

[EXECUTIVE ORDER NO. 49, December 09, 1998]

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