

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila

DEPARTMENT OF LABOR AND EMPLOYMENT Administrative Service Central Records Section-GSD	
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LABOR ADVISORY 04
Series of 2014

**Exemption of Bus Operator-Driver
from Part-Fixed, Part-Performance Compensation Scheme for Bus Drivers and
Conductors under Department Order 118-12**

Pursuant to Memorandum Circular 2012-001 issued by the Land Transportation Franchising and Regulatory Board (LTFRB) mandating all Public Utility Bus (PUB) operators to secure from the Department of Labor and Employment (DOLE) a Labor Standards Compliance Certificate (LSCC) as a requirement in the application and renewal of franchises or Certificate Public Convenience (CPC), this Advisory is issued to reiterate that:

1. All bus operators are required to secure the required LSCC from the DOLE.
2. In the absence of employer-employee relationship in a situation where the bus operator is also the driver, the part-fixed, part-performance compensation scheme for bus drivers and conductors shall not be applicable to him/her alone. The part-fixed, part-performance compensation scheme however, shall apply to his/her bus conductor/s or reliever driver/s.
3. Compliance with applicable minimum Occupational Health and Safety (OSH) standards in public transport is required regardless of the absence or existence of employer-employee relationship, or in a situation where the bus operator is the driver.
4. The LSCC to be issued for the bus operator-driver without conductor or reliever driver shall indicate the exemption from part-fixed, part-performance compensation. The same however, shall be deemed automatically amended once the part-fixed, part-performance scheme becomes imperative.

Accordingly, the DOLE Regional Offices are tasked to verify the pre-condition for the issuance of the exemption from compliance with the part-fixed, part performance compensation scheme and issue the corresponding certificate.

Be guided accordingly.

Manila, Philippines. MAY 08, 2014


ROSALINDA DIMAPILIS-BALDOZ
Secretary

Dept. of Labor & Employment
Office of the Secretary

