

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

FIFTEENTH CONGRESS  
Second Regular Session

HOUSE BILL NO. 5935



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Introduced by **Representative EMIL L. ONG**

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### EXPLANATORY NOTE

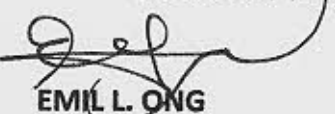
The bill seeks to strengthen tripartism, amending for the purpose Article 275 of Presidential Decree No. 442, otherwise known as the Labor Code of the Philippines, as amended.

As a state policy, tripartism in labor relations shall work towards representation of workers and employers in the decision and policy-making bodies of the government. It shall empower the Secretary of Labor or his/her duly authorized representatives to consider and adopt 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. Consultation with representatives of workers and employers shall also be worked out.

Most importantly, tripartite industrial councils in the national, regional, or industry shall be established to serve as a continuing forum for tripartite advisement and consultation to aid in the streamlining of the role of government, thus empowering workers and employers organizations, enhancing their respective rights, and thereby attaining industrial peace and improved productivity.

The bill also envisions to specify the functions of the Tripartite Industrial Peace Council which includes among others the monitoring of the full implementation and compliance of all concerned sectors the provisions of all tripartite instruments, conventions, declarations, codes of conduct and social accords.

It is hereby prayed that this bill be immediately passed into law.



**EMIL L. ONG**

Representative, 2<sup>nd</sup> District of Northern Samar

House of Representatives  
FIFTEENTH CONGRESS  
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HOUSE BILL NO. 5935

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**AN ACT**

**STRENGTHENING TRIPARTISM, AMENDING FOR THE 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, and other interest groups as the case may be, 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 COUNCILS IN THE NATIONAL, REGIONAL, OR INDUSTRY SHALL BE ESTABLISHED WITH REPRESENTATIVES FROM GOVERNMENT, WORKERS AND EMPLOYERS, TO SERVE AS A CONTINUING FORUM FOR TRIPARTITE ADVISEMENT AND CONSULTATION IN AID OF STREAMLINING THE ROLE OF GOVERNMENT, EMPOWERING WORKERS' AND EMPLOYERS' ORGANIZATIONS, ENHANCING THEIR RESPECTIVE RIGHTS, ATTAINING INDUSTRIAL PEACE, AND IMPROVING PRODUCTIVITY.

47 THE SECRETARY OF LABOR AND EMPLOYMENT SHALL HEAD THE  
48 NATIONAL TRIPARTITE INDUSTRIAL PEACE COUNCIL (NTIPC) WITH  
49 TWENTY (20) REPRESENTATIVES EACH FROM THE LABOR AND  
50 EMPLOYER'S SECTORS TO BE DESIGNATED BY THE PRESIDENT AT  
51 REGULAR INTERVAL. FOR THIS PURPOSE, A SECTORAL NOMINATION,  
52 SELECTION AND RECALL PROCESS SHALL BE ESTABLISHED BY THE  
53 DEPARTMENT OF LABOR AND EMPLOYMENT IN CONSULTATION WITH  
54 THE SECTORS OBSERVING THE "MOST REPRESENTATIVE"  
55 ORGANIZATION CRITERIA OF ILO CONVENTION NO. 144.  
56

57  
58 THE TRIPARTITE INDUSTRIAL PEACE COUNCIL (TIPC) SHALL HAVE  
59 THE FOLLOWING FUNCTIONS:  
60

- 61 a. TO MONITOR THE FULL IMPLEMENTATION AND COMPLIANCE  
62 BY CONCERNED SECTORS WITH THE PROVISIONS OF ALL  
63 TRIPARTITE INSTRUMENTS, INCLUDING INTERNATIONAL  
64 CONVENTIONS AND DECLARATIONS, CODES OF CONDUCT,  
65 AND SOCIAL ACCORDS;
- 66 b. TO PARTICIPATE IN NATIONAL, REGIONAL OR INDUSTRY-  
67 SPECIFIC TRIPARTITE CONFERENCES WHICH THE  
68 PRESIDENT OR THE SECRETARY OF LABOR AND  
69 EMPLOYMENT MAY CALL FROM TIME TO TIME;
- 70 c. TO REVIEW EXISTING LABOR, ECONOMIC AND SOCIAL  
71 POLICIES AND TO EVALUATE LOCAL AND INTERNATIONAL  
72 DEVELOPMENTS AFFECTING THEM;
- 73 d. TO FORMULATE, FOR SUBMISSION TO THE PRESIDENT OR TO  
74 CONGRESS, TRIPARTITE VIEWS, RECOMMENDATIONS AND  
75 PROPOSALS ON LABOR, ECONOMIC AND SOCIAL CONCERNS,  
76 INCLUDING THE PRESENTATION OF TRIPARTITE POSITIONS ON  
77 RELEVANT BILLS PENDING IN CONGRESS;
- 78 e. TO ADVISE THE SECRETARY OF LABOR AND EMPLOYMENT IN THE  
79 FORMULATION OR IMPLEMENTATION OF POLICIES AND  
80 LEGISLATIONS AFFECTING LABOR AND EMPLOYMENT;
- 81 f. TO SERVE AS A COMMUNICATION CHANNEL AND A MECHANISM  
82 FOR UNDERTAKING JOINT PROGRAMS AMONG GOVERNMENT,  
83 WORKERS, EMPLOYERS AND THEIR ORGANIZATIONS TOWARD  
84 ENHANCING LABOR-MANAGEMENT RELATIONS; AND
- 85 g. TO ADOPT ITS OWN PROGRAM OF ACTIVITIES AND RULES,  
86 CONSISTENT WITH DEVELOPMENT OBJECTIVES.  
87

88 ALL REGIONAL TRIPARTITE INDUSTRIAL PEACE COUNCILS (RTIPCS)  
89 AND THEIR SUBCOMMITTEES AND ALL INDUSTRY-WIDE TRIPARTITE

COUNCILS, WHETHER NATIONAL, REGIONAL OR LOCAL, SHALL BE AN  
INTEGRAL PART OF THE ORGANIZATIONAL STRUCTURE OF THE  
NTIPC.

- (d) THE OPERATIONS OF ALL TRIPARTITE INDUSTRIAL PEACE COUNCILS  
AND INDUSTRY TRIPARTITE COUNCILS SHALL BE FUNDED FROM THE  
REGULAR BUDGET OF THE DEPARTMENT OF LABOR AND  
EMPLOYMENT.

**Section 3. 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 4. 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 5. 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 inconsistent herewith are hereby repealed, amended or modified  
accordingly.

**Section 6. 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.**