



Republic of the Philippines
BATANGAS STATE UNIVERSITY

Batangas City

Tel Nos.: (+63 43) 980-0385; 980-0387; 980-0392 to 94; 425-7158 to 62 loc. 1546/1822
Email Address: president@g.batstate-u.edu.ph Website Address: <http://www.batstate-u.edu.ph>

Office of the University President

Memorandum Order No. **262-d**
Series of 2021

TO : ALL CONCERNED

THRU : VICE PRESIDENTS AND CHANCELLORS

SUBJECT : REITERATION OF EXISTING RULES ON HIRING AND REASONABLE ACCOMODATION OF PERSONS WITH DISABILITIES (PWDs)

DATE : 18 JANUARY 2021

Pursuant to the Civil Service Commission (CSC) Memorandum Circular (MC) No. 07, s. 2014, in relation to Republic Act (RA) No. 7277, as expanded by RA 10754, insofar as practicable and without prejudice to the merit and fitness rule in the civil service, **at least one percent (1%) of all positions in the University shall be reserved for persons with disability.** To this end, the following actions must be undertaken by all offices concerned:

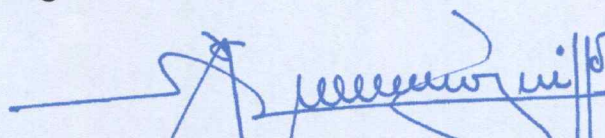
1. Determine which position does not require certain disabilities as a bona fide occupational qualification (BFOQ). As a guide in determining whether a position requires certain condition as BFOQ, the following factors must be proven: (i) that the employment qualification is reasonably related to the essential operation of the job involved; and, (ii) that there is a factual basis for believing that all or substantially all persons meeting the qualification would be unable to properly perform the duties of the job (*Star Paper Corporation vs. Simbol, et. Al, G.R. No. 164774, April 12, 2006*);
2. Provided that certain disabilities is not a BFOQ, in the publication of hiring, the following phrases must be included:

“Batangas State University is seeking applications from competent candidates, regardless of sex, sexual orientation and gender identity, civil status, disability, religion, ethnicity, or political affiliation to fill the following positions:”
3. The HRMOs must periodically report to the undersigned and the Chancellors concerned the number of PWDs hired by the University, as well as positions falling under item number 1 herein. The HRMO must likewise comply with the reportorial requirements of the CSC;

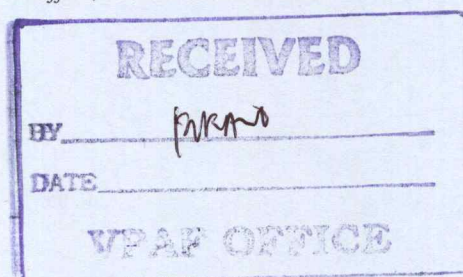
4. Subject to existing laws, rules, and regulations, and insofar as practicable, PWDs must be extended with the greatest and reasonable accommodation. Reasonable accommodation, as per the Implementing Rules and Regulations (IRR) of RA 7277, means *necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure persons with disability the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms*. Reasonable accommodation may include the following:

- a. improvement of existing facilities used by employees in order to render these readily accessible to PWD;
- b. modification of work schedules;
- c. acquisition or modification of equipment or devices;
- d. modifications of examinations, training materials or company policies, rules and regulations pertaining to hiring; and
- e. provision of auxiliary aids and assistive devices, and other similar accommodations for PWDs.

The Human Resource Management Office (HRMO) is hereby directed to assure continuing observance of the foregoing rules.


Dr. TIRSO A. RONQUILLO
University President

cc: Office of the University and Board Secretary *SHARIFA DE JESUS*
Records Management Office, Central Administration
Human Resource Management Office, Central Administration



Received by:

VPEAI - Janine
VPROES - APOLLO
VPAA - *[Signature]*





GUIDELINES ON THE IMPLEMENTATION OF EQUAL EMPLOYMENT OPPORTUNITY IN HUMAN RESOURCE MANAGEMENT (HR) SYSTEMS

WHEREAS, the 1987 Philippine Constitution prohibits discrimination in any form against any person with the provision that no person shall be denied the equal protection of the laws;

WHEREAS, various legislations have been passed into law which to give effect to the abovementioned constitutional safeguard including, but not limited to, Republic Act (RA) 8731 (The Indigenous Peoples' Rights Act of 1997), RA 10911 (Anti-Age Discrimination in Employment Act), Presidential Decree (PD) 966 (Declaring Violations of the International Convention of the Elimination of all forms of Racial Discrimination to be Criminal Offenses and Providing Penalties therefor), RA 6725 (An Act Strengthening the Prohibition on Discrimination Against Women with Respect to Term and Conditions of Employment) and RA 8972 (Solo Parents' Welfare Act of 2000);

WHEREAS, consistent with the foregoing, one of the University's core values is "*integrity*" which pertains to the BatStateU's steadfast adherence to a morally-sound principles and ideals in the pursuit of institutional goals and objectives. It covers the values of accountability, honesty, righteousness, incorruptibility and decency in the governance and implementation of academic, administrative [and] financial policies;

WHEREAS, to attain its vision of being a premier national university that develops leaders in the global economy, the University believes that it must require the maximum participation of all sectors of the society on equal terms with the others in all fields;

WHEREAS, the University is determined to implement the principles set forth in our Constitution and various laws and, for that purpose, to adopt the measures required for the equal employment opportunity in BatStateU;

WHEREFORE, the University has resolved to adopt the following as guidelines on Equality of Employment Opportunity in the Human Resource Management Systems:

Section 1. Declaration of Policies. It is, and continues to be, the policy of the University to adopt and support measures designed to prevent and eliminate discrimination against employees and prospective employees of the University on the basis of color, religion, sex, gender identity or expression, ethnicity, age, physical conditions or other characteristic protected by law.

As a part of this policy, all members of the University shall continue to take such steps as may be necessary to accelerate the final elimination of any and all vestiges of discrimination because of color, religion, sex, gender identity or expression, ethnicity, age, physical conditions or other characteristic protected by law that may still exist in the employment policies, practices and/or procedures of the University.

Section 2. Coverage. These guidelines shall cover all four (4) core systems of human resource management, namely: (a) Recruitment, Selection and Placement, (b) Learning and Development; (c) Performance Management and (d) Rewards and Recognition in all campuses of the Batangas State University. These shall apply to all personnel regardless of employment status unless existing laws, rules, regulations and jurisprudence allows substantial differences among certain groups of individuals.

Section 3. Definition of Terms.

- a. **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.



- b. **Discrimination-** Any distinction, exclusion or restriction made on the basis of color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic protected by law which has the effect or purpose of impairing or nullifying or impairing equality of opportunity or treatment in employment or occupation.

Section 4. Application of Equal Employment Opportunity Principle in Recruitment, Selection and Placement (RSP). The following rules shall be observed the all personnel involved, directly or indirectly, in formulation and implementation RSP policies:

4.1. Publication/Announcement of Vacancy

- 4.1.1. The HRMPSB, through the HRMO, shall publish/post notice of job opportunities with the following statement: *“Batangas State University is seeking applications from competent candidates, regardless of color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic protected by law”*.
- 4.1.2. All qualified applicants will receive equal consideration for employment and admissions without regard to color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic protected by law.

In no case shall the University disregard applicants due to their affiliation to a particular religious group, or to their connection to a particular political individual and/or entity. In addition, condition of applicants such as being pregnant, being married, being a lactating mother, having a dependent, or being in similar situations shall not be viewed by the University as impediment that shall hinder them from being qualified candidates for the post unless the same is considered as a bona fide occupational qualification as provided for by law.

4.2. Administration of Prequalifying Examination, Technical, Skills or Trade test

- 4.2.1. In the administration of prequalifying examination, technical, skills or trade test, it must be ensured that the person with disability shall be provided with the needed assistance during the examination. Further, the venue of the examinations may be arranged to be accessible to said applicants. In all cases, it must be ensured that persons with disability are not at any substantial disadvantage compared to other applicants.

4.3. For Interview Process

- 4.3.1. To be able to provide access to person/applicant with mobility disability, the interview location or site may be arranged.
- 4.3.2. During the interview process, all questions directed to applicants shall be related to the position for which they have applied for. Questions concerning color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic protected by law shall not be asked.

4.4. Selection and Appointment

- 4.4.1. For qualified applicants with disabilities, the person must be able to perform essential functions of the position. Selection criteria for people with disabilities shall be valid if they are job related and consistent with job requirements/ is a bona fide occupational qualification.



- 4.4.2. Decisions on appointment shall be based on merit, fitness and suitability of the candidates, the need of the University and the office concerned. All candidates shall be assessed based on their abilities, experience, commitment and qualifications compared to the requirements of the position.

4.5. Work Environment

- 4.5.1. The University shall make sure to create a positive and safe environment that is free from discrimination and prejudice, should an applicant from vulnerable and disadvantaged group be selected for appointment.

Section 5. Application of Equal Employment Opportunity Principle in Learning and Development (L&D). The following rules shall be observed the all personnel involved, directly or indirectly, in formulation and implementation L&D policies:

5.1. On Trainings

- 5.1.1. All personnel of the BatStateU shall be provided with opportunity to attend development intervention with at least one (1) intervention per year regardless of color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic protected by law. Recommendation to attend HR intervention should be solely based on the training needs analysis, competencies and performance.
- 5.1.2. Subject to existing policies of the University, there shall be no discrimination on account of color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic which run counter to the principles of merit and fitness and equal employment opportunity.
- 5.1.3. The University shall make sure to create a positive and safe environment that is free from discrimination and prejudice to the participants. Further, the University shall take provision in terms of food because of religious affiliation and health condition.
- 5.1.4. The University shall not tolerate any act of showing contemptuous imitating, mockery or making fun of participants with physical disability due to their impairment or any sector of the society on the basis of color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic.

5.2. On Scholarship Grants

- 5.2.1 All qualified applicants will receive equal consideration for scholarship without regard to color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic protected by law. This is without prejudice, however, to the ability of the applicant to render the required number of years as return of service per the BatStateU Guidelines on Personnel Scholarship Grants and/or the sponsoring agency.
- 5.2.2. The approval of applications for scholarship shall be based on the priority programs of the University. All applicants shall be assessed based on their qualifications *vis 'a vis* the requirements of the BatStateU Guidelines on Personnel Scholarship Grants and/or the sponsoring agency.



5.2.3. In all instances, the University shall not, in any way, disregard applicants due to their affiliation to a particular religious group, or to their connection to a particular political individual and/or entity.

Section 6. Application of Equal Employment Opportunity Principle in Performance Management (PM). The following rules shall be observed the all personnel involved, directly or indirectly, in formulation and implementation PM policies:

- 6.1. The University shall ensure that equal opportunity principle is being applied in all aspects of its PM procedures. The University shall maintain fairness on account of color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic protected by law in the conduct of its PM processes.
- 6.2. Consistent with the equal opportunity principle, the University shall provide enabling support for personnel with disability, particularly in the preparation of the Office Performance Commitment and Review (OPCR) and Individual Performance Commitment and Review (IPCR) to be able to meet the expected output.
- 6.3. Recommendation/s for possible HR intervention/s relevant to the result of performance evaluation shall be based on the performance and competencies of the personnel of the University.
- 6.4. The performance of personnel shall be solely based on merit and shall, in no case, be evaluated on the basis color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic which run counter to the principles of merit and fitness and equal employment opportunity.
To this end, the standard rating scale per the University's Strategic Performance Management System (SPMS) shall strictly apply during review and evaluation of performance of personnel. Heads of units and/or offices shall not exercise biases or give ratings based on the limitations and restrictions considered when personnel belonging to specialized groups were given assignments/tasks.

Section 7. Application of Equal Employment Opportunity Principle in Rewards and Recognition (RR). The following rules shall be observed the all personnel involved, directly or indirectly, in formulation and RR policies:

- 7.1. The University shall promote equal opportunity to all personnel in the nomination/recommendation and identification of awards enumerated under the BatStateU Program on Awards and Incentives for Service Excellence (PRAISE) regardless of color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic protected by law.
- 7.2. The criteria for selection shall be in accordance with the Equal Opportunity Principle (EOP) and the committee shall ensure that the final selection is fair and just.
- 7.3. In all instances, the University shall not, in any way, disregard the nomination/award of a personnel on account of color, religion, sex, gender identity or expression, ethnicity, age, physical conditions and any other characteristic protected by law.

Section 8. Incident Reporting and Resolution Thereof. The Human Resource Management Office (HRMO) shall promptly report all incidents of discrimination or harassment to the management. The provisions/procedure of the University's Grievance Mechanism shall be applied.

Section 9. Effectivity. These guidelines shall take effect immediately after approval.



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EXCERPT FROM THE MINUTES OF THE SIXTY NINTH (69th) REGULAR MEETING OF THE BATANGAS STATE UNIVERSITY BOARD OF REGENTS HELD VIA ZOOM MEETING ON 18 MAY 2021 AT 1:00PM

PRESENT:

- | | | |
|--|---|------------------|
| Dr. LILIAN A. DE LAS LLAGAS
CHED Commissioner | - | Chairperson |
| Dr. TIRSO A. RONQUILLO
University President | - | Vice-Chairperson |
| Mr. JOHN BRYAN A. DIAMANTE
Representative of Sen. Emmanuel Joel J. Villanueva | - | Member |
| Dir. LUIS G. BANUA
Director, NEDA – Region IV-A | - | Member |
| Dir. EMELITA P. BAGSIT
OIC-Director, DOST – Region IV-A | - | Member |
| Engr. LADISLAO L. ANDAL
Private Sector Representative | - | Member |
| Engr. AMANDO A. PLATA
Alumni Regent | - | Member |
| Dr. JESSE NELSON P. LLANA
Faculty Regent | - | Member |
| Ms. FAITH AVERY T. GENEROSO
Student Regent | - | Member |
| Prof. ENRICO M. DALANGIN
Board and University Secretary | - | Head Secretariat |

OTHERS PRESENT:

- | | | |
|-----------------------------------|---|---|
| Dr. AMELIA A. BIGLETE | - | Director, CHED Regional Office IV-A |
| Dr. CHERRIE MELANIE ANCHETA-DIEGO | - | Office of Programs and Standards Development |
| Ms. BLAISDELLE C. REGACHO | - | Executive Assistant, Comm. De Las Llagas |
| Atty. MARCO CICERO F. DOMINGO | - | Resource Person |
| Dr. MA. GERALDINE FLOR CASIPIT | - | Resource Person |
| Atty. LUZVIMINDA C. ROSALES | - | Vice President for Administration and Finance |
| Prof. ROGELIO A. ANTENOR | - | Vice President for Academic Affairs |
| Atty. NOEL ALBERTO S. OMANDAP | - | Director for Administration Services |
| Mr. JONAS ERIK B. EBORA | - | Technical Staff |
| Ms. APRIL B. FLORENDO | - | Technical Staff |
| Ms. SHAIRA MAE J. DE JOYA | - | Technical Staff |

Res. No. 54, S. 2021

Resolution Approving the Guidelines on the Implementation of Equal Employment Opportunity in Human Resource Management Systems

WHEREAS, the 1987 Philippine Constitution prohibits discrimination in any form against any person with the provision that no person shall be denied of equal protections of the laws;

WHEREAS, various legislations have been passed into law which to give effect to the abovementioned constitutional safeguard including, but not limited to, Republic Act (RA) 8731 (The Indigenous Peoples' Rights Act of 1997), RA 10911 (Anti-

Certified True Copy of the Original

Digitally signed by
 ENRICO MAGBOO
 DALANGIN

ENRICO M. DALANGIN

Secretary of the University and of the Board of Regents



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**EXCERPT FROM THE MINUTES OF THE SIXTY NINTH (69th) REGULAR MEETING
OF THE BATANGAS STATE UNIVERSITY BOARD OF REGENTS HELD VIA ZOOM
MEETING ON 18 MAY 2021 AT 1:00PM**

Age Discrimination in Employment Act), Presidential Decree (PD) 966 (Declaring Violations of the International Convention of the Elimination of all forms of Racial Discrimination to be Criminal Offenses and Providing Penalties therefor), RA 6725 (An Act Strengthening the Prohibition on Discrimination Against Women with Respect to Term and Conditions of Employment) and RA 8972 (Solo Parents' Welfare Act of 2000);

WHEREAS, BatStateU believes that any form of discrimination will merely disrupt the University as well as deny its access to talents who are truly qualified and competent;

WHEREAS, consistent with the University's core values –“integrity” which pertains to its steadfast adherence to a morally-sound principles and ideals in the pursuit of institutional goals and objectives, it is a must to require the maximum participation of all sectors of the society on equal terms with the others in all fields;

WHEREAS, with the determination to implement the principles set forth in our Constitution and various laws as well as to adopt the measures required for the equal employment opportunity, the Guidelines on the Implementation of Equal Employment Opportunity were proposed;

WHEREAS, the guidelines adopt and support measures designed to prevent and eliminate discrimination against employees and prospective employees of the University on the basis of color, religion, sex, sexual orientation, gender identity or expression, ethnicity, age, physical conditions or other characteristic protected by law;

WHEREAS, this covers all four (4) core systems of human resource management, namely: (a) Recruitment, Selection and Placement, (b) Learning and Development; (c) Performance Management and (d) Rewards and Recognition in all campuses and shall be applied to all personnel regardless of employment status unless existing laws, rules, regulations and jurisprudence allows substantial differences among certain groups of individuals;

WHEREAS, the proposal was presented and deliberated upon by the Finance Committee and after thorough discussion and deliberation, it was endorsed for approval of the Board through Resolution No. 34, s. 2021;

WHEREAS, the proposal as endorsed was presented to the Board of Regents for deliberation and approval during its regular meeting on 18 May 2021;

Certified True Copy of the Original

A handwritten signature in blue ink, appearing to be "MD", located below the certification text.

Digitally signed by
ENRICO MAGBOO
DALANGIN

A handwritten signature in blue ink, appearing to be "MD", located to the right of the digital signature text.

ENRICO M. DALANGIN

Secretary of the University and of the Board of Regents



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**EXCERPT FROM THE MINUTES OF THE SIXTY NINTH (69th) REGULAR MEETING
OF THE BATANGAS STATE UNIVERSITY BOARD OF REGENTS HELD VIA ZOOM
MEETING ON 18 MAY 2021 AT 1:00PM**

NOW, THEREFORE:

BE IT RESOLVED, AS IT IS HEREBY RESOLVED
that the Board of Regents after thorough discussion and
deliberation approved the Guidelines on the Implementation of
Equal Employment Opportunity in Human Resource
Management Systems.

**Attached and made as an integral part of this resolution
is the approved guidelines.**

APPROVED.

Certified Correct:

ENRICO M. DALANGIN
Secretary

Certified True Copy of the Original

Digitally signed by
ENRICO MAGBOO
DALANGIN

ENRICO M. DALANGIN

Secretary of the University and of the Board of Regents