

Republic of the Philippines
Department of Labor and Employment
National Conciliation and Mediation Board
TRIPARTITE VOLUNTARY ARBITRATION ADVISORY COUNCIL
Ground Floor, DOLE Building, Intramuros, Manila

Resolution No. 1
Series of 2005
Amending the 1999 Revised Accreditation Guidelines

WHEREAS, the existing Revised Guidelines in the Accreditation and Delisting of Voluntary Arbitrators approved on November 15, 1999 provided that the accreditation of voluntary arbitrators should be renewed every five years;

WHEREAS, the Council recognized that the availability of committed, sincere and competent voluntary arbitrator is crucial to the success of the voluntary arbitration program in order to respond to the expanding issues cognizable by the system;

WHEREAS, the Council further recognized the need for voluntary arbitrators to continuously present themselves as reassuring partners of labor and management who can dispense labor justice in the most effective and efficient manner;

WHEREAS, the Council further realized that in order to maintain a competent and credible core of voluntary arbitrators, retooling and upgrading process of knowledge, skills and attitude should be done on a regular basis;

WHEREFORE, the 1999 Revised Guidelines in the Accreditation and Delisting of Voluntary Arbitrators is hereby amended to include innovations that will make the system responsive to the need of the modern day industrial relations, to wit:

A. NATURE OF ACCREDITATION

Accreditation of an individual as voluntary arbitrator shall be subject to the condition that he/she meets all the qualifications prescribed by the NCMB for accreditation. If found qualified, accreditation as voluntary arbitrator shall be on a lifetime basis, unless de-listed pursuant to the de-listing guidelines approved by the council. To maintain their active status, however, voluntary arbitrators shall be required to attend the Arbitrators' Continuing Retooling Program (ACRP). The ACRP shall consist of the following: (1) General

Retooling Seminar conducted by the NCMB every three years and (2) Regular Retooling Seminars which shall be conducted by the ACRP service providers accredited by the TVAAC.

An active voluntary arbitrator shall mean one who satisfies the following conditions:

1. Handles at least one (1) case per calendar year, or participates in NCMB advocacy activities in whatever capacity; and
2. Attends to the General Retooling Seminar or completes the Regular Retooling Seminar.

Only arbitrators with active status shall be included in the list of active arbitrators being disseminated to labor and management for selection and appointment purposes. The list shall be updated on an annual basis.

B. REQUIREMENTS FOR ACCREDITATION

1. Minimum Criteria

To qualify as an Accredited Voluntary Arbitrator, a person must possess the minimum criteria for accreditation, as follows:

- 1.1 He/she must be a Filipino citizen residing in the Philippines.
- 1.2 He/she must be a holder of at least a Bachelor's degree preferably relevant to Labor and Social Relations, Economics and related fields of study.
- 1.3 He/she must have at least (5) years' experience in the field of Labor-Management relations.
- 1.4 He/she has no pending criminal case involving moral turpitude.

2. Supporting Documents

Applicants shall submit an application letter with the NCMB or any of its Regional Branches, together with:

- 2.1 An updated bio-data
- 2.2 Two (2) copies of "2 X 2" black and white picture
- 2.3 Photocopy of Diploma or Certificate of Graduation From Baccalaureate Degree or Photocopy of License if Lawyer, CPA or other Board Professionals.
- 2.4 Certificate of Employment from present employer (if applicable).

- 2.5 Applicant's Affidavit stating that S/HE has no pending criminal case involving moral turpitude.
- 2.6 Three (3) Character References

The NCMB shall review all documents submitted and validate the information stated therein, and shall recommend to the Tripartite Voluntary Arbitration Advisory Council (TVAAC) sitting as the accreditation committee whether the applicant is eligible for interview.

3. Panel Interview

In order to assess the applicant's level of knowledge, skills, or orientation, the TVAAC shall interview the applicants.

The TVAAC shall gather information about the applicant, and shall then decide whether the applicant will be allowed to undertake the pre-accreditation training.

4. Training Requirements

An applicant who passed the interview process will be required to undergo a pre-accreditation training program to equip him with basic knowledge, skills and value orientation necessary to perform the responsibilities and functions of an accredited voluntary arbitrator. The training program shall be designed jointly by the NCMB with the Philippine Association on Voluntary Arbitration, Inc.

5. Roll Of Accredited Voluntary Arbitrator

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

Once accredited, the voluntary arbitrator can serve as such in any region. However, for purposes of administrative supervision, the voluntary arbitrator shall continue to be enrolled in the list of accredited voluntary arbitrators in the region where they are accredited.

C. MAINTENANCE OF ACTIVE STATUS

The NCMB shall maintain an active and inactive list of voluntary arbitrators. Active status shall mean the following:

1. Attendance and participation in the General Retooling Seminar to be conducted by the NCMB once every three (3) years; or
2. In case of failure to attend the general retooling seminar, attendance and participation in at least two (2) Regular Retooling Seminars within the three-year period; and
3. Handling of at least one (1) voluntary arbitration case per calendar year or participation in NCMB advocacy activities;

Failure to satisfy the foregoing requirements shall place the voluntary arbitrator on inactive status.

The regular retooling seminars shall be conducted by institutions accredited by the TVAAC as seminar providers.

The guidelines for the Arbitrators' Continuing Retooling Program (ACRP) shall be formulated by the TVAAC in consultation with the Philippine Association on Voluntary Arbitration, Inc. (PAVA, Inc.).

NOW, THEREFORE, the Tripartite Voluntary Arbitration Advisory Council has **RESOLVED**, as it is hereby **RESOLVED** to adopt the amendments to the 1999 Revised Accreditation and Delisting Guidelines.

BE IT FURTHER RESOLVED that the General and Regular Retooling Program for Voluntary Arbitrators be established and institutionalized by the Council, the adoption of which to be covered by a separate guidelines.

Manila, Philippines, 22 September 2005.

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