



HOUSE OF REPRESENTATIVES

H. No. 5927

BY REPRESENTATIVES BELMONTE (F.), GONZALES (N.), HERRERA-DY, ONG,
COSALAN, UMALI (R.), DE JESUS, ROMAN, PICHAY, EJERCITO,
KHO (D.), BELLO, AGLIPAY, OBILLO, GARIN (S.), EVARDONE,
PALMONES, BRAVO, MATUGAS, CRUZ-GONZALES, FORTUNO, VILLAR,
MARIANO AND CALIMBAS-VILLAROSA, PER COMMITTEE REPORT
NO. 1905

AN ACT STRENGTHENING FURTHER THE WORKERS' RIGHT TO
SELF-ORGANIZATION, AMENDING FOR THE PURPOSE
ARTICLES 234-A, 235, 236 AND 237, AND REPEALING
ARTICLES 234(C) AND 270 OF PRESIDENTIAL DECREE
NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR
CODE OF THE PHILIPPINES

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 SECTION 1. Paragraph (c) of Article 234 of the Labor Code is hereby
2 repealed.

3 SEC. 2. Article 234-A of the Labor Code is hereby amended to read as
4 follows:

5 "ART. 234-A. *Chartering and Creation of a Local*
6 *Chapter.* -- A duly registered federation, [or] national union OR
7 TRADE UNION CENTER may directly create a local chapter by

1 issuing a charter certificate indicating the establishment of the
2 local chapter. The chapter shall acquire legal personality [only
3 for purposes of filing a petition] for **THE DURATION OF THE**
4 certification election **PROCESS** from the date it was issued a
5 charter certificate.

6 "The chapter shall be entitled to all other rights and
7 privileges of a legitimate labor organization, **SUCH AS THE**
8 **RIGHT TO ACT AS REPRESENTATIVE OF ITS MEMBERS FOR THE**
9 **PURPOSE OF COLLECTIVE BARGAINING**, only upon the
10 submission of the following documents in addition to its charter
11 certificate:

12 (a) The names of the chapter's officers, their addresses,
13 and the principal office of the chapter; and

14 (b) The chapter's constitution and by-laws: *Provided*,
15 That where the chapter's constitution and by-laws are the same
16 as that of the federation or the national union, this fact shall be
17 indicated accordingly.

18 "The additional supporting requirements shall be certified
19 under oath by the secretary or treasurer of the chapter and
20 attested by its president."

21 **SEC. 3. Article 235 of the Labor Code, as amended, is hereby**
22 *renumbered as Article 236 and further amended to read as follows:*

23 "ART. 23[5]6. *SUBMISSION AND Action on Application.*

24 - **APPLICATIONS FOR REGISTRATION MAY BE SUBMITTED IN**
25 **PERSON OR ONLINE TO THE APPROPRIATE DOLE REGIONAL**
26 **OFFICE OR FIELD OFFICE OR THE BUREAU OF LABOR**
27 **RELATIONS SUBJECT TO VERIFICATION BY THE APPROPRIATE**

1 OFFICE. THE BUREAU SHALL PRESCRIBE SUCH FORMS AS MAY
2 BE NECESSARY FOR THIS PURPOSE.

3 "The Bureau OR THE APPROPRIATE DOLE REGIONAL
4 OFFICE OR FIELD OFFICE shall act on all applications for
5 registration within [thirty (30)] ONE (1) CALENDAR day[s] from
6 [filing] RECEIPT THEREOF."

7 [All requisite documents and papers shall be certified
8 under oath by the secretary or the treasurer of the organization,
9 as the case may be, and attested to by its president.]

10 SEC. 4. Article 236 of the Labor Code, as amended, is hereby
11 renumbered as Article 237 and further amended to read as follows:

12 "ART. 23[6]7. *Denial of registration; Appeal.* – The
13 decision of the [Labor Relations Division in the regional office]
14 DOLE REGIONAL OFFICE OR FIELD OFFICE denying
15 registration may be appealed by the applicant union to the
16 Bureau within ten (10) days from receipt of notice thereof."

17 SEC. 5. Article 237 of the Labor Code is hereby renumbered as Article
18 235 and amended to read as follows:

19 "ART. 23[7]5. [Additional] [r]Requirements for
20 federations or national unions. – Subject to Article 238, if the
21 applicant for registration is a federation or a national union, it
22 shall, in addition to the requirements of the preceding Articles,
23 submit the following:

24 "(a) Proof of the affiliation of at least [ten (10)] FIVE (5)
25 local[s or] chapters, each of which must be a duly recognized
26 collective bargaining agent in the establishment or industry in

1 which it operates[, supporting the registration of such applicant
2 federation or national union]; and

3 “(b) The names and addresses of the companies where
4 the local[s or] chapters operate and the list of all the members in
5 each company involved.”

6 SEC. 6. Article 270 of the Labor Code, as amended, is hereby repealed.

7 SEC. 7. *Implementing Rules and Regulations.* – Within thirty (30)
8 days from the effectivity of this Act, the Secretary of Labor and Employment
9 shall issue and publish the necessary rules and regulations to implement the
10 provisions of this Act.

11 SEC. 8. *Separability Clause.* – If any provision of this Act is declared
12 unconstitutional, the same shall not affect the validity and effectivity of the
13 other provisions hereof.

14 SEC. 9. *Repealing Clause.* – All laws, executive orders, presidential
15 decrees, presidential proclamations, rules and regulations or parts thereof
16 inconsistent with the provisions of this Act are hereby repealed or modified
17 accordingly.

18 SEC. 10. *Effectivity Clause.* – This Act shall take effect fifteen (15)
19 days after its complete publication in the *Official Gazette* or in a newspaper of
20 general circulation.

 Approved,

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