



WAGE ORDER NO. RXIII-DW-04

**PROVIDING FOR MINIMUM WAGE RATE
 INCREASE FOR DOMESTIC WORKERS IN REGION - XIII**

WHEREAS, Section 24 of **Republic Act No. 10361, otherwise known as the Domestic Workers Act or Batas Kasambahay**, mandated the Regional Tripartite Wages and Productivity Board to review, and if proper, determine and adjust the minimum wage rates of domestic workers;

WHEREAS, the current Wage Order No. **RXIII-DW-03** took effect on 30 June 2022;

WHEREAS, pursuant to **Section 3(A), Rule II of the Omnibus Rules on Minimum Wage Determination**, in the absence of any petition for a minimum wage adjustment, the Board may *motu proprio* initiate wage review;

WHEREAS, the Board, upon deliberation during its meeting on October 19, 2023, *motu proprio*, decided to commence the minimum wage determination process and review the current minimum wage rate for domestic workers;

WHEREAS, after due notice to all stakeholders, the Board conducted public hearing/s on the following dates and venues to assess and determine the propriety of issuing a new wage order for domestic workers;

PUBLIC HEARING:

Dates	Stakeholders	Venue
20 November 2023	Province of Surigao del Norte, Siargao Islands and Province of Dinagat	Philippine Gateway Hotel, National Highway, Surigao City, Surigao del Norte
21 November 2023	Agusan del Sur	Mabe's Savory Place, Poblacion, San Francisco, Agusan Del Sur
22 November 2023	Surigao del Sur	ASMHC Function Room (3 rd Floor), P1 National Highway, Cumawas Bislig City, Surigao Del Sur
23 November 2023		Shacene Pension House and Restaurant National Highway, Tandag City, Surigao del Sur
24 November 2023	Agusan del Norte & Butuan City	Almont Inland and Resort, J.C. Aquino Ave, Butuan City, Agusan del Norte

WHEREAS, after a thorough review and evaluation of the results of the consultation and public hearing, existing socio-economic conditions in the region, the needs of the domestic workers and their families, as well as the employer's capacity to pay, the Board deemed it necessary to increase the prevailing minimum wage rates for domestic workers;

NOW THEREFORE, by virtue of the power and authority vested under **RA No. 10361, RTWPB-XIII** hereby issues this Wage Order.

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Section 1. New Minimum Wage Rates. Upon effectivity of this Wage Order, the new monthly minimum wage of domestic workers in the Region shall be as follows:

Area/Location	Current Minimum Wage Rates	New Wage Increase	New Minimum wage Rates
Chartered Cities and First Class Municipalities	Php 4,000.00	1,000.00	5,000.00
Other Municipalities			

Section 2. Coverage. This 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; and
- (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 are provided access to education and given an allowance incidental to education; and
- (d) Any other person who performs work occasionally or sporadically and not on an occupational basis.

Section 3. Payment of Wages. The wages of the domestic worker shall be paid in cash at least once a month. No deductions shall be made 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 licensed PEAs, the wage rate prescribed in this Order shall be borne by the principals or clients of the PEAs and the contract shall be deemed amended accordingly. In the event that the principals or clients fail to pay the prescribed wage rate, the PEAs shall be jointly and severally liable with his principal or client.

Section 5. Non-Applicability of Exemption. This Wage Order does not allow any exemption.

Section 6. Competency- Based Pay. Household employers and their domestic workers may voluntary 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 7. Penal Provision. Any person who withholds the payment of the prescribed minimum wage or otherwise commits any of the unlawful acts enumerated under Republic Act No. 10361 and its implementing Rules and Regulations, shall be dealt with in accordance with the said law, and such other laws as may be deemed applicable.

Section 8. Effectivity. This Wage Order shall take effect after fifteen (15) days from its publication in a newspaper of general circulation.

APPROVED. This 5th day of December, 2023.

Done in Butuan City, Philippines.



EDGAR ALLAN M. AQUINO
Worker' Sector



MARVIN C. SANCHEZ
Employers' Sector



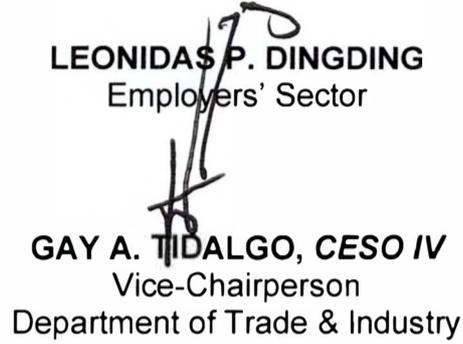
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(For NWPC Secretariat)

Date of Publication: 16 day of December 2023
Date of Effectivity: 01 day of January 2024