

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



HOUSE OF REPRESENTATIVES

House Bill No. 2621

Introduced by
TUCP PARTYLIST REPRESENTATIVE RAYMOND DEMOCRITO C. MENDOZA

AN ACT

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

EXPLANATORY NOTE

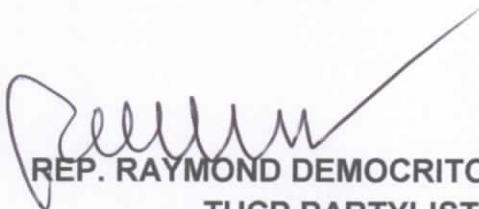
The Philippine government is the single biggest employer in the country. Based on the Labor Force Survey of the Philippine Statistics Authority (PSA) for the July 2018 round, out of the total 26.567 million wage and salary workers, 3.668 million are in the government or government-owned and controlled corporations (GOCCs).

On 14 August 2017, the Philippine Government ratified ILO Convention 151, known as Labour Relations (Public Service) Convention, 1978, or the "*Convention concerning Protection of the Right to Organise and Procedures for Determining Conditions of Employment in the Public Service*" after nine (9) long years of campaigning by the public sector organizations for its ratification. The ratification is expected to usher an era of robust and progressive labor relations environment for the public service.

The 1987 Philippine Constitution recognizes the public sector employees right to self-organization through Article IX-B and this Constitutional guarantee was translated into Executive Order No. 180, Series of 1987, or the "*Guidelines for the Exercise of the Right to Organize of Government Employees, Creating a Public Sector Labor-Management Council, and For Other Purposes*". Executive Order No. 180 and its implementing rules and regulations have since been the governing issuances on public sector labor relations. It has not been amended despite the need and several attempts to do so for an enabling environment for decent work in the public sector and address permeating patronage system, bloated bureaucracy, "transaction costs/corruption in the bureaucracy" and inefficient public service. There are also longstanding observations by the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) in respect to gaps in the laws and practices with respect to public sector unionism.

The essentiality of having a robust and progressive labor relations environment cannot be overemphasized. It would create conditions for a professionalized, trained, motivated and efficient public sector employees which are essential ingredients in fostering sustainable good and high quality public service. In fact, the main argument for the ratification of ILO Convention No. 151 was the mobilization of the public sector employees in reforming the bureaucracy and in addressing corruption and widespread "endo" or end of contract engagement of public service employees in core or critical services through job orders or contracts of service, casuals and other forms of contractual work.

With this and the obligation arising from the ratification of ILO Convention No. 151, upgrading Philippine laws and practices on freedom of association and collective bargaining in the public sector is imperative. Hence, this proposed measure to address the gaps in public sector labor relations particularly on: protection of the right to organize, facilities to be afforded to public sector employees' organizations, procedures for determining the terms and conditions of employment, civil and political rights, and settlement of disputes arising or in connection with the determination of terms and conditions of employment.



REP. RAYMOND DEMOCRITO C. MENDOZA
TUCP PARTYLIST

1 EIGHTEENTH CONGRESS)
2 REPUBLIC OF THE PHILIPPINES)
3 *First Regular Session*)

5 HOUSE OF REPRESENTATIVES

House Bill No. 2621

Introduced by

TUCP Partylist Representative RAYMOND DEMOCRITO C. MENDOZA

AN ACT

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

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

CHAPTER I

DECLARATION OF POLICY

SEC. 1. Short Title. – This act be known as the “*Public Service Labor Relations Act of 2019*”.

29
30 SEC. 2. *Declaration of Policy.* – It is the policy of the State to promote the right to
31 self-organization of government employees, to collective negotiation and peaceful
32 concerted activities including the right to strike in accordance with the law, and the
33 right to participate in policy and decision-making processes affecting their rights and
34 benefits

CHAPTER II

GENERAL PROVISIONS

40 SEC. 3. Coverage. – This Act shall apply to all employees in the civil service,
41 covering all branches, subdivisions, instrumentalities, and agencies of the
42 government, including government-owned or controlled corporations with or without
43 original charters. For this purpose, employees covered by this Act shall be referred

44 to as "employees" or "government employees" or "public sector employees" including
45 job orders or contract of service employees and those in the barangay.

46

47 SEC. 4. *Definition of Terms.* - As used in this Act:

48

49 (a) **Agency** refers to any bureau, office, commission, administration, board,
50 committee, institute, government-owned and controlled corporation with
51 original charter or any other unit of the national government, as well as
52 provincial, city, municipal government except as hereinafter otherwise
53 provided.

54

55 (b) **Board** means the Public Service Labor Relations Board established in this
56 Act.

57 (c) **Bureau** means the Bureau of Labor Relations in the Department of Labor and
58 Employment.

59

60 (d) **Certification election** refers to the process of determining through secret
61 ballot the exclusive bargaining representative of the employees in an
62 appropriate organizational unit for purposes of collective bargaining or
63 negotiation.

64

65 (e) **Certified exclusive union** refers to a duly registered employees' organization
66 which has been certified by the Board as the exclusive bargaining
67 representative having majority support of the agency's rank-and-file
68 employees determined through the conduct of a certification election.

69

70 (f) **Civil Service** refers to the men and women employed to carry out public
71 services in all branches, agencies, subdivisions and instrumentalities of the
72 government including government owned or controlled corporation, local
73 government units, state universities and colleges, and entities and
74 corporations sequestered by the government.

75

76 (g) **Collective bargaining agreement** refers to the negotiated contract at the
77 organizational unit between a certified exclusive bargaining representative
78 and the concerned public authority or appropriate authority, including those
79 negotiated at the sectoral or national levels by sectoral or national federation
80 or confederations with the concerned public authority/ies on the terms and
81 conditions of employment and improvements thereof.

82

83 (h) **Commission** refers to the Civil Service Commission.

84

85 (i) **Conciliation-mediation** is a mode of dispute settlement that brings together
86 two disputing parties to negotiate a mutually acceptable solution through a

- 87 non-litigious, non-adversarial, less expensive and expeditious mechanism.
- 88
- 89
- 90 (j) **Confederation** refers to the organization of two or more federations as
91 defined in this Act.
- 92
- 93 (k) **Department** refers to any of the department in the Executive Branch.
- 94
- 95 (l) **Employee** refers to any person in the civil service of whatever category or
96 class up to division chief level including those who are engaged under
97 different forms of contractual arrangements in the public service such as job
98 order, contract of service, or on memorandum of understanding. It also
99 includes those whose work has ceased in connection with any current
100 employee-management dispute or unfair labor practice or whose dismissal
101 from the services has not attained finality.
- 102
- 103
- 104 (m) **Entry position** refers to the first level position in the career or non-career
105 service which include clerical, trades, crafts, and custodial service positions
106 that involve non-professional or subprofessional work in a non-supervisory or
107 supervisory capacity requiring less than four years of collegiate studies.
- 108
- 109 (n) **Federation** is a duly registered labor organization with at least five (5) affiliate
110 employees' organizations, each of which must be a duly certified exclusive
111 bargaining representative in an organizational unit.
- 112
- 113 (o) **Grievance** refers to any question or employee's complaint regarding his/her
114 working conditions, relationship or employment status including question or
115 interpretation or implementation of any of the provisions of the collective
116 bargaining agreement, or interpretation or enforcement of company personnel
117 policies.
- 118
- 119 (p) **Inter-union dispute** refers to any conflict between and among registered
120 employees' organization or federation or confederation involving
121 representation questions for purposes of collective bargaining or negotiation
122 or representation or to any dispute other than an intra-union dispute as
123 defined in herein.
- 124
- 125 (q) **Intra-union dispute** refers to any conflict between and among employees'
126 organization's members, including grievances arising from any violation of the
127 rights and conditions of membership, violation of or disagreement over any
128 provision of the constitution and by-laws, or dispute arising from affiliation.
- 129

- 130 (r) ***Labor dispute*** includes any controversy or matter concerning terms and
131 conditions of employment or the association or representation of persons in
132 negotiating, fixing, maintaining, changing or arranging the terms and
133 conditions of employment, regardless of whether the disputant stands in the
134 proximate relation of employer-employee relations.
- 135
- 136 (s) ***Labor organization*** means any duly registered employees' organization, or
137 duly registered federation or confederation of employees' organizations, which
138 exist in whole or in part for the purpose of collective bargaining or of dealing
139 with the agency or agencies concerning terms and conditions of employment.
- 140
- 141 (t) ***NCMB*** means the National Conciliation and Mediation Board established
142 under Executive Order No. 126.
- 143
- 144 (u) ***Negotiating unit*** refers to the constitutional bodies and their regional offices,
145 the executive department including services and staff bureaus and regional
146 offices, line bureaus and their regional offices, attached agencies, the
147 legislature, the judiciary, state universities and colleges, government-owned
148 and controlled corporations with or without original charter, and, provinces,
149 cities and municipalities.
- 150
- 151 (v) ***Non-competitive positions*** may refer to any of the following:
- 152
- 153 (1) *Policy determining position* is one which vests in the occupant the power to formulate policies for the government or any of its agencies, subdivisions, or instrumentalities like that of a member of the cabinet.
- 154
- 155
- 156 (2) *Primarily technical position* is one where the occupant enjoys more than the ordinary confidence of the appointing power but bear such close intimacy which relieves the latter from misgiving of betrayal or personal trust on confidential matters of state like that of a personal secretary.
- 157
- 158
- 159
- 160
- 161 (3) *Highly technical position* is one which requires the occupant to possess skill or training in supreme or superior degree, such as scientists or legal counsels.
- 162
- 163
- 164
- 165
- 166 (w) ***Organizational unit*** refers to an identifiable government unit, such as the constitutional bodies and their regional offices; the executive department including services and staff bureaus; line bureaus; attached agencies; the legislature; the judiciary; state universities and colleges; government-owned or controlled corporations with or without original charter; provinces; cities; municipalities; regional offices (composed of provincial, district, local offices) of a department/agency, office, or government-owned or controlled

173 corporations; and such other identifiable government units as may be
174 considered by the Board.

175

176 (x) **Peaceful concerted activities** refers to actions taken by an employees'
177 organization in relation to a labor dispute which may include petitions, hanging
178 of streamers, distribution of campaign materials, conduct of peaceful
179 assembly or wearing of buttons or armband and does not include any form
180 of work stoppage or disruption of public order and safety, or actions that may
181 pose imminent danger to life, personal safety or health of part or whole of
182 population.

183

184

185 (y) **Position** refers to an occupational title with a defined set of duties and
186 responsibilities to be performed by an individual either on full time or part time
187 basis.

188

189 (z) **Public authority or appropriate authority** refers to an authority which has a
190 legal mandate to govern, administer a part or aspect of branches, agencies,
191 subdivisions and instrumentalities of the government including government
192 owned or controlled corporation, local government units, state universities and
193 colleges, and entities and corporations sequestered by the government.

194

195 (aa) **Registered union** means any employees' organization or association duly
196 registered with the Bureau of Labor Relations (BLR) and includes any branch
197 or local thereof.

198

199 (bb) **Social dialogue** includes all types of negotiations, consultations, or simply
200 exchange of information between or among representatives of government
201 and employees on issues of common interest or relating to economic and
202 social policy.

203

204 (cc) **Strike** means any temporary stoppage of work or slow-down by the concerted
205 action of employees as a result of a labor dispute, as defined in this Act.

206

207 (dd) **Strike-breaker** means any person who obstructs, impedes, or interferes with
208 by force, violence, correction, threats, or intimidation any peaceful picketing by
209 employees due to a labor dispute, as defined in this Act.

210

211 (ee) **Strike area** means the immediate vicinity actually used by picketing
212 employees in moving to and from before all points of entrance and exit from
213 the office of the organizational unit or negotiating unit.

214

- 215 (ff) ***Union or employees' organization*** refers to a labor organization formed and
216 operating in an appropriate organizational unit which aim to protect and
217 promote employees' rights and benefits in accordance with the law.

218

219 (gg) ***Voluntary arbitration*** refers to the constitutionally mandated preferential
220 mode of dispute settlement of labor dispute and as provided under Title VII-A,
221 Book V of the Labor Code of the Philippines, as amended.

222

223 (hh) ***Voluntary recognition*** refers to the process by which a duly registered
224 employees' organization is recognized as the exclusive bargaining
225 representative of the employees in the organizational unit sought to be
226 represented.

CHAPTER III

RIGHT TO SELF-ORGANIZATION

232 SEC. 5. *Coverage of the Right to Self-Organization.* – All government employee
233 shall have the right to self-organization and to form, join or assist employee
234 organizations, national or sectoral federations or confederations of their own choice
235 for collective bargaining and protection of their interests.

237 Government employees may also form, in conjunction with appropriate government
238 authorities, employee management committees, work councils and other forms of
239 employee participation schemes.

241 SEC. 6. *Limitation on the right to self-organization of employees under different*
242 *forms of public service work arrangements.* - Employees under different forms of
243 public service work arrangements such as job order, contract of service, or on
244 memorandum of understanding or casual, are eligible to join or assist an employees'
245 organization in the organizational unit. They however cannot form a separate
246 employees' organization of their own in an organized organizational unit.

248 SEC. 7. *Ineligibility of managerial, supervisory or employees in positions of trust to*
249 *join the rank-and-file union.* – Managerial or supervisory or employees in positions of
250 trust shall not be eligible to join, form or assist any rank-and-file employees'
251 organization. They may however have the right to form or join sectoral, national or
252 international federation or confederation of their own.

254 Accordingly, membership to the rank-and-file employees' organization when a
255 member is designated to a position which has been declared primarily confidential or
256 policy determining or managerial in nature or by law, shall automatically be deemed
257 suspended for the duration of his/her designation.

259 SEC. 8. *Exclusion of the members of the Armed Forces Philippines, including police*
260 *officers and policemen from the right to self-organization.* – Members of the Armed
261 Force of the Philippines, including police officers and policemen having responsibility
262 for the external and internal security of the State are excluded from the coverage of
263 the right to self-organization.

264
265 However, firemen and jail guards not being in involved in the administration or
266 security of the State shall enjoy the right to organize.

267
268 SEC. 9. *Effect of inclusion as members of ineligible or excluded employee in the*
269 *rank-and-file organization.* - The inclusion of ineligible or excluded government
270 employees, as provided in this Act, in the rank-and-file employees' organization shall
271 not be a ground for the cancellation of union registration, but said employees are
272 automatically deemed removed from the list of membership of the union.

273
274 SEC. 10. *Protection of the right to self-organization.* – No government employee
275 shall be discriminated against by reason of their membership in any employees'
276 organization or participation in the exercise of the right to self-organization.
277 Employment in the civil service shall not be subject to a condition not to join, assist
278 or form an employees' organizations. It shall be unlawful for any person to restrain,
279 coerce or interfere with employees' exercise of the right to self- organization.

280

281

282

283
284 **CHAPTER IV**
285 **RIGHTS OF REGISTERED ORGANIZATION AND RIGHTS AND CONDITIONS OF**
286 **MEMBERSHIP IN AN EMPLOYEES' ORGANIZATION**

287 SEC. 11. *Rights of registered organization.* - A registered employees' organization
288 or federation or confederation shall have the right:

- 289 (a) To act as representative of its members the purpose of representation, social
290 dialogue, collective bargaining and negotiations;
- 291 (b) To be certified as the exclusive bargaining representative of all employees in
292 an organizational unit in the case of employees' organization;
- 293 (c) To be recognized as the bargaining representative of all member-employees'
294 organizations for national or sectoral bargaining on matters pertaining to the
295 welfare and benefits of government employees, in the case of federation or
296 confederation;
- 297 (d) In the case of federations, to issue charter certificate to chartered employees'
298 organization as guarantee of its existence and legitimacy to be the exclusive

303 bargaining representative of the organizational unit sought to be represented
304 subject however to submission of the charter certificate and accompanying
305 application for registration as provided in this Act;

306
307 (e) To own property, real or personal, for the use and benefit of the organization
308 and its members;

309
310 (f) To sue and be sued in its registered name;

311
312 (g) To be afforded facilities to enable a certified employees' organizations to carry
313 out their functions promptly and efficiently, both during and outside their hours
314 of work, including union or membership dues payroll deduction, time-off for
315 union activities without loss of pay or benefits, access to workplaces and
316 prompt access to management, office spaces and equipment, transport and
317 communication, authorization to post organization or trade union notices, right
318 to attend meetings, and right of assembly; and

319
320 (h) To undertake all other activities not contrary to law, for the benefit of the
321 organization and its members.

322
323 Notwithstanding any provision of a general or special law to the contrary, the income
324 and the properties of legitimate employees' organization or federation or
325 confederation, including grants, endowments, gifts, donations and contributions they
326 may receive from fraternal and similar organizations, local or foreign, which are
327 actually, directly and exclusively used for their lawful purposes, shall be free from
328 taxes, duties and other assessments. The exemptions provided herein may be
329 withdrawn only by a special law expressly repealing this provision.

330
331 SEC. 12. *Rights and conditions of membership in an employees' organization,*
332 *federation or confederation.* - The following are the rights and conditions of
333 membership in an employees' organization or federation or confederation:

334
335 (a) No arbitrary or excessive initiation fees shall be required of the members nor
336 shall arbitrary, excessive or oppressive fine and forfeiture be imposed;

337
338 (b) The members shall be entitled to full and detailed reports from their officers
339 and representatives of all financial transactions as provided for in the
340 constitution and by-laws of the organization;

341
342 (c) The members shall directly elect their officers in the employees' organization,
343 as well as their national officers in the federation or confederation to which
344 they are affiliated, by secret ballot at intervals of five (5) years. No qualification
345 requirement for candidacy to any position shall be imposed other than
346 membership in good standing in subject organization, federation or

347 confederation. The secretary or any other responsible officer shall furnish the
348 Board with a list of the newly-elected officers, together with the appointive
349 officers or agents who are entrusted with the handling of funds within thirty
350 (30) calendar days after the election of officers or from the occurrence of any
351 change in the list of officers of the organization;

352

353 (d) The members shall determine by secret ballot, after due deliberation, any
354 question of major policy affecting the entire membership of the employees'
355 organization, federation or confederation unless the nature of the organization
356 or force majeure renders such secret ballot impractical, in which case, the
357 board of directors of the organization may make the decision in behalf of the
358 general membership;

359

360 (e) No employees' organization, federation or confederation shall knowingly admit
361 as members or continue in membership any individual who belongs to a
362 subversive organization or who is engaged directly or indirectly in any
363 subversive activity;

364

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

368

369 (g) No officer, agent or member of the employees' organization, federation or
370 confederation shall collect any fees, dues, or other contributions in its behalf
371 or make any disbursement of its money or funds unless he/she is duly
372 authorized pursuant to its constitution and by-laws;

373

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

378

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

384

385 (j) Every income or revenue of the employees' organization, federation or
386 confederation shall be evidenced by a record showing its source, and every
387 expenditure of its funds shall be evidenced by a receipt from the person to
388 whom the payment is made, which shall state the date, place and purpose of
389 such payment. Such record or receipt shall form part of the financial records
390 of the organization, federation or confederation.

391 Any action involving the funds of the employees' organization, federation or
392 confederation shall prescribe after three (3) years from the date of submission
393 of the annual financial report to the Board or from the date the same should
394 have been submitted as required by law, whichever comes earlier: *Provided*,
395 That this provision shall apply only to registered employees' organization or
396 federation or confederation which has submitted the financial report
397 requirements under this Act: *Provided, further*, That failure of any employees'
398 organization, federation or confederation to comply with the periodic financial
399 reports required by law and such rules and regulations promulgated
400 thereunder six (6) months after the effectivity of this Act shall be a ground for
401 disciplinary action against the responsible officer/s;

- 402
- 403 (k) The officers shall not be paid any compensation other than the salaries and
404 expenses due to their positions as specifically provided for in its constitution
405 and by-laws, or in a written resolution duly authorized by a majority of all the
406 members at a general membership meeting duly called for the purpose. The
407 minutes of the meeting and the list of participants and ballots cast shall be
408 subject to inspection by the Board through the Bureau of Labor Relations as
409 its duly authorized representatives. Any irregularities in the approval of the
410 resolutions shall be a ground for impeachment or expulsion from the
411 employees' organization, federation or confederation;
- 412
- 413 (l) The treasurer and every officer thereof who is responsible for the account of
414 such organization or for the collection, management, disbursement, custody
415 or control of the funds, moneys and other properties of the organization, shall
416 render to the organization and to its members a true and correct account of all
417 moneys received and paid by him/her since he/she assumed office or since
418 the last day on which he/she rendered such account, and of all bonds,
419 securities and other properties of the organization entrusted to his/her custody
420 or under his/her control. The rendering of such account shall be made:
- 421
- 422 (1) At least once a year within thirty (30) days after the close of its fiscal
423 year;
424 (2) At such other times as may be required by a resolution of the majority of
425 the members of the organization; and
426 (3) Upon vacating his/her office.

427 The account shall be duly audited and verified by affidavit and a copy thereof
428 shall be furnished the Secretary of Labor.

- 430
- 431 (m) The books of accounts and other records of the financial activities shall be
432 open to inspection by any officer or member thereof during office hours;
- 433

- 434 (n) No special assessment or other extraordinary fees may be levied upon the
435 members unless authorized by a written resolution of a majority of all the
436 members in a general membership meeting duly called for the purpose. The
437 secretary of the organization shall record the minutes of the meeting including
438 the list of all members present, the votes cast, the purpose of the special
439 assessment or fees and the recipient of such assessment or fees. The record
440 shall be attested to by the president.
- 441
- 442 (o) Other than for mandatory activities, no special assessments, attorney's fees,
443 negotiation fees or any other extraordinary fees may be checked off from any
444 amount due to an employee without an individual written authorization duly
445 signed by the employee. The authorization should specifically state the
446 amount, purpose and beneficiary of the deduction; and
- 447
- 448 (p) It shall be the duty of any organization and its officers to inform its members
449 on the provisions of its constitution and by-laws, collective bargaining
450 agreement, the prevailing labor relations system and all their rights and
451 obligations under existing laws. For this purpose, reasonable dues to finance
452 labor relations seminars and other labor education activities may be
453 assessed.
- 454
- 455 Any violation of the above rights and conditions of membership shall be a ground for
456 expulsion of the officers from the employees' organization, federation or
457 confederation. At least thirty percent (30%) of the members of an employees'
458 organization or of total number of affiliated employees' organization in the case of
459 federation or confederation, or any member or members specially concerned may
460 report such violation to the Board. The Board shall have the power to hear and
461 decide any reported violation to mete the appropriate penalty.
- 462
- 463 Criminal and civil liabilities arising from violations of above rights and conditions of
464 membership shall continue to be under the jurisdiction of ordinary courts.
- 465
- 466

467

468 **CHAPTER V**
PUBLIC SERVICE LABOR RELATIONS BOARD (PSLRB)

469

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

477

- 478 (a) Duly appointed government representative with rank equivalent to
479 Undersecretary as fulltime Chairperson;
480
- 481 (b) Duly elected heads of registered federations or confederations, as members;
482 and
483
- 484 (c) Duly elected sectoral representatives of one (1) each from the national
485 government agencies (NGAs); the government owned and controlled
486 corporations with or without original charter (GOCCs); the local government
487 units (LGUs); the state universities and colleges (SUCs), local universities and
488 colleges, technical and vocational schools; judiciary; legislative; constitutional
489 bodies; public school teachers and public health workers, as members.
490

491 The Board members shall serve for a term of three (3) years or until their successors
492 shall have been elected in the National Workers' Congress or unless recalled by the
493 organization being represented. There shall be no added emoluments other than
494 work performed in such capacity shall be considered as official time. In no case,
495 however, shall anyone of them serve under holdover capacity for more than one (1)
496 year.
497

498 SEC. 14. *Original and exclusive jurisdiction of the Board.* - The Board shall have
499 original and exclusive jurisdiction to hear and decide the following cases:
500

- 501 (a) Unfair labor practice;
502 (b) Disputes arising in the course of the conduct of collective negotiations;
503 (c) Disputes on issues resulting from the interpretation or implementation of the
504 grievance machinery;
505 (d) Determination of the presence or absence of strike;
506 (e) Disputes on the issues from the interpretation or implementation of the
507 provision of collective negotiation agreement;
508 (f) Violation of the fundamental rights of workers; and
509 (g) Grave abuse of management prerogatives.
510

511 SEC. 15. *Appellate jurisdiction of the Board.* - The Board shall have appellate
512 jurisdiction on decision or orders of the Bureau of Labor Relations on:
513

- 514 (a) Representation issues;
515 (b) Inter- and intra-employees' organization, federation or confederation
516 disputes;
517 (c) Issues arising from the election or expulsion of officers of employees'
518 organization, federation or confederation;
519 (d) Certification election; and
520 (e) Verification of voluntary recognition.
521

522 SEC. 16. *Support and assistance of the Civil Service Commission, Department of*
523 *Labor and Employment, National Conciliation and Mediation Board and law*
524 *enforcement agencies.* - (a) The Board shall have a number of employees as may
525 be necessary. It shall be supported and assisted by the Civil Service Commission,
526 Department of Labor and Employment and the National Conciliation and Mediation
527 Board (NCMB) in the administration of Public Sector Labor Relations.

528
529 (b) Specific to the Department of Labor and Employment, the Bureau of Labor
530 Relations shall continue, pursuant to its existing mandate under Executive Order No.
531 180, Series of 1987, and the Labor Code of the Philippines, as amended, to conduct
532 hearings on inter or intra-union disputes with respect to public sector organizations,
533 including the registration and cancellation of registration of employees' organization,
534 federation or confederation. The decision of the Bureau shall be appealable to the
535 Board within fifteen (15) calendar days from the date of receipt thereof by the parties.

536
537 (c) With respect to the National Conciliation and Mediation Board, an attached
538 agency to the Department of Labor and Employment, for purposes of this Act, it shall
539 create a conciliation-mediation unit and assigned personnel that shall take
540 cognizance of public sector concerns for conciliation-mediation services whether
541 individual or disputes arising from collective bargaining negotiations or
542 interpretations. Unless there is a need for adjustments, the existing guidelines on
543 conciliation-mediation services shall be observed.

544
545 (d) Further, a unit for public sector labor relations disputes shall be created from
546 the existing voluntary arbitration system administered by the National Conciliation
547 and Mediation Board as established pursuant to Title VII-A, Book V of the Labor
548 Code of the Philippines, as amended, to take cognizance disputes such as unfair
549 labor practice or assumed cases by the Board or any other cases that the parties
550 may opt to submit to voluntary arbitration subject to existing guidelines and schedule
551 of fees. The Board however, at its option, may directly conduct voluntary arbitration.

552
553 Any national or local law enforcement agency or instrumentality of the government
554 may be tapped by the Board to act under its direct and immediate supervision, to
555 enforce and execute its decision, orders, and rulings.

556
557 SEC. 17. *Writ of Preliminary Injunction or Temporary Restraining Order.* – The
558 Board may issue a writ of preliminary injunction or temporary restraining order
559 when, on the basis of the allegations in the petition, it is established that the acts
560 complained of involving or arising from an employee-management dispute, if not
561 restrained will cause grave or irreparable injury to any party or render ineffectual any
562 decision in favor of such party.

563
564

565 The Board shall require the petitioner to post a bond and the writ of preliminary
566 injunction or temporary restraining order shall become effective only upon approval
567 of the bond which shall answer for any damage that may be suffered by the party
568 enjoyed if it is finally determined that the petitioner is not entitled to the ancillary relief
569 prayed for.

570

571 SEC. 18. *Grounds for Contempt.* – The Board may cite a person for contempt on
572 any of the following grounds:

573

- 574 (a) Disobedience or resistance to lawful order, decision, rulings, summons or
575 subpoena or any other issuance of the Board, or
576 (b) Unlawful interference with the proceedings of the Board, improper conduct
577 tending, directly or indirectly to impede, obstruct, delay or hamper the
578 implementation of any order, decision or ruling as provided in this Act.

579

580 SEC. 19. *PSLRB decision.* – Decisions of the Board in the exercise of its appellate
581 jurisdiction are final and executory unless a motion for reconsideration is filed by the
582 aggrieved party within fifteen (15) calendar days from the receipt of the decision and
583 only on the basis of palpable or potent errors. The Board shall not entertain any
584 second motion for reconsideration.

585

586 Decisions of the Board, in the exercise of its original or appellate jurisdiction, may be
587 elevated to the Court of Appeals through the extra-ordinary remedy of petition for
588 certiorari.

589

590 SEC. 20. *Operations of the Board.* - The Board shall have a Technical Executive
591 Committee (TEC) as its technical and implementing arm and a permanent
592 Secretariat. For this purpose, the following shall be observed:

593

594 (a) The Board shall designate from among themselves the chairperson and
595 members of the Technical Executive Committee, in such numbers as it may deem
596 appropriate. The TEC shall regularly meet to: (1) pre-process issues and concerns
597 and submit recommendations for approval and issuance by the Board; (2) monitor,
598 perform or implement decisions, activities and projects as approved by the Board;
599 and (3) perform such other functions as may be required by the Board.

600

601 (b) The Civil Service Commission's Personnel Relations Office (CSC-PRO) shall
602 be converted as the permanent Secretariat that shall provide technical and
603 secretariat support to the Board and to the TEC.

604

605 (c) The Board may also constitute itself into divisions of three (3) members for
606 efficient functioning and shall convene *en banc* on matters of policy concerns or in
607 case of disagreements in the divisions. But in all cases, the signing authority for
608 decisions of the Board shall be the Chairperson and to be concurred in by a majority

609 of the members present during the meeting. A quorum to conduct official business
610 of the division or *en banc* shall be determined by the Board.

611
612 (d) The Board shall be allocated funds and resources to ensure its operations
613 from the budget of the Civil Service Commission and the Office of the Executive
614 Secretary.

615

616

617 **CHAPTER VI**
618 **REGISTRATION AND CANCELLATION OF REGISTRATION**

620 SEC. 21. *Requirements for registration.* - An employees' organization, federation or
621 confederation shall acquire legal personality and shall be entitled to the rights and
622 privileges under this Act on the date of issuance of a certificate of registration by the
623 Bureau of Labor Relations, which is the central registry of legitimate labor
624 organizations, based on the following requirements:

625

626 (a) The application for registration of employees' organization shall be
627 accompanied by the following:

628

- 629 (1) A statement indicating the name of the applicant employees'
630 organization, its principal address, names of its officers, total number of
631 members and the number of employees in the organizational unit where
632 the applicant seeks to operate;
- 633 (2) Duly ratified constitution and by-laws, minutes of its adoption or
634 ratification and list of members who participated in its adoption and
635 ratification;
- 636 (3) At least ten percent (10%) support signatures of the members of the
637 applicant organization;
- 638 (4) If the applicant union has been in existence for one or more years,
639 copies of its annual financial report; and,
- 640 (5) A registration fee of such amount as maybe determined by the Bureau of
641 Labor Relations, shall be charged upon every application for registration
642 of employees' organizations under this Act.

643

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

646

- 647 (1) Duly authenticated copy of the issued federation charter certificate;
- 648 (2) Duly ratified constitution and by-laws, minutes of its adoption or
649 ratification and list of members who participated in its adoption and
650 ratification;
- 651 (3) If the applicant union has been in existence for one or more years,
652 copies of its annual financial report; and,

- (4) A registration fee of such amount as maybe determined by the Bureau of Labor Relations, shall be charged upon every application for registration of employees' organizations under this Act.

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

- (1) A statement indicating the name of the applicant federation or confederation, its principal address, and the names of its officers;
 - (2) Duly ratified constitution and by-laws, minutes of the organizational meeting on its adoption or ratification, and list of affiliated unions and members who participated in its adoption and ratification;
 - (3) Copies of registration certificates and affiliation confirmation resolution of at least five (5) affiliate or member labor organizations in the case of federations;
 - (4) Copies of registration certificates and affiliation confirmation resolution of at least two (2) affiliate or member federations in the case of confederations;
 - (5) If the applicant has been in existence for one or more years, copies of its most recent audited financial statement; and,
 - (6) A registration fee of such amount as maybe determined by the Bureau of Labor Relations, shall be charged upon every application for registration of employees' organizations under this Code.

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

SEC. 22. *Incomplete application; Non-denial.* — Incomplete application for registration shall not be accepted. Complete application for registration on the other hand, shall be deemed approved upon receipt by the Bureau.

SEC. 23. Reportorial Requirements; Probative value. – All registered employees' organization shall annually submit an organizational report such as the elected officers, principal address, audited annual financial statement and updated list of members with list of set of officers, complete address and contact persons. The reportorial requirements submitted to the Bureau shall have probative value and shall serve as evidence on the state of affairs of the organization and on issues internal or subject of intra-organizational dispute. Non-submission of reportorial requirements shall not be a ground for cancellation of registration.

695 SEC. 24. *Grounds for cancellation of registration.* – A petition for the cancellation
696 of registration of an employees' organization or federation or confederation is an

697 independent proceedings filed by at least forty percent (40%) of the total
698 membership of the subject organization before the Bureau on the ground of
699 misrepresentation, false statement or fraud in the formation of the organization. No
700 *motu proprio* or administrative cancellation of registration by the Bureau or by the
701 Board shall be allowed.

702

703 SEC. 25. *Effect of pendency of a petition for cancellation of registration.* - The
704 pendency of the petition for cancellation of registration shall not affect the legitimate
705 personality of the employees' organization and all the rights appurtenant thereto
706 including the right to participate or file a petition for certification election or be
707 certified as the exclusive bargaining agent or negotiate a collective bargaining
708 agreement, absent a cease and desist order from the Bureau or the Board, in the
709 case of appeal.

710

711 SEC. 26. *Bureau report of registration and cancellation to the Board.* - The Bureau
712 of Labor Relations shall make a periodic report on registered and cancelled
713 registration of employees' organizations, federations and confederations to the
714 Public Sector Labor Relations Board.

715

716

717 **CHAPTER VII**
718 **EXCLUSIVE BARGAINING REPRESENTATIVE**

719
720 SEC. 27. *Certification of exclusive bargaining representative in unorganized
721 organizational unit.* - Duly registered employees' organization, which has the support
722 of at least twenty percent (20%) of the members of the appropriate organizational
723 unit, may petition for certification election before the Board to be certified as the
724 exclusive bargaining representative of the said organizational unit. The Board shall
725 refer the petition to the Bureau of Labor Relations for determination and conduct of a
726 certification election.

727

728 The employees' organization who garnered the most number of votes shall be
729 certified by the Board as the exclusive bargaining representative of the rank-and-file
730 employees in the organizational unit sought to be represented.

731

732 SEC. 28. *Request for voluntary recognition.* - A duly registered employees'
733 organization may opt to file a request for recognition with the appropriate authority in
734 the organizational unit if it has the support of more than a majority of employees in
735 the organizational unit sought to be represented.

736

737 A joint submission, under oath, to the Board of majority support from the members of
738 the organizational unit and confirmation of majority support by the appropriate
739 authority therein shall warrant an issuance for a fifteen (15) days posting in at least
740 two (2) conspicuous places in the organizational unit sought to be represented.

After compliance with the posting requirement, a certificate of recognition shall be issued to the employees' organization as the exclusive bargaining representative.

743

However, when there are two (2) or more registered employees' organization in the organizational unit sought to be represented at the time the request for recognition was filed with the appropriate authority or there is a question on the claimed majority support, the Board shall direct the Bureau to conduct a certification election to determine the exclusive bargaining representative regardless of the willingness of the appropriate authority to grant recognition.

750

751 SEC. 29. *Representation issue in organized organizational unit.* – In organized
752 organizational unit, a duly registered employees' organization may challenge the
753 representative status of the incumbent exclusive bargaining representative by filing
754 with the Board a petition for certification election, with at least twenty percent (20%)
755 support signatures, within the freedom period of sixty (60) days before the expiration
756 of the collective bargaining agreement, which is valid and effective for a period of
757 three (3) years.

758

759 All existing registered employees in the organizational unit at the time of filing of the
760 petition for certification election shall be a choice in the certification election.

761

762 The employees' organization that garnered a majority of the votes shall be certified
763 by the Board as the exclusive bargaining representative.

764

765

CHAPTER VIII

COLLECTIVE BARGAINING

769 SEC. 30. *Levels of collective bargaining.* – Collective bargaining being essentially
770 a social dialogue between all public sector workers and government authority/ies
771 shall be regularly conducted, whether simultaneous or in succession, at the national,
772 sectoral and organizational levels at intervals deemed appropriate by the parties but
773 in no case it shall be conducted beyond three (3) years.

774

775 SEC. 31. *National bargaining agreement, Coverage.* - General terms and
776 conditions of employment of national application including the standardization of
777 salaries, allowances and benefits for government employees that require legislative
778 action shall be subject to collective bargaining between representatives of all
779 accredited public sector federations or confederations and national government
780 authorities at regular intervals. Such terms and conditions of employment may
781 include the following:

782

- 783 (a) Reclassification, review, creation, abolition or upgrading of positions;
784 (b) Wages, review and revision of the compensation structure;

- 785 (c) Increase in standard allowances granted uniformly across the government;
786 (d) Creation of anti-corruption advocacy and monitoring units at the national,
787 sectoral and organizational units;
788 (e) Creation of social dialogue mechanisms at the national, sectoral and
789 organizational units; and
790 (f) Such other benefits.

791

792

793 SEC. 32. *Sectoral bargaining agreement.* - Sectoral collective negotiations shall
794 be undertaken on sector specific concerns between elected sectoral representatives
795 and the concern sectoral government authority, which may include terms and
796 conditions of employment unique to the sector covered and incentives including
797 wage and salary structure as provided under Republic Act No. 10149 or the GOCC
798 Governance Act of 2011.

799

800 SEC. 33. *Organizational bargaining agreement; Coverage.* - Personnel
801 enhancements, welfare and benefits, which must not be lower than the national or
802 sectoral standards, may be negotiated at the level of the negotiating unit between
803 the certified employees' union and concerned government authority:

804

- 805 (a) Schedule of vacation and other leaves;
806 (b) Work assignment of pregnant women;
807 (c) Personnel growth and development;
808 (d) Communication system within the organizational unit;
809 (e) Provisions for occupational safety and health;
810 (f) Provisions and facilities for handicapped personnel;
811 (g) Use of gender and development budget;
812 (h) Wellness and physical fitness program;
813 (i) Establishment of day care facilities;
814 (j) Annual medical/ physical examination;
815 (k) Recreational, social, athletic and cultural activities;
816 (l) Facilities requiring capital outlays;
817 (m) Provident fund (management counterpart);
818 (n) Hospitalization, medical and dental services;
819 (o) Rice/sugar and other subsidies;
820 (p) Travel expenses;
821 (q) Other retirement benefits;
822 (r) Representation in different committees in the organizational unit, particularly
823 in committees where decisions on employees welfare and development and
824 productivity;
825 (s) Work organization;
826 (t) Productivity and/or collective negotiation incentive;
827 (u) Health maintenance benefit;
828 (v) Staple food benefit;

- 829 (w) Disaster Risk Assistance Management Allowance (DRAMA);
830 (x) Renewal of licenses if a requirement of the work or functions being performed;
831 and
832 (y) Free legal assistance for work related cases or in the exercise of the mandate
833 of the office or function.

834

835 SEC. 34. *Duty to bargain in good faith.* - Both parties to collective bargaining must
836 make every effort to arrive, in fullest possible terms, at agreed solutions on all
837 matters of mutual interest, which must be observed and mutually carried out in good
838 faith. Good faith includes observance of its binding effect by the parties and their
839 successor-in-interest, even after a change in administration or leadership, of the
840 terms and conditions of their collective bargaining agreement.

841

842 Collective agreements at all levels must include a built-in and binding dispute
843 resolution mechanism such as a grievance machinery and resort to voluntary
844 arbitration on issues of implementation or interpretation of its provisions.

845

846 SEC. 35. *Registration of Collective Bargaining Agreements.* - Collective
847 negotiations agreements whether national, sectoral or organizational unit specific
848 shall be submitted to the Board for administration and monitoring and to the Bureau
849 for registration, recording and statistical purposes.

850

851

852 **CHAPTER IX**
853 **UNFAIR LABOR PRACTICE**

854

855 SEC. 36. *Unfair Labor Practice of the Agency.* - The following shall constitute
856 unfair labor practice on the part of the agency:

857

- 858 (a) Interfering with, restraining or coercing employees in the exercise of their right
859 to self-organizations;
860 (b) Requiring as a condition of employment that an employee shall join or not join
861 an employee organization, federation/confederation or shall withdraw from
862 one to which s/he belongs;
863 (c) Discriminating in regard to work schedule, granting of benefits, places of
864 assignment and other terms and conditions of employment in order to
865 encourage or discourage membership in any employee organization;
866 (d) Terminating the services or discriminating against an employee for having
867 filed charges or express willingness to expose corrupt practices of head/s of
868 agency/ies or members of the board or any government executive;
869 (e) Refusing to enter into collective negotiations with accredited or certified
870 employee organization;
871 (f) Violating any of the provision of the collective negotiation agreement;
872 (g) Union busting;

- 873 (h) Violation of the freedom of association and the right to strike;
874 (i) Indiscriminate use of management prerogatives; and
875 (j) Failure to act on any form of violence in the workplace.

876

877

878 SEC. 37. *Unfair labor practice of the employees' organization.* - The following shall
879 constitute unfair labor practice on the part of the employee organizations:

880

- 881 (a) Restraining or coercing employees in the exercise of their right to self -
882 organization;
883 (b) The employee organization shall have no right to prescribe its own rules on
884 the acquisition or retention of membership and sustenance of a union;
885 (c) Causing or attempting to cause the agency head to discriminate against an
886 employee who has not join in the employee organization;
887 (d) Refusing to negotiate collectively with the duly authorized representative of
888 the agency; and
889 (e) Violating any of the provision of the collective negotiation agreement.

890

891 The heads of offices and other officers of the agency as well as officers and
892 members of an employee organization, who participate in or authorize an unfair labor
893 practice shall be held administratively liable or suspension of not exceeding one (1)
894 year, or both for such participation or grant of authority without prejudice to civil and
895 criminal liability.

896

897

CHAPTER X GRIEVANCE MACHINERY AND SETTLEMENT OF DISPUTES

898

900 SEC. 38. *Settlement of disputes arising in connection with the determination of*
901 *terms and conditions of employment.* - There shall be established an independent,
902 efficient, speedy and impartial dispute settlement mechanisms for terms and
903 conditions of employment which starts at the organizational unit through the
904 grievance machinery, third party intervention through conciliation-mediation services
905 unit for unresolved grievance, and voluntary arbitration for all unresolved labor
906 relations-related disputes.

907

908 SEC. 39. *Grievance machinery.* - Each department or agency and employees'
909 organization of the organizational unit shall establish and administer a grievance
910 machinery.

911

912 Every employee have the right to have his/her grievance adjudicated as
913 expeditiously and as fairly as possible.

914

915 A grievance may be filed by an aggrieved employee or by the employee
916 organization to which s/he belongs in accordance with the rules issued by the Board.

917

918

919

labor dispute. – Unresolved grievance, individual or collective bargaining dispute may be processed, at the option of the parties, through the conciliation-mediation services of the NCMB, upon referral by the Board.

923

924

925

926
927 SEC. 42. *Voluntary arbitration unit; Accreditation.* - The voluntary arbitrators for
928 the public sector however shall be accredited by the Board pursuant to an
929 accreditation procedure and requirements it may promulgate which shall include
930 minimum hours of training on public service laws, rules and regulations, and
931 appropriate clearances.

932

933

934

935

936

937

938

930

840

841

942

342

943

944

945

CHAPTER XI STRIKES

951 SEC. 45. *Right to strike.* – The right of government employees to engage in
952 peaceful concerted activities including the right to strike for purposes of collective
953 bargaining or for mutual benefit and protection shall be recognized and respected
954 provided that the grounds, procedures and cooling off period requirement in Article
955 278 (formerly 263) of the Labor Code of the Philippines, as amended, shall be
956 observed, and provided further that inter-union or intra-union dispute shall not be a
957 ground for strike.

958

959 SEC. 46. *Minimum service requirement.* - Considering the nature of public service,
960 the duly registered employees' organization and the appropriate authority in the
961 organizational unit shall ensure a minimum level of continuous service to the public
962 for the duration of the concerted activities or strike.

963

964 SEC. 47. *Limited right to strike.* – Firefighters may enjoy a limited right to strike in
965 view of the importance and implications of any interruptions in their functions or
966 services.

967

968 SEC. 48. *Compulsory arbitration by the Board in essential services.* – Employees
969 and duly registered employees' organizations in an organizational unit that renders
970 essential services where any interruption will cause imminent danger to the life,
971 safety or health of part or in whole of the population, which include direct patient care
972 in public health institutions, public air traffic control, or prison services, shall be
973 assumed by the Board for speedy conciliation and compulsory arbitration
974 proceedings and resolution.

975

976 SEC. 49. *Compensatory guarantee.* - The Board shall decide or resolve dispute
977 within thirty (30) calendar days from the date of assumption of the labor dispute. The
978 resolution or decision of the Board shall be final and executory ten (10) calendar
979 days from receipt by the parties.

980

981 SEC. 50. *No disciplinary action arising from a labor dispute.* - No administrative or
982 disciplinary action shall be imposed against any employee involved in the legitimate
983 exercise of the right to strike or freedom of expression and assembly.

984

985 SEC. 51. *Guarantees against unreasonable searches or arrest arising from a labor*
986 *dispute.* - Pursuant to the Constitutional guarantee on the right of the people to be
987 secured from unreasonable searches and seizures, no search or arrest arising from
988 a labor dispute shall be made except through a valid court warrant. Government
989 prosecutors shall first secure clearance from the Board before taking cognizance of
990 complaints for preliminary investigation and the filing in court of the corresponding
991 information on cases arising out of or related to a labor dispute, including cases with
992 allegations of violence, coercion, physical injuries, assault upon a person in authority
993 and other similar acts of intimidation, or obstructing the free ingress to and egress
994 from the place of operations.

995

996

CHAPTER XII REPRESENTATION AND SOCIAL DIALOGUE

999

1000 SEC. 52. *Participation and representation of public sector employees in policy-*
1001 *making bodies and institutions.* - Genuine participation and representation of public
1002 sector employees in policy-making bodies and institutions with provisions for their

1003 representation in the board such as in the Government Service Insurance System
1004 (GSIS), Pag-IBIG Fund and PhilHealth shall be upheld at all times. To fully comply
1005 with the requirement of representativeness, no appointments of representatives for
1006 government employees shall be issued without the concurrence and endorsement of
1007 duly registered public sector employees' federation or confederation.

1009 SEC. 53. *Consultative mechanisms in the civil service.* – To make the delivery of
1010 government process and services transparent, graft-free and effective, and there is
1011 harmonious labor-management relations in the civil service, the Civil Service
1012 Commission shall establish in the civil service, covering all branches, subdivisions,
1013 instrumentalities, and agencies of the government, including government-owned or
1014 controlled corporations with or without original charters, a mechanism for social
1015 dialogue and consultation with the government employees at the organizational unit

1016 SEC. 54. *Representation in tripartite policy-making and/or quasi-judicial bodies.* -
1017 Public sector employees shall be afforded representation in the National Tripartite
1018 Industrial Peace Council and where appropriate, in the regional and industry specific
1019 tripartite industrial peace councils lodged at the Department of Labor and
1020 Employment including in the Tripartite Voluntary Arbitration Advisory Council
1021 (TVAAC) at the National Conciliation and Mediation Board

1022 SEC. 55. *Presidential social dialogue and consultation.* - The Board, as attached to
1023 the Office of the President, shall regularly convene, *motu proprio* or upon request,
1024 social dialogue and consultation between the President of the Philippines and the
1025 public sector employees organizations on matters of national concern or major
1026 policies affecting the civil service.

CHAPTER XIII MISCELLANEOUS PROVISIONS

1031 SEC. 56. *Implementing Rules and Regulations.* - The Department of Labor and
1032 Employment and the Office of the Executive Secretary with the Civil Service
1033 Commission, Department of Justice, Department of Budget and Management,
1034 Department of Interior and Local Government, Commission on Higher Education,
1035 along with representatives from the public sector federations and confederations,
1036 shall promulgate the necessary implementing rules and regulations within one
1037 hundred and twenty (120) days from the effectivity of this Act.

1039 SEC. 57. *Separability Clause.* – If any part or provision of this Act is held
1040 unconstitutional or invalid, the other parts or provision hereof which are not affected
1041 thereby shall continue to be in full force and effect.

1043 SEC. 58. *Repealing Clause.* – Executive Order No. 180, Series of 1987, is hereby
1044 repealed. All laws, orders, rules or regulations, which are inconsistent or contrary to
1045 the provisions of this Act are hereby amended or repealed accordingly.

1046

1047 SEC. 59. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete
1048 publication in at least two (2) national newspapers of general circulation.

1049

1050 **APPROVED.**