

# Republic of the Philippines DEPARTMENT OF LABOR AND EMPLOYMENT

#### NATIONAL CONCILIATION AND MEDIATION BOARD





# Alternative Dispute Resolution Updates

**Preliminary** 

As of 30 April 2022

This ADR Update records in brief the collective accomplishments of NCMB as of April 2022.

# I. PREVENTIVE MEDIATION (PM)

- 27 cases pending at the beginning of the year
- 131 new cases have been filed since the start of the year (26 new cases filed in April)
- 158 total cases handled as of 30 April 2022
- Disposition rate: 76% (120 of the 158 total cases handled)
  - 84 cases disposed within the process cycle time (PCT = 35 days)
  - o 36 cases disposed beyond PCT
- Settlement rate: 72% (114 of the 158 total cases handled)
- Average duration to settle: 34 days
- 38 cases pending by the end of April 2022
  - o 22 pending cases are 35 days old or younger
  - 16 pending cases are older than the PCT
- Monetary benefits: Php114,595,785 benefitting 1,259 workers

## II. NOTICES OF STRIKE/LOCKOUT (NS/L)

- 26 cases pending at the beginning of the year
- 43 new cases have been filed since the start of the year (10 new cases filed in April)
- 69 total cases handled as of 30 April 2022
- Disposition rate: 58% (40 of the 69 total cases handled)
  - 31 cases disposed within the process cycle time (PCT = 60 days)
  - 9 cases disposed beyond PCT
- Settlement rate: 51% (35 of the 69 total cases handled)
- Average duration to settle: 96 days
- 29 cases pending as of 30 April 2022
  - o 15 pending cases are 60 days old or younger
  - o 14 pending cases are older than the PCT
- Monetary benefits: Php 504,535,481 benefitting 2,027 workers
- Mandays saved: 2,768,229<sup>1</sup>

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<sup>&</sup>lt;sup>1</sup> computed as average strike duration for the last five years multiplied by the number of workers involved in NS/L handled during the reporting period.

# III. ACTUAL STRIKES/LOCKOUTS (AS/L)

- Two (2) cases pending at the beginning of the year
- No work stoppages have been monitored in April 2022
- Four (4) cases handled as of 30 April 2022

REGION	DOCKET NUMBER	DECLARED	STATUS	DATE DISPOSED	ISSUES INVOLVED	SPECIFIC ISSUE
RCMB 12	SOC-AS- 11-0001- 2021	11/18/2021	Settled Amicably	04/11/2022	BD	Allowances, Overtime Pay, Holiday Pay
RCMB NCR	VAL-AS- 12-0001- 2021	12/16/2021	Settled	02/09/2022	ULP	Illegal Dismissal/Suspension of Union Members/Officers, Discrimination against/harassment of union members/union busting
RCMB 10	MOR-AS- 03-0001- 2022	03/16/2022	Certified for Compulsory Arbitration	03/16/2022	ULP	Illegal Dismissal/Suspension of Union Members/Officers
RCMB 4A	QUE-AS- 03-0001- 2022	03/28/2022	Settled Amicably	04/13/2022	ULP	Illegal Dismissal/Suspension of Union Members/Officers, Discrimination against/harassment of union members/union busting

- Four (4) work stoppages have been disposed of.
  - o 2 cases disposed within the process cycle time (PCT = 40 days)
  - o 2 cases disposed beyond PCT
- Total man-days lost: 9,290

# GOVERNMENT INTERVENTION IN LABOR DISPUTES (Comparative 2021–2022)

		2021 (/	April)		2022 (YTD)							
Particulars	No. Cases Handled	-		Total AJ & CCA	No. Cases Handled	AJ	CCA	Total AJ & CCA				
Actual Strikes/ Lockouts	1	0	0	0	4	0	1	1				
Notices of Strike/ Lockout	63	0	0	0	69	2	0	2				
Preventive Mediation	191	0	0	0	158	0	0	0				
Total	255	0	0	0	231	2	1	3				
% of AJ/CCA to TCH		0.00%	0.00%	0.00%		0.87%	0.43%	1.30%				

# ISSUES INVOLVED IN NEWLY DECLARED/FILED LABOR DISPUTES (January 1 – April 30, 2022)

Issues Involved in Labor Disputes													
Cases Type	Total Cases	Unfair Labor Practice (ULP)	Bargaining Deadlock (BD)	Raised Both Issues ULP/BD									
Actual Strike/Lockout	2	2	0	0									
Notices of Strike/Lockout	43	30	10	3									
Preventive Mediation	131	106	20	5									
Total Cases	176	138	30	8									

## IV. SINGLE ENTRY APPROACH (SEnA)

- 132 Requests for Assistance (RFAs) pending at the beginning of the year
- 1,246 new RFAs have been filed since the start of the year (180 new RFAs filed in April)
- 1,378 total RFAs handled as of 30 April 2022
- Disposition rate: 88% (1,211 of the 1,378 total RFAs handled)
  - 1179 RFAs disposed within the process cycle time (PCT = 30+15 days)
  - o 32 RFAs disposed beyond the PCT
- Settlement rate: 57% (788 of the 1,378 total RFAs handled)
  - 770 RFAs settled within the process cycle time (PCT = 30 days +15 days)
  - o 18 RFA settled beyond the process cycle time
- Average duration to settle: 10 days
- 167 pending RFAs as of 30 April 2022
  - o 131 RFAs pending within the process cycle time (PCT = 30 days)
  - o 36 RFAs pending beyond the process cycle time
- Monetary benefits: Php102,703,562 benefitting 1,070 workers

No. of RFAs Filed, Settled, Monetary Benefits and Workers Benefitted: Philippines 2016-2022(YTD)

RFA	No. of RFAs Received	No. of RFAs Settled	Monetary Benefits (in thousands)	Workers Benefitted
2016	6,005	4,638	196,287,232	5,256
2017	6,214	3,925	263,985,481	5,565
2018	5,666	3,689	193,325,369	5,352
2019	5,742	3,838	214,517,261	5,276
2020	3,155	2,095	140,726,523	3,010
2021	3,436	2,212	215,329,698	3,299
2022 (YTD)	1,246	788	102,703,562	1,070
Total	31,464	21,185	1,326,875,126	28,828

## V. VOLUNTARY ARBITRATION (VA)

- 436 cases pending at the beginning of the year
- 492 new VA cases have been submitted since the start of the year (82 new VA cases filed in April)
- 928 cases handled as of 30 April 2022
- 46% disposition rate (424 of the 928 total cases handled)
  - 333 cases disposed within the process cycle time (PCT = 90 days)
  - 91 cases disposed beyond PCT
- Average duration to decide:
  - o 235 days from the date of acceptance by the arbitrator
  - 123 days from submission for resolution
- 504 cases pending as of 30 April 2022
- Monetary benefits: Php 1,049,533,230.64 benefitting 526 workers

# No. of VA Cases Handled, Monetary Benefits and Workers Benefitted: Philippines 2017-2022(YTD)

Year	No. new of VA Submitted	Monetary Benefits	Workers Benefitted
2017	527	1,367,789,756	865
2018	545	1,431,597,325	831
2019	609	1,447,543,071	473
2020	859	2,337,822,029	859
2021	1,301	3,248,460,001	1,592
2022(YTD)	492	1,049,533,231	526
Total	4,333	10,882,745,413	5,146

#### VI. WORKPLACE RELATIONS ENHANCEMENT

- 117 LMCs have been facilitated since January 2022 (11 in organized company and 106 in unorganized companies)
- 760 LMCs enhanced (247 in organized companies and 513 in unorganized companies)
- 2,004 companies reached through promotional/pre-facilitation activities as of April 2022
- 4,734 existing LMCs nationwide as of 30 April 2022 (1,612 in organized companies; 3,122 in unorganized establishments)
- 98.83% or 4,483 out of 4,536 companies with LMCs were not involved in AS/L, NS/L, PM cases during the period.

## VII. CONVERGENCE PROGRAM WITH DOLE

- LMCs Enhanced through convergence programs as of April 2022:
  - 185 LMCs enhanced through convergence program with NWPC (productivity):
  - o 183 LMC in OSHC and ECC on occupational safety and health;
  - o 292 LMCs with BWSC on family welfare program

## VIII. GRIEVANCE MACHINERY (GM)

- 116 GMs operationalized / institutionalized as of April 2022 (11 in organized and 105 in unorganized)
- 815 GMs enhanced (288 in organized and 527 in unorganized establishments)
- 4,900 existing/active GMs nationwide as of 30 April 2022 (1,905 in organized establishments; 2,995 in unorganized establishments)
- 98.86% or 4,523 out of 4,575 companies with GMs were not involved in AS/L, NS/L, PM cases during the period.

MARIA TERESITA D. LACSAMANA-CANCIO

Executive Director IV

10 May 2022

Table 1. Comparative Summary of Conciliation-Mediation Cases, Philippines

Indicators	A. Actual 9	Strikes/Lockouts (AS	SL)	B. Notices o	f Strikes/Lockouts	(NSL)	C. Preventiv	e Mediation Case	es (PM)
illuitatuis	2021	2022	% change	2021	2022	% change	2021	2022	% change
Pending, beginning of period	1	2		25	26		35	27	
New cases filed/declared Cases treated as PM	0	2	#DIV/0!	38	43	13%	156 0	131 0	
Total PM Cases Filed							156	131	-16%
Total Cases Handled	1	4		63	69		191	158	
Workers involved in new cases	0	38	#DIV/0!	10,125	11,205	11%	32,974	28,140	-15%
Mandays Lost	3,156	9,290	194%						
Cases Disposed	0	4		33	40		137	120	
Settled	0	3		33	35		133	114	
Assumed Jurisdiction (AJ)	0	0		0	2		0	0	
Certified for Compulsory Arbitration (	0	1		0	0		0	0	
Materialized into Actual S/L (MAS)	0	0		0	2		0	0	
Materialized into Notice of S/L (MSN	0	0		0	0		4	5	
Subsumed/Consolidated to AJ/CCA/N	0	0		0	0		0	0	
Dropped	0	0		0	0		0	0	
Others	0	0		0	1		0	1	
Disposition Rate	0.0%	100.0%	100%	52.4%	58.0%	6%	71.7%	75.9%	4%
(Work Normalization on AS/L)									
Settlement Rate	0.0%	75.0%	75%	52.4%	50.7%	-2%	69.6%	72.2%	3%
Success Rate **	-	-		100.0%	97.1%	-3%	100.0%	100.0%	0%
Dispute Management Rate ***	100.0%	99.1%	0.9%	-			-		
Pending, end of period	1	0		30	29		54	38	

<sup>\*\*</sup>Conciliation Success Rate (or success rate in short) - reflects the result of the Board's conciliation-mediation efforts to prevent potential labor disputes from maturing into full-blown labor disputes. It is computed as N-MAS/N where N is the total number of cases handled and MAS the cases that materialized into Actual Strike/s. Success rate is computed separately for NSL and PM cases.

<sup>\*\*\*</sup> Dispute Management Rate reflects the result of the Board's overall efforts in minimizing the occurence of Actual Strikes thru efficient and effective handling of labor disputes. Formula: TNSC-MAS/TNSC, where TNSC (Total Non-Strike Cases) is the combined NSL and PM cases handled.

Table 2. Statistics on Actual Strikes/Lockouts by Month, Philippines: 2021 and 2022

Month	Actual Strike		Cases [	)ispose d	Pending at the P	the End of eriod	Workers	Involved	Mandays Lost	
	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022
TOTAL (YTD)	О	2	o	4	1	o	o	38	3,156	9,290
January	0	0	0	0	1	2	0	0	600	3,500
February	0	0	0	1	1	1	0	0	792	2,380
March	0	2	0	1	1	2	0	38	864	2,378
April	0	0	0	2	1	0	0	0	900	1,032
May	0		0		1		0		900	
June	0		0		1		0		900	
July	0		0		1		0		936	
August	0		0		1		0		900	
September	0		0		1		0		936	
October	0		0		1		0		936	
November	2		1		2		110		1,672	
December	1		1		2		56		2,824	
TOTAL	3		2				166		13,160	
Pending Beginning (2021)		1								
Pending Beginning (2022)		2								

Table 3. Actual Strikes/Lockouts Handled, By Manner of Disposition and Month: Philippines

Indicator	Total	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	ОСТ	NOV	DEC
Pending, beginning of period	2	2	2	1	2								
New Actual Strikes/Lockouts declared	2	0	0	2	0								
Total Coope Handlad		,	,	2	2								
Total Cases Handled	4	2	2	3	2								
Workers involved in strikes/lockouts	38	0	0	38	0								
declared during the period													
Mandays Lost, to date	9,290	3,500	2,380	2,378	1,032								
Work Normalized	4	0	1	1	2								
Settled	3	0	1	0	2								
Assumed Jurisdiction	0	0	0	0	0								
Certified for Compulsory Arbitration	1	0	0	1	0								
Subsumed/Consolidated to AJ/CCA	0	0	0	0	0								
Others	0	0	0	0	0								
Dropped	0	0	0	0	0								
Pending, end of period	0	2	1	2	0								
Work Normalization Rate	100%	0%	50%	33%	100%								
WOLK WOLLINGIE ALIOH MALE	100%	0%	30%	33/0	100%								
Settlement Rate	75%	0%	50%	0%	100%								
		]		270									
Duration to Dispose	44	0	44	1	66								

## Table 4. Actual Strikes/Lockouts Handled, By Manner and Region: Philippines

1- dl4							JI II JU 2022	REGION	√р								
Indicator	Total	NCR	CAR	R01	R02	R03	R04-A	R04-B	R05	R06	R07	R08	R09	R10	R11	R12	R13
Pending, beginning of period	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
New Actual Strikes/Lockouts declared	2	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0
Total Cases Handled	4	1	0	0	0	0	1	0	0	0	0	0	0	1	0	1	0
Workers involved in strikes/lockouts declared during the period	38	0	0	0	0	0	36	0	0	0	0	0	0	2	0	0	0
Mandays Lost, to date	9,290	1,848	0	0	0	0	468	0	0	0	0	0	0	2	0	6,972	0
Work Normalized	4	1	0	0	0	0	1	0	0	0	0	0	0	1	0	1	0
Settled	3	1	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0
As sumed Jurisdiction	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Certified for Compulsory Arbitration	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
Subsumed/Consolidated to AJ/CCA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Others	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dropped	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pending, end of period	0	0	0	0	0	0	o	0	0	0	0	0	0	0	0	0	0
Work Normalization Rate	100%	100%	0%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%	100%	0%	100%	0%
Settlement Rate	75%	100%	0%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%
Duration to Dispose	44	44	0	0	0	0	14	0	0	0	0	0	0	1	0	117	0

Table 5. Statistics on Notices of Strikes/Lockouts by Month, Philippines: 2021 and 2022 As of April 30 2022

Month	Notic Strikes/L		Cases D	isposed	Pending at the Pe		Workers Involved		
	2021	2022	2021	2022	2021	2022	2021	2022	
TOTAL (YTD)	38	43	33	40	30	29	10,125	11,205	
January	14	6	4	6	35	26	6,053	1,226	
February	7	15	7	11	35	30	1,029	4,914	
March	8	12	10	15	33	27	1,044	1,965	
April	9	10	12	8	30	29	1,999	3,100	
May	15		5		40		2,043		
June	14		11		43		6,356		
July	13		20		36		2,841		
August	9		8		37		1,918		
September	8		14		31		5,709		
October	12		8		35		4,018		
November	18		15		38		9,853		
December	6		18		27		669		
TOTAL	133		132				43,532		
Pending Beginning (2021)		25							
Pending Beginning (2022)		26							

Table 6. Notices of Strikes/Lockouts Handled, By Manner of Disposition and Month: Philippines

Indicator	Total	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	ОСТ	NOV	DEC
Pending, beginning of period	26	26	26	30	27								
New Notices of Strike/Lockout filed	43	6	15	12	10								
Total Cases Handled	69	32	41	42	37								
Workers involved in notices of strikes/ lockouts filed during the period	11,205	1,226	4,914	1,965	3,100								
Cases Disposed	40	6	11	15	8								
Settled	35	6	10	13	6								
Assumed Jurisdiction	2	0	1	0	1								
Certified for Compulsory Arbitration	0	0	0	0	0								
Materialized into Actual Strike/Lockout	2	0	0	2	0								
Subsumed/Consolidated to AJ/CCA	0	0	0	0	0								
Others	1	0	0	0	1								
Pending, end of period	29	26	30	27	29								
Disposition Rate	58%	19%	27%	36%	22%								
Settlement Rate	51%	19%	24%	31%	16%								
Duration to Settle	96	92	207	55	36								

## Table 7. Notices of Strikes/Lockouts Handled, By Manner and Region: Philippines

to disease							ofii 30 2022	REGION	1/p								
Indicator	Total	N CR	CAR	R01	RO2	R03	R04-A	R04-B	R05	R06	R07	R08	R09	R10	R11	R12	R13
Pending, beginning of period	26	7	1	2	0	4	5	0	0	1	0	0	0	0	3	1	2
New Notices of Strike/Lockout filed	43	24	0	0	0	7	7	0	0	1	3	0	0	1	0	0	0
Total Cases Handled	69	31	1	2	0	11	12	0	0	2	3	0	0	1	3	1	2
Workers involved in notices of strikes/ lockouts filed during the period	11,205	4,562	0	0	0	3,920	1,409	0	0	21	1,153	0	0	140	0	0	0
Cases Disposed	40	19	1	0	0	3	9	0	0	2	2	0	0	1	3	0	0
Settled	35	18	1	0	0	3	7	0	0	1	2	0	0	0	3	0	0
Assumed Jurisdiction	2	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0
Certified for Compulsory Arbitration	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Materialized into Actual Strike/Lockout	2	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0
Subsume/Consolidated to AJ/CCA/MAS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Others	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pending, end of period	29	12	0	2	0	8	3	0	0	0	1	0	0	0	0	1	2
Disposition Rate	58%	61%	100%	0%	0%	27%	75%	0%	0%	100%	67%	0%	0%	100%	100%	0%	0%
Settlement Rate	51%	58%	100%	0%	0%	27%	58%	0%	0%	50%	67%	0%	0%	0%	100%	0%	0%
Duration to Settle	105	116	31	0	0	68	157	0	0	87	12	0	0	0	41	0	0

Table 8. Statistics on Preventive Mediation by Month, Philippines: 2021 and 2022 As of April 30 2022

Month	Preventive Cases		Cases D	isposed	Pending at the Po		Workers Involved		
	2021	2022	2021	2022	2021	2022	2021	2022	
TOTAL (YTD)	156	131	137	120	54	38	32,974	28,140	
January	40	32	18	23	57	36	7,679	3,502	
February	43	40	38	28	62	48	9,411	10,371	
March	39	33	47	39	54	42	6,053	7,110	
April	34	26	34	30	54	38	9,831	7,157	
May	31		37		46		6,758		
June	47		39		54		11,642		
July	40		38		56		9,778		
August	15		31		40		3,083		
September	32		29		44		11,776		
October	43		37		50		5,089		
November	33		42		41		8,392		
December	19		34		26		7,531		
TOTAL	416		424				97,023		
Pending Beginning (2021)		35							
Pending Beginning (2022)		27							

Table 9. Preventive Mediation Cases Handled, By Manner of Disposition and Month: Philippines

AS OT APPII 3U 2U22													
Indicator	Total	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	ОСТ	NOV	DEC
Pending, beginning of period	27	27	36	48	42								
Original Preventive Mediation Cases Filed	131	32 0	40	33	26 0								
Cases Treated as PM	0	U	0	0	U								
Total Cases Handled	158	59	76	81	68								
Workers involved in PM cases filed during the period	28,140	3,502	10,371	7,110	7,157								
Cases Disposed	120	23	28	39	30								
Settled	114	22	27	37	28								
Assumed Jurisdiction	0	0	0	0	0								
Certified for Compulsory Arbitration	0	0	0	0	0								
Materialized into Actual Strike/Lockout	0	0	0	0	0								
Materialized into Notice of Strike/Lockout	5	0	1	2	2								
Subsumed/Consolidated to AJ/CCA	0	0	0	0	0								
Others	1	1	0	0	0								
Pending, end of period	38	36	48	42	38								
Disposition Rate	76%	39%	37%	48%	44%								
Settlement Rate	72%	37%	36%	46%	41%								
Duration to Settle	34	31	29	43	34								
				l							I	I	1

Table 10. Preventive Mediation Cases Handled, By Manner and Region: Philippines

1-41-4		REGION/p															
Indicator	Total	NCR	CAR	R01	R02	R03	R04-A	R04-B	R05	R06	R07	R08	R09	R10	R11	R12	R13
Pending, beginning of period	27	10	0	0	0	7	7	0	0	0	0	0	0	3	0	0	0
Original Preventive Mediation Cases Filed	131	54	0	4	0	25	28	0	0	1	2	1	0	3	9	3	1
Cases Treated as PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Cases Handled	158	64	0	4	0	32	35	0	0	1	2	1	0	6	9	3	1
Workers involved in PM cases filed during the period	28,140	7,367	0	159	0	13,235	5,435	0	0	1	29	106	0	335	1,241	194	38
Cases Disposed	120	42	0	4	0	26	25	0	0	1	2	1	0	6	9	3	1
Settled	114	39	0	4	0	25	23	0	0	1	2	1	0	6	9	3	1
Assumed Juris diction	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Certified for Compulsory Arbitration	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Materialized into Actual Strike/Lockout	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Materialized into Notice of Strike/Lockout	5	3	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0 '
Subsume/Consolidated to AJ/CCA/MAS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Others	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
Pending, end of period	38	22	0	0	0	6	10	0	0	0	0	0	0	0	0	0	0
Disposition Rate	76%	66%	0%	100%	0%	81%	71%	0%	0%	100%	100%	100%	0%	100%	100%	100%	100%
Settlement Rate	72%	61%	0%	100%	0%	78%	66%	0%	0%	100%	100%	100%	0%	100%	100%	100%	100%
Duration to Settle	35	35	0	5	0	30	59	0	0	22	13	97	0	34	13	18	4