



Republic of the Philippines
DEPARTMENT OF ENERGY

DEPARTMENT ORDER NO. DO2015-03-0002

**CREATING THE COMMITTEE ON ALTERNATIVE DISPUTE RESOLUTION
(ADR) IN THE DEPARTMENT OF ENERGY (DOE)**

Pursuant to Section 4(a) of Executive Order No. 97, Series of 2012, a Committee Alternative Dispute Resolution (ADR) in the Department of Energy (DOE) is hereby created as follows:

1. **DOE-ADR Committee.** The members of the DOE ADR Committee shall be composed of the following, to wit:

The Assistant Secretary with jurisdiction over the nature of the matter in dispute -
Chairperson

The Director of the concerned Bureau - Vice-Chairperson

Members:

The Assistant Director of the concerned Bureau

The Director, Legal Services

One Technical Expert to be nominated by the Director of the concerned Bureau/Services and designated by the Committee

The Chairperson, Vice Chairperson and Members of the Committee may designate their respective alternate or authorized representative in case, for justifiable reason, they cannot attend the meetings or activities of the Committee. Further, in the absence of and if authorized by the Chairperson, the Vice-Chairperson may preside over the meeting of the Committee.

2. **Responsibilities.** The responsibilities and duties of the ADR Committee as herein created shall be as follows, to wit:

- 2.1. Mediate, settle, and resolve in an amicable, conciliatory and expeditious manner disputes and conflicts between or among the parties or applicants over the issuance by DOE of contracts, permits or any other licenses and approvals;
- 2.2. Develop and recommend, in coordination with the Administrative Services, and subject to the approval of the Secretary, training and other capacity building programs, projects and related activities aimed at capacitating the DOE personnel in the ADR mode of settling disputes;
- 2.3. Review periodically the ADR processes in their respective area of jurisdiction and develop specific procedures to reduce delay in the resolution and settlement of disputes, conflicts or cases arising from the implementation of DOE's functions and mandates; and,

- 2.4. Prepare their respective reports and data for consolidation by the Legal Services and submission to Office for Alternative Dispute Resolution (OADR) of the Department of Justice (DOJ); and
- 2.5. Perform such other functions as may be directed by the Secretary or concerned Undersecretary.

3. **DOE-ADR Senior Official.** Pursuant to Section 4(a) of Executive Order No. 97, Series of 2012, the Undersecretary for Administrative, Financial, and Information services is hereby designated as the senior official who shall be responsible for developing, coordinating and managing ADR programs and/or ADR related activities in the DOE.

4. **Mandatory Referral to ADR Committee.** Referral by the concerned Bureau or Services to the ADR Committee of a particular dispute or conflict shall be mandatory. The latter shall finish its mediation or conciliation proceedings of the dispute not later than three (3) months from the date of its receipt of the referral. If after the said period, there is still no settlement of the dispute, the same shall be resolved through the applicable processes and procedures as provided for under the existing issuances of the DOE.

5. **Capacity Building.** The Chairpersons, Vice-Chairpersons and Members of the ADR Committees as herein created shall have to undergo formal training on ADR.

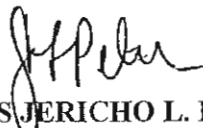
6. **Assistance from other Offices, Bureaus and Units of the DOE.** The Committee shall have the right to request directly the assistance of other offices, bureaus and units of the DOE whenever it is necessary in the expeditious and effective performance of its duties and responsibilities.

7. **Confidentiality of the Proceedings.** The proceedings of the Committee and the all the information and communication arising therefrom shall be considered confidential and privileged and shall not be disclosed to third parties without prior written consent of the parties to the dispute.

8. **Secretariat.** The Division of the concerned Bureau or Services that has direct responsibility over the issue/s or matter/s subject of the dispute or conflict shall act as the Secretariat of the Committee.

9. **Effectivity.** This Order shall take effect immediately and continue to be in effect unless otherwise revoked or amended in writing by the undersigned or competent authority.

Issued this 13 th day of March, 2015, Fort Bonifacio, Taguig City, Metro Manila.


CARLOS JERICHO L. PETILLA
Secretary

