

SIXTEENTH CONGRESS OF THE REPUBLIC)  
OF THE PHILIPPINES )  
First Regular Session )



Senate  
Office of the Secretary

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SENATE

Senate Bill No. 22

RECEIVED BY: *ja*

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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#### EXPLANATORY NOTE

The National Wages and Productivity Commission (NWPC) endorsed this proposal to amend Articles 121 and 122 of the Philippine Labor Code, as amended by R.A. No. 6727.

The proposed bill seeks to include the Secretary of Department of Trade and Industry (DTI) as one of the ex-officio Vice Chairpersons of the Commission to provide guidance on business and investment conditions including insights on the implications of wage and income policies to any business performance.

A Productivity and Quality Expert from the private sector shall likewise be included as a regular member of the Commission and the Board. This is aimed to put productivity perspective at the center of tripartite discussions on wage and productivity policies and programs.

Lastly, the term of duty of all private sectoral representatives in the Commission and the Boards shall be reduced from the current five (5) years to three (3) years with a possible re-appointment of one term only.

In view of foregoing, approval of this bill is earnestly requested.

  
JINGGOY EJERCITO ESTRADA  
Senator

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SENATE

Senate Bill No. 99

RECEIVED BY: 

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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AN ACT

FURTHER STRENGTHENING THE NATIONAL WAGES AND PRODUCTIVITY  
COMMISSION, FURTHER AMENDING FOR THIS PURPOSE ARTICLES 121  
AND 122 OF PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN AS  
THE LABOR CODE OF THE PHILIPPINES, AS AMENDED BY R.A. 6727

*Be it enacted by the Senate and the House of Representatives of the Philippines  
in Congress assembled:*

1 **SECTION 1.** Article 121 (paragraph 2) of the Labor Code, as amended by  
2 Republic Act 6727, is hereby amended to read as follows:

3  
4 "Article 121. Powers and Functions of the Commission. = x x x.

5  
6 "x x x

7  
8 "The Commission shall be composed of the Secretary of Labor and  
9 Employment as ex-officio **CHAIRPERSON**, the Director-General of  
10 the National Economic and Development Authority (NEDA) **AND**  
11 **THE SECRETARY OF THE DEPARTMENT OF TRADE AND**  
12 **INDUSTRY (DTI) AS EX-OFFICIO VICE-CHAIRPERSONS**, and  
13 two members each from workers and employers sectors who shall  
14 be appointed by the President of the Philippines upon  
15 recommendation of the Secretary of Labor and Employment to be  
16 made on the basis of the list of nominees submitted by the workers  
17 and employers sectors, respectively, and who shall serve for a term  
18 of **THREE (3) YEARS AND MAY BE RE-APPOINTED FOR ONE**  
19 **(1) TERM ONLY.** The Executive Director of the Commission  
20 Secretariat shall be a member of the Commission.

21  
22 **"THE COMMISSION SHALL ALSO HAVE A PRODUCTIVITY**  
23 **AND QUALITY EXPERT/CHAMPION WHO SHALL BE A**  
24 **REGULAR MEMBER OF THE COMMISSION. THE PRIVATE**  
25 **SECTOR PRODUCTIVITY AND QUALITY EXPERT SHALL BE**  
26 **APPOINTED BY THE PRESIDENT OF THE PHILIPPINES UPON**  
27 **RECOMMENDATION OF THE SECRETARY OF LABOR AND**  
28 **EMPLOYMENT TO BE MADE ON THE BASIS OF THE LIST OF**  
29 **NOMINEES SUBMITTED BY A DULY RECOGNIZED**  
30 **PRODUCTIVITY AND QUALITY ORGANIZATION WHO SHALL**

1 SERVE FOR A TERM OF THREE (3) YEARS AND MAY BE RE-  
2 APPOINTED FOR ONE (1) TERM ONLY.

3  
4 "x x x"

5  
6  
7 **SEC. 2.** Article 122 of the Labor Code, as amended, is hereby amended to read  
8 as follows:

9  
10 "Article 122. Creation of Regional Tripartite Wages and Productivity  
11 Boards. – x x x.

12  
13 "x x x.

14  
15 "Each Regional Board shall be composed of the Regional Director  
16 of the Department of Labor and Employment as **CHAIRPERSON**,  
17 the Regional Directors of the National Economic Development  
18 Authority (NEDA) and Department of Trade and Industry (DTI) as  
19 **VICE-CHAIRPERSONS**, and (two) members each from workers  
20 and employers sectors who shall be appointed by the President of  
21 the Philippines upon recommendation of the Secretary of Labor and  
22 Employment to be made on the basis of the list of nominees  
23 submitted by the workers and employers sectors, respectively, and  
24 who shall serve for a term of **THREE (3) YEARS AND MAY BE**  
25 **RE-APPOINTED FOR ONE (1) TERM ONLY.**

26  
27 **"THE BOARD SHALL ALSO HAVE A PRODUCTIVITY AND**  
28 **QUALITY EXPERT/CHAMPION WHO SHALL BE A REGULAR**  
29 **MEMBER OF THE BOARD. THE PRIVATE SECTOR**  
30 **PRODUCTIVITY AND QUALITY EXPERT SHALL BE**  
31 **APPOINTED BY THE PRESIDENT OF THE PHILIPPINES UPON**  
32 **RECOMMENDATION OF THE SECRETARY OF LABOR AND**  
33 **EMPLOYMENT TO BE MADE ON THE BASIS OF THE LIST OF**  
34 **NOMINEES SUBMITTED BY A DULY RECOGNIZED**  
35 **PRODUCTIVITY AND QUALITY ORGANIZATION WHO SHALL**  
36 **SERVE FOR A TERM OF THREE (3) YEARS AND MAY BE RE-**  
37 **APPOINTED FOR ONE (1) TERM ONLY.**

38  
39 "x x x"

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41  
42 **SEC. 3.** *Implementing Rules and Regulations.* – The Secretary of Labor and  
43 Employment shall promulgate the necessary rules and regulations to implement  
44 the provisions of this Act.

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46  
47 **SEC. 4.** *Separability Clause.* – If any part, section or provision of this Act shall  
48 be held invalid or unconstitutional, the other provisions not affected by such  
49 declaration shall remain in full force and effect.

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52 **SEC. 5.** *Repealing Clause.* – All laws, acts, decrees, executive orders, rules and  
53 regulations or other issuances or parts thereof, which are consistent with this Act,  
54 are hereby modified and repealed.

1 **SEC. 6. Effectivity.** -- This Act shall take effect fifteen (15) days after its full  
2 publication in the Official Gazette or in at least two (2) newspapers of national  
3 circulation.

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*Approved,*