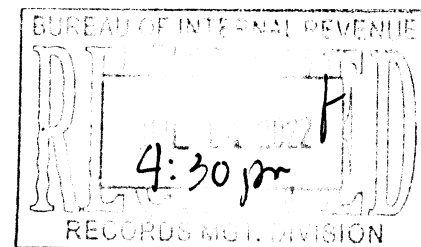




REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF INTERNAL REVENUE
Quezon City



July 06, 2022

REVENUE MEMORANDUM CIRCULAR NO. 99-2022

SUBJECT : Publishing the Daily Minimum Wage Rates in Davao Region (Region XI) under Wage Order No. RB XI-21

TO : All Internal Revenue Officials, Employees and Others Concerned

For the information and guidelines of all internal revenue officers, employees and others concerned, we are publishing Wage Order No. RB XI-21 which was issued on May 18, 2022 and published at Sunstar Davao on June 04, 2022:

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

WAGE ORDER NO. RB XI-21

PROVIDING FOR A MINIMUM WAGE INCREASE IN REGION XI

WHEREAS, the Regional Tripartite Wages and Productivity Board - XI is mandated under *Republic Act No. 6727, otherwise known as The Wage Rationalization Act* to periodically assess wage rates and conduct continuing studies in the determination of the minimum wage applicable in the region or industry;

WHEREAS, the current **Wage Order No. RB XI-20** took effect on August 16, 2018;

WHEREAS, pursuant to Section 3(A), Rule II of the 2020 Omnibus Rules in Minimum Wage Determination, the Board decided motu proprio to initiate minimum wage review in Region XI;

WHEREAS, during the course of motu proprio wage review, two petitions for wage increase were filed as follows:

1. On April 20, 2021 the United Pantaron Banana Workers Union-Association of Democratic Labor Organizations-Kilusang Mayo Uno (UPBWU-ADLO KMU) filed a petition seeking for a One-Hundred-Peso (P100.00) wage increase in the daily minimum wage for workers in the private sector except for workers in businesses employing less than ten (10) workers in Region XI;
2. On March 24, 2022, the Trade Union Congress of the Philippines (TUCP) filed a petition seeking for a Four-Hundred-Eighteen-Peso (P418.00) wage increase in the daily minimum wage of workers in the private sector in Region XI.

WHEREAS, after due notice to all stakeholders, the Board conducted consultations on January 9, 2021, February 10, 2021, March 10, 2021, September 29, 2021, November 9, 2021, December 21, 2021, January 6, 2022, January 20, 2022, and on February 11, 2022 via zoom application and a public hearing on April 19, 2022 via zoom application to assess and determine the propriety of issuing a new wage order;

WHEREAS, in setting the minimum wage, the Board has to consider the various criteria under *Republic Act No. 6727*, as well as the guidelines on the Two-Tiered Wage System;

WHEREAS after a thorough review and evaluation of the existing socio-economic conditions in the Region, the following findings were established:

- a. The Consumer Price Index (CPI) in Region XI was 101.3 in August 2018 and rose to 113.4 in April 2022; and
- b. The poverty threshold in Region XI based on the latest available data provided by the Philippine Statistics Authority (PSA) for an average family size of 5 for the first (1st) semester of 2021, is P11,103.00.

Handwritten signatures and initials at the bottom of the page.

WHEREAS, pursuant to the policy that the Boards shall simplify the minimum wage structures as provided in Section 2, Rule I of the 2020 Omnibus Rules on Minimum Wage Determination, the wage rates under Wage Order No. RB XI - 20 for Non-Agriculture/Industrial/Commercial and Retail/Service Establishments Employing more than ten (10) workers and Retail/Service Establishments Employing not more than ten (10) workers shall be subsumed under the Non-Agriculture Sector. Hereafter, there shall be one minimum wage rate for all workers belonging to the Non-Agriculture Sector.

NOW THEREFORE, by virtue of the power and authority vested under RA No. 6727, RTWPB-XI hereby issues this Wage Order.

Section 1. New Minimum Wage Rates. The new daily minimum wage rates in Region - XI shall be granted in two (2) tranches, as follows:

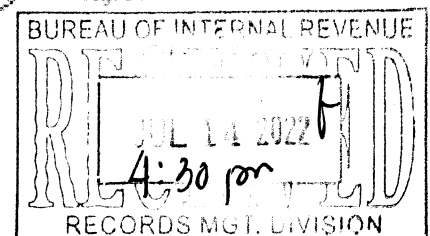
SECTOR / INDUSTRY	Under Wage Order No. RB XI-20	MINIMUM WAGES			
		Effective June 18, 2022		Effective January 01, 2023	
		Amount of Increase	Upon Effectivity of Wage Order No. RB XI-21	Amount of Increase	Upon Effectivity of Wage Order No. RB XI-21
Non- Agriculture	P396.00	P31.00	P427.00	P16.00	P443.00
Agriculture	P391.00	P31.00	P422.00	P16.00	P438.00

Section 2. Basis of Minimum Wage Rates. The minimum wage rates prescribed under this Order shall be for the normal working hours which shall not exceed eight (8) hours of work a day.

Section 3. Covered. The wage increase prescribed herein shall apply to all minimum wage earners in the private sector within Region XI, regardless of their position, designation or status and irrespective of the method by which their wages are paid.

Section 4. Wage Distortion. Should any dispute arise as a result of wage distortion, the employer and union shall negotiate to correct the distortion through grievance procedure under their Collective Bargaining Agreement, and if it remains unresolved, through voluntary arbitration. Unless otherwise agreed by the parties in writing, such dispute shall be decided by the voluntary arbitrator (VA) or panel of voluntary arbitrators within ten (10) days from the time said dispute was referred to voluntary arbitration as provided under R.A. 6727.

In cases where there are no Collective Bargaining Agreements or recognized labor unions, the employers and workers shall endeavor to correct such distortions. Any dispute arising therefrom shall be settled through the National Conciliation and Mediation Board (NCMB) and if it remains unresolved after ten (10) calendar days of conciliation, the same be referred to the appropriate branch of the National Labor Relations Commission (NLRC) or at the option of the parties to voluntary arbitration. The voluntary arbitrator shall decide the dispute within ten (10) calendar days from the time said dispute was referred to voluntary arbitration. The NLRC shall conduct continuous hearings and decide the dispute within twenty (20) calendar days from the time said dispute is submitted for compulsory arbitration.



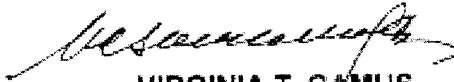
The pendency of a dispute arising from a wage distortion shall not stay the applicability of any wage adjustment prescribed by the Wage Order.

Section 5. Penal Provision. Any person, corporation, trust, firm, partnership, association or entity who refuses or fails to pay the prescribed minimum wage shall be dealt with pursuant to the provisions of Section 12 of RA No. 6727, as amended by RA No. 8188.

Section 6. Effectivity. This Wage Order shall take effect after fifteen (15) days from its publication in a newspaper of general circulation.

APPROVED. This 18th day of May, 2022.

Done in Davao City, Philippines.


VIRGINIA T. CAMUS
Workers' Sector Representative


RULFO V. ASIS
Employers' Sector Representative

VACANT
Workers' Sector Representative

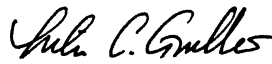
VACANT
Employers' Sector Representative


MARIA LOURDES D. LIM
Vice-Chairperson
National Economic & Development
Authority-XI


MARIA BELENDA Q. AMBI
Vice-Chairperson
Department of Trade & Industry-XI


ATTY. RANDOLF O. PENSOY
Chairperson
Department of Labor and Employment-XI

All concerned are hereby enjoined to be guided accordingly and to give this Circular as wide a publicity as possible.


LILIA CATRIS GUILLERMO
Commissioner of Internal Revenue

000067

J-5

