

Republic of the Philippines  
 Department of Labor and Employment  
 REGIONAL TRIPARTITE WAGES AND PRODUCTIVITY BOARD – VI  
 Iloilo City

WAGE ORDER NO. RB6-09-A

AMENDING SECTIONS 1 AND 5 OF WAGE ORDER NO. RB6-09

WHEREAS, after an in-depth evaluation of the effects of its implementation and the receipt of feedbacks from the Enforcement Division of the Department of Labor and Employment and its clients, the Board found out that it is possible to circumvent the provisions of Wage Order No. Rb6-09 to the prejudice of the affected workers;

WHEREAS, it is the intention of the Board to integrate the cost-of-living allowance into the basic wage of the workers so that they may receive greater benefits in terms of special day pay, overtime pay, rest day pay and other benefits;

WHEREAS, while the intention of the Board in prescribing the new minimum wage rates in the Region is to grant an increase to restore the purchasing power of the Philippine Peso, there are some workers who may not receive any increase at all should the Order be implemented;

WHEREAS, there is a need to exclude the handicapped workers from the special group of workers, like the apprentices, to conform with RA 7277;

NOW, THEREFORE, under the above premises and by virtue of the power and authority vested under Republic Act No, 6727 otherwise known as the Wage Rationalization Act, this Board hereby issues this Wage Order amending Sections 1 and 5 of Wage Order No. RB6-09 dated November 15, 1999.

Section 1. Section 1 of Wage Order No. RB6-09 is hereby amended to read as follows:

*"Section 1. Upon effectivity of this Wage Order, the daily basic wage of the minimum wage earners in the Region shall be as follows:*

INDUSTRY/SECTOR	W.O. RB6-08		Amount after Integration RB6-08	New Minimum Wage Rates under WO RB6-09 as Amended Effectivity
	Basic Wage	COLA		
NON-AGRICULTURE (i.e., Industrial/Commercial)				
With capitalization of				
More than P3 Million	136.85	10.00	146.85	160.00
More than P1 Million but less than P3 Million	112.35	24.50	136.85	150.00
Not more than P1 Million	96.90	20.50	117.40	133.00
AGRICULTURE Plantation				
With capitalization of more than P3 Million and with annual gross sales of:				
P5 Million or more	117.40	10.00	127.40	140.00

Less than P5 Million	110.90	10.00	120.90	133.00
With capitalization of more than P1 Million but not more than P3 Million w/ annual gross sales of:				
P5 Million or more	96.90	20.50	117.40	133.00
Less than P5 Million	91.40	19.50	110.90	120.00
With capitalization of not more than P1 Million Non-Plantation	85.90	18.50	104.40	120.00
With capitalization of:				
More than P3 Million	89.85	10.00	99.85	110.00
Not more than P3 Million	74.35	15.50	89.85	105.00
HOSPITALS				
With capitalization of:				
More than P3 Million	126.00	10.00	136.00	146.00
More than P1 Million but not more than P3 Million	103.50	22.50	126.00	138.00
Not more than P1 Million	92.50	19.50	112.00	127.00
COTTAGE/HANDICRAFT				
Employing more than 30 workers				
With capitalization of:				
More than P3 Million	101.20	10.00	111.20	122.00
Not more than P3 Million	83.70	17.50	101.20	114.00
Employing not more than 30 workers				
With capitalization of:				
More than P3 Million	99.00	10.00	109.00	122.00
Not more than P3 Million	81.50	17.50	99.00	114.00
RETAIL/SERVICE\				
Employing more than 10 workers				
Cities w/ population of more than 150,000 and with the following capitalization and employment size				
More than P3 Million employing:				
More than 15 workers	131.40	10.00	141.40	151.00
11 - 15 workers	126.00	10.00	136.00	151.00
More than P1 Million but not more than P3 Million employing:				
More than 15 workers	107.90	23.50	131.40	141.00
11 - 15 workers	103.50	22.50	126.00	141.00
Not more than P1 Million employing:				
More than 15 workers	96.90	20.50	117.40	127.00
11 - 15 workers	92.50	19.50	112.00	127.00
Municipalities and cities with population of not more than 150,00 employing more than ten(10) workers and with the following capitalization:				
More than P3 Million	126.00	10.00	136.00	146.00
More than P1 Million but not more than P3 Million	103.50	22.50	126.00	136.00
Not more than P1 Million	92.50	19.50	112.00	122.00
Employing not more than 10 workers				
In the Region with the following capitalization:				
More than P3 Million	89.30	10.00	99.30	110.00
Not more than P3 Million	73.80	15.50	89.30	105.00

SUGAR INDUSTRY				
Mills	139.65	10.00	149.65	149.65
Agriculture plantation with capitalization of:				
More than P3 Million	117.50	10.00	127.50	127.50
Not more than P3 Million	92.00	18.00	110.00	110.00
Non-Plantation	80.00	15.50	95.50	95.50

*The cost-of-living allowance under Wage Order No. RB6-08 may be integrated into the basic wage of the covered workers; thereafter, the appropriate increases should be added to arrive at the prescribed new minimum wage rate."*

Section 2. Section 5 of Wage Order No. RB6-09 shall likewise be amended to read as follows:

*"Section 5. Wages of apprenticeship and learners shall, in no case, be less than seventy-five percent (75%) of the applicable minimum wage rates prescribed in this Order."*

Section 3. This Wage Order shall take effect on December 2, 1999.

APPROVED, this 10<sup>th</sup> day of December 1999 in the City of Iloilo, Philippines.

(Sgd.)

JAMES C. LEDESMA, SR.  
EMPLOYERS' REPRESENTATIVE

(Sgd.)

NATALIO V. SITJAR  
WORKERS' REPRESENTATIVE

(Sgd.)

ROBERTO G. ABELLO  
EMPLOYERS' REPRESENTATIVE

VACANT  
WORKERS' REPRESENTATIVE

(Sgd.)

DOMINIC P. ABAD  
VICE CHAIRMAN  
REGIONAL DIRECTOR, DTI

(Sgd.)

TRUMAN T. CAINGLET  
VICE CHAIRMAN  
REGIONAL DIRECTOR, NEDA

(Sgd.)

CARLOS L. BOTEROS  
CHAIRMAN  
REGIONAL DIRECTOR, DOLE

Republic of the Philippines  
Department of Labor and Employment  
National Wages and Productivity Commission  
REGIONAL TRIPARTITE WAGES AND PRODUCTIVITY BOARD  
Regional Board No. VI  
Iloilo City

WAGE ORDER NO. RB6-09-B  
(Supplementing Wage Order No. RB6-09 as amended)

WHEREAS, Wage Order No. RB6-09 as amended was issued by the Board fixing the minimum wage rates in the Region;

WHEREAS, in implementing the said wage order, the employer has the option to integrate the cost-of-living allowance under Wage Order No. RB6-08 into the basic pay of the workers; thereafter, the employer shall add the difference between the fixed minimum wage and the total amount after the integration;

WHEREAS, in the case of the workers in the sugar industry, the Board resolved to integrate the cost-of-living allowance only and, as provided in Section 2 of Wage Order No. RB6-09, the Board shall continue the deliberation on the appropriate rate considering the crisis that beset the industry at the time the wage order was issued on November 15, 1999;

WHEREAS, after a series of exhaustive deliberation, the Board finds that somehow sugar prices have stabilized.

NOW, THEREFORE, on the above premises and by virtue of the power and authority vested under Republic Act No. 6727 otherwise known as the Wage Rationalization Act, this Board hereby issues this Wage Order.

Section 1. Upon effectivity of this Wage Order, the daily basic wage of the minimum wage earners in the sugar industry in the Region shall be as follows:

	New Minimum Wage Rates
Mills	P160.00
Agricultural Plantation with capitalization of:	
More than P3 Million	140.00
Not more than P3 Million	120.00
Non-Plantation	110.00

Section 2. The new wage rates herein provided shall not cover household or domestic helpers and persons in the personal service of another including family drivers.

Section 3. All workers paid by results, including those who are paid by piece work, "takay" or task basis, shall be entitled to the new minimum wage rates per eight (8) hours work a day, or a proportion thereof for working less than eight (8) hours.

Section 4. Wages of apprentices and learners shall, in no case, be less than seventy five percent (75%) of the applicable minimum wage rates prescribed herein.

Section 5. In the case of contracts for construction projects and for security, janitorial and similar services, the wage rates of the workers shall be borne by the principals or clients of the construction/service contractors and the contract shall be deemed amended accordingly. In the event, however, that the principal or client fails to pay the prescribed new minimum wage rates, the construction/service contractor shall be jointly and severally liable with his principal or client.

Section 6. Distressed, newly established and adversely affected by natural calamities sugar mills, agricultural plantation and non-plantation may be exempted from compliance with this Wage Order upon application and determination by the Board in accordance with the NWPC Guidelines on Exemption.

Section 7. An application for exemption duly filed shall have the effect of deferring any action on any complaint for non-compliance with this Wage Order until resolution of the application by the Regional Board.

Section 8. Any party aggrieved by this Wage Order may file a verified appeal with the Commission through the Board within ten (10) calendar days from its publication.

Section 9. The filing of appeal does not operate to stay this Wage Order unless the party appealing shall file with the Commission an undertaking with a surety or sureties satisfactory to the Commission for payment of the corresponding increase to employees affected by this Wage Order in the event that it is affirmed.

Section 10. Where the application of the increase in the wage rates under this Wage Order results in distortion of the wage structure within an establishment, the same shall be corrected in accordance with the procedure provided for under Article 124 of the Labor Code as amended.

Section 11. Complaints for non-compliance with this Wage Order shall be filed with the Regional Office of the Department of Labor and Employment (DOLE) and shall be the 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 12. Any employer who refuses or fails to comply with this Wage Order shall be subjected to the penalties specified under RA 6727 as amended by RA 8188.

Section 13. No preliminary or permanent injunction or temporary restraining order may be issued by any court, tribunal or other entity against any proceedings before the Board.

Section 14. All laws, orders, issuances, rules and regulations, or parts thereof inconsistent with the provision of this Wage Order are hereby repealed, amended or modified accordingly.

Section 15. If any provision or part of this Wage Order is declared unconstitutional or illegal, the other provisions or parts thereof shall remain valid.

Section 16. Nothing in this Wage Order shall be construed to reduce any existing wage rates, allowances, or any other benefits under existing laws, decrees, issuances or executive orders and/or under any contract or agreement between workers and employers.

Section 17. The Board shall prepare the necessary rules to implement this Wage Order subject to the approval of the Secretary of Labor and Employment.

Section 16. This Wage Order shall take effect on June 16, 2000.

Approved. Iloilo city, philippines, MAY 30, 2000.

(Sgd.)  
JAMES C. LEDESMA, SR.  
EMPLOYERS' REPRESENTATIVE

(Sgd.)  
NATALIO V. SITJAR  
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