

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

Eighteenth Congress  
First Regular Session

HOUSE BILL NO. 4805



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**Introduced by Representative Jericho Jonas B. Nograles**

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**EXPLANATORY NOTE**

Section 8, Article XVI of the 1987 Constitution provides that "*The State shall, from time to time, review to upgrade the pensions and other benefits due to retirees of both the government and private sectors.*" Pursuant to this constitutional mandate, this bill seeks to grant survivorship benefits to the surviving legitimate spouse of the deceased retired chairperson, commissioners and labor arbiters of the National Labor Relations Commission (NLRC).

Section 4 of Republic Act (RA) No. 9347 provides that "*The Chairman and members of the Commission shall have the same rank, receive an annual salary equivalent to and be entitled to the same allowances, retirement and benefits as those of the Presiding Justice and Associate Justices of the Court of Appeals, respectively. Labor Arbiters shall have the same rank, receive an annual salary equivalent to and be entitled to the same allowances, retirement and other benefits and privileges as those of the judges of the regional trial courts. In no case however, shall the provision of this Article result in the diminution of the existing salaries, allowances and benefits of the aforementioned officials.*"

With the enactment of RA 9946, additional retirement and survivorship benefits were granted to members of the Judiciary and their beneficiaries. However, the chairperson, commissioners and labor arbiters of the NLRC are not covered by the increase in retirement and survivorship benefits.

Through this bill, we seek to rectify the seemingly skewed situation where appellate court justices and NLRC commissioners, as well as regional trial court judges and labor arbiters, although considered to be of the same rank, do not enjoy the same retirement and survivorship benefits.

Given the foregoing, immediate passage of this bill is earnestly sought.

*Jericho Nograles*

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AN ACT  
GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING  
LEGITIMATE SPOUSE OF A DECEASED CHAIRPERSON,  
COMMISSIONER OR LABOR ARBITER OF THE NATIONAL LABOR  
RELATIONS COMMISSION

*Be it enacted by the Senate and House of Representatives of the Philippines in  
Congress assembled:*

SECTION 1. *Survivorship Benefits.* – Upon the death of the retired  
chairperson, commissioner or labor arbiter of the NLRC, if such chairperson,  
commissioner or labor arbiter has retired, or was eligible for optional retirement  
at the time of death, the surviving legitimate spouse of the deceased is entitled  
to receive, on a monthly basis, all the retirement benefits that the deceased  
chairperson, commissioner or labor arbiter of the NLRC would have received at  
the time of demise. The surviving legitimate spouse shall continue to receive  
such retirement benefits until the death or remarriage of the said surviving  
spouse.



1        SEC. 2. **Funding.** – The amount necessary for the initial implementation  
2 of this Act shall be charged against the savings of the NLRC for the current  
3 year.    Thereafter, such sums as may be necessary for the continued  
4 implementation of this Act shall be included in the annual General  
5 Appropriations Act.

6        SEC. 3. **Repealing Clause.** – All laws, decrees, orders, rules and  
7 regulations or parts thereof inconsistent with the provisions of this Act are  
8 hereby repealed or modified accordingly.

9        SEC. 4. **Effectivity.** – This Act shall take effect fifteen (15) days after its  
10 publication in the *Official Gazette* or in a newspaper of general circulation.

11        Approved,