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I. ACCREDITATION

A. Nature of Accreditation — Accreditation of an individual as voluntary arbitrator shall be subject to the condition that he meets all the qualifications prescribed by the NCMB for accreditation. If found qualified, accreditation which is renewable every five (5) years, shall be granted.

B. Requirements for Accreditation

1. Minimum Criteria — Persons desiring to become Accredited Voluntary Arbitrators shall be possessed of the minimum criteria for accreditation, as follows:

1.1 He must be a Filipino citizen residing in the Philippines.

1.2 He must be a holder of at least a Bachelor's degree preferably relevant to Labor and Social Relations, Economics and related fields of study.

1.3 He must have at least five (5) years experience in the field of Labor-Management relations.

1.4 He has no pending criminal case involving moral turpitude.

2. Supporting Documents — Applicants shall submit an application letter with the NCMB or any of its Regional Branches, together with:

2.1 An updated bio-data.

2.2 Two (2) copies of "2 x 2~ black and white picture.

2.3 Academic Records — certified copy of Certificate of Admission to the Bar or Board of Professionals and/or Diploma.

2.4 Certificate of Employment from present employer (if applicable).

2.5 Affidavit stating that applicant has no pending criminal case involving moral turpitude.

2.6 Favorable comment of three (3) members of the Philippine Association on Voluntary Arbitration, Inc. preferably the President, the Chairman of the Ethics Committee and the Chairman of the Accreditation and De-listing Committee.

3. Training Requirements — An applicant who possesses the minimum qualifications will be required to undergo a pre-accreditation training program to equip him with the . basic knowledge, skills and value orientation necessary to perform the responsibilities and functions of an accredited voluntary arbitrator. The training program shall be designed jointly by the NCMB with the Philippine Association on Voluntary Arbitration, Inc. (PAVA).

For prospective arbitrators who have adequate experience and exposure in the field of arbitration and labor-management relations, they shall be required only to attend a briefing/orientation in lieu of a

pre-accreditation training.

4. Roll of Accredited Voluntary Arbitrator — Upon satisfactory completion of the training, the new AVA will be given his Certificate of Accreditation bearing his Accreditation Number, and hereafter will formally take his Oath of Office and sign the Roll of Accredited Voluntary Arbitrators.

Once accredited, the arbitrator can serve as such in any region. However, for purposes of administrative supervision, the voluntary arbitrator shall continue to be enrolled in the list of accredited arbitrators in the region where they are accredited.
C. Renewal of Accreditation — Before the expiration of the fifth year of accreditation, the NCMB will send advice/notice to an AVA requiring him/her to comply with certain requirements including submission of updated bio-data, new affidavit stating that he has no pending criminal case involving moral turpitude and a favorable comment from PAVA.

After a thorough review of the new credentials submitted, the records and the performance of the AVA concerned as to case disposition and participation to NCMB programs and activities and voluntary arbitration, the NCMB shall decide whether to issue or not a certificate renewing the accreditation for another five (5) years.

II. DE-LISTING

A. Types of De-listing

1. Voluntary De-listing — An AVA may at his own initiative signify his intention to be de-listed from the Roll of AVAs on any of the following grounds:

a. Loss of Philippine citizenship.

b. Transfer of residence abroad.

c. Physical incapacity due to health reasons.

d. Any other grounds indicating loss of interest.

De-listing on any of the aforementioned grounds may also be initiated by the NCMB in the exercise of its administrative and regulatory functions over the AVAs.

In addition, the NCMB shall maintain an inactive list of AVAs to include those who voluntarily requested for such an status or if AVA is elected or appointed to government position and he lacks the material time to perform his actual duties and functions as arbitrator.

2. De-listing as a Sanction — The Accreditation of Voluntary Arbitrator may be revoked, after due process, if at any time any of the following grounds arises:

a. Misrepresentation or falsification in the application for accreditation.

b. Commission of a crime involving moral turpitude.

c. Violation of the terms and conditions of Accreditation

d. Continuous/consistent act showing lack of interest as accredited voluntary arbitrator such as failure to attend national and chapter assemblies of PAVA and continuing professionalization program jointly sponsored by NCMB and PAVA.

e. Violation of the NCMB Code of Professional Responsibility for AVAs of Labor- Management Dispute

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f. Repeated and flagrant delay in rendering and submitting decisions and/or awards.

C. Procedures for De-listing as a Sanction

C.1. Complaints Initiated at PAVA Level — The PAVA may initiate conduct of formal investigation involving complaints affecting its members in accordance with their internal rules of discipline and subject to the due process requirement. Its decision imposing any disciplinary action short of de-listing shall be submitted to the NCMB for record purposes and dissemination to its Regional Branches.

If the recommended sanction is de-listing of member-arbitrator, the PAVA shall transmit its report of findings and recommendations to the NCMB which shall evaluate the same and take the appropriate action in accordance with the Procedures laid in these Guidelines.

C.2. Complaints at the NCMB Level — Complaints leading to de-listing whether initiated at the PAVA level or filed directly with the NCMB must be written under oath and filed formally with the Office of the NCMB Executive Director, copy furnished the AVA concerned. Supporting evidences must be attached to the written complaint to justify de-listing from the Roll of AVAs.

In processing the complaint, the following procedures shall be observed:

1. No arbitrator shall be de-listed from the Roll of AVAs without at least sixty (60) days notice unless the NCMB Executive Director has justifiable reason that warrants immediate action to avoid undue damage and prejudice to the public, in which case, the arbitrator may be suspended pending final determination of his de-listing in accordance with the procedures laid down in these Guidelines.

2. The AVA subject of a complaint for de-listing shall have the opportunity to submit a written response and evidence, oral or documented, why his accreditation should not be cancelled.

3. All complaints leading to delisting shall be decided by the NCMB within 30 calendar days from filing of the complaint.

4. Decision on delisting shall be final and executory upon receipt by the arbitrator of the decision.

III.

The Accreditation and De-Listing of Voluntary Arbitrators shall be a centralized undertaking of the NCMB. All recommendations for these purposes including pertinent documents shall be submitted to the Central Office through the Voluntary Arbitration division for initial evaluation and review.

These guidelines shall take effect upon signing hereof.

Adopted: 06 January 1997

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