

[ **NLRC En Banc Resolution No. 02-15, March 12, 2015** ]

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

*Adopted: 12 March 2015*

*Date Filed: 21 July 2015*

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;
- (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.