

[NLRC RESOLUTION NO. 11-01-91, November 07, 1991]

RESOLUTION NO. 11-01-91 AMENDING CERTAIN PROVISIONS OF THE NEW RULES OF PROCEDURE OF THE NLRC

The Commission, sitting *en banc* on 7 November 1991, acting pursuant to the provisions of Article 218(a) of the Labor Code as amended, resolved to amend certain provisions of the 1990 New Rules of Procedure, as follows:

1. Rule VI, Sections 1 and 6 are hereby amended to read as follows:

"Section 1. Periods of Appeal — Decisions, awards or orders of the Labor Arbiter and the POEA Administrator shall be final and executory unless appealed to the Commission by any or both parties within ten (10) calendar days from receipt of such decisions, awards or orders of the Labor Arbiter or of the Administrator, and in case of a decision of the Regional Director or his duly authorized Hearing Officer within five (5) calendar days from receipt of such decisions, awards, or orders. IF THE 10TH OR 5TH DAY, AS THE CASE MAY BE, FALLS ON A SATURDAY, SUNDAY, OR A HOLIDAY, THE LAST DAY TO PERFECT THE APPEAL SHALL BE THE NEXT WORKING DAY.

"Section 6. Bond — In case the decision of a Labor Arbiter, POEA Administrator and Regional Director or his duly authorized hearing officer involves a monetary award, an appeal by the employer shall be perfected only upon the posting of a cash or surety bond issued by a reputable bonding company duly accredited by the Commission or the Supreme Court in an amount equivalent to the monetary award.

The Commission may, in meritorious cases and upon Motion of the Appellant, reduce the amount of the Bond. [However, an appeal is deemed perfected upon the posting of the bond equivalent to the monetary award exclusive of moral and exemplary damages as well as attorney's fees.] (WORDS IN BRACKETS TO BE DELETED)

This amendment shall take effect ten (10) days after publication in at least two newspapers of general circulation.

Adopted: 7 Nov. 1991

(SGD.) BARTOLOME S. CARALE
Chairman

(SGD.) ROMEO B. PUTONG
Commissioner

(SGD.) VICENTE S. E. VELOSO III
Commissioner

(SGD.) EDNA BONTO-PEREZ
Commissioner

(SGD.) RUSTICO L. DIOKNO
Commissioner