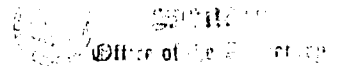


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



23 SEP -5 P 3 :20

SENATE
P.S. RES. No. 778

RECEIVED BY: _____

Introduced by Senator Raffy T. Tulfo

A RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON ALLEGED VIOLATIONS OF DOLE DEPARTMENT ORDER NO. 174 OR THE LAW ON LABOR CONTRACTING, WITH THE END VIEW OF REVIEWING THE SAME vis-a-vis ALL LAWS AND REGULATIONS PERTINENT THERETO AND ADOPTING MEASURES FOR ITS PROPER IMPLEMENTATION

1 WHEREAS, no less than the Philippine Constitution mandates in Article XIII,
2 Section 3, that *"The State shall afford full protection to labor, local and overseas,*
3 *organized and unorganized, and promote full employment and equality of employment*
4 *opportunities for all xxx"*, and further provides among others that, *"they shall be entitled*
5 *to security of tenure, humane conditions of work, and a living wage."*

6
7 WHEREAS, the Labor Code of the Philippines specifically prohibit labor-only
8 contracting as a form of employment and it has raised serious concerns in the past
9 relating to job security, benefits, working conditions wherein workers are vulnerable to
10 exploitation by management.

11
12 WHEREAS, Article 106 of the Labor Code nonetheless allows for legitimate job
13 contracting arrangements for as long as these are within the bounds mandated by law.

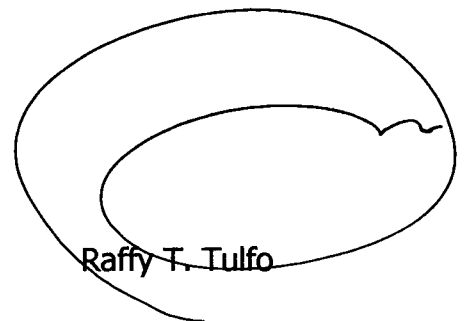
1 WHEREAS, the most recent regulation issued by the Department of Labor and
2 Employment governing labor contracting arrangements is Department Order 174 Series
3 of 2017, superseding the previous Department Order No. 18.

4
5 WHEREAS, despite the issuance of Department Order 174, several reports of
6 instances where the provisions of the law are blatantly undermined still abound –
7 companies skirting the rules by employing workers supposedly thru direct-hiring only to
8 be managed subsequently by an in-house agency, purported legitimate independent
9 contractors with forged proofs of substantial capital, and supposed contractors without
10 actual right of control and supervision over its employees.

11
12 WHEREAS, violations of Department Order 174, in relation to Articles 106 to 109
13 of the Labor Code, have placed hundreds of contracted workers in a very precarious
14 situation, directly jeopardizing their Constitutional right to security of tenure and right to
15 proper and just compensation. Moreover, illegal practices on labor contracting blatantly
16 violate worker’s right to organize and collectively bargain for better terms of employment,
17 economic benefits, and better work conditions.

18
19 NOW THEREFORE BE IT RESOLVED, as it is hereby resolved, to direct the
20 appropriate Senate Committee to conduct an inquiry, in aid of legislation on persistent
21 violations of DOLE Department Order No. 174 or the law on labor contracting, with the
22 end view of reviewing the same and all existing laws and regulations pertinent thereto
23 and recommending measures for its proper implementation.

Adopted,



Raffy T. Tulfo