



PASAR Row Ends

NCMB reported recently the settlement of the labor dispute at Philippine Associated Smelting and Refining Corporation (PASAR).

PASAR owns and operates the only copper smelter and refinery in the Philippines. It is located in LIDE, Isabel, Leyte.

Union and management representatives of the company earlier sought the assistance of NCMB after plant-level negotiations for the last two years of their CBA resulted in a deadlock.

Labor Secretary Marianito D. Roque assumed jurisdiction over the dispute on June 16, 2010 after the parties remained firm in their respective positions despite conciliation efforts to find a mutually beneficial solution to the impasse.

Notwithstanding the assumption order, the parties continued their negotiations that resulted in a compromise agreement signed at the plant on June 23, 2010.

They formalized their compromise agreement through a joint manifestation which they submitted during the preliminary hearing on June 25, 2010. The agreement thus, rendered moot and academic the order issued by the Secretary.

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TVAAC Finalizes Schedule of Interview for VA Applicants

The Tripartite Voluntary Arbitration Advisory Council (TVAAC) held its 71st Special Meeting on May 19, 2010 at National Conciliation and Mediation Board, Executive Director's Conference Room, Arcadia Building, on Quezon Avenue in Quezon City on May 19, 2010.

The council discussed the re-scheduling of the interview of pre-qualified applicants for accreditation as Voluntary Arbitrator. Originally, the schedule for Luzon applicants was on May 18-19, 2010 and for Visayas and Mindanao applicants on May 25-26, 2010. For Luzon applicants, the

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Seaman gets \$15,000 thru NCMB assistance

Last April 26, 2010, Joffrey M. Luzaran, a utility crew member on board the M/S Norwegian Star, received from his agent, CF Sharp Crew Management, Inc. the sum of \$ 15,000.00 or P660,750.00.

The amount represents claims for disability, illness allowance, and reimbursement of medical expenses.

His case is one of the 59 monetary claims involving shipping companies processed by NCMB-NCR last year.

Originally docketed as notice to arbitrate (NTA), his case was amicably resolved through the efforts of NCMB-NCR Conciliator-Mediator Amorsolo V. Aglibut.

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Surigao port dispute ends

BUTUAN CITY – The strike at the Surigao City Port, which hampered passenger and cargo handling operations for four days, ended on April 22, 2010, after concerned parties forged a compromise agreement to settle their problems amicably.

Top officials of the Department of Labor and Employment's Regional Coordinating Committee (DOLE-RCC) and the National Conciliation and Mediation Board (NCMB), as well as PPA-PMO, city government of Surigao led by Mayor Alfonso Casurra and the Surigao Chamber of Commerce and Industry, Inc., mediated between the

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Holcim's La Union Plant wins 2009 best LMC award

Holcim Philippines La Union Plant in Bacnotan, La Union has won the title of 2009 Best LMC Award for Industrial Peace in the Philippines in the Search for Most Outstanding LMC.

The search ran from March through November 2009. Awarding of the winners was conducted in Cebu City in November 2009 and was held in coordination with PHILAMCOP.

Holcim was cited for its exemplary effort in upholding the advocacy of a dynamic labor-management partnership through the effective practice of Labor-Management Cooperation at the enterprise.

The award was another achievement of the leadership of OIC Director Carmina B. Alonzo. (Marina S. Agcaoili)

REGIONAL NEWS

Dole South LMC Implements Food for Life Program

Dole Stanfilco's policy statement provides that the company is committed to make meaningful contribution in the improvement of the worker's quality of life and to promote corporate citizenship in a socially responsible manner.

The company adheres to this commitment and believes that the totality of a person must first be addressed for them to live quality life. In fact, it does not only increase the income of its workers but constantly educates them. However, the company would not be able to sustain its policy without the help and cooperation of its workers. This is where labor-management cooperation comes in.

In line with the LMC objectives, the company implements social service programs for the workers' family members as well as for the community. Otherwise known as "Health Bazaar," the Food for Life Program is a concerted effort to impart knowledge to the

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DMPI holds search for best plantation LMC

Bukidnon – The Del Monte Philippines Incorporated (DMPI Plantation), through its Top Level Labor Management Cooperation (LMC), held the Camp Level 1st Search for Best Plantation LMC 2010 at the DMPI Plantation Training Room, Camp Philips, Manolo Fortich, Bukidnon last May 17 and 24, 2010.

The search contenders were Camp Sumilao LMC, Far East CPU-LMC, Camp Philips LMC, Camp JMC LMC, Camp LFL LMC, and Camp 14 LMC.

For its efforts during the presentation as well as the consistency of its program activities, Camp JMC LMC won the search.

RCMB 10 Director Florido J. Akut, DOLE 10 Assistant Regional Director Sisinio Cano, and Xavier University Professor Mr. Sauro Obera acted as judges of the search.

The search aims to recognize the concrete coordination and stronger ties

CDC CITES NCMB REGION 3 IN 2ND CLARK AWARDS

The National Conciliation and Mediation Board – Region 3 was recognized by Clark Development Corporation (CDC) in the recent 2nd Clark Awards held at Hotel Stotsenberg, Clark Freeport Zone last April 21, 2010.

CDC cited the branch for its invaluable support and assistance in the preservation of the industrial peace and harmony in Clark Freeport Zone through the efficient and amicable settlement of industrial disputes, preventive mediation of labor issues, and active advocacy on labor and management cooperation.

Director Darrow P. Odsey, accompanied by ConMed Maribeth N. Gopez, accepted NCMB RBIII's certificate of recognition from CDC President and CEO Benigno Ricafort and CDC EVP Philip Panlilio.

Likewise cited at the Clark Awards as CDC government partners were the 600th Air Base Wing of the Philippine Air Force, 7th Infantry Division of the Armed Force of the Philippines, Bureau of Customs-Clark, Bureau of Immigration-Region 3, Bureau of Internal Revenue, Civil Aviation Authority of the Philippines, Clark International Airport Corporation, Clark Locators and Investors Association,

between labor and management as a way towards sustainable industrial peace and improved quality and productivity.

The DMPI Plantation LMC structure is composed of top level committee which serves as the steering committee, while the sub-committees comprise of six camps, acting as the working committees in each farm. Each camp LMC has standardized major programs to work on, namely: productivity improvement; livelihood/income generating projects; family welfare program; sports and recreation; and improved working



Department of Energy, Department of Foreign Affairs, Home Development Mutual Fund (PAG-IBIG), Kapampangan Development Foundation, Philippine Health Insurance Corporation, Philippine National Police-Region 3, Social Security System, and Subic Clark Alliance Development Council.

The Clark Awards, which started only in 2009, aims to confer awards of excellence to top performing locators and investors. It recognizes the valuable economic, social, and development contributions of Clark Freeport locators, as well as notable business and people management practices and successes.

Included in the awards were Overall Performance, Outstanding Employment Performance and HR Management, Outstanding Environment and Health Management, Outstanding Investment Performance and Outstanding New Investor. (Rodieneil A. Cayaco)

condition/employee benefits, safety, and environment protection.

The criteria and guidelines for the search were as follows: 1) LMC Organizational Set-up/Structure (10 points); 2) LMC Programs and Projects (50 points); 3) Labor Relations (15 points); 4) LMC Impact on Corporate Social Responsibility (15 points); and 5) Final Presentation during the Search (10 points).

Special awards were also at stake in the search such as best in productivity improvement, livelihood/income generation, and labor relations/ community outreach. (Junaliza S. Aragon)

RCMB-XI Hosts Skills Upgrading Seminar-Workshop for NCMB LIOs

The Regional Conciliation and Mediation Branch XI, in coordination with the National Conciliation and Mediation Board Central Office, hosted the Skills Upgrading Seminar-Workshop for NCMB labor information officers (LIO) last June 2-5, 2010. The activity was held at the Fernandez Beach and Garden Resort, Island Garden City of Samal, Davao del Norte.

The seminar-workshop aimed primarily to develop and improve the skills and knowledge of NCMB LIOs in writing journalistic articles, particularly news and features and to come up with new updates and materials for the NCMB Chronicle.

It also aimed to establish camaraderie and teamwork among the participants.

Deputy Executive Director Johnson G. Cañete delivered the welcome remarks, while Internal Service OIC Lucita O. Caudilla gave an overview of the seminar.

Ms. Ema Aguirre oriented the participants on the house rules.



Thereafter, RID Chief William E. Calina presented the NCMB 2010 Communications Plan, followed by his discussion on Fundamental Rules of Usage.

Meanwhile, Director Nicon F. Fameronag gave emphasis on the techniques in developing feature and news articles. He also discussed the types of feature articles, its functions, structure and parts, the elements of news writing and their do's and don'ts.

Open forum, workshop, presentation and critiquing of written outputs followed.



The seminar concluded with the distribution of certificates of completion by no less that Exec. Director Reynaldo R. Ubaldo, assisted by DED Cañete and RCMB-XI Director Isidro Cepeda.

Three LIOs also received recognition during the closing ceremonies. They are: Ms. Junaliza Aragon, Most Prolific Female LIO, Mr. Remus Caducoy, Most Prolific Male LIO and Ms. Pamela R. Babalcon, Special Award.

The participants who represented their respective regional branches are as follows: Arthur R. Audea, Felix G. Belza Jr., Lovelyn S. Papas, Geraldine P. Orihuela, Sandra C. Comla and Guia Roa S. Soriano (Central Office); Joan Ester O. Mabilangan, Grace F. Estorque and Renato R. Canutal (NCR); Cresencia M. Pawingi (CAR); Marina S. Agcaoili (RB-I); Minda B. Tungpalan (RB-II); Rodieniel A. Cayaco (RB-III);



Corazon M. Fegi (RB-IVA); Luzviminda R. dela Cruz (RB-IVB); Eflada A. Hourani (RB-V); Maricel D. Golez (RB-VI); Remus M. Caducoy (RB-VII); Pamela R. Babalcon (RB-VIII); Joyce Ann S. Capito (RB-IX); Junaliza S. Aragon (RB-X); Connie Beb D. Aya and Dennis M. Galorio (RB-XI); Sheena V. Demata (RB-XII); and Ma. Theresa M. Francisco (RB-XIII).

After the seminar, the participants were treated to a tour of the different landmarks of Davao Cityg like the Davao Museum, City Hall, People's Park, Jack's Ridge and Aldevinco Shopping Center. (Dennis M. Galorio and Connie Beb D. Aya)



Executive Director Reynaldo R. Ubaldo, in his closing remarks, encouraged the participants to continue their passion to write and shared the following acronyms: RTW - read, think and write; KISS - keep it simple and sensible.

For hosting this year's seminar for NCMB LIOs, RCMBXI director Isidro Cepeda receives a token of appreciation from the Central Office.



REGIONAL NEWS

NCMB INTENSIFIES PROGRAMS FOR LABOR AND MANAGEMENT

Bent on sustaining the prevailing conflict-free labor relations atmosphere in Region 2, the NCMB – Regional Conciliation and Mediation Branch No. 2 has intensified its programs to enhance labor-management relationship between its social partners through the conduct of plant orientation seminars on labor-management cooperation (LMC), grievance handling and voluntary arbitration. The branch believes that the seminars will effectively equip the participants with the requisite attitudes, skills and knowledge in the proper handling of issues and concerns affecting their relationship.

For the first semester, a series of seminars were conducted in CAGELCO I, Maddarlug, Solana, Cagayan on April 17, 2010; Solano Pioneer Press in Solano, Nueva Vizcaya on April 23, 2010; and St. Mary's University, Bayombong, Nueva Vizcaya on May 15, 2010.

Other plant orientation seminars are slated, among others, on May 28, 2010 in ISELCO II, Ilagan, Isabela; June 3, 2010 in Dalton Academy, Alicia, Isabela; and June 11, 2010 in ISELCO I, Alicia, Isabela.

In another development, the branch facilitated the successful signing of the LMC Memorandum of Agreement (MOA) in Solano Pioneer Press last May 21, 2010 as a result of the orientation seminar and drafting of their LMC-MOA held in the plant last April 23, 2010.

Called the Pioneer United Movement for Progress (PUMP), the company's labor-management council demonstrated its noble intention to join hands in cooperation and unity towards the attainment of a harmonious, equitable and stable employment relations that will promote open communication, mutual concern and enormous commitment between the workers and management. (Minda B. Tungpalan)

MIMAROPA establishes first association of industrial peace advocates

The National Conciliation and Mediation Board's Regional Branch No. IV-B (Mimaropa) set-up its first labor management cooperation (LMC) and grievance machinery (GM) association of industrial peace advocates in Palawan, one of the best tourism destinations in the country. The establishment of Palawan Industrial Peace Advocates (PIPA) was an outcome of the LMC convention held in Waterfront Hotel, Cebu City in November 2009.

Then RCMB IV-B Director Ma. Elena M. Hernandez initiated the formation of the association. Director Hernandez was challenged by the feedback of stakeholders that MIMAROPA was the only region that did not have delegates during the parade of banners in the convention.

The founding of PIPA coincided with the Learning Session on 21 January 2010. The PIPA has seventeen establishments as official members.

The first elected officers of the PIPA are as follows: President, Noel

Callorina; Vice-President, Anna Ong (Management) and Ronie Fiedecan, (Labor); Secretary, Brenda dela Rama (Management) and Flordeliza Ria Manuel (Labor); Auditor, Evelyn Pua; and Press Relations Officer, Ricardo dela Torre. The Board of Directors are Lydia Tanaman, Jay Mari Chan, and Haydera Maute, Management; and Rodante Pring and Irene Caspillan, Labor.

Immediately after the election, the PIPA sat down to plan its activities, one of which was induction of officers by no other than Executive Director Reynaldo R. Ubaldo. Newly assigned RCMB-IVB Officer-In-Charge Mr. Gil Caragayan, with the assistance of Director Hernandez, helped the officers formulate their mission and vision statements.

On 15 April 2010, the PIPA officers took their oath at the Palawan provincial capitol, after the learning session facilitated by the branch with Executive Director Ubaldo and OIC Caragayan as resource speakers.

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NCMB CONDUCTS SEMINAR ON EMPLOYEE-MANAGEMENT RELATIONSHIPS

Thirty-seven participants representing twenty three companies attended the first phase of the seminar on Enhancing Employee-Management Relationship held at the PEZA Administration Office, Lapu-lapu City last May 17, 2010.

The half-day seminar conducted by the National Conciliation and Mediation Board in coordination with the Mactan Economic Zone aimed to improve relationship in the workplace and enhance working environment.

Atty. Ann Marie B. Pableo from PEZA welcomed the participants composed of human resource, finance, administration staffs, supervisors,

managers, purchasers, production staffs, nurses, and interpreters.

Among those present were companies like Kenko Tokina Slik Corp., Sports Royal Inc., Taiyo Yuden Phils. Inc., Modern Times Int'l Inc., Phil Makoto Corp., La Galucuche, J. Queen Embroidery, Maitland-Smith Cebu Inc., Cebu AOI Dev. Tech Corp., Aso Phils. Inc., Cebu Chip Connections, Inc., PRS Tech Inc., Formosa Garment Printing, Muramoto, Phil-Union Frozen Foods, Inc., Cebu Iwakami Corporation, Phil. Kenko Corporation, AEI Enterprise, Inc., Pentax Cebu Phils, Corp., Halsangz Plating Cebu Corp., Italkarat 18 Inc., Maple Factory 2, Phil-Japan Metals.

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REGIONAL NEWS

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Notwithstanding the assumption order, the parties continued their negotiations that resulted in a compromise agreement signed at the plant on June 23, 2010.

They formalized their compromise agreement through a joint manifestation which they submitted during the preliminary hearing on June 25, 2010. The agreement thus, rendered moot and academic the order issued by the Secretary.

The agreement benefits some 708 workers with an estimated P65M in CBA package spread over two years, from April 1, 2010 to March 31, 2012.

NCMB also reported the successful resolution of the disputes involving Hi-Eisai Pharmaceutical Corporation, Inc. and Cathay Pacific Steel Corporation, both in NCR.

The dispute at Hi-Eisai Pharmaceutical Company involved Federation of Free Workers (FFW) Hi-Eisai Pharmaceutical Workers Chapter, which filed a notice of strike against the company on June 3, 2010, alleging deadlock in bargaining negotiations, particularly on salary increase, signing bonus, mid-year bonus, car plan, and additional dependent (HMO).

The company also filed a notice of lockout against the union on the same day, raising the issues of wages, mid-year bonus and signing bonus.

On 22 June 2010, the parties signed a compromise agreement.

The agreement includes provisions for P1,200 per month additional basic pay to each covered employee, merit reward based on performance of P800 per month, one-time financial assistance of P1,000 for each covered employee, funeral benefits, rice subsidy of P1,000 per quarter for each covered employee, signing bonus of P5,000 for each employee, medicine allowance, dental benefits and prescription glasses.

Total CBA package amounted to P6,384,320 benefiting 71 workers.

The labor dispute at Cathay Pacific Steel Corporation was likewise settled through conciliation on June 9, 2010.

The union, Samahan ng Manggagawa ng Capasco – Taguig (SAMACAT), accepted management's offer of P2.7M as separation pay for twenty union members.

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workers' family members and their communities on the health, safety and proper nutrition. The program aims to teach parents to value the essence of good nutrition, be familiar with human reproductive health system and be aware of common infectious diseases and their ill effects.

Human Resource Manager Deogracias F. Mocam says, "We are now in another step of the ladder. This is how LMC works in DOLE Stanfilco (South)."

Last May 1, 2010, DOLE Stanfilco (South) fed 242 children who came with their parents to seven day care centers in Barangay Poblacion of Valencia City. These day care centers were listed with most number of depressed families.

Since January 1, 2010, almost 2,000 children have been fed and a number of mothers have received lectures on proper nutrition, low cost but nutritious food, TB, proper hygiene, AH1N1 and reproductive health care awareness.

A mother of seven, Marilou C. Cablinda said, "We are fortunate for having food for life program in Valencia City. Compared to other areas of Bukidnon, this is peculiar."

DOLE Stanfilco (South) said that the next Health Bazaar will prioritize undernourished children in elementary schools not only in Valencia City but also in the farm areas with DOLE Stanfilco pineapple plantation. The said activity will be made possible during the nutrition and children months of July and October, respectively. (Junaliza S. Aragon)

NCMB REVIVES LMC AT WORK

Beginning July this year, NCMB will resume publication of **LMC at Work**.

The publication will showcase success stories of companies with LMCs to be used as information, education and communication (IEC) materials in promoting LMC.

NCMB hopes to attract more adherents to LMC with the resumption of this publication.

The Board plans to publish **LMC at Work** monthly. Each issue will feature success stories of the winners in the the 2009 Search for Outstanding LMC Award for Industrial Peace.

NCMB IX MOVES DESPITE TURMOIL

On January 27, 2010, NCMB IX embarked on a journey to Sitio Canatuan, province of Zamboanga del Norte amidst the climate of fear of ambush and kidnappings lingering around Region 9.

The mission was to conduct a three-day re-orientation and skills enhancement seminar at TVI Resource Development Phils., Inc (TVIFFRD) to teach the need for bipartite plant-level communication and dispute resolution mechanisms that the parties could turn to in addressing workplace problems.

TVIFFRD is the Philippine affiliate of TVI Pacific Inc., a publicly-listed Canadian mining company focused on exploration and production of precious and base metals from district scale large system, with high margin projects located here in the Philippines. The company employs some 800 workers, including its highly technical management personnel, security forces, and rank and file workers.

TVIFFRD management expressed its sincere interest in the LMC program and has requested the branch to conduct plant-level re-orientation and skills enhancement seminar. Without hesitation, NCMB Director Marjuc A. Jumrani, assisted by Con-Med Reynaldo S. Foncardas and Supervising LEO, Grace Joy S. Bautista braved the highways and byways of the region leading to Sitio Canatuan, Barangay Tabayo, Municipality of Siocon, Zamboanga del Norte, where the establishment is located.

Upon arrival at the camp site, they immediately proceeded with the seminar, which drew 19 attendees. Two topics, which were specifically requested by the management were presented: workers rights and management prerogatives and employee discipline that were discussed by Con-Med Foncardas and Director Jumrani, respectively. An open forum

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REGIONAL NEWS

LAMACOP-SOCSARGEN changes name

After a series of meetings, officers of Labor-Management Cooperation Practitioners Advocates- SOCSARGEN (LAMACOP-SOCSARGEN) have finally agreed to change its name to AIPA-S, or the Association of Industrial Peace Advocates of SOCSKARGEN, revolutionizing its transformation from a passive supporter to an active enthusiast and advocate of industrial peace.

The group has been aspiring to include the unorganized establishments in promoting industrial peace, hence, the decision.

The officers are optimistic that the majority of the general membership will ratify the new constitution, by-laws, and articles of incorporation, as well as the

change of its name during the general assembly. The general assembly seeks to obtain more force and support in its advocacy for industrial harmony in the region.

The effort and enthusiasm of the AIPA-S officers are so contagious that they hope to share them with other members and association's members-to-be. The officers comprise of two empowered women and seven men from different companies of different industries within the region. They have untiringly assembled, collected ideas from each other and committed to carry out the goals of the association towards the road of achievement. (Sheena V. Demata)

Surigao port dispute . . . from page 1

striking labor union and the brokerage firm at the Tavern Hotel, at the waterfront.

In their two-page compromise agreement, the Prudential Customs Brokerage and Stevedoring Inc. (PCBSI) pledged to give medical benefits to the workers and to reinstate, effective April 23, 2010, workers who were eased out in the redundancy program of the company. The company will also rehire four employees on request of the union.

The compromise agreement, which was signed by all concerned parties, provided that the Philippine Ports Authority (PPA) would ensure and pursue the payment of retirement benefits due the workers based on their length of service.

"All other terms and conditions of employment that the parties have agreed on before the NCMB office as evidenced by the list of demands and counter offer that they have submitted and considered by them as settled or acceptable shall form part of the agreed terms and conditions of employment in this compromise agreement," the two-page signed agreement stated.

Director Romualdo B. FLorante expressed satisfaction at the peaceful resolution of the dispute and thanked the other agencies who went out of their way to cooperate in the early settlement of the strike. (Tess M. Francisco)

MOTHERS ARE SPECIAL AT NCMB



"*Totoo pala ang kasabihan, mahirap na m a s a r a p ang maging i s a n g mommy,*" says first-time mom L i a n e

Tadeo, as she shared her experience during a Mother's Day tribute activity held by the National Conciliation and Mediation Board (NCMB) at its central office last May 11, 2010.

The tribute almost didn't push through. But the NCMB Singles led by Deputy Executive Director Johnson G. Cañete and Financial and Management Division Chief Lulu Estioco decided that lack of funds should not deter anyone wishing to pay tribute to mothers. They pooled their personal resources and prepared a simple celebration of Mothers' Day.

That afternoon, officials and employees alike took a respite from their

NCMB IX MOVES . . . from page 5

followed for exchange of ideas and participative discussion.

On the second day, Supervising LEO, Mrs. Grace Joy S. Bautista commenced the seminar with the discussion on LMC framework and modalities, followed by Director Jumrani's discussion on alternative dispute resolution (ADR).

To wrap up the seminar, they also conducted a workshop on action planning so as to equip the workers in handling situations related to their duties as LMC members.

The discussion followed the revision of their LMC guidelines which the Branch was requested to assist and witness. The final draft was then presented to the top management for approval.

As a result of the discussion, the participants adopted the word PIKSOLOBUKAN, a Subanon term for unity/oneness of the group as the name of their LMC. Thus, it was named as TVIRD PIKSOLOBUKAN (LMC) GUIDELINES.



On the following day, the signing of LMC guidelines by the members of LMC culminated the activity with the hope that the workers would soon enjoy the benefits of improved workplace relations and corporate responsibility, better management practices and higher productivity. (Joyce Ann S. Capito)

respective tasks to celebrate an important day. The tribute-cum celebration took off on the right note when hosts Guia Soriano and Renz Fajardo shared the history of mother's day celebration and how the different countries in the world commemorate the occasion in various but unique ways.

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INDUSTRIAL PEACE: A SHARED RESPONSIBILITY

The best proof of industrial peace is a decrease in strikes. While the country's labor relations system is undergoing serious upheavals, industrial peace is now a fact of life. As labor remains vigilant – with unions and unionized workers growing in number and asserting their rights for increased benefits and a greater share of the fruits of production – it has become more mature and more inclined to pursue its demands through peaceful means. The Department of Labor and Employment has set up a number of mechanisms for the amicable settlement of labor-management disputes, which are now often ironed-out peaceably to the satisfaction of both sides.

The 1987 Constitution strengthened the labor-management relations in the country. It provides under paragraph 3, section 3, Art. XIII that “the State shall promote the principle of shared responsibility between workers and employers and the preferential use of voluntary modes of settling disputes including conciliation, and shall enforce their mutual compliance therewith to foster industrial peace.”

This provision paved the way for the creation of the National Conciliation and Mediation Board (NCMB), an agency of the DOLE tasked to undertake the conciliation-mediation function formerly of the Bureau of Labor Relations. Aside from this, the NCMB promotes other modes of labor dispute settlement such as grievance handling, voluntary arbitration and labor-management cooperation.

When the concept of preventive mediation service was introduced in 1988, not a few labor-management conflicts were settled without the pressure of a threat of strike or lockout. This provided both labor and management a venue to discuss their differences even before a dispute reaches a level where the union would be forced to launch a full-blown strike, and the management would resort to a lockout.

The signing of the Industrial Peace Accord (IPA) in 1990 had also helped to maintain industrial peace. Under this compact, both labor and management have agreed to adhere to the amicable settlement of disputes rather than through strikes and lockouts, which are to be resorted to only or when all peaceful avenues fail.

But even with the attainment of industrial peace, the number of unions has increased, and so has union membership. It goes without saying that with the increase in the number of labor unions, the number of collective bargaining agreements (CBAs) correspondingly went up. More and more workers are now covered and protected by CBAs. This is because the core of industrial relations in the country is enterprise-based collective bargaining, a system where the employer and the union, as the certified bargaining agent of the workers in the enterprise, negotiate and conclude bilateral agreement generally on wages and benefits, working conditions, hours of work, union recognition and security, and management prerogatives.

It must be understood then that collective bargaining also serves as a dispute settlement and prevention system. However, when collective negotiations between the parties do not result in the successful signing of a CBA, and end up, instead, in an impasse or deadlock that needs the assistance of a third party, NCMB is tasked to provide conciliation-mediation services.

Grievance machinery is also an essential mechanism in the settlement of disputes arising from the interpretation and implementation of company policies. Republic Act 6715 enacted in 1989 provides for the mandatory use of the grievance machinery as a prerequisite to voluntary arbitration of disputes arising from CBA interpretation.

Unresolved grievances, which used to become the content of most strike notices are now being processed through Voluntary Arbitration as the terminal step in the parties' grievance machineries.

In making industrial peace more stable, the NCMB undertakes various activities such as area-wide and plant-level seminars and skills trainings to equip labor and management with the knowledge and skills in utilizing the grievance machinery and voluntary arbitration in resolving grievances.

Moreover, the NCMB has introduced the concept of labor-management cooperation through the formation of labor-management councils (LMCs) in organized companies and committees in unorganized companies featuring a plant-level scheme

for communication between the parties and participation of workers in decision-making based on mutual trust, respect, cooperation and concern. Many labor problems were prevented from worsening through the LMCs.

Since the establishment of these mechanisms that ensure industrial peace and harmony, labor disputes and strikes, at the most, have been contained. The level of maturity of both labor and management to jointly identify and solve problems can be attributed to the truth that industrial peace is a shared responsibility. That no matter how far government efforts have gone to uphold their mutual interest, the key that unlocks the door to industrial peace lies in the hands of both labor and management. (Minda B. Tungpalan)

MOTHERS ARE . . . from page 6

Chelet Salazar and Kinsy Fulay treated us to video presentations featuring excerpts of last year's celebration and the latest happenings in each of our lives. The videos captured intimate moments with our respective children and family, including clips showing us in action as working mothers. The mothers in the audience got their hearts pinched. And when Marlon Macalla serenaded us with “Inay”, his own composition, this touched everyone's hearts and got us all teary-eyed because it reminded us how truly unselfish and unconditional a mother's love can be.

“*Kahit anong pagod sa maghaponing trabaho, mapapawi lahat pag nakapiling mo ang anak mo,*” Liane concluded in her testimony. I agreed. I myself find solace from my stressful day at work whenever I get home to my son JC, who pampers me with his little hugs and whispers of “*Mommy, I love you*”.

Undeniably, motherhood is, indeed, a priceless experience. I guess that's how all of us felt, as we thanked the NCMB Singles for their efforts to recognize our sacrifices in pursuing our careers while striving to be hands-on moms all at the same time.

That afternoon after the tribute, we all went back to our work assignments with high spirits, hoping and dreaming for another celebration next year.

Who knows, someone among the singles might be joining our club? (Geraldine P. Orihuela)

UPDATES ON NCMB MANPOWER COMPLEMENT AND ISSUANCE OF APPOINTMENT

At the end of the first quarter of 2010, the National Conciliation and Mediation Board (NCMB) has 206 filled up positions out of 230 total plantilla positions.

The administrative division said only 24 positions are vacant, five of which are in the Central Office (CO), while nineteen are in the regional branches. As of date, this manpower complement has not changed, particularly due to Civil Service Commission (CSC) issuance on appointment matters.

Per CSC Memorandum Circular No. 16, s. 2007, the issuance of appointment by an appointive appointing official whose term of office depends upon the pleasure of the President is prohibited after a presidential election up to June 30, unless prior authority has been obtained from the CSC. In compliance with the said prohibition, any action of the Board's appointing official, being a presidential appointee, on any proposed appointment shall be deferred until after June 30, 2010.

The regional selection boards (RSBs) in regional branches with vacant positions are reminded that they can continue to accept applications from interested applicants and conduct their respective screening and selection process, which is not covered by the said CSC prohibition.

Upon completion of the screening and selection process, RSB documents shall be forwarded to the Administrative Division for review, to ensure that all documents are complete and in order. This will also make sure that after June 30, the appointing official can make appropriate action on the proposed appointment and that filling up of vacant positions will not be delayed. (Lovelyn S. Papas)

NCMB officers attend budget forum

National Conciliation and Mediation Board (NCMB) planning officer Marife Fausto and budget officer Felix Belza Jr attended a one-day budget forum last May 17, 2010 at Tejeros Hall, Camp Aguinaldo, Quezon City. The forum was in line with the Department of Budget and Management's FY 2011 Budget Preparation.

The activity started with the distribution of copies of FY 2011 National Budget Call, followed by the opening ceremonies where Secretary Joaquin C. Lagonera spoke. Sec. Lagonera discussed important highlights and overview of the national budget.

Afterwards, DBM Undersecretary Laura B. Pascua discussed the Budget Framework and Macro Economic Assumptions through a visual aid presentation.

DBM Assistant Secretary Luz M. Cantor later presented the Guide to Department/ Agency Budget Formulation and Resource Allocation. A discussion on Specific Preparation Guidelines/Forms and Calendar, facilitated by Director Cristina B. Clasara ensued. Dir. Clasara reminded the forum participants of the deadline for submission of all the required BP Forms, such as the 2009 Actual Obligation and 2010 Current Year Performance Program, as well as the 2009 and 2010 Physical Performance/Targets, which is May 21, 2010. The deadline for submission of the Budget Proposal for 2011 is June 4, 2010.

Usec. Mario L. Relampagos closed the forum. (Felix G. Belza, Jr.)

TVAAC Finalizes . . . from page 1

interview was re-scheduled on May 26, 2010 and for the Visayas and Mindanao applicants, on June 24, 2010.

During the special meeting, members of the council also decided on who should constitute the accreditation committee. They agreed that it would be composed of the TVAAC commissioners and the national president of Philippine Association on Voluntary Arbitration, Inc. (PAVA), Atty. Paterno D. Menzon. (Guia Roa S. Soriano)

National Computer Center Approves NCMB's new ISSP

The National Computer Center has just approved the Board's Information Systems Strategic Plan.

In a letter dated July 21, 2010, NCC Director General and CICT Commissioner Angelo Timoteo M. Diaz de Rivera wrote "... We are pleased to inform you that the ISSP sufficiently identified the critical information systems that will support and address the agency's strategic thrusts and programs. Along this line, we are endorsing the ISSP."

An Information Systems Strategic Plan (ISSP) is a prerequisite for an agency to request funding from the Department of Budget and Management (DBM) for its information technology requirements.

The new ISSP shall be implemented for three years (2011-2013). Major projects included in the plan are: a) Case Docketing and Monitoring (CDMS), which is expected to provide easy retrieval of information on critical cases for speedy action of the Board; b) upgrade of the NCMB website into a transactional one; c) acquisition of e-NGAS servers and workstations for the regions; and d) DSL internet subscriptions for all regions to facilitate communication.

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Seaman gets \$15,000 . . . from page 1

Luzaran filed his claim in December 2009, more than two years after his last contract ended in June 2007.

He said it took him that long to file his claim because the shipping agency did not make good their promise to re-employ him despite being declared fit to work after undergoing a series of medication. (Renato R. Cañutal)

REGIONAL NEWS

1ST INTER-CLUSTER TRAINING ON LIFE AND WORKPLACE HARMONY

The Northern and Central Luzon (NORCEL) and Visayas clusters of the National Conciliation and Mediation Board conducted their first Inter-cluster Training on Life and Workplace Harmony at the Casa Pilar Beach Resort, Boracay, Malay, Aklan on April 22-23, 2010.

Ninety-seven participants attended the said activity of which 13 came from NCMB and 84 were from the various regions, as follows: CAR, 7; Region 1, 2; Region 2, 15; Region 3, 4; Region 6, 25; Region 7, 16; Region 8, 15; and CO, 2. The two-day training included learning sessions on life-work integration, updates on latest jurisprudence on labor laws, and stress management.



Santos "Santi" E. Getalado spoke during the first day of the seminar. He discussed life-work integration, specifically on how to increase productivity and profitability in the workplace by integrating basic issues in life such as family and work, management and leadership, results and relationship, values and principles, and competence and character.

Getalado also stressed that people should be pro-active, be inspired of the future, be happy in every decision for these make a difference in life. "Walk extra mile to achieve optimum productivity," he said.

On the second day of the training, Atty. Von Lovel D. Bedona discussed labor relations. He emphasized that basic understanding of the management prerogatives, as well as the

constitutional and statutory rights of the workers, are vital elements to achieve industrial peace (Section 3, Article XIII of our Constitution). He also cited and discussed to the participants the latest Supreme Court decisions involving labor cases on specific labor code provisions.

Open forums followed each topic.



Deputy Executive Director Johnson G. Cañete also talked about stress management. He pointed out that stress could be bad but could also be good for it provides stimulation and challenge to a person. Other important points about stress discussed were the following:

- There is no such thing as a stressful situation, there are only stressful responses to situations;
- Stress is not in the situation, stress is in people;
- What is stressful to one can be normal to another. Some people even thrive better under stress;
- People differ from each other. To cope with stress, know how your body functions;



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NCR & IV-B holds TEE in ZaNorte.

The Regional Conciliation and Mediation Boards NCR and IV-B flew all the way to Zamboanga del Norte, for their Team Enhancement Exercises last April 22, 2010.

The officers and staff did not hesitate to draw money from their own pockets for the plane tickets just to be able to join the trip.

The three-day activity was a mixture of work and leisure. Chief LEO Ma. Delia D. Yu gave some insights on the Strength – Weakness – Opportunity - Threat (SWOT) analysis, while Dir. Ma. Elena M. Hernandez took charge on the assessment of NCR's existing SWOT, which brought several resolutions and action plans. The activity was wrapped up by OIC Dir. Gil Caragayan with his lecture on "20 Inspirational Keys, Secrets for Winning at Work", which was very relevant and inspiring.

With a full- packed schedule, the NCR & IV-B people still managed to squeeze in side trips, and did not waste the chance to dip into the waters of the famous Dakak Beach Resort, took a roller-coaster ride in Fantasy Land, visit the historical Dapitan Shrine and tour the quiet and warm city of Dipolog.

The socials night, likewise, was extra special. Thru the initiative of executive director Reynaldo R. Ubaldo, the group from Manila was able to mingle with the people from the Mindanao Cluster headed by director Marjuc Jumrani, director Florido Akut and OIC director Jun Orihuela. The affair was proof that NCMB is one family, even though regional offices are islands apart.

The Team Enhancement Exercise was very fruitful and rewarding. It became a channel of communication between the Director, Conciliator- Mediators, Technical and Administrative staff and it also became a venue for clarification of certain issues between NCR & IV-B personnel and Executive Director Reynaldo R. Ubaldo. (Joan Esther O. Mabilangan)

REGIONAL NEWS

Area Wide Seminar Gives Birth to ZANIPA

The National Conciliation and Mediation Board RB-9 conducted a two-day Area Wide Seminar on alternative dispute resolution (ADR) cum case analysis at Camila 1 Hotel, Dipolog City on April 21-22, 2010.

The seminar aimed to inspire and stir the consciousness of the participants regarding the need for bipartite plant-level communication and dispute resolution mechanisms as a means of improving workplace relations.

As a result of the seminar and a manifestation of their interest, the participants formed the Zamboanga del Norte Industrial Peace Advocates (ZANIPA), whose avowed function is to spread the gospel of cooperation and to promote and maintain industrial peace.

Elected officers of ZANIPA were as follows: President, Wilson Mabilog Jr. (HRMO/PESO Manager, LGU Dipolog City); Vice President, Dr. Noel R. Galeza (Dean, Saint Joseph of Sindangan); Secretary, Sylvia B. Sumondong, Saint Vincent' College; Treasurer, Geocyl Necesario, Wilmar Edible Oil Phil. Inc.; Auditor, Jessie O. Ampo, Prudential Customs Brokerage Services, Inc. and P.I.O, Buenfronio O. Ocupe, Dipolog City Institute of Technology.

The seminar is part of a continuing program of the NCMB to promote its advocacy for bipartite plant-level dispute prevention and resolution mechanisms that leave the dispute settlement process to the parties who are expected to find mutually acceptable solutions to their problems with minimal government or third party intervention.

Thirty-eight (38) participants, composed mainly of union officers, human resource managers/heads, personnel and employees of organized and unorganized establishments from Zamboanga del Norte and Dipolog City, as well as some from the academe, attended the seminar.

NCMB's Mindanao cluster directors and Executive Director Reynaldo R. Ubaldo acted as resource persons in the seminar.

OIC Feliciano R. Orihuela Jr. of RCMB-XII discussed workers' rights and management prerogatives and administrative investigation.

RCMB IX Director Marjuc A. Jumrani did a presentation on negotiation process. He was followed by Ms. Grace Joy S. Baustista, Supervising LEO on the topic, Workplace Partnership & Cooperation.

On the second day, Marjuc A. Jumrani discussed workplace conflict prevention and resolution, followed by RCMB X Director Florido J. Akut who spoke on conciliation-mediation.



Director Ubaldo, who discussed the main topic on alternative dispute resolution cum case analysis, emphasized that the existence of conflict or dispute is a normal aspect in any relationship or organization. He presented a case study to the participants so as to equip them with the necessary knowledge and skills in handling labor dispute situations.

"LMC is very important. I encourage you to share what you have learned," he said.

He also stressed the importance on NCMB's conciliation services to prevent any labor dispute from maturing into work



Executive Director Ubaldo, together with the RCMB Directors awards certificate of participation to the participants.

stoppages, while emphasizing the importance of preserving jobs.

The participants' enthusiasm was high all throughout the seminar. They actively participated in the activities. They recognized the need to establish a workable procedure for settling grievances to lessen the disputes in the workplace. Also, they realized the need to strengthen employee participation and to improve customer services and workers satisfaction.

Exec. Director Ubaldo afterwards administered the oath of office to the new ZANIPA officers. (Joyce Ann S. Capito)

NCMB CONDUCTS . . . from page 4

Conciliator-Mediator Arturo G. Kierulf spoke on Scanning the Work Environment and The Social Partner: Their Duties and Responsibilities. He was followed by ConMed Hacelfeo T. Cuares who discussed Conflict, its Nature, Prevention and Management Strategies. ConMed Cuares' discussion included company discipline and administrative procedures, negotiation and conciliation-mediation. The seminar ended with Director Mirasol's presentation on the role of zone police and private security guards in maintaining industrial peace.

Meanwhile, Exas Phils Inc. was added to the list on the second phase of the seminar conducted last May 24, 2010.

Speaking before thirty one participants were ConMed Rosemarie G. Oxinio who expounded on the topic Be Proactive: Workplace Relations Enhancement/Teamwork, followed by ConMed Arturo G. Kierulf who discussed Grievance Settlement: Empowering Plant Level Representatives. Senior LEO Gemma R. Poloyapoy completed the presentation with her talk on Voluntary Arbitration: The Better Alternative.

Wrapping up the activity was an open forum and the distribution of certificates to the participants. (Remus M. Caducoy)

NCMB CARES FOR MOTHER EARTH

Fine pebble beaches, mangroves, fish sanctuaries and rainforests.

These are the backdrops that I found when I joined this year's Human Resource Development Course III (HRDC III). It was held at the Kuting Reef, a private cove located at Sitio Kuting in Brgy. Asuncion, Macrohon, a sleepy town in the province of Southern Leyte. The course was aptly themed "Celebrating a Green Summer" to remind us of our obligation to Mother Earth.

I joined this course with mixed feelings. Excitement, because I would again be seeing familiar faces from NCMB Cebu and Bacolod and hopefully meet new ones. Pride, because the venue is located near Maasin, my birthplace, and I had the opportunity to showcase the sights and sounds of my hometown. Anxiety, because as host region, it was our responsibility to make sure that things go smoothly as planned.

Fully expecting a grueling adventure reminiscent of the Amazing Race Asia, I made early preparations for the course, both mentally and physically. The effects of the previous day's tour of nearby Maasin City aboard the city government's ancient Isuzu Canter wore off after a refreshing dip at the resort's pebble beach and eternity pool. A good night's sleep following a round of *tuba*, Leyte's premiere local drink, chased all the tiredness away. I was ready to sweat it out, no problem.

I was in for a pleasant surprise though. John-C Cañete, NCMB Deputy Executive Director and speaker for the two-day seminar, had other ideas. "Pinangunahan n'yo ako, walay gamit nang inyong practice-practice diha, Riza" (*You are preempting me, your practice is useless, Riza*). He was referring to Riza Remerata of Cebu, whom he saw practicing their group cheer, along with the other proactive ladies of RCMB7. "Yung reklamo nyo na pinagod kayo ng Region 8 para matalo kayo sa mga contest, wala yun. Switch tayo sa Plan B."

HRDC III, I later found out, was all about ways of saving Mother Earth. As I listened to Sir John-C talk about the environment, I was struck with the realization that we should save Mother Earth first so that we can save the people in it. If we do our bit to help reduce waste and take good care of the earth on an individual level, I thought this would make a difference to both the world and the human race.

As we planted talisay trees at the coastal areas of Brgy. Molopolo and Sta. Cruz in

Macrohon, this realization was still foremost in my mind. I watched my officemates dig through the sand to make new homes for the seedlings, each hoping that the trees would make it. Director Nitoy Geonzon of RB8 even promised to monitor them to ensure that they reach their full maturity. "Tumubo ko sana, babalikan kita.", said Mana Liza Gobenciong, RB8's verifiable green thumb.

I thought, this is it. This is our small contribution to the cause of saving nature. For in due time, these trees would grow and capture a few tons of carbon dioxide a year. That would mean cooler air for all of us.

My "earth-first" theory was shot down when we visited Dr. Juliet Cañete-Ceniza, the Visayas State University's (VSU) resident expert on tropical ecology. "The key now is to put people first and the environment second", said Ceniza. "The sustainable development aim is to expand the source of food for all people, so that they will no longer depend and draw resources from the wild, thus the wilderness and the oceans will have more time to recuperate and regenerate, and eventually be preserved.", she said further.

Dr. Ceniza proudly showed us VSU's awe-inspiring backdrop – Mt. Pangasugan, Leyte's last virgin forest and biodiversity highlight. Having been to the VSU a couple of times during my college days, the sight of Mt. Pangasugan never fails to amaze me. How did they manage to preserve such ecological wonder despite the odds?

The answer? Reforestation.

The reforestation farming technology espoused by VSU ensures ecological and economic benefits and recognizes local people's participation in all stages of forest management as a key to the success in forest rehabilitation. Basically, they encourage farmers to plant crops in between growing tree seedlings. Reforestation has proved successful in Mt. Pangasugan, according to Dr. Ceniza. VSU is hoping that they can replicate their experience in the other regions of the country.

At the end of the course, we went home tired but there was an incredible sense of fulfillment and pride that we had been able to do something to help the environment. The whole experience was also a wake up call. That if we don't stop and look around us, we may find ourselves living in no man's land. It is time to take the challenge. To borrow Morris D. Uddals's words, "*The more we exploit nature, the more our options are reduced, until we have only one: to fight for survival.*" (Pamela R. Babalcon)

ENCHANTED KINGDOM WELCOMES RCMB IV-A AND STAR LMCAI

Sta. Rosa City – The Regional Conciliation and Mediation Board (RCMB) IV-A, together with the Southern Tagalog Region-Labor Management Cooperation Association, Inc. (STAR-LMCAI), visited the Enchanted Kingdom in Sta. Rosa City on May 27, 2010 to meet with the EK-LMC steering and working teams and to establish and strengthen rapport between and among the RCMB and the STAR LMCAI members in the CALABARZON area.

The plant visit afforded the Enchanted Kingdom an opportunity to present its LMC's history, challenges and accomplishments. On the other hand, it was an occasion for the STAR LMCAI to urge support for the association's projects, such as plant visits, networking, benchmarking and fund raising. The visit is part of the advocacy programs being promoted by the Board and the association. It is their first joint project for this year.

During the visit, Donna Dio, STAR LMCAI President emphasized that the NCMB, in collaboration with the STAR LMCAI, is tasked to promote alternative modes of labor dispute resolutions (ADR), such as conciliation mediation, grievance machinery, voluntary arbitration, and labor management cooperation. She said that the NCMB has been successful in containing industrial disputes since its inception in 1987. Maintaining and sustaining industrial peace at the labor front is the challenge that it now faces.

"This is where the program of labor management cooperation plays a pivotal role", Dio explained. She said what is more important is the relationship of the workers with their employers, for such relationships may either result to increased productivity and competitiveness or not. "That is why the Board is advocating the setting up of LMC councils or committees, whether in organized establishments to cultivate good working relationships, through open communication and consultation," she added.

Dio shared that setting up and strengthening LMC organizations enhances the awareness of labor and

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REGIONAL NEWS

RCMB 6 TEAMS UP WITH UNORGANIZED PEACE ADVOCATES

To any organization, achieving its goals would be a remarkable accomplishment.

This statement is true with what we have obtained through the determined team of RCMB 6 in setting up LMCs in unorganized companies aside from the usual facilitation activities we do in organized establishments.

The Association of Industrial Peace Advocates of Negros Occidental (AIPANO) is an association composed of management and employees' representatives from different non-unionized companies. The general objective of the association is to foster peace and harmony between labor and management in non-unionized establishments in Negros Occidental. This could be best achieved through meetings, dialogues and sharing of experiences of the members themselves and thru invitation of resource person(s).

This project was conceived in 2008 with the guidance of former RB 6 Director Isidro L. Cepeda. It came into fruition in 2009.

A series of consultations and meetings were done after AIPANO was organized. Quickly, some members who diligently attended the meetings came up with an idea of forming a core group.

In September 29, 2009, those who were present during the meeting (nine representatives from eight unorganized companies) decided to choose among themselves who could be the group's "ad hoc" officers who would temporarily lead and plan their activities until a formal set of officers were elected. Ms. Leah Amos of Steel Arts Advertising was designated as the ad hoc president.

The official name of the association was unanimously decided by the group as the Association of Industrial Peace Advocates of Negros Occidental (AIPANO) in a meeting on October 27, 2009. RCMB 6 new regional head, Director Adorico D. Dadivas, Jr. was introduced to the group and thanked them for their support to the NCMB programs and assured the group of the agency's full support to the project the group may agree upon.

AIPANO was formally introduced to the public during the orientation of NCMB programs and projects held last November 18, 2009 at Check-Inn Pension Arcade in Bacolod City. The association's objective was discussed to the participants by Ms. Leah Amos and

with their enthusiasm, agreed to meet again for the drafting of by laws and election of officers of the association.

Elected officers were: President, Ms. Leah Amos (Steel Arts Advertising); Vice President, Ms. Cecile Torrecarion (Palmas Del Mar Hotel & Resort); Secretary, Ms. Isabel Locsin (Teleperformance); Treasurer, Lanilyn Antiquera (Check Inn Pension Arcade); Auditor, Ms. Mila Macaya (Robinsons Land Corp.); Business Manager, Ms. Josephine Portilla (Uytiepo Lines); Board of Directors: Ms. Darrylyn Sumalangcay (Planta Centro Hotel), Ms. Ritchill Lorilla (Galleon Enterprises, Inc.) and Ms. Eden Benedicto of Rural Bank of Manapla.

The newly elected officers of the association took their oath before Deputy Executive Director Johnson G. Cañete at the Check Inn Pension Arcade on March 24, 2010. The induction ceremonies coincided with the Seminar on Workers' Rights, Management Prerogatives and Labor-Management Cooperation where DED Cañete acted as resource speaker.

The association held another seminar on May 28, 2010 at the Check Inn Pension Arcade, Bacolod City. Ms. Agnes Capigon, supervising labor and employment officer of the DOLE – Negros Occidental Provincial Office discussed general labor standards.

The AIPANO has upcoming seminars scheduled on July 27, September 28 and November 17, 2010 with the topics Law on Termination and Discipline, Alternative Dispute Resolution, and Wage Distortion, respectively.

The continuing partnership of RCMB 6 and AIPANO is expected to result in more unorganized companies that respond positively to the group's objective of promoting and maintaining industrial peace in nonunionized companies. (Maricel Golez)



AIPANO members with DED Johnson G. Cañete during the seminar on Workers' Rights, Management Prerogatives and Labor-Management Cooperation.

ENCHANTED KINGDOM . . . from page 11

management, particularly the working women in the field of labor and management relations. "It helps to focus more on gender sensitivity in the workplace. Before, we do not distinguish between male and female workers in the crafting of labor and social laws. Now, the government is becoming more sensitive in considering the plight of women workers," she added.

Mario Mamon, EK HRD Manager, pointed out that building good relationship is a basic thing which all labor and management have the capacity to do. "It must start from within, at the plant level, and when consistently and patiently done, it will spill over not only to the worker's families, but also to the co-workers and employers. It becomes the foundation of a strong and harmonious relationship," he shared.

Ricky Paelmo, the first EK LMC Chairman emphasized in his presentation that there were so many times when the management planned to close its business because of financial loss. The relationship between management and the workforce since the company's foundation was not really good. The change started little by little in 2001 when its LMC was recognized by the parties. There were instances when labor conducted certification elections, but majority of the employees opted not to have a union.

At present, the EK is more concerned with their employees' welfare and is starting to strengthen its corporate social responsibility (CSR). One of its CSR projects is providing for the educational needs of five students it has been supporting since they were in grade one. These students, who are now in grade six, receive financial assistance, school supplies and other school needs from the EK.

The Enchanted Kingdom is an entertainment/leisure park 45 minutes away from Manila. It is the first and only world class theme park in the Philippines. It offers affordable, year-round and wholesome family entertainment. It is 100% Filipino owned. The top management considers EK employees as cast members. They have 450 cast members during lean seasons, which number increases to 850 during peak seasons. The park was designed by Landmark Entertainment Group, while the ride installation and maintenance was done by the International Theme Park Service, Inc. (ITPSI), a theme park safety specialists based in Cincinnati, Ohio, USA. (Cora M. Fegi)

REGIONAL NEWS

NCMB WOWS CROWD

NCMB's comedy presentation delighted the participants of this year's Labor Day Celebration at the Cebu International Convention Center.

This only proves that the agency's personnel are not only good at resolving issues, but are good actors and actresses as well.

The fourteen minute play depicts workers predicament in our current economic situation and how NCMB gets into the picture, which is relevant to this year's theme "Manggagawang Pilipino, Kaagapay sa Pagbabago".

It was the agency's repeat performance after a successful stint during the DOLE anniversary last year, which drew positive feedbacks from the other DOLE attached agencies. Such performance paved way for a bigger crowd.

"It's our life," says one of the spectators who confessed that he himself had related well on the story.

According to Director Mirasol, the idea to bring in the talents of DOLE cropped up during one of the RCC meetings. He said that NLRC and NCMB were unanimously chosen from among the DOLE attached agencies to perform for the celebration.

Director Mirasol further echoed this development to the staff in one of its regular weekly meetings.

Rehearsals and practice rolled slowly before the big day. Each one tried to perfectly execute his/her piece, knowing we would not be carrying NCMB's name alone but the entire DOLE family.

Several companies from Cebu City, Mandaue City and Lapu-lapu City like Greencoil Industries, General Milling Corporation, TMX Philippines, Tambuli Resort, and Chong Hua Hospital were present during the celebration. They had a caravan to the venue earlier that day.

The event was a celebration of DOLE's existence. A mass was celebrated and attended by different sectors jam packed at the function hall. A local job fair was conducted simultaneously after the mass in another area of the venue throughout the day. (Remus Caducoy)

What is a grievance and how do you address it?

In this era of Generation X, Y and Z, where cable television channels, satellite radio, internet, and other highly sophisticated media and computer gadgets become the indispensable needs of people, I find it necessary to cope with people's training needs, too. I mentioned this because when we are invited to speak area wide seminars and plant level training, I observed that LMC and GM, though not totally unknown to the participants, need to be introduced interestingly. For this reason, I always make it a point to start my lecture with something new. I find mnemonic effective.

So, if I were asked the question "when is there a grievance?" in its mnemonic way, I would explain it this way:

- G- gripes, complaints, problems, questions arise
- R - rules and policies are ambiguous
- I - injustice, information distortion or ignorance of rules and policies exist
- E - extreme policy control is practiced by management
- V - violation of company rules and regulations is committed
- A - attitude problem of employer and employee is not managed
- N - norms in the company are broken
- C - clashes occur because of cultural differences
- E - extra legal processes are utilized by parties

Again, if I were asked the question "how do we prevent grievance?" still in a mnemonic way, I would suggest the following:

- G- gaps of employees and management should be bridged immediately
- R - rights of both employer and employees should be respected
- I - impoverished management of people should be avoided
- E - exploitative tendencies of management should be eliminated
- V - valid grievances should be addressed immediately
- A - autocratic management style should be sensible
- N - non programmed decisions should be avoided
- C - controlling skills of management and supervisors should be enhanced
- E - experimental implementation of rules and policies should be avoided

POSTSCRIPT: I thank Director Sid Cepeda for citing my article "How NCMB Hones my Skills and Knowledge" featured in volume 1 of this newsletter, in his "Reflections," which was published in volume 2, also of this newsletter. I find such a comment uplifting. It serves as inspiration for me to continue writing creatively. Sir Sid, there is no exact word to describe how I was inspired by your citation. Once again, thank you. (Cresencia M. Pawingi)



L-R: RID Chief William E. Calina, IS OIC Dir. Lucita O. Caudilla, RCMB-XI Director Isidro Cepeda, Exec. Director Reynaldo R. Ubaldo, Director Nicon Fameronag, Dep. Exec. Director Johnson G. Cañete and RCMB -XII OIC Feliciano Orihuela posed with the participants of the Skills Upgrading Seminar-Workshop for NCMB Labor Information Officers held in Samal, Davao del Norte last June 2-4, 2010.

NCMB AND TUBA LGU . . . from page 16

Lupon ng Tagapamayapa of Tuba can be tapped to render conciliation-mediation services in labor disputes within its jurisdiction.

Director Odsey committed to provide technical and training assistance to industrial relations personnel of Tuba to effectively implement the newly signed MOA. She said that the NCMB shall conduct advocacy training, seminars and workshops to realize the MOA's objectives. "NCMB shall continue to conduct consultations with other LGUs in the Region to replicate the MOA," she said. (Cris M. Pawingi)



MOA Signing. The Municipal Government of Tuba, represented by Mayor Florencio V. Bentez, and the National Conciliation and Mediation Board (NCMB) represented by OIC Brenda Rose C. Odsey, sign a MOA on industrial peace. The signing was witnessed by (standing L-R) Technical Staff of NCMB Cresencia M. Pawingi, Maggie B. Balagtey and Councilors Dick P. Balting and Adora K. Paus. Photo: Gabriel P. Bayao

MIMAROPA . . . from page 4

The activity was a success in terms of participants' turnout and appreciation of the topics discussed. Nine establishments were added as members bringing the total membership to twenty six.

A round of consultation and dialogue was also held after the program. Executive Director Ubaldo, being a true blooded Palaweno, assured the PIPA members of his unrelenting support in all its industrial peace advocacy efforts.

"Your dream of having an association of industrial peace advocates is now real. The fulfillment of this dream is still a long way to go, but with the appreciation and continuing support and cooperation of the members of the association and its officers, this dream will also come true," Executive Director Ubaldo declared. (Luzviminda R. dela Cruz)

1ST INTER-CLUSTER . . . from page 9

-Be aware of your capabilities and limitations;

-To manage stress, we should not take life too seriously.

NCMB Regional Directors and staff who were present during the activity were CAR OIC Director Brenda Rose C. Odsey, RB1 OIC Director Carmina B. Alonzo, RB2 Director Aniano N. Guzman, and RB3 Director Darrow P. Odsey.

RCMBs 7 and 8 were represented by Supervising LEOs Gemma R. Poloyapoy

National Computer . . .

from page 8

The new ISSP also provides for the continuous review of existing processes to identify strategic areas where automation of support functions can be done to facilitate the operations of the Board.

The Board has proposed a budget of P36,300,477 to fund the ISSP. The budget will be used to acquire ICT equipment and software, and finance training and seminar expenses, cost of telephone and internet connections, ICT equipment maintenance, salaries and wages, representation and transportation, and other bonuses and allowances of ICT personnel over the next three years. (Arthur R. Audea)

and Rico Babalcon, respectively. RCMB 6, the host region, had Director Adorico D. Dativas, Jr. and his staff who provided administrative support during the activity, namely, Ms. Melinda M. Lee, LEO III; Maricel D. Golez, AO IV; Dee Z. Ignacio, AO III; and Manuel M. Bescaser, Jr., ADAS II.

The training ended with the awarding of certificates by Deputy Executive Director Johnson G. Cañete (Visayas Cluster Head) and TS OIC Director Antonio R. Villafuerte (NORCEL Cluster Head). (Maricel Golez)

On managing expectations, NCMB is the place to be

It is more than nine (9) months now since I started working in National Conciliation and Mediation Board (NCMB) under the Voluntary Arbitration Division (VAD). Like any other newcomer, I was apprehensive when I joined the organization.



Am I going to blend well with my officemates? What are their expectations of me? Can I deliver well? What if I commit mistakes? These are the questions that swirled on my mind on the day I started on the job.

Back in college, it had really been my aim to be an employee in a government agency. As a UP student back then, I felt that I owe it to the government who financed my tuition. But NCMB was never my target. I didn't even know that it existed.

Until one day fate brought me to the Board. A colleague from my former job informed me about the job opening in NCMB, and I, as an unemployed individual hoping to find a place in government service, went to Arcadia Building along Quezon Avenue and applied. After a couple of interview, I was hired. The rest is a personal story.

Looking back now, I realized that blending in an organization – actually dealing with other people – is a two-step process. First, one has to exert effort to become one with them. On this first step, I am really glad that I have officemates who teach me things not only about my job but also the work that NCMB does. I found out that NCMB plays a vital role in the country's socio-economic development, particularly in fostering industrial peace. I am also glad that I have officemates whom I can talk to about personal matters. When stress piles up among ourselves, we will always be relieved by cups of coffee during *merienda* time.

Two, one has to manage expectations. Since I joined NCMB I made it a point to remember that since they hired me over

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CASE DIGEST

Unborn Child is Qualified Dependent under the CBA

An unborn child is considered a qualified dependent under the collective bargaining agreement (CBA). This is the essence of a recent Supreme Court ruling affirming the decision in a voluntary arbitration case.

Rolando, a union member and an employee of Continental Steel Manufacturing Corporation (CSMC) filed a claim for paternity leave, bereavement leave and death and accident insurance for dependent, pursuant to the CBA. His claim was anchored on the death of his unborn child because of premature delivery. CSMC granted Rolando's claim for paternity leave but denied his claims for bereavement leave and other death benefits, consisting of the death and accident insurance.

The union filed a notice to arbitrate with NCMB after they failed to resolve the issue at the grievance machinery. The parties later agreed to submit their dispute to voluntary arbitration with the sole issue of "whether Rolando was entitled to bereavement leave and other death benefits pursuant to Article X, Section 2 and Article XVIII, Section 4.3 of the CBA". They have chosen Accredited Voluntary Arbitrator (AVA) Allan S. Montano to resolve their dispute.

The union averred that Rolando was entitled to bereavement leave and other death benefits pursuant to the CBA. It maintained that the above-cited provisions of the CBA did not specifically state that the dependent should have been born alive prior to his death or must have acquired juridical personality so that his/her subsequent death could be covered by the CBA death benefits. The union also invoked article 1702 of the civil code, which provides that all doubts in labor legislations and labor contracts shall be construed in favor of the safety of and decent living for the laborer.

The company, on the other hand, posited that the express provision of the CBA did not contemplate the death of an unborn child, a fetus, without legal personality. It claimed that there are two elements for entitlement to the benefits, namely: (1) death and (2) status as legitimate dependent, none of which existed in Rolando's case. The company, relying on articles 40, 41 and 42 of the civil code, contended that only one with civil personality could die. It claimed that the unborn child never died because it never acquired juridical personality. It argued that a foetus dead from

the moment of delivery was not a person at all. Hence, the term dependent could not be applied to a foetus that never acquired juridical personality. The company maintained that the wording of the CBA was clear and unambiguous and neither of the parties qualified the terms used in the CBA.

AVA Montano ruled that Rolando was entitled to bereavement leave with pay and death benefits. He identified the elements for entitlement to said benefits, thus:

" . . . for entitlement of the benefit of bereavement leave with pay by the covered employees as provided under Article X, Section 2 of the parties' CBA, three (3) indispensable elements must be present: (1) there is "death"; 2. such death must be of employee's "dependent"; and (3) such dependent must be "legitimate".

On the other hand, for the entitlement to benefit for death and accident insurance as provided under Article XVIII, Section 4, paragraph (4.3) of the parties' CBA, four (4) indispensable elements must be present: (a) there is "death"; (b) such death must be of employee's "dependent"; c) such dependent must be "legitimate"; and (d) proper legal document to be presented.

Thus, he ordered the company to pay Rolando the amount of four thousand nine hundred thirty-nine pesos (P4,939.00), representing his bereavement leave pay and the amount of eleven thousand five hundred fifty pesos (P11,550.00) representing death benefits, or a total amount of P 16, 489.00.

The Company elevated the issue to the Court of Appeals. The Court of Appeals upheld the decision of the AVA.

The Company elevated the decision of the Court of Appeals to the Supreme Court, maintaining that the CBA is clear and unambiguous and that the literal and legal meaning of "death" should be applied.

The Supreme Court sustained the position of the Union. It ruled that management had admitted that neither management nor the union sought to define the pertinent terms for bereavement and other death benefits during the negotiation of the CBA. Also the provisions under Articles 40, 41 and 42 of the Civil Code cited by management are misplaced. The Court said that the rights to bereavement leave and other death benefits in the instant case

pertain directly to the parents of the unborn child upon the latter's death. Said provisions also do not provide at all a definition of death. Death has been defined as the cessation of life. Life is not synonymous with civil personality. One need not acquire civil personality first before he could die. The Constitution recognizes the life of the unborn from conception, which the State must protect equally with the life of the mother. Likewise, the unborn child can be considered a dependent under the CBA. A dependent is one who relies on another for support, one incapable of existence or unable to sustain himself without the power or aid of someone else. The CBA did not provide that the dependent must have been born or must have acquired civil personality to qualify as a dependent. Without such qualification, then the child shall be understood in its more general sense, which includes the unborn foetus in the mother's womb.

(Continental Steel Manufacturing Corporation versus Hon. AVA Allan S. Montano and Nagkakaisang Manggagawa ng Centro Steel Corporation-Solidarity of Union in the Philippines for Empowerment and Reforms (NMCSC-SUPER); G.R. No. 182836) (Renato R. Cañutal)

On managing expectations . . . from page 14

other applicants, my bosses must have a lot of expectations. I do that to always become watchful and be careful in my job. I always bear in mind that I cannot be mediocre. I should always be at my best. So, in whatever task assigned to me, I make sure that I give my one hundred percent.

But nobody's perfect, as the cliché goes. Sometimes, no matter how you avoid the common pitfalls in the workplace, destiny does its job of testing one's capability. Sometimes my one hundred percent is not enough and I still commit mistake. The blame surely is on me, but the key, I also found out, is to take full responsibility.

Yes, some bosses will scream at the slightest hint of error while some will just be quiet and remind me to always review my work. Lately, I learned that whatever kind of bosses I have, they all contribute to my personal growth in the organization. Little by little, I am learning as a person, as an individual, and as a civil servant. (Guia Roa S. Soriano)

second front page

DOLE LR Chief meets with NCMB Con-Meds

On 30 April 2010, then DOLE Undersecretary for Labor Relations Rosalinda D. Baldoz met with NCMB Executive Director Reynaldo R. Ubaldo, together with the Regional Branch Directors and Conciliator-Mediators (Con-Meds) of Central Office, RCMBs NCR, III, IV-A and IVB at the NCMB-NCR Conference Room in Intramuros, Manila for the monthly regular meeting.



The con-med meeting is intended to keep the labor relations chief abreast with updates on all the conciliation-mediation cases handled by the board especially those considered as critical and high profile cases.

During the course of the meeting, the LR chief reminded all directors and con-meds to be more aggressive and not to be complacent in handling case assignments so that they would not be caught unaware of any untoward incident that may occur while conciliation-mediation proceedings are on-going.

She also advised the directors and con-meds to hone their communication skills, explore all avenues and exhaust conciliation efforts to avoid further conflict between the parties involved in the cases they handle. More importantly, they should always provide ED Ubaldo updates on

such cases and not hesitate to seek the latter's advice or assistance, he being an expert in the field.

In this light, ED Ubaldo added that the con-meds should practice team conciliation and be willing to share their ideas, experiences and strategies with their colleagues. He said, "It is helpful to take down notes of what transpired during meetings for review and to study the parties' practices to be able to come up with proposals that might alleviate the tension between the parties or better yet, resolve their dispute."

The group also discussed the DOLE Speed Project. Usec Baldoz advised the group to speed up the resolution of cases enrolled in the project.

Lastly, Usec Baldoz reminded everyone to conduct proper inventory and physical accounting of all case records in preparation for the turn-over of these cases this coming June. (Girli P. Orihuela)

NCMB AND TUBA LGU SIGN MOA ON INDUSTRIAL PEACE

The Municipal Government of Tuba, represented by Mayor Florencio V. Bentrez, entered into a memorandum of agreement (MOA) with the National Conciliation and Mediation Board (NCMB), represented by OIC Brenda Rose C. Odsey, on February 10, 2010 at the Tuba Municipal Hall.

The MOA taps the LGU of Tuba to assist in the promotion of alternative dispute resolution schemes in workplaces under its jurisdiction, in recognition of the fact that LGUs are in the best position to assist the NCMB in the maintenance of industrial peace within their areas of jurisdiction.

The MOA confines the agreement to the conduct of conciliation-mediation services by qualified personnel of the municipality upon the request of either or both parties involved in labor disputes that are not yet filed with the DOLE, the NLRC, or the NCMB. The MOA also provides that the LGU of Tuba shall serve as a sounding board and facilitator for establishments and organizations that are interested in organizing alternative dispute resolution forums and coping mechanisms in the workplace, such as labor management cooperation, grievance handling, voluntary arbitration, and conciliation-mediation.

Mayor Bentrez, a former union president and an accredited voluntary arbitrator, immediately agreed on the signing of the MOA to help workers who cannot afford the services of lawyers to defend their basic rights. He said that the

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