

FIFTEENTH CONGRESS)
OF THE REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



HOUSE OF REPRESENTATIVES
House Bill No. 5864

Introduced by **ATTY. MA. THERESA B. BONOAN-DAVID**
4th District, City of Manila

EXPLANATORY NOTE

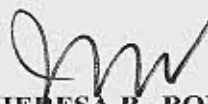
The Labor Code declares tripartism in labor relations as a State Policy, Article 275 states that "Tripartism in labor relations is hereby declared a State policy. Towards this end, workers and employers shall as far as practicable, be represented in decision and policymaking bodies of the government.

Tripartism, refers to the representation of workers and employers sectors in decision and policy making bodies of the government. Through tripartism, employers and workers on one hand, representing their respective interests and the government, on the other hand, representing the public interest, help shape labor, social and economic policies and programs of the government.

The Tripartite Industrial Peace Council is the main consultative and advisory body lodged at the Department of Labor and Employment. It serves as a primary venue where representative from labor, employers, and government sectors discuss relevant policy issues on labor and employment.

The proposed bill seeks to amend Article 275 of the Labor Code to strengthen tripartism and incorporates twenty (20) labor and employer representatives each per Sector which shall be designated by the President at the regular interval and the nomination and selection process observing the most representative organization criteria of the International Labour Organization (ILO) Convention No 144 Tripartite Consultation (International Labour Standards), 1976.

In view of the foregoing, the passage of this bill is earnestly sought.


ATTY. MA. THERESA B. BONOAN-DAVID

**FIFTEENTH CONGRESS
REPUBLIC OF THE PHILIPPINES
SECOND REGULAR SESSION**

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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5864

Introduced by Honorable Representative Atty. Ma. Theresa Bonoan-David

**AN ACT FURTHER STRENGTHENING TRIPARTISM, AMENDING FOR THIS
PURPOSE ARTICLE 275 OF PRESIDENTIAL DECREE NO. 442, OTHERWISE
KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AS AMENDED**

Be it enacted by the Senate and the House of Representatives of the Philippines in
Congress assembled:

Section 1. Article 275 of the Labor Code is hereby amended to read as follows:

**“Article 275. TRIPARTISM. TRIPARTITE CONFERENCES AND
TRIPARTITE INDUSTRIAL PEACE COUNCILS –**

- a. Tripartism in labor relations is hereby declared a State policy. Towards this end, workers and employers shall, as far as practicable, be represented in decision and policy-making bodies of the government.
- b. 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 for the consideration and adoption of voluntary codes of principles designed to promote industrial peace based on social justice or to align labor movement relations with 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.
- c. **TRIPARTITE INDUSTRIAL PEACE COUNCIL IN THE NATIONAL, REGIONAL OR INDUSTRY SHALL BE ESTABLISHED WITH REPRESENTATIVES FROM GOVERNMENT, WORKERS AND EMPLOYERS, TO SERVE AS A CONTINUING FORUM FOR TRIPARTITE CONSULTATION IN AID OF STREAMLINING THE ROLE OF GOVERNMENT, EMPOWERING WORKERS AND EMPLOYERS ORGANIZATIONS, ENHANCING THEIR RESPECTIVE RIGHTS, ATTAINING INDUSTRIAL PEACE AND IMPROVING PRODUCTIVITY.**

THE SECRETARY OF LABOR AND EMPLOYMENT SHALL HEAD THE NATIONAL TRIPARTITE INDUSTRIAL PEACE COUNCIL, TWENTY LABOR AND EMPLOYER REPRESENTATIVES EACH PER SECTOR WHICH SHALL BE DESIGNATED BY THE PRESIDENT. FOR THIS

PURPOSE, A SECTORAL NOMINATION, SELECTION AND RECALL PROCESS SHALL BE ESTABLISHED BY THE DEPARTMENT OF LABOR AND EMPLOYMENT IN CONSULTATION WITH THE SECTORS OBSERVING THE MOST REPRESENTATIVE ORGANIZATION CRITERIA OF ILO CONVENTION 144.

THE NATIONAL TRIPARTITE INDUSTRIAL PEACE COUNCIL (NTIPC) SHALL HAVE THE FOLLOWING FUNCTIONS:

- A. TO MONITOR THE FULL IMPLEMENTATION AND COMPLIANCE BY CONCERNED SECTORS WITH THE PROVISIONS OF ALL TRIPARTITE INSTRUMENTS, INCLUDING INTERNATIONAL CONVENTIONS AND DECLARATIONS, CODES OF CONDUCT AND SOCIAL ACCORDS;
- B. TO PARTICIPATE IN NATIONAL, REGIONAL AND SOCIAL POLICIES AND TO EVALUATE LOCAL AND INTERNATIONAL DEVELOPMENTS AFFECTING THEM;
- 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 TO CONGRESS, TRIPARTITE VIEWS, RECOMMENDATIONS AND PROPOSALS ON LABOR, ECONOMIC AND SOCIAL CONCERNS, INCLUDING THE PRESENTATION OF THE TRIPARTITE POSITIONS ON RELEVANT BILLS PENDING IN CONGRESS;
- E. TO ADVISE THE SECRETARY OF LABOR AND EMPLOYMENT IN THE FORMULATION OR IMPLEMENTATION OF POLICIES AND LEGISLATIONS AFFECTING LABOR AND EMPLOYMENT;
- F. TO SERVE AS A COMMUNICATION CHANNEL AND A MECHANISM FOR UNDERTAKING JOINT PROGRAMS AMONG GOVERNMENT, LABOR AND EMPLOYERS GROUP TOWARD ENHANCING LABOR-MANAGEMENT RELATIONS, AND
- G. TO ADOPT ITS OWN PROGRAM OF ACTIVITIES CONSISTENT WITH DEVELOPMENT OBJECTIVES.

ALL REGIONAL TRIPARTITE INDUSTRIAL PEACE COUNCIL AND THEIR SUB-COMMITTEES AND ALL INDUSTRY WIDE TRIPARTITE COUNCILS, WHETHER NATIONAL, REGIONAL OR LOCAL SHALL BE AN INTEGRAL PART OF THE ORGANIZATIONAL STRUCTURE OF THE NTIPC.

THE OPERATIONS OF ALL TRIPARTITE INDUSTRIAL PEACE COUNCILS SHALL BE FUNDED FROM THE REGULAR BUDGET OF THE DEPARTMENT OF LABOR AND EMPLOYMENT.

Section 2. Implementing Rules and Regulations – The Secretary of Labor and Employment shall promulgate the necessary rules and regulations to implement the provisions of this Act.

Section 3. Separability Clause . – If any part, section or provision of this Act shall be held invalid or unconstitutional, the other provisions shall not be affected thereby.

Section 4. Repealing Clause. – Presidential Decree No. 442, otherwise known as the Labor Code of the Philippines, as amended, and all other acts, laws, presidential issuances, rules and regulations are hereby repealed, amended and modified accordingly.

Section 5. Effectivity Clause. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of national circulation.

APPROVED.