

[REPUBLIC ACT NO. 10396, March 14, 2013]

AN ACT STRENGTHENING CONCILIATION-MEDIATION AS A VOLUNTARY MODE OF DISPUTE SETTLEMENT FOR ALL LABOR CASES, AMENDING FOR THIS PURPOSE ARTICLE 228 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:

SECTION 1. A new article is hereby inserted in the Labor Code to read as follows:

"ART. 228. *Mandatory Conciliation and Endorsement of Cases.* – (a) Except as provided in Title VII-A, Book V of this Code, as amended, or as may be excepted by the Secretary of Labor and Employment, all issues arising from labor and employment shall be subject to mandatory conciliation-mediation. The labor arbiter or the appropriate DOLE agency or office that has jurisdiction over the dispute shall entertain only endorsed or referred cases by the duly authorized officer.

"(b) Any or both parties involved in the dispute may pre-terminate the conciliation-mediation proceedings and request referral or endorsement to the appropriate DOLE agency or office which has jurisdiction over the dispute, or if both parties so agree, refer the unresolved issues to voluntary arbitration."

SEC. 2. *Implementing Rules and Regulations.* – The Secretary of Labor and Employment shall promulgate the necessary rules and regulations to implement the provisions of this Act.

SEC. 3. *Repealing Clause.* – Presidential Decree No. 442, as amended, otherwise known as the "Labor Code of the Philippines", and all other acts, laws, presidential issuances, rules and regulations inconsistent herewith are hereby repealed, amended or modified accordingly.

SEC. 4. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in at least two (2) newspapers of national circulation.

Approved,

(Sgd.) **JUAN PONCE
ENRILE**
President of the Senate

(Sgd.) **FELICIANO
BELMONTE JR.**
*Speaker of the House
of Representatives*

This Act which is a consolidation of Senate Bill No. 2918 and House Bill No. 6686 was finally passed by the Senate and the House of Representatives on January 28,