



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

En Banc Resolution No. 02-15
(Series of 2015)

INTRODUCING AMENDMENTS TO THE 2011 NLRC RULES OF PROCEDURE, AS AMENDED

Pursuant to Article 218 (a) of the Labor Code, as amended, the National Labor Relations Commission, sitting en banc, RESOLVED TO ADOPT AND PROMULGATE, as it hereby adopts and promulgate amendments to the "2011 NLRC Rules of Procedure, as amended," as follows:

RULE V

PROCEEDINGS BEFORE LABOR ARBITERS

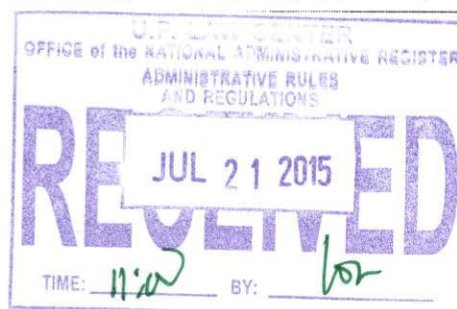
1. Section 5, Rule V is hereby amended to read as follows:

SECTION 5. PROHIBITED PLEADINGS AND MOTIONS. - The following pleadings and motions shall not be allowed and acted upon nor elevated to the Commission:

- (a) Motion to dismiss the complaint except on the ground of lack of jurisdiction over the subject matter, improper venue, *res judicata*, prescription and forum shopping;
- (b) Motion for a bill of particulars;
- (c) Motion for new trial;
- (d) Petition for relief from judgment;
- (e) Motion to declare respondent in default;
- (f) Motion for reconsideration of any decision or any order of the Labor Arbiter;
- (g) Motion to Quash and/or Motion to Lift Garnishment if a Petition had been filed under Rule XII;
- (h) Appeal from any interlocutory order of the Labor Arbiter, such as but not limited to, an order:
 - (1) denying a motion to dismiss;
 - (2) denying a motion to inhibit
 - (3) denying a motion for issuance of writ of execution; or
 - (4) denying a motion to quash writ of execution;
- (i) Appeal from the issuance of a certificate of finality of decision by the Labor Arbiter;

PPSTA Building No.5, Banawe Avenue corner P, Florentino Street, 1114 Quezon City
website: www.nlrc.dole.gov.ph e-mail address: info@nlrc.dole.gov.ph

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JUAN DELA P. PEREZ
**LAA/OIC, Research, Information and
Publication Division**

- (j) Appeal from orders issued by the Labor Arbiter in the course of execution proceedings; and
- (k) Such other pleadings, motions and petitions of similar nature intended to circumvent above provisions.

RULE XIII

COMMISSION SEAL AND RECORDS, AND POWERS AND DUTIES OF COMMISSION OFFICIALS

2. Section 4(g), Rule XIII is hereby amended to read as follows:

SECTION 4. DUTIES AND FUNCTIONS OF THE EXECUTIVE CLERK AND DEPUTY EXECUTIVE CLERKS. –

(g) **Promulgation and Promulgation Book.** - He/she shall promulgate decisions and final resolutions on the same date the same is filed with his/her office and indicate the date and time of promulgation and attest the same by his/her signature on the first page thereof. He/she shall immediately furnish the Chairman with a copy of such decision, resolution, or order with a summary of the nature thereof and the issue involved therein. He/she shall keep a promulgation book which indicates the date and time of promulgation, the case number, the title of the case, the *ponente*, the nature of the decision or final resolution and the action taken by the Commission by quoting the dispositive portion thereof. He/she shall certify as true, copies of the decision, resolution or order promulgated by his/her respective Divisions and sign notices of the same. Notices of said decisions, resolution or orders shall be sent in sealed envelopes to parties and their respective counsel, if practicable, within forty-eight (48) hours from promulgation;

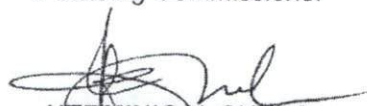
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Signed this 12th day of March 2015 at Iloilo City, Philippines.


GERARDO C. NOGRALES
Chairman


GREGORIO O. BILOG III
Presiding Commissioner

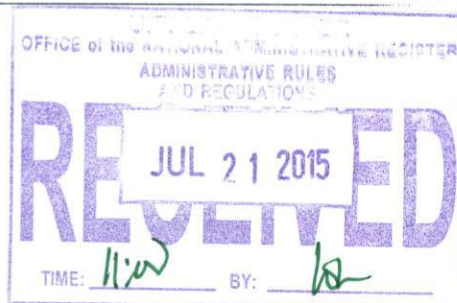

ALEX A. LOPEZ
Presiding Commissioner


HERMINIO V. SUELO
Presiding Commissioner


GRACE M. TAN
Presiding Commissioner

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PURDEY P. PEREZ
LAA/OIC, Research, Information and Publication Division




JOSEPH GERARD E. MABILOG
Presiding Commissioner


VIOLETA O. BANTUG
Presiding Commissioner


BARIO ROD M. TALON
Presiding Commissioner


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Commissioner


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ON LEAVE
ALAN A. VENTURA
Commissioner


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Commissioner


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ORTIGUERRA
Commissioner


NIEVES E. VIVAR-DE CASTRO
Commissioner


JULIE C. RENDOQUE
Commissioner


JOSE G. GUTIERREZ
Commissioner


PROCULO T. SARME
Commissioner


DOMINADOR B. MEDROSO, JR.
Commissioner

Attested by:


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

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FURDEY E. PEREZ
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