

EXECUTIVE ORDER NO. 252

FURTHER AMENDING ARTICLES 213, 214 AND 215 OF PRESIDENTIAL DECREE NO. 442, AS AMENDED

WHEREAS, there is a need to strengthen further the labor dispute settlement machinery to prevent undue delays as well as to ensure the just and efficient resolution of labor cases;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, do hereby order:

SECTION 1. Articles 213, 214 and 215 of Presidential Decree No. 442, as amended, are hereby further amended to read as follows:

"Art. 213. National Labor Relations Commission. There shall be a National Labor Relations Commission in the Department of Labor and Employment, composed of the Secretary of Labor and Employment as Chairman and fifteen (15) Commissioners. In the absence of the Secretary of Labor and Employment, his duly authorized Undersecretary shall act as Chairman.

The Commission may sit en banc or in five (5) divisions, each composed of three (3) members. It shall determine by rules approved by the Chairman, the cases it shall decide en banc and those which a division shall decide. The decision of a division shall have the force and effect of a decision of the Commission.

The Presiding Commissioner of the First Division shall act as the Vice-Chairman of the Commission. An Executive Director, assisted by a Deputy Executive Director, shall exercise the administrative functions of the Commission."

"Art. 214. Headquarters, Branches and Provincial Extension Units. The Commission shall have its main office in Metropolitan Manila and shall establish as many regional branches as there are regional offices of the Department of Labor and Employment, sub-regional branches or provincial extension units. There shall be one hundred fifty (150) labor arbiters for the effective and efficient operation of the Com-

mission. Each regional branch shall be headed by an Executive Labor Arbiter."

"Art. 215. Appointment and Qualifications. The Commissioners shall have at least five (5) years experience in handling labor management relations and the Executive Labor Arbiters and Labor Arbiters shall have two (2) years experience in the same field. In addition, the Commissioners, Executive Labor Arbiters and Labor Arbiters shall be members of the Bar.

The Commissioners shall be appointed by the President for a term of six (6) years: Provided, That the Commissioners appointed under Executive Order No. 47 dated September 10, 1986 shall hold office for a term of six (6) years; Provided, further, That of the Commissioners appointed pursuant to this Executive Order, three shall hold office for four (4) years, and three for two (2) years; and Provided, finally, That any appointment shall be without prejudice to re-appointment. Appointment to any vacancy shall be only for the unexpired portion of the predecessor's term. The Executive Labor Arbiter and Labor Arbiters shall also be appointed by the President, upon recommendation of the Chairman, and shall be subject to the Civil Service Law, rules and regulations.

The Secretary of Labor and Employment shall appoint the staff and employees of the Commission and the regional branches as the needs of the service may require, subject to Civil Service Law, rules and regulations."

SECTION 2. The Secretary of Budget and Management shall make available such funds as may be adequate to meet the requirements of the Commission under this Executive Order.

SECTION 3. All laws, orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

SECTION 4. This Executive Order shall take effect immediately.

Done in the City of Manila, this 25th day of July, in the year of Our Lord, nineteen hundred and eighty-seven.

Arroyo b. Arroyo

By the President

Arroyo
ROGER P. ARROYO