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Alternative Dispute Resolution Updates

Preliminary

As of 31 December 2021

This ADR Update records in brief the collective accomplishments of NCMB as of December 2021.

I. PREVENTIVE MEDIATION (PM)

- 35 cases pending at the beginning of the year
- 416 new cases have been filed since the start of the year (19 new cases filed in December)
- 451 total cases handled as of 31 December 2021
- Disposition rate: 94% (424 of the 451 total cases handled)
 - \circ 301 cases disposed within the process cycle time (PCT = 35 days)
 - 123 cases disposed beyond PCT
 - Settlement rate: 92% (416 of the 451 total cases handled)
- Average duration to settle: 35 days
- 27 cases pending by the end of December 2021
 - o 9 pending cases are 35 days old or younger
 - 18 pending cases are older than the PCT
- Monetary benefits: Php565,989,244 benefitting 7,668 workers

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

- 25 cases pending at the beginning of the year
- 133 new cases have been filed since the start of the year (6 new cases filed in December)
- 158 total cases handled as of 31 December 2021
- Disposition rate: 84% (132 of the 158 total cases handled)
 - \circ 101 cases were disposed within the process cycle time (PCT = 60 days)
 - 31 case disposed beyond PCT
- Settlement rate: 80% (126 of the 158 total cases handled)
- Average duration to settle: 58 days
- 26 cases pending as of 31 December 2021
 - 10 pending cases are 60 days old or younger
 - 16 pending cases are older than the PCT
- Monetary benefits: Php2,959,972,936 benefitting 18,065 workers
- Mandays saved: 2,933,185¹

¹ 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)

- Only one (1) case pending at the beginning of the year
- Three (3) work stoppages have been monitored since January 2021
- Four (4) cases handled as of 31 December 2021

REGION	DOCKET NUMBER	DECLARED	STATUS	DATE DISPOSED	ISSUES INVOLVED	SPECIFIC ISSUE
RCMB IV-A	RIZ-AS-08- 0001-2018	8/24/2018	Disposed	12/2/2021	ULP	Gross Intimidation and Harassment, Mass Dismissal of Union Officers
RCMB 12	SOC-AS-11- 0001-2021	11/18/2021	Pending - Strike		BD	Allowances, Overtime Pay, Holiday Pay
RCMB NCR	QC-AS-11- 0001-2021	11/26/2021	Settled	11/29/2021	ULP	Discrimination against/harassment of union members/union busting
RCMB NCR	VAL-AS-12- 0001-2021	12/16/2021	Pending – Strike		ULP	Illegal Dismissal/Suspension of Union Members/Officers, Discrimination against/harassment of union members/union busting

- Two (2) work stoppages have been disposed of.
- Two (2) cases remain pending and subject of conciliation-mediation service as of 31 December 2021
 - 2 pending cases are less than 40 days
- Total man-days lost: 13,160

GOVERNMENT INTERVENTION IN LABOR DISPUTES (Comparative 2020–2021)

	2020 (January	to Decen	nber)	2021 (J	lanuary t	o Decem	ber)
Particulars	No. Cases Handled	AJ	ССА	Total AJ & CCA	No. Cases Handled	AJ	CCA	Total AJ & CCA
Actual Strikes/ Lockouts	11	1	1	2	4	0	0	0
Notices of Strike/ Lockout	130	0	0	0	158	1	1	2
Preventive Mediation	339	1	0	1	451	0	0	0
Total	480	2	1	3	613	1	1	2
% of AJ/CCA to TCH		0.42%	0.21%	0.63%		0.16%	0.16%	0.33%

ISSUES INVOLVED IN NEWLY DECLARED/FILED LABOR DISPUTES (January 1 – December 31, 2021)

ls	sues Involve	ed in Labor Dis	putes	
Cases Type	Total Cases	Unfair Labor Practice (ULP)	Bargaining Deadlock (BD)	Raised Both Issues ULP/BD
Actual Strike/Lockout	3	2	1	0
Notices of Strike/Lockout	133	76	49	8
Preventive Mediation	416	369	38	9
Total Cases	552	447	88	17

IV. SINGLE ENTRY APPROACH (SEnA)

- 167 Requests for Assistance (RFAs) pending at the beginning of the year
- 3,436 new RFAs have been filed since start of the year (180 new cases filed in December)
- 3,603 total RFAs handled as of 31 December 2021
- Disposition rate: 96% (3,470 of the 3,603 total RFAs handled)
 - 3,334 RFAs disposed within the process cycle time (PCT = 30+15 days)
 - 136 RFAs disposed beyond the PCT
- Settlement rate: 61% (2,212 of the 3,603 total RFAs handled)
 - o 2,146 RFAs settled within the process cycle time
 - (PCT = 30 days + 15 days)
 - o 66 RFAs settled beyond the process cycle time
- Average duration to settle: 11 days
- 133 pending RFAs as of 31 December 2021
 - 99 RFAs pending within the process cycle time (PCT = 30 days)
 - 34 RFAs pending beyond the process cycle time
- Monetary benefits: Php215,329,698 benefitting 3,299 workers

No. of RFAs Filed, Settled, Monetary Benefits and Workers Benefitted: Philippines 2016-2021

RFA	No. of RFAs	No. of RFAs	Monetary Benefits	Workers
	Received	Settled	(in thousands)	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
Total	30,218	20,397	1,224,171,564	27,758

V. VOLUNTARY ARBITRATION (VA)

- 465 cases pending at the beginning of the year
- 1,301 new VA cases have been submitted since the start of the year (94 new VA cases filed in December 2021)
- 1,766 cases handled as of 31 December 2021
- 1,328 total cases disposed
- 75% disposition rate (1,328 of the 1,766 total cases handled)
 - 930 cases disposed within the process cycle time (PCT = 90 days)
 - 398 cases disposed beyond PCT
- Average duration to decide;
 - \circ 166 days from the date of acceptance by the arbitrator
 - 35 days from submission for resolution
- 438 cases pending as of 31 December 2021
- Monetary benefits: Php3,245,160,001.44 benefitting 1,591 workers

No. of VA Cases Handled, Monetary Benefits and Workers Benefitted: Philippines 2017-2021

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	3,245,160,001	1,591
Total	3,841	9,829,912,183	4,619

VI. WORKPLACE RELATIONS ENHANCEMENT

- 348 LMCs have been facilitated since January 2021 (25 in organized companies and 323 in unorganized companies)
- 1,836 LMCs enhanced (641 in organized companies and 1,195 in unorganized companies)
- 4,182 companies reached through promotional/pre-facilitation activities as of December 2021
- 4,626 existing LMCs nationwide as of 31 December 2021 (1,602 in organized companies; 3,024 in unorganized establishments)
- 97.3% or 4,305 out of 4,426 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 December 2021:
 - 379 LMCs enhanced through convergence program with NWPC (productivity)
 - o 594 LMC in OSHC and ECC on occupational safety and health
 - o 539 LMCs with BWSC on family welfare program

VIII. GRIEVANCE MACHINERY (GM)

- 348 GMs operationalized / institutionalized as of December 2021 (25 in organized and 323 in unorganized)
- 1,843 GMs enhanced (625 in organized and 1,218 in unorganized establishments)
- 4,800 existing/active GMs nationwide as of 31 December 2021 (1,899 in organized establishments; 2,901 in unorganized establishments)
- 96.1% or 4,240 out of 4,410 companies with GMs were not involved in AS/L, NS/L, PM cases during the period.

Mts umi MARIA TERESITA D. LACSAMANA-CANCIO **Executive Director IV**

07 January 2022

Indicators	A. Actual	Strikes/Lockouts (ASL)		B. Notices	of Strikes/Lockouts	(NSL)	C. Preventive	Mediation Cases	(PM)
indicators	2020	2021	% change	2020	2021	% change	2020	2021	% change
Pending, beginning of period	6	1		48	25		29	35	
New cases filed/declared Cases treated as PM	5	3	-40%	82	133	62%	310 0	412 4	
Total PM Cases Filed							310	416	34%
Total Cases Handled	11	4		130	158		339	451	
Workers involved in new cases	3,154	166	-95%	22,364	43,532	95%	86,941	97,023	12%
Mandays Lost	143,474	13,160	-91%						
Cases Disposed	10	2		105	132		304	424	
Settled	4	1		96	126		298	416	
Assumed Jurisdiction (AJ)	1	0		0	2		1	0	
Certified for Compulsory Arbitration (1	0		0	1		0	0	
Materialized into Actual S/L (MAS)	0	0		5	1		0	0	
Materialized into Notice of S/L (MSN)	0	0			0		4	7	
Subsumed/Consolidated to AJ/CCA/N	0	0		2	0		0	0	
Dropped	2	0		0	0		0	0	
Others	2	1		2	2		1	1	
Disposition Rate (Work Normalization on AS/L)	90.9%	50.0%	-41%	80.8%	83.5%	3%	89.7%	94.0%	4%
Settlement Rate	36.4%	25.0%	-11%	73.8%	79.7%	6%	87.9%	92.2%	4%
Success Rate **	-	-		96.2%	99.4%	3%	100.0%	100.0%	0%
Dispute Management Rate ***	98.9%	99.8%	-0.9%	-			-		
Pending, end of period	1	2		25	26		35	27	

Table 1. Comparative Summary of Conciliation-Mediation Cases, Philippines As of December 31 2021

**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.

*** 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: 2020 and 2021

Month	Actual Strikes Decla		Cases D	isposed	Pending at the P		Workers	Involved	Manda	ays Lost
	2020	2021	2020	2021	2020	2021	2020	2021	2020	2021
TOTAL (YTD)	5	3	10	2	1	2	3,154	166	143,474	13,160
January	2	0	1	0	7	1	514	0	17,643	600
February	1	0	0	0	8	1	30	0	15,576	792
March	1	0	1	0	8	1	2,010	0	22,832	864
April	0	0	0	0	8	1	0	0	0	900
Мау	0	0	1	0	7	1	0	0	0	900
June	0	0	0	0	7	1	0	0	16,850	900
July	0	0	1	0	6	1	0	0	17,254	936
August	1	0	2	0	5	1	600	0	22,836	900
September	0	0	1	0	4	1	0	0	16,224	936
October	0	0	2	0	2	1	0	0	11,672	936
November	0	2	0	1	2	2	0	110	1,564	1,672
December	0	1	1	1	1	2	0	56	1,023	2,824
ΤΟΤΑΙ	5		10				3,154		143,474	
Pending Beginning (2020)		6								
Pending Beginning (2021)		1								

				As of	December 31	2021							
Indicator	Total	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	ОСТ	NOV	DEC
Pending, beginning of period	1	1	1	1	1	1	1	1	1	1	1	1	2
New Actual Strikes/Lockouts declared	3	0	0	0	0	0	0	0	0	0	0	2	1
Total Cases Handled	4	1	1	1	1	1	1	1	1	1	1	3	3
Workers involved in strikes/lockouts declared during the period	166	0	0	0	0	0	0	0	0	0	0	110	56
Mandays Lost, to date	13,160	600	792	864	900	900	900	936	900	936	936	1,672	2,824
Work Normalized	2	0	0	0	0	0	0	0	0	0	0	1	1
Settled	1	0	0	0	0	0	0	0	0	0	0	1	0
Assumed Jurisdiction	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
Subsumed/Consolidated to AJ/CCA	0	0	0	0	0	0	0	0	0	0	0	0	0
Others	1	0	0	0	0	0	0	0	0	0	0	0	1
Dropped	0	0	0	0	0	0	0	0	0	0	0	0	0
Pending, end of period	2	1	1	1	1	1	1	1	1	1	1	2	2
Work Normalization Rate	50%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	33%	33%
Settlement Rate	25%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	33%	0%
Duration to Dispose	486	0	0	0	0	0	0	0	0	0	0	2	969

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

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 New Actual Strikes/Lockouts declared Total Cases Handled Workers involved in strikes/lockouts declared during the period Mandays Lost, to date 13,160 9,636 2,856 Work Normalized Settled Assumed Jurisdiction Certified for Compulsory Arbitration Subsumed/Consolidated to AJ/CCA Others Dropped Pending, end of period Work Normalization Rate 50% 50% 0% 0% 0% 0% 100% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% Settlement Rate 25% 50% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% 0% Duration to Dispose

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

Table 5. Statistics on Notices of Strikes/Lockouts by Month, Philippines: 2020 and 2021As of December 31 2021

Month	Notices of Strik	kes/Lockouts	Cases I	Disposed	Pending at the Pe	the End of eriod	Workers	Involved
	2020	2021	2020	2021	2020	2021	2020	2021
TOTAL (YTD)	82	133	105	132	25	26	22,364	43,532
January	17	14	19	4	46	35	5,489	6,053
February	14	7	14	7	46	35	5,089	1,029
March	6	8	9	10	43	33	1,260	1,044
April	0	9	0	12	43	30	0	1,999
May	0	15	0	5	43	40	0	2,043
June	3	14	2	11	44	43	1,138	6,356
July	7	13	5	20	46	36	2,936	2,841
August	8	9	10	8	44	37	794	1,918
September	6	8	9	14	41	31	414	5,709
October	6	12	18	8	29	35	3,197	4,018
November	4	18	12	15	21	38	249	9,853
December	11	6	7	18	25	26	1,798	669
TOTAL	82		105				22,364	
Pending Beginning (2020)		48						
Pending Beginning (2021)		25						

				As of [December 31	2021							
Indicator	Total	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	ОСТ	NOV	DEC
Pending, beginning of period	25	25	35	35	33	30	40	43	36	37	31	35	38
New Notices of Strike/Lockout filed	133	14	7	8	9	15	14	13	9	8	12	18	6
Total Cases Handled	158	39	42	43	42	45	54	56	45	45	43	53	44
Workers involved in notices of strikes/ lockouts filed during the period	43,532	6,053	1,029	1,044	1,999	2,043	6,356	2,841	1,918	5,709	4,018	9,853	669
Cases Disposed	132	4	7	10	12	5	11	20	8	14	8	15	18
Settled	126	4	7	10	12	5	11	20	8	14	7	12	16
Assumed Jurisdiction	2	0	0	0	0	0	0	0	0	0	1	0	1
Certified for Compulsory Arbitration	1	0	0	0	0	0	0	0	0	0	0	1	0
Materialized into Actual Strike/Lockout	1	0	0	0	0	0	0	0	0	0	0	1	0
Subsumed/Consolidated to AJ/CCA	0	0	0	0	0	0	0	0	0	0	0	0	0
Others	2	0	0	0	0	0	0	0	0	0	0	1	1
Pending, end of period	26	35	35	33	30	40	43	36	37	31	35	38	26
Disposition Rate	84%	10%	17%	23%	29%	11%	20%	36%	18%	31%	19%	28%	41%
Settlement Rate	80%	10%	17%	23%	29%	11%	20%	36%	18%	31%	16%	23%	36%
Duration to Settle	58	29	40	66	49	52	65	43	44	82	21	116	56

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

Indicator								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	25	7	0	2	0	5	8	0	0	0	1	0	0	0	0	0	2
New Notices of Strike/Lockout filed	133	52	1	0	0	19	29	0	0	7	4	4	0	3	9	3	2
Total Cases Handled	158	59	1	2	0	24	37	0	0	7	5	4	0	3	9	3	4
Workers involved in notices of strikes/ lockouts filed during the period	43,532	13,309	1,150	0	0	16,715	6,974	0	0	1,443	601	460	0	236	2,069	503	72
Cases Disposed	132	52	0	0	0	20	32	0	0	6	5	4	0	3	6	2	2
Settled	126	49	0	0	0	20	30	0	0	6	5	4	0	3	6	1	2
Assumed Jurisdiction	2	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0
Certified for Compulsory Arbitration	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Materialized into Actual Strike/Lockout	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	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	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pending, end of period	26	7	1	2	0	4	5	0	0	1	0	0	0	0	3	1	2
Disposition Rate	84%	88%	0%	0%	0%	83%	86%	0%	0%	86%	100%	100%	0%	100%	67%	67%	50%
Settlement Rate	80%	83%	0%	0%	0%	83%	81%	0%	0%	86%	100%	100%	0%	100%	67%	33%	50%
Duration to Settle	60	70	0	0	0	50	72	0	0	25	38	24	0	34	66	41	12

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

Table 8. Statistics on Preventive Mediation by Month, Philippines: 2020 and 2021

Month	Preventive Mee File		Cases D	oisposed	Pending at the P	the End of eriod	Workers Involved		
	2020	2021	2020	2021	2020	2021	2020	2021	
TOTAL (YTD)	310	416	304	424	38	24	86,941	97,023	
January	39	40	25	18	43	57	15,237	7,679	
February	40	43	31	38	52	62	5,518	9,411	
March	18	39	26	47	44	54	1,336	6,053	
April	1	34	0	34	45	54	2,000	9,831	
May	1	31	0	37	46	46	2,000	6,758	
June	13	47	9	39	50	54	2,815	11,64	
July	36	40	30	38	57	55	7,277	9,778	
August	13	15	22	31	48	39	11,515	3,083	
September	47	32	44	29	51	42	8,295	11,77	
October	54	43	41	37	64	48	21,515	5,089	
November	22	33	34	42	54	39	2,808	8,392	
December	26	19	42	34	38	24	6,625	7,531	
TOTAL	310		304				86,941		
Pending Beginning (2020)		29							
Pending Beginning (2021)		35							

As of December 31 2021													
Indicator	Total	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	ОСТ	NOV	DEC
Pending, beginning of period	35	35	57	62	54	54	46	54	55	39	42	48	39
Original Preventive Mediation Cases Filed Cases Treated as PM	412 4	40 0	43 0	39 0	34 0	29 2	47 0	39 1	15 0	32 0	42 1	33 0	19 0
Total Cases Handled	451	75	100	101	88	83	93	93	70	71	85	81	58
Workers involved in PM cases filed during the period	97,023	7,679	9,411	6,053	9,831	6,758	11,642	9,778	3,083	11,776	5,089	8,392	7,531
Cases Disposed	424	18	38	47	34	37	39	38	31	29	37	42	34
Settled	416	16	38	46	33	37	39	36	31	29	37	40	34
Assumed Jurisdiction	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
Materialized into Actual Strike/Lockout	0	0	0	0	0	0	0	0	0	0	0	0	0
Materialized into Notice of Strike/Lockout	7	2	0	1	1	0	0	2	0	0	0	1	0
Subsumed/Consolidated to AJ/CCA	0	0	0	0	0	0	0	0	0	0	0	0	0
Others	1	0	0	0	0	0	0	0	0	0	0	1	0
Pending, end of period	27	57	62	54	54	46	54	55	39	42	48	39	24
Disposition Rate	94%	24%	38%	47%	39%	45%	42%	41%	44%	41%	44%	52%	59%
Settlement Rate	92%	21%	38%	46%	38%	45%	42%	39%	44%	41%	44%	49%	59%
Duration to Settle	35	27	36	39	36	34	26	33	36	71	31	29	27

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

Table 10. Preventive Mediation Cases Handled, By Manner and Region: Philippines As of December 31 2021

Indicator	REGION/p																
	Total	NCR	CAR	R01	R02	R03	R04-A	R04-B	R05	R06	R07	R08	R09	R10	R11	R12	R13
Pending, beginning of period	35	16	0	1	0	6	9	0	0	0	0	0	0	2	1	0	0
Original Preventive Mediation Cases Filed	412	176	2	8	2	76	88	0	2	6	7	1	0	12	23	6	3
Cases Treated as PM	4	2	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0
Total Cases Handled	451	194	2	9	2	83	98	0	2	6	7	1	0	14	24	6	3
Workers involved in PM cases filed during the period	97,023	38,618	1,377	113	297	31,123	15,605	0	33	1,916	601	455	0	3,136	2,725	783	241
Cases Disposed	424	184	2	9	2	76	91	0	2	6	7	1	0	11	24	6	3
Settled	416	181	2	8	2	76	88	0	2	6	7	1	0	10	24	6	3
Assumed Jurisdiction	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	7	3	0	0	0	0	3	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	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Pending, end of period	27	10	0	0	0	7	7	0	0	0	0	0	0	3	0	0	0
Disposition Rate	94%	95%	100%	100%	100%	92%	93%	0%	100%	100%	100%	100%	0%	79%	100%	100%	100%
Settlement Rate	92%	93%	100%	89%	100%	92%	90%	0%	100%	100%	100%	100%	0%	71%	100%	100%	100%
Duration to Settle	35	41	26	29	22	25	35	0	6	11	37	15	0	39	36	13	68