

Republic of the Philippines  
**DEPARTMENT OF LABOR AND EMPLOYMENT**  
Intramuros, Manila

DEPARTMENT ORDER NO. 140-14  
Series of 2014

DEPARTMENT OF LABOR AND EMPLOYMENT	
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**IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 10395,  
AN ACT STRENGTHENING TRIPARTISM, AMENDING FOR THE PURPOSE  
ARTICLE 275 OF THE PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN  
AS THE LABOR CODE OF THE PHILIPPINES, AS AMENDED**

Pursuant to the authority granted to the Secretary of Labor and Employment under Section 2 of Republic Act No. 10395, the following rules and regulations are hereby promulgated and issued for the guidance of all concerned.

**RULE I – PRELIMINARY PROVISIONS**

**Section 1. Title.** – This Rules shall be known as the Implementing Rules and Regulations of Republic Act No. 10395, otherwise known as “An Act Strengthening Tripartism, Amending for the Purpose Article 275 of the Presidential Decree No. 442, Otherwise Known as the Labor Code of the Philippines, as Amended” or the Tripartism Law.

**Section 2. Coverage.** – This Rules shall cover all Tripartite Industrial Peace Councils (TIPCs) and Industry Tripartite Councils (ITCs) created at the national, regional, provincial, city or municipal level.

**Section 3. Definition of Terms**

- a. **“BLR”** refers to the Bureau of Labor Relations under the Department of Labor and Employment.
- b. **“CFA”** refers to Committee on Freedom of Association of the International Labour Organization.
- c. **“DOLE”** refers to the Department of Labor and Employment.
- d. **“EIB”** refers to Efficiency and Integrity Board.
- e. **“ITC”** refers to Industry Tripartite Council created at the national, regional, provincial, city or municipal level.
- f. **“Local TIPCs/ITCs”** refers to the regional, provincial, city or municipal tripartite industrial peace councils and industry tripartite councils (TIPCs/ITCs).
- g. **“Most representative organization”** refers to the organization of employers and/or workers of inclusive membership and active engagement in tripartite consultations.

The representativeness of workers' and employers' organizations for purposes of constituting the Regional/Provincial/City/Municipal Tripartite Industrial Peace Council (RTIPC) shall be determined based on inclusivity of membership and active engagement in tripartite consultations in the locality.

The representativeness of workers' and employers' organizations for purposes of constituting the Industry Tripartite Council (ITC) at the national, regional or local level shall be determined based on inclusivity of membership and active engagement in tripartite consultations in the industry.

In the absence of the most representative labor organization, the following order of preference shall be observed: (a) federations with the most number of membership in the industry; (b) federations with the most number of affiliates in the industry; (c) specific independent union in the industry with most number of membership; and (d) specific workers association with the most number of members.

The most representative employers organization refers to the Employers Confederation of the Philippines (ECOP) and such other employers organizations with inclusive membership. In the absence of ECOP member-organizations in the locality or specific industry, the most representative employers organization refers to associations with most number of membership in the locality or industry.

- h. **"NTIPC"** refers to the Tripartite Industrial Peace Council created at the national level.
- i. **"Registered Labor Organization"** refers to any labor organization in the private sector registered or reported with the DOLE in accordance with Rules III and IV of Department Order No. 40, series of 2003, as amended.
- j. **"Regular Interval"** refers to the period of time between regular appointments which is three (3) years.
- k. **"RTIPC"** refers to the Tripartite Industrial Peace Council created at the regional level.
- l. **"TEC"** refers to Tripartite Executive Committee of the NTIPC.
- m. **"Tripartism"** refers to the mechanism and the process for negotiation, consultation or exchange of information between and among representatives of governments, employers' and workers' organizations on economic and social issues of common interests.

## **RULE II – DECLARATION OF POLICY**

**Section 1.** The State shall declare and promote tripartism as a State policy in labor-management relations. Thus, workers and employers shall, as far as practicable, be represented in decision, consultative and policy-making bodies of the government.

The State shall adhere to the principles of international law that “employers and workers shall be represented on an equal footing in bodies through which consultations are undertaken.”

The State shall institutionalize tripartism by providing for a continuing forum for tripartite advisement and consultation in encouraging reforms in government, empowering workers’ and employers’ organizations, enhancing their respective rights, attaining industrial peace and improving productivity.

### **RULE III – NATIONAL TRIPARTITE INDUSTRIAL PEACE COUNCIL**

**Section 1. National Tripartite Industrial Peace Council. – a. Creation. –** A National Tripartite Industrial Peace Council (NTIPC) shall be established to serve as the main consultative body for tripartite advisement and consultation among the labor, employer and government sectors in the formulation, review and implementation of labor, employment and social policies, at the national level.

**b. Composition. –** The NTIPC shall be composed of labor, employer and government sectors with the Secretary of Labor and Employment as Chairperson and the Undersecretary for Labor Relations and Social Dialogue as Alternate Chairperson. The labor and employer sectors shall be composed of 20 representatives each, to be appointed by the President at regular intervals for a period of three (3) years, unless replaced or recalled by the nominating organization.

The following agencies whose presence is necessary to ensure informed decision and full consultation shall be invited through their respective Secretaries, Heads or duly authorized representatives, not lower than Director IV:

1. Department of Trade and Industry (DTI);
2. National Economic and Development Authority (NEDA);
3. Department of Budget and Management (DBM);
4. Department of Foreign Affairs (DFA);
5. Department of the Interior and Local Government (DILG);
6. Department of Agriculture (DA);
7. Department of Environment and Natural Resources (DENR);
8. Department of Energy (DOE);
9. Department of Agrarian Reform (DAR);
10. Department of Tourism (DOT);
11. Department of Social Welfare and Development (DSWD);
12. Department of Transportation and Communication (DOTC);
13. Department of Science and Technology (DOST);
14. Department of Education (DepED);
15. Commission on Higher Education (CHED);
16. Civil Service Commission (CSC);
17. Governance Commission for GOCCs (GCG); and
18. Other relevant government agencies.

The aforementioned agencies shall be furnished with relevant NTIPC Resolutions so as to be apprised of all tripartite agreements/discussions.

c. **Functions.** – The NTIPC shall perform the following functions:

1. Formulate, for submission to the President or Congress, tripartite views, recommendations and proposals on labor, economic and social concerns, including the presentation of tripartite positions on relevant bills pending in Congress;
2. Review existing labor, economic and social policies and evaluate local and international developments affecting them;
3. Advise the Secretary of Labor and Employment in the formulation or implementation of policies and legislations affecting labor and employment;
4. Monitor the full implementation and compliance by concerned sectors with the provisions of all international and national tripartite instruments including international conventions and declarations, codes of conduct, social accords and Decent Work Agenda;
5. Participate in national, regional or industry-specific tripartite conferences which the President or the Secretary of Labor and Employment may call from time to time;
6. Serve as a communication channel and a mechanism for undertaking joint programs among government, workers, employers, and their organizations toward enhancing labor-management relations;
7. Support DOLE agencies in the resolution of industrial disputes;
8. Coordinate with and render technical assistance/advice to the appropriate agencies or councils in matters relating to labor and employment;
9. Act as the High Level Tripartite Monitoring Body on the Application of International Labor Standards, particularly ILO Convention on Freedom of Association and Protection of the Right to Organize (No. 87);
10. Adopt its own program of activities and rules consistent with development objectives; and
11. Perform such other functions as may be required by the Secretary of Labor and Employment or by law.

d. **Rules of Procedures and Meetings.** – The NTIPC shall adopt its own action plan and observe the NTIPC Rules of Procedures (attached as Annex A which forms part of this Rules). It shall meet regularly in plenary at least every quarter, without prejudice to such other special plenary meetings which any of the sectors may initiate or such other meetings to be called by the Tripartite Executive Committee (TEC) or the appropriate committees.

e. **Secretariat.** – The DOLE-Bureau of Labor Relations (BLR) shall provide technical and secretariat support to the NTIPC.

**Section 2. NTIPC Tripartite Monitoring Body on the Application of International Labor Standards. – a. Creation. –** The Secretary of Labor shall constitute and chair the NTIPC as the High Level Tripartite Monitoring Body (NTIPC Monitoring Body) on the Application of International Labor Standards, in particular ILO Convention on Freedom of Association and Protection of the Right to Organize pursuant to TIPC Resolution No. 1, Series of 2010. The NTIPC Monitoring Body shall be replicated at the regional or local level.

**b. Composition. –** The NTIPC Monitoring Body shall be composed of the same labor and employer sector representatives as provided under Rule III, Section 1(b) of this IRR.

**c. Functions.** Pursuant to its function under Rule III, Section 1(c.9), the NTIPC shall likewise perform the following:

1. Facilitate innovative feasible solutions to long-standing CFA cases;
2. Monitor and report progress of labor cases lodged before international bodies;
3. Report violations to the concerned authorities and recommend appropriate action; and
4. Facilitate gathering of relevant information on complaints submitted to the ILO and evaluate and recommend appropriate action/s.

**d. Secretariat. –** The BLR shall provide technical and secretariat support to the NTIPC Monitoring Body.

**Section 3. Tripartite Executive Committee. – a. Creation. -** The NTIPC shall be supported by a Tripartite Executive Committee (TEC) as its technical and implementing arm.

**b. Composition.** The TEC shall be composed of representatives from government, labor and employers' sectors from the NTIPC, in such number as may be agreed upon by the regular TIPC members or as may be determined by the Secretary of Labor and Employment. The labor and employer representatives shall be designated by the Secretary of Labor and Employment. The TEC shall be chaired by the BLR Director.

**c. Functions. –** The TEC shall: (a) pre-process issues and concerns and submit recommendations for approval of the NTIPC; (b) monitor, perform or implement activities and projects as approved by the NTIPC; (c) assist the High Level Tripartite Monitoring Body on the Application of International Labor Standards, particularly ILO Convention on Freedom of Association and Protection of the Right to Organize (No. 87); and (d) perform such other functions as may be required by the NTIPC.

**d. Secretariat. –** The BLR shall provide technical and secretariat support to the TEC.

## **RULE IV – SUBCOMMITTEES OF THE NTIPC AT THE NATIONAL LEVEL**

**Section 1. National Industry Tripartite Council (National ITC).** – a. **Creation.** The Secretary of Labor and Employment, as Chairperson of the NTIPC, upon consultation, may constitute an industry-wide tripartite council at the national level. An ITC shall serve as an industry-wide tripartite council at the national level and shall be considered as a subcommittee of the NTIPC. An ITC at the national level may be replicated at the regional or local level.

b. **Composition.** – A National ITC shall be chaired by an Undersecretary of DOLE and shall be composed of such number of workers and employers' representatives as the needs of the industry may warrant, provided, that there shall be an equal number of representatives each from the workers' and employers' sector. Such representatives may be members of the NTIPC at the same time, but in every case must come from the most representative workers and employers' organizations in the industry.

The Chairperson shall, in all cases, ensure that the government agency or agencies directly concerned with the industry shall be represented in the National ITC.

c. **Functions.** – Pursuant to Rule III, Section 1(c.6), the National ITC shall:

1. Serve as an information network specifically on labor relations issues and industry configurations at the appropriate level;
2. Assist the concerned agencies in the identification of the industries or establishments with potentials for growth, as well as industries and establishments which are likely to experience labor disputes or in need of appropriate responses with respect to industry-specific concerns;
3. Assist in the implementation of the NTIPC Action Plan; and
4. Adopt its industry-specific Action Plan and operational procedures.

d. **Secretariat.** – Secretariat support shall be provided by the DOLE Bureau or attached agency directly involved with the specific industry, with technical support from BLR.

**Section 2. National Tripartite Advisory Committee.** – a. **Creation.** Pursuant to DOLE Memorandum Circular No. 01, Series of 2003, the Secretary of Labor, as Chairperson of the NTIPC, may constitute the National Tripartite Advisory Committee (NTAC) to support the NTIPC and serve as an oversight committee on the management of the country's Decent Work Agenda.

b. **Composition.** – The NTAC shall be chaired by a DOLE Undersecretary as designated by the Secretary of Labor and Employment and is vice-chaired by the DOLE Assistant Secretary for Policy and Programs. It shall likewise have as members, representatives from the employer sector and labor sector, both from the formal and informal economy. The Director of the ILO Subregional Office for SEAP may be requested to join the NTAC meetings as resource person/observer.

**c. Functions.** – Pursuant to its function under Rule III, Section 1 (c.2 and c.4) of this Rules, the NTAC shall perform the following functions:

1. Act as an advisory body on policies and strategic directions for the promotion of decent work;
2. Set collective and organizational goals, targets and performance indicators for the Decent Work Common Agenda;
3. Assess its progress vis-à-vis goals and targets;
4. Broaden stakeholder representation in decent work policy-making by convening meetings and multi-stakeholder consultations and forums; and
5. Report semi-annually to the NTIPC on the progress and development reached.

**d. Secretariat.** – The Institute for Labor Studies (ILS) shall provide technical and secretariat support to the NTAC.

**Section 3. National Tripartite Efficiency and Integrity Board.** – **a. Creation.** – Pursuant to Department Order No. 109, Series of 2011, the National Tripartite Efficiency and Integrity Board (NTEIB) shall serve as monitoring and oversight body over the DOLE EIBs, with authority to recommend review of systems and procedure in the DOLE and its attached agencies.

**b. Composition.** The NTEIB shall be chaired by the Secretary of Labor and Employment or his/her authorized representative and shall be composed of two (2) representatives each from the labor and employer sectors.

Representatives from the employer and labor sectors shall be appointed by the Secretary of Labor and Employment for a term of three (3) years, subject to re-appointment or recall at any time upon recommendation of their sector. In nominating their representatives, the sectors shall consider the criteria such as the person's proven probity, integrity and competence to handle the tasks, including his independence of mind, among others.

**c. Functions.** - The NTEIB shall have the following functions:

1. Recommend to the Secretary appropriate actions to address graft and corruption, clogged dockets, and delay in the dispensation of justice and execution of decisions/judgments, including compliance with the Anti-Red Tape Act of 2007 (Republic Act No. 9485), Code of Conduct and Ethical Standards for Public Officials and Employees (RA No. 6713), and Anti-Graft and Corrupt Practices Act (RA No. 3019), and other existing regulations;
2. Ensure tripartite representation in the EIBs in DOLE offices and attached agencies; and
3. Make an annual report to the NTIPC on its accomplishments.

d. **Secretariat.** The DOLE-Human Resource Development Service (HRDS) shall provide secretariat support to the NTEIB, with technical support from the DOLE-Legal Service (LS).

**Section 4. National Tripartite Certification Committee.** – a. **Creation.** Pursuant to Department Order No. 115-11, the NTIPC shall constitute the National Tripartite Certification Committee (National TCC) that, together with the DOLE, shall promote and ensure voluntary compliance with labor standards and occupational safety and health standards (OSHS) and assist in the implementation of the Incentivizing Compliance Program of the DOLE. The National TCC may be replicated at the regional or local level.

b. **Composition.** The National TCC shall be composed of at least three (3) members representing the government, labor, and employers sectors. The Secretary of Labor and Employment or his/her designated Undersecretary, representing the government sector, shall preside as chairman of the National TCC. There shall be equal number of representatives each from the workers' and employers' sector.

c. **Functions.** The National TCC, together with the DOLE, shall ensure the integrity of the certification process and award system, and shall:

1. Serve as an impartial social auditor and monitoring committee with authority to verify the DOLE-evaluated self-assessment report, checklist and ratings and documents;
2. Conduct on-site visit, interview, or focus-group discussion at the applicant or enrolled establishment's workplace;
3. Determine, in consultation with the DOLE, gaps in compliance, as well as the appropriate programs or technical assistance to be rendered during the remediation period; and
4. Conduct assessment after remediation and recommend appropriate action/s.

d. **Secretariat.** – The DOLE-Bureau of Working Conditions (BWC) shall provide secretariat and technical support to the NTCC.

## **RULE V – SUBCOMMITTEES OF THE NTIPC AT THE LOCAL LEVEL**

**Section 1. Regional Tripartite Industrial Peace Council.** – a. **Creation.** – The Secretary of Labor and Employment, *motu proprio*, or through the recommendation of the NTIPC, shall have the authority to create Regional Tripartite Industrial Peace Council (RTIPC) in every region in the country. As a subcommittee of the NTIPC, the RTIPC shall ensure representation of workers and employers and shall serve as a forum for tripartite advisement and consultation at the local level.

The RTIPC may also create its own subcommittees, including a Regional ITC, as it may deem necessary.



b. **Composition.** – The RTIPC shall be chaired by the Regional Director with an equal number of representatives from each of the most representative workers and employers' organizations in the region.

The representatives from each workers and employers' sector must be exclusively identified and duly authorized by the concerned most representative organization. Each representative shall continuously serve as such so long as he/she remains with his/her respective sector, or until his/her resignation, recall or replacement. The Regional Director may call upon representatives of other government agencies from time to time as the circumstances warrant or as the need arises.

c. **Functions.** The RTIPC shall assist the NTIPC in the performance of its functions as prescribed under Rule III, Section 1 (c) of this Rules.

d. **Rules of Procedures and Meetings.** - The RTIPC shall adopt and observe its own action plan and RTIPC Rules of Procedures. It shall meet regularly at least every quarter, without prejudice to such other special meetings which any of the sectors may initiate or such other meetings to be called by the Regional Director.

e. **Secretariat.** The Technical Supervision and Support Division (TSSD) of the DOLE Regional Office shall provide technical and secretariat support to the RTIPC.

**Section 2. Provincial/City/Municipal TIPCs. – a. Creation, Composition, Function, and Secretariat.** - The Regional Director, *motu proprio*, or through the recommendation of the RTIPC, shall have the authority to create Provincial/City/Municipal TIPCs. As a subcommittee of the RTIPC, the Provincial/City/Municipal TIPCs shall ensure representation of workers and employers in decision and policy-making with respect to labor and employment at the local level. Consistent with the principle of respecting local autonomy, the governor or mayor in the local government unit concerned may co-chair the provincial/city/municipal TIPCs. The concerned Field/Provincial Office shall provide technical and secretariat support to these TIPCs.

**Section 3. Regional/Local ITCs. a. Creation, Composition, Function, and Secretariat.** – The Regional Director, *motu proprio*, or through the recommendation of the RTIPC, shall have the authority to create Regional/Local ITCs. The Regional Director, through the Field Office Director or Provincial Head, shall chair the Regional/Local ITCs. Consistent with the principle of respecting local autonomy, the governor or mayor, as the case may be, in the local government unit concerned, may co-chair in the Local ITCs. The concerned Field/Provincial Office shall provide technical and secretariat support to these ITCs.

Regional/Local ITCs constituted under the foregoing paragraph shall be composed of members from the most representative labor and employers organization in the industry and shall include representatives of concerned government agencies.

**Section 4. Regional Tripartite Monitoring Body on the Application of International Labor Standards. – a. Creation.** A Regional Tripartite Monitoring Body (RTMB) on the Application and Implementation of International Labor Standards, particularly ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize shall be constituted as a subcommittee of the RTIPC.

b. **Composition** – The RTMB shall be composed by the Regional Director as chair and equal number of representatives each from the workers' and employers'

sector. The National Conciliation and Mediation Board (NCMB), National Labor Relations Commission (NLRC), Armed Forces of the Philippines (AFP), Philippine National Police (PNP), Commission on Human Rights (CHR), Department of Justice (DOJ), Civil Service Commission (CSC), concerned Local Government Unit (LGU), and other government agencies may be invited as the need arises.

**c. Functions.** – It shall:

1. Ensure the application and implementation of International Labor Standards in the regions;
2. Verify and/or document allegations of threats, intimidation and harassment of trade unionists in the regions;
3. Conduct monitoring and processing of complaints;
4. Gather relevant information from the regional authorities and/or Courts, including comments from the social partners; and
5. Prepare Case/Complaint Profiles to be submitted to the NTIPC Monitoring Body, as may be necessary.

**d. Secretariat.** The TSSD of the DOLE Regional Office shall provide technical and secretariat support to the RTMB.

**Section 5. Regional Tripartite Efficiency and Integrity Board.** – **a. Creation.** - A Regional Tripartite Efficiency and Integrity Board (RTEIB) shall be constituted as a subcommittee of the DOLE Regional Offices pursuant to Department Order No. 109, series of 2011.

**b. Composition.** – The RTEIB shall be composed of the Regional Director as chair, resident Ombudsman, provincial head elected by his co-provincial heads, representative from recognized employees' association, the DOLE Regional Coordinating Council (RCC) members, and workers' and employers' sector representative from RTIPC.

The workers' and employers' sector representatives shall be appointed in accordance with the provisions of Department Order No. 109, series of 2011.

**c. Functions.** – The RTEIB shall:

1. Spearhead the promotion of efficiency and integrity in the ROs and its POs/FOs;
2. Provide inputs to the DOLE EIB in the formulation of a comprehensive Integrity Development Action Plan (IDAP) of the Department and monitor its implementation at the regional level;
3. Recommend systems improvement to address areas of weakness, e.g. breakdown in internal control structures and vulnerability to corruption as a result of the complaint/case;

4. Monitor the strict observance of the Code of Conduct for DOLE ROs/POs/FOs officials and employees;
5. Provide the NTEIB copy furnished the DOLE Central Office Tripartite EIB, an update of its accomplishments and status on graft and corruption-related case.

d. **Secretariat** – The Regional Office’s Internal Management Services Division (IMSD) shall provide secretariat support to the RTEIB.

**Section 6. Tripartite Monitoring Team on Compliance with Labor Standards and DOLE Department Order 18-A, Series of 2011.** – a. **Creation.** – Pursuant to DOLE Administrative Order No. 89, Series of 2012, a Tripartite Monitoring Team on Compliance with Labor Standards and D.O. 18-A on Contracting and Subcontracting (TMT) shall be constituted as a subcommittee of the RTIPC and/or in the Industry Tripartite Council.

b. **Composition.** – The TMT shall be composed of the DOLE Regional Director or his authorized representative as chair, labor and employer representatives from the RTIPC, labor federation/labor center/union operating in the region, Philippine Association of Local Service Contractors (PALSCON), Philippine Association of Detective & Protective Agency Operators (PADPAO), local/regional Chamber of Commerce and Industry and the Local Government Unit (LGU).

c. **Functions.** – It shall:

1. Ensure Labor Standards compliance by acting as monitor of DOLE Labor Standards Enforcement in specific industry and/or region;
2. Serve as the Oversight Committee in the implementation of D.O. 18-A and as such shall monitor and verify the following:
  - a) Compliance with the requirements for legitimate, ethical and responsible contracting/subcontracting arrangement by both the principal/user enterprise and the contractors/ service provider; and
  - b) Compliance with the required administrative reporting requirements.
3. Submit a semi-annual monitoring report to the Secretary of Labor and Employment and the NTIPC, including recommendation on policy reforms/adjustments and enforcement systems improvement where possible.

d. **Secretariat.** - The TSSD of the DOLE Regional Office shall provide technical and secretariat support to the TMT on Compliance with Labor Standards and D.O. 18-A.

**Section 7. Regional Inter-Agency Coordinating and Monitoring Committee.** – a. **Creation.** – Pursuant to DOLE Administrative Order No. 104-12, Series of 2012, A Regional Inter-Agency Coordinating and Monitoring Committee (RICMC) may be created as a subcommittee of the RTIPC by the DOLE Regional Coordinating Council, through the Regional Director.

b. **Composition.** – The RICMC shall be headed by the DOLE Regional Director and shall have as core members the National Conciliation and Mediation Board (NCMB), National Labor Relations Commission (NLRC), and Philippine National Police (PNP). The Philippine Economic Zone Authority (PEZA) in case of a labor dispute inside the economic zone, and the Metropolitan Manila Development Authority (MMDA) or similar authority in other areas, in case of a labor dispute that will affect public transportation or public thoroughfares, shall be included in the RICMC. Elected workers' and employers' representatives of RTIPC may also be invited to join the RICMC. The RICMC membership may be expanded, on a case-to-case basis, to include the other members of the RCC, local government unit, local chambers of commerce, NGOs and other relevant agencies or stakeholders, when necessary.

c. **Functions.** – It shall take the lead in monitoring and settling labor disputes and shall have the following functions:

1. Coordinate, when appropriate, with other government agencies, LGUs and other relevant stakeholders;
2. Identify issues and recommend possible solutions/options to the parties to the labor dispute;
3. Maintain an open line of communication with management and workers' representatives through social dialogue and conciliation-mediation towards the immediate settlement of the labor dispute alongside or with the NCMB as the lead agency.
4. Identify the respective roles of the members of the RICMC, including assigning a spokesperson to handle media-related affairs and establishment of a command center in the strike area where the RICMC may convene;
5. Ensure observance of the Joint DOLE-PNP-PEZA Guidelines; and
6. Facilitate a Tripartite Social Accord to govern the conduct of all parties involved in a particular labor dispute pursuant to Section VII of the Guidelines.

d. **Secretariat.** The TSSD of the DOLE Regional Office shall provide technical and secretariat support to the RICMC.

**Section 8. Regional Tripartite Certification Committee.** – a. **Creation.** Pursuant to Department Order No. 115-11, the RTIPC shall constitute Regional Tripartite Certification Committee (Regional TCC) that shall promote and ensure voluntary compliance with labor standards and occupational safety and health standards (OSHS) and assist in the implementation of the Incentivizing Compliance Program of the DOLE at the local level.

b. **Composition.** The Regional TCC shall be composed of at least three (3) members representing the government, labor, and employers sectors. The Regional Director or his/her designated alternate, representing the government sector, shall preside as chairman of the Regional TCC. There shall be equal number of representatives each from the workers' and employers' sector.

c. **Functions.** The Regional TCC, together with the DOLE, shall ensure the integrity of the certification process and award system, and shall:

1. Serve as an impartial social auditor and monitoring committee with authority to verify the DOLE-evaluated self-assessment report, checklist and ratings and documents;
2. Conduct on-site visit, interview, or focus-group discussion at the applicant or enrolled establishment's workplace;
3. Determine, in consultation with the DOLE, gaps in compliance, as well as the appropriate programs or technical assistance to be rendered during the remediation period; and
4. Conduct assessment after remediation and recommend appropriate action/s.

d. **Secretariat.** – The TSSD of the DOLE Regional Office shall provide technical and secretariat support to the Regional TCC.

## **RULE VI – FUNCTIONAL RELATIONSHIPS**

**Section 1. Relationship Between NTIPC, RTIPCs and/or ITCs.** – RTIPCs and their subcommittees and all National ITCs shall be integrated as subcommittees of the NTIPC.

The NTIPC shall be the supervisory body of all RTIPCs and all national, regional and local ITCs.

**Section 2. Relationship Between RTIPC and Regional/Local ITCs.** – All existing provincial, city, and municipal TIPCs shall henceforth be deemed as area-wide or local sub-committees of the RTIPC.

In cases where establishment of an ITC is appropriate in the regional or local level, such ITC shall likewise be a subcommittee of the RTIPC.

## **RULE VII – NOMINATION AND SELECTION PROCEDURE**

**Section 1. Nomination and Selection of Sectoral Representatives.** – Nomination and selection of sectoral representatives to the TIPCs/ITCs and/or to various policy-making, decision-making or advisory tripartite bodies shall be in accordance with the following criteria.

1. Must be formally nominated and endorsed in writing by the 'most representative organization' as set out in Rule I, Section 3 (g) of this Rules, except for the representatives of workers in overseas employment sector; and
2. Must possess the required qualifications, willing, available and competent to perform the functions as representative of the sector/industry.

**Section 2. Selection and Appointment Procedure.** – Selection and appointment shall be in accordance with the following process:

1. A call for nomination shall be issued by the DOLE through the TIPC;
2. The labor and employer sectors in the TIPC shall submit nominees based on the above criteria to the Secretary of Labor and Employment; and
3. The Secretary of Labor and Employment shall make the necessary recommendation to the Office of the President, or where appropriate, appoint the most qualified representative.

The nominating organization shall have the right to recommend to the Secretary to recall its representative to the tripartite body and to nominate a replacement.

## **RULE VIII – VOLUNTARY CODE OF GOOD PRACTICES**

**Section 1. Adoption of Voluntary Code of Good Practices.** – The Secretary of Labor and Employment or his duly authorized representatives may, from time to time, call a national, regional, or industrial tripartite conference of representatives of government, workers and employers, and other interested groups as appropriate, for the consideration and adoption of voluntary code of principles designed to promote decent work for all and industrial peace based on social justice and harmonize labor movement relations with the established priorities in economic and social development. In calling such conference, the Secretary of Labor and Employment may consult with accredited representatives of workers and employers.

**Section 2. Industry Self-Regulation.** – National and Regional ITCs shall pursue self-regulation through the development of Voluntary Code of Good Practices to establish voluntary minimum standards on the social and employment aspects of the industry with a view of allowing the industry social partners to self-regulate their engagement and cultivate a culture of social responsibility, provided that these are not below the minimum Labor Standards.

## **RULE IX – TECHNICAL OPERATION AND COOPERATION**

**Section 1. Technical and Coordinating Office.** – The BLR shall act as the Secretariat of the NTIPC, without prejudice to inter-agency collaboration as the Secretary of Labor and Employment may determine. The BLR shall act as the technical and coordinating office relative to all activities of tripartite councils established pursuant to the foregoing provisions. It shall also provide the DOLE Regional Offices such administrative support as may be needed to ensure the integration of regional and national concerns.

Implementation of programs and projects at the regional level, however, shall be devolved to the TSSDs in the Regional Offices and/or Field Offices, as may be deemed appropriate by the Regional Director.

**Section 2. Periodic Reports.** – The Secretary of Labor and Employment, as Chairperson, in behalf of the NTIPC, shall submit periodic reports of its activities to the President. The committees or sub-committees of the TIPC, including members holding sectoral post, shall likewise submit, through the BLR, periodic reports to the Chairperson.

All local TIPCs and ITCs and its subcommittees, created *motu proprio* or through the recommendation of the NTIPC, shall submit monthly reports of their activities/accomplishments to the NTIPC, through the BLR.

**Section 3. Secretariat Functions.** – The Secretariats of the TIPCs and ITCs at the national and local levels shall observe the TIPC Operational Guidelines and provide the following services:

1. Prepare the notice of meeting and make necessary administrative arrangements for sectoral meetings, workshops and tripartite conferences;
2. Provide analysis and technical inputs or coordinate with other agencies and identified resource persons for such inputs as may be relevant to items in the agenda;
3. Document all proceedings and prepare appropriate reports therein;
4. In the case of the national Secretariat, liaise with Congress on the status of pending bills; In the case of the regional Secretariat, establish linkages with the regional geographical, provincial, city/municipal TIPCs and ITCs on the status of their activities;
5. Provide appropriate administrative support to all tripartite activities; and
6. Perform such other functions as the respective Chairpersons may assign.

## **RULE X – FUNDING**

**Section 1. Source.** – Funding of all TIPCs and ITCs activities shall be sourced from the regular budget of the DOLE.

**Section 2. Honorarium.** – For every consultation/meeting attended, an honorarium or per diem shall be provided to regular TIPC/ITC and TEC members, or in his/her absence, the appointed alternate.

## **RULE XI – FINAL PROVISIONS**

**Section 1. Transitory Provision.** – TIPCs registered with the Securities and Exchange Commission (SEC) shall continue to exist but shall comply with this Rules.

**Section 2. Repealing Clause.** – All other rules and regulations inconsistent herewith are hereby repealed, amended or modified accordingly.

**Section 3. Effectivity Clause.** – This Rules shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in at least two (2) newspaper of national circulation.

Done in the City of Manila, Republic of the Philippines, this 7 day of Oct. 2014.

  
**ROSALINDA DIMAPILIS-BALDOZ**  
*Secretary*

Dept. of Labor & Employment  
Office of the Secretary

