

**[PPA MEMORANDUM CIRCULAR NO. 73-98,
December 22, 1998]**

**GUIDELINES IN THE CONDUCT OF PORT POLICE PERSONNEL,
PRIVATE SECURITY AND COMPANY GUARD FORCES DURING
STRIKES, LOCKOUTS AND LABOR DISPUTES IN GENERAL**

In line with the objective of the Philippine Ports Authority (PPA) to promote public interest and safety, industrial peace and stability and peace and order in the ports, the following guidelines are hereby prescribed to govern the official conduct of Port Police personnel during strikes, lockouts and labor disputes in general in the port.

**I
Authority**

Section 6a, (iii) 6b (XVI) and 26 a) PD 857 as amended by Executive Order 513.

**II
Reference**

1. Department of Labor and Employment (DOLE) and National Police Commission (NAPOLCOM) guidelines in the conduct of strikes, lockouts and labor disputes in general.
2. Section 5, Rule 113 of Rules of Court
3. Batas Pambansa Bilang 880 or the Public Assembly Act
4. Article 264, para (e) of the Labor Code, as amended
5. Article 218 and 263 of Labor Code, as amended
6. Article 694 of Civil Code of the Philippines.

**III
Purpose**

This Circular prescribes measures, standards and policies, to be strictly observed by Port Police personnel during strikes, lockouts and labor disputes in general.

**IV
General Policy**

1. As a matter of policy, labor disputes occurring within the area of responsibility of the Philippine Ports Authority is the sole jurisdiction of the Department of Labor and Employment and/or its appropriate agencies, while matters

pertaining to peace and order in the ports are under the jurisdiction of the Philippine Ports Authority without prejudice to the exercise of functions of other law enforcement bodies in the port. Labor disputes, strikes and lockouts have peace and order implications, affecting the smooth flow of port operations. Close coordination between DOLE, PPA and other agencies is necessary to attain this objective.

2. The involvement of Port Police personnel during strikes, lockouts and labor disputes in general, shall be confined and limited to their functions and responsibilities in the maintenance of peace and order, enforcement of laws and legal orders of duly constituted authorities.
3. Insofar as practicable, no Port Police personnel shall be allowed to render services in connection with a strike or lockout, if there is a question or complaint as regards his relationships by affinity or consanguinity to any official/leader of the parties in the controversy or if he has financial or pecuniary interest therein.
4. A Port Police peace keeping detail shall be established in a strike or lockout area for the purpose of maintaining peace and order. PPA through the DOLE shall request other law enforcement agencies for assistance and augmentation if warranted by the exigencies of the service.
5. Port Police personnel detailed as peace keeping force in strike or lockout areas shall be in complete and prescribe uniform with proper nameplate at all times. They shall exercise maximum tolerance and shall observe courtesy and strict neutrality in their dealings with both parties to the controversy bearing in mind, that the parties to the dispute are not their adversaries but their partners to the labor quest for industrial peace and human dignity. As much as possible, they shall not inflict any physical harm upon the strikers and/or picketers or any person involved in the strike/lockout. When called for by the situation or when all other peaceful and non-violent means have been exhausted, Port Police personnel with the assistance of other law enforcement agencies may employ, as a last resort only, such force as may be necessary and reasonable to prevent or repel aggression.
6. The peace keeping force shall strictly observe and respect human rights at all times.

V

Peace Keeping Details

The peace keeping detail shall not be stationed in the picket (or confrontation) line but should be stationed in an appropriate place such that their presence may deter the commission of criminal acts or any untoward incident from either side. The members of the peace keeping detail shall stay outside a fifty (50) meter radius from the picket line, except if the fifty (50) meter radius includes a public thoroughfare, they may station themselves in such public thoroughfares for the purpose of ensuring the free flow of traffic.