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MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 383

REORGANIZING AND STRENGTHENING THE TRIPARTITE INDUSTRIAL
PEACE COUNCIL

WHEREAS, industrial peace is a fundamental requisite of national growth, development and social justice;

WHEREAS, industrial peace can be attained through meaningful tripartite consultations among Labor, Employer and Government sectors in the formulation and implementation of labor, economic and social policies;

WHEREAS, in line with the consensus to strengthen the tripartite Industrial Peace Council and to make it a more representative body, there is a need to redefine its structure, composition and function;

WHEREAS, to further strengthen the Council's capability, efficiency and effectiveness, a permanent secretariat to provide technical and administrative support to the council is essential;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Tripartite Industrial Peace Council, hereinafter referred to as the Council, established under Executive Order No. 25, series of 1992, is hereby reorganized. Its composition as reorganized shall be as follows: the Secretary of the Department of Labor and Employment (DOLE) as Chairman and twelve (12) representatives each from the employer and labor sectors, to be designated by the President upon nomination by their respective sectors.

The government sector shall be composed of the following:

- a) The Secretaries of the Department of Trade and Industry (DTI) and Department of Interior and Local Government (DILG), and Director General of the National Economic and Development Authority (NEDA) or their duly authorized representatives who shall not be lower than Director IV in rank;
- b) All the Undersecretaries, DOLE;

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- c) The Chairman, National Labor Relations Commission (NLRC);
- d) The Executive Director, National Conciliation and Mediation Board (NCMB);
- e) The Executive Director, National Wages and Productivity Commission (NWPC);
- f) The Director, Bureau of Labor Relations (BLR);
- g) The Director, Bureau of Working Conditions (BWC); and
- h) The Director, Bureau of Local Employment (BLE).

The Civil Service Commission (CSC), the Commission on Higher Education (CHED), the Department of Agriculture (DA), the Department of Environment and Natural Resources (DENR), and the Technical Education and Skills Development Authority (TESDA), through their duly authorized representatives who shall not be lower in rank than Director IV, shall act as permanent resource persons to the Council in their respective areas of competence.

SEC. 2. To assist in the attainment of the objectives of this Order, the Chairman, upon recommendation of the Council, may call for the constitution of industry-wide tripartite councils at the national level, which shall be deemed to be sub-committees of the Council and which shall address issues and recommend appropriate responses to the Council with respect to industry-specific concerns. The industry councils shall be composed of such number of members as the sectors may agree upon and shall be constituted upon the appropriate directive of the Secretary of Labor and Employment.

SEC. 3. Consistent with a general criteria for selection of representatives to be prescribed by the Secretary of Labor and Employment upon consultation with the sectors, the regional directors of the DOLE may likewise constitute such Regional Tripartite Industrial Peace Councils (RTIPCs), tripartite industry councils (ITCs), or area-wide labor-management consultative councils, including appropriate sub-committees at the provincial, city, or municipal levels, as may be appropriate under the circumstances. In such cases, the Regional Director shall serve as chairman of the regional councils; provided, however, that the chairman of the provincial, city or municipal councils shall be agreed upon by majority of the representatives present. Such councils shall be considered subcommittees of the national council and shall form integral parts thereof.

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SEC. 4. The sectoral members of the Council and its subcommittees shall continuously serve as such so long as they remain with or are not recalled by their respective sectors, or until their resignation or replacement by the President upon recommendation by the sector concerned in the case of the national council, or by the regional director in the case of the regional councils.

SEC. 5. The Chairman of the Council and the Chairmen of the respective subcommittees shall convene the same at their own initiative or at the request of either or any of the sectors represented in the Council.

SEC. 6. The Council and its subcommittees shall have the following functions:

- a) To monitor the full implementation and sectoral compliance with the provisions of all international conventions, tripartite agreements and commitments;
- b) To assist in the preparation and conduct of national, regional or industry-specific tripartite conferences which the President of the Philippines or the Secretary of Labor and Employment may call from time to time;
- c) To review existing labor, economic and social policies and to evaluate local and international developments affecting them;
- d) To formulate, for submission to the President or the Congress, tripartite views, recommendations and proposals on labor, economic and social concerns, as well as to present tripartite positions on relevant bills pending in Congress;
- e) To advise the Secretary of Labor and Employment in the formulation or implementation of major policies as well as in major decision-making processes affecting labor and employment; and
- f) To serve as a communication channel and a mechanism for undertaking joint programs among government, employers, and labor toward enhancing labor-management relations.

The Council shall have authority to coordinate with, call upon, or utilize any government agency, body or instrumentality for such assistance as it may require in the performance of its functions.

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SEC. 7. The Council, through the Chairman, shall submit periodic reports of its activities to the President. The subcommittees of the Council shall likewise submit through the Secretariat, periodic reports to the Chairman of the Council.

SEC. 8. For policy and program coordination, the existing secretariat of the council shall be placed under the direct technical and administrative supervision of the Bureau of Labor Relations (BLR). The Secretariat shall provide the regional offices such technical and administrative support as may be needed, to particularly ensure the integration of regional and national concerns.

SEC. 9. Nothing herein shall be construed as restricting the prerogative of the President and the Secretary of Labor and Employment in calling for periodic consultations with the members of the Council, nor diminishing the authority of the Secretary of Labor and Employment or other tripartite agencies as defined in existing laws.

SEC. 10. The incumbent sectoral members of the Council shall continue to serve as such until a new set of members shall have been appointed in accordance with Section 4 of this Order.

SEC. 11. All previous issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

SEC. 12. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 6th day of December, in the year of Our Lord, Nineteen Hundred and Ninety-Six.



By the President:


RUBEN D. TORRES
Executive Secretary

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Date *CHA*