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DUTIES AND RESPONSIBILITIES OF THE NATIONAL WAGES AND PRODUCTIVITY COMMISSION, REGIONAL TRIPARTITE WAGES AND PRODUCTIVITY BOARDS, BUREAU OF WORKING CONDITIONS AND DOLE REGIONAL ...

DOLE DEPARTMENT ORDER NO. 104-10, May 27, 2010

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SECTION 1. Basis - This Order is being issued pursuant to Article 101 of the Labor Code of the Philippines, Department Order Nos. 3 (1988) and 33 (1991) and Executive Order No. 366 (DOLE Rationalization Plan) which provides for the transfer of the functions of the Wage Standards Division of the Bureau of Working Conditions (BWC) on formulation of rules and regulations, interpretative bulletins and standard related to Facilities Evaluation (FE) and Time and Motion Studies (TMS) to the National Wages and Productivity Commission (NWPC).

SECTION 2. Purpose - The purpose of this Order is to clarify and delineate the functions and responsibilities among concerned DOLE agencies in the conduct of FE and TMS.

SECTION 3. Delineation of Duties and Responsibilities – The specific duties and functions of the concerned agencies are as follows:

1. BUREAU OF WORKING CONDITIONS (BWC)

a. To turn over the records including summary reports on the regional implementation of FE and the conduct to the NWPC;
b. To provide the necessary assistance in the review of existing rules and guidelines upon NPWC's request; and
c. To assist in the conduct of training on FE and TMS for concerned DOLE agencies such as the BWC, DOLE Regional Offices (DOLE ROs) and the Regional Tripartite Wages and Productivity Boards (RTWPBs), upon NWPC's request.

2. DOLE REGIONAL OFFICES (DOLE ROs)

a. To assist in the conduct of training on FE and TMS for concernerd DOLE agencies in their respective regions, upon the RTWPB's request;
b. To monitor the implementation of approved FE and TMS; and
c. To submit a report on compliance to approved FE and TMS to the DOLE Regional Director, copy furnished the RTWPBs.

3. National Wages and Productivity Commission (NWPC)

a. To conduct training on FE and TMS for NWPC, RTPWBs and DOLE RO's;
b. To review existing rules and guidelines on FE and TMS and where necessary, amend or revise policies, directives and existing laws;
c. To review FE Orders and Time and Motion Standards prepared by the RTWPBs, prior to their implementation;

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d. To conduct information awareness campaign; and
e. To extend technical assistance to RTWPBs on FE and TMS, where necessary.

4. Regional Tripartite Wages and Productivity Boards (RTWPBs)

a. To conduct actual FE and TMS upon request or application of an establishment;
b. To submit to the Commission for its review and affirmation, all FE Orders and Time and Motion Standards, prior to implementation;
c. To provide technical assistance to DOLE Regional Offices in the implementation of existing rules, guidelines and standards on FE and TMS; and
d. To conduct information awareness campaign.

SECTION 4. Enforcement - The inspection of the implementation of approved standards as a result of the conduct of the FE and TMS shall be the sole and legal function of the inspectorate arm of the DOLE.

SECTION 5. Reporting – DOLE Regional Offices shall submit summary reports to the RTWPBs which in turn, shall submit the same to the NWPC and to the DOLE Secretary.

SECTION 6. Separability Clause – If any part or provision of this Order is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue in full force and effect.

SECTION 7. Effectivity - This Department Order shall take effect fifteen (15) days after its complete publication in two (2) newspapers of general circulation.

(SGD.) MARIANITO D. ROQUE
Secretary of Labor and Employment

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