



Our future, today.

National Confederation of Cooperatives
Education, Training and Consultancy Group

Compliance Seminar on **Orientation on Labor and other Related Laws**

May 29-30, 2014
NATCCO, Quezon City



315

WELCOME
LABOR LAW UPDATES
 MAY 27-28, 2014

NATCCO BLDG., Q.C.

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 NLRC-NCR
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LECTURE OUTLINE

PART I
INTRODUCTION
 LABOR PRINCIPLES

PART II
LABOR DISPUTES
UNFAIR LABOR PRACTICES

PART III
DISPUTE RESOLUTION
 (LIFE OF A LABOR CASE)

PART IV
RULES FOR THE DISPOSITION OF LABOR CASES
 (LABOR PROCEDURE)

PART I
LABOR PRINCIPLES
 Sec. 3, Art. XIII, Constitution

Principle of Shared-Responsibility
 The duty of an employer to pay a living wage implies the correlative obligation of his employee to render adequate, efficient and loyal service.

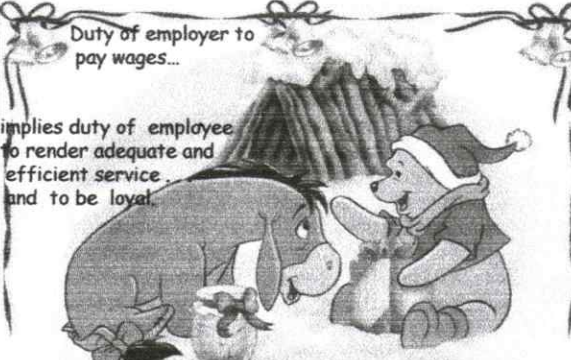
The Full Protection Clause
 (Social Justice)

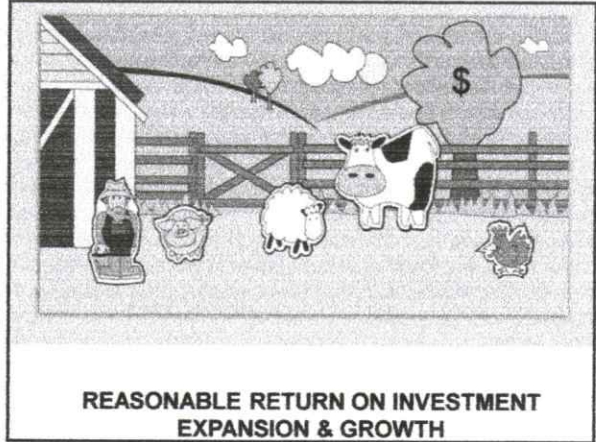
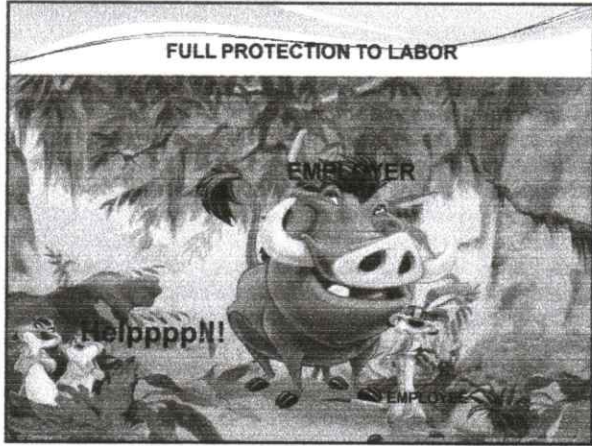
Reasonable Return on Investment
 (Management Prerogatives)

SHARED- RESPONSIBILITY

Duty of employer to pay wages...

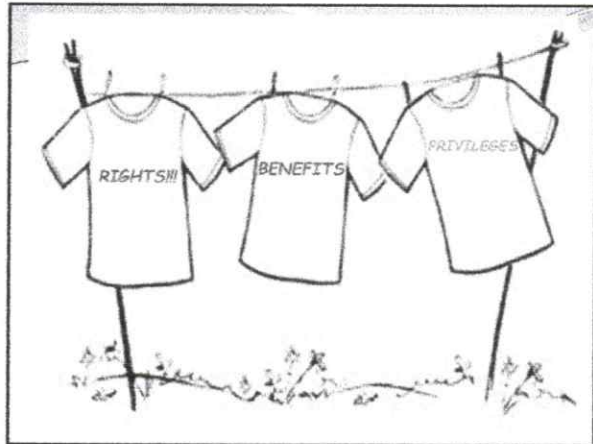
implies duty of employee to render adequate and efficient service... and to be loyal.





**PD 442
(4 FOR 2)**

| 4 | 2 |
|--|--|
| 1. Security of Tenure 2. Living Wage 3. CB & CN 4. Just share in the fruits of production | 1. Reasonable Return on Investment (RROI) 2. Expansion & Growth <i>Note</i> Management Prerogatives |



| INTERPLAY OF RIGHTS & DUTIES | |
|------------------------------|--------------------|
| EMPLOYEE | EMPLOYER |
| The Full Protection Clause | Reasonable ROI |
| — | — |
| Social Justice | Expansion & Growth |

PRINCIPLE OF ABUSE OF RIGHTS

Every person must, in the exercise of his rights and performance of his duties, act with justice, give everyone his due, and observe honesty and good faith.

ART. 19, NEW CIVIL CODE

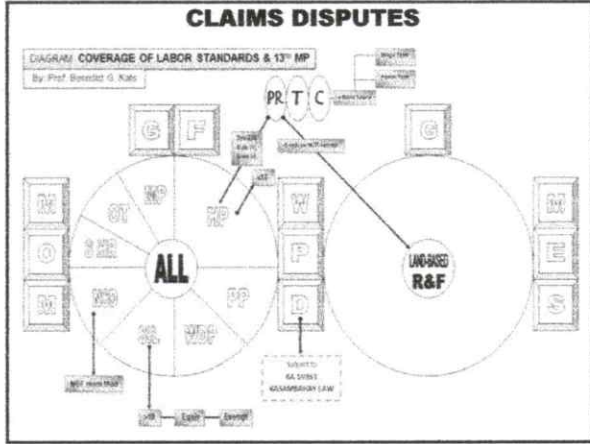


LABOR DISPUTES
(Art. 212 (I), PD 442)

LABOR STANDARDS DISPUTES
Claims Disputes: Wages, Hours of Work & Other Terms of Employment

LABOR RELATIONS DISPUTES
Organizational Disputes (Unfair Labor Practices)
Representational Disputes (Unfair Labor Practices)
Termination Disputes

WELFARE DISPUTES
SSS Benefits & Other Welfare Benefits
Note: **TERMINATION DISPUTES**



CLUES

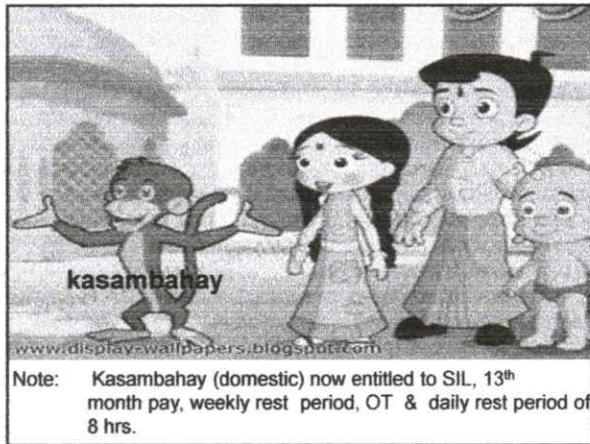
MOM - Managers, Officers of managerial staff (sup),
Members of Family (dependent for support)

GF - Gov't employees, Field personnel

WPD - Workers paid by result (piece-raters, task, comm)

Persons in the personal service of another
(body guards, private nurses)
Domestic workers

MES - Managers
Equivalent of 13th month pay
Supervisors



Basic Benefits

- 1. Wage
- A. Minimum Wage Fixing
- B. Wage Distortion
- 2. Overtime Pay
- 3. Holiday Pay
- 4. Night Shift Differential
- 5. Premium Pay
- 6. Services Charges
- 7. 13th Month Pay

- 8. Separation Pay (Articles 283-284)
- 9. Retirement Pay (Art. 287, as amended by RA 7641)

wages

- Basic Salary
- Minimum Wage
- Wage Distortion
- How to Resolve WD

NCR Wage Order No. 17

- Present minimum wage