

[NLRC EN BANC RESOLUTION NO. 10-13, October 09, 2013]

AMENDMENT TO SECTION 4, RULE III OF THE 2011 NLRC RULES OF PROCEDURE, AS AMENDED

Adopted: 09 October 2013

Date Filed: 22 April 2014

WHEREAS, Article 224 (a) of the Labor Code, as amended, states that – “xxx. In any case, it shall be the duty of the responsible officer to separately furnish immediately the counsels of record and parties with copies of said decisions, orders or awards. Failure to comply with the duty prescribed herein shall subject such responsible officer to appropriate administrative sanctions.”

WHEREAS, Section 4, Rule III of the 2011 NLRC Rules of Procedure, as amended, does not include personal service as a mode of serving decisions and final awards on both parties and their counsel;

WHEREAS, to effect immediate service of decisions and final awards, there is a need to supplement Section 4, Rule III of the 2011 NLRC Rules of Procedure, as amended;

WHEREFORE, RESOLVED AS IT IS HEREBY RESOLVED, that Section 4, Rule III of the 2011 NLRC Rules of Procedure, as amended, shall read as follows:

- b) In case of decisions and final awards, copies thereof shall be served on both parties and their counsel or representative by ***personal service***, registered mail or by private courier; Provided that, in cases where a party to a case or his/her counsel on record personally seeks service of the decision upon inquiry thereon, service to said party shall be deemed effected as herein provided. Where parties are numerous, service shall be made on counsel and upon such number of complainants, as may be practicable and shall be considered substantial compliance with Article 224(a) of the Labor Code, as amended.

xxx.

Signed this 9th day of October 2013 at Tagaytay City, Philippines.

(SGD) GERARDO C. NOGRALES
Chairman

(SGD) RAUL T. AQUINO
Presiding Commissioner

(SGD) ALEX A. LOPEZ
Presiding Commissioner