

## Non-Economic Provisions of Collective Bargaining Agreements in 2015 (Last of a Three-Part Series)

The registration of Collective Bargaining Agreements (CBAs) is closely monitored as an indicator of harmonious labor-management relations and industrial peace in the country. A collective bargaining is a process where the parties agree to fix and administer terms and conditions of employment which must not be below the minimum standards fixed by law, and sets a mechanism for resolving the parties' grievances.

Specifically, CBA is a contract executed upon incorporating the agreements reached after negotiations with the employer and the exclusive bargaining representative of the employees with respect to wages, hours of work and all other terms and conditions of employment. As such, a CBA includes economic provisions and non-economic provisions. Economic provisions include monetary value of wage increases, loan benefits, bonuses, allowances, retirement plan, and other fringe benefits. On the other hand, non-economic clauses include union security clauses, grievance procedures, labor-management cooperation schemes, and other provisions without monetary value.

This three-part series of LABSTAT Updates presents data on CBAs gathered from the documents filed at the Bureau of Labor Relations (BLR) of the Department of Labor and Employment (DOLE). This third part of the series specifically highlights the non-economic provisions of the 298 CBAs registered in 2015.

### Union Security

**Nine out of every 10 CBAs had union security clauses**

(61.1% or 182) and agency fees (58.7% or 175).

- Most of the 298 registered CBAs in 2015 stipulated some non-economic clauses which include the following: (1) union security; (2) job security; (3) union privileges; (4) health and safety programs; (5) leave benefits; and (6) productivity enhancement programs.
- Among all types of non-economic clauses in CBAs, union security clause was the most stipulated clause in 2015 as specified in 267 CBAs (89.6%). (Table 1)
- By type of union security clause, almost three-fourths (74.5% or 222 CBAs) were check-offs in the form of union dues deducted from the employee's salary for funding union-related activities. Other check-offs include the collection of special assessment fees

**TABLE 1 - Number and Percent Share of CBAs by Union Security Clause, Philippines: 2015**

Type of Union Security Clause	Number of CBAs	Percent Share
<b>TOTAL REGISTERED CBAs</b>	<b>298</b>	<b>100.0</b>
<b>CBAs with Union Security Clauses</b>	<b>267</b>	<b>89.6</b>
Check-off		
<i>Union dues</i>	222	74.5
<i>Agency fees</i>	175	58.7
<i>Special assessment fees</i>	182	61.1
Management right/prerogative	184	61.7
Maintenance of membership	124	41.6
Union right/responsibility	104	34.9

*Note: Details may not add up to totals due to multiple responses.*

*Source of data: Department of Labor and Employment, Bureau of Labor Relations*

- About three-fifths (61.7% or 184) of contained clauses pertains to management right or prerogative. These are discretionary rights of employers to exercise functions and prerogatives in the management and operations of the organization without discussions with a union.
- Furthermore, around three-seventh (41.6% or 124) of the registered CBAs provided clause for the maintenance of union membership. This provision stipulates that employees must maintain their membership in good standing as a requirement of continued employment in the company.
- Some 104 CBAs (34.9%) had stipulations on union right/responsibility which involves the rights of workers to self-organization and collective bargaining; including the duties and responsibilities of the workers.
- Five out of every 7 CBAs (71.5% or 213) had provisions on security of tenure of employment in terms of just dismissal/lay-off of workers. On the other hand, very few CBAs (7) contained lay-off policies in the agreements. (Table 2)
- More than half (54.7% or 163) of registered CBAs provided non-discriminatory filling-up of vacancies thru promotion of existing employees. The hiring of next-of-kin of retired employees in filling-up vacant positions accounted for more than one-fourth (26.2% or 78). Objective filling-up of vacancies thru assignment or transfer of employees within the company’s premises was placed at 17.8 percent or 53 CBAs.
- In addition, some collective negotiations that stated the rehire/recall of previously dismissed employees and union referral to fill-up vacancies accounted for 9.1 percent (27) and 0.7 percent (2 CBAs), respectively.

**Job Security**

- Another non-economic clause stipulated in the registered CBAs in 2015 was job security or the assurance of employees on the continuity of gainful employment for his/her work life.

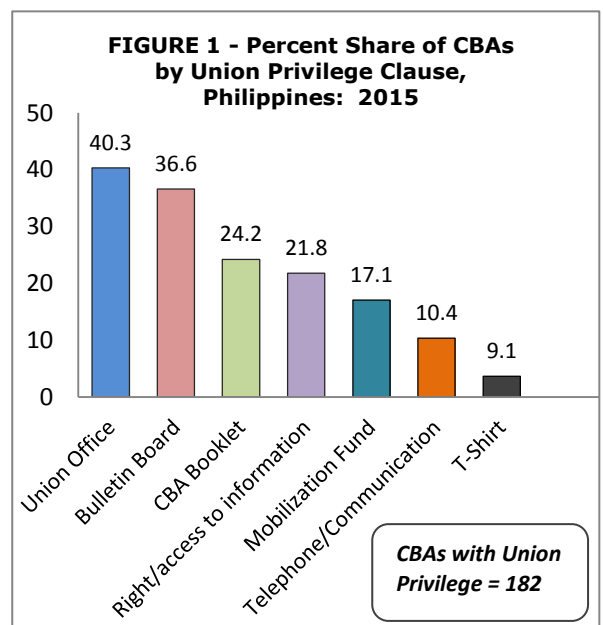
**TABLE 2 - Number and Percent Share of CBAs by Job Security Clause, Philippines: 2015**

Job Security Clause	Number of CBAs	Percent Share
Just dismissal/Lay-off of workers	213	71.5
Non-discriminatory filling-up of vacancies through:		
Promotion	163	54.7
Assignment/Transfer of employees	53	17.8
Hiring of next-of-kin of retired employees	78	26.2
Rehire/Recall of dismissed employees	27	9.1
Union referral	2	0.7
Policy on lay-off	7	2.3

Source of data: Department of Labor and Employment, Bureau of Labor Relations.

**Union Privilege**

- Another non-economic clause of registered CBAs is the provision of union privileges which benefitted 6 out of every 10 CBAs (61.1% or 182) in 2015. (Figure 1)

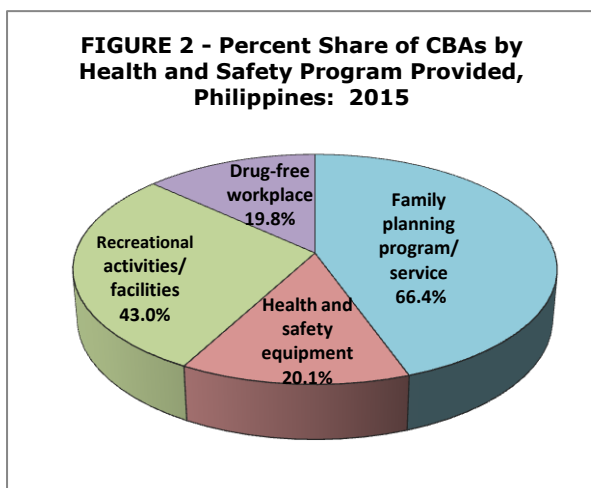


Source of data: Department of Labor and Employment, Bureau of Labor Relations.

- Specifically, 2 out of every 5 CBAs (40.3% or 120) had stipulations regarding the use of union office. Such office is being utilized in the conduct of union-related meetings/activities.
- Approximately, three-eighths of the total CBAs (36.6% or 109) allowed the use of bulletin boards for the posting of notices or announcements.
- In order to disseminate information, almost one-fourth of CBAs (24.2% or 72) specified particular support in the reproduction of CBA booklets to members as a form of union privilege.
- Meanwhile, 1 out of every 5 CBAs (21.8% or 65) granted the right/access to company’s information. Provision of telephone and other communication facilities to unions accounted for only a small proportion of 10.4 percent.
- In observance of Labor Day celebration, some CBAs included the granting of assistance through the provision of mobilization fund (17.1%) and distribution of t-shirts (9.1%) to union members.

**Health and Safety Program**

- As part of the well-being, health and safety program among the employees, the conduct of family planning program/service was specified in 2 out of every 3 CBAs (66.4% or 198). (Figure 2)



Source of data: Department of Labor and Employment, Bureau of Labor Relations.

- Three-seventh (43.0% or 138) of total CBAs included recreational activities/facilities for the employees. About 60 CBAs (20.1%) granted the use of health and safety equipment. Moreover, 1 out of every 5 CBAs (19.8% or 59) specified drug-free workplace programs in the agreement.

**Leave Benefits**

- Almost all of the registered CBAs had provisions concerning leave benefits for workers. Specifically, vacation leave (84.6% or 252) and sick leave (81.5% or 243) were the topmost leave benefits granted in most CBAs during the year. (Table 3)

**TABLE 3 - Number and Percent Share of CBAs by Leave Benefits Provided, Philippines: 2015**

Leave Benefits	Number of CBAs	Percent Share
Vacation Leave	252	84.6
Sick Leave	243	81.5
Union Leave	198	66.4
Burial/Bereavement Leave	119	39.9
Emergency Leave	109	36.6
Birthday Leave	62	20.8
Calamity Leave	24	8.1
Service Incentive Leave	14	4.7
Personal Leave	13	4.4
Time-off	13	4.4
Wedding Leave	10	3.4
Pulmonary/Tuberculosis Leave	7	2.3
Study Leave	6	2.0
Legal/Court Leave	3	1.0
Military Training Leave	2	0.7

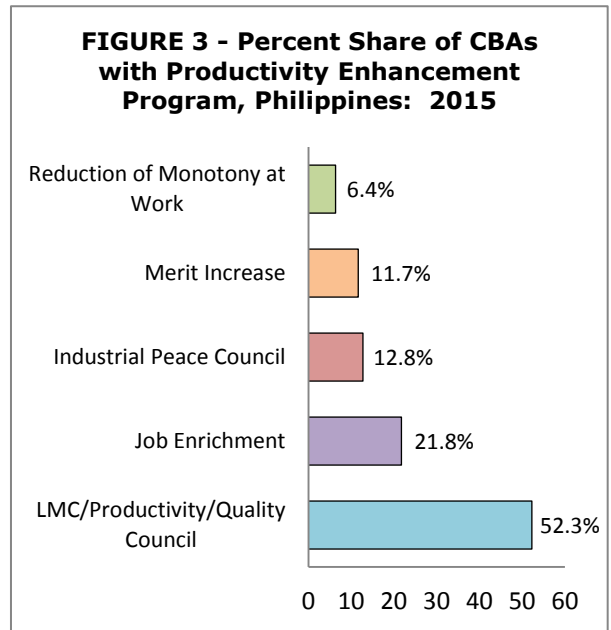
Source of data: Department of Labor and Employment, Bureau of Labor Relations.

- Two out of every 3 CBAs (66.4%) provided union leaves to employees for participating in union-related activities. Burial/bereavement leave was likewise specified in 119 CBAs (39.9%).
- Other leave benefits negotiated by both unions and management include emergency leave (36.6% or 109); birthday leave (20.8% or 62); calamity leave (8.1% or 24) with the other remaining leave benefits accounting for

less than 5 percent share each of the registered CBAs.

**Productivity Enhancement Program**

- Among the various types of productivity enhancement programs stipulated in CBAs in 2015, the provision of productivity enhancement programs involving labor management committees/productivity/ quality councils were the most specified program among CBAs at 52.3 percent (156 CBAs). These types of productivity enhancement programs were designed to improve efficiency and labor management relations at the workplace.
- Programs involving job enrichment were also included in 1 out of every 5 CBAs (21.8%). Furthermore, one-eighth (12.8%) of the CBAs included the creation of industrial peace councils.
- Meanwhile, only a small proportion of total CBAs granted productivity programs relating to merit increase (11.7%) and reduction of monotony at work (6.4%). (Figure 3)



Source of data: Department of Labor and Employment, Bureau of Labor Relations.

**FOR INQUIRIES**

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 Regarding other statistics, contact **KNOWLEDGE MANAGEMENT AND COMMUNICATIONS DIVISION** at 462-6600 local 834  
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