


NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )

23 MAY -3 A11 :36

RECEIVED BY: 

**SENATE**  
**S. No 2110**

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Introduced by Senator Christopher Lawrence "Bong" T. Go

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**AN ACT**  
**GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE SPOUSE AND DEPENDENT CHILDREN OF A DECEASED RETIRED CHAIRPERSON, COMMISSIONER OR LABOR ARBITER OF THE NATIONAL LABOR RELATIONS COMMISSION AND APPROPRIATING FUNDS THEREFOR**

**EXPLANATORY NOTE**

Section 8, Article XVI of the 1987 Constitution provides that "the State shall, from time to time, review to upgrade the pensions and other benefits due to retirees of both the government and private sectors." Meanwhile, Republic Act (RA) No. 9347 which rationalized the functions of the National Labor Relations Commission (NLRC) also provides that "the Chairman and members of the Commission shall have the same rank, receive an annual salary equivalent to and be entitled to the same allowances, retirement and benefits as those of the Presiding Justice and Associate Justices of the Court of Appeals, respectively. Labor Arbiters shall have the same rank, receive an annual salary equivalent to and be entitled to the same allowances, retirement and other benefits and privileges as those of the judges of the regional trial courts."

With the enactment of RA 9946, members of the Judiciary and their beneficiaries were granted additional retirement and survivorship benefits. However, the chairperson, commissioners and labor arbiters of the NLRC are not covered by the increase in retirement and survivorship benefits.

In order to make the retirement benefits of labor arbiters at par with that of the members of the Judiciary, his bill seeks to grant survivorship benefits to the surviving legitimate spouse of the deceased retired chairperson, commissioners and labor arbiters of the National Labor Relations Commission. Through this bill, we seek to rectify the seemingly skewed situation where appellate court justices and NLRC commissioners, as well as regional trial court judges and labor arbiters, do not enjoy the same retirement and survivorship benefits.

In view of the foregoing, the approval of this measure is earnestly sought.

A handwritten signature in black ink, appearing to be 'Bong T. Go', written over a diagonal line that extends from the top right towards the bottom left.

**SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO**

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

1       **SECTION 1.** In case of death of the chairperson, commissioner or labor arbiter of  
2 the National Labor Relations Commission (NLRC), who has retired, or was eligible for  
3 optional retirement at the time of death, the surviving legitimate spouse and dependent  
4 children of the deceased is entitled to receive, on a monthly basis, all the retirement  
5 benefits that the deceased chairperson, commissioner or labor arbiter of the NLRC  
6 would have received at the time of demise.

7  
8       For purposes of this Act, "dependent children" refers to a legitimate, illegitimate or  
9 legally adopted child who is chiefly dependent on the said deceased chairperson,  
10 commissioner or labor arbiter, if such dependent is not more than twenty-one (21)  
11 years of age, unmarried and not gainfully employed, or if such dependent, regardless of  
12 age, is incapable of self-support because of any mental or physical defect or condition.

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14       The surviving legitimate spouse shall continue to receive such retirement benefits  
15 until the death or remarriage of the said surviving spouse: *Provided*, That the surviving  
16 spouse and dependent children shall each equally share the retirement benefits.

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18       **SEC. 2.** The amount necessary for the initial implementation of this Act shall be  
19 charged against the savings of the NLRC for the current year.

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Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

**SEC. 3.** All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SEC. 4.** This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*