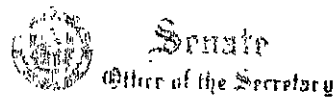


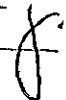
SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



'15 JUN -9 P2:19

SENATE

COMMITTEE REPORT NO. 179

RECEIVED BY: 

Submitted by the Committee on Labor, Employment and Human Resources
Development on JUN 09 2015

Re: Senate Bill No. 2837

Recommending its approval in substitution of Senate Bill No. 2248, taking into
consideration House Bill No. 5306.

Sponsor: Senator Sonny M. Angara

MR. PRESIDENT:

The Committee on Labor, Employment and Human Resources Development
to which was referred Senate Bill No. 2248, introduced by Senator Sonny M. Angara,
entitled:

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

and taking into consideration House Bill No. 5306, authored by Rep. Nograles
and Tambunting, entitled:


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

has considered the same and has the honor to report them back to the Senate with the recommendation that the attached bill, Senate Bill No. 2837, prepared by the Committee, entitled:

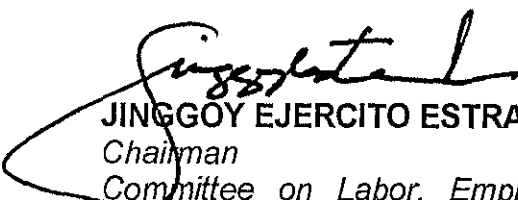
**AN ACT
STRENGTHENING THE OPERATIONS OF THE NATIONAL
LABOR RELATIONS COMMISSION, AMENDING FOR THIS
PURPOSE ARTICLES 219 AND 221 OF PRESIDENTIAL DECREE
NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR
CODE OF THE PHILIPPINES**

be approved in substitution of Senate Bill No. 2248 with Senator Sonny Angara as author.

Respectfully submitted,



SONNY M. ANGARA
Acting Chairman
Committee on Labor, Employment
and Human Resources Development



JINGGOY EJERCITO ESTRADA
Chairman
Committee on Labor, Employment
and Human Resources Development

Members:




CYNTHIA A. VILLAR




LOREN B. LEGARDA

MANUEL "LITO" M. LAPID



TEOFISTO L. GUINGONA III



FERDINAND R. MARCOS, JR.

FRANCIS "CHIZ" G. ESCUDERO



GRACE POE


ANTONIO "SONNY" F. TRILLANES IV

PIA S. CAYETANO



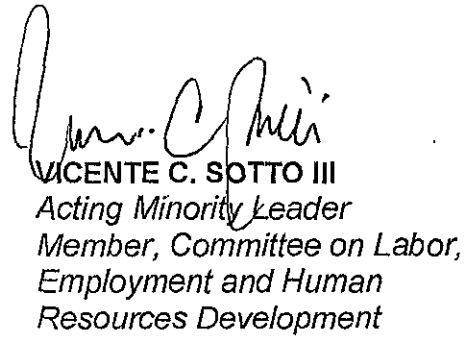
JOSEPH VICTOR G. EJERCITO

Ex-Officio Members:



RALPH G. RECTO
Pro-Tempore

ALAN PETER "COMPANERO" S. CAYETANO
Majority Leader



VICENTE C. SOTTO III
Acting Minority Leader
Member, Committee on Labor,
Employment and Human
Resources Development

HON. FRANKLIN M. DRILON
President
Senate of the Philippines

1 field of labor-management relations. They shall receive annual salaries
2 and shall be entitled to the same allowances and benefits as those
3 falling under Salary Grade twenty-six (26). There shall be as many
4 Commission Attorneys as may be necessary for the effective and
5 efficient operation of the Commission but in no case more than [three
6 (3)] **FIVE (5)** assigned to the Office of the Chairman and each
7 Commissioner.

8
9 ["No Labor Arbiter shall be assigned to perform the functions of the
10 Commission Attorney nor detailed to the office of any Commissioner."]
11

12 **SECTION 2.** Article 221 of the Labor Code is hereby amended to read
13 as follows:

14
15 "Article 221. *Appointment and Qualifications.* – The Chairman
16 and other Commissioners shall be members of the Philippine Bar and
17 must have been engaged in the practice of law in the Philippines for at
18 least fifteen (15) years, with at least five (5) years experience or
19 exposure in the field of labor-management relations, and shall
20 preferably be residents of the region where they shall hold office. The
21 Labor Arbiters shall likewise be members of the Philippine Bar and
22 must have been engaged in the practice of law in the Philippines for at
23 least ten (10) years, with at least five (5) years experience or exposure
24 in the field of labor relations.

25 x x x
26

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

1 regulations [Provided, That the Labor Arbiters who are presently
2 holding office in the region where they are residents shall be
3 deemed appointed thereat].

4
5 "The Chairman of the Commission shall appoint the staff and
6 employees of the Commission and its regional branches as the needs
7 of the service may require, subject to the Civil Service Law, rules and
8 regulations, and upgrade their current salaries, benefits and other
9 emoluments in accordance with law."

10
11 **SECTION 3. Renumbering.** – For purposes of uniformity, the numerical
12 designation of Title II (National Labor Relations Commission), Chapter I, Book Five
13 of Presidential Decree No. 442, as Article 219 in Section 1, and Article 221 in
14 Section 2 of this Act, as well as the remaining provisions of the said Title II, Chapter
15 I, Book Five, shall be renumbered in accordance with Republic Act No. 10151.

16
17 **SECTION 4. Separability Clause.** – If any provision of this Act is declared
18 unconstitutional, the same shall not affect the validity and effectivity of the other
19 provisions hereof.

20
21 **SECTION 5. Repealing Clause.** – Presidential Decree No. 442, as amended,
22 otherwise known as the Labor Code of the Philippines, and all other laws, decrees,
23 orders, issuances, rules and regulations contrary to or inconsistent with the
24 provisions of this act are hereby repealed, amended or modified accordingly.";

25
26 **SECTION 6. Effectivity.** - This Act shall take effect fifteen (15) days after its
27 publication in the Official Gazette or at least two (2) newspapers of national
28 circulation.

29
30 Approved,