ZG LAW

ZAMBRANO GRUBA CAGANDA & ADVINCULA

CLIENT ADVISORY
National Labor Relations Commission Procedural Matters

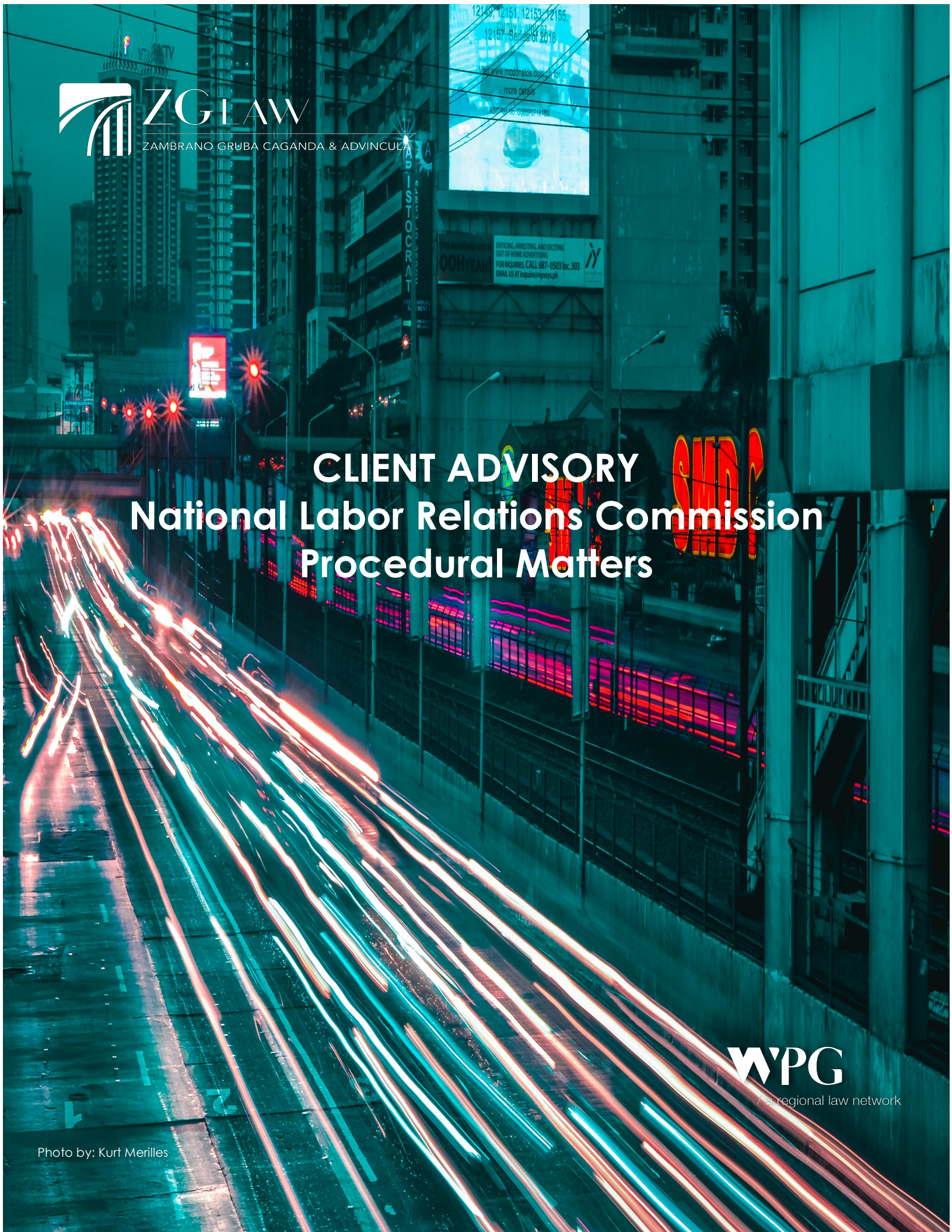

Photo by: Kurt Merilles

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A regional law network

Q: Are the offices at the National Labor Relations Commission ("NLRC") and the Regional Arbitration Branches ("RAB") open during the period of enhanced community quarantine?

A: **No.** As provided under the NLRC Covid-19 Advisory No. 05, work at the Commission Proper, including all Divisions, and in all units and Offices of the Labor Arbiters shall be suspended during the period of the enhanced community quarantine.

Q: Will the filing period with the NLRC and the RAB be extended?

A: **Yes**. The Filing of *Motions for Reconsideration* ("MR") and *Petitions for Extraordinary Remedies* ("LER") before the Commission Proper and the filing of appeals before the RAB are suspended starting March 16, 2020 and shall recommence upon the resumption of regular operations.

Q: When should walk-in settlements be filed?

A: Upon the resumption of regular office operations, the parties are advised to submit before the Office of the Executive Labor Arbiter their notarized *Compromise Agreement* and/or *Quitclaims, Release and Waiver*.

Q: What will happen to the SENA Conciliation and Mediation Conferences ("SENA Conferences") scheduled during the period of enhanced community quarantine?

A: All scheduled SENA Conferences during the enhanced community quarantine period are terminated. Referral for compulsory arbitration or to other appropriate offices will be issued by the handling SENA Conciliator-Mediator upon resumption of regular operations.

Q: What about the Mandatory Conciliation and Mediation Conferences scheduled during the period of enhanced community quarantine?

A: All scheduled Mandatory Conciliation and Mediation Conferences during the quarantine period are likewise terminated. All parties are mandated to file their respective *Position Papers* fifteen (15) calendar days from the date of resumption of regular operations, without prejudice to settlement or the filing of a joint motion to conduct mandatory conciliation and mediation conference.

Q: What about other hearings scheduled during the period of enhanced community quarantine?

A: All other hearings scheduled during the quarantine period are reset to one (1) month from the date of scheduled conference.

Q: What about auction sales scheduled during the period of enhanced community quarantine?

A: All auction sales scheduled during the period of the quarantine shall be reset fifteen (15) calendar days from the date of resumption of regular operations.

Q: What rules shall govern the temporary closure of the NLRC offices in Quezon City last March 11 to 13, 2020?

A: The same provisions of Advisory No. 05 shall also apply to the filing of MRs, LERs, appeals, SENA conciliation and mediation conferences, and mandatory conciliation and mediation conferences scheduled on March 11 to 13, 2020 which were affected by the temporary closure of the NLRC offices in Quezon City.

Disclaimer: The information in this article is for general information only and is not intended nor should be construed as a substitute for legal advice on any specific matter. A professional legal advice is still advisable and necessary.