

Republic of the Philippines  
DEPARTMENT OF LABOR AND EMPLOYMENT  
Regional Tripartite Wages and Productivity Board-Region XI  
Davao City

**WAGE ORDER NO. RB XI-DW-01**

**PROVIDING NEW MINIMUM WAGE RATES  
FOR DOMESTIC WORKERS IN DAVAO REGION**

WHEREAS, the Regional Tripartite Wages and Productivity Board-Region XI (RTWPB-XI) is mandated under Republic Act No. 6727 (Wage Rationalization Act) to conduct continuing studies of wage rates and to periodically assess the prevailing economic conditions in the determination of the minimum wage applicable in the region or industry;

WHEREAS, Section 24 of R.A. 10361 (An Act Instituting Policies for the Protection and Welfare of Domestic Workers or Batas Kasambahay) mandated the Regional Tripartite Wages and Productivity Board to review, and if proper, determine and adjust the minimum wage rates of the domestic workers one (1) year from the effectivity of the law and periodically thereafter;

WHEREAS, after due notice to concerned sectors, the Board conducted focus group discussions with the employers and the domestic workers on August 29, 2017 and September 6, 2017, respectively, consultations with Philippine Statistics Authority (PSA), Technical Education and Skills Development Authority (TESDA), Department of Interior and Local Government (DILG), Social Security System (SSS), Pag-IBIG and Philippine Health Insurance Corporation (Philhealth), and a public hearing on October 16, 2017 to determine the propriety of issuing a new wage order for domestic workers;

WHEREAS, after a thorough evaluation of the existing socio-economic conditions of the region, the Board has determined the need to adjust the minimum wage of the domestic workers to enable them to cope with rising cost of living;

NOW, THEREFORE, by virtue of the power and authority vested under Republic Act No. 6727 and R.A. 10361, this Board hereby issues this Wage Order.

**SECTION 1. NEW MINIMUM WAGE RATES.** Upon effectivity of this Wage Order, the new monthly minimum wage rates of Domestic Workers in the region shall not be less than the following:

GEOGRAPHICAL CLASSIFICATION	MINIMUM WAGE UNDER R.A. 10361	INCREASE	NEW MONTHLY MINIMUM WAGE RATE
Chartered Cities and First Class Municipalities	₱2,000.00	₱ 1,000.00	₱ 3,000.00
Other Municipalities	₱1,500.00	₱ 500.00	₱ 2,000.00

*M. H. P. Jr.*

*Secretary*

*Secretary*

*R.T.P.*

*Mr. J. J. J.*

*M. H. P. Jr.*

**SECTION 2. COVERAGE.** The prescribed wage rates under this Wage Order shall apply to all Domestic Workers, whether in a live-in or live-out arrangements, such as, but not limited to:

- a. General Househelp
- b. Yaya
- c. Cook
- d. Gardener
- e. Laundry Person
- f. Any person who regularly performs domestic work in one household on an occupational basis.

The following are not covered:

- a. Service Providers
- b. Family Drivers
- c. Children under foster family arrangement and
- d. Any other person who performs work occasionally or sporadically and not on an occupational basis.

**SECTION 3. MODE/FREQUENCY OF PAYMENT.** The wages of the Domestic Workers shall be paid at least once a month in cash. No deductions from the wages of the domestic works shall be allowed other than those mandated by law.

**SECTION 4. APPLICATION TO PRIVATE EMPLOYMENT AGENCIES (PEAs).** In the case of hiring/contracting of Domestic Worker's services through a licensed PEA, the wage rates prescribed under this Order shall be borne by the principal or client of the PEA 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 PEA shall be jointly and severally liable with the principal or client.

**SECTION 5. NON-APPLICABILITY OF EXEMPTION.** This Wage Order does not allow exemption.

**SECTION 6. APPEAL TO THE COMMISSION.** Any party aggrieved by this Wage Order may file an appeal to the National Wages and Productivity Commission (hereinafter referred to as the "Commission"), through the Board, in three (3) printed copies, not later than ten (10) days from the publication of this Wage Order, subject to the compliance with Sections 11 and 12 of the NWPC Guidelines No. 01, series of 2014.

**SECTION 7. COMPLAINTS FOR NON-COMPLIANCE.** Complaints for non-compliance with this Wage Order shall be filed before the DOLE Field/Provincial/Regional Office No. XI and shall go through the thirty (30)- day mandatory conciliation under the DOLE Single Entry Approach (SEnA) program to exhaust all efforts for settlement.

The DOLE Regional Director shall issue a compliance order within ten (10) days from the submission of the case for resolution.

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**SECTION 8. UNLAWFUL ACTS AND PENALTIES THEREFOR.** Withholding and interfering in the disposal of wages of the Domestic Workers are declared unlawful and shall be punishable with a fine of not less than Ten Thousand Pesos (P10,000.00) but not more than Forty Thousand Pesos (P40,000.00), without prejudice to the filing of the appropriate civil and/or criminal action by the aggrieved party pursuant to Rule XII, Sections 1 and 2 of the Implementing Rules and Regulations of Republic Act No. 10361.

**SECTION 9. BOARD, LODGING AND MEDICAL ALLOWANCE.** The employer shall provide for the basic necessities of the domestic worker to include at least three (3) adequate meals per day and humane sleeping arrangements that ensure safety.

The employer shall provide appropriate rest and assistance to the domestic worker in case of illness and injuries sustained during service without loss of benefits.

At no instance shall the employer withdraw or hold in abeyance the provision of these basic necessities as punishment or disciplinary action to the domestic worker.

**SECTION 10. NON-DIMINUTION OF BENEFITS.** Nothing in this Order 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 employers.

**SECTION 11. PROHIBITION AGAINST INJUNCTION.** 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 12. FREEDOM TO BARGAIN.** This Wage Order shall not be construed to prevent Domestic Workers from bargaining for higher wages with their respective employers.

**SECTION 13. COMPETENCY-BASED PAY.** Household employers and their domestic workers may voluntarily and mutually agree to adopt a competency-based pay scheme in setting and adjusting the pay of domestic workers over and above the applicable minimum wage.

**SECTION 14. REPEALING CLAUSE.** All orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Wage Order are hereby repealed, amended or modified accordingly.

**SECTION 15. SEPARABILITY CLAUSE.** If any provision or part of this Wage Order is declared unconstitutional, or in conflict with existing laws, the other provisions or parts thereof shall remain valid.

**SECTION 16. IMPLEMENTING RULES.** The Board shall submit to the Commission the necessary Rules and Regulations to implement this Order subject to the approval of the Secretary of Labor and Employment not later than ten (10) days from the publication of the Wage Order.

**SECTION 17. EFFECTIVITY.** This Wage Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

*M. H. P.*

*Secretary*

*M. H. P.*

*M. H. P.*

*M. H. P.*

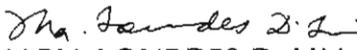
*M. H. P.*

**APPROVED.**

Davao City, Philippines. October 30, 2017.

  
**RAYMUNDO G. AGRAVANTE**  
 DOLE-XI Regional Director  
 Board Chairman

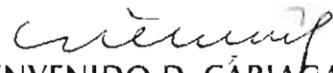
  
**MARIA BELENDA Q. AMBI**  
 DTI-XI Regional Director  
 Vice-Chairman

  
**MARIA LOURDES D. LIM**  
 NEDA-XI Regional Director  
 Vice-Chairman

**(VACANT)**  
 Labor Representative  
 Member

  
**VIRGINIA T. CAMUS**  
 Labor Representative  
 Member

  
**RULFO V. ASIS**  
 Management Representative  
 Member

  
**BIENVENIDO D. CARIAGA**  
 Management Representative  
 Member

Date of Effectivity :  
 Published in \_\_\_\_\_ on \_\_\_\_\_

Republic of the Philippines  
DEPARTMENT OF LABOR AND EMPLOYMENT  
Regional Tripartite Wages and Productivity Board-Region XI  
Davao City

**RULES IMPLEMENTING WAGE ORDER NO. RB XI-DW-01**

Pursuant to NWPC Guidelines No. 01, Series of 2014, The Rules of Procedure on Minimum Wage Fixing for Domestic Workers, and Section 16 of Wage Order No. RB XI-DW-01, the following Rules are hereby issued for the guidance and compliance by all concerned.

**RULE I  
GENERAL PROVISIONS**

**Section 1. TITLE.** These Rules shall be known as the Implementing Rules and Regulations of Wage Order No. RB XI-DW-01.

**Section 2. DEFINITION OF TERMS.** As used in this Rules:

- a. **"WAGE ORDER"** refers to Wage Order No. RB XI-DW-01.
- b. **"COMMISSION OR NWPC"** refers to the National Wages and Productivity Commission.
- c. **"BOARD"** refers to the Regional Tripartite Wages and Productivity Board of Region XI.
- d. **"DOLE-XI"** refers to the Department of Labor and Employment Regional Office No. XI.
- e. **"TESDA"** refers to the Technical Education and Skills Development Authority.
- f. **"REPUBLIC ACT 10361"** refers to the law enacted by Congress known as an "Act Instituting Policies for the Protection and Welfare of Domestic Workers" commonly referred to as Batas Kasambahay.
- g. **"NWPC GUIDELINES NO. 01, SERIES OF 2014"** refers to the rules of procedure on minimum wage fixing for domestic workers.
- h. **"DOMESTIC WORKER"** refers to any person engaged in domestic work within an employment relationship, whether on a live-in or live-out arrangement, such as, but not limited to, general househelp, "yaya", cook, gardener, and laundry person, but shall exclude service providers, family drivers, children who are under foster family arrangement, and any person who performs domestic work only occasionally or sporadically and not on an occupational basis.
- i. **"BASIC NECESSITIES"** is defined pursuant to Rule IV, Section 13, Rules Implementing R.A. 10361 to include: a) At least three (3) adequate meals a

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*Ma. Lourdes D. L.* *P.R.R.* *S* *2014*

day, taking into consideration the religious beliefs and cultural practices of the *Kasambahay*; b) Humane sleeping conditions that respects the person's privacy for live-in arrangement; and c) Appropriate rest and medical assistance in the form of first-aid medicines, in case of illness and injuries sustained during service without loss of benefits.

For the *Kasambahay* under live-out arrangement, he/she shall be provided space for rest and access to sanitary facilities.

- j. "PRIVATE EMPLOYMENT AGENCY (PEA)" refers to any individual, legitimate partnership, corporation or entity licensed to engage in the recruitment and placement of domestic workers for local employment.
- k. "SINGLE ENTRY APPROACH (SEnA)" refers to an administrative approach to provide a speedy, impartial, inexpensive and accessible settlement procedure of all labor issues or conflicts to prevent them from ripening into full blown disputes.
- l. "COMPETENCY-BASED PAY SCHEME" refers to a compensation system that rewards domestic workers with additional pay a) by reason of the National Certification II program of TESDA or b) by written mutual agreement.

**RULE II  
WAGE ADJUSTMENTS**

**Section 1. NEW MONTHLY MINIMUM WAGE RATES.** Upon the effectivity of Wage Order No. RB XI-DW-01, the new monthly minimum wage rates for domestic workers in the Region shall not be less than the following:

GEOGRAPHICAL CLASSIFICATION	MINIMUM WAGE UNDER R.A. 10361	INCREASE	NEW MONTHLY MINIMUM WAGE RATE
Chartered Cities and First Class Municipalities	₱2,000.00	₱ 1,000.00	₱ 3,000.00
Other Municipalities	₱1,500.00	₱ 500.00	₱ 2,000.00

**Section 2. COVERAGE.** The prescribed wage rates under the Wage Order shall apply to all Domestic Workers, whether on a live-in or live-out arrangement, such as, but not limited to:

- a. General Househelp
- b. Yaya
- c. Cook
- d. Gardener
- e. Laundry Person

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- f. Any person who regularly performs domestic work in one household on an occupational basis.

The following are not covered:

- a. Service Providers
- b. Family Drivers
- c. Children under foster family arrangement and
- d. Any other person who performs work occasionally or sporadically and not on an occupational basis.

**Section 3. MODE AND FREQUENCY OF PAYMENTS OF WAGES.** The wages of the Domestic Workers shall be paid at least once a month in cash. No deductions from the wages of the domestic worker shall be allowed other than those mandated by law.

**Section 4. DEDUCTIONS FOR LOSS OR DAMAGE.** Other than those mandated by law, the employer shall not deduct any amount from the wages of the Domestic Worker without his/her written consent or authorization; provided that, deduction for loss or damage shall only be made under the following conditions:

- a. The Domestic Worker is clearly shown to be responsible for the loss or damage;
- b. The Domestic Worker is given reasonable opportunity to show cause why deductions should not be made;
- c. The total amount of such deductions is fair and reasonable and shall not exceed the actual loss or damage; and
- d. The deduction from the wages of the domestic worker does not exceed 20% of his/her wages in a month.

**Section 5. DEDUCTION FOR LOANS.** By written agreement, the employer may deduct the loans from the wages of the domestic worker, which amount shall not exceed 20% of his/her wages every month.

**Section 6. APPLICATION TO PRIVATE EMPLOYMENT AGENCIES (PEAs).** In the case of hiring/contracting of Domestic Worker's services through a licensed PEA, the wage rates prescribed under this Order shall be borne by the principal or client of the PEA 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 PEA shall be jointly and severally liable with the principal or client.

**Section 7. EXEMPTION FROM COMPLIANCE.** Filing of applications for exemption from compliance with the Wage Order is not allowed.

**Section 8. PROVISION OF BASIC NECESSITIES.** The employer shall provide for the basic necessities of the domestic workers as defined in Rule 1, Section 2 (i) of this Rules.

At no instance shall the employer withdraw or hold in abeyance the provision of these basic necessities as punishment or disciplinary action to the domestic worker.

**Section 9. NON-DIMINUTION OF BENEFITS.** Nothing in the wage order shall be construed to reduce any existing wage rates, allowances and benefits of any form under

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C. J. P.

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M. J. P. P. R. K. R. J. P.

existing laws, decrees, issuances, executive orders and/or any contract or agreement between the workers and employers.

**Section 10. COMPETENCY-BASED PAY SCHEME.** Household employers and their domestic workers may voluntarily and mutually agree to adopt a compensation system that rewards domestic workers with additional pay in exchange for formal TESDA certification of the domestic workers' mastery of skills, knowledge and/or competencies.

Those who will adopt the Competency-Based Pay Scheme may refer to the NWPC Advisory on Competency-Based Wage for Domestic Workers issued on 24 February 2015.

**RULE III  
SPECIAL PROVISIONS**

**Section 1. APPEAL TO THE COMMISSION.** Any party aggrieved by the Wage Order may file an appeal to the Commission, through the Board, in three (3) legible printed copies, not later than ten (10) days from the publication of this Wage Order, subject to the compliance with Sections 11 and 12 of the NWPC Guidelines No. 01, Series of 2014.

**Section 2. COMPLAINTS FOR NON-COMPLIANCE.** Complaints for non-compliance with this Wage Order shall be filed before the DOLE Field/Provincial/Regional Office No. XI and shall go through the thirty (30)- day mandatory conciliation under the DOLE Single Entry Approach (SEnA) program to exhaust all efforts for settlement.

The DOLE Regional Director shall issue a Compliance Order within ten (10) days from the submission of the case for resolution.

**Section 3. FREEDOM TO BARGAIN.** The Wage Order shall not be construed to prevent domestic workers from bargaining for higher wages with their respective employers.

**Section 4. UNLAWFUL ACTS AND PENALTIES THEREFOR.** Withholding and interfering in the disposal of wages of the Domestic Workers are declared unlawful and shall be punishable with a fine of not less than Ten Thousand Pesos (P10,000.00) but not more than Forty Thousand Pesos (P40,000.00), without prejudice to the filing of the appropriate civil and/or criminal action by the aggrieved party pursuant to Rule XII, Sections 1 and 2 of the Implementing Rules and Regulations of Republic Act No. 10361.

**Section 5. PROHIBITION AGAINST INJUNCTION.** 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 6. REPEALING CLAUSE.** All orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of the Wage Order are hereby repealed, amended or modified accordingly.

**Section 7. SEPARABILITY CLAUSE.** If any provision or part of the Wage Order is declared unconstitutional, or in conflict with existing laws, the other provisions or parts thereof shall remain valid.

**Section 8. EFFECTIVITY.** This Implementing Rules and Regulations shall have the same date of effectivity as that of the Wage Order.

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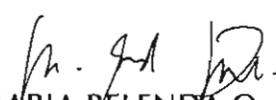
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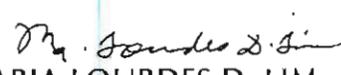
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Done in the City of Davao, Philippines, this 7<sup>th</sup> day of November 2017.

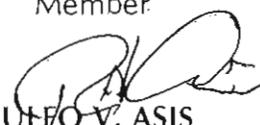
  
**RAYMUNDO G. AGRAYANTE**  
 DOLE-XI Regional Director  
 Board Chairman

  
**MARIA BELENDA Q. AMBI**  
 DTI-XI Regional Director  
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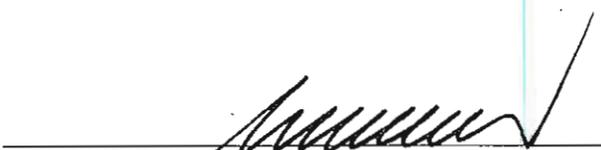
**(VACANT)**  
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 Labor Representative  
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**RUFLO V. ASIS**  
 Management Representative  
 Member

  
**BIENVENIDO D. CARIAGA**  
 Management Representative  
 Member

APPROVED, this DECEMBER 22, 2017, in the City of Manila, Philippines.

  
**SILVESTRE H. BELLO III**  
 Secretary  
 Department of Labor and Employment

Dept. of Labor & Employment  
Office of the Secretary



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