



LEGISLATIVE RESEARCH SERVICE

QUICK NOTES

Second Regular Session, 19th Congress

Public Hearing of the Committee on Labor, Employment and Human Resources Development

Chairperson: Sen. Jinggoy Ejercito Estrada

29 November 2023, Wednesday, 10:00 AM, Sen. Pecson Room, Senate

Re: Timely Enforcement of Judicial Decisions in Labor Disputes

□ **P. S. Res. 692—Sen. Raffy T. Tulfo**

Background

- On 22 November 2023, Senator Estrada presided over the hearing of the Committee on Labor, Employment and Human Resources Development to shed light on several issues surrounding the non-implementation and delayed enforcement of court decisions in labor disputes, cases filed before the labor arbiter for illegal dismissal, non-payment of wages and other monetary claims, release and quitclaims, and grant of permit to DMCI to be able to construct despite pending cases, among others.
- This is in consonance with the constitutional provisions which mandate the State to protect labor, local and overseas, and promote full employment and equality of employment opportunities for all and to entitle them to security of tenure, humane conditions of work, and a living wage.

Highlights of the Hearing of the Committee on Labor, Employment and Human Resources Development

- Senator Tulfo urged his colleagues to act against the non-implementation and delayed enforcement of court decisions in labor disputes, emphasizing that it is a long-standing injustice. He highlighted that workers had won a landmark Supreme Court decision, but the opposing party refused to comply, rendering the workers' victory meaningless. The Senator proposed to address the issue by strengthening enforcement mechanisms and promoting a culture of respect for labor rights. He also stressed the need to address the underlying causes of the problem. The possible solutions may include promoting a culture of respect for labor rights among employers, educating workers about their rights, and improving the efficiency of the country's labor justice system. According to the Senator, the timely

enforcement of decisions in labor disputes is not just a matter of fairness and justice but of economic necessity.

- Senator Escudero urged the Committee to invite the Housing and Land Use Regulatory Board (HLURB) or any appropriate agency to explain how permits were issued to DMCI for the construction and sale of units when the subject property is under litigation. He also requested to invite the DMCI Holdings president and chief executive officer to shed light on the ongoing labor disputes within the DMCI Holdings.
- Ms. Grace Maniquiz-Tan, Chairperson of the NLRC, pointed out that the NLRC lacks the authority to attach properties during ongoing cases, only being able to do so when decisions become final and executory, unlike regular courts. Senator Escudero proposed legislation to grant the NLRC this power.
- Additionally, the NLRC requested that, for execution purposes, the Register of Deeds recognize them as a regular court, not just a quasi-judicial agency. They also appealed to prevent the Register of Deeds from questioning the agency's sheriff's authority to execute and attach the properties of respondents.

Possible Points for Discussion

- **Examination of the processes** involved in enforcing judicial decisions in labor disputes and identify any bottlenecks or inefficiencies; Determination of the extent of compliance with labor dispute decisions and assess the reasons for delays or failures to enforce such decisions; Explore mechanisms for monitoring and ensuring compliance with labor dispute decisions, including potential sanctions for non-compliance; Recommendations for legislative measures that can enhance the enforcement of judicial decisions in labor disputes and protect the rights of workers.
- **Investigating Permit Issuance Amid Ongoing Litigation:** Questions about permits issued to DMCI for construction on property under litigation should be clarified by the concerned regulatory agencies. The processes, checks and balances, and transparency measures required to ensure that permits are not granted in contentious cases must be reviewed.
- **Insights into industry challenges and potential solutions** from labor organizations, employers, and government agencies to address the myriad of challenges pertaining to the labor ecosystem.
- **Legislation Empowering NLRC for Property Attachment:** Possible amendment to the NLRC's mandate by granting it the power to attach properties during pending cases. The legal framework surrounding the NLRC's authority, the implications of extending such powers, and the safeguards needed to prevent potential abuses while ensuring effective enforcement should be reviewed.