

## Non-Economic Provisions of Collective Bargaining Agreements in 2013 (Second of a three-part series)\*

A Collective Bargaining Agreement (CBA) is the outcome when the management and the employees group or labor union come together to work out an agreement concerning wages, hours of work, benefits, and work conditions of employment. Such an agreement is reached following the process of collective bargaining which is an important aspect of labor-management relations.

Most CBAs have a term of three (3) years and contains both economic and non-economic provisions. The economic stipulations primarily cover clauses on wage increases, allowances, bonuses, profit sharing, loan benefits, retirement plan, subsidies and employee welfare benefits. The non-economic provisions on the other hand include union security clauses, rights and responsibilities of the management and employees; union privileges; security of tenure; grievance machinery; leave benefits; and health and safety programs.

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 provides a descriptive analysis of the non-economic provisions of the CBAs registered in 2013.

### Union Security

#### **Seven out of every 8 CBAs in 2013 had stipulations on union security**

- Of the total 289 registered CBAs in 2013, about 87.9% (254) had union security provisions. Specifically, 83.4% (241) had check-off provisions where employers are allowed to deduct union-related fees from the employees' pay slip. About more than two-thirds of CBAs (193 or 66.8%) allowed the collection of agency fees while 180 CBAs (62.3%) authorized the payment of assessment fees. (Table 1)
- Management right/prerogative was included in 198 CBAs (68.5%). This recognizes the employer as having the sole and

exclusive right and prerogative to manage the operation and business of the establishment.

**TABLE 1 - Number and Percent Share of CBAs by Union Security Clause, Philippines: 2013**

Union Security Clause	Number of CBAs	Percent Share
Check-off		
<i>Union dues</i>	241	83.4
<i>Agency fees</i>	193	66.8
<i>Special assessment fees</i>	180	62.3
Management right/prerogative	198	68.5
Maintenance of membership	180	62.3
Union right/responsibility	94	32.5

Source of data: Bureau of Labor Relations.

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- Approximately, 5 out of every 8 CBAs (62.3%) had stipulations on maintenance of union membership requiring employees to maintain their union membership in good standing as a prerequisite for their continuous employment in the company.

**Job Security**

**Fair dismissal/lay-off of workers provided in 3 out of every 5 CBAs**

- Of the various provisions on job security, fair dismissal is assured as contained in 171 CBAs (59.2%). (Table 2)
- About 37.0% (107) on the other hand had a lay-off policy provided in their CBAs.

**TABLE 2 – Number and Percent Share of CBAs by Job Security Clause, Philippines: 2013**

Job Security Clause	Number of CBAs	Percent Share
Just dismissal/Lay-off of workers	171	59.2
Policy on lay-off	107	37.0
Non-discriminatory filling-up of vacancies through:		
<i>Promotion</i>	125	43.3
<i>Assignment/Transfer of employees</i>	115	39.8
<i>Hiring next of kin of retired employees</i>	85	29.4
<i>Rehire/Recall of dismissed employees</i>	45	15.6
<i>Union referral</i>	21	7.3

Source of data: Bureau of Labor Relations.

- Notably, non-discriminatory provisions in the filling-up of vacancies were likewise emphasized in less than half of the registered CBAs. These specifically provide that vacancies can be filled-up through promotion of existing employees

(125 CBAs or 43.3%); assignment/transfer of employees within the establishment (115 CBAs or 39.8%); and preference in the hiring of next of kin of retired employees provided that he/she is qualified to do the job (85 CBAs or 29.4%).

- Likewise, the rehire/recall of previously dismissed employees to fill-up vacancies was noted in 45 CBAs (15.6%) while union referral in filling-up vacancies was contained in 21 CBAs (7.3%).

**Union Privilege**

**One-half of registered CBAs granted space for union office**

- In support of the union, provision of office space for the union was granted in 145 CBAs (50.2%). This is to facilitate conduct of union-related meetings/activities. (Table 3)
- About 2 out of every 5 CBAs (115 CBAs or 39.8%) were allowed to use the company bulletin board/s for posting and disseminating union activities to members.
- Similarly, one-third of the CBAs (97 or 33.6%) were able to negotiate for assistance in the reproduction of their CBA booklets.
- Almost one-fourth (71 CBAs 24.6%) had provision, allowing the union access to some company information.
- A small proportion of CBAs also covered assistance to workers' participation in the Labor Day celebration. The assistance was in the form of mobilization fund (44 CBAs or 15.2%) and granting of T-

shirts to union members (15 CBAs or 5.2%).

**TABLE 3 - Number and Percent Share of CBAs by Union Privilege Clause, Philippines: 2013**

Union Privilege Clause	Number of CBAs	Percent Share
Use of facilities		
<i>Union office</i>	145	50.2
<i>Bulletin board</i>	115	39.8
<i>Telephone</i>	17	5.9
Reproduction of CBA booklet	97	33.6
Right/Access to information	71	24.6
Labor Day assistance		
<i>Mobilization fund</i>	44	15.2
<i>T-shirt</i>	15	5.2

Source of data: Bureau of Labor Relations.

**Health and Safety Program**

**Nearly two-thirds of CBAs stipulated for the conduct of family planning seminars**

- The conduct of family planning seminars was the topmost health and safety program negotiated in 189 CBAs (65.4%). (Table 4)

**TABLE 4 - Number and Percent Share of CBAs by Health and Safety Program Provided, Philippines: 2013**

Health and Safety Program	Number of CBAs	Percent Share
Family planning services	189	65.4
Recreational activities/facilities	153	52.9
Health and safety equipment	85	29.4
Drug free workplace	39	13.5

Source of data: Bureau of Labor Relations.

- More than half of the total CBAs (153 or 52.9%) included provisions for recreational activities/facilities while 29.4% (85) had health and safety equipment.
- Stipulations for a drug-free workplace were also agreed in

13.5% or 39 CBAs. Only a small number (13 or 4.5%) had a health fund for their employees.

**Leave Benefits**

**Vacation leave and sick leave benefits stipulated in more than 80% of registered CBAs**

- These two leave benefits were the topmost negotiated leave benefits in CBAs followed by union leave which was granted in 193 CBAs (66.8%)

**TABLE 5 - Number and Percent Share of CBAs by Leave Benefits Provided, Philippines: 2013**

Leave Benefits	Number of CBAs	Percent Share
Vacation leave	239	82.7
Sick leave	234	81.0
Union leave	193	66.8
Burial/Bereavement leave	113	39.1
Emergency leave	111	38.4
Birthday leave	60	20.8
Time-off	40	13.8
Study leave	20	6.9
Incentive leave	18	6.2
Pulmonary/Tuberculosis leave	17	5.9
Calamity leave	17	5.9
Wedding leave	11	3.8
Military training leave	4	1.4
Personal leave	3	1.0
Legal/Court leave	3	1.0

Source of data: Bureau of Labor Relations.

- Other leave benefits specified in some CBAs included bereavement/burial leave (113 or 39.1%); emergency leave (111 or 38.4%); and birthday leave (60 or 20.8%).
- A smaller proportion granted time-off (40 CBAs or 13.8%) and study leave (20 CBAs or 6.9%).

- Nearly the same number of CBAs had provisions for incentive leave (18 CBAs or 6.2%); pulmonary/tuberculosis leave; and calamity leave with 17 CBAs or 5.9% each.

### Productivity Enhancement Program

#### Labor Management and quality councils stipulated in more than half (51.6%) of CBAs

- To enhance productivity and labor management relations, the establishment of LMCs and/or productivity councils was included in 1 out of every 2 CBAs. Industrial peace council was incorporated in almost 1 out of 3 establishments (32.2%). Job enrichment was also contained in 72 CBAs (24.9%). Other programs included in CBAs

were reduction of monotony at work (64 or 22.1%); merit increase (33 or 11.4%); incentive pay (26 or 9.0%); and productivity pay (16 or 5.5%). (Table 6)

**TABLE 6 - Number and Percent Share of CBAs With Productivity Enhancement Programs, Philippines: 2013**

Productivity Enhancement Program	Number of CBAs	Percent Share
LMC/ Productivity/Quality Council	149	51.6
Industrial Peace Council	93	32.2
Job enrichment	72	24.9
Reduction of monotony at work	64	22.1
Merit increase	33	11.4
Incentive pay	26	9.0
Productivity pay	16	5.5

Source of data: Bureau of Labor Relations.

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#### FOR INQUIRIES

Regarding this report, contact **Labor Standards and Relations Statistics Division** at telefax 376-1921  
 Regarding other statistics, contact **Knowledge Management and Communication Division** at 426-6600 local 834  
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