DELETING ITEM NO. 15 OF EN BANC RESOLUTION NO. 19-11

NLRC EN BANC RESOLUTION NO. 14-13, October 11, 2013

Read online (full-text search, related cases, audio case brief): https://batas.org/library/fc6a8ac527ab/

Adopted: 11 October 2013
Date Filed: 22 April 2014

WHEREAS, Art. XIII, Section 3, 3rd paragraph of the Constitution provides that "the State shall promote the principle of shared responsibility between workers and employers in the preferential use of voluntary modes of settling disputes, including conciliation and shall enforce their mutual compliance therewith to foster industrial peace";

WHEREAS, on 30 May 2011, the Commission passed En Banc Resolution No. 19-11, Series of 2011, which provides for the schedule of fees and charges to be collected for certain services, including – "Item No. 15: attestation fee for quitclaim and walk-in settlement";

WHEREAS, in line with the policy of the State giving primacy to and encouraging availment of voluntary modes in settling disputes, and amicable settlement through conciliation and mediation shall be free of charge;

WHEREFORE, RESOLVED as it is hereby RESOLVED, that the aforementioned item "15" in the schedule of fees is deleted. Hence, En Banc Resolution No. 19-11 is hereby amended to read as follows:

1. Certificate of Pending/No Pending Cases Php500.00

2. Transcript of Stenographic Notes 15.00/page

3. Certified Machine Copies 5.00/page

4. Filing Fee for Petition for injunction/TRO 5,000.00

5. Injunction Expenses Fund (refundable) +5,000.00 minimum

6. Filing Fee for Extraordinary Remedies (ER) 5,000.00

7. ER with prayer for Injunction/TRO (Injunction Expenses Fund, refundable) +5,000.00 minimum

8. Docket Fee under BP 325

a. 1st Php2,000.00
b. Php2,001.00 to Php18,000.00
c. Over Php18,000.00

20.00
90.00
(x 0.5%)

9. Filing Fee for Motion to Quash (re: Writ of Execution) 3,000.00

10. Filing Fee for Motion to Recompute Award

700.00

11. Filing Fee for Third party claim 7,000.00

12. Execution Fee (to be charged pro rata)

a. For award less than Php5,000.00
b. Php5,000.00 or more but less than Php20,000.00
c. Php20,000.00 or more but less than Php50,000.00
d. Php50,000.00 or more but less than Php100,000.00
e. Php100,000.00 or more but less than Php150,000.00
f. Php150,000.00 or more

200.00
400.00
600.00
800.00
1,000.00
1,000.00 plus 10.00 for every 1,000.00 in excess of
Php150,000.00

13. Appeal fee 500.00

14. Legal Research Fee (UP LAW CENTER) 20.00

15. Motion for Postponement Fee 500.00

Unless otherwise provided by law, rules or regulation, litigants (a) whose gross income and that of the members of their family do not exceed an amount double the monthly minimum wage for an employee and (b) who do not own real property with a fair market value as stated in the current tax declaration of more than Three Hundred Thousand (Php300,000.00) pesos, shall be considered indigent litigants and shall be exempted from immediate payment of fees/charges, upon execution of an affidavit to that effect.

In such case, the fees/charges shall be a lien on any judgment rendered in the case favorable to the indigent litigant unless it is otherwise provided in the decision.

Any insufficiency in the amount paid by reason of the imposition of new fees shall allow the concerned party five (5) days within which to pay the deficiency. The grace period shall be applicable only during the transitory period of six (6) months.

This Resolution shall take effect after fifteen (15) days from publication in newspaper of general circulation.

Signed this 11th day of October 2013 at Tagaytay City, Philippines.

(SGD) GERARDO C. NOGRALES
Chairman

(SGD) RAUL T. AQUINO
Presiding Commissioner

(SGD) ALEX A. LOPEZ
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Commissioner

Attested by:

(SGD) ELENITA F. CRUZ
Executive Clerk of Court IV

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