



Republika ng Pilipinas  
Lalawigan ng Davao del Norte

**Sangguniang Panlalawigan**

Legislative Building, Mankilam, Tagum City, Davao del Norte



**EXCERPTS FROM THE MINUTES OF THE 22<sup>ND</sup> REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF DAVAO DEL NORTE (TERM 2016-2019) HELD AT THE SESSION HALL, PROVINCIAL GOVERNMENT CENTER (CAPITOL), TAGUM CITY, ON MONDAY, JUNE 5, 2017**

**Present:**

Hon. Alan R. Dujali, MPA	Vice-Governor (Regular Presiding Officer)
Hon. Shirley Belen R. Aala	Member
Hon. Roy J. Catalan	Member
Hon. Vicente C. Elliot, Sr.	Member
Hon. Ernesto T. Evangelista, Sr.	Member
Hon. Hernanie L. Duco	Member
Hon. Raymond Joey D. Millan	Member
Hon. Jannet N. Tanong-Maboloc	Member
Hon. Francisco C. Remitar, MDMG	Member
Hon. Alfredo B. De Veyra III	Member
Hon. Miguel P. Niez, DBA	Member/FABC
Hon. Dan P. Gervacio, REE	Member /PCL
Hon. Marcial B. Lig-onan	Member/IPMR

**On Official Business: None**

**Absent:**

Hon. Rodolfo G. del Rosario, Jr.	Senior Board Member (Vacation Leave)
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*Author: Hon. Raymond Joey D. Millan*

**EXPLANATORY NOTE**

This code refers to the PESO Act of 1999 as amended by RA 10691, otherwise known as "An Act Defining the Role of the Department of Labor and Employment (DOLE), the Local Government Units (LGUs) and Accredited Non-Government Organizations (NGOs) in the Establishment and Operation of Job Placement Offices in Educational Institutions (EIs), Amending for the Purpose Sections 3, 5, 6, 7 and 9 or Republic Act No. 8759, otherwise known as the "Public Employment Service Office Act of 1999".

The objective of this code is to develop human resources, establish training hub and facility, and formulate such plans and programs as well as to ensure efficient allocation, development and utilization of the province's workforce and thereby promote employment and accelerate inclusive economic and social growth.

**APPROVED:**

**ANTONIO RAFAEL G. DEL ROSARIO**  
Governor

**PROVINCIAL ORDINANCE NO. 2017-004**

**ENACTING THE EMPLOYMENT DEVELOPMENT  
CODE OF THE PROVINCE OF DAVAO DEL NORTE**

**BE IT ENACTED**, by the Sangguniang Panlalawigan of Davao del Norte in Session Assembled that:

**CHAPTER I**

**GENERAL PROVISIONS**

**ARTICLE I**

**TITLE, POLICY STATEMENT AND DEFINITION OF TERMS**

**SECTION 1. TITLE.** This ordinance shall be known as the "EMPLOYMENT DEVELOPMENT CODE OF DAVAO DEL NORTE", hereinafter referred to as the Code.

**SECTION 2. DECLARATION OF POLICY.** The Code is an indelible blueprint- a concrete manifestation of the Provincial Government of Davao del Norte's strong support to institutionalize employment facilitation service network as well as strengthen and expand the existing employment facilitation service machinery of the government through the Public Employment Service Office (PESO).

The objective is to develop human resources, establish training hub and facility, and formulate such plans and programs as well, and ensure efficient allocation, development and utilization of the province's workforce and thereby promote employment and accelerate inclusive economic and social growth.

**SECTION 3. DEFINITION OF TERMS.** The following terms or phrases used in this Code shall mean:

1. **Act** refers to the PESO Act of 1999 as amended by RA 10691, otherwise known as "An Act Defining the Role of the Department of Labor and Employment (DOLE), The Local Government Units (LGUs), And Accredited Non-Government Organizations (NGOs), in the Establishment and Operation of Job Placement Offices in Educational Institutions (EIs), Amending for the Purpose Sections 3, 5,6, 7 and 9 of Republic Act No. 8759, Otherwise Known as the "Public Employment Service Office Act of 1999".
2. **Client** refers to job seekers, employers, investors, schools, students, returning OFWs, researchers, planners, policy makers, marginalized group of workers who seek the services of PESO and other persons or organizations engaged in Employment Promotion Program.

Page 2 of 20 **APPROVED:**  
P.O. No. 2017-004

  
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3. **Department or DOLE** refers to the Department of Labor and Employment.
4. **Educational Institutions (EIs)** refer to institutions such as high schools, technical and vocational schools, colleges and universities, recognized by relevant authorities such as the Department of Education (DepEd), the Commission on Higher Education (CHED), and the Technical Vocational Education and Skills Development Authority (TESDA), including State Universities and Colleges (SUCs), and Local Universities and Colleges (LUCs) where people gain senior high school; college and higher education; and Technical Vocational Education and Training (TVET).
5. **Employment Development Code** refers to LGUs' employment planning tool and serves as blueprint that landscape the intended outcomes and the strategic management of programs/services to collectively achieve the end-goals of employment facilitation in the Province of Davao del Norte.
6. **Full-cycle employment facilitation services** refer to the series of activities intended to prepare job-seekers for productive employment which includes, but is not limited to enhance assessment and guidance; life skills training; technical skills training; job-matching and internship.
7. **Provincial Employment Facilitation Service Network (PEFSN)** refers to the coordinative initiative of the Department of Labor and Employment (DOLE) with all established PESOs in each municipality/city, Job Placement Office, and other public and private entities (with permanent plantilla, budgetary allocation for Personnel Services, Maintenance and Other Operating Expenses, Capital Outlay, and designated office space that are established at the local levels to provide integrated, collaborative, and systematic delivery of employment services to clients.
8. **LGU Public Employment Service Office (LGU-PESO)** refers to a non-fee charging multi-dimensional employment service facility or entity established and institutionalized in the Local Government Units (LGUs) pursuant to RA 10691.
9. **Job Placement Office (JPO)** refers to a non-fee charging unit within an educational institution (EI) created under a MOA between an EI, the DOLE and concerned LGU that provides employment facilitation services to its students and graduates.

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10. **Multi-dimensional employment service facility** refers to employment service facility that provides livelihood, labor market trends and information, scholarship, training and other capacity building initiative, and allied services in support of the government's attainment of massive job facilitation and substantial poverty reduction towards inclusive growth.
11. **Labor Market Information (LMI)** refers to any information concerning the size, composition, functions, problems or opportunities of the labor market or any part thereof, including but not limited to employment-related intentions or aspirations of the labor market clients.
12. **PEIS** stands for PESO Employment Information System.
13. **LGU's Internally Generated Income** refers to the source of local government sustenance by creating revenue generating activities, and levying taxes, fees, charges, and other impositions. This income shall accrue exclusively for the use of the LGU unless otherwise prohibited by the Local Government Code and other applicable rules and regulations.
14. **NGO and EI Internally Generated Income** refers to generated tuition fees, gifts, donations, grants, and other income generating projects and activities which shall be the source of fund to support the operation and maintenance of their respective NGO-PESO and JPO.
15. **Technical Assistance** refers to the assistance provided by DOLE to the PEFSN in the form of advice, training, seminars and institutional cooperation to transfer or adopt service, skills and knowledge pertaining to the establishment and operation of PESOs in the LGUs.
16. **Manpower** shall mean that portion of the nation's population which has actual or potential capability to contribute directly to the production of goods and services.
17. **Entrepreneurship** shall mean training for self-employment and assisting individual or small industries.
18. **Council** refers to Provincial Employment Development Council.

**ARTICLE II**  
**THE DAVAO DEL NORTE**  
**EMPLOYMENT DEVELOPMENT COORDINATING COUNCIL**

**SECTION 4. THE COUNCIL.** The Davao del Norte Employment Development Coordinating Council is created to recommend policies and implement the provisions of this Code.

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Page 7 of 20  
P.O. No. 2017-004

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**SECTION 5. COMPOSITION.** The composition of the Davao del Norte Employment Development Coordinating Council shall be as follows:

- |                  |   |
|------------------|---|
| Chairperson      | <ul style="list-style-type: none"><li>• Provincial Governor</li></ul>   |
| Vice-Chairperson | <ul style="list-style-type: none"><li>• Chairperson of the SP Committee on Labor &amp; Employment</li></ul>   |
| Members          | <ul style="list-style-type: none"><li>• Provincial Director, Department of Labor &amp; Employment (DOLE)</li><li>• Provincial Director, Department of Trade and Industry (DTI)</li><li>• President, League of the Municipalities/Cities of Davao del Norte</li><li>• President, PESO League of Davao del Norte</li><li>• President, JPO League President of Davao del Norte</li><li>• President, NGO-PESO League of Davao del Norte</li><li>• President, Career Guidance Network of Davao del Norte</li><li>• President, Tagum City Chamber of Commerce and Industry, Inc.</li><li>• President, Panabo City Chamber of Commerce and Industry, Inc.</li><li>• President, Island Garden City of Samal (IGACOS) Chamber of Commerce and Industry, Inc.</li><li>• President, Filipino-Chinese Chamber of Commerce and Industry, Inc.</li><li>• President of the People's Management Association of the Philippines-Davao del Norte Chapter</li><li>• President of the Provincial Technical Education and Skills Development Council</li><li>• President of the Community-Based Training and Employment Coordinator Association of Davao del Norte</li></ul> |

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- Chairperson, Provincial Agriculture and Fishery Council
- Provincial Administrator
- Provincial Planning and Development Coordinator
- Provincial Budget Officer
- Provincial Accountant
- Provincial Treasurer

**SECTION 6. BOARD MEETINGS AND QUORUM.** The Council shall meet quarterly or as may be determined by the Council. The presence of a majority of the members shall constitute a quorum. All policies and decisions acted upon by at least majority of the members present during the meeting, there being a quorum, shall be considered valid.

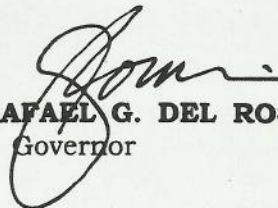
**SECTION 7. POWERS AND FUNCTIONS.** The primary function of the Council is to establish a favourable, sustainable, and stable policy on employment facilitation and creation for more qualified labor supply and encourage partnership and support from the private sector in terms of labor market demand that eventually improve the labor market absorption capacity and utilization in the province. Pursuant thereto, the Council is hereby vested the following powers and functions:

1. Promulgate the Implementing Rules and Regulations (IRR) that governs the implementation of the provisions of this Code;
2. Review and approve strategic plans and employment plans and programs designed and endorsed by the members of the Provincial Employment Facilitation Service Network;
3. Recommend allocation of resources for the implementation of the employment development plan;
4. Oversee the operation of the Public Employment Service Office through the Provincial PESO;
5. Adopt the Employment Plan of each LGU as submitted by their respective PESO;
6. Enlist the assistance of local government offices, national agencies and private sector organizations, as may be necessary, useful and incidental to the effective and efficient implementation of this code;
7. Enter into agreement with private sector and industries for linkages, coordination and collaboration relative to the implementation of approved plans and programs as stated in this Code.

**APPROVED:**

Page 6 of 20  
P.O. No. 2017-004

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8. Coordinate, harmonize and monitor the implementation of employment plans, programs, projects and services by the members of the Provincial Employment Facilitation Service Network.
9. Review the Code periodically or as the need arises, and recommend amendments to the *Sangguniang Panlalawigan*, and
10. Exercise all powers necessary or incidental to achieve the purpose, intent and objective of this Code.

**SECTION 8. POWERS AND FUNCTIONS OF THE CHAIRPERSON.** The Chairperson shall exercise the following duties, powers, and functions:

1. Preside regular and special meetings of the Council;
2. Recommend to the Council policies and measures deemed necessary to carry out the objectives of the Code;
3. Render an Annual Report to the Province and such other reports that may be requested, and
4. Generally exercise such other powers and duties as may be authorized by the Council.

**SECTION 9. POWERS AND FUNCTIONS OF THE VICE-CHAIRPERSON**

1. Preside on the regular and special meetings of the Council in the absence of the Chairperson, and
2. Performs other functions and duties in the absence of the Chairperson, or as may be determined by the Council.

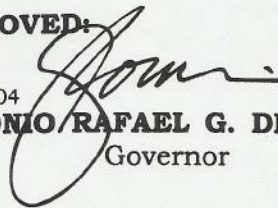
**SECTION 10. VISITORIAL POWER OF THE COUNCIL.** The council or any duly authorized member thereof shall be empowered to conduct an ocular inspection on the operation of each Public Employment Service Office in the province at any reasonable time of the day within official business hours to verify, monitor and ascertain compliance of the provisions of this Code or when the Council deems it necessary or incidental to the effective exercise of their respective functions and powers.

**SECTION 11. THE SECRETARIAT.** The Council shall be administratively assisted by the Provincial PESO to serve as the Secretariat with the following functions:

1. Prepare the Provincial Employment Plan for approval of the Council and implement its corresponding program, project and activities;

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Page 7 of 20  
P.O. No. 2017-004

  
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2. Provide the necessary employment facilitation and creation services to the clients under this Code and assist in the resolution of issues and concerns pertaining to employment and PESO organizational strengthening;
3. Formulate and recommend policy reforms to existing legislations and procedures on employment-related matters as may be sought by the Council from time to time;
4. Conduct periodic review of the Employment Plan and submit recommendation to the Council;
5. Prepare periodic reports pertaining to various employment-related activities undertaken and updates on the implementation of this Code which shall be presented to the Council;
6. Undertake and/or participate in employment-related initiatives such as but not limited to jobs fair, livelihood training and enterprise development initiatives, provision of educational assistance, career and employment coaching, and other employment facilitation and creation services;
7. Monitor and evaluate operation of all PESOs in the province. This shall include the collation and evaluation of all reportorial requirements as required under this Code, and if deemed necessary and approved by the Council, shall conduct ocular inspection and review records pertinent to the operations of PESOs in the province;
8. Validate the Monthly Statistical Performance Report submitted by each PESO and issue corresponding Certificate of Review and Endorsement to the reporting PESO;
9. Maintain the Public Employment Information System and at the same time provide the Council related information being the labor market information hub of job seekers and other clients, and
10. Assist the council in all its undertaking and perform such other functions as may be authorized by the Council.

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## CHAPTER II

### ADMINISTRATIVE MACHINERY FOR THE IMPLEMENTATION OF EMPLOYMENT PROGRAM

#### ARTICLE III THE PROVINCIAL EMPLOYMENT FACILITATION SERVICE NETWORK

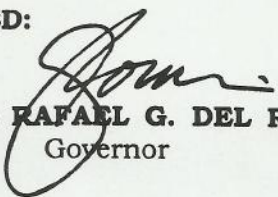
**SECTION 12. THE OBJECTIVES.** The Provincial Employment Facilitation Service Network shall be carried through the respective PESO in each LGU. The established network shall ensure prompt, timely, and efficient delivery of full-cycle employment facilitation services. Towards this end, it shall:

1. Provide a venue where client could avail simultaneously various employment services, such as LMI, referrals, training, and entrepreneurial, reintegration, and other services;
2. Serve as referral and information center for the DOLE and other government agencies by making available data and information on their respective programs;
3. Provide clients with adequate information for the DOLE and other government agencies by making available data and information on their respective programs;
4. Provide clients with adequate information on employment and other labor market situation;
5. Establish linkages with other PESOs for job exchange and other employment related services, and
6. The PESO shall also provide information on other DOLE programs and other government programs and services.

**SECTION 13. THE ADMINISTRATION.** The general framework for the administration of the PEFSN shall emanate from the Department of Labor and Employment-Provincial Field Office. Consistent with this general framework, the DOLE-PFO shall work alongside with the Provincial PESO who shall exercise technical supervision over every PESO including the job placement office within its area of jurisdiction.

**SECTION 14. MAIN FUNCTIONS AND SERVICES.** The PEFSN shall operate through the established PESO in each LGU within its area of jurisdiction in coordination with other concerned agencies but in every case subject to the requirements of the National Employment Facilitation Service Network.

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1. The PESO shall provide LMI services. For this purpose it shall:
  - a. Market and promote its service, through all forms of media, to all its labor market clients.
  - b. Obtain a list of job vacancies from employers at least on a monthly basis or as a need may arise, and require them to register and be accredited in DOLE's Phil-JobNet;
  - c. Generate and maintain an updated registry of skills;
  - d. Gather, collate, and process/analyse data or information on employment and investment trends, emerging markets, particularly labor market clients, and
  - e. Provide information on licensed or authorized, blacklisted, suspended or cancelled private employment agencies and recruiters for local and overseas employment, and registered or delisted job contracts and sub-contractors.
2. The PESO shall provide referral and placement services for local and overseas as well as private and public employment in accordance with existing policies, rules and regulations.
3. The PESO shall provide career advocacy and employment coaching services. It may partner with other services providers in the delivery of the following:
  - a. Conduct pre-employment coaching, including values development and enhancement of work ethics, to prospective local and overseas job seekers;
  - b. Assist in the conduct of talents skills assessment for job seekers;
  - c. Undertake employability enhancement trainings or seminars for job seekers as well as those intending to change careers or enhance their employability, and
  - d. Conduct orientation and training to prospective local and overseas job seekers regarding rules and regulations on anti-illegal recruitment and human trafficking.
4. The PESO shall facilitate the implementation and/or provision of livelihood and self-employment programs and services, it shall:
  - a. Maintain and provide updated directory of government and non-government institutions with existing livelihood and self-employment programs. Including the directory of lending institutions;

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- b. Determine client's interest for livelihood and self-employment undertaking;
  - c. Refer clients for appropriate livelihood and self-employment/assistance and monitor the results of such referrals, and
  - d. In coordination with DOLE Regional Coordinating Council (DOLE-RCC), facilitate the implementation of livelihood and self-employment programs and services.
5. In coordination with the Overseas Workers Welfare Administration (OWWA) and the National Reintegration Center for OFWs (NRCO), the PESO shall assist in providing re-integration assistance services to returning Overseas Filipino Workers (OFWs).
  6. The PESO shall prepare and submit to the respective local *Sanggunian* or Council, through the LGU Committee on Labor and Employment, an annual employment plan and corresponding budgetary support of the PESO. It shall:
    - a. Conduct an annual planning session to provide a basis for setting priorities, define objective for a 12-month period, and to design strategies and programs to meet them.
    - b. Prepare detailed budgetary requirements, present the same to the Local Chief Executive who will submit it to the local *Sanggunian* for approval.
  7. Coordinate and promote the adoption of enrolled youth work programs such as SPES and GIP pursuant to Executive Order No. 139 through Kabataan 2000 under the Office of the President as implemented by the DOLE and other agencies based on existing laws, rules and regulations. The PESO shall likewise encourage qualified employers to participate in the program.
  8. The PESO shall likewise perform other functions analogous to the above including programs or activities developed by the DOLE to enhance provision of employment assistance to clients, particularly for special groups of disadvantaged workers such as Persons With Disabilities (PWDs) and displaced workers.

**SECTION 15. OTHER SERVICES.** Where appropriate, the PESO shall likewise provide the following employment services:

1. Initiate and organize job fair, provided that the job fairs conducted by private entities or educational institutions shall be supervised and monitored by the PESO pursuant to DOLE guidelines;

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2. Facilitate the conduct of local recruitment/special recruitment activities in coordination with the Philippine Overseas Employment Administration (POEA) and in accordance with the existing laws, rules, and regulations;
3. Initiate and organize livelihood and self-employment bazaars, in coordination with government and non-government institutions undertaking livelihood and self-employment programs and services; and
4. Coordinate and monitor the implementation of government-funded infrastructure projects to provide recruitment assistance to contracts for their skilled and unskilled human resource requirement pursuant to Republic Act No. 6685, otherwise known as Workers Hiring in Infrastructure Projects (WHIP).

**SECTION 16. ROLE OF DOLE AND THE LGUs.** The following defines the role of DOLE-PFO and PESO/JPO.

1. It shall be the duty and responsibility of DOLE to:
  - a. Provide policy directions and prescribe standards on employment services such as tools for testing/talent mapping, career advocacy and employment coaching, labor market information, determination of livelihood and self-employment interests;
  - b. Maintain and further enhancement of PhilJobNet, the government's official job matching and LMI facility accessible to all PESOs nationwide and the Philippine Overseas Labor Officers (POLOs);
  - c. Develop and maintain performance-based and gender-responsive indicators to assess and evaluate the effectiveness of the PEFSN and the PESOs;
  - d. Set standards for the establishment and operation of PESO and identify the roles, duties and responsibilities of PESO personnel in coordination with DILG, CSC, and DBM;
  - e. Provide regular training to PESO personnel in the various aspects of employment services in coordination with the LGU, and
  - f. Monitor and evaluate the performance of the PESOs. Provide feedback to the Local Chief Executives (LCEs) on a semestral basis;


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2. It shall be the duty and responsibility of the LGUs to:
- a. Establish a monitoring system to capture the labor market information reported by the establishment operating in the locality including local infrastructure projects and other investment opportunities;
  - b. Conduct activities in the furtherance of promoting employment creation within each area of jurisdiction;
  - c. Develop, administer, and manage area-based employment projects for PESOs implementation.
  - d. Assist in promoting employment programs within their respective areas of jurisdiction or operations;
  - e. Provide necessary employment related expertise such as, but not limited to labor and employment researches; talent/skills assessment administration; human resource development and other resources, including budgetary allocation;
  - f. Promptly submit regular monitoring and performance reports to the DOLE PO, in case of LGU PESO, and to the LGU PESO which cover the area, in the case of NGO PESO and EI Job Placement Office, and
  - g. Perform other functions as may be stipulated in the MOA or as necessary in furtherance of the objectives of the Act.
3. It shall be the duty and responsibility of the Participating Agencies and Institutions to:
- a. Assist the DOLE and other government agencies in promoting employment programs with their respective areas of jurisdiction or operations;
  - b. Provide necessary employment related expertise such as, but not limited to labor and employment researches; talent/skills assessment administration; human resource development and other resources, including budgetary allocation;
  - c. Promptly submit regular monitoring and performance reports to the DOLE and to LGU PESO which cover the area, and
  - d. Perform other functions as may be stipulated in the MOA or as necessary in furtherance of the objective of this Code.

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**CHAPTER III**

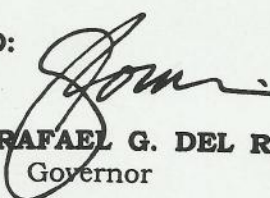
**MISCELLANEOUS PROVISIONS**

**ARTICLE IV**  
**REPORTING, MONITORING & EVALUATION**  
**AND AWARDS & INCENTIVES**

**SECTION 17. THE MONITORING SYSTEM.** The following shall be adopted and observed in measuring the level of PEFSN in terms of its performance as compared to set target:

1. Establishment and Maintenance of the Public Employment Information System (PEIS). Every LGU, through their PESO, shall set up and maintain PEIS respectively to serve as basis for reporting, monitoring and evaluation of the program efficiency. Data generated from it may also be used as basis for employment planning, programming and policy formulation in the succeeding years of PESO operation. The PEIS shall form part of the overall Management Information System (MIS) of each LGU;
2. The DOLE shall provide technical assistance to the PESO in ensuring that PEIS is operational;
3. The Provincial, Cities, Municipalities PESOs shall be capacitated to maintain the PEIS and to ensure updated data and to regularly generate timely information for LCE's decision-making purposes;
4. Information shall be gathered from the respective barangay and have them submitted and processed to the city and/or municipality. The city and/or municipality shall consolidate the same for data processing, data analysis and data updating through PEIS using the required reporting format. The consolidated city and/or municipal data shall then be submitted to province for updating and maintenance of PEIS for consolidated provincial profile prior to final submission to DOLE, and
5. Every submitted Monthly Statistical Performance Report by the City/Municipal PESO shall be issued with Certificate of Review and Endorsement by the Provincial PESO after ascertaining the completeness and orderliness of the submitted documents.

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**SECTION 18. AWARDS AND INCENTIVES.** To acknowledge the significant contribution and outstanding accomplishments of the PESO/JPO, in the city and municipal levels, on the deployment of employment facilitation services and in cognizance to their exemplary job performance as an employment service hub and provider, incentives and awards shall be given to the deserving city/municipality PESOs & JPOs, in accordance with the guidelines set by DOLE, through its established and printed Manual on the Search for Best PESO/JPO, as duly concurred by the Council. The form and/or amount of the incentives and awards shall be determined by the Council.

#### **CHAPTER IV**

#### **PROVISIONS FOR IMPLEMENTATION**

#### **ARTICLE V INSTITUTIONALIZATION OF PUBLIC EMPLOYMENT SERVICE OFFICE**

**SECTION 19. ESTABLISHMENT OF LGU PESO.** Pursuant to Section 1 of RA 10691, the LGUs shall establish, operate, and maintain the PESOs in all provinces, cities and municipalities. The PESO, similar to other departments in the LGUs, shall be under the office of the governor, city, or municipal mayor as local chief executives. Accordingly, the LGU concerned shall create a PESO in their respective area of jurisdiction through an Ordinance in accordance with the existing rules.

Thereafter, the LGU shall inform the concerned DOLE Regional Office of the passage of Ordinance institutionalizing a PESO within its jurisdiction.

**SECTION 20. PERSONNEL STRUCTURE OF THE LGU PESO.** Under Republic Act 10691, the PESO shall be initially organized and composed of a PESO Manager and may be assisted by a Labor and Employment Officer (LEO) as may be determined by the LGU.

1. **The LGU PESO Manager.** The primary function of the PESO Manager is to manage all technical and administrative activities of the PESO which shall include the following:
  - a. Develop action plans, proposals, and other documents needed in the implementation of programs and services;
  - b. Identify training needs and arrange staff training as needed (i.e. in house or block release) training staff, or delegating to appropriate unit/staff;
  - c. Responsible for informal stages of staff discipline, including coaching and counselling;

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Page 15 of 20  
P.O. No. 2017-004

  
**ANTONIO RAFAEL G. DEL ROSARIO**  
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- d. Maintain a systematic process flow to ensure the effective and efficient management of the office and avoid complaints from clients;
- e. Conduct reviews of daily procedures being implemented in order to update and trim down unnecessary processes and carry out remedial action, and
- f. Maintain effective communication with the Local Executives to apprise and provide recommendations for policy directions.

The Salary grade of PESO Manager shall be equivalent to that of a LGU Department Head (PESO Manager) according to the income classification of the LGU as provided for in Rule VI, Section 2 of the Implementing Rules and Regulations of RA 10691.

2. **Additional LGU PESO Personnel.** To fully implement the services of the PESO under Rule III of Department Order No. 157-16, additional positions may be created by the LGU, upon recommendation of the Council, subject to the availability of funds and approval of the Provincial Governor. It shall have the following staffing requirement:

- One (1) Chief Labor & Employment Officer (SG 24)
- One (1) Supervising Labor & Employment Officer (SG 22)
- One (1) Senior Labor and Employment Officer (SG 19)
- One (1) Labor & Employment Officer III (SG 16)
- One (1) Labor and Employment Officer II (SG 13)
- One (1) Labor and Employment Officer I (SG 11)
- One (1) Labor and Employment Assistant (SG 9).

**SECTION 21. APPOINTMENT AND QUALIFICATION OF LGU PESO MANAGER AND PERSONNEL.** The LGU shall appoint PESO Manager and personnel based on Merit Selection Plan (MSP) and Merit Promotion Plan (MPP) of the LGU and subject to the existing Civil Service Rules and Regulations.

The following shall be the minimum criteria for hiring LGU PESO Manager and personnel:

1. They should meet the minimum qualification standards set by the Civil Service Commission (CSC) rules and regulations on education, training, relevant experience or expertise and applicable eligibility and other qualification standards set by the DOLE such as:
  - a. Managerial experience and technical proficiency in program management relative to employment facilitation, and
  - b. Ability of creating high performing work environment that is beneficial to the PESO and its clients.

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- c. They should pass both oral and written examinations to be administered by the LGU; and
- d. They should pass the medical, physical, psychological examinations administered by competent or authorized institutions.

**ARTICLE VI**  
**PARTNERSHIP WITH AND ACCREDITATION OF**  
**JOB PLACEMENT OFFICE**

**SECTION 22. DOLE ACCREDITATION OF NGO PESO AND JOB PLACEMENT OFFICE.** An NGO PESO and a JPO may be accredited by DOLE through the execution of a Memorandum of Agreement by and between the DOLE and the NGO or the Educational Institution respectively, in accordance with the following:

1. **Qualifications.** The NGO and EI must:
  - a. Be duly registered by the appropriate government agencies for both regulatory and statutory requirements;
  - b. Be active or operational for the least two (2) years immediately prior to DOLE accreditation;
  - c. Be equipped with office facilities and equipment such as computers, tables, and chairs, and office space for the exclusive use of the NGO PESO or JPO; and
  - d. Have personnel to handle employment facilitation services with the applicable qualifications prescribed in these rules.
2. **Procedures.** Within fifteen (15) days from the filing of a letter request together with the documentary requirements (proof of registration and operation) by the NGO and EI for accreditation, the DOLE, through its Regional Office, shall:
  - a. Evaluate the documents to ensure that the NGO or EI is capable of discharging its functions as enumerated in the Act and in these Rules;
  - b. Conduct an ocular inspection and inventory of the employment services, equipment and facilities of the NGO and EI; and

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- c. Upon approval of the request, execute Memorandum of Agreement (MOA) with the NGO or EI to identify their respective roles, duties, and responsibilities in the establishment, maintenance, and operation of PESO or EI JPO.
3. **Operation.** The NGO or EI can operate a PESO or JPO respectively, and engage in employment facilitation services only after they have entered into a MOA with DOLE.

**SECTION 23. SALARY OF NGO PESO MANAGER AND PERSONNEL AND EI JOB PLACEMENT OFFICER AND PERSONNEL.** The NGO, the EI or the LGU in the case of SUCs shall determine the salaries of their respective NGO-PESO Managers, Job Placement Officer and personnel.

The position level of the Job Placement Officer of SUCs shall be determined by existing policies and regulations of SUCs in accordance with DBM position and classification standards.

## CHAPTER V

### FUNDING

**SECTION 24. FUNDING.** The amount necessary for the implementation of this Code such as the operation and maintenance of the PESO shall be charged against the Internal Revenue Allotment (IRA) of each LGU and other internally generated income of the LGU concerned. Likewise, the operation and maintenance of the NGO PESOs and Job Placement Offices of EIs shall be charged against their internally generated income.

Funds for the provision of technical assistance, training and supervision of the PESO shall be included in the budget of the DOLE.

The Provincial, City & Municipal Government within Davao del Norte shall set aside an amount as may be necessary to fund the employment development initiatives, projects and activities in pursuance of this Code, subject to existing pertinent laws, rules and issuances on the matter.

## CHAPTER VI

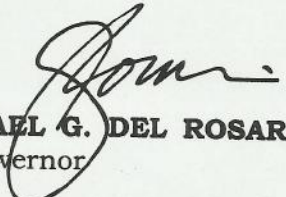
### TRANSITORY AND FINAL PROVISIONS

#### SECTION 25. TRANSITORY PROVISION.

1. All existing LGU PESOs pursuant to the MOA with DOLE, shall continue to operate until such time that a new PESO shall have been established in accordance with Act and these rules.

**APPROVED:**

Page 18 of 20  
P.C. No. 2017-004

  
**ANTONIO RAFAEL G. DEL ROSARIO**  
Governor



2. Within sixty (60) days after the effectivity of these rules, the DOLE ROs/FOs shall notify all existing NGO and school-based PESOs to submit accreditation requirements in accordance with these rules.
3. Existing PESOs of GOCCs, Freeport and Economic Zones, government agencies, and other similarly situated PESOs not covered by RA 10691 which were created and operating under a MOA between said entities and DOLE shall continue to exist and operate until said MOA is terminated by any of the Parties.
4. The designated LGU PESO Manager who are qualified to the position may be given priority, however, those who do not meet the eligibility requirement shall be given a grace period of one (1) year to comply.
5. The designated SUC PESO Manager may be given priority to be appointed as Job Placement Officer upon the effectivity of these rules.
6. The initial creation of LGU PESO Manager Positions shall be exempted from the personnel services limitation as may be provided by law.
7. The Provincial Governor through the assistance of the Employment Development Coordinating Council shall formulate the implementing Rules and Regulations necessary to carry out the provisions of this Code.

**SECTION 26. IMPLEMENTING RULES AND REGULATIONS.**

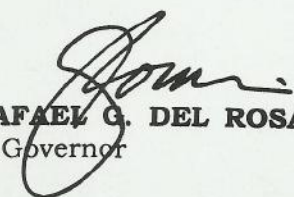
The Council shall formulate and issue the necessary rules and regulations to ensure the effective implementation of this Code within ninety (90) days after its effectivity.

**SECTION 27. SEPARABILITY CLAUSE.** If any provision of this Code is held invalid or unconstitutional, any other provision not affected shall continue to be in force and effect.

**SECTION 28. SUPPLEMENTARY CLAUSE.** On matters not provided for in this Code, any existing applicable laws and their corresponding implementing rules and regulations, executive fiats and relevant issuances issued therefore shall apply in supplemental manner.

**SECTION 29. REPEALING CLAUSE.** All rules and regulations, agreements and procedures inconsistent herewith are hereby repealed or modified accordingly.

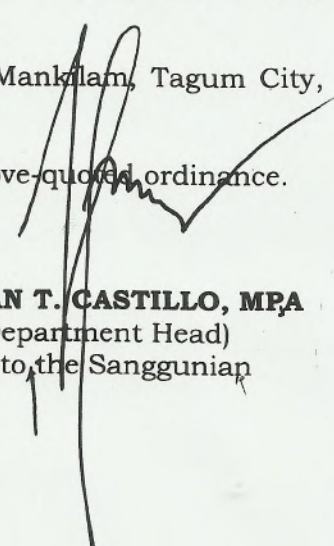
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**SECTION 30. EFFECTIVITY CLAUSE.** This Code shall take effect immediately after its approval and compliance of the mandatory posting and publication requirements as prescribed.

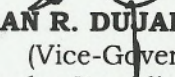
**ENACTED** this 5<sup>th</sup> day of June, 2017 at Mankilam, Tagum City, Davao del Norte.

I hereby certify to the correctness of the above-quoted ordinance.



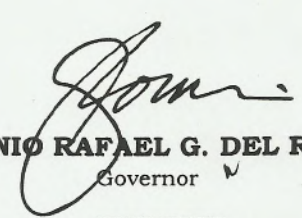
**DENNIS DEAN T. CASTILLO, MPA**  
(P. G. Department Head)  
Secretary to the Sanggunian

**ATTESTED:**



**ALAN R. DUJALI, MPA**  
(Vice-Governor)  
Regular Presiding Officer

**APPROVED:**



**ANTONIO RAFAEL G. DEL ROSARIO**  
Governor

\_\_\_\_\_  
Date Signed