

AMENDING BOOK V OF THE LABOR CODE OF THE PHILIPPINES TO INSURE SPEEDY LABOR JUSTICE AND FURTHER STABILIZE INDUSTRIAL PEACE.

PRESIDENTIAL DECREE NO. 1391, May 29, 1978

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WHEREAS, Book V of the Labor Code of the Philippines was designed to develop conciliation and arbitration as substitutes for strikes and lockouts in the settlement of labor disputes;

WHEREAS, the six-level dispute settlement machinery established under Book V of the Labor Code of the Philippines and its bias for judicial rather than administrative procedures have undermined the effectiveness in delivering speedy labor justice;

WHEREAS, delay in the resolution of labor disputes is not only unjust to workers and employers alike but also to the whole pursuit of development and justice in the New Society;

WHEREAS, the National Tripartite Conference on Wages, Employment and Labor Relations held in Tagaytay City on 25-27 May 1978 has recommended the following solutions to the problem:

- Reduce the stages in the dispute settlement machinery from the present six (6) to only two (2);
- Limit all petitions for certification election, disaffiliation, and intervention to the 60-day freedom period before the expiration of a collective bargaining agreement;
- Emphasize the use of administrative rather than judicial procedures in labor dispute settlement;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree the following:

- All Labor Arbiters in the regions are hereby integrated into the Regional Offices of the Department of Labor and placed under the direct administrative control and supervision of the Regional Directors of the Department of Labor.
- The Secretary of Labor and, in his absence or by virtue of his authority, the Undersecretary of Labor, shall act as the Chairman of the National Labor Relations Commission.
- The composition of the Commission is hereby increased from the present seven (7) to ten (10) including the Secretary of Labor or in his absence or by virtue of his authority, the Undersecretary of Labor, the additional three (3) members to represent labor, management and the public and to constitute the third NLRC division.
- The Chairman of the first division shall act as Vice-Chairman of the Commission and shall be the day to day administrator of the Commission.
- Appeals from the NLRC to the Secretary of Labor under the present setup is hereby eliminated but the President of the Philippines may continue to exercise his powers under P.D. No. 442 as amended.
- No petitions for certification election, for intervention, disaffiliation shall be entertained or given due course

except within the 60-day freedom period immediately preceding the expiration of a collective bargaining agreement.

- All provisions of law or jurisprudence inconsistent with this decree are hereby repealed.
- The Secretary of Labor shall promulgate rules and regulations for the effective implementation of this decree.

Done in the City of Manila, this 29th day of May in the year of Our Lord, nineteen hundred and seventy-eight.

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

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Assistant

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