



DEPARTMENT ORDER NO. 249
Series of 2025

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**REVISED IMPLEMENTING RULES AND REGULATIONS OF ARTICLE 234 [228] OF
THE LABOR CODE OF THE PHILIPPINES, AS AMENDED BY REPUBLIC ACT NO.
10396, OTHERWISE KNOWN AS AN ACT STRENGTHENING CONCILIATION-
MEDIATION AS A VOLUNTARY MODE OF DISPUTE SETTLEMENT FOR ALL
LABOR DISPUTES**

Pursuant to the rule-making authority of the Secretary of Labor and Employment under Section 2 of Republic Act No. 10396 and Article 5 of the Labor Code of the Philippines, as amended, these Revised Implementing Rules and Regulations are hereby issued.

RULE I – GENERAL PROVISIONS

Section 1. Title. – These Rules are issued to implement Article 234 [228] of the Labor Code of the Philippines, as amended by Republic Act No. 10396, institutionalizing conciliation-mediation as the entry approach in settling labor disputes, and directing that all issues arising from labor and employment shall be subject to mandatory conciliation-mediation. These Rules may be referred to as the “Single Entry Approach Implementing Rules and Regulations” or “SEnA Rules.”

Section 2. Implementing agencies and guiding principles. - Pursuant to the constitutional mandate to promote the preferential use of voluntary modes of settling disputes, particularly conciliation-mediation, it is the intent and purpose of these Rules to continuously strengthen and institutionalize the Single Entry Approach (SEnA), with the Department of Labor and Employment (DOLE) and its Regional Offices, the National Conciliation and Mediation Board (NCMB) and its Regional Branches, and the National Labor Relations Commission (NLRC) and its Regional Arbitration Branches as the primary implementing agencies.

For this purpose, the DOLE, the NCMB and the NLRC shall at all times ensure the speedy, impartial, inexpensive, and accessible settlement of labor issues arising from employer-employee relations; exhaust all efforts in the use of conciliation-mediation to settle all labor cases; and strengthen policy and program coordination between and among them and all other DOLE agencies and offices in aid of promoting stable labor-management relations and industrial peace.

Section 3. Definitions. – For purposes of these Rules, the following terms and phrases shall mean:

- a) **"Conciliation-mediation"** refers to a voluntary process in which the assistance of the DOLE, NCMB or NLRC is requested as a means to help the parties arrive at an agreed outcome.

- b) **"Coordinated conciliation-mediation"** refers to the provision of conciliation-mediation services by two or more Single Entry Assistance Desks from different areas or offices.
- c) **"Disposition"** refers to the final action on a request for assistance under these Rules, such as settlement of a grievance or issue, dropping of the request due to withdrawal or lack of interest to pursue a previous request, or referral of the request to other competent offices or agencies.
- d) **"Employer"** refers to any person or entity who employs the services of others, or one for whom employees work and who pays their wages or salaries. It includes any person acting directly or indirectly in the interest of an employer. It also includes an enterprise where a labor organization operates or seeks to operate.
- e) **"Federation"** refers to a group of legitimate labor unions in private establishments registered with the DOLE and organized for collective bargaining, dealing with employers concerning terms and conditions of employment for their members, or participating in the formulation of social and employment policies, standards and programs.
- f) **"Online filing"** refers to the submission of requests for assistance at any Single Entry Assistance Desk through digital platforms and other electronic tools, including but not limited to the SEnA online filing system, electronic mail and social media platforms.
- g) **"Onsite filing"** refers to personal submission of a request for assistance at any Single Entry Assistance Desk.
- h) **"Referral"** refers to the endorsement by the handling Single Entry Assistance Desk Officer of issues not settled through conciliation-mediation to the DOLE office or agency that has jurisdiction over the issue or that may provide other relevant services to the requesting party. It also refers to the endorsement to the DOLE Regional Office or to the NLRC Regional Arbitration Branch, as the case may be, of a settlement agreement not complied with by either party.
- i) **"Regional Office"** refers to the Regional Office of the DOLE, including Provincial, Field and Satellite Offices within the geographical jurisdiction of the Regional Office.
- j) **"Request for assistance (RFA)"** refers to a request filed by any person who perceives himself or herself to have been aggrieved or to have an issue concerning work or employment for conciliation-mediation services under the SEnA to assist him or her and other concerned parties arrive at a settlement over his or her grievance or issue. RFAs may also subsume requests for other advisory or technical assistance, referrals or access to relevant DOLE programs.
- k) **"Requesting party"** refers to any worker including those who have worked overseas and domestic household workers, a group of workers, a union, and a federation workers' association on behalf of their members or affiliates who files an RFA under these Rules.
- l) **"Responding party"** refers to any person, natural or juridical, who is requested to appear and respond to the issues raised by the requesting party for conciliation-mediation.

- m) **"SEnA online filing system"** refers to an online portal embedded in the websites of all SEnA implementing offices or agencies where a RFA may be filed.
- n) **"Settlement" or "settlement agreement"** refers to the voluntary agreement reached by both parties on the issues brought to conciliation-mediation.
- o) **"Single Entry Approach (SEnA)"** refers to the administrative approach to provide an accessible, speedy, impartial, and inexpensive settlement procedure of all labor and employment issues through conciliation-mediation.
- p) **"Single Entry Assistance Desk (SEAD)"** refers to the desk or unit in DOLE, NCMB, or NLRC providing conciliation-mediation services or assistance under these Rules.
- q) **"Single Entry Assistance Desk Officer (SEADO)"** refers to trained personnel of DOLE, NCMB and NLRC designated to conduct interviews, provide advice and conduct conciliation-mediation services in connection with an RFA.
- r) **"Technical assistance"** refers to the provision of information, advice or counselling to requesting parties whose issues are not the proper subject of RFAs.
- s) **"Union"** refers to any legitimate labor organization in the private sector organized for collective bargaining and other legitimate purposes.
- t) **"Walk-in Settlement"** refers to an agreement by the parties brought to the SEADO for validation and due diligence proceedings to ensure the voluntariness and fairness of its terms and conditions.
- u) **"Workers Association"** refers to an association of workers organized for the mutual aid and protection of its members or any legitimate purpose other than collective bargaining.
- v) **"30-day mandatory conciliation-mediation period"** refers to the period of thirty (30) calendar days within which the DOLE, NCMB or NLRC facilitates a settlement of the issues raised in an RFA through conciliation-mediation. It starts from the conduct of the initial conference where both parties appeared.

RULE II. IMPLEMENTATION AND COVERAGE

Section 1. Establishment of SEAD. – The DOLE, NCMB and NLRC shall establish adequate and fully functional Single Entry Approach Desks in the following:

- a) DOLE Regional, Provincial, Field and Satellite Offices;
- b) NCMB and its Regional Conciliation and Mediation Branches (RCMBs); and
- c) NLRC and its Regional Arbitration Branches (RABs)

Section 2. Subject matter of SEnA; exceptions. – All issues arising from labor and employment shall be subject to mandatory conciliation-mediation under these Rules. Provision of conciliation-mediation services shall be initiated through an RFA filed with the appropriate SEAD of the DOLE, NCMB or NLRC, which shall have 30 calendar days

within which to facilitate a settlement or to take other appropriate action in the disposition of the RFA.

Issues, claims or grievances covered by specific laws and separate rules and regulations shall not be subject to mandatory conciliation-mediation under these Rules. These include the following:

- a) Actual strikes or lockouts, notices of strike or lockout, or notices of preventive mediation with the NCMB;
- b) Issues arising from the interpretation or implementation of a collective bargaining agreement and the interpretation or enforcement of company personnel policies shall be processed through the grievance machinery;
- c) Applications for exemption from wage orders with the Regional Tripartite Wages and Productivity Board;
- d) Issues involving violations of the pertinent laws and rules on:
 - i. Alien employment permits;
 - ii. Private employment agency authority or license;
 - iii. Working child permit and violations of Republic Act No. 9231 (Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act);
 - iv. Registration of contractors or subcontractors under Department Order No. 174, Series of 2017;
 - v. Professional licenses issued by the Professional Regulations Commission and violation of the Professional Code of Conduct;
 - vi. Technical Education and Skills Development Authority accreditation; and
 - vii. Other similar permits, licenses, or registration certificates issued by the DOLE or its attached agencies.
- e) Issues arising from occupational safety and health standards involving imminent danger situations, dangerous occurrences or disabling injury, or lack or inadequacy of personal protective equipment;
- f) Claims or violations arising from social security and welfare legislations;
- g) Claims covered by agreement and quitclaim and release executed before a SEADO; and
- h) Inter- and intra-union issues.

Issues arising from the employment of overseas Filipino workers, including money claims, shall continue to be accepted and acted upon by the DOLE, the NCMB, and the NLRC pursuant to these Rules. This is without prejudice to conciliation-mediation services on such issues as may be provided by the Department of Migrant Workers.

RULE III – PROCEDURES IN REQUESTS FOR ASSISTANCE

Section 1. Who May File. – Any requesting party as defined in these Rules may file an RFA. In case of the requesting party's absence or incapacity, his or her immediate family or duly authorized representative with a Special Power of Attorney (SPA) may file the RFA. In case the requesting party is a corporation or juridical entity, an SPA or Board

Resolution or Secretary's Certificate shall be presented by the duly authorized representative.

In case of death of the requesting party, an heir or a representative may file the RFA by presenting the following documents:

- 1) Original or Philippine Statistics Authority-authenticated copy of death certificate; and
- 2) Proof of relationship through original or Philippine Statistics Authority-authenticated copy of marriage contract or birth certificate.

Section 2. Where to file. – The RFA shall be filed physically with the SEAD of the DOLE, NCMB or NLRC office nearest to the requesting party's residence or at the place of operation of the union or chapter of a federation or workers association, or at the employer's principal place of business, at the election of the requesting party. The RFA may likewise be filed using the SEnA online filing system

Section 3. Coordinated conciliation-mediation. – Coordinated conciliation-mediation by two or more SEADs shall be observed if the RFA is filed with the SEAD most convenient to the requesting party but outside the region where the employer principally operates. In such case, the office or agency where the RFA is filed shall coordinate with the office or agency nearest the responding party to facilitate the conciliation-mediation conferences. The offices or agencies concerned shall utilize the mode of conferencing that best suits the situation.

Section 4. Consolidation of RFA. – Where two or more RFAs involving the same responding party and the same issues are filed before different SEADs within the same region or office or unit, the RFAs shall be consolidated before the first SEAD taking cognizance of the RFAs, when practicable.

RULE IV – ACTION ON THE REQUEST FOR ASSISTANCE

Section 1. Request for assistance and evaluation. – The RFA shall be processed as follows:

a) **Request for assistance through personal filing.** –

- i. The RFA shall be filed with the SEAD by the requesting party or representative, who shall state the issues for which assistance is requested in the prescribed form.
- ii. The requesting party shall be interviewed by the SEADO to verify the issues raised, during which the matters falling under these Rules as well as the procedures and objectives of the 30-day mandatory conciliation-mediation period shall also be explained.
- iii. The SEADO shall determine if the issue subject of the RFA is proper for conciliation-mediation. If so, the RFA shall be docketed and immediately assigned to the SEADO who will handle the request.

Otherwise, the issue shall be referred to the appropriate office or agency, and the requesting party shall be advised accordingly.

- iv. The SEADO shall set the initial conference for the RFA. If a coordinated conciliation-mediation is needed, the conference shall be arranged with the other SEAD concerned in accordance with these Rules.
 - v. In case of walk-in settlements, pre-assessment or evaluation shall be conducted in accordance with these Rules.
- b) **Request for assistance through digital platforms such as e-mail, electronic messaging applications or letters.** – Within three (3) calendar days from receipt, the Director or Head of Office shall cause the assignment of the RFA to a SEADO who shall schedule the requesting party for an interview to validate whether the RFA is a proper subject for conciliation-mediation. Thereafter, the RFA shall be processed in accordance with paragraph a).ii, iii and iv of this Section.
- c) **Request through anonymous letter, social media applications, or phone call.** – Anonymous requests involving alleged labor standards and occupational safety and health violations shall be treated as requests for technical assistance. If a contact information is provided, the SEADO shall endeavor to validate the information contained in the request after which, as appropriate, the request shall be referred DOLE Regional Office concerned for the conduct of labor inspection.
- d) **Request for assistance involving diplomats or international organizations with diplomatic immunity.** – If the responding party is a diplomat or an official of an embassy, consulate general, or international organization, the following shall be observed:
- i. The SEADO shall notify the responding party, through the Office of Protocol of the Department of Foreign Affairs, on the existence of an RFA and the possible conduct of conciliation-mediation proceedings involving the responding party for the purpose of verifying whether the latter is covered by diplomatic immunity. The SEADO shall inform the requesting party of such action.
 - ii. If the responding party is covered by diplomatic immunity, or does not appear in two (2) consecutive conferences despite due notice, or conciliation-mediation does not prosper, the RFA shall be referred to the appropriate office or agency.
- e) **Request for assistance involving contractors or subcontractors.** – If, during the interview, the issues are found to involve a trilateral relationship or a contracting or subcontracting arrangement, the following process shall be observed:
- i. The principal and agency or job contractor shall be invited for pre-assessment, validation, and clarification purposes.

- ii. The conciliation-mediation process shall be exhausted toward a possible amicable settlement between the parties.
- f) **Request for assistance involving non-standard forms of work and employment.** – RFAs involving workers covered by platform, flexible or gig arrangements such as digital labor platforms, web-based platforms, location-based platforms and other non-standard forms of work and employment may be accepted and provided with conciliation-mediation or other services.
 - i. If the issue arises from an employer-employee relationship, conciliation-mediation services shall be undertaken in accordance with these Rules.
 - ii. If, after the initial validation, the employment or contractual arrangement of the parties cannot be determined or notice of conference to the requesting party's alleged employer cannot be sent because the latter is based outside the Philippines and has no local counterpart, the RFA shall be treated as technical assistance.
 - iii. If, after the provision of technical assistance, the requesting party manifests his or her intention to file a formal action to litigate the issue, including but not limited to the determination of the employer-employee relationship, a referral shall be issued endorsing the matter to the proper office or agency with jurisdiction or authority to resolve the issue.
- g) Whether or not the RFA is a proper subject of conciliation-mediation, the SEADO shall provide the parties relevant technical assistance or information on other DOLE services and programs which may be availed of by the parties.

Section 2. Receiving, docketing, and assignment. – The RFA shall be received and assigned a docket number after it is established in the initial interview that the issue raised is a proper subject of conciliation-mediation. The Head of Office shall cause the assignment of the RFA to a handling SEADO.

Section 3. Notice of Conference. – The date of the initial conference shall be set within the day of filing for RFAs filed onsite. For RFAs filed online, the date of the initial conference shall be set within two (2) days from assignment to the SEADO. Notice of conference shall be served on the requesting and responding parties by personal service, or by electronic mail, courier, social messaging applications, or any other efficient or reliable mode of notifying the parties, taking into account the available modes of service within the SEADO's area of responsibility.

Copies of notices of conference shall be part of the records of the RFA.

Section 4. Schedule of conferences. – The following shall be observed in the conduct of conferences:

- a) **Initial conference.** – Initial conference shall be conducted within five (5) calendar days or the earliest available date but not to exceed ten (10) days from the date of assignment of the RFA to a SEADO.
- b) **Succeeding conferences.** – The SEADO may call as many conferences as may be reasonably necessary within the 30-day mandatory conciliation-mediation period with a view of facilitating a voluntary settlement of the issue or issues raised.
- c) **Resetting.** A conference may not be reset except on reasonable grounds and with concurrence of the other party. In such a case, the conference shall be held within three (3) calendar days or the earliest possible date from the original schedule, subject to the 30-day mandatory conciliation period.
- d) **Extension.** The 30-day conciliation-mediation period is non-extendible except upon mutual agreement of the parties when settlement is still possible. Such extension shall not exceed 15 calendar days.

RULE V. CONCILIATION-MEDIATION PROCEEDINGS

Section 1. Modes of conference and appearance of parties.– Conciliation-mediation conferences may be held face-to-face or through digital platforms provided these platforms are available to all parties.

During face-to-face conferences, the parties shall ensure observance of health and safety protocols.

Conciliation-mediation is a non-litigious and non-technical approach to dispute resolution. In all instances, the parties shall appear and represent themselves. Lawyers are not encouraged to attend or participate in the conferences except when they are the requesting party or the employer, or the duly authorized representative of either party.

Section 2. Appearance of lawyers, agents, or representatives. – Where applicable, lawyers, agents, or attorneys-in-fact appearing on behalf of any of the parties shall present a special power of attorney or board resolution or secretary's certificate granting them authority to represent and enter into a binding agreement for their principal in the following circumstances:

- a) When the requesting or responding party has relocated to another region of the country or is already outside the country;
- b) When the requesting or responding party is a minor or is physically incapacitated; or
- c) When the requesting or responding party dies during the pendency of the RFA, the heir or the duly authorized representative of the deceased may appear and shall present the following:
 - i. Original or Philippine Statistics Authority-authenticated copy of death certificate; and

- ii. Proof of relationship through original or Philippine Statistics Authority-authenticated copy of marriage contract/birth certificate.

Section 3. Conciliation-mediation process. – All RFAs must be processed at the DOLE, NCMB or NLRC office where the requesting party first sought assistance.

The conciliation-mediation process shall consist of the following:

- a) Clarifying issues, validating positions, and determining underlying issues;
- b) Narrowing down disagreements and broadening areas for settlement;
- c) Encouraging parties to generate options and enter into stipulations;
- d) Offering proposals and options toward mutually acceptable solutions and voluntary settlement;
- e) Facilitating communication between the parties to help them arrive at a settlement agreement; and
- f) Monitoring voluntary and faithful compliance with the settlement agreement.

Section 4. Confidentiality of proceedings and minutes. – Information and statements given and exchanged during conciliation-mediation proceedings shall be treated as confidential and as privileged communication. These shall not be used as evidence in any arbitration proceedings except when there is a waiver of confidentiality.

The parties shall not be allowed to use of voice or video recorders or any electronic recording device during the proceedings. In case of violation, the voice and video recorders shall be surrendered to the SEADO, without prejudice to further appropriate legal action.

RULE VI. SETTLEMENT OF THE REQUEST FOR ASSISTANCE

Section 1. Settlement of the RFA – The parties and the SEADO shall exhaust all-out efforts to reach a voluntary settlement of the issues within the 30-mandatory conciliation-mediation period.

Section 2. The settlement agreement. – The settlement agreement shall be in writing in the language or dialect clearly understood by the parties, signed by both of them and attested to by the SEADO. The SEADO shall ensure that the settlement agreement is fully explained to the parties and that the terms are fair, reasonable and not contrary to law, public morals, or public policy. The settlement agreement shall include:

- a) All validated issues and how these issues were addressed;
- b) The terms of settlement and its consideration, and the acceptance thereof by the parties. Where the settlement involves payment of monetary claims, it shall include the schedule of payment and whether payment shall be made fully at one time or in tranches. In case of payment in tranches, the agreement shall include the schedule and amounts of payment and the due dates;
- c) As applicable, a waiver of all claims arising or related to the issues raised in the RFA subject of the settlement; and

- d) A declaration that settlement was arrived at voluntarily and without fraud, intimidation, violence, or coercion.

For online and telephone conferences, the following may be observed:

- a) The settlement agreement shall be prepared by the SEADO and shall be shared on screen and read to both parties;
- b) The parties shall confirm their acceptance of the terms of the settlement agreement either through text, social media applications, or electronic mail. The SEADO shall print the confirmatory messages and attach these to the settlement agreement and records of the RFA.
- c) For platforms with features that allow recording of the proceedings, only the reading of the settlement agreement and the parties' concurrence to the same shall be recorded. This shall serve as proof of the parties' acceptance of the settlement agreement.

Section 3. Implementation of the agreement. The parties shall comply faithfully and in good faith with the settlement agreement. The responding party shall submit a compliance report to the SEADO, subject to verification by the latter, in case the settlement agreement involves any of the following:

- a) Payment of monetary claims is in tranches or installment;
- b) Reinstatement;
- c) Lifting of suspension;
- d) Any other positive action sought by the requesting party.

The waiver and quitclaim duly signed by both parties shall be issued only upon full compliance with the terms of the settlement agreement.

Section 4. Effect of settlement agreement. – A settlement agreement reached by the parties and attested by the SEADO shall be final and immediately executory. It shall be binding on all DOLE offices and attached agencies except when the settlement agreement is established to be contrary to law, morals, public order, and public policy.

Section 5. Walk-in settlements. – When the parties reach a settlement agreement by themselves, they may submit such agreement to the SEADO for confirmation and attestation.

For this purpose, the SEADO shall convene a conference for the parties to personally appear and attest to the authenticity and due execution of the settlement agreement. The SEADO shall perform due diligence to ascertain the voluntariness, fairness, veracity, and enforceability of the terms and conditions of the settlement agreement, to ensure that the terms thereof are fully understood by the parties, and to ensure that such terms are not contrary to law, morals or public policy.

A settlement agreement confirmed by the SEADO shall be final and executory and shall have the same effect as a settlement agreement arrived at through conciliation-mediation.

Section 6. Effect of non-compliance with the settlement agreement. – When a party reports to the SEADO that the terms of the settlement agreement has not been duly complied with by the other party, the SEADO shall immediately call the parties to a conference to exhaust avenues for voluntary compliance. If, thereafter, the concerned party still does not comply, the SEADO shall issue a referral to the DOLE Regional Office or NLRC Regional Arbitration Branch for the enforcement and execution of the settlement agreement.

Section 5. Simulated settlement. – A simulated settlement is one executed by the parties after the conduct of conciliation-mediation or after confirmation by the SEADO whose terms appear valid but the parties do not have any intention of implementing or complying with it. In such a settlement, the attestation or confirmation by the SEADO shall be deemed to have no binding effect.

RULE VII – REFERRAL OF REQUEST FOR ASSISTANCE

Section 1. Issuance of referral. – Immediate referral to the appropriate DOLE office or agency that has jurisdiction over an issues or issues not settled through conciliation-mediation under these Rules may be made by the SEADO upon the request of either or both parties at any stage of the proceedings, under any of the following circumstances:

- a) Inability of the parties to reach an agreement within the 30-day mandatory conciliation-mediation period;
- b) Expiration of the 30-day mandatory conciliation-mediation period and settlement appears to be remote;
- c) Non-appearance of the responding party for two (2) scheduled consecutive conferences despite due notice;
- d) Non-settlement of one or some issues in RFAs with multiple issues; or
- e) Non-compliance with the settlement agreement.

Section 2. Contents of referral. – The referral shall contain the names of the parties, a summary of the issue or issues not settled through conciliation-mediation under these Rules, and the date of the referral. For voluntary arbitration, the referral shall specify the issues to be submitted for arbitration.

Section 3. Referral for enforcement of settlement agreement. – If the settlement agreement was not complied with despite all-out efforts exerted by the SEADO to effect compliance, the requesting party may file a motion for execution with the DOLE Regional Office or NLRC Regional Arbitration Branch, as the case may be.

RULE VIII. MISCELLANEOUS PROVISIONS

Section 1. Suppletory application of NCMB Manual of Procedures on Conciliation-Mediation. – In the absence of any applicable provision in these Rules or any agreement of the parties, the pertinent provisions of the NCMB Manual of Procedures for Conciliation and Mediation may, in the interest of expeditious settlement of disputes and whenever practicable and convenient, be applied by analogy or in a suppletory manner.

Section 2. Oversight function of the NTIPC. The National Tripartite Industrial Peace Council (NTIPC) created under Executive Order No. 49, series of 1998 and institutionalized under Republic Act No. 10395 shall serve as the oversight committee to monitor compliance with these Rules.

RULE IX. FINAL PROVISIONS

Section 1. Superseding Clause. – All rules and regulations, issuances, circulars, and administrative orders inconsistent herewith are superseded, amended, or modified accordingly.

Section 2. Separability Clause. – If any provision or portion of these Rules is declared void or unconstitutional, the remaining provisions hereof shall remain valid and effective.

Section 3. Effectivity Clause. – These Rules shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.


BIENVENIDO E. LAGUESMA
Secretary
 Department of Labor and Employment
Office of the Secretary

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07 February 2025.