



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

FIFTEENTH CONGRESS
Third Regular Session

COMMITTEE REPORT NO. 2466

Submitted by the Committee on Labor and Employment on 19 NOV 2012
Re: House Bill No. 6686
Recommending its approval in substitution of House Bill No. 5934
Sponsors: Reps. Emil L. Ong and Walden F. Bello

Mr. Speaker:

The Committee on Labor and Employment, to which was referred House Bill No. 5934, introduced by Reps. Emil L. Ong and Walden F. Bello, entitled:

AN ACT
STRENGTHENING CONCILIATION-MEDIATION AS A
VOLUNTARY MODE OF DISPUTE SETTLEMENT FOR ALL
LABOR CASES, AMENDING FOR THE PURPOSE ARTICLE 228
OF PRESIDENTIAL DECREE FOUR HUNDRED FORTY-TWO
(PD 442), AS AMENDED, OTHERWISE KNOWN AS THE LABOR
CODE OF THE PHILIPPINES,

has considered the same and recommends that the attached House Bill No. 6686, entitled:

AN ACT
STRENGTHENING CONCILIATION-MEDIATION AS A
VOLUNTARY MODE OF DISPUTE SETTLEMENT FOR ALL
LABOR CASES, AMENDING FOR THIS PURPOSE ARTICLE 228
OF PRESIDENTIAL DECREE NO. 442, AS AMENDED,
OTHERWISE KNOWN AS THE LABOR CODE OF THE
PHILIPPINES,

be approved in substitution of House Bill No. 5934, with Reps. Emil L. Ong, Walden F. Bello, Angelo B. Palmones and Linabelle Ruth R. Villarica as authors thereof.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Emil L. Ong', with a long horizontal stroke extending to the right.

EMIL L. ONG

Chairman

Committee on Labor and Employment

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

FIFTEENTH CONGRESS
Third Regular Congress

House Bill No. 6686

Introduced by Reps. Emil L. Ong, Walden F. Bello, Angelo B. Palmones and Linabelle Ruth R. Villarica

AN ACT

**STRENGTHENING CONCILIATION-MEDIATION AS A VOLUNTARY
MODE OF DISPUTE SETTLEMENT FOR ALL LABOR CASES, AMENDING
FOR THIS PURPOSE ARTICLE 228 OF PRESIDENTIAL DECREE NO. 442,
AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE
PHILIPPINES**

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

SECTION 1. A new article is hereby inserted in the Labor Code to read as follows:

"ART. 228. MANDATORY CONCILIATION AND ENDORSEMENT OF CASES. –

**(A) EXCEPT AS PROVIDED IN TITLE VII-A, BOOK V OF THIS CODE, AS
AMENDED, OR AS MAY BE EXCEPTED BY THE SECRETARY OF LABOR
AND EMPLOYMENT, ALL ISSUES ARISING FROM LABOR AND
EMPLOYMENT SHALL BE SUBJECT TO MANDATORY CONCILIATION-
MEDIATION. THE LABOR ARBITER OR THE APPROPRIATE DOLE AGENCY
OR OFFICE THAT HAS JURISDICTION OVER THE DISPUTE SHALL
ENTERTAIN ONLY ENDORSED OR REFERRED CASES BY THE DULY
AUTHORIZED OFFICER.**

**(B) ANY OR BOTH PARTIES INVOLVED IN THE DISPUTE MAY PRE-TERMINATE
THE CONCILIATION-MEDIATION PROCEEDINGS AND REQUEST
REFERRAL OR ENDORSEMENT TO THE APPROPRIATE DOLE AGENCY OR
OFFICE WHICH HAS JURISDICTION OVER THE DISPUTE, OR IF BOTH
PARTIES SO AGREE, REFER THE UNRESOLVED ISSUES TO VOLUNTARY
ARBITRATION."**

SEC. 2. *Implementing Rules and Regulations.* – The Secretary of Labor and
Employment shall promulgate the necessary rules and regulations to implement the
provisions of this Act.

SEC. 3. *Repealing Clause.* – Presidential Decree No. 442, otherwise known as the
Labor Code of the Philippines, as amended, and all other acts, laws, presidential issuances,

1 rules and regulations inconsistent herewith are hereby repealed, amended or modified
2 accordingly.

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4 **SEC. 4. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
5 complete publication in the Official Gazette or in at least two (2) newspapers of national
6 circulation.

APPROVED.

Republic of the Philippines
HOUSE OF REPRESENTATIVE
Quezon City

Second Regular Session
15th Congress

House Bill No. 5334

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.



EMIL L. ONG
Representative, 2nd District of Northern Samar

House of Representatives
FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5834

Introduced by Representative EMIL L. ONG

AN ACT

STRENGTHENING CONCILIATION-MEDIATION AS A VOLUNTARY MODE OF DISPUTE SETTLEMENT FOR ALL LABOR CASES, AMENDING FOR THE PURPOSE ARTICLE 228 OF PRESIDENTIAL DECREE FOUR HUNDRED FORTY-TWO (PD 442), AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES

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

Section 1. Article 228 of the Labor Code, which was repealed by Section 16 of Batas Pambansa Bilang 130 in 21 August 1981, is hereby reinstated and amended to read as follows:

"Art. 228. Mandatory Conciliation and Indorsement of Cases.

(a) Except as provided in Title VII-A, Book V of this Code, as amended, or as may be excepted by the Secretary of Labor and Employment, all issues arising from labor and employment shall be subject to mandatory conciliation-mediation. The Labor Arbiter and/or the appropriate Department of Labor and Employment Agency or Office that has jurisdiction over the dispute shall entertain only endorsed or referred cases by the duly authorized officer/personnel.

(b) Any or both parties involved in the dispute may pre-terminate the conciliation-mediation proceedings and request referral or endorsement to the appropriate Department of Labor and Employment Agency or Office which has jurisdiction over the dispute, or if both parties so agree, refer the unresolved issues to voluntary arbitration.

Section 2. Implementing Rules and Regulations. – The Secretary of Labor and Employment shall promulgate the necessary rules and regulations to implement the provisions of this Act.

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

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

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

APPROVED.

FACT SHEET
House Bill No. 6686

AN ACT
STRENGTHENING CONCILIATION-MEDIATION AS A VOLUNTARY
MODE OF DISPUTE SETTLEMENT FOR ALL LABOR CASES,
AMENDING FOR THIS PURPOSE ARTICLE 228 OF PRESIDENTIAL
DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE
LABOR CODE OF THE PHILIPPINES,

*Introduced by: REPS. EMIL L. ONG, WALDEN F. BELLO, ANGELO B. PALMONES
AND LINABELLE RUTH R. VILLARICA*

Committee Referral: COMMITTEE ON LABOR AND EMPLOYMENT

Committee Chairperson: REP. EMIL L. ONG

OBJECTIVE:

To strengthen conciliation-mediation as a voluntary mode of dispute settlement for labor cases.

KEY PROVISIONS:

- Provides that all issues arising from labor and employment shall be subject to mandatory conciliation-mediation.
- Provides further that conciliation-mediation proceedings may be pre-terminated by the parties involved and request endorsement to the appropriate DOLE agency or office, or to voluntary arbitration.

RELATED LAW:

Title III (Bureau of Labor Relations) of Presidential Decree No. 442, as amended, otherwise known as the Labor Code of the Philippines