

CODE OF PROFESSIONAL RESPONSIBILITY FOR ACCREDITED VOLUNTARY ARBITRATORS OF LABOR-MANAGEMENT DISPUTES

I. ARBITRATOR'S QUALIFICATIONS

1. The Office of the Arbitrator is an honorable office. Once conferred upon a private citizen by mutual agreement of the parties or by direct appointment of an administrative agency, it becomes an office of public trust and responsibility. Hence, the personal qualifications of the arbitrator are honesty, integrity, impartiality, fairness compassion and general competence in labor relations matters.
 - The arbitrator shall not engage in lawful, dishonest or deceitful conduct and shall be of high moral character.
 - The arbitrator shall not engage in or abet activities aimed at lessening confidence in the arbitration system.
 - The arbitrator shall be as ready to rule for one party as for the other on each issue, either in a single case or in a group of cases.
 - The arbitrator shall not decline an appointment simply because the compensation is inadequate.
2. The arbitrator shall demonstrate the ability to exercise these qualities faithfully and with good judgment, both in public matters and in substantive decisions.
3. The arbitrator shall uphold the dignity and integrity of the office and endeavor to provide prompt and effective service to the parties.

II. THE ARBITRATOR'S RESPONSIBILITIES TO THE PROFESSION

1. The arbitrator shall maintain and upgrade the moral, ethical and professional standards of the profession.
 - The arbitrator shall keep abreast with principles, practices and development that are relevant to the field of arbitration practice.
 - The arbitrator shall not advertise nor solicit arbitration assignments.

- The experienced arbitrator shall cooperate in the training of new arbitrators.
- The arbitrator shall conscientiously endeavor to understand and observe to the extent consistent with professional responsibility, the significant principles and relevant rules and regulations governing the Philippine Voluntary Arbitration System.

III. THE ARBITRATOR'S RESPONSIBILITY TO THE PARTIES

1. Prior to acceptance of an appointment, the arbitrator shall disclose either directly or thru the administrative agency, any current or past professional relationship with any of the parties involved in a proceeding in which he is being considered for appointment or has been tentatively designated to serve. Disclosure shall also be made of any relevant pecuniary interest.
 - When the circumstances requiring disclosure are not known to the arbitrator before acceptance of an appointment, disclosure shall be made immediately when such circumstances become known to the arbitrator.
 - After appropriate disclosure, the arbitrator may serve if both parties so desire. However, if the arbitrator still feels that a conflict of interest exists, he or she shall withdraw, irrespective of the expressed desires of the parties.
2. The arbitrator may conciliate or mediate to aid the parties in reaching a voluntary settlement of the dispute.
3. The arbitrator shall treat all significant aspects of an arbitration proceeding with absolute confidentiality, unless this requirement is waived by both parties of disclosure is required by law.
4. The arbitrator shall observe faithfully the jurisdiction conferred by law, by mutual agreement of the parties or by appointment of the administrative agency which he may serve.
 - When the parties wish at the onset to give the arbitration authority to decide or submit recommendations on residual issues, they should so advise the arbitrator prior to his acceptance of the appointment. If the appointment is accepted, it is consistent with professional responsibility for the arbitrator to rule or submit recommendations on such residual issues.

- When the parties mutually desire the arbitrator to include in the award certain agreements between them on some or all issues, they shall inform the arbitrator. If the arbitrator believes that the agreements are lawful, it is consistent with his professional responsibility to adopt them.
5. The arbitrator shall not delegate any decision-making function to another person without the mutual consent of the parties. In any case, full responsibility for the award shall rest on the arbitrator.
 6. The arbitrator shall plan his or her work schedule so that present and future commitments shall be fulfilled in a timely manner. In the exercise of this fundamental responsibility, the arbitrator shall cooperate with the parties and with the administrative agency concerned.
 7. The arbitrator shall not give any inkling of what his decision is to be before the hearing is closed and award is made.
 8. Once the case record has been closed, the arbitrator shall adhere to the time limit for an award, as stipulated in the submission agreement or as provided by regulations of the administrative agency or by law.
 9. In charging for service and expenses, the arbitrator shall be governed by the same high standard of honor and integrity that apply to other phases of his work.
 - When nominated by the parties in dispute his compensation shall be determined by the ability of the parties to pay and the gravity of the dispute.
 - When designated by the administrative agency to serve as arbitrator he should accept and abide by the fee set by it.
 10. The arbitrator shall maintain adequate records to support charges for services and expenses reasonable and consistent with the nature of the case or cases decided.
 11. The arbitrator shall not prevent the parties in dispute from settling their differences amicably while the same is under arbitration. Such responsibility shall not include consent or condonation of any collusive attempt by the parties to use arbitration in an improper manner.

- The arbitrator shall comply with a request of any party that he visit a work area pertinent to the dispute, prior to, during, or after a hearing, provided that the other party is present. The arbitrator may also initiate such a request.

VII. THE ARBITRATOR'S POST HEARING CONDUCT

1. The arbitrator shall comply with the mutual agreement of the parties on the filing or non-filing post hearing briefs or submissions.
2. The arbitrator shall not consider a post-hearing brief or submission that has not been provided to the other party.

VIII. THE ARBITRATOR'S AWARD

1. The arbitrator's award shall state the facts and the law on which it is based. It shall be definite, certain, clear complete and concise as possible, as to leave no room for further clarification, interpretation, correction or modification.
2. No clarification or interpretation of the award is permissible, except those which would correct grammatical or typographical error or those which would effectively implement the award.