



**En Banc Resolution No. 01-25**  
**(Series of 2025)**

**WHEREAS**, Republic Act No. 12021, otherwise known as the “Magna Carta of Filipino Seafarers,” was signed into law on 23 September 2024 and took effect on 12 October 2024;

**WHEREAS**, pursuant to Article 220 [213] of the Labor Code of the Philippines, as amended, Department of Labor and Employment (DOLE) Secretary Bienvenido E. Laguesma issued Labor Advisory No. 12 (Series of 2024) on 15 November 2024 to ensure the uninterrupted management and disposition of cases while awaiting the issuance of the Implementing Rules and Regulations (IRR);

**WHEREAS**, the IRR of the Magna Carta of Filipino Seafarers was signed by the Department of Migrant Workers and the Maritime Industry Authority on 8 January 2025 and will take effect after completion of its publication;

**WHEREAS**, a Department Order providing for the IRR on the execution of decisions of the Commission, among others, pursuant to Section 59 of the Magna Carta of Filipino Seafarers shall be issued by the DOLE Secretary to ensure the fair, speedy, equitable and just disposition and execution of decisions granting monetary awards, salaries, wages, statutory benefits, and death and disability claims of Filipino seafarers;

**WHEREFORE, RESOLVED AS IT IS HEREBY RESOLVED**, that the Commission *En Banc* hereby affirms the original and exclusive jurisdiction of Labor Arbiters and the Commission over all unresolved disputes and claims arising from an employer-employee relationship by virtue of any law or contract involving Filipino seafarers, and adopts the following guidelines:

- (1) *A decision or resolution of the Labor Arbiter or the Commission 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 collective bargaining agreement;*
  - (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 which shall be immediately executory even pending appeal or judicial review.

Monetary awards under paragraphs (d) and (e) shall be deemed as disputed amounts and shall not be immediately executory unless the seafarer as judgment obligee posts a sufficient seafarer's bond to ensure the full restitution of the amount of the awards.

(2) The decision or resolution of the Labor Arbiter or the Commission 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 counsel or authorized representative.

(3) The Labor Arbiter *motu proprio* or upon motion shall issue a writ of execution pertaining to 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 Item 1 shall be immediately executory.

The monetary awards under Item 1 paragraphs (a), (b), and (c) of the decision or resolution shall be immediately executory upon finality of such decision or resolution, even pending judicial review.

The monetary awards under Item 1 paragraphs (d) and (e) of the decision or resolution shall be immediately executory upon finality of such decision or resolution, even pending judicial review, provided that the seafarer as judgment obligee posts a sufficient seafarer's bond in accordance with the immediately succeeding item.

(4) During the pendency of the review by the courts of the decision or resolution of the Commission, 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 the event the decision or resolution is reversed.

The bond shall be issued by a reputable bonding company included in 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.

A writ of execution for the disputed amount shall be issued only after due notice and hearing.

(5) The final decision or resolution of the Commission is immediately executory after ten (10) calendar days from receipt of the decision or resolution by the parties, or counsel or authorized representative

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

- (a) File a manifestation before the Commission of such intention within ten (10) calendar days from receipt of the decision or resolution subject of the intended petition; or*
- (b) Furnish the Commission a copy of its petition, with a verified manifestation that the petition was filed with the appropriate court within the reglementary period 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 Item [a] 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.*

- (6) Where the seafarer ultimately prevails on 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 for maintaining the same.*


*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 reimburseable 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, upon motion, shall order the release of the proceeds of the seafarer's bond to the prevailing party;*

**BE IT FURTHER RESOLVED**, that the Committee on the Internal Rules relative to Republic Act No. 12021, otherwise known as the "Magna Carta of Filipino Seafarers" is directed to formulate the necessary rules to properly implement the Magna Carta of Filipino Seafarers and put to operation the IRR and other relevant issuances.


Signed this 14<sup>th</sup> day of January 2025 at Quezon City, Philippines.

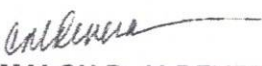
  
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Presiding Commissioner

  
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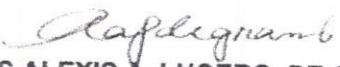
  
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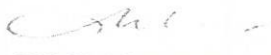
  
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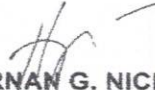
  
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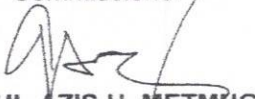
  
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Commissioner

Attested by:

  
MONA LISA M. VARGAS  
Labor Arbiter  
Acting Executive Clerk of Court IV