



Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
National Wages and Productivity Commission
Regional Tripartite Wages and Productivity Board No. IV-A
City of Calamba, Laguna

WAGE ORDER NO. IVA-09, AS AMENDED
SETTING THE MINIMUM WAGE IN CALABARZON AREA

WHEREAS, the Regional Tripartite Wages and Productivity Board (RTWPB) is mandated to determine and fix minimum wage rates in the Region taking into account the prevailing socio-economic condition affecting the cost of living of wage earners, the sustainable viability and competitiveness of business and industry, the comparability of wage levels across regions, and the interest of both labor and management;

WHEREAS, consistent with the policy of providing workers with reasonable wages, the Board recognizes the need to review the current minimum wage levels in the region;

WHEREAS, in line with the ten point agenda of the present administration, it is the intention of the Board to encourage the growth of business that will create and preserve more jobs especially in the countryside, thereby reducing poverty incidence;

WHEREAS, a petition was filed on October 17, 2003 for an across-the-board increase in the minimum wage as modified on July 16, 2004;

WHEREAS, the Board acting on the petition, initiated the conduct of sectoral consultations on November 7, 2003, June 16 and 22, 2004. Public hearings were held on July 20, 2004 and August 5, 2004 covering the provinces of Cavite, Laguna, Rizal and Batangas and Quezon, respectively.

WHEREAS, this Wage Order applies to CALABARZON Area, (as defined under Executive Order 103 Series of 2002) which covers the provinces of Cavite, Laguna, Batangas, Rizal and Quezon;

WHEREAS, the Board as a result of its continuous review of the spatial configuration of the region, have reclassified some cities and municipalities in the different areas to reflect the current level of income and development of the region as follows:

- a. Extended Metropolitan Area or highly urbanized and industrialized areas in the Region geographically contiguous to Metro Manila and whose income and development approximates that of the National Capital Region;
- b. Growth Corridor Area or rapidly urbanizing and industrializing parts of the Region strategically located near Metro Manila;
- c. Emerging Growth Area or areas with mainly rural/agricultural resource potential located at/or near the rapidly urbanizing and industrializing parts of the Region; and
- d. Resource Based Area with predominantly rural/agricultural resource potential far from regional and Metro Manila markets;

WHEREAS, this issuance is rational, consistent and responsive to existing economic and social development priorities especially the creation of more investments and job opportunities;

NOW, THEREFORE, by virtue of the power and authority vested under Republic Act No. 6727, known as the Wage Rationalization Act, the Regional Tripartite Wages and Productivity Board of Region IV-A hereby issues this Wage Order:

SECTION 1. AMOUNT OF INCREASE. The amount of increase in the minimum wage for all workers and employees in the private sector upon effectivity of this Order are as follows:

- | | |
|-------------------------------|---------|
| 1) Extended Metropolitan Area | P 18.00 |
| 2) Growth Corridor Area | P 12.00 |
| 3) Emerging Growth Area | P 8.00 |
| 4) Resource Based Area | P 5.00 |

SECTION 2. NEW MINIMUM WAGE RATES. The daily minimum wage rates of private workers and employees in Region IV-A upon effectivity of this Order shall be:

CALABARZON AREAS	SECTOR				
	Non-Agriculture	Agriculture		Cottage	RETAIL & SERVICE ESTABLISHMENT Employing not more than 10 workers
		Plantation	Non-Plantation		
RETAINED AS EXTENDED METROPOLITAN AREA					
CURRENT EMPLOYEE <i>NEW EMPLOYEE</i>	255.00 255.00	230.00 <i>230.00</i>	210.00 <i>210.00</i>	218.00 <i>218.00</i>	150.00 <i>150.00</i>
CAVITE Bacoor, Imus					
RIZAL Cainta, Taytay					
LAGUNA Binan, San Pedro					
RECLASSIFIED EXTENDED METROPOLITAN AREA TO GROWTH CORRIDOR AREA					
CURRENT EMPLOYEE <i>NEW EMPLOYEE</i>	249.00 237.00	224.00 <i>212.00</i>	204.00 <i>192.00</i>	212.00 <i>200.00</i>	144.00 <i>132.00</i>
CAVITE Cavite City, Dasmariñas, Rosario, Carmona, Gen. Trias					
RIZAL Antipolo City					
LAGUNA Cabuyao, Calamba City, Los Baños, San Pablo City, Sta. Cruz, Sta. Rosa.					
RETAINED AS GROWTH CORRIDOR AREA					
CURRENT EMPLOYEE <i>NEW EMPLOYEE</i>	232.00 232.00	207.00 <i>207.00</i>	187.00 <i>187.00</i>	195.00 <i>195.00</i>	129.00 <i>129.00</i>
CAVITE Kawit, Tagaytay City, Tanza Trece Martirez, Silang					
BATANGAS Batangas City, Bauan, Lipa City, San Pascual, Sto. Tomas, Tanauan City					
QUEZON Lucena City					

CALABARZON AREAS	SECTOR				
	Non-Agriculture	Agriculture		Cottage	RETAIL & SERVICE ESTABLISHMENT Employing not more than 10 workers
		Plantation	Non-Plantation		
RECLASSIFIED EXTENDED METROPOLITAN AREA TO EMERGING GROWTH AREA					
<i>CURRENT EMPLOYEE</i> <i>NEW EMPLOYEE</i>	245.00 237.00	220.00 212.00	200.00 192.00	208.00 200.00	140.00 132.00
<u>CAVITE</u> GMA <u>RIZAL</u> Rodriguez, Tanay					
RECLASSIFIED GROWTH CORRIDOR AREA TO EMERGING GROWTH AREA					
<i>CURRENT EMPLOYEE</i> <i>NEW EMPLOYEE</i>	228.00 222.00	203.00 197.00	183.00 177.00	191.00 185.00	125.00 121.00
<u>RIZAL</u> Angono, Binangonan, San Mateo <u>BATANGAS</u> Balayan, Calaca, Lemery, Nasugbu <u>QUEZON</u> Candelaria, Sariaya					
RETAINED AS EMERGING GROWTH AREA					
<i>CURRENT EMPLOYEE</i> <i>NEW EMPLOYEE</i>	222.00 222.00	197.00 197.00	177.00 177.00	185.00 185.00	121.00 121.00
<u>BATANGAS</u> Mabini, Rosario, San Jose, Calatagan					
RECLASSIFIED GROWTH CORRIDOR AREA TO RESOURCE BASED AREA					
<i>CURRENT EMPLOYEE</i> <i>NEW EMPLOYEE</i>	225.00 220.00	200.00 195.00	180.00 175.00	188.00 183.00	122.00 117.00
<u>CAVITE</u> Indang, Naic, Noveleta , Ternate <u>RIZAL</u> Piliia <u>LAGUNA</u> Paete, Pakil <u>BATANGAS</u> San Juan <u>QUEZON</u> Tiaong					
RECLASSIFIED EMERGING GROWTH AREA TO RESOURCE BASED AREA					
<i>CURRENT EMPLOYEE</i> <i>NEW EMPLOYEE</i>	219.00 215.00	194.00 190.00	174.00 170.00	182.00 178.00	118.00 116.00
<u>CAVITE</u> Alfonso <u>RIZAL</u> Cardona, Morong, Teresa <u>LAGUNA</u> Alaminos, Bay, Calauan, Cavinti, Kalayaan, Liliw, Luisiana, Lumban, Mabitac, Majayjay, Nagcarlan, Pagsanjan, Pangil, Pila, Rizal, Siniloan, Sta Maria, Victoria <u>BATANGAS</u> Cuenca, Ibaan, Lian, Padre Garcia, Taal, Tingloy, Tuy, Taysan					

CALABARZON AREAS	SECTOR				
	Non-Agriculture	Agriculture		Cottage	RETAIL & SERVICE ESTABLISHMENT Employing not more than 10 workers
		Plantation	Non-Plantation		
QUEZON					
<i>CURRENT EMPLOYEE</i>	201.00	181.00	161.00	169.00	111.00
<i>NEW EMPLOYEE</i>	197.00	177.00	157.00	165.00	109.00
Atimonan, Calauag, Guinayangan, Gumaca, Infanta, Lucban, Mauban, Mulanay, Pagbilao, Real, Tagkawayan, Tayabas, Lopez					
RETAINED AS RESOURCE BASED AREA					
<i>CURRENT EMPLOYEE</i>	215.00	190.00	170.00	178.00	116.00
<i>NEW EMPLOYEE</i>	215.00	190.00	170.00	178.00	116.00
CAVITE					
Amadeo, Gen. Aguinaldo, Magallanes, Maragondon, Mendez-Nunez					
RIZAL					
Baras, Jala-Jala					
LAGUNA					
Famy, Magdalena					
BATANGAS					
Agoncillo, Alitagtag, Balete, Laurel, Lobo, Malvar, Mataas na Kahoy, San Luis, San Nicolas, Sta. Teresita, Talisay					
QUEZON					
<i>CURRENT EMPLOYEE</i>	197.00	177.00	157.00	165.00	109.00
<i>NEW EMPLOYEE</i>	197.00	177.00	157.00	165.00	109.00
Agdangan, Alabat, Buenavista, Burdeos, Catanauan, Dolores, Gen. Luna, Gen. Nakar, Jomalig, Macalelon, Padre Burgos, Panulukan, Patnanungan, Perez, Pitogo, Plaridel, Polilio, Quezon, Sampaloc, San Andres, San Antonio, San Francisco, San Narciso, Unisan					

All workers covered by this Wage Order receiving less than the prescribed minimum wage(s) shall be adjusted at least to the new daily minimum wage rates prescribed herein.

SECTION 3. COVERAGE. The minimum wage rates prescribed under this Order shall apply to all covered workers and employees in all private establishments in Region IV-A regardless of their position, designation or status of employment and irrespective of the method by which their wages are paid. Not covered by this Wage Order are household or domestic helpers, family drivers and persons employed in the personal service of another. Also, not covered are workers of Barangay Micro Business Enterprises (BMBEs) with Certificate of Authority, pursuant to R.A. 9178.

SECTION 4. APPLICABLE MINIMUM WAGE LEVELS FOR CURRENT AND NEW EMPLOYEES AS A RESULT OF SPATIAL RE-CLASSIFICATION.

a. On Areas Retained per Original Classification

Current Employees or those who are employed on or before 31 October 2004 and New Employees or those who will be employed by 01 November 2004, thereafter in covered cities and municipalities per area classification in Section 2, shall receive the same amount of minimum wage increase per day as provided for in Section 1 of the Wage Order, as amended.

b. On Areas Reclassified as a Result of Wage Rationalization

Current Employees or those who are employed on or before 31 October 2004 shall receive the applicable wage increase in their daily basic minimum wage as provided for in Section 1 of the Wage Order.

New Employees or those who will be employed by 01 November 2004 and thereafter, shall receive the applicable transitory daily minimum wage provided for in Section 2 of the Wage Order, as amended. New employees in areas retaining their classification under WOIVA-09, shall be entitled to the new minimum wage rates as prescribed under WOIVA-09. However, new employees in areas that were re-classified under WOIVA-09, shall receive a transitory wage rates equivalent to the applicable minimum wage rates in the area before the reclassification. Further, new employees do not include those who are currently employed and were laid off and/or transferred and rehired on 01 November 2004 onwards by any employer to an area of lower classification or wage level, regardless of the mode by which these workers or employees were hired.

SECTION 5. BASIS OF MINIMUM WAGE. The minimum wage prescribed under this Order shall be for the normal working hours, which shall not exceed eight (8) hours work a day.

SECTION 6. APPLICATION TO WORKERS PAID BY RESULTS. All workers paid by result, including those who are paid on piece work, takay, pakyaw or task basis, shall be entitled to receive the prescribed minimum wage rates for the normal working hours which shall not exceed eight (8) hours work a day, or a proportion thereof for working less than the normal working hours.

SECTION 7. APPLICATION TO SPECIAL GROUPS OF WORKERS. Wages of apprentices and learners shall in no case be less than seventy-five percent (75%) of the applicable minimum wage rates prescribed in this Order.

All recognized learnership and apprenticeship agreements entered into before the effectivity of this Order shall be considered automatically modified insofar as their wage clauses are concerned to reflect the new prescribed minimum wage.

SECTION 8. APPLICATION TO PRIVATE EDUCATIONAL INSTITUTIONS. In the case of private educational institutions, implementation of the Wage Order shall be deferred until tuition fees are increased but such deferment shall not be for more than one school year.

SECTION 9. APPLICATION TO CONTRACTORS. In the case of contracts for construction projects and for security, janitorial and similar services, the prescribed increase in the wage rate of covered workers shall be borne by the principals or clients of the construction/service contractor and the contract shall be deemed amended accordingly. In the event, however, that the principal or client fails to pay the prescribed wage rates, the contractor shall be jointly and severally liable with the principal or client.

SECTION 10. APPLICATION TO TRANSFERS, MOBILE OR MULTISITE EMPLOYEES. In cases where the establishment may have branches or multiple sites in different parts of the region or where its headquarters is outside the region, the applicable rate is the rate of the particular city/municipality where the employee is based. In cases of mobile employees, the home base rate shall apply. In cases of transfer from a high rate city/municipality to a lower rate city/municipality, the higher rate shall continue to be applied.

SECTION 11. APPLICATION TO EXPORT ESTABLISHMENTS. Upon application with and as determined by the Board, export establishments which earn at least fifty percent (50%) of their normal operating revenues from export sales and whose product pricing is computed using labor costs based on previous mandated minimum wage rates, the effectivity of minimum wage rates under this Order shall be deferred but shall not to exceed one year.

The allowable length of period of deferment grant shall be based on the weighted value or volume of which specific contract with the time and/or expected time of receipt of payment of each specific contract in proportion to the total contract value or volume for a one- year period plus thirty days payment lag.

SECTION 12. EXEMPTION Upon application with and as determined by the Board based on the criteria and supporting documents, exemption from the applicability of this Order maybe allowed on the following categories of establishments:

- a. New Business Enterprises as defined in the NWPC Guidelines No. 01 Series of 1996 (Rules on Exemption) whose start of operation is January 1, 2004 onwards during the effectivity of this Wage Order shall be exempted for one year. Exemption may be renewed for another year for those establishments that will locate in the Growth Corridor, Emerging, and Resource Based Areas, provided this will be allowed under the new Guidelines that the NWPC may issue.
- b. Distressed Establishments and Establishments Facing Potential Losses as defined in the NWPC Guidelines No. 01 Series of 1996 (Rules on Exemption) and NWPC Guidelines 01 Series of 2001 shall be exempted for one year. Exemption may be renewed for another year for establishments with the threat of massive retrenchment or imminent closure, provided this will be allowed under the new Guidelines that the NWPC may issue.

SECTION 13. APPLICATION FOR EXEMPTION. All applications for exemption from this Order shall be filed within seventy five (75) days from the date of publication of the Rules Implementing this Order.

The period of exemption shall be in accordance with Section 8 of the NWPC Guidelines (Rules on Exemption) Series of 1996 without prejudice to the results of the on-going policy review by the commission.

Whenever an application for exemption has been filed with the Regional Board, action by the Regional Office of the Department of Labor and Employment on any complaint for alleged non-compliance with this Order shall be deferred pending resolution of the application for exemption by the Regional Board.

In the event that an application for exemption is not granted, covered workers and employees shall receive the appropriate compensation due them as provided for in this Order plus interest of one percent (1%) per month retroactive to the effectivity of this Order.

SECTION 14. APPEAL TO THE COMMISSION. Any party aggrieved by this Wage Order may file a verified appeal with the Commission through the Board within ten (10) calendar days from the publication of this Order.

SECTION 15. EFFECT OF FILING AN APPEAL. The filing of the appeal does not operate to stay the Order unless the party appealing such Order shall file with the Commission an undertaking with a surety or sureties satisfactory to the Commission for payment to employees affected by the Order of the corresponding increase, in the event such Order is affirmed.

SECTION 16. EFFECTS ON EXISTING WAGE STRUCTURE. Wage/salary distortions and/or severe compression that may result as a consequences of this Order shall be addressed through mutual agreement by the employer and its employees or their representative unions.

The pendency of a dispute arising from a wage distortion shall not in any way delay the applicability of any increase prescribed in this Order.

Disputes that may arise as a result of this Order shall be resolved in accordance with Article 124 of the Labor Code as amended.

SECTION 17. COMPLAINTS FOR NON-COMPLIANCE. Complaints for non-compliance with this Order shall be filed with the Regional Office of the Department of Labor and Employment (DOLE) and shall be subject of enforcement proceedings under Article 128 of the Labor Code, as amended without prejudice to criminal prosecution which may be undertaken against those who fail to comply.

SECTION 18. NON-DIMINUTION OF BENEFITS. Nothing in this Order shall be construed to reduce existing wage rates, allowances, and benefits of any form under existing laws, decrees, issuances, executive orders and/or under any contract of agreement between the workers and employers.

SECTION 19. PENAL PROVISIONS. Any employer who refuses or fails to pay the corresponding rates provided under this Order shall be subject to the penalties under RA. 6727, as amended by R.A.8188.

SECTION 20. PROHIBITIONS AGAINST INJUNCTION. No preliminary or permanent injunction of temporary restraining order may be issued by any court, tribunal or other cities against any proceeding before the Board.

SECTION 21. FREEDOM TO BARGAIN. This Order shall not be construed to prevent workers in particular firms or enterprises from bargaining for higher wages with their respective employers.

SECTION 22. REPORTING REQUIREMENT. Any person, company, corporation, partnership or any entity engaged in business shall submit a verified itemized listing of their labor component to the Board not later than January 31, 2005 and every year thereafter in accordance with the form prescribed by the Commission.

SECTION 23. REPEALING CLAUSE. All orders, issuances, rules and regulations, or parts thereof inconsistent with this Wage Order are hereby repealed, amended or modified accordingly.

SECTION 24. SEPARABILITY CLAUSE. If for any reason, any section or provision of this Order is declared unconstitutional or invalid, the other provisions or parts shall remain valid.

SECTION 25. IMPLEMENTING RULES. The Regional Board shall prepare the necessary rules and regulations to implement this Order, subject to the approval of the Secretary of Labor and Employment.

SECTION 26. EFFECTIVITY. This Order shall take effect on November 1, 2004 after its publication in at least one newspaper of general circulation in the Region.

Approved this ____ day of _____, 2004 in Calamba City, Laguna.

(SGD.) ATTY. MAXIMO B. LIM, CESO III
Chairman

(SGD.) MARILOU Q. TOLEDO
Vice-Chairman

(SGD.) SEVERINO C. SANTOS
Vice-Chairman

(SGD.) RENATO B. ALMEDA
Employer Representative

(SGD.) LUCILA L. TARRIELA
Employer Representative

(SGD.) BENJAMIN P. BASQUIÑAS, JR.
Worker Representative
On the Amendments to WO No. IVA-09
Took no Part

(SGD.) JUANITO S. FACUNDO
Worker Representative
On the Amendments to WO No. IVA-09
Dissented on area reclassification
and rates of new employees

Wage Order No. IVA-09 was issued on 31 August 2004
Amendments to Wage Order No. IVA-09 was issued on 10 November 2004

**RULES IMPLEMENTING
WAGE ORDER NO. IVA - 09, AS AMENDED**

Pursuant to the authority granted to the Regional Tripartite Wages and Productivity Board under

the Revised Rules of Procedure on Minimum Wage Fixing, the following rules are hereby issued for the guidance and compliance by all concerned:

RULE 1

GENERAL PROVISIONS

SECTION 1. TITLE. This Rules shall be known as " Rules Implementing Wage Order No. IV A-09, as Amended;

SECTION 2. DEFINITION OF TERMS. As used in this Rules,

- (a) "Order" means Wage Order No. IVA - 09, as Amended;
- (b) "Board" means the Regional Tripartite Wages and Productivity Board of Region IVA;
- (c) "Commission" means the National Wages and Productivity Commission;
- (d) "Department" means the Department of Labor and Employment;
- (e) "Region IVA" or CALABARZON covers the Provinces of Cavite, Laguna, Batangas, Rizal, Quezon, and the Cities of Cavite, Tagaytay, Trece Martirez, Calamba, San Pablo, Batangas, Lipa, Tanauan, Antipolo and Lucena, per Executive Order 103;
- (f) "Extended Metropolitan Area" covers the Municipalities of Bacoor and Imus in Cavite; Biñan and San Pedro in Laguna; Cainta and Taytay in Rizal;
- (g) "Growth Corridor Area" covers the Cities and Municipalities of Dasmariñas, Cavite City, Carmona, Gen. Trias, Kawit, Rosario, Silang, Tagaytay City, Tanza, Trece Martires City in Cavite, Cabuyao, Calamba City, Los Baños, San Pablo City, Sta Cruz and Sta. Rosa in Laguna, Antipolo City in Rizal, Batangas City, Bauan, Lipa City, San Pascual, Sto. Tomas, Tanauan City, in Batangas, Lucena City in Quezon.
- (h) "Emerging Growth Area" covers the Municipalities of Gen. Mariano Alvarez in Cavite; Angono, Binangonan, Rodriguez, San Mateo, Tanay in Rizal; Balayan, Calaca, Calatagan, Lemery, Mabini, Nasugbu, Rosario, and San Jose in Batangas; Candelaria and Sariaya in Quezon.
- (i) "Resource Based Area" covers the Municipalities of Alfonso, Amadeo, Gen Aguinaldo, Indang, Magallanes, Maragondon and Mendez-Nuñez, Naic, Noveleta and Ternate in Cavite; Baras, Cardona, Jala-jala, Morong, Pililia, and Teresa in Rizal; Alaminos, Bay, Calauan, Cavinti, Famy, Kalayaan, Liliw, Luisiana, Lumban, Mabitac, Magdalena, Majayjay, Nagcarlan, Paete, Pagsanjan, Pangil, Pakil, Pila, Rizal, Siniloan, Sta. Maria, and Victoria in Laguna; Agoncillo, Alitagtag, Balete, Cuenca, Ibaan, Laurel, Lian, Lobo, Malvar, Mataas na Kahoy, Padre Garcia, San Juan, San Luis, San Nicolas, Sta Teresita, Taal, Talisay, Taysan, Tingloy and Tuy in Batangas; Agdangan, Atimonan, Alabat, Buenavista, Burdeos, Calauag, Catanauan, Dolores, Guinayangan, Gen. Nakar, Gen. Luna, Gumaca, Infanta, Jomalig, Lopez, Lukban, Macalelon, Mauban, Mulanay, Padre Burgos, Panukulan, Pagbilao, Patnanungan, Perez, Pitogo, Plaridel, Polilio, Quezon, Real, Sampaloc, San Andres, San Antonio, San Francisco, San Narciso, Tagkawayan, Tayabas, Tiaong, and Unisan in Quezon.
- (j) "Minimum Wage Rates" refer to the minimum wage rate(s), as fixed by the Board, that an employer is obliged to pay his workers.
- (k) "Agriculture" refers to farming in all its branches and among others, includes the cultivation and tillage of the soil, production, cultivation, growing and harvesting of any agricultural or horticultural commodities, dairying, raising of livestock or poultry, the culture of fish and other aquatic products in farms or ponds, and any activities performed by a farmer or on farm as an incident to or in conjunction with such farming operations, but does not include the manufacturing and/or processing of sugar, coconut, abaca, tobacco, pineapple, aquatic or other farm products;
- (l) "Plantation Agricultural Enterprise" is one engaged in agriculture with an area of more than twenty four (24) hectares in a locality or which employs at least twenty (20) workers. Any other agricultural enterprise shall be considered as " Non-Plantation Agricultural Enterprise";
- (m) "Cottage Enterprise" refers to business activity or enterprise engaged in industry, agribusiness and/or services whether single proprietorship, cooperative, partnership or corporation whose total assets, inclusive of those arising from loans but exclusive of the land on which the particular business entity's office, plant and equipment are situated, must have value of above P150,000.00 to P1,500,000.00;

(n) "Barangay Micro Business Enterprise" refers to any business entity or enterprise granted a Certificate of Authority under Republic Act No. 9178;

(o) "Retail Establishment" is one principally engaged in the sale of goods to end-users for personal or household use;

(p) "Service Establishment" is one principally engaged in the sale of service to individuals for their own or household use and is generally recognized as such;

(q) "Exporter" means any person, natural or juridical, licensed to do business in the Philippines, engaged directly or indirectly in the manufacture or trade of products or services which earn at least fifty percent (50%) of its normal operating revenues from the sale of its products or services abroad for foreign currency. In the case of indirect exporters, the requirement that products or services be sold "abroad for foreign currency" shall not apply as, by the very nature of their business, the sale of their products or services takes place in the Philippines and such indirect exporters are usually paid in Philippine currency;

(r) "New Business Enterprises" refer to establishments, including non-profit institutions, whose operation started on January 1, 2004, and thereafter during the effectivity of this Wage Order based on the latest registration with the Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI), Cooperative Development Authority (CDA), Mayor's Office;

(s) "Distressed Establishments" refer to establishments which meet the criteria enumerated in Section 3A of the National Wages and Productivity Commission (NWPC) Guidelines No. 1 Series of 1996, known as Rules on Exemption from Compliance with the Prescribed Wage Increase/Cost of Living Allowances Granted by the Regional Tripartite Wages and Productivity Board;

(t) "Establishments Facing Potential Losses" refer to establishments as defined in the National Wages and Productivity Commission (NWPC) Policy Guidelines No.01, series of 2001;

(u) "Current Employees" refer to those private workers and employees employed in the company on or before October 31, 2004;

(v) "New Employees" refer to those workers and employees who will be employed by November 01, 2004 and thereafter.

(w) "Transfers" refer to those workers or employees affected by the movement of personnel from the head office to a branch office or from one branch office to another in an equivalent rank or level without a break in service;

(x) "Mobile Employees" refer to those employees who, by the nature of their work, have to travel from one branch or another and regularly perform their duties away from the principal place of business or branch office of the employer.

SECTION 3. COVERAGE. The minimum wage rates prescribed under the Order shall apply to all covered employees in the private sector in the Region regardless of their position, designation or status, and irrespective of the method by which their wages are paid. Not covered by the Wage Order are household or domestic helpers, family drivers, persons employed in the personal service of another and workers in registered Barangay Micro Business Enterprises (BMBEs) with

Certificate of Authority, pursuant to R. A. 9178.

SECTION 4. AMOUNT OF INCREASE. The amount of increase in the Minimum Wage for all workers and employees in the private sector effective November 01, 2004 are as follows:

- 1) Extended Metropolitan Area P18.00 / day
- 2) Growth Corridor Area P12.00 / day
- 3) Emerging Growth Area P 8.00 / day
- 4) Resource Based Area P 5.00 / day

SECTION 5. NEW MINIMUM WAGE RATES. The daily minimum wage rates of private workers

and employees in the Region IVA upon effectivity of this Order under the reclassified areas are as follows:

CALABARZON AREAS	SECTOR				
	Non-Agriculture	Agriculture		Cottage	RETAIL & SERVICE ESTABLISHMENT Employing not more than 10 workers
		Plantation	Non-Plantation		
RECLASSIFIED EXTENDED METROPOLITAN AREA TO EMERGING GROWTH AREA					
<i>CURRENT EMPLOYEE</i>	245.00	220.00	200.00	208.00	140.00
<i>NEW EMPLOYEE</i>	237.00	212.00	192.00	200.00	132.00
<u>CAVITE</u> GMA <u>RIZAL</u> Rodriguez, Tanay					
RECLASSIFIED GROWTH CORRIDOR AREA TO EMERGING GROWTH AREA					
<i>CURRENT EMPLOYEE</i>	228.00	203.00	183.00	191.00	125.00
<i>NEW EMPLOYEE</i>	222.00	197.00	177.00	185.00	121.00
<u>RIZAL</u> Angono, Binangonan, San Mateo <u>BATANGAS</u> Balayan, Calaca, Lemery, Nasugbu <u>QUEZON</u> Candelaria, Sariaya					
RETAINED AS EMERGING GROWTH AREA					
<i>CURRENT EMPLOYEE</i>	222.00	197.00	177.00	185.00	121.00
<i>NEW EMPLOYEE</i>	222.00	197.00	177.00	185.00	121.00
<u>BATANGAS</u> Mabini, Rosario, San Jose, Calatagan					
RECLASSIFIED GROWTH CORRIDOR AREA TO RESOURCE BASED AREA					
<i>CURRENT EMPLOYEE</i>	225.00	200.00	180.00	188.00	122.00
<i>NEW EMPLOYEE</i>	220.00	195.00	175.00	183.00	117.00
<u>CAVITE</u> Indang, Naic, Noveleta , Ternate <u>RIZAL</u> Pillilia <u>LAGUNA</u> Paete, Pakil <u>BATANGAS</u> San Juan <u>QUEZON</u> Tiaong					
RECLASSIFIED EMERGING GROWTH AREA TO RESOURCE BASED AREA					
<i>CURRENT EMPLOYEE</i>	219.00	194.00	174.00	182.00	118.00
<i>NEW EMPLOYEE</i>	215.00	190.00	170.00	178.00	116.00
<u>CAVITE</u> Alfonso <u>RIZAL</u> Cardona, Morong, Teresa <u>LAGUNA</u> Alaminos, Bay, Calauan, Cavinti, Kalayaan, Liliw, Luisiana, Lumban, Mabitac, Majajjay, Nagcarlan, Pagsanjan, Pangil, Pila, Rizal, Siniloan, Sta Maria, Victoria <u>BATANGAS</u> Cuenca, Ibaan, Lian, Padre Garcia, Taal, Tingloy, Tuy, Taysan					

CALABARZON AREAS	SECTOR				
	Non-Agriculture	Agriculture		Cottage	RETAIL & SERVICE ESTABLISHMENT Employing not more than 10 workers
		Plantation	Non-Plantation		
QUEZON					
<i>CURRENT EMPLOYEE</i>	201.00	181.00	161.00	169.00	111.00
<i>NEW EMPLOYEE</i>	197.00	177.00	157.00	165.00	109.00
Atimonan, Calauag, Guinayangan, Gumaca, Infanta, Lucban, Mauban, Mulanay, Pagbilao, Real, Tagkawayan, Tayabas, Lopez					
RETAINED AS RESOURCE BASED AREA					
<i>CURRENT EMPLOYEE</i>	215.00	190.00	170.00	178.00	116.00
<i>NEW EMPLOYEE</i>	215.00	190.00	170.00	178.00	116.00
CAVITE					
Amadeo, Gen. Aguinaldo, Magallanes, Maragondon, Mendez-Nunez					
RIZAL					
Baras, Jala-Jala					
LAGUNA					
Famy, Magdalena					
BATANGAS					
Agoncillo, Alitagtag, Balete, Laurel, Lobo, Malvar, Mataas na Kahoy, San Luis, San Nicolas, Sta. Teresita, Talisay					
QUEZON					
<i>CURRENT EMPLOYEE</i>	197.00	177.00	157.00	165.00	109.00
<i>NEW EMPLOYEE</i>	197.00	177.00	157.00	165.00	109.00
Agdangan, Alabat, Buenavista, Burdeos, Catanauan, Dolores, Gen. Luna, Gen. Nakar, Jomalig, Macalelon, Padre Burgos, Panulukan, Patnanungan, Perez, Pitogo, Plaridel, Polilio, Quezon, Sampaloc, San Andres, San Antonio, San Francisco, San Narciso, Unisan					

All workers covered by the Order receiving less than the prescribed minimum wage(s) shall be adjusted at least to the new daily minimum wage rates prescribed herein.

SECTION 6. APPLICABLE MINIMUM WAGE RATES FOR CURRENT AND NEW EMPLOYEES AS A RESULT OF SPATIAL RE-CLASSIFICATION.

Wage Order No. IV A- 09 provides for two (2) operative minimum wage rates for current and new employees as a result of the rationalization of current wage levels and spatial reclassification of cities and municipalities.

Current employees are those workers and employees already employed on or before October 31, 2004. All current employees as defined in this Rules Implementing shall continue to receive their existing minimum wage rates, plus the applicable wage increase in the their basic pay as prescribed in Wage Order No. IVA-09.

All current employees receiving less than the prescribed minimum wage rates as provided for in Section 5, shall be adjusted at least to this prescribed minimum wage rate by November 01, 2004.

New employees are those workers and employees who will be employed by November 01, 2004, thereafter. New employees in areas retaining their classification under WO IVA-09 shall be

entitled to the new minimum wage rate as prescribed under WO IVA-09. However, new employees in areas that were re-classified under WO IVA-09, shall receive transitory wage rates equivalent to the applicable minimum wage rates in the area before the reclassification.

New employees do not include those who are currently employed and were laid off and/or transferred and rehired on November 01, 2004, onwards by any employer to an area of lower

classification or wage level, regardless of the mode by which these workers or employees were hired.

The applicable minimum wage rates of both current and new employees shall be those prescribed in the area where the establishment employing them was duly registered.

SECTION 7. BASIS OF MINIMUM WAGE RATES. The minimum wage rates prescribed herein shall be for the normal working hours, which shall not exceed eight hours work a day.

SECTION 8. APPLICATION TO WORKERS PAID BY RESULTS. All workers paid by results, including those who are paid on piecework, takay, pakyaw, or task basis, shall receive not less than the applicable minimum wage rates prescribed under the Order for the normal working hours which shall not exceed eight hours work a day, or a proportion thereof for work of less than the normal working hours.

The adjusted minimum wage rates paid by results may be computed in accordance with the following steps:

a) Amount of increase in AMW

$$\frac{\text{-----}}{\text{Previous AMW}} \times 100 = \% \text{ increase;}$$

b) Existing rate/piece x % increase = Increase in rate/piece;

c) Existing rate/piece + Increase in rate/piece = Adjusted rate/piece

Where: AMW is the applicable minimum wage rate.

The wage rates of workers who are paid by results shall continue to be established in accordance with Article 101 of the Labor Code, as amended and its Implementing Regulations.

SECTION 9. APPLICATION TO SPECIAL GROUPS OF WORKERS. Wages of apprentices and learners shall in no case be less than seventy five percent (75%) of the applicable minimum wage rates prescribed in the Order. Apprenticeship shall be guided by the Kasanayan at Hanapbuhay Program - an Apprenticeship and Employment Program of the Department of Labor and Employment.

All recognized learnership and apprenticeship agreements entered into before the effectivity of the Order shall be considered automatically modified insofar as their wage clauses are concerned to reflect the adjustments prescribed under the Order.

SECTION 10. APPLICATION TO PRIVATE EDUCATIONAL INSTITUTIONS. In the case of private educational institutions, the share of covered workers and employees in the increase of tuition fees for school year 2004-2005 shall be considered as compliance with the wage increase prescribed in this Order. However, payment of any shortfall in the prescribed increase set forth in this Order shall be covered starting SY 2005-2006.

Private educational institutions, which did not increase their tuition fees for SY 2004-2005, may defer compliance with the provisions of the Order until SY 2005-2006. In any case all private educational institutions shall implement the prescribed increase in the Order starting SY 2005-2006.

SECTION 11. APPLICATION TO CONTRACTORS. In the case of contracts for construction projects and for security, janitorial and similar services, the prescribed increase in the wage rate

of covered workers shall be borne by the principals or clients of the construction/service contractor and the contract shall be deemed amended accordingly. In the event, however, that the principal or client fails to pay the prescribed wage rates, the contractor shall be jointly and severally liable with the principal or client.

For contracts entered into by registered BMBEs, their non coverage to the payment of the minimum wage does not in anyway extend to the principal or clients of the said BMBE.

SECTION 12. APPLICATION TO TRANSFERS AND MOBILE EMPLOYEES.

Mobile Employees

The minimum wage rates of mobile or multisite workers, who by nature of their work have to travel, shall be those applicable in the domicile or head office of the employer. The minimum wage rates

of workers working in branches or agencies of establishments within or outside the Region shall

be those applicable in the place where they are stationed or based.

Transfer of Personnel

The transfer of personnel to areas outside the Region or from a high rate city/municipality to a

lower workers prior to such transfer. Workers transferred to other Regions or from a lower rate municipality to a higher rate municipality shall be entitled to the minimum wage rates applicable therein.

SECTION 13. APPLICATION TO EXPORTERS. Upon application with and as determined by the Board, establishments in the export industry which earn at least fifty percent (50%) of their normal operating revenues from export sales and whose product pricing is computed using labor costs based on previous mandated rates, may be granted deferment from the Order, but such deferment from the Order shall not to exceed one year.

These conditions shall be verified based on predominant and accepted documents used in the industry that should show applicant entered into contracts before November 01, 2004, but these contracts shall be concluded, that is, produced and delivered, and consequently paid for between the periods November 01, 2004 to October 31, 2005.

The allowable length of period of deferment grant shall be based on the weighted value or volume

of each specific contract with the time and/or expected time of receipt of payment of each specific contract in proportion to the total contract value or volume for a one year period plus thirty days payment lag.

A. Requirements of a Deferment Application:

1. Application letter under oath with attendant information on the firm's principal economic activity, amount of total assets, date of start of operation, the regular number and names of workers with their corresponding salaries and wages and dates of employment.

2. Proof of notice of filing of application to the President of the union/contracting party if one is organized in the establishment, or if there is no union, a copy of the circular giving general notice of the filing of application to all workers in the establishment. The proof of notice, which may be translated in the vernacular, shall state that the workers' representative was furnished a copy of the application with all the supporting documents. The notice shall be posted in a conspicuous place.

B. Supporting Documents:

I. For Direct Exporters

1. Proof of 50% Export Sales Status.
2. Contracts with Foreign Buyers/s entered into before November 01, 2004, but for production, delivery and subsequent payment between the periods November 01, 2004 to October 31, 2005.
3. Invoices, Bills of Lading, Confirmed Inward Letters of Credit, Lading Certificate and other Commercial documents with reference to the contracts described in 13.B.I.2.

II. For Indirect Exporters

1. Certification from Consignee/s that export products consigned were in fact sold by consignee/s.
2. Proof of 50% Export Sales Status of Consignee/s
3. Contracts with Consignee/s entered into before November 01, 2004, but for production, delivery and subsequent payment between the periods November 01, 2004 to October 31, 2005.

4. Purchase Orders, Invoices, Receipts and other Commercial Documents with reference to contracts described in item 13.B.II.3.

Deferment application shall be filed not later than seventy-five (75) days from the publication of this Rules. The date of mailing shall be the date of filing.

Whenever an application for deferment has been filed with the Regional Board, action by the Regional Office of the Department of Labor and Employment on any complaint for alleged non-compliance with the Order shall be deferred pending resolution of the application for deferment by the Regional Board.

In the event that an application for deferment is not granted, covered workers and employees shall receive the appropriate compensation due them as provided for in the Order plus interest of one percent (1%) per month retroactive to the effectivity of the said Order.

An aggrieved party may file with the Board a motion for reconsideration of the decision on the application for deferment within ten (10) calendar days from receipt of the decision stating the particular grounds upon which the motion is based, copy furnished the other party and the

Regional Office of the Department.

No second motion for reconsideration shall be entertained in any case. The decision of the Board shall be final and executory unless otherwise appealed to the Commission.

SECTION 14. EXEMPTION. Upon application with and as determined by the Regional Board in accordance with the applicable rules and regulations, New Business Enterprises, Distressed Establishments as defined in the NWPC Guidelines No. 01, Series of 1996 (Rules on Exemption) and Establishments Facing Potential Losses as defined in the NWPC Guidelines for

Establishment Facing Potential Losses (NWPC, Series 2001) may be exempted from compliance with the Order.

1. New Business Enterprises (NBEs) whose start of operation is January 1, 2004 onwards during the effectivity of this Wage Order may be exempted for one year. Exemption may be renewed for another year for those establishments that will locate in the Growth Corridor, Emerging Growth, and Resource Based Areas, provided this will be allowed under the new Guidelines that the NWPC may issue.

Such establishments will be required to pay the current minimum wage after the prescribed period.

A. Requirements of Application for Exemption:

1. Application letter under oath with attendant information on the firm's address of economic activity, principal economic activity and product/s, date of start of operation, amount of total assets/investments, number of employees employed with the corresponding basic salaries/wages, including a statement under oath that the company's application is done in good faith and not intended to circumvent the provisions of this Wage Order;

2. Business Permit or Certificate of registration with appropriate government agency such as

SEC, DTI, CDA, Mayors Office;

3. Certification (if any) issued by Special Economic Zones.

2. Distressed Establishments

A. Requirements of Application for Exemption:

1. Application letter under oath with attendant information on the firm's address of economic activity, principal economic activity and product/s, amount of total assets, date of start of operation, regular number and names of workers with their corresponding basic salaries and wages and dates of employment.

2. Proof of notice of filing of application to the president of the union/contracting party if one is organized in the establishment, or if there is no union, a copy of the circular giving general notice of the filing of application to all workers in the establishment. The proof of notice, which may be translated in the vernacular, shall state that the workers' representative was furnished

a copy of the application with all the supporting documents. The notice shall be posted in a conspicuous place.

3. The Notice to Workers (NTW) is a document that informs workers of the filing for exemption/deferment of the applicant -firm with the Board. The NTW shall be under oath and shall contain information on the application and its supporting documents filed with the Board. The proper recipient of the NTW shall be the following; a.) union president, in case of organized establishments or b.) worker's representative, in case of non-unionized establishment.

4. The Acknowledgement Receipt (AR) is a document that shows that the NTW was received by the proper recipient. The AR shall be under oath and shall contain information on the recipient, his/her union affiliation, his/her company position/designation and/or information on what interest he/she represents. The recipient is deemed responsible for informing co-workers on

the content of the NTW and shall answer of misrepresentation should they arise.

B. Supporting documents:

I. Distressed Establishments (as defined in the NWPC Guidelines No.01 Series of 1996 Rules on Exemption) may be exempted for one year.

1. Audited Financial statements together with the Auditor's Opinion and the notes thereto for the last two full accounting periods 2002-2003 filed with and stamped "received" by the Securities and Exchange Commission and the Bureau of Internal Revenue:

2. Audited interim quarterly financial statements together with Auditor's Opinion and the notes thereto for the period immediately preceding the effectivity of the Order.

II. Distressed Establishments with Threat of Massive Retrenchment or Imminent Closure may be exempted for one year. Exemption may be renewed for another year provided this will be allowed under the new Guidelines that the NWPC may issue.

1. Approved application for exemption as a distressed establishment under Section 14, (2.B.I);

2. Statement under oath that the implementation of the wage increase will result to serious business losses which will lead to the retrenchment of at least thirty percent of its existing workforce or outright closure of the company;

3. Notice of retrenchment or closure filed with the DOLE and duly served to the affected workers;

4. Audited Financial Statements for three (3) full accounting periods; and

5. Other supporting documents that will validate the status of the business.

III. Establishment Facing Potential Losses (as defined in the NWPC Guidelines No. 01 Series of 2001) may be exempted for one year.

A. Requirements of Application for Exemption:

1. Application letter under oath with attendant information on the firm's principal economic activity, amount of total assets, date of start of operation, the regular number and names of workers with their corresponding salaries and wages and dates of employment.

2. Proof of notice of filing of application to the president of the union/contracting party if one is organized in the establishment, or if there is no union, a copy of the circular giving general notice of the filing of application to all workers in the establishment. The proof of notice, which may be translated in the vernacular, shall state that the workers' representative was furnished a copy of the application with all the supporting documents. The notice shall be posted in a conspicuous place.

3. The Notice to Workers (NTW) is a document that informs workers of the filing for exemption /deferment of the applicant -firm with the Board. The NTW shall be under oath and shall contain information on the application and its supporting documents filed with the Board.

The proper recipient of the NTW shall be the following; a.) union president, in case of organized establishments or b.) workers representative, in case of non-unionized establishment.

4. For single proprietorships, partnerships and stock and non-stock corporations charging fees for services rendered, projected losses during the current year of effectivity of the Order and, if applicable, the next full accounting year, amount to 20% or more of total paid up capital of the year.

5. In the case of non-stock, non-profit organizations, when potential deficit (i.e. total receipts net of total expenses) during the current year of effectivity of the Order and, if applicable, the next full accounting year amounts to 20% or more of the fund balance/member contribution of the current year.

B. Supporting Documents:

1. Projected financial statements for the current year of effectivity of the Order and, if applicable, the next full accounting year.

2. Audited financial statements (together with the Auditor's opinion and notes thereto) for the

last full accounting period immediately preceding the effectivity of the Order, filed with and stamped "received" by the Securities and Exchange Commission (SEC) and/or Bureau of Internal Revenue (BIR)/Bank, or a verified statement under oath containing information on the amount of paid-up capital, retained earnings at the beginning of the fiscal/calendar year; and actual start of operation.

3. To confirm the grant of exemption, audited financial statements for the next full accounting period/s referred to in Section 14, (III.B.2) hereof stamped "received" by the Securities and Exchange Commission (SEC) and/or the Bureau of Internal Revenue (BIR)/Bank to be submitted within twenty (20) days from submission to the said agencies.

The Board may require the submission of other pertinent documents to support the application for exemption.

SECTION 15. APPLICATION FOR EXEMPTION: Application for exemption shall be filed not later than seventy-five (75) days from the date of publication of the Rules Implementing this Order. The date of mailing shall be the date of filing.

The period of exemption shall be in accordance with Section 8 of the NWPC Guidelines (Rules on Exemption) Series of 1996 without prejudice to the results of the on-going policy review by the Commission.

Whenever an application has been filed with the Regional Board, action by the Regional Office of

the Department of Labor and Employment on any complaints for alleged non-compliance with this Order shall be deferred pending resolution of the application for exemption by the Regional Board.

In the event that the application for exemption is not approved, covered workers shall be paid the mandated wage increase as provided for under the Order retroactive to the date of effectivity of the Order plus simple interest of one (1) percent per month.

An aggrieved party may file with the Board a motion for reconsideration of the decision on the application for exemption within ten (10) days from receipt of the decision, stating the particular grounds upon which the motion is based, copy furnished the other party and the Regional Office of the Department.

No second motion for reconsideration shall be entertained in any case. The decision of the Board shall be final and executory unless appealed to the Commission.

SECTION 16. APPEAL TO THE COMMISSION. Any party aggrieved by the Wage Order may file an appeal with the Commission within ten (10) calendar days from the publication of the Order. The Commission shall decide the appeal within sixty (60) calendar days from the date of filing. The appeal shall be accompanied by a memorandum of appeal which shall state the grounds relied

upon and the arguments in support of the appeal.

SECTION 17. EFFECT OF FILING AN APPEAL. The filing of the appeal does not operate to stay the Order unless the party appealing such Order shall file with the Commission an undertaking with a surety or sureties satisfactory to the Commission for payment to employees affected by the

Order of the corresponding increase, in the event such Order is affirmed.

SECTION 18. EFFECTS ON EXISTING WAGE STRUCTURE. Should any dispute arise as a result of wage distortion, the employer and the union shall negotiate to correct the distortions through the grievance procedure under their collective bargaining agreement, and if it remains unresolved, through voluntary arbitration. Unless otherwise agreed by the parties in writing, such dispute shall

be decided by the voluntary arbitrator or panel of voluntary arbitrators within ten (10) calendar days from the time said dispute was referred to voluntary arbitration.

In cases where there are no collective bargaining agreements or recognized labor unions, the employers and workers shall endeavor to correct such distortions. Any dispute arising therefrom shall be settled through the National Conciliation and Mediation Board and if it remains unresolved after ten (10) calendar days of conciliation, the same shall be referred to the appropriate branch of the National Labor Relation Commission (NLRC). The NLRC shall conduct continuous hearings and decide the dispute within twenty (20) calendar days from the time said dispute is submitted for compulsory arbitration.

The pendency of a dispute rising from wage distortion shall not in any way delay the applicability of any increase prescribed in the Order.

SECTION 19. COMPLAINTS FOR NON-COMPLIANCE. Complaints for non-compliance with the Order shall be filed with the Regional Office of the Department having jurisdiction over the workplace and shall be the subject of enforcement proceedings under Articles 128 and 129 of the Labor Code, as amended.

SECTION 20. NON-DIMINUTION OF BENEFITS. Nothing in the Order and in this Rules shall be construed to reduce any existing wage rates, allowances and benefits of any form under existing laws, decrees, issuances, executive orders, and/or under any contract or agreement between the workers and the employers.

SECTION 21. PENAL PROVISION. Pursuant to provisions of Section 12 of RA 6727, as amended by RA 8188, any person, corporation, trust, firm, partnership, association or entity which refuses or fails to pay the prescribed increase in the Order shall be punished by a fine of not less than Twenty-five Thousand pesos (P25,000.00) nor more than One Hundred Thousand Pesos (P100,000.00) or imprisonment of not less two (2) years nor more than four (4) years or both such fine and imprisonment at the discretion of the court. Provided, that any person convicted under the order shall not be entitled to the benefits provided for under the Probation Law.

If the violation is committed by a corporation, trust or firm, partnership, association or any other entity, the penalty of imprisonment shall be imposed upon the entity's responsible officers,

including but not limited to the president, vice president, chief executive officer, general managers, managing director or partner.

The employer/s concerned shall be ordered to pay an amount equivalent to double the unpaid benefits owing to the employees: Provided that payment of indemnity shall not absolve the

employer from criminal liability imposed under this Act.

SECTION 22. PROHIBITION AGAINST INJUNCTION. No preliminary or permanent injunction or temporary restraining order may be issued by any court, tribunal or other entity against and proceedings before the Commission or boards.

SECTION 23. FREEDOM TO BARGAIN. The Order shall not be construed to prevent workers

in particular firms or enterprises of industries from bargaining for higher wages and flexible working arrangements with their respective employers.

SECTION 24. REPORTING REQUIREMENTS. Any person, company, corporation, partnership or any entity engaged in business shall submit a verified itemized listing of their labor component to the Board not later than January 31, 2005 and every year thereafter in accordance with the form prescribed by the Commission.

SECTION 25. REPEALING CLAUSE. All orders, issuances, rules and regulations on wages, or parts thereof inconsistent with the provisions of the Wage Order and this Rules are hereby

repealed, amended or modified accordingly.

SECTION 26. SEPARABILITY CLAUSE. If any provision or part of the Order and this Rules, or the application thereof to any person or circumstance is held invalid or unconstitutional, the remainder

of the Order and this Rules or the application of such provision or part thereof to other persons or circumstances shall not be affected thereby.

SECTION 27. EFFECTIVITY. This Rules shall take effect on November 01, 2004.

Done this 10th day of January 2005 in Calamba, Laguna Philippines

(SGD.) ATTY. MAXIMO B. LIM, CESO III
Chairman

(SGD.) SEVERINO C. SANTOS
Vice-Chairman

(SGD.) MARILOU Q. TOLEDO
Vice-Chairman

Took no Part

BENJAMIN P. BASQUIÑAS, JR.
Worker Representative

Dissented on Area Classification
and Rates of New Employees

(SGD.) JUANITO S. FACUNDO
Worker Representative

(SGD.) RENATO B. ALMEDA
Employer Representative
(SGD.) LUCILA C. CASTILLO-TARRIELA
Employer Representative

Approved this 10th day of February 2005.

(SGD.) PATRICIA A. STO. TOMAS
Secretary of Labor and Employment