



Non-Economic Provisions of Collective Bargaining Agreements in 2014 (Second 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 simply 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.

A 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 or 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). Specifically, this issue highlights the non-economic provisions of the 325 CBAs registered in 2014.

Union Security

Nine out of every 10 CBAs had stipulations on union security

- Some of the non-economic provisions included in most CBAs in 2014 were union security clauses; job security clauses; union privileges; health and safety programs; leave benefits; and productivity enhancement programs.
- Of the total 325 registered CBAs in 2014, majority (303 or 93.2%) had stipulated non-economic benefits in terms of union security clause. (Table 1)
- By type of union security clause, the most common type specified in majority of CBAs involved check-off provisions where employees were deducted with union-related fees in particular union dues (234 or 72.0%). These check-off funds are used to finance various union-related activities as negotiations, arbitration, and other machineries.
- About 3 out of every 4 CBAs (240 or 73.8%) had management right/prerogative clause which give

TABLE 1 - Number and Percent Share of CBAs by Union Security Clause, Philippines: 2014

Type of Union Security Clause	Number of CBAS	% Share
CBAs with Union Security Clauses	303	100.0
Check-off		
Union dues	234	72.0
Agency fees	148	45.5
Special assessment fees	201	61.8
Management right/prerogative	240	73.8
Maintenance of membership	204	62.8
Union right/responsibility	185	56.9

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

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

employers the sole and exclusive right to exercise the functions and prerogatives in the management and operations of the business of the company. Check-off for special assessment fees accounted for 61.8% of the total.

- Meanwhile, the maintenance of union membership clause is likewise stipulated in 5 out of every 8 CBAs (62.8%) while more than half (185 or 56.9%) provided union right/responsibility clause.

Job Security

The impartial and just dismissal/lay-off of workers was observed in 1 out of every 3 CBAs

- Another non-economic provision of CBAs involves job security clauses for which about one-third of total CBAs specifically stipulated the need for a just dismissal/lay-off of workers (33.8%) and clear policy on lay-off (32.9%). (Table 2)
- Meanwhile, 1 out of every 5 CBAs provided that the pursuance of a non-discriminatory filling-up of vacancies may be done thru the hiring of next-of-kin of retired employees (20.9%).

TABLE 2 - Number and Percent Share of CBAs by Job Security Clause, Philippines: 2014

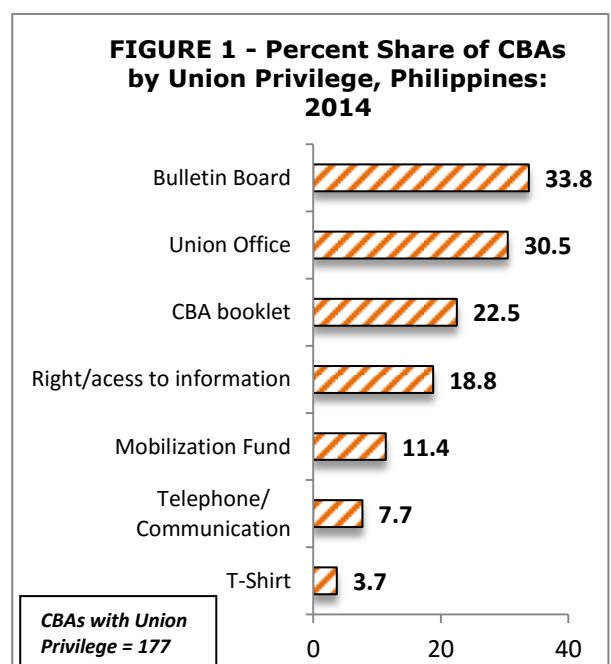
Job Security Clauses	Number of CBAs	% Share
Just dismissal/Lay-off of workers	110	33.8
Non-discriminatory filling-up of vacancies through:		
<i>Promotion</i>	103	31.7
<i>Assignment/Transfer of employees</i>	6	1.8
<i>Hiring of next-of-kin of retired employees</i>	68	20.9
<i>Rehire/Recall of dismissed employees</i>	32	9.8
<i>Union referral</i>	11	3.4
Policy on lay-off	107	32.9

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

Union Privilege

More than half of total CBAs provided various union privileges during the span of CBA period

- Union privilege is another non-economic benefit stipulated in five out of every 9 CBAs (177 or 54.5%) in 2014. (Figure 1)
- Specifically, about one-third (33.8%) of CBAs allowed the use of bulletin boards for the posting of announcements and disseminating information to union members while some CBAs stipulated the provision of union office/space (30.5%) for union-related meetings and activities.
- Nearly 1 out of every 5 CBAs allowed the union the right/access to company’s information (18.8%). In some instances, CBAs also included assistance to the union in the observance of Labor Day celebration through the granting of mobilization fund for the event (11.4%) and provision of t-shirts (3.7%) to union members during the celebration.



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

Health and Safety Program

Family planning program was included in more than half (52.9%) of the CBAs

- The most common health and safety program negotiated among CBAs is family program/service as specified in 172 CBAs (52.9%). This was followed by provision of recreational activities/facilities (139 or 42.8%) and programs on health and safety equipment (86 or 26.5%). (Table 3)

TABLE 3 - Number and Percent Share of CBAs by Safety and Health Program Provided, Philippines: 2014

Health and Safety Program	Number of CBAs	% Share
Family planning program/service	172	52.9
Recreational activities/facilities	139	42.8
Health and safety equipment	86	26.5
Drug-free workplace	41	12.6

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

Leave Benefits

7 out of every 10 CBAs included the granting of vacation leave and sick leave to employees

- The provision of vacation leave and sick leave to workers covered by the agreements were stipulated in majority of CBAs in 2014 at 73.5% and 70.2%, respectively. (Table 4)
- Other leave benefits granted include union leave (189 or 58.2%); burial/bereavement leave (124 or 38.2%); emergency leave (112 or 34.5%); birthday leave (66 or 20.3%) and the rest of the leave benefits each accounting for less than 7% of total CBAs.

TABLE 4 - Number and Percent Share of CBAs by Leave Benefits Provided, Philippines: 2014

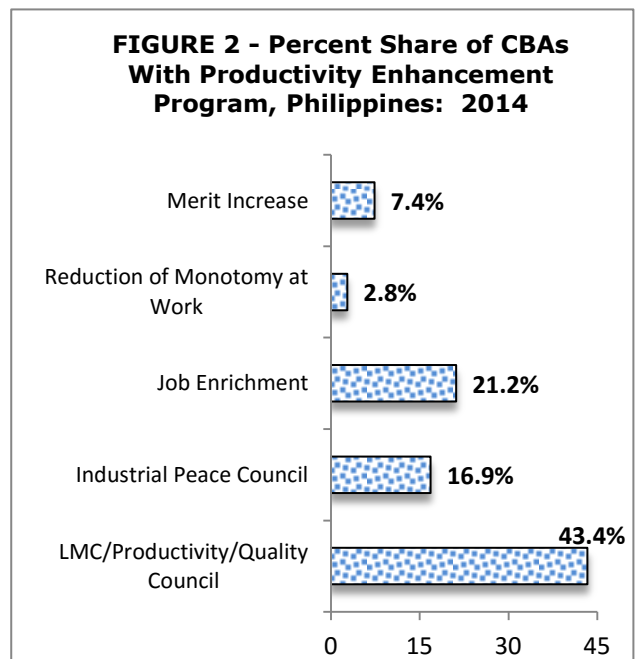
Leave Benefits	Number of CBAs	% Share
Vacation Leave	239	73.5
Sick Leave	228	70.2
Union Leave	189	58.2
Burial/Bereavement Leave	124	38.2
Emergency Leave	112	34.5
Birthday Leave	66	20.3
Service Incentive Leave	21	6.5
Calamity Leave	21	6.5
Study Leave	15	4.6
Time-off	15	4.6
Legal/Court Leave	8	2.5
Military Training Leave	7	2.2
Wedding Leave	7	2.2
Pulmonary/Tuberculosis Leave	6	1.8
Personal Leave	4	1.2

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

Productivity Enhancement Program

3 out of every 7 CBAs stipulated the creation of Labor Management Committees/Productivity/Quality Councils in the establishment

- Several productivity enhancement programs were negotiated by both management and unions in 2014. About 43.4% specified the adoption of LMC/ Productivity/Quality Councils in the company. (Figure 2)



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

- The program on job enrichment accounted for more than one-fifth (21.2%) of total CBAs while industrial peace council was stipulated in 1 out of every 6 CBAs (16.9%).
- Lesser CBAs provided programs focusing on merit increase (7.4%) and reduction of monotony at work (2.8%).

FOR INQUIRIES

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

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