



**CODE OF VOLUNTARY COMPLIANCE AND
GOOD INDUSTRY PRACTICES
IN THE HOTEL & RESTAURANT INDUSTRY
BAGUIO CITY 2013**

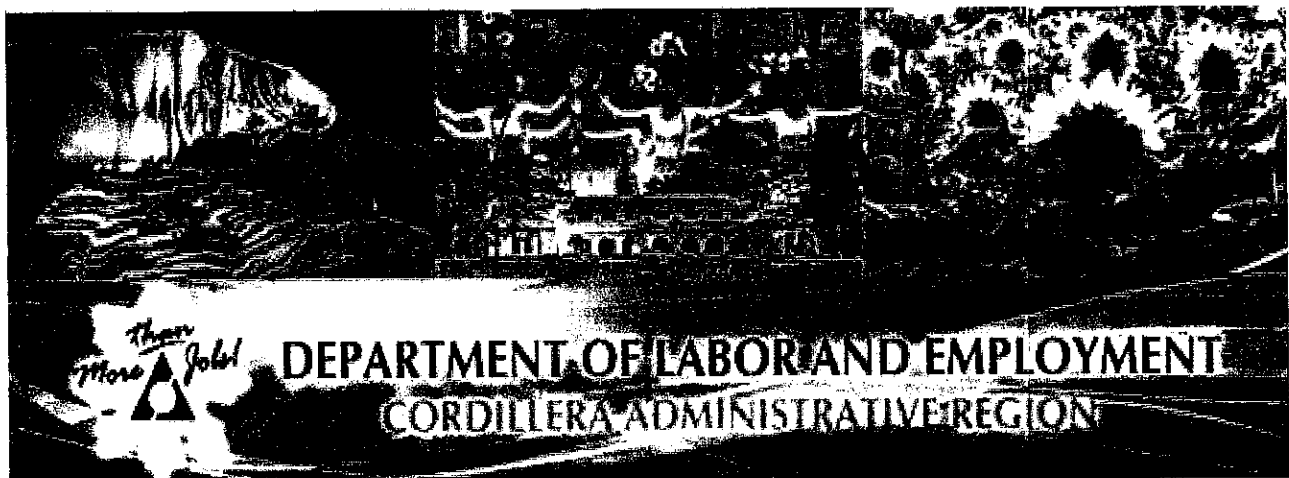


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INTRODUCTION

The Hotel and Restaurant Industry Tripartite Council (ITC) - Baguio City composed of twenty-eight (28) member-establishments which was organized on August 28, 2013, aims to strengthen tripartite cooperation and promotion of industrial peace and shall serve as a forum for tripartite advisement and consultation among labor, employer and government sector in the formulation and implementation of labor and social policies in the industry. Likewise, it serves as a vehicle for engaging the sectors in the implementation of Programs and Services.

All members of the Hotel and Restaurant ITC crafted its Code of Voluntary Compliance and Good Industry Practices as a guide in the achievement of objectives such as enhancement of labor management relations; improvement of compliance with labor standards; promotion of occupational safety and health standards; promotion of employment generation, productivity and security of tenure; and full coverage to social protection. That when these goals will be achieved, complying members will soon qualify to join the Incentivizing Compliance Program (ICP), a program which promotes voluntary compliance by giving due recognition and incentives to a company's initiative to voluntarily comply with labor laws or having implemented a much higher standards with a Tripartite Seal of Excellence on their products and establishments.

Included in the Code is the commitment of the officers, members and future members of the ITC to adopt a Productivity Based Program which they believe would allow employers and their workers to improve the terms and conditions of employment including levels of wages based on labor productivity and business performance.

Members of the ITC believed this Code will work on the premise of active participation in various DOLE programs that geared toward stronger working relationship between labor and management; ensure voluntary compliance and promotion of productivity in the industry.

OBJECTIVES OF THE CODE

The adoption of Code of Voluntary Compliance and Good Industry Practices for Hotel and Restaurant Industry lays down basic agreements among present and future members of the ITC for Hotel and Restaurant Industry to comply voluntarily with labor laws and other related policies to ensure that workers rights are upheld at all times and healthy competition within the industry is promoted.

Specifically it aims to:

1. Institutionalize an ITC Hotel and Restaurant Labor Management Committee or plant level Labor Management Committee;

2. Enhance and sustain the compliance with the general labor standards and the occupational safety and health standards;
3. Promote employment generation, productivity and security of tenure; and
4. Ensure full coverage of all workers to Social Welfare Benefits.

COMMITMENTS:

We, the members of the Industry Tripartite Council (ITC) for Hotel and Restaurant in the City of Baguio, with knowledge of our indispensable role in the achievement of the ideals of this Code commit ourselves to the following ideals:

1. The enhancement of labor management relations;
2. The sustenance and improvement of compliance to labor standards;
3. The promotion of occupational safety and health standards;
4. Promotion of employment generation, productivity and security of tenure; and
5. Enhancement of full coverage to social protection schemes.



I. ENHANCEMENT OF LABOR MANAGEMENT RELATIONS

We value the importance of social dialogue and effective labor-management relations program as an indispensable requirement for the maintenance of industrial peace and recognize the importance of conciliation-mediation in dispute resolution.

We therefore commit to help in the enhancement of labor-management relations through the establishment of an effective labor-management relations program.

Toward this end, there shall be:

1. A formulated working Company Policy or Code of Conduct and Discipline in every member-establishment; and

2. An organized Labor Management Committee (LMC) in every member-establishment as a forum in settling disputes.

IMPLEMENTING STRATEGIES

- ✓ Conduct orientations and assist member-establishments in the formulation of their own Company Policy/Code of Conduct and Discipline or enhance existing policies taking into consideration the support for developmental programs in the promotion of welfare, cooperation and participation of employees; and
- ✓ Partner with the National Conciliation and Mediation Board-Cordillera Administrative Region (NCMB-CAR) in the creation capability building of Labor Management Committee (LMC) as fora in settling labor disputes.

II. THE SUSTENANCE AND IMPROVEMENT OF COMPLIANCE WITH LABOR STANDARDS

We shall promote a culture of voluntary compliance with the basic labor standards among stakeholders in the industry and institute measures to improve the working conditions of our workers.

Toward this end, we have:

1. Enrolled in the Incentivizing Compliance Program (ICP) and obtained the Tripartite Certificate of Compliance with Labor Standards (TCCLS) as the first level of good housekeeping in all awards under the Program;

IMPLEMENTING STRATEGIES

- ✓ Arrange the conduct of regular orientation with the General Labor Standards which shall include the following but not limited to:
 1. Hours of Work
 - Meal and Rest Period
 - Weekly Rest Day
 - Flexible Work Arrangements
 2. Wage and Wage Related Benefits
 - Minimum wage
 - Overtime pay
 - Regular Holiday pay
 - Premium Pay for Special Holidays and Rest days
 - Night Shift Differential pay
 - Service Incentive Leave
 - Service charge
 - Separation Pay
 - 13th Month pay (P.D. 851)
 - Maternity Leave (R.A. 8282)
 - Paternity Leave (R.A. 8187)

- Leave for Victims of Violence Against Women and Children (R.A. 9262)
 - Special Leave for Women (R.A. 9710)
 - Retirement Pay (R.A. 7641/R.A. 8558)
3. Other Related Labor Law and DOLE Issuances
- DOLE Department Order No. 115-11 series of 2011
 - DOLE Department Order No. 115-A series of 2012
 - DOLE Department Order No. 18-A series of 2011
 - DOLE Department Order No. 13 series of 1998
 - Anti-Sexual Harassment Law (R.A. 7877)
 - Social Security Act of 1997 (R.A. 8282 as amended)
 - National Health Insurance Act of 1995 (R.A. 7875 as amended)
 - Home Development Mutual Fund Law of 2009 (R.A. 9679 as amended)
 - DOLE Department Order No. 53-03 series of 2003 (Drug-Free Workplace)
 - DOLE Department Order No. 102-10 series of 2010 (HIV-AIDS Prevention and Control Guidelines)
 - DOLE Department Advisory No. 05 series of 2010 (Hepatitis B Prevention Program)
 - DOLE Department Order No. 56-03 series of 2003 (Family Welfare Program)
 - Expanded Breastfeeding Promotion Act of 2009 (R.A. 10028)
 - DOLE Department Order No. 12 series of 2001 (Alien Employment Permit)
 - Child Labor Laws and Regulations such as:
 - Minimum Employable Age (R.A. 9231 and DOLE D.O. 65-04)
 - Minimum Hours of Work (R.A. 9231 and DOLE D.O. 65-04)
 - Prohibition Against Worst Form of Child Labor (R.A. 9231 and DOLE D.O. 65-04)
 - Hazardous Work and Activities for Persons Below 18 Years of Age (DOLE D.O. 04-99)
4. Basic Occupational Safety and Health Standards (OSHS)
- Establishment Registration (Rule 1020)
 - Health and Safety Committee (Rule 1040)
 - Notification and Keeping of Records of Accidents and/or Occupational Illnesses (Rule 1050)
 - Occupational Health Services (Rule 1960)
5. Other latest DOLE issuances, administrative orders, circulars and programs which are being prioritized by the existing administration.
- ✓ Maintain the culture of self-regulation by voluntarily complying with the Labor Standards and other related laws and issuances
 - ✓ Endeavor to submit prescribed periodic reports on labor laws compliance.

III. PROMOTION OF OCCUPATIONAL SAFETY AND HEALTH STANDARDS

We value our people as our most important resource, hence, we commit to ensure that their safety and health shall be our utmost priority and shall recognize that occupational safety and health is a critical factor in our respective organizations' productivity and competitiveness.

Toward this end, we have:

1. Organized plant level Safety and Health Committee; and
2. Implemented a Zero Accident Program in the workplace.

IMPLEMENTING STRATEGIES

- ✓ Coordinate with the Department of Labor and Employment and Occupational Safety and Health Center regular trainings and seminars on basic occupational safety and health and other relevant safety trainings;
- ✓ Encourage the owners of our member-establishments or send at least one (1) employee to undergo the Basic Occupational Safety and Health (BOSH) training for better understanding and appreciation on the importance of having a safe workplace;
- ✓ Organize in every establishment a safety and health committee or encourage the member-establishment to appoint employees/employees who shall look after the safety in our workplaces at the same time utilize them as venues for advocacy on basic occupational safety and health;
- ✓ Implement policies and programs on safety, health, security and crisis management in our own establishments. The implementation of which shall be clearly communicated to all levels of the organization including our sub-contractors and guests;
- ✓ Strongly promote policies and programs advocating healthy options and healthy lifestyles to our employees and shall ensure that our establishment remains to be free from violence, smoke, prohibited drugs, alcohol, stress and a conducive workplace implementing the following:
 - HIV and AIDS Prevention and Control Program;
 - Policy and Program on Hepatitis B;
 - Policy and Program on Tuberculosis;
 - Policy on Sexual Harassment Law; and
 - Other relevant programs
- ✓ Conduct trainings/orientation with the support and assistance of program partners on the following but not limited to:
 1. Basic Occupational Safety and Health (BOSH);
 2. Drug Free Workplace (D.O. 37-03 & 53-03 series of 2002);

3. TB Free Workplace (D.O. 73-05);
 4. HIV-AIDS (D.O. 38-03);
 5. Sexual Harassment Law (R.A. 7877);
 6. Anti-Child Labor Law (R.A. 9231);
 7. Law on Anti-Trafficking (R.A. 9298);
 8. Hepa-B Policies in the Workplace; and
 9. Construction Safety and Health Program (D.O. 13 series of 1998)
- ✓ Promote the “Kapatiran WISE-TAV Program” in our workplaces where we share responsibility with our subcontractors and other service providers in providing adequate trainings on occupational safety and health for the protection of their contractual employees;
 - ✓ Promote proactive practices in security and crime prevention through emergency preparedness trainings and measures against terrorism attacks and the like. We shall equip our workplaces with emergency management and response capacity, lockdown and evacuation procedures, crisis media and communications in the event of disasters and crisis;
 - ✓ Adopt the green workplace program in our workplaces acknowledging the value of nature being the show case of our industry;
 - ✓ Uphold at all times the health, safety and security among our ranks and shall serve as models of healthy and respectable lifestyles worthy of emulation by our employees. For employees association, we shall endeavor to cooperate with management in promoting occupational safety and health standards.
 - ✓ Strive to have a Zero Accident in our workplaces.

IV. PROMOTION OF EMPLOYMENT GENERATION, PRODUCTIVITY AND SECURITY OF TENURE

We shall take upon ourselves the obligation of promoting employment in the Region and abide by the provisions of Philippine Labor Code on procedural and substantive due process in employees' discipline and termination or dismissal. We likewise commit towards the adoption of programs that will increase productivity and harness competitiveness of the industry.

Toward this end, we have:

1. Well trained, skilled, productive and competitive employees ; and
2. A signed Memorandum of Agreement on the implementation of a Productivity Based Pay in our establishments/company.

IMPLEMENTING STRATEGIES

- ✓ We shall commit to endeavor for continuous learning and development of our employees with the objective of building

competency and proficiency translated to excellence in our products and services by keeping abreast of the latest trends and innovations and incorporate these in the training and learning activities of our employees in the industry to become competitive;

- ✓ We shall partner with RTWPB, RITC/ITC Academe, CHED, TESDA, DTI, DOT and other private educational establishment in designing proactive strategies in preparing students who are future employees in the industry with competencies that would match their careers;
- ✓ We shall practice Progressive Discipline in addressing concerns regarding employee attitude, behavior and job performance governed by fairness, justice and equity;
- ✓ We shall observe to abide by the fundamental procedural due process in terminating our employees as well as complying with DOLE mandatory reports on this matter such as the RKS Form 5 in cases of termination and retrenchment;
- ✓ Conduct trainings/orientations on the following but not limited to:
 1. Productivity and Quality Concepts;
 2. Productivity Tools and Techniques such as the 5"S";
 3. ISTIV/Service Quality for Hotel and Restaurant Industry; and
 4. Productivity Gainsharing.
- ✓ Adopt a productivity performance based pay scheme where both management and our employees shall commit to promote productivity improvement as a moral and social obligation to themselves and to stakeholders taking into consideration current trends and the sustainability of such scheme, such as the Two-Tiered Wage System of RTWPB-CAR where we could avail of the necessary business deductions for grants and bonuses as provided by RA 6971, the Productivity Incentive Act.

V. FULL COVERAGE TO SOCIAL PROTECTION SCHEMES

We shall ensure that in eventualities, our workers are covered and protected through the mandated social protection programs.

Toward this end, we have:

1. Collaborated with SSS, Phil Health, Pag-Ibig and Employees Compensation Commission (ECC) in providing continuous awareness to our stakeholders and members the value of complying to these social protection programs; and
2. Ensured that all employees are enrolled with SSS, PhilHealth, and Pag-Ibig.

IMPLEMENTING STRATEGIES

✓ Conduct orientations on social protection schemes with concerned program partners such as the following but not limited to:

1. Social Security System
2. Phil Health
3. Pag-Ibig
4. Employees Compensation Commission
5. Retirement Law under R.A. 7641

PROGRAM PARTNERS

We believe that the success of the implementation of this Code shall depend not only on our voluntary commitment thereto but also through the collaboration and assistance of the following agencies;

The Department of Labor and Employment (DOLE), as our program partner in the conduct of advocacy/trainings on labor- management relations, labor standards and occupational safety and health;

The Regional Tripartite Wages and Productivity Board (RTWPB), as our program partner in Quality and Productivity Advocacy and implementation of a Productivity Based Pay Program;

The National Conciliation and Mediation Board (NCMB), as our program partner in the institutionalization of Conciliation-Mediation as an approach to dispute settlement/resolution;

The Technical Education and Skills Development Authority (TESDA), for the skills training/upgrading programs; and

SSS, PhilHealth, Pag-Ibig and ECC as program partners in the advocacy on Social Protection Benefits.

MONITORING SYSTEM

While we recognize that the monitoring of compliance should be through self-regulation, we agree to adopt a monitoring mechanism that would document our compliance to the salient provisions of this Code. The monitoring shall be aligned with the set performance measures which hope to make the members become fully compliant with the agreed indicators. The members commit to submit the following periodic reportorial requirements, such as:

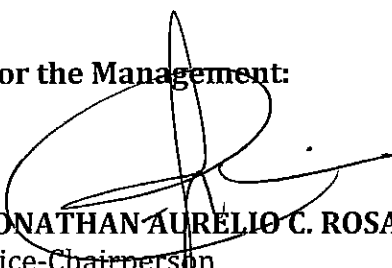
1. Checklist indicating compliance to core labor standards, and occupational safety and health standards to be submitted annually;
2. OSH Administrative Reports which shall be submitted annually;
3. LMC Organization Reports which shall be submitted annually; and
4. Post activity reports initiated by the ITC for its members which may include seminars, orientations, trainings and other relevant activities.

PERFORMANCE MEASURES

INDICATORS	Baseline	2013	2014	2015-2016
ENHANCEMENT OF LABOR-MANAGEMENT RELATIONS				
Increased number of establishments with Code of Conduct/Company Policy	28	28	100% sustained compliance	100% sustained compliance
Increased number of establishments with plant level Labor Management Committee	28	1	27	100% sustained compliance
SUSTENANCE AND IMPROVEMENT OF COMPLIANCE WITH LABOR STANDARDS				
Increased number of establishments enrolled in the Incentivizing Compliance Program (ICP)	28	1	27	100% sustained compliance
ON PROMOTION OF OCCUPATIONAL SAFETY AND HEALTH				
Increased number of establishments with plant level Safety and Health Committee	28	1	27	100% sustained compliance
Increased number of establishments implementing the Zero Accident Program	28	1	27	100% sustained compliance
Increased number of establishment with trainings on Productivity	28	28	100% sustained compliance	100% sustained compliance
Increased number of establishment implementing a Productivity Incentive Program (2 nd Tier Productivity Based Program)	28	24	4	100% sustained compliance
ON FULL COVERAGE TO SOCIAL PROTECTION				
Increased number of establishments complying with SSS, PhilHealth, Pag-Ibig and ECC laws	28	28	100% sustained compliance	100% sustained compliance

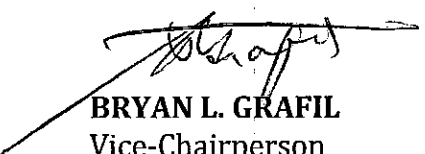
IN WITNESS WHEREOF, we hereunto affixed our signatures signifying or commitment to this Code this 30th day of October 2013 at Baguio City.

For the Management:



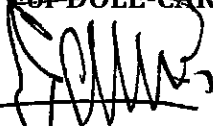
JONATHAN AURELIO C. ROSALIN
Vice-Chairperson
ITC HOTEL & RESTAURANT
BAGUIO CITY

For the Employees:



BRYAN L. GRAFIL
Vice-Chairperson
ITC HOTEL & RESTAURANT
BAGUIO CITY

For DOLE-CAR:



HENRY JOHN S. JALBUENA
Regional Director- DOLE/ RTIPC Chairperson

MEMBERS:

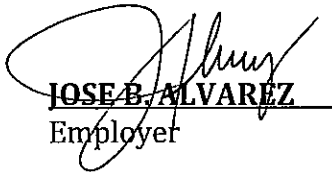
AUNTIE PALACE FOODS



WILFREDO C. ANTIPALA
Employer

Alma Gaspar
ALMA GASPAR
Employee Representative

BAGUIO VILLAGE INN

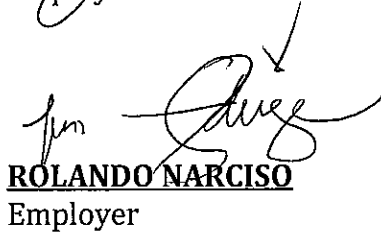


JOSE B. ALVAREZ
Employer



MELITA L. SOTTO
Employee Representative

DENCIO'S & TENDERJOE SH



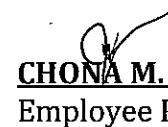
ROLANDO NARCISO
Employer



EDGAR DIRIGE
Employee Representative

EGI ALBERGO, INC.

ANALYN C. CELINO
Employer



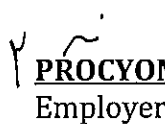
CHONA M. RIMUMALTA
Employee Representative

GERRY'S GRILL BAR AND RESTAURANT

For: Pamela
CLARO TADENA
Employer

For: Florida
FLORIDA MOVILLA
Employee Representative

GOLDILOCKS




PROCYON LOY
Employer

Rhea T. Macedonio
RHEA T. MACEDONIO
Employee Representative

GOOD TASTE RESTAURANT-MAIN



ALFREDO GO
Employer



GENIE DEMOT
Employee Representative

GOOD TASTE RESTAURANT-OTEK

ALFREDO GO
Employer

Nida Solang
NIDA SOLANG
Employee Representative

HOLLYWOOD DRIVE- IN HOTEL

for *Cristina A. So*
CRISTINA A. SO
Employer

Shirley B. Valencia 10/30/13
SHIRLEY B. VALENCIA
Employee Representative

INA MANSION CONDOMINIUM

Cristina Bron
CRISTINA BRON
Employer

for *Shermane Kiang*
SHERMANE KIANGAN
Employee Representative

JACK'S- BAGUIO RESTAURANT

Rosemarie Dulnuan
ROSEMARIE DULNUAN
Employer

Olivia Balaog
OLIVIA BALAOV
Employee Representative

KANGAROO JACK

SAMUEL L. SUDIACAL
Employer

for *Regina Joy T. Pupal*
REGINA JOY T. PUPAL
Employee Representative

MANG INASAL-ABANAO

Maricar Delim
MARICAR DELIM
Employer

by *Jenzen Patricio*
JENZEN PATRICIO
Employee Representative

MANG INASAL-GEN. LUNA

Maricar Delim
MARICAR DELIM
Employer

Baby Gladys Bartolome
BABY GLADYS BARTOLOME
Employee Representative

MANG INASAL- SESSION


Maricar Delim
MARICAR DELIM
Employer

Irene Butangen
IRENE BUTANGEN
Employee Representative

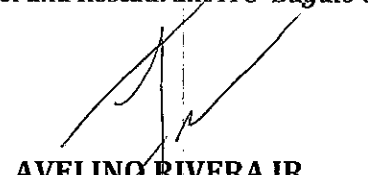
MANG INASAL- SM

Maricar Delim
MARICAR DELIM
Employer

Anelie Saddul
ANELIE SADDUL
Employee Representative

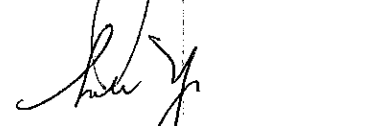

LALAINA A. RAAGAS
Employer

MARIO'S RESTAURANT


AVELINO RIVERA JR.
Employee Representative

Magbama
EDWIN NEVADA
Employer

MOUNT CREST HOTEL


HELEN YU
Employee Representative

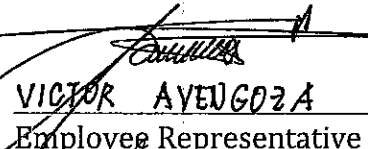
for
MILAGROS YNIGUEZ
Employer

MYFOODGODDESS, INC.

for
MYLA H. MADRIAGA
Employee Representative

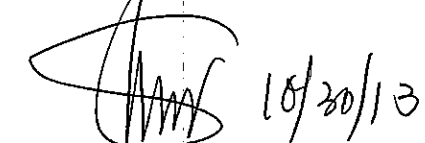
18
HEIDE NARA
Employer

PADI'S POINT


VICTOR AYUNGOZA
Employee Representative

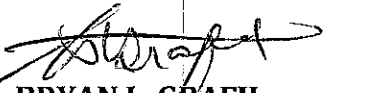
for
CRISTINA S. SO
Employer

PALADIN HOTEL


SHIRLEY B. VALENCIA
Employee Representative


for
MARTIN PAEZ LORENZO
Employer

PANCAKE HOUSE, INC.


BRYAN L. GRAFIL
Employee Representative


Irene Pasigon
IRENE PASIGON
Employer

SAB-ATAN RESTAURANT


RONILYN D. ZAFARITA
Employee Representative

for: netia
CARLOS S. GATMAYTAN
Employer

SOUTH DRIVE BAGUIO MANOR



SOLOMON ACOSTA
Employee Representative

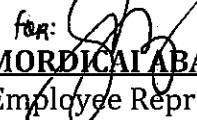
SCOTT IAN YU
Employer

SUMMER PLACE BAGUIO

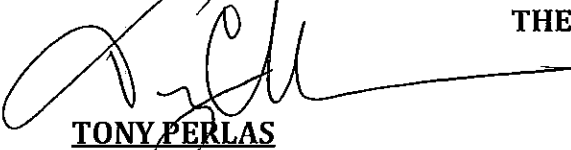

MAUREEN MARTINEZ
Employee Representative

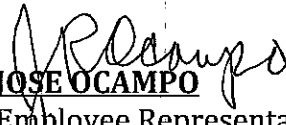
THE MANOR AT CJH


MILAMADRID
Employer


for: 
MORDICA ABAD
Employee Representative


THE RED LION PUB


TONY PERLAS
Employer



JOSE OCAMPO
Employee Representative

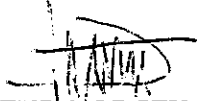
TUVERA'S PENSION HOUSE



ANGELITA TUVERA
Employer

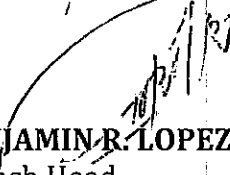

CRISTINA V. DOSONO
Employee Representative


OUR PARTNERS:

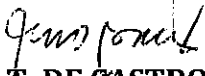

AUGUSTO AQUILLO
Board Secretary
RTWPB-CAR


BRENDA ODSEY
Regional Director
NCMB-CAR


GENARO RONALD C. IBAY
OIC Regional Director
TESDA-CAR


BENJAMIN R. LOPEZ
Branch Head
SSS-BAGUIO


SHERWIN JAY R. TORRELIZA
Chief Social Insurance Officer
PHILHEALTH-BAGUIO


LYDIA T. DE CASTRO
OIC Department Manager
PAG-IBIG-BAGUIO