

**REPUBLIKA NG PILIPINAS**  
**TANGGAPAN NG SANGGUNIANG PANLUNGSOD**  
**LUNGSOD NG BACOLOD**  
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**CITY ORDINANCE NO. 364**  
**December 18, 2003**

**AN ORDINANCE PROMOTING STRONG COLLABORATIVE RELATIONSHIP BETWEEN EMPLOYERS & EMPLOYEES IN THE CITY OF BACOLOD, CREATING THE BACOLOD CITY LABOR-MANAGEMENT COUNCIL, DEFINING ITS POWERS & FUNCTIONS AND APPROPRIATING FUNDS FOR ITS OPERATION, AND FOR OTHER PURPOSES.**

Be it ordained by the Sangguniang Panlungsod of Bacolod City, that:

**Section 1 Title of the Ordinance.** This ordinance shall be known as "**Labor-Management Cooperation Ordinance of Bacolod City.**"

**Section 2. Declaration of Principles.** The City of Bacolod, as an instrument of peace, unity and development shall at all times adhere to the following principles, that:

- a. Labor and capital are the primary partners for economic progress
- b. The goal of national & local economies is to sustain the increase in production & productivity and a more equitable distribution of opportunities, income and wealth
- c. Government's role in Labor-Management relations is to level the playing field which would enable each party to stand in equal footing with each other.
- d. Social justice demands that those who have less in life should have more in law, and
- e. Smooth labor management relation is a key strategy towards higher productivity and sustainable economic development.

**Section 3 Declaration of Commitment.** Within the limits of its authority & power, the City of Bacolod declares its commitment, to:

- a. Afford protection to labor & management
- b. Promote full employment.
- c. Ensure equal work opportunities regardless of sex, race or creed, and
- d. Facilitate the establishment of strong collaborative relations between workers/employees and employers.

**Section 4. Definition of Terms.** As used in this Ordinance, the following terms shall mean:

- a. **City**-refers to the City of Bacolod.
- b. **LCP** – Labor Code of the Philippines, as amended, as the law providing for & defining the rights of workers/employees.
- c. **DOLE** – Department of Labor and Employment, a national government agency tasked to implement the provisions of the Labor Code of the Philippines, as amended.
- d. **DOLE RO-VI** – The Regional Office for Region VI in the Department of Labor & Employment through which, powers, duties and functions of the *Secretary of the Department of Labor and Employment* are executed & carried out within the Region VI.
- e. **RTWPB-VI** – Regional Tripartite Wages Productivity Board, a government body mandated to fix, determine & set appropriate minimum wages in Region VI.

- f. **Sub RAV-6** – Sub-Regional Arbitration Branch of the National Labor Relations Commission as the body tasked to arbitrate over labor disputes in Bacolod City.
- g. **LLO** – Labor Organization/Union/Association duly registered with, & recognized by the DOLE RO VI as an organization of workers/employees belonging to one and the same employer or establishment.
- h. **Labor Federation** – Labor Organization/Unions/Associations duly registered with, and recognized by the DOLE RO-VI as a federation or alliance of labor organizations/ or associations.
- i. **Laborer/worker/employee** – as defined under the Labor Code of the Philippines, is a person rendering service to another for consideration or compensation,
- j. **Employer** – as defined under the Labor Code of the Philippines, is a person, natural or juridical whose favor the service of the laborer/worker/ or employee is being rendered, and who pays for the corresponding wages or compensation for such service
- k. **BCDC** – Bacolod City Development Council, and
- l. **Branch** – a business operation registered as a branch with head office located in Bacolod City.

**Section 5. Scope & Coverage.** This Ordinance shall apply to all employees/workers, in the private sector, and to all employers whether *natural or juridical*, within the territorial jurisdiction of Bacolod City, regardless whether or not the main business office is in the City. Provided however, that employees of the public sector may also avail of the services or assistance of the Bacolod City Labor-Management Council (BCLMC), created hereunder.

Business operation carried outside the City of Bacolod is covered under this Ordinance, provided its main or head office of the business is in the City, except when such business operations are carried out by a branch hereof.

**Section 6. Creation of the Bacolod City Labor-Management Council.** In line with the principles of local autonomy, devolution and decentralization, it is hereby created a *Bacolod City Labor-Management Council*, hereinafter referred to as the *BCLMC*, which shall have an office attached to that of the City Mayor Office for policy & program coordination.

**Section 7 Powers & Functions of the BCLMC.** The Bacolod City Labor Management Council shall have the following powers and functions, to wit:

- a. Consistent with policies & guidelines issued by the DOLE, formulates policies & guidelines on labor-management relations & other industrial concerns.
- b. Acts as a *consultative & advisory Body* to the City Mayor and the Sangguniang Panlungsod of Bacolod on issues and concerns affecting labor-management relations.
- c. Forges partnership with, and/or enter into a Memorandum Of Cooperation (MOC) with the DOLE, the RTWPB and other pertinent government & non-government entities for labor-management education for promotion of stronger labor-management cooperation and enforcement of labor standards;
- d. In partnership with the DOLE RO-VI, undertakes measures to facilitate the establishment of labor-management councils to various private business entities operating within the City's jurisdiction.

- e. Undertakes studies, researches & surveys necessary for the attainment of its functions and objectives. And, collects & compiles relevant data, thereby periodically disseminate or make such available data to the public for information, especially on the enforcement of labor standards within the City's jurisdiction.
- f. In coordination with the Bacolod City Development Council and the DOLE RO-VI, calls a **tripartite Conference** among representatives of workers/employees and employers for proper consideration of measures geared towards the promotion of smooth labor-management relations, improvement of productivity, and, especially on the enforcement of labor standards.
- g. With utmost confidentiality, receives complaints from various sectors involving violations of labor laws. And, with the aim to resolve such concerns, facilitates dialogue between & among the involved parties and/or render assistance necessary in bringing this matter to the attention of DOLE/ NLRC or any pertinent office.
- h. Within the limits of its authority, exercises such powers & functions as may be necessary to implement & achieve the purpose & objective of this Ordinance;

**Section 8. Power to Promulgate Internal Rules of Procedure.** In the performance of its functions, the BCLMC is authorized to promulgate its own "Internal Rules of Procedure" and "Rules" on how the public can avail of its services.

**Section 9. Composition of the Council.** The Council shall be composed of the City Mayor or his/her duly authorized representative as ex-officio Chairperson, Regional Director of DOLE or his/her duly authorized Representative and the SP Committee Chairperson on Labor & Management as the Vice Chairpersons, and the following members are:

- a) Chairperson, SP Committee on Human Rights
- b) Chairperson, SP Committee on Trade and Industry
- c) Chairperson, SP Committee on Laws and Ordinances & Good Government.
- d) Chairperson, SP Committee on Agriculture and Fisheries.
- e) Six (6) Private Sector Representatives: *three (3) from Labor Sector, and three (3) from Employer Sector*, provided that **at least one of the representatives of the Labor Sector and the Employer Sector shall be a woman.**

Representatives of the Labor Sector shall be appointed by the City Mayor from a list of six (6) nominees submitted by various labor unions after holding a meeting among themselves called for the purpose.

Likewise, representatives of the Employer Sector shall be appointed by the City Mayor from a list of six (6) nominees, two (2) of which shall be submitted by Metro Bacolod Chamber of Commerce, Inc. (MBCCI), **another two(2)** from Bacolod City Federation of Chinese

Chamber of Commerce & Industry (BCFCCI), and **two(2) from School associations(such as NOPSSCEA), Hotel associations(such as HRANO), Medical associations, Retailers & Supermarket associations & Bankers association of Bacolod City** thru a process of selection designed by them, respectively.

The Private sector representatives shall serve for a term of two (2) years, and shall continue to serve as such until their successors shall have been duly appointed.



**Section 10. Compensation of the Members of BCLMC.** Except for the employer and workers representatives, the Chairperson and other BCLMC Members shall serve without compensation or remuneration. Employers and labor sector representatives shall receive an honorarium in such amount as may be authorized under existing laws and rules & regulations.

**Section 11. Creation of Labor-Management Relations Office (LMRO)**  
For effective performance of the BCLMC, the Labor Management Relations Office (LMRO) which shall serve as the BCLMC Secretariat is hereby created under the Office of the City Mayor. The LMRO shall be managed by a Labor Management Relations Officer (LMROr) who shall be appointed by the City Mayor, upon recommendation by the BCLMC. The LMRO shall receive compensation and other benefits equivalent to Executive Assistant I.

The City Mayor shall designate an office space for the BCLMC & LMRO, and providing the latter with the necessary (2) staff, materials, equipment and/or chattels needed for its operations.

**Section 12 Employer/ Employee Data and Information Bank.** In the execution of Council's functions, it shall be the duty of the LMRO to secure and or update data & related information pertaining to employers and employees in the City of Bacolod. LMRO shall likewise update its data on the latest labor laws and jurisprudence and other information material for labor-management issues.

Anyone who is employed by another shall register him/herself with the BCLMC. And under oath, providing such office with the following information: **name & address of the employer, nature of business, length of service, nature of work, amount of compensation being paid,** and such other information which the Council may deem necessary. Provided however, that failure to register as stated shall not preclude the employee from availing of the services of BCLMC and other offices/ agencies of City.

**Section. 13. Funding & Appropriation.** To attain the objective of this Ordinance, upon approval hereof, an initial amount of **Five Hundred Thousand Pesos (P 500,000.00)** is hereby allocated. And, the amount of **Seven Hundred Thousand Pesos (700,000.00)** every year thereafter shall be automatically be appropriated & included in the Annual Budget of the City for the operation of BCLMC & LMRO.

**Section 14 Separability Clause.** Should any portion of this Ordinance be declared unconstitutional or illegal by any Court of competent jurisdiction, portions not so declared unconstitutional or illegal shall remain in full force and effect.

**Section 15. Repealing Clause.** All ordinances, executive orders and administrative issuances or part/parts thereof which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

**Section 16 Effectivity.** This Ordinance shall take effect after fifteen days upon publication in a local newspapers of general circulation, or a copy of this Ordinance be posted on the bulletin board on at least two (2) conspicuous places at the Bacolod City Hall.

CARRIED BY THE VOTE OF:

Affirmative

Councilors: Archie S. Baribar, Roberto M. Rojas, Jude Thaddeus A. Sayson, Ana Marie V. Palermo, Celia Matea R. Flor, Jose H. Gabuat, Lyndon P. Caña, Elmer T. Sy, Bobbie S. Lucasan, Greg G. Gasataya, Reynold I. Ildan, Sonya M. Verdeflor, Arturo V. Parraño

Negative : None.

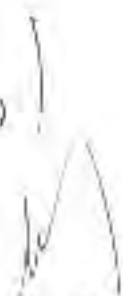
Main Author : Councilor Celia Matea R. Flor

Co-Authors: Councilor Lyndon P. Caña  
Councilor Greg G. Gasataya  
Councilor Sonya M. Verdeflor  
Councilor Elmer T. Sy  
Councilor Jose H. Gabuat

Absent : Councilor Marx Louie S. de la Rosa


Passed : December 18, 2003 (128<sup>th</sup> Regular Session)

Comments: P a s s e d

  
**RAMIRO L. GARCIA, JR.**  
Vice Mayor  
Presiding Officer

1/22/04

ATTESTED:

  
**ATTY. NILO T. ALEJANDRINO**  
Secretary to the Sanggunian

APPROVED: \_\_\_\_\_, 2004

**LUZVIMINDA S. VALDEZ**  
City Mayor

10 DAYS LAPSED  
AS OF 02/03/04

NTA/HPL/lrgl