


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

7 JUL -2 1968

SENATE

RECEIVED BY: 

Senate Bill No. 581

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

The National Conciliation and Mediation Board or NCMB was created in January 31, 1987 thru EO 126 to principally perform a dual task: first, to promote voluntary arbitration as the preferred mode of labor dispute resolution; and second, to prevent impending strikes and lockouts by means of conciliation and mediation.

Despite the creation of a special Voluntary Arbitration Fund and 20 years of implementation, the voluntary arbitration program being administered by the NCMB never gained the acceptance of the employer sector and labor sector, both of whom prefer either the assumption of jurisdiction by the Secretary of Labor and Employment or the compulsory arbitration by the NLRC.

Allowing the NLRC to administer the voluntary arbitration program may be the solution to the problem because the compulsory arbitration method employed by the NLRC has ever since been overloaded with cases, which gives the NLRC an incentive to unload its cases to the voluntary arbitration mode.

On the part of the NLRC, the infusion of additional resources and manpower from the NCMB may be the solution to its perennial case backlogs and overflowing dockets.


This bill seeks to address two huge lingering problems with one simple solution, and that is the promotion of voluntary arbitration and the elimination of backlog at the NLRC thru the absorption of the NCMB by the NLRC.

Hence, the immediate passage of this bill is therefore earnestly requested.


JINGGOY EJERCITO ESTRADA
Senator

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AN ACT
ABOLISHING THE NATIONAL CONCILIATION AND
MEDIATION BOARD OR NCMB

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

SECTION 1. The National Conciliation and Mediation Board or NCMB is hereby abolished. All properties, records, equipment, buildings, facilities, and other assets, liabilities and appropriations of and belonging to the abovementioned office, as well as other matters pending therein, including the special funds it administers, shall be transferred to the National Labor Relations Commission or NLRC. All personnel of the above abolished office shall continue to function in a holdover capacity and shall be preferentially considered for appointments to or placement in the NLRC.

Any official or employee separated from the service as a result of the abolition of office pursuant to this Act shall be entitled to appropriate separation pay and retirement and other benefits accruing to them under existing laws. In lieu thereof, at the option of the employee, he shall be preferentially considered for employment in the government or in any of its subdivisions, instrumentalities, or agencies, including government-owned or controlled corporations and their subsidiaries.

The Department of Labor and Employment shall issue the necessary rules and regulations for the implementation of this Act, and for the incorporation of the functions and activities of NCMB into the NLRC organization within sixty (60) days from the effectivity of this Act.

SECTION 2. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) national papers of general circulation, whichever comes earlier.

Approved,