

# VOLUNTARY CODE OF GOOD PRACTICE ON DECENT WORK IN THE FISHING AND CANNING INDUSTRIES IN ZAMBOANGA PENINSULA

## SITUATIONER

The waters contiguous to Western Mindanao like Moro Gulf, South Sulu and East Sulu have always been regarded as major traditional fishing grounds of the Philippines. In terms of commercial fishing, the top four (4) fishing grounds from 1992-1999 are West Palawan waters contributing 18.71% in commercial fishery production followed by South Sulu Sea (17.65%), Visayan Sea (16.32%) and Moro Gulf (11.60%). For municipal fisheries production, the top four grounds during the same period are the Visayan Sea with 11.5% share of total fishery production followed by Bohol Sea (10.44%), East Sulu Sea (9.72%) and Moro Gulf (9.26%).

In 2009, the Gross Regional Domestic Product (GRDP) of the fishery sector contributes about half of the total agricultural output, it showed a significant improvement of 13.72% increase in terms of production both in the commercial and aquaculture categories.

Fishing has always been a part of life in Zamboanga Peninsula. The fishing industry has twelve (12) major players, which provide income to over 8,000 families. They are all members of the Southern Philippines Deep-Sea Fishing Association (SOPHIL), a SEC registered group based in Zamboanga City. It also supports the eleven (11) canning factories employing approximately 15,000 workers. Furthermore, other commercial and interrelated establishments are directly dependent of the industry such as those engaged in fishing supplies, equipment, boat building, dry docking, ship repair, ice plants and cold storage facilities.

## MISSION STATEMENT

WE, the Stakeholders of the Fishing and Canning Industries in Zamboanga Peninsula Region, hereby collectively and conscientiously manifest our abidance to this Voluntary Code, guided by the underlying fundamental principles and values of volunteerism, cooperation, respect for workers' rights, promote their welfare, ensure just and humane conditions of work, promote productivity and competitiveness, conserve and preserve the environment, maintain industrial peace, work for the improvement and betterment of our community.

We pledge to uphold this guiding framework and commit to the sustainable development of the industry in ZamPen.

## OBJECTIVES

1. To provide moral, legal bases for the equal employment opportunities for women, youth, indigenous people and differently-abled persons without compromising quality of service.
2. To promote social partnership as guiding principle for sustainable and beneficial labor and management relations in the industry that ensures job creation, employment preservation, productivity improvement, employment security, employees welfare and corporate social responsibility.
3. To provide guiding principles and standards that will govern the operations of the Fishing and Canning industries in pursuit of industrial peace, productivity and competitiveness in compliance with the labor standards.
4. To promulgate guidelines and good practices for the Fishing and Canning Industries relative to employment generation; condition of work; health and safety; labor and management relations; and, human resource development.

## COMPONENTS

1. Condition of Work and Occupational Safety and Health
2. Human Resource and Development
3. Labor and Management Relations
4. Corporate and Social Responsibility

## GUIDING PRINCIPLES

### **1. CONDITION OF WORK AND OCCUPATIONAL SAFETY AND HEALTH**

This refers to terms and circumstances of employment that include policies, programs, standards and regulations governing his/her employment status, nature of work, security, health and safety at the workplace.

Under the Labor Code of the Philippines, as amended this is categorized into three: (1) working time, rest periods, holidays, and service incentives; (2) wages; and (3) conditions of workers' safety and health to include special group of workers.

- 1.1 We shall abide by the applicable laws pursuant to the Labor Code of the Philippines as amended and its implementing rules and regulations.
- 1.2 We encourage and respect the rights of working women and provide equal opportunities to working youth, differently-abled persons and indigenous people.
- 1.3 Considering the seasonal nature of the fishing industry and in compliance of RA 8550 (Fishery Code of the Philippines), stoppage of work during off season would not mean retrenchment of regular workers, thus:
  - 1.3.1 In the event of temporary work stoppage, the principle of "no work, no pay" shall apply.
  - 1.3.2 In case of retrenchment, the companies shall serve notice of retrenchment to DOLE.
- 1.4 We shall adhere to the standards of the Occupational safety and health and recognize it as a critical factor in workers' productivity and for this purpose:
  - 1.4.1 We shall organize occupational safety and health committee in the workplaces/worksites in accordance with the Occupational Safety and Health Standards and other OSH issuances.
  - 1.4.2 We shall encourage the training of safety officers and the accreditation of the same in coordination with the ZAMPEN OSHNET INC.
  - 1.4.3 We shall provide the appropriate fishing gears and equipment pursuant to the BFAR Licenses requirements and MARINA Safety policy on fishing vessels and its complements.
  - 1.4.4 We commit to provide reasonable working conditions to make the workplace safe and healthy.

## **2. HUMAN RESOURCE AND DEVELOPMENT**

As part of the industry's commitment to the development of its human resources, each company shall be encouraged to formulate a human resource development plan that shall build and enhance the capabilities of the fishing and canning workers especially those initiatives and interventions related to labor productivity and employability.

- 2.1 We shall develop personal and organizational skills, knowledge, and abilities of Fishing and Canning workers such

as opportunities to employees' training, career development, performance management and development, coaching, mentoring, succession planning, awards and recognition, and other organization development.

- 2.2 We welcome any collaboration with government agencies in the implementation of training programs to improve the capability of the workforce.
- 2.3 We shall register vacancies in the Phil-Jobnet to give access to newly graduates and out-of-school youth the opportunities to work in the fishing and canning industries.
- 2.4 In the matter of hiring of personnel, we will give priority to residents of Zamboanga City who are qualified and skilled.
- 2.5 We shall involve ourselves actively in any DOLE programs aimed at making the labor market more efficient.
- 2.6 We shall observe and promote Gender and Development Programs and provide equal opportunities to both men and women in terms of promotion, training and career development of workers.
- 2.7 We shall establish data base of workers in coordination with DOLE to ensure the industry's steady pool of workers in good standing indicating the following:
  - 2.7.1 Name of Worker
  - 2.7.2 Nature of work
  - 2.7.3 Length of Service
  - 2.7.4 Ground for resignation and termination

### **3. LABOR AND MANAGEMENT RELATION**

This is a mechanism by which the terms and conditions of employment are negotiated, and shall be enforced in accordance with the agreement of employers and employees on how rights and duties are exercised, and how workplace relationship is enhanced.

- 3.1 We shall encourage the establishment of a mechanism that will serve as an avenue to address issues and concerns related to labor relations, labor standards and occupational safety and health of the workers and the industry in general.

- 3.2 We shall recognize the existence of labor union as partner of the industry in the attainment of industrial peace and a mechanism to influence productivity of workers.
- 3.3 We shall promote the principle of shared responsibility between workers and employers and the preferential use of voluntary modes of settling issues and concerns to foster industrial peace at the workplace.

#### **4. CORPORATE SOCIAL RESPONSIBILITY**

It is a business principle and practice that delivers business long-term interests alongside the development of communities, the protection and sustainability of environment, and to contribute in the improvement of people's quality of life.

- 4.1 We shall commit to apply our social responsibility that will benefit the communities within the area of worksite in terms of management of our resources including waste disposal.
- 4.2 We shall adopt and promote social partnership whereby the principle of *Big Brother and Small Brother* (KAPATIRAN) become social and economic partners in the enforcement of labor standards while nurturing mutual growth and development of the industry.
- 4.3 We may participate in the campaigns and activities initiated by competent government agencies or civil society designed to improve and sustain the quality of our environment.
- 4.4 We shall take part in the promotion, education and awareness campaign on environmental conservation and preservation in our company premises and community.
- 4.5 We shall promote and support the implementation and monitoring of the Family Welfare Program.

#### **5. SPECIAL PROVISIONS**

- 5.1 Any amendments to this Code shall require the vote of 2/3 of the total members of fishing and canning industries.
- 5.2 That, We shall monitor the implementation of Code and meet regularly once every quarter to trace issues and concerns relative to the implementation and compliance of the Code.
- 5.3 We shall endeavor to provide livelihood assistance during lull season to sustain family income through DOLE and other private/ public livelihood programs.

- 5.4 We shall promote non-employment of minors.
- 5.5 We shall encourage our contractors and sub-contractors to abide by the provisions as stipulated in Department Order No. 18-02 (contracting/subcontracting arrangement) and other related labor laws and issuances.
- 5.6 A Technical Working Group (TWG) would be organized to conduct regular monitoring and updating on the industry specific issues, concerns and practices.
- 5.7 This Code shall take effect immediately upon approval of the duly recognized members of both industries in partnership with other stakeholders (DOLE RCC Family, ZAMPEN OSHNET, other related government agencies and non-government organizations).

This voluntary code is a product of our concerted efforts realized through dialogue, consultation, teamwork and dedication in the spirit of unity.

In this respect, we, therefore invoke the guidance and blessings of our Almighty God, in adopting this instrument this 30<sup>th</sup> day of March in year of Our Lord Twenty Hundred and Eleven.

### **MEMBERS OF THE CANNING INDUSTRY**

**ARRIEL S. ONESA**  
Plant Manager  
Columbus Seafoods  
Corporation

**ANITA L. KAW**  
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Zamboanga Universal  
Canning, Inc.

**ATTY. JOSE C. BATAUSA**  
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**JEAN B. PUNZALAN**  
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Permex Producer and  
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**ANGELITO S. CAABAY**  
Manager  
Bigfish Foods Corporation

**LAPAZ K. NGO**  
President/CEO  
Fortune Group Corporation

**RONNEL G. CASTELO**  
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**LUVIMINDA T. YAP**  
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Seacoast Top Choice Food  
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**MICHELLE UY-TUMNOB**  
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**LOUANNE A. BANDALAN**  
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## MEMBERS OF THE FISHING INDUSTRY

**MELINA C. REQUINTO**  
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AMR Corporation

**JIMMY R. YAP**  
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YL Fishing Corporation

**WILLIAM T. LIM**  
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MEGA Fishing Corporation

**ESMAEL Y. TAN**  
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E & L Fishing Corporation

**NELSON Y. FLORES**  
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**PERFECTO C.MENDOZA III**  
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**ALBERT R. TENG**  
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Oceanic Fishing  
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**JIMMY C. DANIEL**  
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Century Fishing  
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**JULIETO C. DANIEL**  
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**ELY S. CHUA**  
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**MA. EMMYLOU F.  
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**ANITA L. KAW**  
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Zamboanga Universal  
Fishing

**KENNY L. QUE**  
President  
GMA Fishing

**ROBERT L. TAN**  
President  
JMD Fishing Corporation

## NON-GOVERNMENT ORGANIZATION/DOLE INTERMEDIARIES

**GEORGE G. LEDESMA, ChE**  
President  
Industrial Group of  
Zamboanga, Inc. (IGZI)

**EUGENE FREDERICK C. YAP**  
President  
Southern Philippines Deep-  
Sea Fishing Association  
(SOPHIL)

**EDGAR B. LIM**  
Private Sector  
Representative  
Zamboanga City Tripartite  
Industrial Peace Council  
(ZCTIPC)

**EDUARDO R. RIVERO, JR**  
President  
ZAMPEN OSHNET, Inc.

## GOVERNMENT AGENCIES

**PONCIANO M. LIGUTOM**  
Regional Director/ Chairman  
RCC  
DOLE IX

**NILDA C. ESPIRITUSANTO**  
Regional Director  
TESDA 9

**RHETT JULIUS J. PLAGATA**  
Executive Labor Arbiter  
NLRC RAB 9

**MARJUC A. JUMRANI**  
Director II  
NCMB RB 9

**JOEL M. IJIRANI**  
Board Secretary  
RTWPB 9

**EMMANUEL B. CARPIO**  
Officer-In-Charge  
MARINA 9

**AHADULLA S. SAJILI, AL HAJ**  
Regional Director  
BFAR IX

### WITNESSED BY:

**HON. ROSALINDA DIMAPILIS-BALDOZ**  
Secretary  
Department of Labor and Employment