



Republic of the Philippines  
**DEPARTMENT OF LABOR AND EMPLOYMENT**  
Intramuros, Manila



DOLE-RS 15 JAN 25 1952

*Belle*

**DEPARTMENT ORDER NO. 247**  
Series of 2025

**IMPLEMENTING RULES AND REGULATIONS ON THE EXECUTION OF DECISIONS  
OF THE NATIONAL LABOR RELATIONS COMMISSION AND VOLUNTARY  
ARBITRATORS PURSUANT TO PRESIDENTIAL DECREE NO. 442, OTHERWISE  
KNOWN AS THE LABOR CODE, AS AMENDED, IN RELATION TO SECTION 59 OF  
REPUBLIC ACT NO. 12021, OTHERWISE KNOWN AS "MAGNA CARTA OF  
FILIPINO SEAFARERS"**

These Implementing Rules and Regulations are being issued pursuant to the rulemaking authority vested by the Labor Code, as amended, on the Secretary of the Department of Labor and Employment (DOLE), in coordination with the National Labor Relations Commission (NLRC) or Commission and the National Conciliation and Mediation Board (NCMB), to implement Section 59 of Republic Act No. 12021, otherwise known as the "Magna Carta of Filipino Seafarers."

**RULE I  
GENERAL PROVISIONS**

**Section 1. Coverage.** – Except as otherwise specified herein, these Rules shall apply to disputes, claims and complaints involving overseas Filipino seafarers.

**Section 2. Objective.** – These Rules aim to ensure the fair, speedy, equitable and just disposition and execution of decisions granting monetary awards for the salaries, wages, statutory benefits, and death and disability claims of Filipino seafarers.

**RULE II  
DEFINITION OF TERMS**

**Section 1. Definition of terms.**

- (a) **Collective Bargaining Agreement (CBA)** refers to the negotiated contract between a legitimate labor organization and the shipowner or principal concerning wages, hours of work and all other terms and conditions of employment onboard the vessel or ship. It can also refer to any collective agreement or document between the overseas seafarer's authorized representative and the shipowner, which sets out standards, terms and conditions of employment.
- (b) **Commission** refers to the NLRC including all its divisions.
- (c) **Disputed amount** refers to the amount determined by the Labor Arbiter, Commission, or by the Voluntary Arbitrator or Panel of Voluntary Arbitrators, to be legally due the seafarer, including moral damages, exemplary damages, nominal damages, attorney's fees, and other similar awards, that is not immediately executory pending an appeal or judicial review, unless the

seafarer or the seafarer's heirs, assigns, or successors-in-interest as judgment obligee posts a sufficient bond to ensure the full restitution of the amount in case the award is reversed. The seafarer's bond shall be maintained until final resolution of the appeal or judicial review.

- (d) **Judgment obligee** refers to a person who is entitled to receive the judgment award covered under a writ of execution.
- (e) **Judgment obligor** refers to a person or entity directed in the writ of execution to satisfy the full amount of the award and all lawful fees stated therein.
- (f) **Relevant information** refers to the information that the employer must make readily available and accessible and must furnish the seafarer upon proper request, in accordance with Sections 10 and 20 of Republic Act No. 12021.
- (g) **Seafarer's bond** refers to the cash or surety bond posted by the seafarer or the seafarer's heirs, assigns, or successors-in-interest as judgment obligee, for the immediate execution, pending appeal or judicial review, of the disputed amount in the decision of the Labor Arbiter, Commission, Voluntary Arbitrator or Panel of Voluntary Arbitrators.
- (h) **Undisputed amount** refers to the amount determined by the Labor Arbiter or the Commission or by the Voluntary Arbitrator or Panel of Voluntary Arbitrators to be legally due the seafarer, including unpaid salaries and wages, statutory monetary and welfare benefits, amounts admitted by the judgment obligor or determined by a third doctor in compensation claims where disability grading is contested, and other monetary awards which are immediately executory pending an appeal or judicial review.

### RULE III EXECUTION OF DECISIONS AND RESOLUTIONS INVOLVING OVERSEAS FILIPINO SEAFARERS

**Section 1. Original and exclusive jurisdiction of the Labor Arbiter, the Commission, and the Voluntary Arbitrator or Panel of Voluntary Arbitrators.** Pursuant to Articles 224, 273, 274, and 275 of the Labor Code, as amended, and its implementing rules and regulations, and except as otherwise provided in special laws including those referred to in the fourth paragraph of this Section, the Labor Arbiter or Voluntary Arbitrator or Panel of Voluntary Arbitrators, as the case may be, shall have original and exclusive jurisdiction over all unresolved disputes and claims arising from employer-employee relationship by virtue of any law or contract involving overseas Filipino seafarers.

This original and exclusive jurisdiction shall include claims for actual, moral, exemplary, and other forms of damages and those arising from Section 34 (m) to (q), Sections 36 to 40, Sections 42 and 43, and Sections 48 to 51 of Republic Act No. 12021 and Sections 10 and 37-A of Republic Act No. 8042, as amended by Republic Act No. 10022.

Pursuant to Article 229 of the Labor Code, as amended, the Commission shall have exclusive appellate jurisdiction over decisions of Labor Arbiters.



Claims or disputes arising from Republic Act No. 7895, otherwise known as the "National Health Insurance Act of 1995," as amended by Republic Act No. 10606, Republic Act No. 9679, otherwise known as the "Home Development Mutual Fund Law of 2009," and Republic Act No. 11199, otherwise known as the "Social Security Act of 2018," including claims for compensation from the Employees' Compensation and State Insurance Fund, shall be under the exclusive jurisdiction of the agencies specified in these laws.

**Section 2. Content of decisions or resolutions of the Labor Arbiter, the Commission, and the Voluntary Arbitrator or Panel of Voluntary Arbitrators.** A decision or resolution granting a monetary award shall explicitly state the specific amounts due the seafarer, particularly but not limited to the following:

- (a) Any unpaid salary or wage, including the amount equivalent to the unexpired portion of the contract in cases arising from illegal dismissal under Section 10 of Republic Act No. 8042, as amended by Republic Act No. 10022, and any remuneration capable of being expressed in monetary value as stipulated in the Standard Employment Contract or in the applicable CBA;
- (b) Any unpaid statutory monetary and welfare benefits, including those arising from Section 34 (m) to (q), Sections 36 to 40, Sections 42 and 43, and Sections 48 to 51 of Republic Act No. 12021, and Section 37-A of Republic Act No. 8042, as amended by Republic Act No. 10022;
- (c) Any undisputed amount which is admitted by a party to be legally due the other party; provided that in case the disability grading is submitted to the determination by a third doctor, in accordance with existing or applicable rules and regulations, the amount corresponding to the disability grading of the third doctor shall be deemed admitted and undisputed;
- (d) Any disputed amount determined to be legally due the seafarer; and
- (e) Damages, including moral damages, exemplary damages, nominal damages, attorney's fees, and other similar awards.

Monetary awards falling under paragraphs (a), (b), and (c) above shall be deemed as undisputed amounts, while those under paragraphs (d) and (e) shall be deemed as disputed amounts.

**Section 3. Finality of decision or resolution.** The decision or resolution of the Labor Arbiter, the Commission, and the Voluntary Arbitrator or Panel of Voluntary Arbitrators shall be final and executory after ten (10) calendar days from receipt of the decision or resolution, as the case may be, by the concerned party or his or her counsel or authorized representative.

**Section 4. Execution of judgment and monetary awards.** The Labor Arbiter *motu proprio* or upon motion, or the Voluntary Arbitrator or Panel of Voluntary Arbitrators upon motion, shall issue a writ of execution of all final and executory decisions or

resolutions involving seafarers. In case no appeal is taken from the decision of the Labor Arbiter, all the monetary awards referred to in Section 2 shall be immediately executory.

The monetary awards under Section 2, paragraphs (a), (b), and (c) of the decision or resolution shall be immediately executory upon finality of such decision or resolution, even pending appeal or judicial review with the courts.

The monetary awards under Section 2, paragraphs (d) and (e) of the decision or resolution shall be immediately executory upon finality of such decision or resolution, even pending appeal or judicial review with the courts, provided that the seafarer as judgment obligee posts sufficient seafarer's bond in accordance with the immediately succeeding section.

**Section 5. Execution of disputed amount and posting of seafarer's bond.** At any time during the pendency of an appeal or judicial review with the courts questioning the decision or resolution of the Commission or the Voluntary Arbitrator or Panel of Voluntary Arbitrators, the seafarer as judgment obligee may file a motion for the immediate execution of the disputed amount in the decision or resolution. The motion shall be supported by a seafarer's bond sufficient to ensure the full restitution of the amount in case the decision or resolution is reversed.

The bond shall be issued by a reputable bonding company from the list of bonding companies duly accredited by the Supreme Court, and shall be valid and effective from the date of deposit or posting until the case is finally decided, resolved or terminated, or the award is satisfied.

No writ of execution under this Section shall issue to execute the disputed amount except upon due notice and hearing called for this purpose.

**Section 6. Stay of immediate execution of disputed amount.** The final decision or resolution of the Commission or by the Voluntary Arbitrator or Panel of Voluntary Arbitrators is immediately executory after ten (10) calendar days from receipt of the decision or resolution by the parties or counsel.

In case the losing party intends to appeal or file a petition for *certiorari* with the appropriate court questioning the decision or resolution of the Commission or the Voluntary Arbitrator or Panel of Voluntary Arbitrators, it shall:

- (1) File a manifestation to the Commission or to the Voluntary Arbitrator or Panel of Voluntary Arbitrators, as the case may be, of such intention within ten (10) calendar days from receipt of the decision or resolution subject of the intended appeal or petition; or
- (2) Furnish the Commission or the Voluntary Arbitrator or Panel of Voluntary Arbitrators a copy of its appeal or petition, with a verified manifestation that the appeal or petition was filed with the appropriate court within the reglementary period to perfect an appeal or to file a petition.

Compliance by the losing party with the above conditions shall automatically stay the immediate execution of the decision or resolution; provided that compliance with

paragraph (1) above shall not be required if the appeal or petition was filed within ten (10) calendar days from receipt of the decision or resolution subject of the appeal or petition.

**Section 7. Reimbursement and release of seafarer's bond.** Where the seafarer ultimately prevails on appeal or judicial review, the disputed amount shall be immediately executory. The losing party shall likewise reimburse the seafarer for the total cost of the seafarer's bond, inclusive of related costs to maintain it.

If the losing party does not voluntarily comply with the satisfaction of the disputed amount or the reimbursement of the costs of the seafarer's bond, the seafarer as judgment obligee may file a motion for execution of the disputed and reimbursable amounts, in accordance with the applicable rules on execution of judgments.

If the award corresponding to the disputed amount is reversed by the appropriate court, and such reversal has become final and executory, the Labor Arbiter or the Voluntary Arbitrator or Panel of Voluntary Arbitrators, upon motion, shall release the proceeds of the seafarer's bond to the prevailing party.

**Section 8. Prescription of actions.** All money claims arising from employer-employee relations shall be filed within three (3) years from the time the cause of action accrued, otherwise these shall be forever barred.

All claims arising out of illegal dismissal shall prescribe in four (4) years.

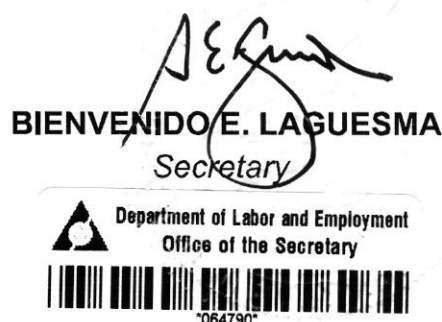
In both cases, the filing of requests for assistance under Republic Act No. 10396 shall toll the running of the prescriptive period.

#### **RULE IV MISCELLANEOUS PROVISIONS**

**Section 1. Separability clause.** If any provision of these Rules is declared unconstitutional or invalid by competent authority, the remainder thereof not otherwise affected shall remain in full force and effect.

**Section 2. Superseding clause.** All issuances inconsistent with these Rules are hereby superseded, amended, or modified accordingly.

**Section 3. Effectivity.** These Rules shall be effective fifteen (15) days following the completion of its publication in the Official Gazette or a newspaper of general circulation.



19 January 2025