

Rody determined to end labor contracting — Palace

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President Duterte remains committed to his promise to end labor contractualization, Malacañang said yesterday, after labor groups chided the administration for its supposed lack of political will to end the practice.

Senior Deputy Executive Secretary Menardo Guevarra said the admission that the total ban on contractualization could not be done through an executive order does not mean that Duterte has abandoned his campaign promise.

“The President can do that in consultation or in coordination with Congress,” Guevarra said in a press briefing yesterday.

“As I explained to you, there are things that only Congress can do. For example, the provisions of the Labor Code. That’s a law. So if it has to be amended, Congress should do that. What the executive can do is to work with Congress to pursue legislative action through proper liaison and coordination,” he added.

Last Monday, Malacañang admitted that Duterte cannot impose a total ban on labor contractualization because only a new law can prohibit the practice. Guevarra has said an EO can only supplement laws but not alter them substantially.

“If you want something like a total ban on contractualization, you need a law to repeal or amend that particular provision of the Labor Code. An executive order is meant only to supplement or give implementing details of what the law provides. But it cannot add or subtract or substantially alter what the law provides,” Guevarra said.

“That’s really more for Congress to do,” he added.

Last year, the labor department released an order banning labor-only contracting, strictly regulating lawful contractual arrangements and including workers in inspecting compliance with labor standards and laws.

Guevarra has admitted that an EO on “end of contract” schemes would not be that different from the order issued by the labor department.

Last February, Duterte said he was willing to compromise on labor contractualization, noting he could not compel employers to grant all benefits to workers.

Duterte is set to meet labor leaders on April 16 to discuss the EO to regulate the contractualization of workers, Labor Secretary Silvestre Bello III reported yesterday.

“There’s a schedule now. The meeting with labor will be on April 16. Finally it is dated,” Bello said.

He hopes that Duterte will be able to sign the EO during the meeting.

“This is not to prohibit contractualization but to regulate contractualization. The order went through the process which we think is acceptable for both the workers and management,” he added.