

Single Entry Approach (SEnA): Remedial Measure to Peaceful and Speedy Labor Dispute Settlement in the Philippines

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Abstract

Generally, the purpose of this article is to fill the gap by highlighting the current state of labor dispute resolution in the country, which uses the Department of Labor and Employment's newest program called the Single Entry Approach (SEnA), and by explaining in detail the steps involved in the process. The paper is designed to specifically provide information on the latest trend in dispute settlement. Using the information gathered from the interviews, papers, news articles, journals and other reading materials, the principles of the program and all the intrinsic details of how the program works, and its impact on and significance to its end-users or stakeholders was comprehensively discussed. SenA is described as the simplified and the most effective and efficient way of resolving labor dispute conflict in the workplaces. It defines how the conciliation-mediation method using SEnA can be used as a very effective alternative tool in dispute resolution. It centered mainly on the findings, observations, discussions and highlights particularly related to the advantages and disadvantages of the program, and the characteristics that conciliators and mediators must

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possess in order to effectively implement and execute the program. The recommendations, on the other hand, tried to deliver the practical implications and applications of the findings that can further develop or enhance the program. The in-depth interviews and qualitative data analysis, including the graphs and charts, revealed important information extracted mostly from officials of the Conciliation and Mediation Unit of the National Capital Region. All of them possess the knowledge and expertise gained from a minimum of 11 years to more than 20 years of experience in the field of conciliation, mediation, and other modes of alternative dispute resolution mechanisms.

Keywords: labor dispute, SENa, Department of Labor and Employment, Philippines

Introduction

This paper offers a quick assessment of the five years' implementation of the Single Entry Approach (SEnA) program. It bares the different perspectives, analyses, conclusions and recommendations of the program. It provides an easy access to what this new innovation in the labor dispute mechanism process has brought about in the history of conflict resolution in the country.

Furthermore, it was written based on the 2015 consolidated reports of the National Conciliation and Mediation Board (NCMB) and a research study completed this June 2016. It also covers excerpts of an interview with Department of Labor and Employment (DOLE) senior officials, National Conciliation and Mediation Board (NCMB) Conciliators and Mediators, NCMB officials and stakeholders. Generally, it focuses on the impact of the program on the Philippine labor market.

Labor dispute resolution in the Philippines has always been known to be litigious in nature. Legal norms governing corporate and bureaucratic behavior in the Philippines, according to Jocano (1999), often conflict with community norms. This incongruence between what is accepted as legally "correct" and what is felt as culturally right in actual life has given rise to much of the current difficulties in

fostering harmonious industrial relations in Philippine industries. Such discrepancies have larger philosophical overtones. Obvious differences in the ideology lead to the almost irreconcilable interests of labor and management in the Philippines.

Jocano (1999) further stated that firm managers are trained according to Western business principles, while union leaders are steeped in the dialectics of Western unionism and philosophy. Unions simultaneously adhere to the Marxist view of class contradictions (hence the struggle between management and labor) and the capitalist view of free enterprise (hence free trade unionism).

The dispute arises because of conflictual differences in ideology and behavior. However, settlement of this conflict is always the best solution considering the circumstances and other cultural and communication factors involved. Jocano's description of conflict is that it is a result of the so-called "cultural disequilibrium", with Filipino culture emphasizing the promotion of nation-building efforts between the stakeholders composing labor and management.

It is believed that Western and Asian views are what cover the entire ideology of the Philippine culture in dispute resolution. It is in a sense westernized because of the impersonal and confrontational way of solving disputes illustrative of arbitration proceedings, while the culture of dialogue and consensus can be descriptive of the conciliation and mediation practices in the country.

On the other hand, De Dreu (1998) explained the conflict process, stating that concern for self and concern for other are, in turn, predicated by one's personality and situation. A good example is that stable individual differences in social value orientation correlate with concern for other; conflict parties with a prosocial orientation have a higher concern for other than conflict parties with an individualistic or competitive value orientation.

It was also viewed that a more active approach exemplified by cooperative problem-solving results, if successful, in improved interpersonal relations, stronger feelings of self-worth and self-efficacy, and reduced tension in the future (De Dreu et al., 2001).

Philippine laws have been deliberate in acknowledging and promoting the bipartite (workers and employers) process of settlement. Labor regulation has a strong adherence to settlement without government intervention, as it provides a higher level of stability in terms of labor relations. Lower rates of labor cases

incidence means stable working conditions precluding erratic and long standing disputes, resulting in industrial peace in the labor market.

In addition, social dialogue as discussed by Serrano et al. (2013) is also regarded as a problem-solving process, achieved through concerted and cooperative interaction and exchange of views and ideas by the social partners. At the shop floor, social dialogue helps provide labor management solutions on practical problems such as declining productivity and competitiveness of a company. At the social level, it promotes social cohesion, sound industrial relations, and rule of law through bipartite and/ or tripartite agreements in the observance and enforcement of international and national labor standards for the good of all stakeholders. In short, social dialogue seeks to promote mutual understanding and good relations between and among government agencies and employers' and workers' organizations, with a view to developing the economy as a whole by improving the welfare and well-being of all parties.

Conciliation, according to discussion by Sgubini, Prieditis and Marighetto (2004), is another dispute resolution process that involves building a positive relationship between the parties in a dispute. However, it is fundamentally different from mediation and arbitration in several respects. Conciliation is a method employed in civil law countries like Italy, and is a more common concept there than mediation. While conciliation is typically employed in labor and consumer disputes, Italian judges encourage conciliation in every type of dispute. The "conciliator" is an impartial person that assists the parties by driving their negotiations and directing them towards a satisfactory agreement. It is unlike arbitration in that conciliation is a much less adversarial proceeding; it seeks to identify a right that has been violated and searches for the optimal solution.

The earliest inhabitants of our country commonly practiced conciliation and mediation in different forms. It is part of Filipino culture to settle differences through proper communication and understanding. Filipinos value personal interaction between members of society to settle disputes amicably, understanding the root of the problem and addressing it through common understanding.

In order to create a sense of balance between management and labor and maintain industrial peace in the labor market, the DOLE introduced a dispute resolution mechanism that aims to promote the concept of conciliation and mediation.

The Single Entry Approach (SEnA) is the flagship adjudication reform of the government under the headship of the current Secretary of Labor and Employment, Rosalinda Dimapilis-Baldoz. In several interviews, she revealed that SEnA is one of her favorite reforms. Since her stint at the POEA and the Bureau of Labor Relations (BLR), Secretary Baldoz has pushed for the conceptualization and eventual implementation of the program. This was established in pursuit of the goal of President Benigno S. Aquino III in his 22-point Labor and Employment Agenda. It is a 30-day mandatory conciliation-mediation approach, which is made operational through the Single Entry Approach Desk (SEADs). It answers President Aquino's directive to DOLE to "reform labor arbitration and adjudication systems by streamlining procedures, removing red tape, and at the same time, restore integrity and fairness in the system and to ensure that 98 percent of all pending labor cases are disposed of with quality decisions by April 2011" (PLEP, 2011).

The enactment of Republic Act No. 10396, or An Act Strengthening Conciliation-Mediation as a Voluntary Mode of Dispute Settlement for All Labor Cases, Amending for this Purpose Article 228 of Presidential Decree no. 442, as Amended—otherwise known as the "Labor Code of the Philippines"—and the creation of the provisions of Department Order No. 107-10, series of 2010, provide the Rules of Procedure intended for the regulation of the program.

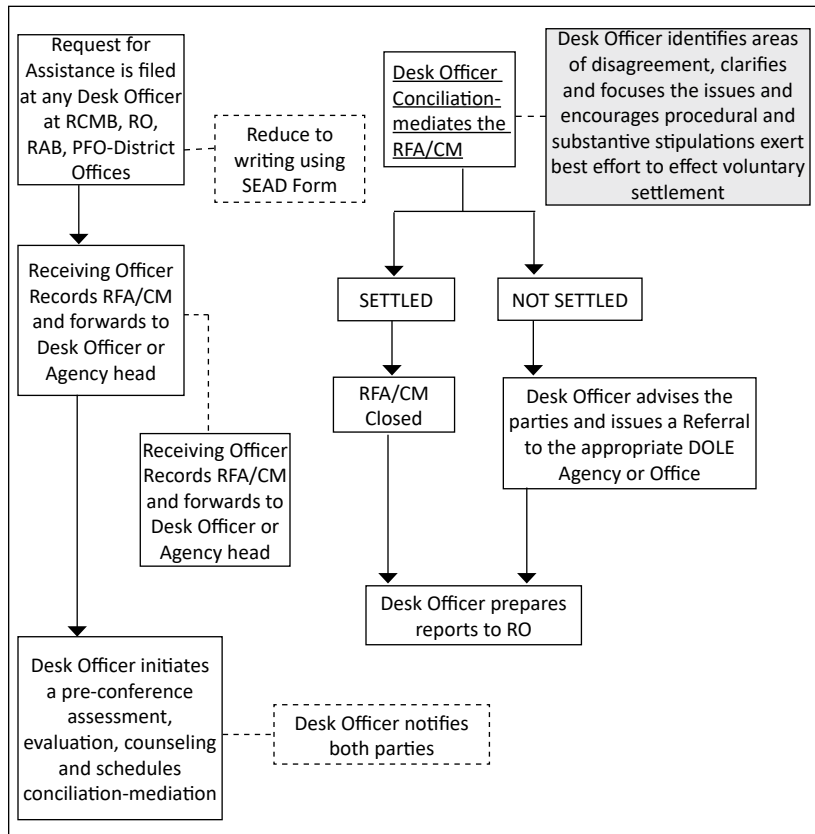
The Rules and Regulations of the Single Entry Approach (SEnA) Program was conceptualized by virtue of the mandate of Section 3, Article XIII of the 1987 Constitution on the preferential use of voluntary modes of dispute settlement; Article 211 of the Labor Code, as amended; the Alternative Dispute Resolution (ADR) Act of 2004; Executive Order No. 523 instituting the use of ADR for the speedy resolution of all disputes before the administrative bodies of the Executive Department; and the Department Order 107-10 Series of 2010 effective on 05 October 2010, entitled "Guidelines on the Single Entry Approach Prescribing a 30-Day Mandatory Conciliation-Mediation Services for All Labor and Employment Cases.

Looking beyond the technical aspect of the program, the Single Entry Approach (SEnA) has been used to shape up labor relations in the country. It is regarded by many as a prime example of social dialogue working toward the advantage of the government, workers, and employers.

This policy reform generally invokes voluntarism. Settlement of the conflict is made using the voluntary modes—it is the parties who willingly give their consent to settle amicably without any court interference or undergoing adjudicatory process. In this kind of settlement, technical rules are temporarily set aside to accommodate the parties’ concerns, but resolution of the cases must not contravene any law or jurisprudence for that matter. Any agreement that is contrary to law shall not take effect.

To further understand the whole process of the Single Entry Approach under Department Order 107-10, Series of 2010, Section 19 specifies a unique design of a flowchart that will simplify the understanding of the whole process of conciliation and mediation in the new program, as shown below:

Diagram 1. Process Flow



Guided by the above diagram, a simple request for assistance is to be processed by the desk officer using the following procedure:

- a. The request for assistance submitted is reduced into writing using the SEAD form available at the Regional Offices.
- b. The Receiving Officer records the RFA/CM and forwards it to the Desk Officer or Agency Head.
- c. The said District Head assigns the RFA/CM to the Single Entry Approach Desk Officer (SEADO).
- d. The SEADO conducts the pre-conference assessment, evaluation, counselling, and thereafter schedules the conciliation-mediation proceedings. It is the duty of the Desk Officer to notify the parties concerned of the date and time of the proceedings.
- e. Then the Desk Officer on the designated time and place conducts the conciliation-mediation proceedings. During this stage of the proceedings, the Desk Officer concerned focuses on the issues presented, and encourages a procedural and substantive stipulations, making the best effort to reach a voluntary agreement.
- f. In cases where the parties have reached a settlement, the RFA is updated and considered closed. However, in case of non-settlement or if the issues remained unsettled, the Desk Officer issues a Referral to the appropriate DOLE Office or Attached Agencies or Office for the required action.
- g. The Desk Officer assigned then prepares a report to be submitted to the Regional Office for reference purposes.

Discussion

It is very apparent that the Single Entry Approach (SEnA) program was crafted mainly to address the issues pertaining to the clogging of court dockets due to the increasing number of cases filed. It is directed towards the maintenance of industrial peace and harmonious resolution of conflict in workplaces.

The procedure in the SEnA usually consists of simplified steps to be undertaken within the specified limits, in this case a mandatory

period of 30 days. The nature of the procedure is entirely voluntary and freely chosen by the parties. It basically defines the needs and desires of the parties in a dispute, and although there is a huge tendency to follow a pattern, it is apparent that the main goal of the procedure is to persuade the parties or the variables to an acceptable agreement favorable to all actors (the worker, employer and the government).

The SEnA is a citizen-centered system pivotal to the immediate resolution of grievances and de-clogging of labor cases. The program directs the set-up of Single Entry Approach Desks (SEADs) in DOLE offices nationwide. The SEADs serve as entry points in speeding up the resolution of all work-related issues affecting workers and employers. The SEADs' role is to facilitate conciliation and mediation between parties within 30 calendar days or less (Problema sa trabaho, I-SEnA Mo, 2015).

The key component in ensuring the success of this flagship program of the DOLE is the aggressive implementation of an effective, results-based information campaign. It is not surprising that the institutional analysis of the SEnA has precluded the adequate treatment of conflict and change. It is evident from these outcomes that the SEnA is a remedy available and accessible to parties who wish to avoid the traditional adversarial litigation. It is notable that, based on the 2010 and 2015 data, the cases referred to conciliation and mediation reached successful completion.

Currently, the labor sector promotes timely dissemination of not just the basic information on labor standards but also its voluntary compliance. It will not only benefit business operation but also intend to influence even the behavior of management and the workers in terms of resolving labor dispute.

Notably, in the 2011 *Arangkada Report*, Joint Foreign Chambers of the Philippines (JFC) commended the DOLE for achieving substantial progress on the issue of maintaining the low level of recorded labor disruptions. DOLE was recognized for having started reforms on wages, jobs and skills mismatch, labor adjudication, and the modernization of the Labor Code.

Similarly, the Civil Service Commission (CSC) has seen the impact and influence of the SenA program on the labor sector. In the 2013 CSC's Search for Outstanding Public Officials and Employees (Presidential Lingkod Bayan Awards - Group Category), the DOLE's SEnA Team composed of the following were recognized and awarded: a) Reynaldo R. Ubaldo, NCMB Executive Director; b) Edgar G. Aquino,

Conciliator-Mediator; c) Angelita S. Narvaez, Conciliator-Mediator; d) Jay Jasper B. Javines, Conciliator-Mediator; e) Gil G. Caragayan, Director; f) Vivencio E. Lagahid, Senior Labor and Employment Officer; g) Reynante N. Lugtu, Supervising Labor and Employment Officer; h) Aurita L. Limpin, Senior Labor and Employment Officer; and i) Joselito V. Diego, Labor and Employment Officer III.

As highlighted in the consolidated report spanning the period from October 2010 to October 2015, which was released and submitted by the NCMB, a total of 128,515 new Requests for Assistance (RFAs) have been filed. A total of 124,356 cases were disposed out of around 128,515 cases that the DOLE handled during that period. The national settlement rate is at approximately 83 percent of cases filed for attached agencies and 80 percent in regional offices within the 30-day settlement duration, while the national disposition rate for both the regional offices and attached agencies is 97 percent. Within the five-year period, and with the help of the conciliators-mediators, about P4,855,822,371.98 in monetary benefits were distributed among the 147,602 workers from different private sector firms, based on data generated from NCMB.

According to the Disini report in 2004, despite the high volume of controversies submitted for judicial resolution, there is a growing dissatisfaction among citizens with regard to the use of the courts for settling their disputes. Among the reasons given for the reluctance of parties to seek redress through the courts are: 1) the rigidity of procedural and technical rules; 2) the adversarial nature of our litigation system; and, 3) the inadequacy of legal solutions or frameworks to resolve intricate and complex issues involved in commercial transactions amidst tremendous developments in global trade and information technology.

Highlights

As highlighted in the consolidated report that was released and submitted by the NCMB from October 2010 to October 2015, a total of 128,515 New Request for Assistance have been filed. A total 124,356 cases were disposed from around 128,515 cases that the DOLE has handled during that period. The national settlement rate is at approximately 83 percent for Attached Agencies and 80% in Regional Offices within the 30 days settlement duration while the

national disposition rate for both the Regional Offices and Attached Agencies is 97%. Within the (5) five-year period with the help of the conciliators-mediators, about P4,855,822,371.98 in monetary benefits were distributed from among 147,602 workers from different private sector firms benefitted (Data generated from NCMB).

Since 2010 more and more employees and employers opted to use the Single Entry Approach Program as it is both economical and practical. Optimum results were likewise achieved in a short period of time.

Based on Table 1, there was a drastic increase in the number of RFAs filed in the regional offices, rising from 1,105 in 2010 to 12,976 the following year. The rising trend continued in the succeeding years, from 2013 until toward the end of 2015. It is also very apparent that, compared to the number of RFAs filed in the regional offices, only a small portion of RFAs are filed under the jurisdiction of the attached agencies, namely the Legal Service (LS), the National Conciliation and Mediation Board (NCMB), the National Wages and Productivity Commission (NWPC), the Overseas Workers Welfare Administration (OWWA), and the Philippine Overseas Employment Administration (POEA). Also, a radical increase in the total number of RFAs filed can be observed, from only 2,124 RFAs in 2010 to an unimaginable 27,401 additional RFAs towards the end of October 2015.

Table 1. Summary of Requests for Assistance Filed

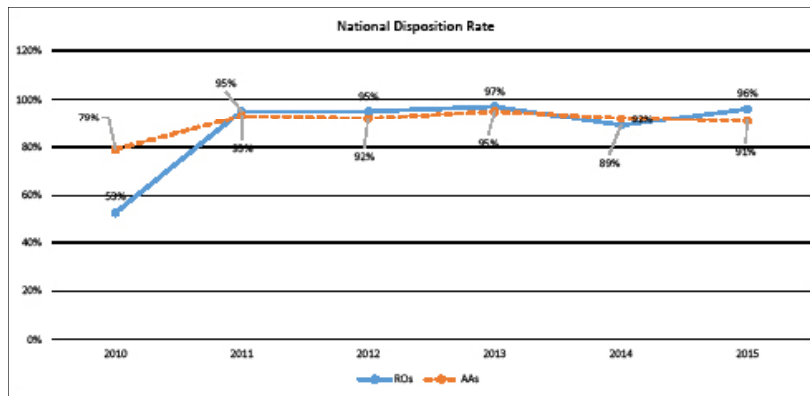
OFFICE	2010	2011	2012	2013	2014	2015	TOTAL
ROs	1,105	12,976	15,177	16,185	17,725	15,365	78,533
LS	-	483	-	-	26	37	546
NCMB	142	1770	3,916	4,597	5,854	4,737	21,016
NWPC	25	249	167	43	-	-	484
OWWA	-	-	-	1,089	3,920	3,140	8,149
POEA	852	1,776	2,395	4,254	5,848	4,122	19,787
TOTAL	2,124	17,254	22,168	26,168	33,373	27,401	128,515

Source: National Conciliation and Mediation Board

This diagram shows that almost all RFAs filed from 2010 to 2015—a number totaling 78,533—came from the regional offices. This high number of RFAs filed may be attributed to the fact that regional offices, whether in the cities or the provinces, recorded higher

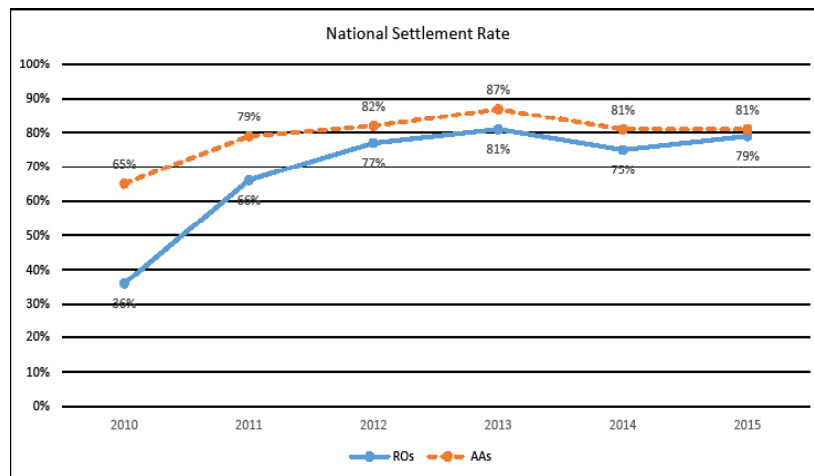
incidences of workplace disputes. The increase was triggered because more and more employees are now more aware of and knowledgeable about their rights. Second in rank in the most number of RFAs filed is the NCMB. This was due to the fact that NCMB offices are more accessible, followed by the POEA, the OWWA, the LS, and the NWPC.

Diagram 2. Summary of the National Disposition Rate on RAs in Regional Offices and Attached Agencies



Source: National Conciliation and Mediation Board

Diagram 3. Summary of the National Settlement Rate on RFAs in Regional Offices and Attached Agencies



Source: National Conciliation and Mediation Board

According to NCMB Director Teresita Audea, these data results are primarily due to the lower costs and immediate results of the SEnA process compared to the traditional litigation process. Only a few RFAs are filed in the other offices, such as the LS and the NWPC. Similarly, the stringent process involved in compulsory arbitration prompted the aggrieved workers to resort to RFAs instead of filing case in courts.

The DOLE attained a very noteworthy disposition rate of 96 percent for regional offices and 91 percent for attached agencies for 2015, while the national settlement rate is at 81 percent for regional offices and 79 percent for attached agencies for the same period. The total number of RFA cases handled reached 128,515, and the total number of disposed cases is 124,356, leaving a remaining balance of undisposed cases of only 4,159.

A. Advantages

Indeed, the Single Entry Approach has been duly institutionalized, and the DOLE is still instituting reforms to improve further the disposition process. Based on the experiences of our conciliator-mediators, the workers prefer to settle amicably because the results are faster and the waiting period is shorter. According to one of our respondent conciliator-mediators, Estellita S. Bautista, the conciliators and mediators who facilitate the mediation process must clearly explain to the workers the options available to the workers. The main focus and commitment is to serve the best interests of the parties.

In the SEnA, the procedures are fast and effective, and the program is readily accessible or available. It facilitates the resolution of cases toward an acceptable settlement. As much as possible, the parties try to negotiate, bearing in mind that in order to reach a settlement the parties must be open to compromise.

“Advantages ng SEnA, bale kapag nagkaroon ng settlement sa SENA, it is really the parties’ agreement. Talagang galing iyan sa parties, unlike kung case iyan, decision iyan ng ibang tao. In conciliation and mediation, it is a settlement forged by the parties between the parties.” (The advantage of SEnA is that it really is an agreement between the parties, whereas in a regular case filed in court, it is the decision of a third party

not directly involved in the case.) - Director Teresita Audea, NCMB official

“The conciliator and mediator help the parties come up with options and alternatives. Para mag-come up lang kayo sa ganong solusyon, tutulungan lang ang parties na mag-isip, but still parties pa din ang owners ng agreement na yun. Kasi kapag ayaw nung isa, hindi mo masasabing agreement yan.” (The conciliators and mediators provide options and alternatives to help the parties come up with solutions, but the parties still own the agreement. This is to ensure that the agreement is reached by consensus; otherwise, you cannot call that an agreement.) – Conciliator-Mediator Estelita Bautista, NCMB official

“Matipid. You do not have to pay for a lawyer. Kayo lang talaga, walang payment, and as much as possible walang lawyer. Kung meron man, siya yung nag-guide. Talagang hindi maiwasan, gaya ng kapag may SPA, kailangan ng legal representative. Kung kailangan, nandoon siya at makakatulong naman siya talaga, pero hindi siya magsasalita. Mag-a-advise lang siya. As much as possible kung pwedeng wala, unless request ng parties para lang ba magkaroon ng pantay na katayuan.” (It’s cost-effective. You do not have to pay for a lawyer. It’s just between the parties, and there is no payment and as much as possible no lawyer involved. If the presence of a lawyer is needed, for instance in case there is an SPA and a legal representative is necessary, he/she can provide guidance and advice, but he/she will not take part in any stage of the discussion. As much as possible, lawyers are not required.) – Director Teresita Audea, NCMB official.

“Efficient, kasi halos palagi may agreement. Siguradong may agreement ang parties, unlike kapag sa kaso at decision, pwede pang kailanganin na i-execute mo yan, tapos mag-fa-file ka pa ng execution.” (It is efficient, because more often than not, parties come to an agreement. Unlike in a regular case, which requires the filing of a proper motion for execution, in order for the court to order an execution.) - Conciliator-Mediator Estelita Bautista, NCMB official.

“Kapag nagka-conciliation-mediation right after the pag-uusap, bayaran na agad, kasi alam na nila na kapag may agreement...o minsan may dala na agad na pang-settle. Tapos kung maliit lang ang hinihingi or refund lang or something, may mga parang ordinary lang na cases.” (In conciliation-mediation, parties come to an agreement and settle payments quickly. Especially if the cases involved are just to refund a certain amount or they are just ordinary cases.) - Conciliator-Mediator Estelita Bautista, NCMB official.

In labor disputes, it is very important that settlements be facilitated in the most efficient, speedy and effective way. Since the parties are urged to settle the dispute voluntarily, they are likewise given the chance to air their grievances and eventually forge a compromise agreement. In the SENA, the terms and agreement of the parties are also somewhat flexible; parties are made to lay down their offers and counter-offers. The procedure is also simplified and made comprehensible to the parties regardless of educational background or level of understanding. And most especially, parties are not required to pay any procedural costs such as filing fees, bonds or legal fees, etc. This allows the parties to work together on neutral ground to better foster an acceptable compromise.

This fosters a more accommodating relationship between the parties, thereby reducing or eliminating stress involved in compulsory arbitration or adversarial proceedings. The process actually prevents the occurrence of negative consequences of work disputes like work disruption and strained relationships between the parties, which in turn boosts organizational performance and productivity. With the resolution of grievances through conciliation and mediation, the quality of the working environment improves considerably, reducing the number of working days lost, and advancing a greater level of transparency between employers and workers that may possibly lead to an eventual reconciliation.

B. Challenges

Some challenges in the implementation of SENa have been identified. Like any other newly constituted law, improvement is always part of the goal. Since the DOLE, specifically the NCMB, is the

program implementer, there will be some costs that may be attributed to its implementation.

“On the part of the government, medyo disadvantage siya kasi may expense yun sa atin, kasi you have to pay for the services of the con-med talaga. Tapos yung normal sending ng notice talaga, two weeks bago makarating, ma-deliberate sa parties. Nag-courier kami or nag-fax or deliver mo so may cost sa government.” (On the part of the government, SENA can be considered a disadvantage, because it will entail some costs, like the salaries for the services of the conciliators and mediators and payment for the serving of notices to the parties, whether it is through fax, courier service, or personal delivery.) - Director Teresita Audea, NCMB Official

“Yung monitoring mahirap. Hindi naman disadvantage, kung hindi challenges. Mas madaming advantage kaysa sa disadvantage. Logistical, pwede din. Manpower kasi, wala din masyadong SEADO. Just one of the many, many work assigned to SEADO monitoring kasi ang designation niya.” (Monitoring is one of the disadvantages, or rather challenges. Ultimately, there are more advantages than disadvantages. The logistical problem of manpower is also a disadvantage, because of the limited number of SEADOs. Monitoring is just one of the many many work assignments given to SEADO.) - Director Teresita Audea, NCMB Official

“Policy issues. Yung iba kaya, yung IRR ipapa-fine-tune pa. Problems sa procedure—yung iba, gaya ng additional manpower, magre-require pa din.” (There are some policy issues; the IRR likewise needs fine-tuning. There are also some procedural issues, and of course, man power.) - Director Teresita Audea, NCMB Official

“Budget and facilities din, kasi hindi naman lahat ng DOLE offices may designated hearing rooms. Para sa mag-hearing sa NCR lang, napakaraming sine-SEnA grab.” (Both the budget and the facilities pose some challenges, as not all DOLE offices have enough hearing rooms. In the NCR alone, there are a lot of SEnA cases being heard every day.) - Director Teresita Audea, NCMB Official

As part of project management and continuous development, the DOLE continuously upgrades and improves its facilities and enhanced manpower capacities through the conduct of training, seminars and other capacity-building activities for SEADOs and conciliators and mediators.

Despite these efforts, and like any other policy reform, the SEnA still cannot offer a guaranteed resolution of settlement, as there may be instances that parties going through negotiation still cannot agree on certain issues, especially if it involves a settlement of money claims and reinstatement of employees. [There may also be instances where the aggrieved parties accept the employers/management's lower offer in order to reach a settlement and avoid the hassle of court trials. In some instances, no matter how hard the conciliator-mediator tries to pacify and appease the parties, contradicting issues and beliefs still push the parties into a heated argument and result in further disagreement that may even lead to confrontation.

Analysis

As shown Table 2, the SEnA has proven to be effective in providing monetary benefits to the workers. The illustration shows a high accomplishment in terms of monetary benefits for workers, which can be inferred from the total of P20,141,729.28 (millions) to P4,855,822,371.98 (billions).

The accelerated development in terms of monetary awards due to the SEnA has transformed the process of settling disputes from the conventional way involving long case processes to a favorable policy environment that is more relaxed and less tedious. The results are faster and practical at the same time. The responses to the posed questions reveal that there is indeed a more economical and viable way of overcoming the difficulties in conciliation and mediation. Be that as it may, it is also a reality that not all disputes can be resolved using the Single Entry Approach. There may be times, due to conflicting ideas and pressures, that the parties would encounter difficulties in terms of culture and policy issues.

For 2010, the total number of workers who benefitted from the program is around 147,602. The different regional offices recorded about 108,475 workers coming from various sectors and industries, while the cases of workers who decided to file RFAs with the DOLE-

Table No. 2: Summary of Monetary Benefits Received by Workers in the Regional Offices and Attached Agencies

	2010	2011	2012	2013	2014	2015	Total
Settled RFAs	1,022	9,917	14,080	17,673	21,365	18,751	82,808
ROs	4,068,356.65	172,794,744.14	895,366,380.29	525,148,462.31	607,375,716.42	1,080,926,448.78	3,285,680,108.59
Monetary Benefits							
LSs	-	3,105,805.03	-	-	707,228.39	29,843,186.91	33,656,220.33
NCMB	2,939,485.01	71,968,143.46	20,0884,383.16	330,679,306.2	129,527,058.15	155,339,837.36	891,338,213.34
OWWA	-	-	-	12,073,748.82	45,459,496.4	60,111,740.93	117,644,986.15
POEA	14,912,486.48	56,981,194.01	66,483,378.80	132,055,728.90	163,828,002.91	95,079,090.58	529,342,881.68
Total	20,141,729.28	304,788,447.30	1,162,737,142.25	999,957,246.23	946,897,502.27	1,421,300,304.56	4,855,822,371.98

Source: National Conciliation and Mediation Board

Table 3. Summary of Workers Benefitted in the Regional Offices and Attached Agencies (October 25, 2010 - October 2015)

Office	2010	2011	2012	2013	2014	2015	Total
ROs	266	13,450	21,950	24,264	26,378	22,167	108,475
LS	-	248	-	-	16	29	293
NCMB	69	2,322	3,746	5,056	4,677	3,447	19,317
OWWA	-	-	-	985	3,214	2,548	6,747
POEA	498	1,398	1,910	3,399	3,474	2,924	13,603
Total	833	17,418	27,606	33,704	37,759	31,115	147,602

Source: National Conciliation and Mediation Board

Legal Service posted the lowest number of workers benefitted, which is only around 293. However, among the attached agencies, the NCMB has the highest average, at the rate of 19,317 workers. The explanation for this is the aggregate numbers, because the NCMB is more accessible compared to other attached agencies.

Moreover, the parties opted to use the Single Entry Approach program. Workers and management could do away with the tedious process of litigation. Hence, the result is fewer referrals to compulsory arbitration, voluntary arbitration and referrals to other offices. It specifically unclogged the Philippine court dockets. The diagram below shows the breakdown of the requests for assistance (RFAs) that were not resolved using the SEnA, and therefore required further referral to other modes of settling disputes.

Through the SEnA, the traditional way of dispute resolution now becomes a second option should the program fail to provide assistance. Statistics will show that this judicial reform provided adequate solutions to even the most intricate and complex issues.

The data in Table 3 shows the referrals of SEnA cases, referred to the RCA, the RVA, or the ROO:

1. From October 2010 to 2014, the number of cases referred to compulsory arbitration reached 13,619, but in 2015 it drastically went down to 2,644. This is due to the instituted policy of the Single Entry Approach.
2. By 2015, the resolution of cases through voluntary arbitration decreased to 12 from previously 62. This is an indication of the continuing priority of the government to boost the use of other modes of voluntary dispute resolution.
3. During the same period, cases referred to other offices considerably decreased from 2,636 to 506.

The probability of success is huge considering the commendable expertise of the conciliators-mediators responsible for the settlement of conflicting workplace disputes, using a non-statutory dispute resolution mechanism that settles grievances outside of the court system. Similarly, the contributing factors, such as the willingness of the parties to undergo the process, is immensely evident. These factors complement the specific needs of the parties, as they sort out problems and focus on allowing the SEnA to achieve reasonable terms of settlement, thereby avoiding or minimizing the damage to the

parties involved. Through open communication and the flexibilities in the process, dispute resolution can be readily achieved.

Table No. 4: Requests for Assistance Referred RCA- Referred to Compulsory Arbitration RVA- Referred to Voluntary Arbitration ROO- Referred to Other offices (Oct 25, 2010 to Oct 2015)

Referred RFAs								
Mode of Referral	Period	ROs	Attached Agencies					Total
			LS	NCMB	NWPC	OWWA	POEA	
Referred to Compulsory Arbitration	Oct 2010 to Oct 2014	9,951	121	773	0	578	2,259	13,619
	2015	1,692	6	428	0	261	257	2,644
Total RCA		11,643	127	1,201	0	839	2,516	16,263
Referred to Voluntary Arbitration	Oct 2010 to Dec 2014	29	0	33	0	0	0	62
	2015	0	0	12	0	0	0	12
Total RVA		29	0	45	0	0	0	74
Referred to other offices	Oct 2010 to Dec 2014	2,488	6	36	0	43	0	2,636
	2015	490	0	15	0	1	0	506
Total ROO		2,978	6	51	0	44	0	3,142
Total Referrals		14,650	133	1,297	0	883	2,516	19,479

RCA- Referred to Compulsory Arbitration

RVA- Referred to Voluntary Arbitration

ROO- Referred to Other offices

The DOLE and its team have continued to strengthen the implementation strategy, given the economic benefits of the SENa program. Likewise, individual stakeholders must be equipped with proper information, knowledge and decision-making skills for better execution and administration of the SENa program.

Conclusions

From the presented summary of the research findings, the following are concluded:

1. It is undeniable that the Single Entry Approach program as a policy reform has gone a long way even in its initial stage

and after five years of its implementation. Its effectiveness and efficiency is undoubtedly very significant in improving the lives of the workers and employers as well.

2. The Department of Labor and Employment and all its bureaus and attached agencies regarded the SEnA program as the most expeditious, efficient and effective way of resolving disputes, as evidenced by the comprehensive statistical data on the national disposition rates and settlement rates, as well as the number of employees and workers who benefitted from the monetary awards given through the SEnA.
3. The SEnA program has likewise helped unclog court dockets. With its 97 percent national disposition rate and 80 percent overall settlement rates of labor disputes in regional offices; and the 97 percent national disposition rate and 83 percent overall settlement rates of labor disputes in the attached agencies in 2015, there is no doubt that the SEnA is one of the most effective labor conflict resolution tools currently existing in the Philippines.
4. The SEnA is an innovation in Philippine conflict resolution that attempts to simplify the processes and procedures in conciliation and mediation. The results show that the innovation has achieved its objectives. In theory, conflict such as labor disputes could be explained through the idea illustrated by Dunlop's conflict theory. This theory gives emphasis on the relationship of conflict and labor dispute and its connection to labor and management disagreement. This theory only explained what was unavoidable and uncertain in conflict management.

Recommendations

Some of the identified recommendations and measures are considered critical to maintaining and effectively managing the increasing demand for the use of the program. These measures are established to continuously sustain the current good practices and performance in the implementation of the program.

Uncertainties in the labor sector are brought about by a confluence of factors, such as social, economic, environmental and

even political factors, which impact the country's economic growth and development.

Today, the project's main goal centers on the demonstration of a labor resolution process that is effective, fast and efficient. Hence, the following recommendations are laid down:

Massive information dissemination drive. There is need to instill public awareness on the potential benefit of the SEnA program, to educate the employer/management as well as the employee/workers on the concepts of Labor Standard and Labor Relations, and other legal technicalities related to labor policies. There must be a strong advocacy to impart the benefits and advantages of the program so as to improve the methods of negotiations and systematic approach of conflict resolution. It may help to significantly build up the capacity of both the management and the workers, and their knowledge about the legal foundations and practical solutions to their problems without undergoing adversarial proceedings.

Standardized monitoring tool for tracking compliance rate and case status. There is a need for a monitoring tool that can easily track the status of the cases that have been resolved using the SEnA. The more concrete and positive results shown to the public/stakeholders, the more they will be enticed to use the program.

Assessment and follow-through of both the complicated and simple cases handled. There must be a team or group that monitors the status of pending cases, as well as a tracking system designed to monitor the status of the cases handled both the simple and complex cases.

Additional manpower. Due to limited personnel on duty, fewer cases are being heard and settled. Individuals or groups seeking to resolve their issues cannot be accommodated due to the large volume of cases that are expected to be heard on a particular day. Augmenting the SEnA team will significantly impact the handling and disposition of cases in the country.

Enhancement of the training modules, and capacity building activities of SEADOs and conciliators and mediators. There must be a random assessment of the training modules for the personnel behind the SEnA program to facilitate any change that will help the SEADOs and con-meds perform their tasks more efficiently. Capacity building must always be continuously upgraded, and more techniques and strategies can be introduced for the use of the SEADOs

and conciliators and mediators in facilitating the resolution of the labor controversy at hand.

More training for SEADOs and conciliators and mediators.

The training will empower them, and encourage them to share with their fellow SEADOs and con-meds what they have learned from the books and from their own experiences. Include in the training is the presentation of how complex cases are handled and how to effectively facilitate these using the techniques and strategies learned.

Possible inclusion of provisions of case settlement through SEnA in the employment contract. It is important to include clauses in the employment contract that will suggest resorting to conciliation and mediation in case of conflict rather than going directly to court where the case will be adjudicated. Basically, it will provide options for possible settlement in a more relaxed atmosphere free from the complicated and confusing intricacies of legal technicalities.

Enhancement the communication skills of conciliators-mediators and SEADOs. A module for the enhancement of the communication skills of the conciliators-mediators can be created to enable them to resolve labor conflict more smoothly. It must be noted that the communication styles of the con-meds and SEADOs play a very important role in fixing the relationship between the parties. It is one way of understanding the parties' real interests and what they really want to achieve upon availing of the SEnA program. Keen listening skills are part of the communication process, and this enables con-meds to discern the different important elements in each case and thus better understand the feelings and perceptions of the parties. Con-meds and SEADOs must be empathetic and understanding without being biased or influenced by only one side.

Inclusion of the SEnA program in the course syllabus for SOLAIR students. Industrial Relations students will greatly benefit from learning about the SEnA program and process, and they will bring these concepts to their respective workplaces.

The DOLE and all the implementing agencies of SEnA program will also continue to intensify the promotion and development of ways and means to creatively make the public well informed about the program.

As the labor sector is heavily dependent on the stability of the labor market, the use of the SEnA program will provide economic benefits for both the management and workers.

Apparently, the DOLE is pushing for a wider utilization of the Single Entry Approach program. The DOLE will continue to devise supportive measures that will be used to ensure that the program will be well-utilized and publicized nationwide. The fact that the program is very much attuned to Filipino values and culture ensures that Filipino workers' rights and interests are secured, and that this is an enhancement to the labor justice system that is always readily accessible and within reach.

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