

FURTHER AMENDING CERTAIN PROVISIONS OF BOOK V OF PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AS AMENDED.

PRESIDENTIAL DECREE NO. 1367, May 01, 1978

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WHEREAS, the Labor Code instituted sweeping legal and institutional reforms in the field of labor-management relations in the interest of speedy labor justice and development.

WHEREAS, on the basis of several years of experience gained in the implementation of the Labor Code, it becomes necessary to incorporate therein further innovations in labor law enforcement and labor dispute settlement, to align the labor administration system to the changing conditions under the New Society and to make it an even more responsive and effective instrument of social justice.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree as follows:

SECTION 1. Paragraph (a) of Art. 217 of the Labor Code as amended is hereby further amended to read as follows:

"(a) The Labor Arbiters shall have exclusive jurisdiction to hear and decide the following cases involving all workers, whether agricultural or non-agricultural:

- Unfair labor practice cases;
- Unresolved issues in collective bargaining, including those which involve wages, hours of work, and other terms and conditions of employment; and
- All other cases arising from employer-employee relations duly indorsed by the Regional Directors in accordance with the provisions of this Code; Provided, that the Regional Directors shall not indorse and Labor Arbiters shall not entertain claims for moral or other forms of damages.

SEC. 2. The last two paragraph of Art. 223 shall be amended to read as follows:

"The decision of the Commission shall be immediately executory, even pending appeal, unless stayed by an order of the Secretary of Labor for special reasons. The decision of the Secretary of Labor shall be immediately executory: Provided, that the President of the Philippines may assume jurisdiction over any cases which he considers national interests cases.

"The Philippine Constabulary and other law-enforcement agencies may be deputized by the Secretary of Labor in the enforcement of orders, decisions or awards."

SEC. 3. Art. 244 of the Labor Code is hereby amended to read as follows:

"Art. 244. Coverage and employees' right to self-organization. All persons employed in commercial, industrial and agricultural undertakings including religious, charitable, medical or educational institutions operating for profit, shall have the right to self-organization and to form, join or assist labor organizations of their own

choosing for purposes of collective bargaining. Ambulant, intermittent and itinerant workers' self-employed people rural workers and those without any definite employers may form labor organizations for the purpose of enhancing and defending their interests and for their mutual aid and protection."

"All religious, charitable, medical or educational institutions not operating for profit are exempt from the coverage of this Book. However, this exemption shall not apply to religious, charitable medical or educational institutions which on the date of effectivity of this Code, have existing collective bargaining agreements or duly recognized labor organizations of their employees. Moreover, nothing therein shall preclude any employer from voluntarily recognizing any labor organization of its employees for the purpose of collective bargaining."

SEC. 4. All laws, decrees, general orders and letters of instructions inconsistent with or contrary to this Decree are hereby repealed.

SEC. 5. This Decree shall take effect immediately.

Done in the City of Manila, this 1st day of May 1978.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Assistant

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