



HOUSE OF REPRESENTATIVES

H. No. 6238

BY REPRESENTATIVES MENDOZA (R.) AND NOGRALES, PER COMMITTEE
REPORT NO. 927

AN ACT REDUCING THE MINIMUM MEMBERSHIP REQUIREMENT
FOR REGISTRATION OF UNIONS OR FEDERATIONS AND
STREAMLINING THE PROCESS OF REGISTRATION,
AMENDING FOR THIS PURPOSE ARTICLES 234, 235, 236 AND
237 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. Article 234 of Presidential Decree No. 442, as amended,
2 otherwise known as the Labor Code of the Philippines, is hereby further
3 amended to read as follows:

4 "Article 234. *Requirements of Registration.* - A federation,
5 national union or industry or trade union center or an independent
6 union shall acquire legal personality and shall be entitled to the
7 rights and privileges granted by law to legitimate labor
8 organizations upon issuance of the certificate of registration based
9 on the following requirements:

10 "(a) Fifty pesos (P50.00) registration fee;

1 “(b) The names of its officers, their addresses, the principal
2 address of the labor organization, the minutes of the organizational
3 meetings and the list of the workers who participated in such
4 meetings;

5 “(c) In case the applicant is an independent union, the names
6 of all its members comprising at least [twenty percent (20%)] TEN
7 PERCENT (10%) of all the employees in the bargaining unit where
8 it seeks to operate;

9 “(d) If the applicant union has been in existence for one or
10 more years, copies of its annual financial reports; and

11 “(e) Four copies of the constitution and by-laws of the
12 applicant union, minutes of its adoption or ratification, and the list
13 of the members who participated in it.”

14 SEC. 2. Article 235 of the Labor Code is hereby amended to read as
15 follows:

16 “Article 235. [*Action on application.* – The Bureau shall
17 act on all applications for registration within thirty (30) days from
18 filing.

19 “All requisite documents and papers shall be certified under
20 oath by the secretary or the treasurer of the organization, as the
21 case may be, and attested to by its president.] **SUBMISSION
22 AND ACTION ON APPLICATIONS. – APPLICATIONS FOR
23 REGISTRATION MAY BE SUBMITTED IN PERSON OR ONLINE TO
24 THE APPROPRIATE DOLE REGIONAL OFFICE OR FIELD OFFICE
25 OR TO THE BUREAU OF LABOR RELATIONS SUBJECT TO
26 VERIFICATION BY THE APPROPRIATE OFFICE. THE BUREAU
27 SHALL PRESCRIBE SUCH FORMS AS MAY BE NECESSARY FOR
28 THIS PURPOSE.**

1 "THE BUREAU OR THE APPROPRIATE DOLE REGIONAL
2 OFFICE OR FIELD OFFICE SHALL ACT ON ALL APPLICATIONS
3 FOR REGISTRATION WITHIN ONE CALENDAR DAY FROM
4 RECEIPT THEREOF."

5 SEC. 3. Article 236 of the Labor Code is hereby amended to read as
6 follows:

7 "Article 236. *Dental of registration; appeal.* - The
8 decision of the [Labor Relations Division in the regional office]
9 DOLE REGIONAL OFFICE OR FIELD OFFICE denying registration
10 may be appealed by the applicant union to the Bureau within ten
11 days from receipt of notice thereof."

12 SEC. 4. Article 237 of the Labor Code is hereby amended to read as
13 follows:

14 "Article 237. [*Additional r*]Requirements for [*f*]Federations
15 or [*n*]National [*u*]Unions. - [Subject to Article 238, i]If the
16 applicant for registration is a federation or a national union, it
17 shall, in addition to the requirements of the preceding Articles,
18 submit the following:

19 "(a) Proof of the affiliation of at least [ten (10)] FIVE (5)
20 local[s or] chapters, each of which must be a duly recognized
21 collective bargaining agent in the establishment or industry in
22 which it operates, supporting the registration of such applicant
23 federation or national union; AND

24 "(b) The names and addresses of the companies where the
25 local[s or] chapters operate and the list of all the members in each
26 company involved."

27 SEC. 5. *Implementing Rules and Regulations.* - Within sixty (60)
28 days from the effectivity of this Act, the Secretary of Labor and Employment

1 shall promulgate the necessary rules and regulations to implement the
2 provisions of this Act.

3 SEC. 6. *Separability Clause.* – If any part, section or provision of
4 this Act shall be held invalid or unconstitutional, the other provisions not
5 affected by such declaration shall remain in full force and effect.

6 SEC. 7. *Repealing Clause.* – All laws, acts, decrees, executive
7 orders, rules and regulations or other issuances or parts thereof which are
8 inconsistent with this Act are hereby modified or repealed.

9 SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days
10 after its publication in the *Official Gazette* or in a newspaper of national
11 circulation.

Approved,

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