



Republic of the Philippines
Department of Labor and Employment
NATIONAL LABOR RELATIONS COMMISSION
Quezon City



En Banc Resolution No. 03-20
(Series of 2020)

WHEREAS, pursuant to Article 225 [218], paragraph (a) of the Labor Code of the Philippines, as amended, the Commission has the power to promulgate rules and regulations governing hearing and disposition of cases;

WHEREAS, President Rodrigo Roa Duterte issued Administrative Order No. 30 on 21 April 2020, directing all government agencies to immediately formulate and issue guidelines on the conduct of proceedings during the time of public health emergency, including but not limited to, the interruption of reglementary periods for the commencement of actions and claims, and the filing of pleadings, appearances, motions, notices and all other papers;

WHEREFORE, RESOLVED AS IT IS HEREBY RESOLVED, that to ensure that the Commission, its personnel and stakeholders are protected from the harmful effects of the COVID-19 virus, the following interim amendments to the 2011 NLRC Rules of Procedure, as amended, are hereby enacted:

- (1) The conduct of the Mandatory Conciliation and Mediation Conferences is hereby suspended, unless the Labor Arbiter, in his/her discretion, sets the case for mandatory conciliation and mediation conference.

The conference shall be done, as far as feasible, through videoconferencing or other electronic means that will not require face-to-face interaction.

If any of the parties has no access to technology for electronic hearings, the Commission may provide a hearing room and laptop/tablet for their use, subject to availability of funds.

Notwithstanding the preceding paragraphs, the Labor Arbiter shall exert all efforts towards the amicable settlement of the case.

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yes

- (2) The simultaneous filing of position papers under Section 12, paragraph (a) of Rule V of the 2011 NLRC Rules of Procedure, as amended, is likewise suspended.

Within two (2) days from the receipt of the complaint or amended complaint, the Labor Arbiter shall issue the Summons upon respondent. Within five (5) days from receipt of the return of summons, the Labor Arbiter shall issue an Order directing both parties to submit their respective position papers within fifteen (15) calendar days from receipt thereof, through registered mail or authorized private courier.

Within five (5) days from receipt of the Summons, the respondent may file a motion to set the case for mandatory conciliation and mediation conference for possible settlement. Likewise, within five (5) days from receipt of the Order to file position paper, the complainant may also file motion to set the case for mandatory conciliation and mediation conference for purposes of settlement. Said motion should set forth therein the terms and conditions of the settlement proposal including the amount being offered. Within three (3) days, the other party shall file his/her response and counter proposal. Thereafter, the Labor Arbiter shall determine the necessity of setting the case for mandatory conciliation and mediation conference, and correspondingly issue the notice of conference.

If no notice of conference is received by the parties, they shall proceed to file the position paper within the period set in the Order to file position paper issued by the Labor Arbiter.

Should the parties agree to settle the case amicably, they shall submit the notarized Compromise Agreement or a Quitclaim/Waiver/Release through personal service, registered mail or private courier.

All provisions of the existing rules and regulations inconsistent with the interim amendments are hereby deemed provisionally suspended or amended accordingly.

These rules shall be in effect only during this public health emergency and may be revised at any time should prevailing circumstances change, and until further notice.

Signed this 10th day of July 2020 at Quezon City, Philippines.



Gerardo C. Nograles

GERARDO C. NOGRALES
Chairman

Julia Cecily Coching-Sosito

JULIA CECILY COCHING-SOSITO
Presiding Commissioner

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GRACE M. VENUS
Presiding Commissioner

Alex A. Lopez

ALEX A. LOPEZ
Presiding Commissioner

Grace E. Maniquiz-Tan

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Presiding Commissioner

Joseph Gerard E. Mabilog

JOSEPH GERARD E. MABILOG
Presiding Commissioner

Bario-Rod M. Talon

BARIO-ROD M. TALON
Presiding Commissioner

Violeta O. Bantug

VIOLETA O. BANTUG
Presiding Commissioner

Gina F. Cent-Escoto
7-10-20

GINA F. CENT-ESCOTO
Commissioner

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MA. MINERVA S. PAEZ-COLLANTES
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Nicolas B. Nicolas

NICOLAS B. NICOLAS
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Erlinda T. Agus

ERLINDA T. AGUS
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Cecilio Alejandro C. Villanueva

CECILIO ALEJANDRO C. VILLANUEVA
Commissioner

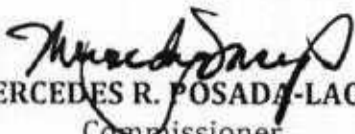
Mary Ann F. Plata-Daytia

MARY ANN F. PLATA-DAYTIA
Commissioner

Leonard Vinz O. Ignacio


LEONARD VINZ O. IGNACIO
Commissioner

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MERCEDES R. POSADA-LACAP
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Commissioner


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NENDELL HANZ L. ABELLA
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ELBERT C. RESTAURO
Commissioner


ROSARIO B. SAGADAL
Commissioner

Attested by:


Labor Arbiter ELENITA F. CRUZ
Acting Executive Clerk of Court IV

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