



NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

22 JUL 14 A11 :05

SENATE

RECEIVED BY: 

S.B. No. 587

INTRODUCED BY SENATOR RISA HONTIVEROS

**AN ACT
STRENGTHENING THE CONSTITUTIONAL RIGHTS OF GOVERNMENT
EMPLOYEES TO SELF-ORGANIZATION, COLLECTIVE NEGOTIATION, PEACEFUL
CONCERTED ACTIVITIES, AND THE USE OF VOLUNTARY MODES OF DISPUTE
RESOLUTION**

EXPLANATORY NOTE

The Constitution guarantees the rights of all workers, including those in the government and public sector, which in most countries is the biggest employer, to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law. This was affirmed when the Philippine Senate ratified International Labor Organization (ILO) Convention No. 151 on August 14, 2017, highlighting the commitment of our government to provide the country's roughly 2.3 million government employees, civil servants, and other persons employed by public authorities, whether permanent, contractual, casual or job order, the right to decent work, the right to freedom of association, and the right to engage in all other forms of social dialogue, including collective bargaining.

This bill seeks to provide a domestic implementing law for ILO Convention No. 151 by guaranteeing the aforementioned rights of public sector workers, ensuring that the government provides appropriate facilities for the use of their organizations, providing procedures for determining the terms and conditions of employment, and establishing mechanisms for expeditiously settling disputes arising therefrom.

Hence, the immediate passage of this measure is earnestly sought.


RISA HONTIVEROS
Senator



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DISPUTE RESOLUTION**

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

**CHAPTER I
DECLARATION OF POLICY**

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4 Section 1. *Short Title.* - This Act be known as the "Public Sector Labor Relations
5 Act of 2020."

6 Sec. 2. *Declaration of Policy.* - It is the policy of the State to promote the right
7 of government employees to self-organization, collective negotiation, peaceful
8 concerted action, including the right to mass peaceful concerted activities in accordance
9 with law, and the right to participate in policy and decision-making processes affecting
10 their rights and benefits.

11
12 **CHAPTER II**
13 **GENERAL PROVISIONS**
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15 Sec. 3. *Coverage.* - This Act shall apply to all employees in the civil service,
16 covering all branches, subdivisions, instrumentalities, and agencies of the government,
17 including government-owned or controlled corporations (GOCCs) with or without
18 original charters. For this purpose, employees covered by this Act shall be referred to
19 as "employees" or "government employees" or "public sector employees," including job
20 order or contract of service employees, and those employed by barangays.

21 Sec. 4. *Definition of Terms.* - As used in this Act:

- 1 (a) *Agency* refers to any bureau, office, commission, administration,
2 board, committee, institute, GOCC with original charter, or any other
3 unit of the national government, as well as provincial, city, and
4 municipal governments, except as hereinafter otherwise provided;
- 5 (b) *Board* means the Public Service Labor Relations Board established by
6 this Act;
- 7 (c) *Bureau* means the Bureau of Labor Relations of the Department of
8 Labor and Employment;
- 9 (d) *Certification Election* refers to the process of determining, through
10 secret ballot, the exclusive bargaining representative of the employees
11 in an appropriate organizational unit for purposes of collective
12 bargaining or negotiation;
- 13 (e) *Certified Exclusive Union* refers to a duly-registered employees'
14 organization certified by the Board as the exclusive bargaining
15 representative of an agency's rank-and-file employees, as determined
16 by the conduct of a certification election;
- 17 (f) *Civil Service* refers to the men and women employed to carry out
18 public services in all branches, agencies, subdivisions, and
19 instrumentalities of the government including GOCCs, local government
20 units (LGUs), state universities and colleges (SUCs), and entities and
21 corporations sequestered by the government;
- 22 (g) *Collective Bargaining Agreement* refers to the negotiated contract *vis-*
23 *à-vis* terms and conditions of employment at the organizational unit
24 level between a certified exclusive bargaining representative and the
25 concerned public authority or appropriate authority, including those
26 negotiated at the sectoral or national levels by sectoral or national
27 federations or confederations with the concerned public authorities;
- 28 (h) *Commission* refers to the Civil Service Commission;
- 29 (i) *Conciliation-Mediation* is a mode of dispute settlement that brings
30 together two disputing parties to negotiate a mutually-acceptable
31 solution through an expeditious, non-litigious, non-adversarial, and less
32 expensive mechanism;
- 33 (j) *Confederation* refers to the organization of two or more federations as
34 defined in this Act;
- 35 (k) *Department* refers to any of the department in the Executive Branch;

1 (l) *Employee* refers to any person in the civil service of whatever category
2 or class up to division chief level, including those who are engaged
3 under different forms of contractual arrangements in the public service
4 such as job order, contract of service, or memorandum of
5 understanding. It also includes those whose work has ceased in
6 connection with any current employee-management dispute or unfair
7 labor practice or whose dismissal from the service has not attained
8 finality;

9 (m) *Entry Position* refers to the first level position in the career or non-
10 career service which include clerical, trades, crafts, and custodial
11 service positions that involve non-professional or subprofessional work
12 in a non-supervisory or supervisory capacity requiring less than four
13 years of collegiate study;

14 (n) *Federation* is a duly registered labor organization with at least five (5)
15 affiliate employees' organizations, each of which must be a duly-
16 certified exclusive bargaining representative in an organizational unit;

17 (o) *Grievance* refers to any question or complaint regarding an employee's
18 working conditions, relationship or employment status including
19 questions *vis-à-vis* the interpretation, implementation, or enforcement
20 of any of the provisions of a collective bargaining agreement or
21 company personnel policies;

22 (p) *Inter-Union Dispute* refers to any conflict between and among
23 registered employees' organizations, federations, or confederations
24 involving representation questions for purposes of collective
25 bargaining, negotiation, or representation, or to any dispute other than
26 an intra-union dispute as defined in herein;

27 (q) *Intra-Union Dispute* refers to any conflict between and among the
28 members of an employees' organization, including grievances arising
29 from any violation of the rights and conditions of membership, or any
30 violation of, or disagreement, over any provision of the constitution
31 and by-laws, or any dispute arising from affiliation;

32 (r) *Labor Dispute* includes any controversy or matter concerning terms
33 and conditions of employment, or the representation of persons in
34 negotiating, fixing, maintaining, changing, or arranging the terms and
35 conditions of employment, regardless of whether the disputants stand
36 in the proximate relation of employer and employee;

1 (s) *Labor Organization* means any duly-registered employees'
2 organization, or duly-registered federation or confederation of
3 employees' organizations, which exist in whole or in part for the
4 purpose of collective bargaining, or for dealing with government
5 agencies regarding terms and conditions of employment;

6 (t) *NCMB* means the National Conciliation and Mediation Board established
7 pursuant to Executive Order No. 126;

8 (u) *Negotiating Unit* refers to the constitutional bodies and their regional
9 offices, the executive department including services and staff bureaus
10 and regional offices, line bureaus and their regional offices, attached
11 agencies, the legislature, the judiciary, state universities and colleges,
12 government-owned and controlled corporations with or without original
13 charter, and, provinces, cities, municipalities, and other local
14 government units;

15 (v) *Non-Competitive Positions* may refer to any of the following:

16 a. Policy determining positions, which vest in the occupant the
17 power to formulate policies for the government or any of its
18 agencies, subdivisions, or instrumentalities, such as a member
19 of the cabinet;

20 b. Primarily confidential positions, where the occupant enjoys more
21 than the ordinary confidence of the appointing power, but
22 bears such close intimacy which ensures freedom of discussion
23 without embarrassment or misgivings of possible betrayal of
24 personal trust on confidential matters of state, such as a
25 personal secretary; and

26 c. Highly technical positions, which requires the occupant to
27 possess skills or training in a supreme or superior degree, such
28 as a scientist or legal professional.

29 (w) *Organizational Unit* refers to an identifiable government unit, such as
30 the constitutional bodies and their regional offices, the executive
31 department including services and staff bureaus, line bureaus,
32 attached agencies, the legislature, the judiciary, state universities and
33 colleges, government-owned or controlled corporations with or without
34 original charter, provinces, cities, municipalities, and other local
35 government units, regional offices (composed of provincial, district,

1 local offices) of a department/agency, and such other identifiable
2 government units as may be considered by the Board;

3 (x) *Mass Peaceful Concerted Activities* refers to actions taken by an
4 employees' organization in relation to a labor dispute which may
5 include petitions, hanging of streamers, distribution of campaign
6 materials, conduct of peaceful assemblies, and wearing of buttons or
7 armbands, which do not involve any form of work stoppage, disrupt
8 public order and safety, or pose imminent danger to life or property;

9 (y) *Position* refers to an occupational title with a defined set of duties and
10 responsibilities to be performed by an individual, either on a full or
11 part-time basis;

12 (z) *Public Authority or Appropriate Authority* refers to an authority which
13 has a legal mandate to govern or administer a part, or an aspect of,
14 any branch, agency, subdivision, or instrumentality of the government,
15 including government owned or controlled corporations, local
16 government units, state universities and colleges, and entities and
17 corporations sequestered by the government;

18 (f) *Registered Union* means any employees' organization or association
19 duly registered with the Bureau of Labor Relations (BLR), including any
20 branch or local thereof;

21 (l) *Social Dialogue* includes all types of negotiations, consultations, or
22 exchanges of information between, or among, representatives of
23 government and employees on issues of common interest, or those
24 related to economic and social policy;

25 (j) *Strike* means any temporary stoppage or slow-down of work caused by
26 the concerted action of employees as a result of a labor dispute, as
27 defined in this Act, or graft and corruption;

28 (~) *Strike-Breaker* means any person who obstructs, impedes, or interferes
29 with any strike or mass peaceful concerted activity by force, violence,
30 coercion, threats, or intimidation;

31 (i) *Strike Area* means the immediate area actually used by picketing
32 employees in moving to and from all points of entrance and exit of the
33 organizational unit or negotiating unit's premises;

34 (€) *Union or Employees' Organization* refers to a labor organization formed
35 and operating in an appropriate organizational unit for the purpose of

1 protecting and promoting employees' rights and benefits in accordance
2 with law;

3 (i) *Voluntary Arbitration* refers to the mode of settling labor disputes by
4 which the parties select a competent, trained and impartial person who
5 shall decide on the merits of the case and whose decision is final,
6 executory and binding; and

7 (j) *Voluntary Recognition* refers to the process by which a duly-registered
8 employees' organization is recognized by the appropriate authority as
9 the exclusive bargaining representative of the employees in an
10 organizational unit.

11 12 **CHAPTER III**

13 **RIGHT TO SELF ORGANIZATION**

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15 Sec. 5. *Coverage of the Right to Self-Organization.* - All government employees
16 shall have the right to self-organization, which shall include the right to form, join, or
17 assist employee organizations, national or sectoral federations, or confederations of
18 their own choosing, for collective bargaining and the protection of their interests.
19 Government employees shall also have the right to form, in conjunction with
20 appropriate government authorities, employee management committees, work councils,
21 and other forms of employee participation schemes.

22 Sec. 6. *Limitation on the Right to Self-Organization of Employees under*
23 *Alternative Forms of Public Service Work Arrangements.* - Employees under alternative
24 forms of public service work arrangements such as casual employees or those serving
25 under a job order, contract of service, or memorandum of understanding, shall have the
26 right to join or assist an employees' organization in their organizational unit. However,
27 they shall be prohibited from forming a separate employees' organization of their own
28 in an already-organized organizational unit: Provided, that they shall have the right to
29 form an employees association for their mutual aid and protection.

30 Sec. 7. *Ineligibility of Managerial, Supervisory or Confidential Employees to Join*
31 *the Rank-and-File Union.* - Managerial, supervisory, and confidential employees shall be
32 prohibited from joining, forming, or assisting any rank-and-file employees' organization.
33 However, they shall have the right to form or join sectoral, national, or international
34 federations or confederations of their own. Accordingly, when a member of a rank-and-
35 file employees' organization is designated to a position which has been declared
36 primarily confidential, policy-determining, or managerial in nature, he or she shall

1 automatically be deemed suspended from the rank-and-file employees' organization for
2 the duration of his or her designation.

3 Sec. 8. *Exclusion of the Members of the Armed Forces of the Philippines,*
4 *including Police Officers from the Right to Self-Organization.* – Members of the Armed
5 Force of the Philippines, including police officers, and other public officers primarily
6 responsible for the external and internal security of the State, are excluded from the
7 coverage of the right to self-organization. However, firemen and jail guards, not
8 being primarily responsible for national security, shall enjoy the right to self-
9 organization. In all instances, civilian or non-uniformed personnel shall be allowed to
10 exercise the right to self-organization.

11 Sec. 9. *Effect of the Inclusion of Ineligible or Excluded Employees in a Rank-and-*
12 *File Organization.* – The inclusion of ineligible or excluded government employees, as
13 provided in this Act, in a rank-and-file employees' organization shall not be a ground for
14 the cancellation of registration, but said ineligible or excluded employees shall be
15 deemed automatically stricken from said organization's membership roll or list.

16 Sec. 10. *Protection of the Right to Self-Organization.* – No government employee
17 shall be discriminated against by reason of his or her membership in any employees'
18 organization or by any other exercise of the right to self-organization. Employment in
19 the civil service shall not be subject to a condition to desist from joining, assisting, or
20 forming an employees' organization. It shall be unlawful for any person to restrain,
21 coerce, or interfere with the exercise by employees of the right to self- organization.

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CHAPTER IV

24 **RIGHTS OF REGISTERED ORGANIZATION AND RIGHTS AND CONDITIONS OF** 25 **MEMBERSHIP IN AN EMPLOYEES' ORGANIZATION**

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27 Sec. 11. *Rights of Registered Organizations.* – A registered employees'
28 organization, federation, or confederation shall have the right:

29 (a) To act as representative of its members for the purpose of representation,
30 social dialogue, collective bargaining, and negotiations;

31 (b) To be certified as the exclusive bargaining representative of all the employees
32 in an organizational unit in the case of employees' organizations;

33 (c) To be recognized as the bargaining representative of all member-employees'
34 organizations for national or sectoral bargaining on matters pertaining to the
35 welfare and benefits of government employees, in the case of federations or
36 confederations;

- 1 (d) In the case of federations, to issue charter certificates to chartered
2 employees' organizations as a guarantee of their existence and legitimacy to
3 be the exclusive bargaining representative of the organizational unit sought
4 to be represented, subject however to submission of the charter certificate
5 and accompanying application for registration, as provided in this Act;
- 6 (e) To own property, real or personal, for the use and benefit of the organization
7 and its members;
- 8 (f) To sue and be sued in its registered name;
- 9 (g) To be afforded facilities to enable a certified employees' organization to carry
10 out its functions promptly and efficiently, both during and outside hours of
11 work, including union or membership dues payroll deduction, time-off for
12 union activities without loss of pay or benefits, access to workplaces and
13 prompt access to management, office spaces and equipment, transport and
14 communications, authorization to post organization or trade union notices,
15 right to attend meetings, and right of assembly;
- 16 (h) To act as a watchdog against corruption and illegal activity within the
17 government; and
- 18 (i) To undertake all other activities not contrary to law, for the benefit of the
19 organization and its members.

20 Notwithstanding any provision of a general or special law to the contrary, the income
21 and property of legitimate employees' organizations, federations, or confederation,
22 including grants, endowments, gifts, donations, and contributions they may receive
23 from fraternal and similar organizations, local or foreign, which are actually, directly and
24 exclusively used for their lawful purposes, shall be free from taxes, duties and other
25 assessments. The exemptions provided herein may be withdrawn only by a special law
26 expressly repealing this provision.

27 *Sec. 12. Rights and Conditions of Membership in an Employees' Organization,*
28 *Federation, or Confederation.* - The following are the rights and conditions of
29 membership in an employees' organization, federation, or confederation:

- 30 (a) No arbitrary or excessive initiation fees shall be required of the members, nor
31 shall arbitrary, excessive, or oppressive fines and forfeitures be imposed;
- 32 (b) The members shall be entitled to full and detailed reports from their officers
33 and representatives of all financial transactions, as provided for in the
34 constitution and by-laws of the organization;
- 35 (c) The members shall directly elect their officers in the employees' organization,
36 as well as their national officers in the federation or confederation to which

1 they are affiliated, by secret ballot at intervals of not greater than five (5)
2 years. No qualification requirement for candidacy to any position shall be
3 imposed other than membership in good standing in the organization,
4 federation, or confederation. The secretary, or any other responsible officer,
5 shall furnish the Board with a list of newly-elected officers, together with the
6 appointive officers or agents entrusted with the handling of funds, within
7 thirty (30) calendar days after the election of officers, or from the occurrence
8 of any change in the officers of an organization;

9 (d) The members shall determine by secret ballot, after due deliberation, any
10 question of major policy affecting the entire membership of the employees'
11 organization, federation, or confederation, unless *force majeure* renders a
12 secret ballot impractical, in which case the board of directors of the
13 organization shall make the decision on behalf of the general membership;

14 (e) No employees' organization, federation, or confederation shall knowingly
15 admit as members, or continue in membership, any individual who belongs to
16 a subversive organization or those who engage, directly or indirectly, in any
17 subversive activity;

18 (f) No person who has been convicted of a crime involving moral turpitude shall
19 be eligible for election as an officer, or for appointment to any position, in an
20 employees' organization, federation, or confederation;

21 (g) No officer, agent, or member of an employees' organization, federation, or
22 confederation shall collect any fees, dues, or other contributions on its behalf,
23 or make any disbursement of its money or funds, unless he or she is duly-
24 authorized to do so pursuant to its constitution and by-laws;

25 (h) Every payment of fees, dues, or other contributions by a member shall be
26 evidenced by a receipt signed by the officer or agent making the collection,
27 and entered into the record of the employees' organization, federation, or
28 confederation kept and maintained for the purpose;

29 (i) The funds of an employees' organization, federation, or confederation shall
30 not be applied for any purpose or object other than those expressly provided
31 by its constitution and by-laws, or those expressly authorized by a written
32 resolution adopted by the majority of the members at a general meeting duly-
33 called for the purpose;

34 (j) Any income or revenue of an employees' organization, federation, or
35 confederation shall be evidenced by a record indicating its source, and every
36 expenditure of its funds shall be evidenced by a receipt from the person to

1 whom the payment is made, which shall state the date, place, and purpose of
2 such payment. Such record or receipt shall form part of the financial records
3 of the organization, federation, or confederation. Any action involving the
4 funds of an employees' organization, federation, or confederation shall
5 prescribe after three (3) years from the date of submission of the annual
6 financial report to the Board or from the date the same should have been
7 submitted as required by law, whichever comes earlier: Provided, That this
8 provision shall apply only to registered employees' organizations, federations,
9 or confederation which have submitted the financial report required under
10 this Act: Provided, further, That failure of any employees' organization,
11 federation, or confederation to comply with the periodic financial reports
12 required by law, and by rules and regulations promulgated thereunder, six (6)
13 months after the effectivity of this Act, shall be a ground for disciplinary
14 action against the officers responsible therefor;

15 (k) Officers shall not be paid any compensation other than the salaries and
16 expenses appurtenant to their positions as specifically provided for in the
17 constitution and by-laws, or in a written resolution duly-authorized by a
18 majority of all the members at a general membership meeting duly-called for
19 the purpose. The minutes of the meeting and the list of participants and
20 ballots cast shall be subject to inspection by the Board through the Bureau of
21 Labor Relations as its duly-authorized representative. Any irregularity in the
22 approval of such a resolution shall be a ground for impeachment or expulsion
23 from the employees' organization, federation, or confederation;

24 (l) The treasurer and every officer thereof who is responsible for the financial
25 accounts of such an organization, or for the collection, management,
26 disbursement, custody, or control of the funds, moneys, and other property
27 of the organization, shall render to the organization and to its members a true
28 and correct account of all moneys received and paid by him or her since he or
29 she assumed office, or since the last day on which he or she rendered such
30 account, and of all bonds, securities, and other property of the organization
31 entrusted to his or her custody or under his or her control. The rendering of
32 such account shall be made:

- 33 a. At least once a year, within thirty (30) days after the close of the
34 organization's fiscal year;
- 35 b. At such other times as may be required by a resolution of the majority
36 of the members of the organization; and

1 c. Upon vacating his or her office.

2 The account shall be duly-audited and verified by affidavit and a copy thereof
3 shall be furnished to the Secretary of Labor.

4 (m)The books of accounts and other records of the financial activities of the
5 organization shall be open to inspection by any officer or member thereof
6 during office hours;

7 (n) No special assessment or any other extraordinary fee may be levied upon the
8 members unless authorized by a written resolution of a majority of all the
9 members in a general membership meeting duly-called for the purpose. The
10 secretary of the organization shall record the minutes of the meeting
11 including the list of all members present, the votes cast, the purpose of the
12 special assessment or fee and the recipient of such assessment or fee. The
13 record shall be attested to by the president;

14 (o) Other than for mandatory activities, no special assessments, attorney's fees,
15 negotiation fees, or any other extraordinary fees may be checked off from
16 any amount due to an employee without an individual written authorization
17 duly-signed by the employee. The authorization should specifically state the
18 amount, purpose, and beneficiary of the deduction; and

19 (p) It shall be the duty of any organization and its officers to inform their
20 members of the provisions of the organization's constitution and by-laws, any
21 existing collective bargaining agreements, the prevailing labor relations
22 system, and all their rights and obligations under existing laws. For this
23 purpose, reasonable dues to finance labor relations seminars and other labor
24 education activities may be assessed.

25 Any violation of the above rights and conditions of membership shall be a ground for
26 expulsion of the officers responsible from the employees' organization, federation, or
27 confederation. At least thirty percent (30%) of the members of an employees'
28 organization, or of the total number of affiliated employees' organizations in the case of
29 a federation or confederation, or any member or members directly affected by the
30 violation, may report any such violation to the Board. The Board shall have the power
31 to hear and decide any such violation and mete out the appropriate penalty therefor.

32 Criminal and civil liabilities arising from violations of the foregoing rights and conditions
33 of membership shall continue to be under the jurisdiction of ordinary courts.

34
35 **CHAPTER V**

36 **PUBLIC SECTOR LABOR RELATIONS BOARD (PSLRB)**

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Sec. 13. *Public Sector Labor Relations Board (PSLRB); Composition.* - The Civil Service Commission's Personnel Relations Office (CSC-PRO) and the Public Sector Labor Management Council (PSLMC) are hereby abolished and reconstituted as the Public Sector Labor Relations Board (PSLRB), hereinafter referred to as the Board, which shall be attached to the Office of the President, under the Executive Secretary, for policy coordination. It shall implement and administer the provisions of this Act, and shall be composed of the following:

- (a) A government representative with rank equivalent to an Undersecretary, as fulltime Chairperson;
- (b) Heads of registered federations or confederations, as members; and
- (c) One (1) sectoral representative each from the following: National Government Agencies (NGAs); Government Owned and Controlled Corporations with or without original charter (GOCCs); Local Government Units (LGUs); State Universities and Colleges (SUCs), local universities and colleges, and technical and vocational schools; the judiciary; the legislature; constitutional bodies; and public school teachers and public health workers.

Board members shall serve for a term of three (3) years, or until their successors are elected, unless recalled by the organizations being represented. There shall be no added emoluments other than that work performed in such a capacity shall be considered as official time. In no case, however, shall a member of the Board serve in a hold-over capacity for more than one (1) year.

Sec. 14. *Original and Exclusive Jurisdiction of the Board.* - The Board shall have original and exclusive jurisdiction to hear and decide the following cases:

- (a) Unfair labor practice;
- (b) Disputes arising during the course of collective negotiations;
- (c) Disputes on issues resulting from the interpretation or implementation of the grievance machinery;
- (d) Determination of the presence or absence of a strike;
- (e) Disputes arising from the interpretation or implementation of the provisions of a collective negotiation agreement;
- (f) Violations of the fundamental rights of workers; and
- (g) Grave abuse of management prerogatives.

Sec. 15. *Appellate Jurisdiction of the Board.* - The Board shall have appellate jurisdiction on decision or orders of the Bureau of Labor Relations involving:

- (a) Representation issues;

- 1 (b) Inter- and intra-employees' organization, federation, or confederation
2 disputes;
- 3 (c) Issues arising from the election or expulsion of officers of employees'
4 organizations, federations, or confederations;
- 5 (d) Certification elections; and
- 6 (e) Verification of voluntary recognition.

7 *Sec. 16. Support and Assistance of the Civil Service Commission, Department of*
8 *Labor and Employment, National Conciliation and Mediation Board, and Law*
9 *Enforcement Agencies. -*

- 10 (a) The Board shall have as many employees as may be necessary. It shall be
11 supported and assisted by the Civil Service Commission, Department of Labor
12 and Employment, and the National Conciliation and Mediation Board (NCMB)
13 in the administration of public sector labor relations.
- 14 (b) Specific to the Department of Labor and Employment, the Bureau of Labor
15 Relations shall continue, pursuant to its existing mandate under Executive
16 Order No. 180, Series of 1987, and the Labor Code of the Philippines, as
17 amended, to conduct hearings on inter or intra-union disputes with respect to
18 public sector organizations, including the registration and cancellation of
19 registration of employees' organizations, federations, or confederations. The
20 decision of the Bureau shall be appealable to the Board within fifteen (15)
21 calendar days from the date of receipt thereof by the parties.
- 22 (c) With respect to the National Conciliation and Mediation Board, an attached
23 agency to the Department of Labor and Employment, for purposes of this Act,
24 it shall create a conciliation-mediation unit that shall provide conciliation-
25 mediation services for the purpose of addressing public sector concerns and
26 disputes, whether individual or those arising from collective bargaining
27 negotiations or the implementation and interpretation of collective bargaining
28 agreements. Unless there is a need for adjustments, the existing guidelines
29 on conciliation-mediation services shall be observed.
- 30 (d) Furthermore, a unit mandated to resolve public sector labor relations disputes
31 shall be created from the existing voluntary arbitration system administered
32 by the National Conciliation and Mediation Board. This unit shall take
33 cognizance of disputes that the parties thereto may opt to submit for
34 voluntary arbitration, subject to existing guidelines and fees. The Board shall
35 also have the authority to directly conduct voluntary arbitration proceedings.

1 The Board may deputize or direct any national or local law enforcement agency, or
2 instrumentality of the government, to enforce and execute its decisions, orders, and
3 resolutions.

4 Sec. 17. *Writ of Preliminary Injunction or Temporary Restraining Order.* – The
5 Board may issue a writ of preliminary injunction or temporary restraining order when,
6 on the basis of the allegations in a petition, it is established that the acts complained of
7 involve or arise from an employee-management dispute and, if not restrained, will
8 cause grave or irreparable injury to any party, or render ineffectual any decision in
9 favor of such party.

10 The Board shall require the petitioner to post a bond, and the writ of preliminary
11 injunction or temporary restraining order shall become effective only upon approval of
12 said bond, which shall answer for any damage that may be suffered by the party
13 enjoined if it is determined, with finality, that the petitioner was not entitled to the
14 ancillary relief prayed for.

15 Sec. 18. *Grounds for Contempt.* – The Board may cite a person for contempt on
16 any of the following grounds:

17 (a) Disobedience or resistance to lawful orders, decisions, rulings, summons,
18 subpoenas, or any other issuance or process of the Board; or

19 (b) Unlawful interference with the proceedings of the Board, or improper conduct
20 tending, directly or indirectly, to impede, obstruct, delay or hamper the
21 implementation of any order, decision, or ruling, as provided in this Act.

22 Sec. 19. *Finality of Decisions.* – Decisions of the Board in the exercise of its
23 appellate jurisdiction are final and executory unless a motion for reconsideration is filed
24 by the aggrieved party within fifteen (15) calendar days from receipt of the decision
25 sought to be reconsidered. The Board shall not entertain any further motions for
26 reconsideration. Decisions of the Board, in the exercise of its original or appellate
27 jurisdiction, may be elevated to the Court of Appeals through the extraordinary remedy
28 of petition for certiorari.

29 Sec. 20. *Operations of the Board.* - The Board shall have a Technical Executive
30 Committee (TEC) as its technical and implementing arm as well as a permanent
31 Secretariat. For this purpose, the following shall be observed:

32 (a) The Board shall designate from among themselves the chairperson and
33 members of the Technical Executive Committee, in such numbers as it may
34 deem appropriate. The TEC shall regularly meet to: (1) pre-process issues
35 and concerns and submit recommendations for approval and by the Board;
36 (2) monitor, perform, or implement decisions, activities, and projects as

1 approved by the Board; and (3) perform such other functions as may be
2 required by the Board;

3 (b) The Civil Service Commission's Personnel Relations Office (CSC-PRO) shall be
4 reconstituted as the Board's permanent Secretariat, and shall provide
5 technical and staff support to the Board and TEC;

6 (c) The Board may also constitute itself into divisions of three (3) members each.
7 However, the Board shall convene *en banc* on matters of policy, or in case of
8 disagreements within its divisions. But in all cases, the signing authority for
9 decisions of the Board shall be the Chairperson, with the concurrence of a
10 majority of the members present during a meeting. The Board shall
11 determine what constitutes a quorum to conduct official business, either of
12 the division or the Board *en banc*; and

13 (d) The Civil Service Commission and the Office of the Executive Secretary shall
14 allocate the funds and resources required by the Board for its operations from
15 their respective budgets.
16

17 **CHAPTER VI**
18 **REGISTRATION AND CANCELLATION OF REGISTRATION**
19

20 Sec. 21. *Requirements for Registration.* - An employees' organization,
21 federation, or confederation shall acquire legal personality and enjoy the rights and
22 privileges under this Act, on the date of issuance of a certificate of registration by the
23 Bureau of Labor Relations, which shall be the central registry for legitimate labor
24 organizations, after compliance with the following requirements:

25 (a) The application for registration of an employees' organization shall be
26 accompanied by the following:

- 27 1. A statement indicating the name of the applicant employees'
28 organization, its principal address, the names of its officers, total
29 number of members and the number of employees in the
30 organizational unit the applicant seeks to represent;
- 31 2. Duly-ratified constitution and by-laws accompanied by the minutes of
32 the meeting during which they were adopted or ratified, as well as a
33 list of members who participated in the said meeting;
- 34 3. The signatures of at least ten percent (10%) of the employees in the
35 organizational unit the applicant seeks to represent;

- 1 4. 3. If the applicant has been in existence for one or more years, a copy
2 of its most recent annual audited financial statements; and
- 3 5. A registration fee, the amount of which shall be determined by the
4 Bureau of Labor Relations.

5 (b) The application for registration of a chartered employees' organization shall
6 be accompanied by the following:

- 7 1. Duly-authenticated copy of the federation charter certificate issued to
8 the employees' organization;
- 9 2. Duly-ratified constitution and by-laws accompanied by the minutes of
10 the meeting during which they were adopted or ratified, as well as a
11 list of members who participated in the said meeting;
- 12 3. If the applicant has been in existence for one or more years, a copy of
13 its most recent annual audited financial statements; and
- 14 4. A registration fee, the amount of which shall be determined by the
15 Bureau of Labor Relations.

16 (c) The application for registration of federation or confederation shall be
17 accompanied by the following:

- 18 1. A statement indicating the name of the applicant federation or
19 confederation, its principal address, and the names of its officers;
- 20 2. Duly-ratified constitution and by-laws accompanied by the minutes of
21 the organizational meeting during which they were adopted or ratified,
22 as well as a list of the affiliated employees' organizations and members
23 who participated in the said meeting;
- 24 3. Copies of registration certificates and affiliation confirmation
25 resolutions of at least five (5) affiliate or member labor organizations in
26 the case of federations;
- 27 4. Copies of registration certificates and affiliation confirmation resolution
28 of at least two (2) affiliate or member federations in the case of
29 confederations;
- 30 5. If the applicant has been in existence for one or more years, a copy of
31 its most recent annual audited financial statements; and
- 32 6. A registration fee, the amount of which shall be determined by the
33 Bureau of Labor Relations.

34 (d) All applications for registration shall be attested to by the applicant's
35 president and verified under oath by its secretary or treasurer.

1 Sec. 22. *Incomplete Application; Non-Denial.* - Incomplete applications for
2 registration shall not be accepted. Complete applications for registration on the other
3 hand, shall be deemed approved upon receipt by the Bureau.

4 Sec. 23. *Reportorial Requirements.* - All registered employees' organizations shall
5 submit an annual organizational report containing a list of its current officers and
6 members, principal office address, annual audited financial statements, and authorized
7 contact persons. Non-submission of reportorial requirements shall not be a ground for
8 cancellation of registration.

9 Sec. 24. *Grounds for Cancellation of Registration.* - A petition for the
10 cancellation of registration of an employees' organization, federation, or confederation
11 shall be filed before the Bureau on the grounds of misrepresentation or fraud in the
12 formation of the organization. Such a petition shall be accompanied by the signatures of
13 at least forty percent (40%) of the total membership of the subject organization. No
14 *motu proprio* or administrative cancellation of registration by the Bureau or by the
15 Board shall be allowed.

16 Sec. 25. *Effect of Pendency of a Petition for Cancellation of Registration.* - The
17 pendency of the petition for cancellation of registration shall not affect the legitimate
18 personality of the employees' organization, and all the rights appurtenant thereto,
19 including the right to participate in, or file, a petition for certification election, or be
20 certified as the exclusive bargaining agent, or to negotiate a collective bargaining
21 agreement, absent a cease and desist order from the Bureau or the Board.

22 Sec. 26. *Bureau Report of Registration and Cancellation to the Board.* - The
23 Bureau of Labor Relations shall make a periodic report on registered and cancelled
24 employees' organizations, federations, and confederations to the Public Sector Labor
25 Relations Board.

26

27

CHAPTER VII

28

EXCLUSIVE BARGAINING REPRESENTATIVE

29

30 Sec. 27. *Certification of Exclusive Bargaining Representative in Unorganized*
31 *Organizational Unit.* - A duly-registered employees' organization which has the support
32 of at least twenty percent (20%) of the members of the appropriate organizational unit,
33 shall have the right to petition the Board to conduct a certification election. The Board
34 shall refer the petition to the Bureau of Labor Relations to determine whether the
35 petition complies with the requirements of law. If the petition is compliant, the Bureau
36 of Labor Relations shall also conduct the certification election itself. The employees'

1 organization who garns the most number of votes shall be certified by the Board as the
2 exclusive bargaining representative of the employees in the organizational unit sought
3 to be represented.

4 Sec. 28. *Request for Voluntary Recognition.* – A duly registered employees’
5 organization shall have the right to file a request for voluntary recognition with the
6 appropriate authority if it has the support of a majority of employees in the
7 organizational unit sought to be represented.

8 If the request is accepted, the employees’ organization and appropriate authority shall
9 file a joint submission notifying the Board that the employees’ organization has the
10 support of a majority of the employees in the organizational unit sought to be
11 represented and that the appropriate authority has confirmed this fact. The Board shall
12 then direct that an appropriate notice be posted for a fifteen (15) days in at least two
13 (2) conspicuous places in the work premises of the organizational unit sought to be
14 represented. After compliance with the posting requirement, a certificate of
15 recognition shall be issued to the employees’ organization as the exclusive bargaining
16 representative.

17 However, when there are two (2) or more registered employees’ organizations in the
18 organizational unit sought to be represented at the time the request for voluntary
19 recognition was filed with the appropriate authority, or if there is a question as to
20 whether or not a majority of the employees in the organizational unit support the
21 voluntary recognition, the Board shall direct the Bureau to conduct a certification
22 election to determine the exclusive bargaining representative, regardless of the
23 willingness of the appropriate authority to grant recognition.

24 Sec. 29. *Representation Issue in an Organized Organizational Unit.* – In an
25 already-organized organizational unit, a duly registered employees’ organization may
26 challenge the representative status of the incumbent exclusive bargaining
27 representative by filing with the Board a petition for certification election, accompanied
28 by the signatures of at least twenty percent (20%) of the employees in that
29 organizational unit, within the sixty (60) day freedom period before the expiration of an
30 existing collective bargaining agreement.

31 All existing registered employees’ organizations in the organizational unit at the time of
32 the filing of the petition for certification election shall be candidates in the certification
33 election. The employees’ organization that garners a majority of the votes shall be
34 certified by the Board as the exclusive bargaining representative.

35

36

CHAPTER VIII

COLLECTIVE BARGAINING

1
2
3 Sec. 30. *Levels of Collective Bargaining.* – Collective bargaining being essentially
4 a social dialogue between public sector workers and government authorities shall be
5 conducted regularly, whether simultaneously or in succession, at the national, sectoral,
6 and organizational levels, at intervals deemed appropriate by the parties; but in no case
7 shall these intervals exceed three (3) years.

8 Sec. 31. *National Bargaining Agreement; Coverage.* - General terms and
9 conditions of employment of national application, including the standardization of
10 salaries, allowances, and benefits of government employees not requiring legislative
11 action, shall be subject to collective bargaining between representatives of all
12 accredited public sector federations or confederations and national government
13 authorities at regular intervals. Such terms and conditions of employment shall include
14 the following:

- 15 (a) Reclassification, review, creation, abolition, or upgrading of positions;
- 16 (b) Wages, as well as review and revision of the compensation structure;
- 17 (c) Increase in standard allowances granted uniformly across the government;
- 18 (d) Creation of anti-corruption advocacy and monitoring units at the national,
19 sectoral, and organizational unit levels;
- 20 (e) Creation of social dialogue mechanisms at the national, sectoral, and
21 organizational unit levels; and
- 22 (f) Other benefits covered by this Act.

23 Sec. 32. *Sectoral Bargaining Agreement.* - Sectoral collective negotiations shall
24 be undertaken on sector-specific concerns between elected sectoral representatives and
25 the concerned sectoral government authorities, which shall include terms and conditions
26 of employment unique to the sector as well as incentives, including wage and salary
27 structure, as provided under Republic Act No. 10149, or the GOCC Governance Act of
28 2011.

29 Sec. 33. *Organizational Bargaining Agreement; Coverage.* - Personnel
30 enhancements, welfare, and benefits, which must not be lower than national or sectoral
31 standards, shall be negotiated at the level of the negotiating unit between the certified
32 employees' union and the concerned government authority, which shall include, among
33 others, the following:

- 34 (a) Schedule of vacation and other leaves;
- 35 (b) Work assignments of pregnant women;
- 36 (c) Personnel growth and development;

- 1 (d) Communication system within the organizational unit;
- 2 (e) Provisions for occupational safety and health;
- 3 (f) Provisions and facilities for handicapped personnel;
- 4 (g) Use of gender and development budget;
- 5 (h) Wellness and physical fitness program;
- 6 (i) Establishment of day care facilities;
- 7 (j) Annual medical and physical examinations;
- 8 (k) Recreational, social, athletic, and cultural activities;
- 9 (l) Facilities requiring capital outlays;
- 10 (m) Provident fund (management counterpart);
- 11 (n) Hospitalization, medical, and dental services;
- 12 (o) Rice, sugar, and other subsidies;
- 13 (p) Travel expenses;
- 14 (q) Other retirement benefits;
- 15 (r) Representation in different committees in the organizational unit, particularly
- 16 those committees involved in employee welfare and development,
- 17 productivity, and preventing graft and corruption;
- 18 (s) Work organization;
- 19 (t) Productivity and collective negotiation incentives;
- 20 (u) Health maintenance benefit;
- 21 (v) Staple food benefit;
- 22 (w) Disaster Risk Assistance Management Allowance;
- 23 (x) Renewal of licenses, if a requirement of the work or functions being
- 24 performed;
- 25 (y) Free legal assistance for work-related cases, or those related to the exercise
- 26 of the office's mandate or function
- 27 (z) Educational allowance;
- 28 ({} Meal allowance;
- 29 (l) Mortuary benefit;
- 30 (}) Disability benefits;
- 31 (~) Longevity bonus; and
- 32 () Union leave.

33 Sec. 34. *Duty to Bargain in Good Faith.* – Parties to collective bargaining shall
34 make every effort to arrive at comprehensive, mutually-acceptable solutions on all
35 matters of mutual interest, which solutions shall be observed and implemented in good

1 faith. Good faith includes acknowledging the binding effects of the terms and conditions
2 of collective bargaining agreements by the parties thereto and their successors-in-
3 interest, even after changes in the administration or leadership of the agency or
4 employees' organization. Collective bargaining agreements at all levels shall include a
5 binding dispute resolution mechanism, such as the establishment of grievance
6 machinery, as well as an agreement that the parties shall resort to voluntary arbitration
7 *vis-à-vis* issues related to the interpretation or implementation of its provisions.

8 Sec. 35. *Registration of Collective Bargaining Agreements.* – Collective bargaining
9 agreements, whether national, sectoral, or organizational unit-specific, shall be
10 submitted to the Board for administration and monitoring, and to the Bureau for
11 registration, recording, and statistical tracking.

12

13

CHAPTER IX

14

UNFAIR LABOR PRACTICE

15

16 Sec. 36. *Unfair Labor Practice of the Agency.* – The following shall constitute
17 unfair labor practice on the part of the agency:

18 (a) Interfering with, restraining, or coercing employees in the exercise of their
19 right to self-organization;

20 (b) Requiring, as a condition of employment, that an employee shall either join,
21 or refuse to join, an employees' organization, federation, or confederation, or
22 withdraw from one to which he or she belongs;

23 (c) Discrimination with respect to work schedules, benefits, places of assignment,
24 and other terms and conditions of employment in order to encourage or
25 discourage membership in any employees' organization;

26 (d) Terminating the services, or discriminating against, an employee for having
27 filed charges or expressed willingness to expose corrupt practices;

28 (e) Refusing to enter into collective negotiations with accredited or certified
29 employees' organization;

30 (f) Violating any of the provision of the collective negotiation agreement;

31 (g) Union busting;

32 (h) Violation of the freedom of association and the right to strike;

33 (i) Indiscriminate use of management prerogative; and

34 (j) Failure to act on any form of violence or sexual harassment in the workplace.

35 Sec. 37. *Unfair Labor Practices of Employees' Organizations.* – The following shall
36 constitute unfair labor practice on the part of employees' organizations:

- 1 (a) Restraining or coercing employees in the exercise of their right to self -
2 organization;
- 3 (b) Causing or attempting to cause the agency head to discriminate against an
4 employee who has not joined or refuses to join the employee organization;
- 5 (c) Refusing to negotiate collectively with the duly-authorized representative of
6 the agency; and
- 7 (d) Violating any of the provisions of the collective negotiation agreement.

8 The heads of offices and other officers of the agency, as well as the officers and
9 members of an employee organization, who participate in, or authorize, any unfair labor
10 practice shall be held administratively liable therefor, without prejudice to civil or
11 criminal liability.

12
13 **CHAPTER X**
14 **GRIEVANCE MACHINERY AND SETTLEMENT OF DISPUTES**
15

16 *Sec. 38. Settlement of Disputes Arising in Connection with the Determination of*
17 *Terms and Conditions of Employment.* - There shall be established an independent,
18 efficient, speedy, and impartial settlement mechanism for disputes related to the terms
19 and conditions of employment, which shall begin at the organizational unit level through
20 the grievance machinery, and include third party-intervention through conciliation-
21 mediation services and voluntary arbitration for all unresolved labor relations-related
22 disputes.

23 *Sec. 39. Grievance Machinery.* - Each department or agency and employees'
24 organization of an organizational unit shall establish and administer a grievance
25 machinery. Every employee shall have the right to have his or her grievance
26 adjudicated as expeditiously and fairly as possible. A grievance may be filled by an
27 aggrieved employee, or by the employee organization to which he or she belongs, in
28 accordance with the rules issued by the Board.

29 *Sec. 40. Conciliation-Mediation.* - The parties, by mutual agreement, shall have
30 the right to refer unresolved grievances, either individual or those involving collective
31 bargaining, to the conciliation-mediation unit of the NCMB. The Board shall also have
32 the authority to refer unresolved grievances to the NCMB.

33 *Sec. 41. Voluntary Arbitration.* - All labor relations-related disputes in the public
34 sector shall be submitted for voluntary arbitration.

35 *Sec. 42. Voluntary Arbitration Unit; Accreditation.* - Voluntary arbitrators for
36 the public sector shall be accredited by the Board pursuant to accreditation procedures

1 it shall promulgate, which shall include minimum hours of training on public service
2 laws, rules, and regulations, and the appropriate clearances. To be listed in the roster
3 of public sector arbitrators of good standing, accredited voluntary arbitrators shall
4 submit regular reports on cases handled to the Board, and shall undergo enhancement
5 training on public sector rules and regulations.

6 Sec. 43. *Assignment of Cases.* – In the absence of an agreement by the parties
7 on the selection of their voluntary arbitrators, the Board shall facilitate the assignment
8 and raffle of cases to arbitrators of good standing.

9 Sec. 44. *Awards or Decisions of Voluntary Arbitrators.* – Awards or decisions of
10 voluntary arbitrators shall cite the facts and the law upon which they are based. Unless
11 an appeal is filed with the Court of Appeals, such awards and decisions shall be final
12 and executory fifteen (15) calendar days from receipt thereof by the parties.

13

14

CHAPTER XI

15

STRIKES

16

17 Sec. 45. *Right to Strike.* – The right of government employees to engage in
18 peaceful concerted activities, as well as the right to strike, for purposes of collective
19 bargaining or for mutual benefit and protection, including anti-corruption
20 demonstrations, shall be recognized and respected provided that the grounds,
21 procedures, and cooling off period requirement in Article 278 (formerly 263) of the
22 Labor Code of the Philippines, as amended, are observed, and provided further that
23 inter-union or intra-union disputes shall not be grounds for a strike.

24 Sec. 46. *Minimum Service Requirement.* – Considering the nature of public
25 service, the duly registered employees' organization and the appropriate authority in
26 the organizational unit shall ensure that a minimum level of continuous service shall be
27 provided to the public for the duration of the concerted activity or strike.

28 Sec. 47. *Limited Right to Strike.* – Firefighters shall enjoy a limited right to strike,
29 as provided in regulations promulgated by the Board, considering the nature of the
30 services they provide to the community.

31 Sec. 48. *Compulsory Arbitration by the Board.* – The Board shall immediately
32 assume jurisdiction over any dispute involving employees and duly-registered
33 employees' organizations in an organizational unit rendering essential services to the
34 public, such that any interruption thereto would pose imminent danger to the life,
35 safety, or health of any part of the population, including, among others, direct patient
36 care in public health institutions, public air traffic control, or prison services, for the

1 purpose of expeditiously resolving the dispute, through conciliation, mediation, or
2 voluntary arbitration proceedings.
3 The Board shall resolve disputes involving employees and duly-registered employees'
4 organizations in an organizational unit rendering essential services to the public within
5 thirty (30) calendar days from the date it assumed jurisdiction thereof. The resolution
6 or decision of the Board shall be final and executory ten (10) calendar days from receipt
7 thereof by the parties.

8 Sec. 49. *No Disciplinary Action Arising from a Labor Dispute.* – No administrative
9 or disciplinary action shall be imposed against any employee involved in the legitimate
10 exercise of the rights to strike, to peaceably assemble, or to freedom of expression.

11 Sec. 50. *Guarantees against Unreasonable Searches or Arrests Arising from a*
12 *Labor Dispute.* – Pursuant to the Constitutional guarantee of the people to be secure
13 from unreasonable searches and seizures, no search or arrest arising from a labor
14 dispute shall be made except through a warrant issued by a competent court.
15 Government prosecutors shall first secure clearance from the Board before taking
16 cognizance of a criminal complaint *vis-à-vis* cases arising out of, or related to, a labor
17 dispute, including those involving allegations of violence, coercion, physical injury,
18 assault upon a person in authority, obstructing the free ingress to, and egress from, the
19 workplace, and other similar acts of intimidation.

20

21

CHAPTER XII

22

REPRESENTATION AND SOCIAL DIALOGUE

23

24 Sec. 51. *Participation and Representation of Public Sector Employees in Policy-*
25 *Making Bodies and Institutions.* – The right of public sector employees to genuine
26 participation and representation in policy-making bodies and institutions whose actions
27 affect their welfare shall be upheld, and provisions for their representation in the
28 Boards, among others, of the Government Service Insurance System (GSIS), Pag-Ibig
29 Fund, and PhilHealth shall be made. To fully comply with this requirement, no
30 appointment of public sector employees' representatives shall be issued without the
31 concurrence and endorsement of a duly-registered public sector employees' federation
32 or confederation.

33 Sec. 52. *Consultative Mechanisms in the Civil Service.* – To make the delivery of
34 government processes and services transparent, graft-free, and effective, as well as to
35 ensure harmonious labor-management relations in the civil service, the Civil Service
36 Commission shall establish a mechanism for social dialogue and consultation with

1 government employees at the organizational unit level in all branches, subdivisions,
2 instrumentalities, and agencies of the government, including government-owned or
3 controlled corporations with or without original charters.

4 Sec. 53. *Representation in Tripartite Policy-Making and Quasi-Judicial Bodies.* –
5 Public sector employees shall be represented in the National Tripartite Industrial Peace
6 Council and, where appropriate, in the regional and industry-specific tripartite industrial
7 peace councils lodged at the Department of Labor and Employment, including the
8 Tripartite Voluntary Arbitration Advisory Council (TVAAC) of the National Conciliation
9 and Mediation Board.

10 Sec. 54. *Presidential Social Dialogue and Consultation.* – The Board, being
11 attached to the Office of the President, shall regularly convene, *motu proprio* or upon
12 request, social dialogue and consultation between the President of the Philippines and
13 public sector employees' organizations on matters of national concern or on major
14 policies affecting the civil service.

15

16

CHAPTER XIII

17

MISCELLANEOUS PROVISIONS

18

19 Sec. 55. *Implementing Rules and Regulations.* – The Department of Labor and
20 Employment and Office of the Executive Secretary, in consultation with the Civil Service
21 Commission, Department of Justice, Department of Budget and Management,
22 Department of Interior and Local Government, Commission on Higher Education, and
23 with the participation of representatives from the public sector federations and
24 confederations, shall promulgate the implementing rules and regulations necessary to
25 fully implement this Act within one hundred and twenty (120) days from the effectivity
26 thereof.

27 Sec. 56. *Separability Clause.* – If any provision of this Act is declared
28 unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions
29 not affected thereby shall continue to be in full force and effect.

30 Sec. 57. *Repealing Clause.* – Executive Order No. 180, Series of 1987, is hereby
31 expressly repealed. All laws, decrees, executive orders, department or memorandum
32 orders and other administrative issuances or parts thereof which are inconsistent with
33 the provisions of this Act are hereby modified, superseded or repealed accordingly.

34 Sec. 58. *Effectivity.* – This Act shall take effect fifteen (15) days after publication
35 in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,