



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress

First Regular Session

House Bill No. 4032



Introduced by

HON. REPRESENTATIVE LAARNI LAVIN ROQUE
4TH DISTRICT, BUKIDNON

EXPLANATORY NOTE

The National Labor Relations Commission (NLRC) has been tasked by Presidential Decree No. 442, otherwise known as the Labor Code of the Philippines, as amended, to administer labor justice. It has the original and exclusive jurisdiction to hear and decide, cases involving all workers, on issues of unfair labor practices, legality of strikes and lockouts, termination disputes, cases involving wages, rates of pay, hours of work and other terms and conditions of employment, as well as claims for damages arising from the employer-employee relations.

In addition, the Migrant Workers and Overseas Filipinos Act of 1995 or Republic Act No. 8042, as amended by R. A. No. 10022, mandates that the NLRC shall have the original and exclusive jurisdiction to hear and decide the claims arising out of an employer-employee relationship or by virtue of any law or contract involving Filipino workers for overseas deployment including claims for actual, moral, exemplary and other forms of damages.

Adjudication wise, the NLRC has been relatively exemplary and consistent in its performance. It has a disposition rate of almost 100% of cases referred to it within the 6 to 9 months period for Labor Arbiters, and the 3 to 6 months period for its Commissioners. Its decisions have been sustained by the Court of Appeals and the Supreme Court more than 90% of the time. This, despite having a very high volume of cases from its constituency of workers, as well as employers.

By virtue of Republic Act No. 9347, enacted on July 27, 2006, the Chairperson, Commissioners and Labor Arbiters were granted ranks, salaries, benefits and other emoluments in parity with their counterparts in the judiciary.

Like in the judiciary, the management of the retirement benefits of the NLRC officials was transferred from the Government Service Insurance System to the Department of Budget and Management.

With the said transfer, the survivorship benefits of the judiciary were denied. As a curative measure, R. A. No. 9946 was passed on July 13, 2010, granting survivorship, additional retirement and other benefits to members of the judiciary.

By virtue of the NLRC's parity rights under R. A. No. 9347, its officials should have been granted the same benefits under R. A. No. 9946. Unfortunately, such was not the case. As of now, there are at least twenty-nine (29) widows and widowers of NLRC officials, who are not receiving any centavo of pension.

This proposed measure seeks to grant the Chairperson, Members of the Commission and the Labor Arbiters to receive survivorship and other benefits under R. A. No. 9946. The surviving legitimate spouse of said officials, who have retired, or were eligible to retire optionally at the time of their death, shall be entitled to receive all the retirement benefits that the deceased said official would have received, had he or she would have received had he or she not died. The surviving spouse shall continue to receive such retirement benefits until the surviving spouse's death or remarriage.

The benefits under this measure shall cover all those who have retired prior to its effectivity, however, the benefits shall be granted prospectively. There will be no retroactive grant of the said benefits. Thus, presently, the appropriation requirement would only be around Seventy-Two Million Pesos (PhP72,000,000.00) per year.

This bill corrects the injustice to the officials of the NLRC, who are the only pensioners, private or public, who do not enjoy survivorship benefits. It would also enjoin more lawyers of exceptional competence and indisputable integrity to join the NLRC and uphold labor justice.

It is in this view that the immediate passage of the bill is earnestly sought.


HON LAARNI LAVIN ROQUE
Representative
Bukidnon, 4th District



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila
Twentieth Congress
First Regular Session
House Bill No. 4032

Introduced by

HON. REPRESENTATIVE LAARNI LAVIN ROQUE
4TH DISTRICT, BUKIDNON

AN ACT
GRANTING SURVIVORSHIP AND ALL OTHER ADDITIONAL
BENEFITS IN PARITY WITH THEIR COUNTERPARTS IN THE
JUDICIARY, IN FAVOR OF THE CHAIRPERSON, COMMISSIONER
OR LABOR ARBITER OF THE NATIONAL LABOR RELATIONS
COMMISSION, PROVIDING FUNDS THEREFOR, AMENDING FOR
THE PURPOSE PRESIDENTIAL DECREE 442, OTHERWISE
KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AND FOR
OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the
2 “Survivorship Benefits for NLRC Act of 2025.”

3 **SECTION 2. *Parity in Salaries and Benefits.*** – Article 223,
4 Chapter I, Title II, Book Five, of Presidential Decree No. 442,
5 otherwise known as the Labor Code of the Philippines, as amended, is
6 hereby further amended to read as follows:

7 **ART. 223. *Salaries, Benefits, and Emoluments.***

8 – The Chairman and members of the Commission shall
9 have the same rank, receive an annual salary equivalent
10 to, and be entitled to the same allowances, retirement and

1 benefits as those of the Presiding Justice and Associate
2 Justices of the Court of Appeals, respectively. Labor
3 Arbiters shall have the same rank, receive an annual salary
4 equivalent to and be entitled to the same allowances,
5 retirement and other benefits and privileges as those of
6 the judges of the Regional Trial Courts. **THE**
7 **CHAIRPERSON, MEMBERS OF THE COMMISSION AND**
8 **THE LABOR ARBITERS SHALL LIKEWISE RECEIVE**
9 **SURVIVORSHIP AND OTHER BENEFITS UNDER**
10 **REPUBLIC ACT NO. 9946, ENTITLED "AN ACT**
11 **GRANTING ADDITIONAL RETIREMENT,**
12 **SURVIVORSHIP, AND OTHER BENEFITS TO MEMBERS**
13 **OF THE JUDICIARY, AMENDING FOR THE PURPOSE**
14 **REPUBLIC ACT NO. 910, AS AMENDED, PROVIDING**
15 **FUNDS THEREFOR AND FOR OTHER PURPOSES".**
16 **THEY SHALL ALSO BE ENTITLED TO ALL OTHER**
17 **ALLOWANCES, RETIREMENT AND OTHER BENEFITS**
18 **AND PRIVILEGES GRANTED IN FAVOR OF THE**
19 **MEMBERS OF JUDICIARY AS MAY HEREINAFTER BE**
20 **GRANTED BY LAW, RULES OR REGULATIONS.** In no
21 case, however, shall the provision of this Article result in
22 the diminution of the existing salaries, allowances and
23 benefits of the aforementioned officials.

24 **SECTION 3. Coverage.** – The benefits under this Act shall be
25 granted to all those who have retired prior to the effectivity of this
26 Act: *Provided*, That the benefits to be granted shall be prospective.

1 **SECTION 4. *Implementing Rules and Regulations.*** – Within
2 ninety (90) days from the effectivity of this Act, the NLRC shall issue
3 the necessary rules and regulations for the effective implementation of
4 this Act.

5 **SECTION 5. *Appropriations.*** – The amount necessary for the
6 continuing implementation of this Act shall be programmed by the
7 Commission to be included in the General Appropriations Act.

8 **SECTION 6. *Separability Clause.*** - If any provision of this Act,
9 or any parts thereof, is declared unconstitutional, the same shall not
10 affect the validity and effectivity of the other portions.

11 **SECTION 7. *Repealing Clause.*** - All laws, executive orders,
12 presidential decrees, proclamations, rules, regulations, issuances and
13 enactments of parts thereof inconsistent with this Act are hereby
14 repealed or modified accordingly.

15 **SECTION 8. *Effectivity.*** - This Act shall take effect fifteen (15)
16 days from its complete publication in the Official Gazette of in a
17 newspaper of general circulation in the Philippines, whichever comes
18 earlier.

APPROVED.