

MINING INDUSTRY TRIPARTITE COUNCIL

RESOLUTION NO. 1

Series of 2010

"Adopting the Mining Industry Voluntary Code of Good Practice on Dispute Settlement and other industry concerns"

WHEREAS, the National Tripartite Industrial Peace Council issued Resolution No. 3, series of 2010, endorsing and extending tripartite support to the DOLE initiated reforms in labor arbitration and adjudication system and in strengthening tripartism and social dialogue;

WHEREAS, being an integral part of the NTIPC, the Mining Industry Tripartite Council (MITC) concurs and supports the reforms and specifically, in implementation of item 6 of TIPC Resolution No. 3 to develop responsible and mature engagement of the social partners through industry self-regulation and Voluntary Code of Good Practices, the tripartite partners hereby agree to adopt a Mining Industry Voluntary Code of Good Practice to enhance the enterprise level bipartite dialogue and provide and afford an industry venue for any industry issues.

NOW THEREFORE, BE IT RESOLVED, AS WE HEREBY RESOLVE TO adopt and abide, without force or compulsion, with the following terms of the Mining Industry Voluntary Code of Good Practice:

1) Dispute Settlement

1.a) The union or in the absence thereof, any employees' organization in the mining company, and the management shall in good faith resolve any issues arising from the interpretation or implementation of the collective bargaining agreement and those arising from interpretation or enforcement of company personnel policies through the Grievance Machinery as established

1.b) Anything and any issue/s that prevails or has an industry implication and cannot be resolved by both the union or any employees' organization and management at the enterprise level may request the Mining Industry Tripartite Council (MITC) for conciliation-mediation services.

1.c) The MITC upon receipt of such a request shall constitute a "Committee of Six" composed of one representative each from the Chamber of Mines and Department of Labor and Employment. The workers/employees' and the mining companies MITC shall have two (2) representatives each who are not parties to the issue/s and must be impartial.

The "Committee of Six" shall render conciliation-mediation services as a panel or as a team of three (3) but in either case, the process is non-binding however, any settlement agreements reached shall bind the parties.

The Committee shall reduce the agreement in writing, ensure that parties fully understood the contents thereof, sign the same in their presence, and have the document attested as the parties' true and voluntary act.

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In case no settlement agreement is reached within 30 days from the filing of the request for conciliation-mediation the parties agree to refer the matter to appropriate agency.

b. LABOR RELATIONS, HUMAN RELATIONS & PRODUCTIVITY SEMINARS (LHP)

The Mining Industry agrees to conduct LHP Seminar in all the member companies and it shall be held twice a year. It shall submit proposals to DOLE on how to tailor fit the LHP module in the Mining Industry.

c) EMPLOYMENT OPPORTUNITIES

The Industry shall agree to ensure that it will provide DOLE with employment opportunities in the Mining Industry and assist DOLE to produce quality workforce for the industry provided that it does not violate existing collective bargaining agreement of the establishment and/or any local agreement with the host or neighboring barangay.

Unanimously adopted this 29th day of September 2010, in Surigao City, Philippines.


OFELIA B. DOMINGO
Chairperson



DULMAR M. RAAGAS
Vice-chair, Management Sector

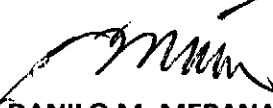
RAMON ERAZO
Vice-chair, Labor Sector

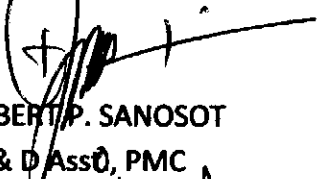
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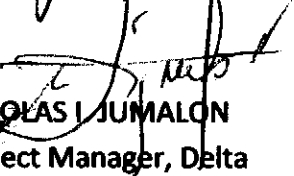

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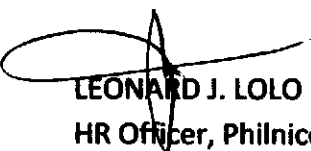

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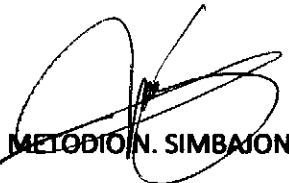

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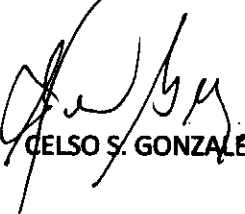
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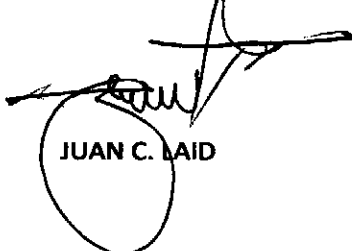
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