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SENATE  
S. B. No. 2248

RECEIVED BY: *ji*

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INTRODUCED BY SENATOR SONNY M. ANGARA

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AN ACT  
STRENGTHENING THE OPERATIONS OF THE NATIONAL LABOR RELATIONS  
COMMISSION, AMENDING FOR THIS PURPOSE ARTICLES 213 AND 215 OF  
P.D. NO. 442, AS AMENDED, OTHERWISE KNOWN AS  
THE LABOR CODE OF THE PHILIPPINES.

EXPLANATORY NOTE

The National Labor Relations Commission (NLRC) is the principal government agency that hears and decides labor-management disputes. It is tasked to promote and maintain industrial peace by resolving labor and management disputes involving both local and overseas workers through compulsory arbitration after mandatory conciliation-mediation conferences failed.

From 2004-2013, or over a period of ten years, NLRC Regional Arbitration Branches received an average of 32,243 cases while the Commission handled an average of 11,465 appealed cases on the same period. With the overwhelming load of cases filed in NLRC, it is constantly faced with the challenge of resolving labor disputes in the fairest, quickest, least expensive and most effective way possible.

This Bill is aimed to provide NLRC with a degree of flexibility as to immediately adapt to varying industrial relations scenarios like the sudden increase of case loads by:

1. Increasing the number of Commission Attorneys assigned to each NLRC Commissioner from three (3) to five (5);
2. Remove the prohibition on assigning Labor Arbiters to perform the functions of Commission Attorneys or be detailed to the office of any NLRC Commissioner; and
3. Remove the requirement that Labor Arbiters be appointed to specific arbitration branch including the preference that they are residents from that particular region.

The aforesaid amendments to the Labor Code will help NLRC in its significant role in national economic development, particularly in promoting and maintaining industrial peace through just and expeditious resolution of disputes between labor and capital.

In view of the foregoing, passage of this bill is earnestly sought.

  
SENATOR SONNY M. ANGARA



1           **SECTION 2.** Article 215 of the Labor Code is hereby amended to read  
2 as follows:

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4           Article 215. *Appointment and Qualifications.* – The Chairman  
5 and other Commissioners shall be members of the Philippine Bar and  
6 must have been engaged in the practice of law in the Philippines for at  
7 least fifteen (15) years, with at least five (5) years experience or  
8 exposure in the field of labor-management relations, and shall  
9 preferably be residents of the region where they shall hold office. The  
10 Labor Arbiters shall likewise be members of the Philippine Bar and  
11 must have been engaged in the practice of law in the Philippines for at  
12 least ten (10) years, with at least five (5) years experience or exposure  
13 in the field of labor relations.

14  
15           The Chairman, the other Commissioners and the Labor Arbiters  
16 shall hold office during good behaviour until they reach the age of  
17 sixty-five (65) years unless sooner removed or cause as provided by  
18 law or become incapacitated to discharge the duties of their office:  
19 *Provided however,* That the President of the Republic of the  
20 Philippines may extend the services of the Commissioners and Labor  
21 Arbiters up to the maximum age of seventy (70) years upon the  
22 recommendation of the Commission *en banc*.

23  
24           The Chairman, the Division Presiding Commissioners and other  
25 Commissioners shall all be appointed by the President. Appointment to  
26 any vacancy in a specific division shall come only from the  
27 predecessor. The Labor Arbiters shall also be appointed by the  
28 President, upon the recommendation of the Commission *en banc* [to a  
29 specific arbitration branch preferably in the region where they are  
30 residents], and shall be subject to Civil Service Law, rules and  
31 regulations [:*Provided,* That the Labor Arbiters who are presently  
32 holding office in the region where they are residents shall be deemed  
33 appointed thereat].

34  
35           The Chairman of the Commission shall appoint the staff and  
36 employees of the Commission and its regional branches as the needs  
37 of the service may require, subject to the Civil Service Law, rules and  
38 regulations, and upgrade their current salaries, benefits and other  
39 emoluments in accordance with law.

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41           **SEC. 3. Separability Clause.** - If any provision or part hereof is held invalid or  
42 unconstitutional, the remainder of the law or the provision not otherwise affected  
43 shall remain valid and subsisting.

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45           **SEC. 4. Repealing Clause.** - All other laws, decrees, orders, issuances, rules  
46 and regulations contrary to or inconsistent with the provisions of this Act are hereby  
47 repealed, amended or modified accordingly.  
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1           **SEC. 5. Effectivity.** - This Act shall take effect fifteen (15) days after its  
2 publication in the Official Gazette or at least two (2) newspapers of national  
3 circulation.

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5           Approved,