

Republic of the Philippines
HOUSE OF REPRESENTATIVE
Quezon City

Second Regular Session
15th Congress

House Bill No. 5934



Introduced by **Representative Emil L. Ong**

EXPLANATORY NOTE

This bill seeks to strengthen conciliation-mediation as a voluntary mode of dispute settlement for all labor cases, amending for the purpose Article 228 of Presidential Decree No. 442, otherwise known as the Labor Code of the Philippines, as amended.

In this bill, all issues arising from labor and employment shall be subject to mandatory conciliation-mediation.

Hence, passage of this bill into law is earnestly sought.

A handwritten signature in black ink, appearing to read "Emil L. Ong", with a long, sweeping flourish extending to the right.

EMIL L. ONG

Representative, 2nd District of Northern Samar

1 House of Representatives
2 FIFTEENTH CONGRESS
3 Second Regular Session
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6 HOUSE BILL NO. 5934

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9 Introduced by Representative **EMIL L. ONG**
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13 **AN ACT**
14 **STRENGTHENING CONCILIATION-MEDIATION AS A VOLUNTARY MODE**
15 **OF DISPUTE SETTLEMENT FOR ALL LABOR CASES, AMENDING FOR**
16 **THE PURPOSE ARTICLE 228 OF PRESIDENTIAL DECREE FOUR**
17 **HUNDRED FORTY-TWO (PD 442), AS AMENDED, OTHERWISE KNOWN**
18 **AS THE LABOR CODE OF THE PHILIPPINES**
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20 *Be it enacted by the Senate and the House of Representatives of the*
21 *Philippines in Congress assembled:*
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23 **Section 1.** Article 228 of the Labor Code, which was repealed by Section 16
24 of Batas Pambansa Bilang 130 in 21 August 1981, is hereby reinstated and
25 amended to read as follows:
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27 **"Art. 228. Mandatory Conciliation and Indorsement of Cases.**
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29 (a) Except as provided in Title VII-A, Book V of this Code, as amended,
30 or as may be excepted by the Secretary of Labor and Employment,
31 all issues arising from labor and employment shall be subject to
32 mandatory conciliation-mediation. The Labor Arbiter and/or the
33 appropriate Department of Labor and Employment Agency or Office
34 that has jurisdiction over the dispute shall entertain only endorsed or
35 referred cases by the duly authorized officer/personnel.
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37 (b) Any or both parties involved in the dispute may pre-terminate the
38 conciliation-mediation proceedings and request referral or
39 endorsement to the appropriate Department of Labor and
40 Employment Agency or Office which has jurisdiction over the
41 dispute, or if both parties so agree, refer the unresolved issues to
42 voluntary arbitration.
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44 **Section 2. Implementing Rules and Regulations.** – The Secretary of Labor
45 and Employment shall promulgate the necessary rules and regulations to
46 implement the provisions of this Act.

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48 **Section 3. Separability Clause.** – If any part, section or provision of this Act
49 shall be held invalid or unconstitutional, the other provisions shall not be
50 affected thereby.

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52 **Section 4. Repealing Clause.** – Presidential Decree No. 442, otherwise
53 known as the Labor Code of the Philippines, as amended, and all other acts,
54 laws, presidential issuances, rules and regulations inconsistent herewith are
55 hereby repealed, amended or modified accordingly.

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57 **Section 5. Effectivity Clause.** – This Act shall take effect fifteen (15) days
58 after its complete publication in the Official Gazette or in at least two (2)
59 newspapers of national circulation.

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62 **APPROVED.**