

## **NATIONAL CONCILIATION AND MEDIATION BOARD 2018 ACCOMPLISHMENT REPORT**

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The National Conciliation and Mediation Board sustained a stable and peaceful labor front in the country through the provision of timely, efficient, and effective conciliation and mediation services. In 2018, the Board monitored only 14 work stoppages which include a wildcat strike staged by sub-contracted workers of Middleby Philippines, Inc. in Region IV-A. The 13 new strike cases covered by notices comprised 5.58%% of the 233 total notices/lockouts handled during the year.

The Board likewise increased its efforts towards the promotion of bipartite plant level cooperation and dispute resolution mechanisms resulting to the facilitation of new LMCs and operationalization of new grievance machineries. It continued efforts in promoting the Voluntary Arbitration program thereby reaping positive results, as seen in the increase in the number of cases submitted to Voluntary Arbitration.

### **I. LABOR MANAGEMENT PARTNERSHIP AND EMPOWERMENT PROGRAM**

In 2018, the Board reached 4,761 companies through its promotional activities on bi-partite plant-level workplace cooperation and partnership mechanisms (LMCs) and labor dispute settlement mechanisms or grievance machineries (GMs).

The Board conducts regular area-wide seminars to promote LMC and GM and to provide skills training on grievance handling, conflict management, and joint problem solving process to help labor and management settle grievances at the workplace.

Workplace cooperation and partnership mechanism or LMC contributes to the reduction of the rate of grievances and speed up resolution of work related issues concerning labor and management. LMC provides channels of communication for parties to discuss possible solutions to mutual problems affecting labor-management relations and come up with ways in improving communication processes for the benefit and welfare of workers.

LMC is the outcome of a continuing process of enhancing mutual trust and respect through information sharing, discussion, consultation, and negotiations. It is a scheme that involves workers in decision making processes on matters that affect them and those that are not covered by collective bargaining agreements. LMC strengthens bipartism and broadens workers representation to attain employment goals that put premium on productivity gain-sharing schemes and competitiveness.

The NCMB promotes LMC through the conduct of plant level orientation seminars/ area wide seminars and the facilitation and enhancement of LMCs by the technical staff/ LMC facilitators in the regional branches.

In line with the policy of minimal government intervention in labor disputes, the Board promotes bipartite plant-level dispute resolution mechanisms or grievance machineries to resolve workplace conflicts at the plant level. Unresolved conflicts are elevated to voluntary arbitration.

Grievance Machinery promotes the primacy of collective bargaining and negotiation in the settlement of disputes in organized and unorganized establishments.

The promotion of grievance handling at the workplace has made grievance machineries functional allowing labor disputes to be addressed at the plant level.

The technical advisory services provided by the Board resulted in the following outputs:

- Facilitation of 402 LMCs in 81 organized establishments and 321 unorganized establishments
- Enhancement of 1,679 LMCs through the provision of skills training on negotiation, consultation, problem-solving, and corporate social responsibility
- Operationalization and institutionalization of 388 GMs, and strengthening of 1,963 existing GMs.

As a result of these outputs, only 5.51% or 188 companies with LMCs have filed notices of strikes/ lockouts (NS/L) and Preventive Mediation (PM) cases out of the 3,412 companies with existing LMCs during the period. On the other hand, only 4.98% or 200 companies with active GMs are involved in labor disputes out of the 4,014 companies with active GMs.

#### **Convergence program with other DOLE offices:**

- a) The NCMB, through its tie-up with the NWPC, enhanced productivity in companies with LMC as an entry point, resulting in the facilitation of 169 LMCs in companies with existing productivity programs and enhancement of 914 LMCs with RTWPB-initiated productivity programs.
- b) NCMB's partnership with the Occupational Safety and Health Center and the Employees Compensation Commission resulted in the facilitation of LMCs in 229 companies with existing OSH programs and enhancement of 935 LMCs with basic programs on occupational safety and health and on employees compensation;
- c) NCMB's convergence program with the Bureau of Workers with Special Concerns through the DOLE regional offices likewise led to the facilitation of 185 LMCs in companies with existing family welfare programs and enhancement of 778 LMCs with family welfare programs.

## **II. LABOR CASE MANAGEMENT PROGRAM**

The NCMB promotes conciliation-mediation as the preferred mode of resolution of unfair labor practice and bargaining deadlock issues raised to avert the same from maturing into actual work stoppages.

In the occurrence of a work stoppage, the NCMB continues to provide conciliation and mediation services in an effort to settle the dispute at the earliest possible time to minimize or prevent its adverse effects to the workers, the company, and the economy.

In 2018, 14 work stoppages were monitored. These include one (1) wildcat strike conducted by non-unionized workers of two service providers of Middleby Philippines, Inc. in Region IV-A. Of the 14 strike cases, 10 raised the issue of unfair labor practice (ULP), 3 cases involved deadlock in collective bargaining and one (1) with both BD and ULP.

The Board docketed 202 new notices of strike/lockout during the year with 67,922 workers involved. Of the 202 new cases filed, 146 raised the issue of unfair labor practice, 42 involved deadlock in bargaining negotiations and 14 had a combination of both issues.

The Board disposed of 84.5% or 197 cases of the total 233 NS/L handled in 2018. Settlement on the other hand is 76% or 177 cases.

The Board received 466 new preventive mediation cases in 2018 with 89,396 workers involved. The Board handled a total of 499 PM cases in 2018.

Of the 466 total cases filed, 379 involved unfair labor practice. Deadlock in collective bargaining totaled to 65, mostly on economic issues, while 22 cases raised both ULP and BD.

The Board disposed of 94.2% or 470 cases of the 499 preventive mediation cases handled during the year. Settlement rate was recorded at 90.4% or 451 cases.

Single Entry Approach (SENA) program is a reform measure institutionalized through Department Order No. 107-10 to effect a faster, fairer, and less expensive settlement of labor issues and to prevent such issues from maturing into actual labor cases. Single Entry Approach is an option provided by the Department for workers in the filing of cases with conciliation as the entry point. If settlement is not reached within 30 days, the parties can elevate the issue to the appropriate offices of the Department.

In 2018, the Board received a total of 5,666 requests for assistance (RFAs) under SENA with a total 11,106 workers involved. The Board handled a total of 6,038 SENA RFAs during the year.

The Board disposed of 94% or 5,667 of the 6,038 RFAs handled during the period, and settled 61% or 3,689 RFAs.

Voluntary Arbitration (VA) is a third party settlement of labor disputes involving the mutual consent by the representatives of the company and the labor union involved in a labor dispute to submit their case to a neutral third party who decides the case based on merits. The program is a terminal step in the parties' grievance machinery.

For the year, there have been 482 cases resolved out of the 869 VA cases handled for a disposition rate of 55%.

Facilitated monetary benefits resulting from case settlement of conciliation-mediation and voluntary arbitration cases are as follows:

AS/L	-	P 459,541,320.00 benefitting 476 workers
NS/L	-	P 1,377,130,365.00 benefitting 12,325 workers
PM	-	P 148,723,455.00 benefitting 3,043 workers
SENA	-	P 193,325,368.93 benefitting 5,352 workers
VA	-	P 1,388,281,015.44 benefitting 814 workers

#### **OTHER ACCOMPLISHMENTS:**

- ✓ As program manager of the Single Entry Approach (SEnA) Program and Project DOLE Speedy and Efficient Delivery of Labor Justice (Project Speed), the NCMB Central Office, supervised, monitored, and evaluated the implementation of the project in member agencies, consolidated and submitted reports to the Office of the Secretary through the Office of the Undersecretary of Labor Relations.
- ✓ Provided continuous technical assistance, and maintained close coordination and linkages with other DOLE offices/agencies and various social partners, such as the Philippine League of Labor and Management Cooperation Practitioners, Inc. (PHILAMCOP), Regional LMC associations, and private companies. The Board likewise attended to invitations to act as resource speaker on topics related to workplace cooperation and partnership/labor-management cooperation to further advocate this bi-partite mechanism to various stakeholders of the Board.
- ✓ Coordinated with the Tripartite Voluntary Arbitration Advisory Council (TVAAC) and Philippine Association on Voluntary Arbitration (PAVA) to maintain AVAs' integrity and enhance their capability in handling VA cases. Yearly, the Board conducts continuing education seminar for AVAs to keep them abreast of the trends on VA. In 2018, 80 AVAs participated in the General Continuing Education Seminar held at Luxent Hotel, Timog Ave., Quezon City on September 20-21, 2018.

## **CAPABILITY BUILDING PROGRAMS**

- ✓ Conducted an orientation seminar for 22 new employees for the Central Office and Regional Branches on January 12, 2018.
- ✓ Conducted a Seminar on Omnibus Rules on Personnel Actions and SALN on February 20-21, 2018.
- ✓ Conducted a one day Road Safety and Defensive Driving Seminar on March 1, 2018 for SG-2 and Project based employees nationwide.
- ✓ Conducted the Labor Dispute Management Course XXII at Hotel Supreme Convention Plaza, 133 Magsaysay Avenue, Baguio City on April 11-13, 2018
- ✓ Conducted a Trainers' Training for NCMB Program Implementers on May 15-15, 2018 at Hive Hotel and Convention Place, Quezon City participated by 55 personnel of the NCMB and its Regional Branches.
- ✓ Conducted a Seminar-Workshop on Enhanced Technical Writing and development of communication plan at B Hotel in Quezon City on May 26-29, 2017.
- ✓ Conducted the 2018 GAD Capacity Building for GAD Focal Point systems (GFPS) at Hive Hotel and Convention Place, Quezon City on June 18-20, 2018.
- ✓ Conducted the Seminar-Workshop on Basic Records and Archives Management held at Sequoia Hotel Mother Ignacia Avenue, Diliman, Quezon City on June 20-22, 2018.
- ✓ Conducted the Seminar-Workshop on Data Management held at AIM Training Institute, Makati City on December 10 – 14, 2018.
- ✓ Conducted the following group learning sessions/ staff development for Central Office personnel:
  - Stress Management and Laugh Out Loud, January 19, 2018,
  - Good Housekeeping and Productivity 101, February 23, 2018.
  - Seminar on Personality Development, March 8, 2018
  - Seminar on Geriatric Diseases and Gynecological Disorders, March 16, 2018
  - Women in Power, March 23, 2018
  - SE nA Appreciation and Workers' Statutory Benefits and Related Laws, April 30, 2018

- SEnA Appreciation II: Skills Enhancement and Immersion, May 28-June 1, 2018. The said activity was a follow through of the SENA learning session and was attended by 15 participants from the Central Office.
- Technical Writing, June 22, 2018.
- SEnA Appreciation III: Conciliation-Mediation Facilitation with topics (1) SEnA Revisited (2) Conciliation-Mediation Cycle, June 25, 2018.
- Public Speaking, July 20, 2018.
- Performance Evaluation, August 17, 2018.
- Review on Basic English Grammar, September 28, 2018.
- Negotiation Process, October 19, 2018
- Leaders and Leadership on November 21, 2018.
- Violence Against Women and Their Children, December 12, 2018

### **Quality Management System**

- ✓ To maintain its ISO certification, the Board facilitated the conduct of the following on the readiness and management of NCMB existing programs in preparation for the assessment of DOLE CO ISO 9001:2015:
  - QMS (mock audit) – May 28, 2018 with QMS Consultant Engr. Grace P. Darca
  - Internal Audit on April 18-20, 2018
  - Stage 1: Audit Surveillance on June 21, 2018 with QMS External Auditor Leandro Lorenzo G. Bautista
  - Stage 2: Re-Audit Surveillance on July 3, 2018 with QMS External Auditor Allen Roy Cruz
- ✓ The ISO certificate was awarded to the NCMB on September 24, 2018 at the LGLC at the DOLE Executive Building, Intramuros, Manila.

### **HRD Interventions**

- ✓ The Administrative Division of the Internal Services Department facilitated the issuance of 23 appointments in 2018. Seventeen (17) of these were already validated by the CSC while the remaining 6 are pending attestation/validation by the Commission.
- ✓ The Board provided learning sessions for its personnel as indicated earlier in the report

### **Transparency Seal Compliance**

- ✓ The Board complied 100% to the requirements of the transparency seal by posting in its website the transparency seal requirements

## **Integrity Development Program**

- ✓ The Board regularly monitored the status of complaints and cases filed against officials and employees and regularly submitted complete reports thereof to the Legal Service of DOLE.
- ✓ As part of its Integrity development Program, the Board submitted 100% of the SALN of its officials and employees to the appropriate agencies.

## **Communication Program**

- ✓ The Board's Research and Information Division (RID) was able to develop and submit thirty-seven (37) good news and thirty-nine (39) press releases in 2018. It also monitored a total of two (2) TV appearances and seven (7) radio guestings.
- ✓ As part of its advocacy program, the NCMB Central Office published one online issue of the NCMB Chronicle covering the first semester of the year. The newsletter aims to convey the Board's achievements, milestones, events, and notable developments in the national and regional level to the stakeholders.

## **Formulation of Program Expenditure Classification (PREXC) Budget Structure 2019 Indicative Target**

- ✓ Formulated the Board's performance indicators under the NCMB Program Expenditure Classification (PREXC) for 2019. Coordinated with the DBM for the approval of the NCMB 2019 PREXC Indicative Target.

## **Performance Accomplishment Reports**

- ✓ Prepared, consolidated and submitted NCMB accomplishment reports (ADR Updates, Monthly, Quarterly, Semestral and Annual Report) to DOLE, Planning Service, DBM, COA and other government agencies.
- ✓ Encoded and validated online regional quarterly accomplishment to DBM.
- ✓ Encoded and validated online submission of Statistical Performance Reporting System (SPRS) to the Planning Service.
- ✓ Worked in close coordination with the DOLE's Planning Service and the DBM as regards to the Board's actual performance and targets.

## **Performance Planning and Assessment**

- ✓ Formulated and monitored agency performance plan through the conduct of Year-End and Mid-Year Performance Assessment
- ✓ Attended Labor Relations pre-MYPA and YEPA activities

- ✓ Attended DOLE MYPA and YEPA activities

### **NCMB 2018 Budget Proposal**

- ✓ Prepared and submitted required reports (physical and budget proposals and accomplishments) to the House of Representatives and the Senate
- ✓ Encoded and validated online regional targets, physical and budget proposals and accomplishments to DBM
- ✓ Attended and defended NCMB 2019 Budget Proposal to DBM, House of Representative and Senate

### **Information System**

- ✓ Maintained the NCMB infrastructure to ensure 100% accessibility of the internet and LAN network.
- ✓ Hosted, maintained and posted information updates in the NCMB website
- ✓ Address problems relating to hardware maintenance, repairs, services, software installations and other ICT concerns. (E-NGAS updates)
- ✓ Assisted the RCMBs in the enhancement of regional branch websites
- ✓ Facilitated the submission of the 2018-2020 ISSP to DICT
- ✓ Facilitated the preparation of the PPMP and APP of Information and Communications Technologies.
- ✓ Facilitated and coordinated with DICT for the installation of fiber optic cable internet
- ✓ Facilitated the procurement of ICT needs under the 2018 ISSP.

### **Compliance with Freedom of Information (FOI)**

- ✓ Facilitated the submission/posting of required reports in compliance with the guidelines set by the FOI Manual.
- ✓ Monitored any inquiries sent and prepared reply within the set deadline.



## **Compliance with Privacy Act**

- ✓ Facilitated the submission and registration of Data Protection Officer (DPO) and its alternate to the National Privacy Commission on August 14, 2017. Proof of registration was submitted to Planning Service – DOLE on March 20, 2018.
- ✓ Facilitated the preparation and submission of the NCMB Data Privacy Manual
- ✓ Conducted the Privacy Impact Assessment on the following:
  - Filing of Notice of Strike/Lockout and Preventive Mediation Cases
  - Filing of Request for Assistance
  - Filing of Notice to Arbitrate

## **Compliance with PBB requirements**

- ✓ Facilitated submission/ posting of required reports/data in compliance with the guidelines set by AO 25 Inter-agency and DOLE OSEC.