PO21CC-053

14th Regular Session

ORDINANCE NO. SP-2883, S-2019

AN ORDINANCE DIRECTING THE PUBLIC EMPLOYMENT SERVICES OFFICE TO INCLUDE LABOR STANDARDS IN ITS REGULAR ORIENTATION SERVICES FOR LOCAL EMPLOYMENT FACILITATION.

Introduced by Councilor MIKEY F. BELMONTE.
Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Winston "Winnie" T. Castelo, Atty. Bong Liban, Eden Delilah "Candy" A. Medina, Ramon P. Medalla, Estrella C. Valmocina, Franz S. Pumaren, Kate Galang-Coseteng, Matias John T. Defensor, Jorge L. Banal, Sr., Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Resty B. Malañgen, Ivy L. Lagman, Jose A. Visaya, Karl Castelo, Patrick Michael Vargas, Shaira L. Liban, Ram V. Medalla, Allan Butch T. Francisco, Marivic Co Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto-Antonio, Donato "Donny" C. Matias, Freddy S. Roxas and Noe Dela Fuente.

WHEREAS, Section 3, Article XIII of the 1987 Constitution (Social Justice and Human Rights) provides that "The state shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all. It shall guarantee the rights of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law. They shall be entitled to security of tenure, humane conditions of work, and a living wage.";

WHEREAS, Presidential Decree No. 442 or the Philippine Labor Code prescribes the rules for hiring and termination of private sector employees; the conditions of work including maximum hours and overtime; employee benefits such as holiday pay, thirteenth month pay and retirement pay including guidelines in organizing and membership to labor unions as well as collective bargaining;

WHEREAS, Republic Act No. 11058 or the Occupational Safety and Health Law further protects the right of employees to humane working conditions by mandating employers to strictly comply to appropriate workplace safety standards appropriate standards based on industry specific data. Such standards are to be complied with in all establishments, projects, sites, including the Philippine Economic Zone Authority establishments, and all other places where work is being undertaken in all branches of economic activity, except in the public sector;

WHEREAS, devolution has mandated the local government to take an active part in facilitating industry growth while ensuring the general welfare of its constituents;

WHEREAS, in recent years the call for strict compliance to labor laws and standards have been highlighted due to reports on violations of humane working conditions, including compliance to minimum wage, occupational safety, mandated benefits and the right to organize;

WHEREAS, the QC Government Public Employment Services Office as the employment and industrial relations arm of the Quezon City government, serves to promote employment programs for City residents in need of jobs; provide employment counseling, career guidance and such other services to the City Students and Out of School Youth; promote industrial peace by mediating in labor management.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE. - This Ordinance shall be known as the "Quezon City Labor Standards Integration in Local Employment Orientation or QC-LSILEO".

SECTION 2. DECLARATION OF POLICY. - The state affirms labor as a primary social and economic force. Further, the state shall ensure that a safe and healthy workplace for all working people is guaranteed by affording them full protection against all hazards in their work environment. It is hereby declared to be the policy of the state that the provisions of the Philippine Labor Code, Occupational Safety and Health Law, Expanded Maternity Law and other domestic laws are fully enforced and complied with by employers.

SECTION 3. SCOPE AND APPLICATION. - The provisions of this Ordinance shall apply to the operations of the QC LGU Public Employment Services Office (PESO) and the services it renders to the working age population currently engaged in work and those actively seeking work.

SECTION 4. INTEGRATION OF LABOR STANDARDS IN CURRENT PESO PROGRAMS ON EMPLOYMENT FACILITATION. - As current mechanisms to provide employment information and guidance services to the working-age population actively seeking work, the Public Employment Services Office renders the following programs:

a. Work Appreciation Program

b. Special Program for Employment of Students

c. Vocational and Career Guidance Program

For the integration of a comprehensive orientation on labor standards and rights at work to the abovementioned core programs, the PESO shall:

a. Designate regular staff that shall be focal persons for all QC-LSILEO concerns.

b. Coordinate with the appropriate DOLE office, for the capacity building of designated PESO staff and the formulation of the QC-LSILEO learning session curriculum and materials.

c. Ensure the integration of QC-LSILEO learning sessions. The said orientation shall be borne from the provisions of the Philippine Labor Code and other relevant domestic laws, including city ordinances on labor. Learning sessions on industry specific labor standards are encouraged.

d. Formulate and make available to the public, publications pertaining to labor standards and rights at work.

e. Develop audiovisual presentations on QC-LSILEO and have the same integrated and regularly circulated through appropriate platforms.

f. Establish an LGU-level Labor Concerns Hotline that shall address queries and monitor concerns on labor standards violations.

g. Coordinate with the appropriate national offices on matters beyond the jurisdiction of the LGU.

SECTION 5. IMPLEMENTING RULES AND REGULATIONS. - The Office of the City Mayor, through the Public Employment Services Office, shall formulate the rules and regulations for the smooth implementation of this Ordinance. Likewise, it shall ensure coordination with relevant national government agencies.

SECTION 6. RESPONSIBILITY FOR ADMINISTRATION AND ENFORCEMENT. - The administration and enforcement of the provisions of this Ordinance are hereby vested in the Public Employment Services Office.

SECTION 7. SEPARABILITY CLAUSE. - If for any reason any portion of this Ordinance is declared to be unconstitutional or invalid, all other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 8. REPEALING CLAUSE. - All ordinances, resolutions, memoranda, orders and other issuances which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 9. EFFECTIVITY CLAUSE. - This Ordinance shall take effect after thirty (30) days following the completion of its full publication in any newspaper of general circulation within the city.

ENACTED: October 14, 2019.

GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

APPROVED: 18 NOV 2019

MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on October 14, 2019 and was PASSED on Third/Final Reading on October 21, 2019.

Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III