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CLARIFICATORY GUIDELINES ON THE MANPOWER MANAGEMENT OF CARGO HANDLING (CH) SERVICE PROVIDERS AT PPA PORTS (NOT ALLOWING OUTSOURCING)

PPA OPERATIONS MEMORANDUM ORDER NO. 01-2013, April 11, 2013

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Consistent with the policy of the Authority that only one (1) CH Service Provider shall be allowed to engage in arrastre/stevedoring services in the same port to ensure effective supervision, control and management thereof and administration of the premises of CH operations thereat, the following clarificatory guidelines are hereby issued:

- No business company or enterprise shall perform work as a stevedore or arrastre contractor within the premises of the Authority unless in possession of a permit or contract duly issued by the Authority.

- The CH Service Provider shall only be under one (1) management or administration, whereby it shall have only one (1) operational setup and only one (1) book of accounts where all the financial transactions of the organization such as billings, collections, disbursements, etc. shall be recorded. No subcontracting of the services and such other process with similar or allied effect shall be allowed since this would to defeat the concept of one (1) management for the entire organization.

- The CH Service Provider binds itself to pay promptly, as they fall due, the wages and salaries of all workers and employees, without the intervention whatsoever of any third party.

- The CH Service Provider binds itself to have available at all times sufficient manpower or labor force necessary to carry out and perform any and/or all of the CH services covered by the permit or contract. In no case, shall loading or unloading of cargoes be delayed due to unavailability of gang workers at any given time except under meritorious circumstances.

- The CH Service Provider shall maintain a twenty-four (24) hour work schedule on a two (2) or three (3) shift basis. Said working schedule shall take into account the schedule of arrival and departure of vessels in the port. In ports where accredited labor unions are present, the CH Operator shall install appropriate coordination with the union to ascertain that all requests for deployment of workers by ship owners or representatives shall be met at least two (2) hours before the prescribed start of shift.

- All regular, contractual, and/or casual employees shall be covered by the Portworkers Retirement and Separation Fund (PRSF) and other benefits pursuant to pertinent provisions of PPA Administrative Order No. 01-2006, as amended.

Exceptional cases will be allowed as may be authorized by Management with the submission of the following requirements:

- Prior approval by PPA for the CH Operator to sub-contract certain services such as cement unloading and bagging that the regular port workers decline to render.

- Waiver executed by the CHO’s labor union.

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- Approval of such by the National Union of Portworkers of the Philippines (NUPP) and the Trade Union Congress of the Philippines (TUCP).

- Official notification to the Local Office of the Department Labor and Employment.

In view of the foregoing, the PMO concerned as an authorized representative of the Authority must exert every effort to ensure that the employer-employee relationship exists between the CH Operator and its portworkers both to serve and promote the interest of the port's clients while providing fair and equitable consideration and accommodation of the welfare and interest of the port labor.

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