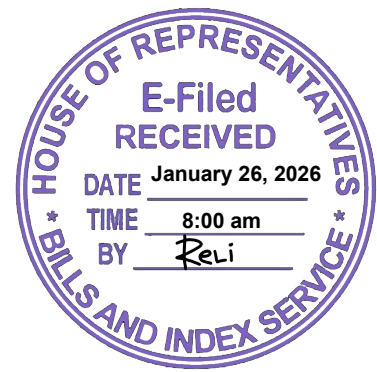


TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 7269

EXPLANATORY NOTE

The National Labor Relations Commission (NLRC) is a quasi-judicial agency attached to the Department of Labor and Employment (DOLE). It is mandated to adjudicate labor and management disputes involving both local and overseas workers through compulsory arbitration and alternative modes of dispute resolution.

According to the 2021 Performance Report of the NLRC, they were able to maintain a high level of disposition of cases, and posted gains in reducing the number of pending cases. The NLRC posted an overall output of 32,433 cases for compulsory arbitration comprising of 24,262 as original cases from the Regional Arbitration Branches (RABs), and 8,171 as appealed cases from the Commission Proper. In terms of inflow versus outflow of cases, 27,037 original cases were received for 2021, 24,262 or 90% of which were disposed of by the Regional Arbitration Branches (RABs). On the other hand, of the 8,031 appealed cases received for the current year, 8,171 or 102% were disposed of by the Commission Proper.

Under Section 4 of Republic Act No. 9347, it is stated that

SEC. 4. Article 216, as amended, is hereby further amended to read as follows:

"ART. 216. Salaries, benefits and other emoluments. The Chairman and members of the Commission shall have the same rank, receive an annual salary equivalent to, and be entitled to the same allowances, retirement and benefits as, those of the Presiding Justice and Associate Justices of the Court of Appeals, respectively. Labor Arbiters shall have the same rank, receive an annual salary equivalent to and be entitled to the same allowances, retirement and other benefits and privileges as those of the judges of the regional trial courts. In no case, however, shall the provision of this Article result in the diminution of the existing salaries, allowances and benefits of the aforementioned officials."

While there have been laws granting additional retirement and survivorship benefits to the Judiciary, the NLRC is not covered by said laws.

In view of the foregoing immediate approval of this measure is earnestly requested.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

TWENTIETH CONGRESS)
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HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 7269

AN ACT

**GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE SPOUSE,
CHILDREN, AND/OR PARENTS/NEXT-OF-KIN OF A DECEASED CHAIRPERSON,
COMMISSIONER, OR LABOR ARBITER OF THE NATIONAL LABOR RELATIONS
COMMISSION**

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

SECTION 1. **Survivorship Benefits.** — Upon the death of Chairperson, or any Commissioner or Labor Arbiter of the National Labor Relations Commission, if such Chairperson, Commissioner or Labor Arbiter has retired or was in the service at the time of death, the surviving legitimate spouse and dependent children of said Chairperson, Commissioner, or Labor Arbiter shall be entitled to receive on a monthly basis all the retirement benefits that the deceased was receiving or entitled to receive at the time of death under the provisions of the applicable retirement laws then in force. A "dependent" means a legitimate, illegitimate or legally adopted child who is chiefly dependent on the above-enumerated deceased officials, if such dependent is not more than twenty-one (21) years of age, unmarried and not gainfully employed, or if such dependent, regardless of age, is incapable of self-support because of mental or physical defect. The surviving legitimate spouse shall continue to receive such retirement benefits during his/her lifetime or until he/she remarries. The surviving spouse and dependent children shall equally share the retirement benefits. *Provided*, That if the surviving spouse is receiving benefits under existing retirement laws, he or she shall only be entitled to the difference between the amount provided for in this Act and the benefits that he or she is receiving. *Provided further*, That in case the deceased Chairperson, Commissioner, or Labor Arbiter was unmarried, survivorship benefits shall be paid as follows:

- (a) When the deceased retiree was a solo parent, as defined under RA No. 8972, otherwise known as the 'Solo Parent's Welfare Act of 2000', and survived by dependent children or other children under the care of the deceased retiree as stipulated under RA No. 9262, otherwise known as the 'Anti-Violence Against Women and Their Children Act of 2004', including children who have reached the age of majority but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability as defined under RA No. 7610, otherwise known as the 'Special Protection of Children Against Abuse, Exploitation and Discrimination Act', the dependent children shall be entitled to receive on a monthly basis all the retirement benefits that the deceased retiree was receiving at the time of death under the provisions if applicable retirement laws then in force, the minor dependent children shall be disqualified from receiving the benefits upon reaching the age of majority, any subsequent death or disqualification

of any of the dependent children shall not result in the accrual of the forfeited benefits to the other beneficiaries.

- (b) When the retiree died without issue, the surviving parents, if any, or unless otherwise disqualified by law, any person or persons nominated by the Chairman, Commissioner, or Labor Arbiter, shall, prior to or on the date of retirement receive on a monthly basis all the retirement benefits that the deceased retiree was receiving at the time of the death under the provisions of applicable retirement laws then in force; Provided, that the nominee shall be limited to two (2) persons only: Provided, further, any subsequent death or disqualification of any of the foregoing beneficiaries shall not result in the accrual of the forfeited benefits to their beneficiaries.

SECTION. 2. ***Retroactivity.*** – The benefits mentioned in Section 1 hereof shall be granted to any and all Chairperson, Commissioners, and Labor Arbiters who retired, resigned, or died on or after the effectivity of Republic Act. No. 9347 on 26 July 2006.

SECTION. 3. ***Funding.*** – The amount necessary for the initial implementation of this Act shall be charged against the savings of the NLRC for the current year. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SECTION 4. ***Repeating Clause.*** – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 5. ***Separability Clause.*** – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall continue to be in full force and effect.

SECTION 6. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,