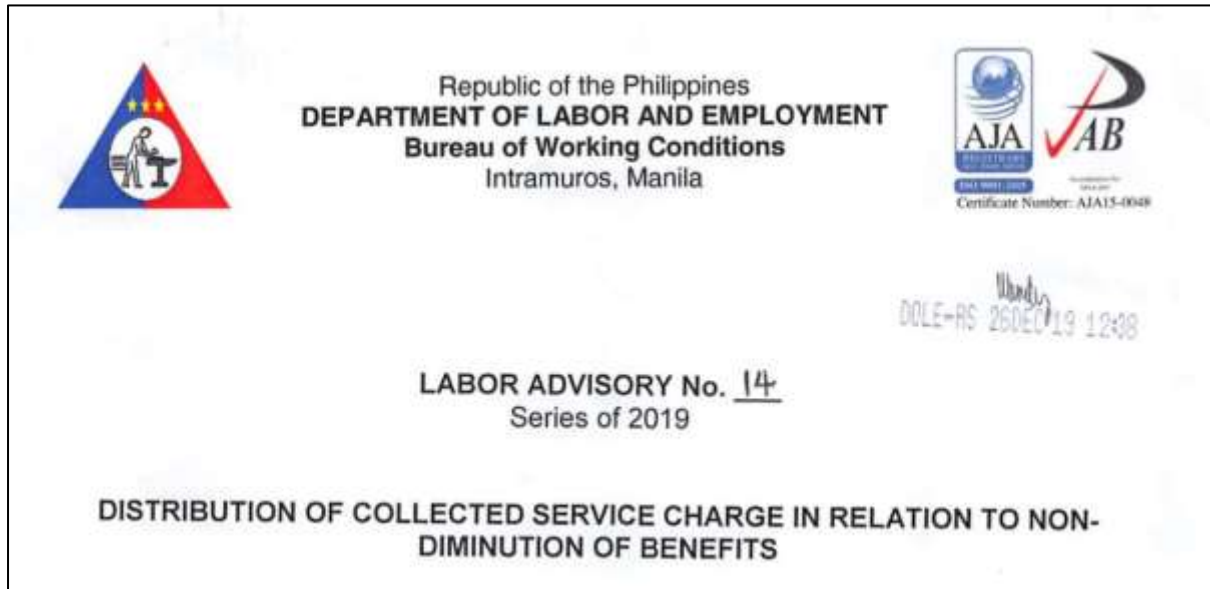


**Good News**  
**Department of Labor and Employment**  
**Bureau of Working Conditions**  
**30 December 2019**

## **NO DIMINUTION OF BENEFITS UNDER RA 11360**



On 26 December 2019, DOLE Secretary Silvestre H. Bello III signed Labor Advisory No. 14, Series of 2019. The recently signed Advisory seeks to remind the public that the provisions of Republic Act No. 11360 (RA 11360) and its Implementing Rules and Regulations (IRR) are consistent with the principle of non-diminution of benefits as enshrined in the Labor Code of the Philippines (LCP), as amended and renumbered.

The principle of non-diminution of benefits may be gleaned in Section 2 of RA 11360 where it provides that “nothing in [its provisions] shall be construed to diminish existing benefits under present laws, company policy and collective bargaining agreements.”

On the other hand, similar provision may be found under Section 3 of Department Order No. 206, Series of 2019, otherwise known as the IRR of RA 11360, stating that “all service charges actually collected by covered establishments shall be distributed completely and equally, based on actual hours or days of work or service rendered, among the covered employees, including those already receiving the benefit of sharing in the service charges.”

The highlighted provisions simply posit that those partaking in the distribution of service charges, including employees of contractors, prior to the effectivity of RA 11360 are still entitled to the distribution of collected service charges.

Pursuant to Article 128 and 217 of the LCP, Regional Directors and Labor Arbiters were instructed to facilitate the enforcement and arbitration of the matter and ensure its proper distribution to covered employees.

**-PAGDO-**