

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 49

AMENDING EXECUTIVE ORDER NO. 383, s. 1996, FOR THE PURPOSE  
OF RECONSTITUTING AND EXPANDING THE MEMBERSHIP OF  
THE TRIPARTITE INDUSTRIAL PEACE COUNCIL

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

WHEREAS, a broad and democratic base of participation through social dialogues, consultations and consensus among the government, workers, employers and their organizations, particularly in the formulation of labor and employment policies and programs, is a necessary condition in sustaining industrial peace;

WHEREAS, Article 275 of the Labor Code, as amended, institutionalizes tripartism as a labor relations policy, to the end that the government, workers, employers and their organizations are provided with appropriate mechanisms for active and democratic participation in resolving labor and employment issues;

WHEREAS, to attain the foregoing comprehensive goals, the Tripartite Industrial Peace Council (TIPC) was established through Executive Order No. 403, Series of 1990, and later reorganized through Executive Order No. 25, Series of 1992 and Executive Order No. 383, Series of 1996;

WHEREAS, the emerging challenges and social tensions arising from globalization underscores the continuing need to improve the capability, efficiency, and effectiveness of consensus-building mechanisms, especially the TIPC;

NOW, THEREFORE, I, JOSEPH M. EJERCITO ESTRADA, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Reconstitution. - The Tripartite Industrial Peace Council, hereinafter referred to as the TIPC, established under Executive Order No. 403, Series of 1990, Executive Order No. 25, Series of 1992, and Executive Order No. 383, Series of 1996, is hereby reorganized and reconstituted.

SEC 2. Functions. - The TIPC 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 or industry-specific tripartite conferences which the President 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 to Congress, tripartite views, recommendations and proposals on labor, economic and social concerns, including the presentation of 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, workers, employers and their organizations toward enhancing labor-management relations; and
- g) To adopt its own program of activities and rules, consistent with development objectives.

**SEC 3. Composition.** - The Secretary of the Department of Labor and Employment (DOLE) shall be the Chairperson of the TIPC. There shall be a maximum of twenty (20) regular representatives each from workers and employers organizations to be designated by the President upon nomination by their respective sectors. However, The Chairperson, upon the agreement of the regular members, may recognize non-regular representatives from time to time as circumstances may warrant.

The following Departments, through their respective Secretaries or duly authorized representatives, not lower than Director IV, shall constitute the regular membership of the government sector:

- a) Department of Trade and Industry (DTI);
- b) National Economic and Development Authority (NEDA);
- c) Department of the Interior and Local Government (DILG);
- d) Department of Agriculture (DA);
- e) Department of Environment and Natural Resources (DENR);
- f) Department of Energy (DOE);
- g) Department of Agrarian Reform (DAR);
- h) Department of Tourism (DOT);
- i) Department of Social Welfare and Development (DSWD);
- j) Department of Transportation and Communication (DOTC); and
- k) Commission of Higher Education (CHED)



The Civil Service Commission (CSC), the Department of Education, Culture and Sports (DECS), and all other DOLE agencies, through their duly authorized representatives who shall not be lower in rank than Director IV, shall act as permanent resource persons to the TIPC in their respective areas of competence.

**SEC 4. Tripartite Executive Committee.** The TIPC shall constitute a Tripartite Executive Committee (TEC) from among its regular members or such representatives as may be agreed upon by the regular members. The number of worker and employer representatives in the TEC shall be determined by the TIPC, taking into account balanced representation. The TEC shall be tasked with the effective day-to-day functioning of the TIPC, the performance of activities and projects approved by the TIPC, and shall perform such other specific assignments delegated to it by the TIPC.

**Sec 5. Sub-Committees.** The Chairperson, upon consultation with the TIPC, may constitute industry-wide tripartite councils at the national level, which shall be deemed to be sub-committees of the TIPC and which shall address issues and appropriate responses to the TIPC with respect to industry-specific concerns. The regular members of the TIPC may themselves be designated as members of such industry councils.

**SEC 6. Regional Councils.** - Consistent with the principle of equitable and effective representation, 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 chairperson of the regional councils; provided, however, that the chairperson 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.

**SEC 7. Tenure of Representatives.** - The regular members representing the worker and employer sectors in the TIPC 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. The regular sectoral members of the TIPC as well as members of the appropriate committees or regional councils shall continue to serve as such until their replacements are named in accordance with the provisions of this Order.

**SEC 8. Rules and Meetings.** - The TIPC shall adopt its own action plan and operational rules, and 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 TEC or the appropriate committees.

**SEC 9. Management, Secretariat and Funding.** - The Bureau of Labor Relations (BLR) shall manage all TIPC and related activities, including the provision of technical and secretariat services. It shall also be a regular member of the TEC constituted pursuant to Section 4 hereof, and shall be responsible for managing the TEC's activities. For this purpose, the existing Secretariat of the TIPC shall be placed under the direct technical and administrative control and supervision of the BLR. To facilitate cross-sectoral coordination, the worker and employer sectors may designate their permanent representatives to the Secretariat. The BLR shall also provide the regional offices such technical and administrative support as may be needed to ensure the integration of regional and national concerns. Funding of all TIPC activities shall be sourced from the regular budget of DOLE.

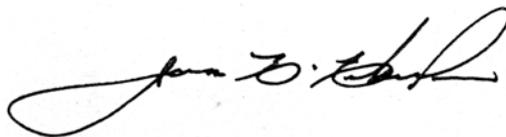
**SEC 10. Periodic Reports.** - The Chairperson, in behalf of the TIPC, shall submit periodic reports of its activities to the President. The committees or subcommittees of the TIPC shall likewise submit, through the BLR, periodic reports to the Chairperson.

**SEC 11. Relation to Other Tripartite Agencies.** - Nothing herein shall be construed as restricting the prerogative of the President or the Secretary of Labor and Employment in calling for periodic consultations with the members of the TIPC, nor diminishing the authority of the Secretary of Labor and Employment or other tripartite agencies as defined in existing laws.

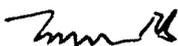
**SEC 12. Repealing Clause.** - Executive Order No. 403, Series of 1990, Executive Order No. 25, Series of 1992, and Executive Order No. 383, Series of 1996, and all previous issuances or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

**SEC 13.** This Executive Order shall take effect immediately.

Done in the City of Manila, this <sup>9<sup>th</sup></sup> day of ~~DECEMBER~~ in the year of Our Lord, nineteen hundred and ninety eight.



By the President:

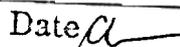


**RONALDO B. ZAMORA**  
Executive Secretary

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