

[Commonwealth Act No. 559, June 07, 1940]

AN ACT TO AMEND COMMONWEALTH ACT NUMBERED ONE HUNDRED AND THREE, AS AMENDED.

Be it enacted by the National Assembly of the Philippines:

Sec. 1. Section one of Commonwealth Act Numbered One hundred and three, as amended by Commonwealth Act Numbered Two hundred and fifty-four, is further amended to read as follows:

"SECTION 1. *Jurisdiction - Judges.* - There is created a Court of Industrial Relations hereinafter called die court, which shall have jurisdiction over the entire Philippines, to consider, investigate, decide, and settle all questions, matters, controversies, or disputes arising between, and/or affecting employers and employees or laborers, and landlords and tenants or farm-laborers, and regulate the relations between them, subject to the provisions of this Act.

"The Court shall also have jurisdiction over cases submitted to it under the provisions of Commonwealth Act Numbered Four hundred and sixty-one.

"The Court shall consist of a presiding Judge and four associate Judges to be appointed by the President of the Philippines with the consent of die Commission on Appointments of the National Assembly. The Judges of the Court shall have the same qualifications provided in die Constitution for members of the Supreme Court, and shall hold office during good behavior until they reach the age of seventy years, or become incapacitated to discharge the duties of their office. Whenever die terms 'senior judge' or 'judge' and 'judges' appear in Commonwealth Act Numbered One hundred and three, as amended, they shall, unless die context, otherwise provides, mean 'presiding judge,' and ' associate judge,' respectively.

"They may be suspended or removed in the sane manner and upon die same grounds as the Judges of die Court of First Instance.

"The presiding Judge shall receive an annual compensation of eleven thousand pesos and the four associate Judges shall receive an annual compensation of ten thousand pesos each. they shall be entitled to traveling expenses and per diems when performing official duties outside of the City of Manila.

"The Department of Justice shall have executive supervision over die Court.

"The Court shall keep a record of its proceedings. The Judges shall act on such matters as the presiding Judge may designate and each of them shall have power to preside over hearing of cases assigned to him and to render decisions thereon.

"Should any party aggrieved by a ruling or decision of any of the Judges, request a reconsideration thereof, or at the request of any of them, the Judges shall sit together, and the concurrence of at least three of the five judges shall be necessary for the pronouncement of a decision, order, or award.

"If on account of illness, absence, or incapacity of any of the judges of the court, or, whenever, by reason of temporary disability of any judge thereof or of a vacancy occurring therein, the requisite number of judges necessary to render a decision, order, or award in my case, is not present, or, in the event of a tie vote among the Judges, the

Secretary of Justice may designate such number of judges of the Court of First Instance, as may be necessary, to sit temporarily as judges of the said court, until a decision, order, or award in said case is readied."

SEC. 2. Section four of die same. Act is amended to read as follows:

"SEC. 4. *Strikes and lockouts.* - The Court, shall take cognizance for purposes of prevention, arbitration, decision, and settlement, of any industrial or agricultural dispute causing or likely to cause a strike or lockout, arising from differences as regards wages, shares or compensation, dismissals, lay-offs, or suspensions of employees or laborers, tenants or farm-laborers, hours of labor, or conditions of tenancy or employment, between employers and employees or laborers aid between landlords and tenants or farm-laborers, provided that the number of employees, laborers or tenants or farm-laborers involved exceeds dirty,aid such industrial or agricultural dispute is submitted to the Court by the Secretary of Labor, or by any or both of the parties to the controversy. In all such cases, the Secretary of Labor or the party or parties submitting the disputes, shall clearly and specifically state in writing the questions to be decided. Upon the submission of such a controversy or question by the Secretary of Labor, his intervention therein as authorized by law, shall cease.

"The Court shall, before hearing the dispute aid in the course of such hearing, endeavor to reconcile the parties and induce them to settle die dispute by amicable agreement. If any agreement as to die whole or any part of the dispute is arrived at by the parties, a memorandum o f its terms shall be made in writing, signed and acknowledged by the parties thereto before any Judge of the Court or any official acting in his behalf and authorized to administer oaths or acknowledgments, or, before a notary public. The memorandum shall be filed in die office of die Clerk of Court, and, unless otherwise ordered by die Court, shall, as between the parties to the agreement, have the same effect as, and be deemed to be, a decision or award."

SEC. 3. Section six of the same Act, e.s amended by Commonwealth Act Numbered Three hundred and fifty-five, is further Emended to read as follows:

"SEC. 6. *The power to issue subpoena, to punish for direct and indirect contempts, proceedings, etc.* - The Court or any Judge thereof shall have

die power to administer oaths in matters connected with the business of die Court; summon the parties to a controversy before the Court, issue subpoena, require die attendance and testimony of witnesses and die production of such books, papers, contracts, records, statements of accounts, agreements and statements as may be material to a just determination of the matter under investigation or hearing conducted in pursuance of the provisions of this Act, and delegate all such powers to any board or person who shall act in behalf of die Court. The Court or any Judge thereof shall have, furthermore, all die inherent powers of a court of justice provided in paragraph 5 of Rule 124 of the Supreme Court, as well as the power to punish direct, and indirect contempt's as provided in Rule 64 of the same Court, under die same procedure and penalties provided therein.

"Any violation of any order, award, or decision of the Court of Industrial Relations shall, after such order, award, or decision has become final, conclusive, and executory, constitute contempt of court: Provided, however, That the complaint charging the commission of indirect contempt of the Court of Industrial Relations shall be in writing, signed and filed with the Clerk of die Court by the Attorney of the Court or other officer or employee thereof designated by it, or any provincial or city attorney designated by die Secretary of Justice.

"In case the employer or landlord committing any such violation or contempt is an association or corporation, the manager or the person who has charge of the management of the business of die association or corporation and die officers or directors thereof who have ordered or authorized the violation or contempt shall be liable. In case the violation or contempt is committed by persons belonging to a labor union, association, or group of laborers, which union, association, or group directs or assumes die representation of such persons, die president, or die duly authorized representative of said union, association, or group who have caused die act which resulted in the contempt shall be liable.

"The proceedings for contempt mentioned in the last two preceding paragraphs shall be without prejudice to the criminal liability of the offender under die provisions of section 24 of this Act."

SEC. 4. Sections eleven, twelve, fourteen, and fifteen of the same Act are amended so as to read as follows:

"SEC. 11. *Court authorized to seek help from other officers.* - The Court shall have die power to require the services of any Government official or employee, to help it, without additional compensation, in the performance of its duties.

"All writs and processes issued by the. Court shall be served and executed free of charge by provincial or city sheriffs, or by any person authorized by the Court, in the same manner as writs and processes of Courts of First Instance.

"SEC. 12. *Power of inspection.* - A Judge of the Court or any officer