

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila

DEPARTMENT OF LABOR AND EMPLOYMENT
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DEPARTMENT ORDER NO. 109
Series of 2011

In the interest of the service and as component of the administrative reforms being pursued by the Department in support of the 22-Point Labor and Employment Agenda of the Aquino Administration, the following Efficiency and Integrity Boards are hereby established in the Department of Labor and Employment:

A. NATIONAL TRIPARTITE EFFICIENCY AND INTEGRITY BOARD (NTEIB)

- Chairperson : DOLE Secretary or Authorized Representative
- Members : Two representatives from the Labor Sector
Two representatives from the Management Sector
- Secretariat : One representative each from DOLE Legal Service, Bureau of Labor Relations and Human Resource Development Service

The above-mentioned sector representatives as members of the NTEIB shall be appointed by the DOLE Secretary for a term of three years based on the nomination of their respective sectors, subject to re-appointment or recall at any time upon recommendation of their sector. In nominating their representatives, the sectors shall consider criteria such as the person's proven probity, integrity and competence to handle the tasks, including his independence of mind, among others.

The NTEIB shall perform the following functions:

1. Serve as monitoring and oversight body over the DOLE EIBs, with authority to recommend review of systems and procedures in the DOLE and its attached agencies.
2. Recommend to the Secretary appropriate actions to address graft and corruption, clogged dockets, and delay in the dispensation of justice and execution of decisions/judgments, including compliance with the Anti-Red Tape Act of 2007 (Republic Act No. 9485); Code of Conduct and Ethical Standards of Public Officials and Employees (Republic Act 6713); Anti-Graft and Corruption Practices Act (RA No. 3019); and other existing regulations; and
3. Ensure tripartite representation in the EIBs in DOLE offices and attached agencies.

B. DOLE CENTRAL OFFICE TRIPARTITE EIB

- Chairperson : DOLE Undersecretary designated Resident Ombudsman
- Members : Director, Legal Service (LS)
Director, Human Resource Development Service (HRDS)
Director, Internal Audit Service (IAS)
President, Sole and Exclusive Negotiating Agent (SENA)

Labor Sector Representative, National Tripartite Industrial Peace
Council (NTIPC)
Management Sector Representative, NTIPC

Secretariat : Chief, Legal Representation Division, LS
Chief, Personnel Administration Division, HRDS

The nomination criteria for NTEIB sector representatives shall be applied to sector representatives in the DOLE Central Office Tripartite EIB.

The DOLE Central Office Tripartite EIB is tasked to render the following services:

1. Spearhead the promotion of efficiency and integrity in the Department.
2. Assume the functions of the Integrity Development Committee including the formulation of a comprehensive Integrity Development Action Plan (IDAP) for the Department in consultation with the regional and agency level EIBs, and which Plan shall include:
 - a. pro-active anti-corruption measures that ensure their translation into action in every office and agency of the Department;
 - b. a package of interventions that will help reform the concerned officials and employees, and which may include training, counseling, coaching, personnel movement, among other interventions;
 - c. a package of rewards and incentives aimed at recognizing behaviors worthy of emulation, including the initiatives of offices and employees towards a more transparent, efficient, responsive, and honest service delivery;
 - d. systems improvement to address areas of weakness, like breakdown in internal control structures and vulnerability to corruption as a result of the investigation of a complaint/case.
3. Conduct periodic review of the IDAP to monitor its implementation and effectiveness in the Department and agency level.
4. Monitor the strict observance of the Code of Conduct for DOLE officials and employees.
5. Provide the NTEIB an update of its accomplishments and status on graft and corruption-related cases.

C. DOLE REGIONAL OFFICE TRIPARTITE EIB

Chairperson : Regional Director

Members : Resident Ombudsman
Provincial Head Elected by his/her co-Provincial Heads
Representative, Recognized Employees' Association
Labor Sector Representative, Regional Tripartite Industrial
Peace Council (RTIPC)
Management Representative, RTIPC
RCC Members

Secretariat : Chief, Internal Management Services Division

The nomination criteria for NTEIB sector representatives shall be applied to regional sector representatives.

The Regional EIB is tasked to perform the following functions:

1. Spearhead the promotion of efficiency and integrity in the regional office and in its provincial and field offices.
2. Assume the functions of the Regional Integrity Development Committee and as such, shall provide inputs to the DOLE EIB in the formulation of a comprehensive Integrity Development Action Plan (IDAP) of the Department and monitor its implementation at the regional level.
3. Recommend systems improvement where necessary to address areas of weakness, like breakdown in internal control structures and vulnerability to corruption as a result of the investigation of the complaints/case.
4. Monitor the strict observance of the Code of Conduct for DOLE regional, provincial, and field office officials and employees.
5. Provide the NTEIB copy furnished the DOLE Central Office Tripartite EIB, an update of its accomplishments and status on graft and corruption-related cases.

D. ATTACHED AGENCY EIB

Taking into consideration the peculiarities of the organizational set-up of Attached Agencies, they are given wider latitude in determining the composition of their respective EIBs which, to the extent possible, should have parallel composition with the DOLE Central and Regional Office EIBs. However, the membership of stakeholders' representatives in the EIBs should be observed.

E. GENERAL IMPLEMENTING GUIDELINES

1. Cases for monitoring by National and Office/Agency Level EIBs

The EIBs shall monitor cases involving violation of the following:

- a. Republic Act 9485 (Anti-Red Tape Act of 2007)
- b. Republic Act 6713 (Code of Conduct and Ethical Standards of Public Officials and Employees)
- c. Republic Act 3019 (Anti-Graft and Corruption Practices Act)
- d. Republic Act 1379 (Forfeiture in Favor of the State any Property Unlawfully Acquired by any Public Officer or Employee)
- e. Republic Act 7877 (Anti-Sexual Harassment Act of 1995)

Specifically, the NTEIB shall be provided by the office/agency level EIBs with status of cases involving grave offenses with imposable penalty of 6 months and 1 day suspension to dismissal from the service on a quarterly basis. The monitoring of other cases involving less grave and light offenses is part of the responsibility of the office/agency level EIBs.

2. Fact-finding and Investigation of Complaints/Cases

The existing Administrative Complaint Committee (ACC) or investigating body of DOLE offices/agencies shall continue to perform fact-finding and preliminary investigation tasks while formal investigation shall be done by a designated hearing officer.

The Rules of Procedures contained in the Uniform Rules on Administrative Cases in the Civil Service and DOLE Manual on Disposition of Administrative Cases shall continue to be observed. As provided for in the said rules, "anonymous complaint shall not be entertained unless there is obvious truth or merit to the allegations therein or supported by document or direct evidence, in which case the person complained of may be required to comment."

The DOLE and Attached Agencies EIBs are instructed to convene immediately their respective boards to prepare their action plan. The Attached Agency Heads are expected to submit to the undersigned the composition of their respective EIBs not later than February 10, 2011.

The DOLE Central Office EIB is likewise instructed to conduct a consultation-workshop for its members and all Chairpersons of Agency and RO level EIBs within the 1st quarter of this year to formulate a comprehensive Integrity Development Plan for the Department.

Expenses to be incurred by the NEIB shall be shouldered by the DOLE Central Office while those of the DOLE and attached agency level EIBs shall be charged to the budget of their respective offices, including the honorarium that may be granted to the labor and management sectors' representatives.

For compliance.


ROSALINDA DIMAPILIS BALDOZ
Secretary

21 January 2011