelines in the Development of their Respective Media Policies and Implementing Programs in Order to Promote Gender Mainstreaming*

➤ Republic Act 10354 The Responsible Parenthood and

➤ Reproductive Health Act of 2012

➤ Executive Order No. 273

- *Approving and Adopting the Philippines Plan for Gender-Responsive Development, 1996-2025 1987 Philippine Constitution (Article II Sec. 14) National Mandate, The State recognizes the role of women in nation building and shall promote the FUNDAMENTAL EQUALITY before the law of women and men.*

➤ Republic Act No. 8972, The Solo Parents' Welfare Act of 2000

- *An Act Providing for Benefits and Privileges to Solo Parents and their Children, Appropriating Funds therefor and for other purposes*
- RA No. 10028
 - *An Act Expanding the Promotion of the Breastfeeding, amending for the purpose Republic Act no. 7600, otherwise known as Government and Private Health Institutions with rooming-in and for other purposes*
- RA No. 8371
 - *An Act to Recognize, Protect and Promote the Rights of Indigenous Peoples, Creating a National Commissions, Appropriating Funds thereof and for other purpose*
- RA No. 7041
 - *An Act Requiring Regular Publication of Existing Vacant Positions in Government Offices, Appropriating Funds thereof and for the other purposes*

4. Related Policies and Procedures

- CSC MC No. 2, Revised Policies on the Settlement of Grievances in the Public Sector
- Code of Conduct
- Handling of Internal Complaints/ Grievances Process
- FPA Strategic Performance Management System (FPA-SPMS)
- FPA Merit Selection Plan
- CSC MC No. 07 Series of 2007 (Program on Awards and Incentives for Service Excellence)
- Department of Agriculture Program on Awards and Incentives for Service Excellence (DA PRAISE)
- CSC MC No. 7 (Encouraging Government Agencies to Hire PWDs)
- CSC MC No. 10 S. 1989 on Establishing the Personnel
- FPA Personnel Development Committee (FPA-PDC)
- CSC MC No. 43 S. 1993 (Streamlining and Deregulating HRD Functions)
- CSC MC No. 28 s. 1990 (Reiterating Certain Policies in the Conduct of Government Training and Development Program.)

- CSC MC No. 6 s. 2012 (Guidelines in the Establishment and Implementation of Agency Strategic Performance Management System (SPMS))
- CSC MC 14, s. 2018

5. Definitions

Equal Employment Opportunity (EEO)

This means that employment policies and practices are based on, and operate according to, the principle of merit, fitness and equality.

All employees are treated fairly and equitably when making employment decisions and that discrimination will not take place.

FPA adheres to the existing general policy on Equal Employment Opportunity in the management and implementation of the following programs:

- Performance Management System
- Rewards and Recognition
- Recruitment Selection and Placement
- Learning and Development

It is against the law to discriminate against someone because of a range of grounds including the actual or assumed attributes of:

- age
- career status, family responsibilities, potential status
- disability / impairment
- employment activity
- gender identify, lawful sexual activity, sexual orientation
- industry activity
- marital status
- physical features
- political belief or activity
- pregnancy, breast-feeding
- race (incl. color, nationality, ethnicity or ethnic origin)
- religious belief or activity
- sex

Discrimination

Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Indirect Discrimination

Occurs when a policy or requirement is imposed or proposed and someone with a particular attribute does not comply with the requirement.

Bullying

Repeated, unreasonable behavior, can be physical or verbal, directed towards a person or group of people creating a risk to their health and safety psychological or physical.

Specialized Group

Those groups who needs special attention or consideration from the agency, such as but not limited to the following:

- Pregnant Women
- Solo Parent
- Senior Citizen
- Differently- Abled Person
- Indigenous Peoples

What is NOT bullying?

It is important to differentiate between bullying and legitimate work instructions and direction.

All employers have fundamental rights to direct and control how work is done and it is reasonable for Managers or Supervisors shall allocate work and provide reasonable feedback, be it positive or negative, on a worker's performance.

Reasonable management actions carried out in a fair way are not bullying. For example:

- Setting performance goals, standards and deadlines

- Deciding not to select a worker for promotion
- Informing a worker about unsatisfactory work performance
- Informing a worker about inappropriate behavior
- Implementing organizational changes
- Allocating targets or measures to employees
- Performance management processes.
- Constructive feedback.

6. Policy Statement

FPA acknowledges the right of all employees to be treated equitably and commits to providing consistent, merit based employment practices that follow the Equal Employment Opportunity and encourage individuals to achieve their full potential.

FPA Management are expected to carry out their duties in a professional and ethical manner and compliant to the agency's policy on Equal Employment Opportunity.

6.1 Recruitment, Selection and Placement

The agency shall strictly adhere to the equal employment opportunity policy. In keeping with this conviction, FPA adhere to the principles of merit, fitness and equality. The selection of employees shall be based on their qualifications and competence to perform the duties and responsibilities of the position. There shall be no discrimination in the selection of employees on account of age, school, gender, civil status, 'disability, religion, ethnicity, social status, income class, paternity and filiations', political affiliation or other similar factors/ personal circumstances which run counter to the principles of merit, fitness, for the job and equal employment opportunity.

Posting of vacancies:

1. FPA shall not print or publish or cause to be printed or published, in any form of media, including the internet, any notice of advertisement relating to employment suggesting preferences, limitations, specifications and discrimination based on age, or decline any employment application because of individual's age, situation gender, disability, ethnicity social status.

2. Vacancy posts should always include the agency's statement on EEOP.

Initial assessment:

1. During the preparation of database of applicants, the Human Resource Management Officer (HRMO) shall note if there are differently-abled or senior citizen applicants so that proper assistance to be given will be identified from the start of the process.
2. FPA shall not discriminate and shall base its assessment on the policy of equal employment opportunity.

Technical Examination:

During technical examination, FPA shall ensure that assistance to the examinee shall be given as follows:

For applicants with vision impairment, a qualified reader and encoder shall be assigned to him/her. Ensure the availability of laptops during their scheduled technical exams. A different schedule shall also be provided to them, if need arises.

For deaf or hard of hearing applicants, FPA shall provide assistance by providing a written exam or encoded questionnaire and a laptop to the said applicant a qualified encoder shall be provided if need arises.

For senior citizen applicants, a qualified encoder and laptop shall also be provided to them during the process.

For applicant with physical disability, FPA shall ensure that there is an available and properly maintained and functioning wheel chair and ramp especially during the hiring process, the applicants shall be accommodated in a more accessible room as necessary.

During Panel Interview:

The differently-abled and senior citizen applicant shall be properly informed on their interview schedule. The Panelist shall only ask questions related to the selection criteria. Questions shall not pertain to age, disability, social status, income class, paternity and affiliations, political affiliation or other similar factors/personal circumstances.

For deaf or hard hearing applicants, the panelist shall write their questions and give enough time for the applicant to write their answers. A separate schedule may also be provided to the said applicants.

Final Interview:

Same assistance and consideration shall also be provided as stated in the Panel Interview.

FPA shall ensure that the Recruitment, Selection and Placement process of the agency shall be compliant with the agency's EEO Principle. To the end, that if the HRMO have encountered applicants within the specialized groups, such shall be recorded and proper assistance shall be provided to them. The HRMO shall also inform the HRMPSB on the diversity status of the applicants during the initial meeting and orient them with the assistance and consideration that FPA shall be afforded to them.

6.2 Performance Management

FPA's Performance targeting, evaluation and review shall be based on accomplishment and merit and not on employees age, gender, civil status, disability, religion, ethnicity, social status, income class, paternity and affiliations, political affiliation, pregnancy or other similar factors/personal circumstances which run counter to the principles of merit, fitness for the job and equal employment opportunity.

The office shall be more sensitive to the needs, situations, and circumstances of their employees and to strengthen the Equal Employment Opportunity Principle, the following consideration and support shall be provided such as but not limited to the following:

1. In cases where there is a vehicle request, the request of the differently-abled, pregnant staff or senior citizen staff shall be given priority as long as it will only cause minimum burden to the agency's operation.
2. Provide assistance/ staff support to Senior Citizen, differently-abled person and pregnant staff whenever necessary to ensure a more accurate and faster disposition of their functions.

3. Assign targets or success measures to Senior Citizen or differently-abled staff that will not prevent them to meet their targets efficiently due to their personal circumstances or situation.
4. Provision of breastfeeding room for future nursing employees.
5. Solo parents shall not be given targets that will separate them from their children for a long time.
6. Pregnant staff shall not be given difficult targets that may endanger their life as well as their baby. They may be given temporary job assignments as may be necessary to ensure safe pregnancy.
7. Employees belonging to the Indigenous Peoples shall not be given targets or activities that is in contrary with their cultural beliefs and practices.
8. FPA must adjust work schedules for religious practices if they only cause minimum burden to the agency's operation. Further, this office shall not segregate employees based on religious practices such as placing persons of particular religion in a non-customer position because of dress or grooming habits.

During the Performance Review and Evaluation, the Performance Management Team and PMT-TWG shall conduct the review and evaluation based on accomplishment and not on the limitations and restrictions of the employees especially those under the specialized group.

FPA shall ensure that the aforementioned consideration and support shall also be provided to future employees of FPA under the specialized groups (Senior Citizen, Solo Parent, Differently-abled Person, Indigenous Peoples, Pregnant Women)

6.3 Rewards and Recognition

It shall also be the policy of the Office to ensure that the Rewards and Recognition of staff shall be based on equal opportunity, merit, performance

and accomplishments and shall not be based on race, color, religion, creed, sex, sexual orientation, gender identity, national origin, age, disability, marital, or domestic partner status, citizenship or any other status or characteristic covered by pertinent laws.

Equal opportunities shall be given to all employees and those belonging to specialized group. The office shall ensure that they should not be left behind because of their limitations and restrictions.

FPA shall also ensure that the nomination and deliberation of the Employees' Award or On-the-spot Awards shall be in accordance with the EEO Principle.

6.4 Learning and Development

This Office shall be fully committed to the maximum utilization of employees' abilities and to the principles of equal employment opportunity. The opportunities afforded throughout the Agency are available equally to all.

The provision of external trainings, scholarship or study leave to employees shall be evaluated on the basis of accomplishment, job requirement, merit, and performance and not on age, sexual orientation, religion, marital status, political affiliation or other similar factors/ personal circumstances.

Every employee shall have access to Agency-sponsored educational, training and recreational activities and shall not deny employees' opportunity for training because of age, disability, gender, sexual orientation, religion, marital status, political affiliation or other similar factors/personal circumstances.

FPA shall also provide orientation or trainings to staff belonging to the specialized groups such as but not limited to the following topics:

- Orientation on RA No. 8371, An Act to Recognize, Protect and Promote the Rights of Indigenous Peoples
- Orientation on the Benefits and Privileges of Solo Parents according to R.A 8972, "The Solo Parents' Welfare Act of 2000"
- Orientation on Republic Act No. 9257 an Act Granting Additional Benefits and Privileges to Senior Citizens

- Orientation Republic Act No. 7277, otherwise known as the Magna Carta for Persons with Disability
- Orientation on Guidelines on the Availment of the Special Leave Benefits for Women under R.A. 9710 (An Act Providing for the Magna Carta of Women)

FPA shall provide the same support and consideration to future employees belonging to the specialized group. Further, the HRMO shall provide orientation on the rights and privileges of newly hired staff belonging to the said group.

The Agency shall also ensure the provision of other trainings or development interventions as deemed necessary to ensure that these employees will be more informed and equipped with their rights and privileges.

This policy applies to all people referred to in the scope of this policy.

To help meet the objectives of this policy, FPA shall:

1. Increase awareness of the prevalence of and harmfulness of discrimination and prejudice on the grounds of race, religion or belief, color, sex, age, national origin, disability or sexual orientation, and the needs and abilities of people with disabilities or other disadvantages;
2. Include EEOP on the orientation of newly hired staff during the onboarding program; and
3. Ensure that employees will be informed every time if there are updates on EEOP.

7. Responsibility

FPA has the responsibility to take reasonable steps to prevent discrimination, harassment, sexual harassment, victimizations and vilification from occurring in the workplace.

The Agency will meet this responsibility by putting this policy in place, educating workers about inappropriate behavior, implementing grievance procedures and ensuring compliance by all work units.

Any employee's complaint regarding any of the behaviors set out against this policy will be taken very seriously.

All complaints will be dealt with in a sensitive and confidential manner. Each formal complaint will be investigated and, if substantiated, appropriate disciplinary action shall be implemented.

Employee's Role

All employees have a responsibility to ensure that he or she does not discriminate against, harass, bully, victimize or vilify any another worker, prospective employee, contractor, young person, or any other person at the workplace.

Employees should be aware that they can be held legally responsible for their unlawful acts or the acts of persons on their behalf and workers may also be subject to disciplinary action.

This also applies to employees who shall assist or encourage other employees in inappropriate behavior such as bullying or harassment.

All FPA Central, Regional and Provincial Office's employees should ensure that the principles of Equal Employment Opportunity are also applied to guests, partners, suppliers, young people and other person or organization that deals with the agency.

Employees must report any incidents or suspected incidents to their immediate supervisors.

Managers Role

Managers shall include the FPA Director, Division Chiefs, Section Chiefs, Supervisors, Unit Heads, and OICs. They shall have an important role in the prevention of inappropriate workplace behavior.

They must ensure that they do not discriminate against, harass, bully, victimize or vilify workers on any other person.

They shall also ensure that all employees understand and implement this policy and ensure that an appropriate work culture is maintained.

If a manager observes any inappropriate behavior or a person approaches with a complaint about inappropriate behavior, they shall follow the procedure.

8. Complaint Procedure

8.1 Complaint Resolution

If employees believe that they are being bullied, harassed or discriminated or violated, they should speak with the discriminator, bully or harasser regarding the unwanted, unwelcome or inappropriate behavior.

Try to resolve the matter directly with the other person, by telling them that their behavior upsets you, and that you want it to stop.

If that person feels unable to communicate directly with the bully, discriminator or harasser, the matter should be referred to either his/her manager or supervisor.

If the employee believes that there is a violation on the Equal Employment Opportunity in Performance Management, Rewards and Recognition, Learning and Development and Recruitment, Selection and Placement, such must be directly communicated to the Management or through the HRMO or FPAEA Representatives.

8.2 Lodge a Complaint

In cases that complaints were not resolved through alternative modes, the process on Complaints Handling must be followed;

- a. Complaint Letter
- b. Receive and Record of Complaint Letter
- c. The Grievance Committee shall conduct an Investigation within 10 working days from the receipt of the complaint and shall render a decision within 5 working days from the investigation.
- d. The Grievance Committee shall also submit an Accomplishment Report on this matter.

8.3 Contact Person

If an employee needs to ask any questions about any aspect of unacceptable conduct or any violation of this policy they may contact their Supervisors, HRMO, or the Employees' Association Representative.

The contact person is available to provide information about FPA's Equal Employment Opportunity, harassment, bullying and victimization policies and to discuss options available to employees who may have a complaint.

8.4 Vexatious Complaints

This Office shall not tolerate vexatious complaints. If a claim or complaint is not initiated in good faith or without reasonable grounds, disciplinary action may be taken in accordance with the Administrative Code of the Philippines.

8.5 Consequences for breach of this policy

If a complaint against an FPA employee is substantiated, he or she will face appropriate disciplinary action as set out under pertinent laws for government employees.

Appropriate disciplinary action may include provision of an apology, a transfer, warning, formal counselling and/or drop from the rolls/termination. The person may also be subject to complaints under applicable Philippine laws.

8.6 System Review

Recruitment, Selection and Placement, Learning and Development, Rewards and Recognition and Performance Management System procedures and practices will be kept under review on a regular basis so as to ensure that they do not include requirements or conditions which constitute, or may lead to, unlawful discrimination and violation of this Policy.

Approved by:



WILFREDO C. ROLDAN
Executive Director