

VOLUNTARY CODE OF GOOD PRACTICE ON DECENT WORK IN THE HOTEL AND RESTAURANT INDUSTRIES IN DAPITAN CITY

SITUATIONER

Dapitan City, also known as the "Shrine City of the Philippines," is an epitome of a 17th Century City in the modern era. The tranquil atmosphere of the place is an attraction in itself along with the wide expanse of beaches that proves to be a perfect place to unwind.

Dapitan City traces its beginnings long before the Spanish invaders set foot on the Island of Mindanao. Its earliest settlers were the Subanens, a nomadic tribe of Indonesian descent. Its diverse culture is a product of a mingling of Subanen practices influenced by foreign invaders – European, American and Japanese – and the various Visayan groups of settlers.

The City is also considered a historical gem as it once sheltered the Country's National Hero Dr. Jose P. Rizal while he was in exile. It is a place where one can witness and experience the great legacy and contribution of the National Hero.

Well known for its tranquility, rich cultural heritage and historical significance, Dapitan City remains a potential destination for foreign and local tourists. Its value in the tourism industry cannot be overstated and with proper support from both the government and private organizations, this potential can still prove to be the triggering device towards development.

The Department of Tourism recently reported that visitor arrivals in the Philippines for the period January to August 2012 reached 2,858,348. There is an increase of 9.78% vis-à-vis its previous year's arrivals of 2,603,675 for the same period. It could be noted that majority of the major markets posted positive growth rates.

Tourism serves as the main market for hotel and restaurant services. Increase in visitor traffic over the years resulted in a corresponding boom in the hotel and restaurant industry.

Studies show that during the last decade, the hotel and restaurant industry has flourished even as it struggled to cope with difficult challenges. New hotels mushroomed while older hotels have done their best to spruce-up both their interiors and upgrade services. Likewise, the growth of the restaurant sub-sector, the number of players and the variety of services offered, has been notable during the period.

Invariably linked, the influx of tourists is expected to offer both opportunities and threats for the hotel and restaurant industry. As such the Industry is also seen to be an emerging Key Employment Generator in the country.

MISSION STATEMENT

WE, the Stakeholders of the Hotel and Restaurant Industries in Dapitan City, hereby collectively and conscientiously manifest our abidance to this Voluntary Code, guided by the underlying fundamental principles and values of volunteerism, cooperation, respect for workers' rights, promote their welfare, ensure just and humane conditions of work, promote productivity and competitiveness, conserve and preserve the environment, maintain industrial peace, work for the improvement and betterment of our community.

We pledge to uphold this guiding framework and commit to the sustainable development of the industry in Dapitan City.

OBJECTIVES

1. To provide moral, legal bases for the equal employment opportunities for women, youth, indigenous people and differently-abled persons without compromising quality of service.
2. To promote social partnership as guiding principle for sustainable and beneficial labor and management relations in the industry that ensures job creation, employment preservation, productivity improvement, employment security, employees welfare and corporate social responsibility.
3. To encourage/promote the establishment and expansion of the same business in the locality
4. To provide guiding principles and standards that will govern the operations of the Hotel and Restaurant industries in pursuit of industrial peace, productivity and competitiveness in compliance with the labor standards.
5. To promulgate guidelines and good practices for the Hotel and Restaurant Industries relative to employment generation; condition of work; health and safety; labor and management relations; and, human resource development.

COMPONENTS

1. Conditions of Work and Occupational Safety and Health
2. Human Resource and Development
3. Labor and Management Relations
4. Corporate and Social Responsibility

GUIDING PRINCIPLES

1. CONDITIONS OF WORK AND OCCUPATIONAL SAFETY AND HEALTH

This refers to terms and circumstances of employment that include policies, programs, standards and regulations governing his/her employment status, nature of work, security, health and safety at the workplace.

Under the Labor Code of the Philippines, as amended this is categorized into three: (1) working time, rest periods, holidays, and service incentives; (2) wages and (3) conditions of workers' safety and health to include special group of workers.

- 1.1 We shall abide by the applicable laws pursuant to the Labor Code of the Philippines as amended and its implementing rules and regulations.
- 1.2 We encourage and respect the rights of working women and provide equal opportunities to working youth, differently-abled persons and indigenous people.
- 1.3 Considering the seasonal nature of the inflow of tourist in the locality during lean season would not mean retrenchment of regular workers, thus:
 - 1.3.1 In the event of temporary work stoppage, the principle of "no work, no pay" shall apply.
 - 1.3.2 In case of retrenchment, the companies shall serve notice of retrenchment to DOLE.
- 1.4 We shall adhere to the standards of the Occupational safety and health and recognize it as a critical factor in workers' productivity and for this purpose:
 - 1.4.1 We shall organize occupational safety and health committee in the workplaces/worksites in accordance with the Occupational Safety and Health Standards and other OSH issuances;
 - 1.4.2 We shall encourage the training of safety officers and the accreditation of the same in coordination with the ZAMPEN OSHNET INC.
 - 1.4.3 We shall provide the appropriate training for frontline services (receptionists, waiters, etc.) pursuant to TESDA Assessment and Competency Regulations (Certificate Of Competencies).

- 1.4.4 We commit to provide reasonable working conditions to make the workplace safe and healthy;

2. HUMAN RESOURCE AND DEVELOPMENT

As part of the industry's commitment to the development of its human resources, each company shall be encouraged to formulate a human resource development plan that shall build and enhance the capabilities of the hotels and restaurants workers especially those initiatives and interventions related to labor productivity and employability.

- 2.1 We shall develop personal and organizational skills, knowledge, and abilities of Hotel and Restaurant workers such as opportunities to employees' training, career development, performance management and development, coaching, mentoring, succession planning, awards and recognition, and other organizational development.
- 2.2 We welcome any collaboration with government agencies in the implementation of training programs to improve the capability of the workforce.
- 2.3 We shall register with the Phil-Jobnet system and post vacancies in the system to give access to newly graduates and out-of-school youth the opportunities to join and be part of the hotel and restaurant industries.
- 2.4 In the matter of hiring of personnel, we will give priority to residents of of the locality who possess the necessary skills and competencies as certified by TESDA.
- 2.5 We shall involve ourselves actively in any DOLE programs aimed at making the labor market more efficient.
- 2.6 We shall observe and promote Gender and Development Programs and provide equal opportunities to both men and women in terms of promotion, training and career development of workers.
- 2.7 We shall establish data base of workers in coordination with DOLE to ensure the industry's steady pool of workers in good standing indicating the following:
- 2.6.1 Name of Worker
 - 2.6.2 Nature of work
 - 2.6.3 Length of Service
 - 2.6.4 Educational Attainment
 - 2.6.5 Eligibilities/Skills/Trainings
 - 2.6.6 Work Experience
 - 2.6.7 Ground for resignation and termination (if resigned or terminated)

3. LABOR AND MANAGEMENT RELATION

This is a mechanism by which the terms and conditions of employment are negotiated, and shall be enforced in accordance with the agreement of employers and employees on how rights and duties are exercised, and how workplace relationship is enhanced.

- 3.1 We shall encourage the establishment of a mechanism, such as LMC (Labor Management Council) that will serve as an avenue to address issues and concerns related to labor relations, labor standards and occupational safety and health of the workers and the industry in general.
- 3.2 We shall recognize the existence of labor union as partner of the industry in the attainment of industrial peace and a mechanism to influence productivity of workers.
- 3.3 We shall promote the principle of shared responsibility between workers and employers and the preferential use of Alternative Dispute Resolution methods (such as the Single Entry Approach - SEnA) as voluntary modes of settling issues and concerns to foster industrial peace at the workplace.

4. CORPORATE SOCIAL RESPONSIBILITY

It is a business principle and practice that delivers business long-term interests alongside the development of communities, the protection and sustainability of environment, and to contribute in the improvement of people's quality of life.

- 4.1 We shall commit to apply our social responsibility that will benefit the locality in terms of management of our resources including waste disposal.
- 4.2 We shall adopt and promote social partnership whereby the principle of *Big Brother and Small Brother* (KAPATIRAN) become social and economic partners in the enforcement of labor standards while nurturing mutual growth and development of the industry.
- 4.3 We may participate in the campaigns and activities initiated by competent government agencies or civil society designed to improve and sustain the quality of our environment.
- 4.4 We shall take part in the promotion, education and awareness campaign on environmental conservation and preservation in our company premises and community.

- 4.5 We shall promote and support the implementation and monitoring of the Family Welfare Program.
- 4.6 We shall support the Green Our DOLE program and join in the Department's endeavor to promote "green" jobs.

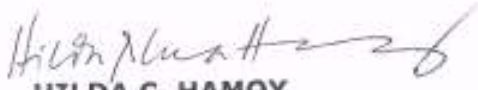
5. SPECIAL PROVISIONS

- 5.1 Any amendments to this Code shall require the vote of 2/3 of the total members of hotel and restaurant industries;
- 5.2 That, We shall monitor the implementation of Code and meet regularly once every quarter to trace issues and concerns relative to the implementation and compliance of the Code;
- 5.3 We shall endeavor to provide livelihood assistance during lean season to sustain/augment family income through the DOLE and other private/public institutions extending livelihood programs;
- 5.4 We shall promote non-employment of minors.
- 5.5 We shall encourage our contractors and sub-contractors to abide by the provisions as stipulated in Department Order No. 18-02 (contracting/subcontracting arrangement) and other related labor laws and issuances.
- 5.6 A Technical Working Group (TWG) would be organized to conduct regular monitoring and updating on the industry specific issues, concerns and practices.
- 5.7 This Code shall take effect immediately upon approval of the duly recognized members of both industries in partnership with other stakeholders (3Y, DDPKaRoMa, Dapitan City Tourism Council, other related government agencies and non-government organizations).

This voluntary code is a product of our concerted efforts realized through dialogue, consultation, teamwork and dedication in the spirit of unity.

In this respect, we, therefore invoke the guidance and blessings of our Almighty God, in adopting this instrument this **2nd** day of **October** in the year of Our Lord **Twenty Hundred and Twelve**.

MEMBERS OF THE HOTEL AND RESTAURANT INDUSTRY




HILDA C. HAMOY
Owner
HOME SWEET HOME BY THE BAY

PAMELA T. DY
Owner
HAMPTON PLACE



JESSICA L. JACINTO
Owner
TRAVEL BEE

VISITACION F. OLARIO
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LA BELLA VISITACION



PHOEBE A. VELEZ
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RODALICIA ADRAINCEM
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DAPITAN CITY RESORT HOTEL



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PABLO S. ODANTABAO
Owner
KBR BEACH RESORT



EDEN R. FERRAREN
Owner
BAHAY KUBO GRILL

HILDA B. MENDOZA
Owner
EDITH RESTO BAR

LABOR SECTOR REPRESENTATIVES

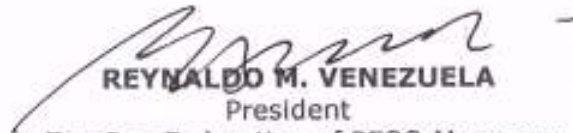

ANNIE A. MAGTUBA
Vice President for Labor Sector
ITC

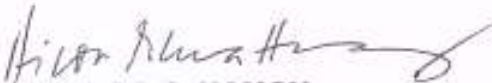

JAYSON BUSILAC
Board of Director
ITC

CREZYL C. SARIMOS
Board of Director
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NON-GOVERNMENT ORGANIZATION/DOLE INTERMEDIARIES


MA. THERESA B. DE JESUS
Project Manager
DDPKaRoMa


REYNALDO M. VENEZUELA
President
ZamPen Federation of PESO Managers


HILDA C. HAMOY
President
Hotel and Restaurants Owners Association/ Industry Tripartite Council

GOVERNMENT AGENCIES

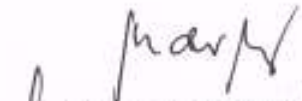

SISINIO B. CANO
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DOLE IX


NILDA C. ESPIRITUSANTO
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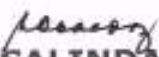

JOEL M. IJIRANI
Board Secretary
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NICASIO SILVAN HAMOY
City Tourism Officer
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MARCIAL R. DAHONAN
Provincial Director
DOST


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Provincial Director
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WITNESSED BY:


HON. ROSALINDA D. BALDOZ
Secretary
Department of Labor and Employment


HON. PATRI B. CHAN
City Mayor
Dapitan City