



MC NO. 28, S. 1993

**MEMORANDUM CIRCULAR**

**T O** : ALL HEADS OF DEPARTMENTS, BUREAUS, OFFICES AND AGENCIES OF THE NATIONAL AND LOCAL GOVERNMENTS, STATE COLLEGES AND UNIVERSITIES INCLUDING GOVERNMENT-OWNED AND/OR CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS, AND PRESIDENTS OF ACCREDITED /RECOGNIZED EMPLOYEE UNIONS

**SUBJECT** : Registration of Collective Negotiation Agreements

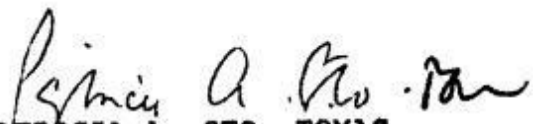
Pursuant to CSC Resolution No. 93-2315 dated June 24, 1993, the Civil Service Commission hereby adopts the following policies on the registration of Collective Negotiation Agreements in the public sector:

1. The accredited Union shall submit to the Office for Personnel Relations three (3) duly signed copies of the Agreement within thirty (30) days from execution thereof, to be accompanied by a sworn Statement of the Union Secretary, which is attested by the Union President and containing the following information:
  - a. That the Agreement was posted in at least two (2) conspicuous places in the agency for at least five (5) days prior to its ratification; and
  - b. That the Agreement was ratified by the majority of the rank and file employees in the appropriate bargaining unit.
2. The Agreement shall be duly signed and shall indicate the date of its execution and the number of pages. It shall contain among others the provisions on grievance machinery and the term of the agreement. Other pertinent documents shall also be attached to the Agreement which shall contain the ratifying signatures; the total personnel complement in the agency; total number of employees in the bargaining unit; and the source of agreement, which may either be mutual settlement, voluntary arbitration, conciliation or compulsory arbitration.

3. If the Office for Personnel Relations finds that all the supporting documents and information have been submitted, it shall issue a Certificate of Registration within five (5) days from receipt of the Agreement. If there are deficiencies found, it shall notify the applicant-union, which has fifteen (15) days to submit the lacking requirements, otherwise the application for registration shall be disapproved, without prejudice to its refiling.
4. The registration of the Agreement shall constitute as a bar to the filing of a petition for certification election during the term thereof, except within sixty (60) days before the expiration of the agreement.

Any provision in the Agreement which is contrary to law, morals, good customs, public policy or public order, or the implementation of which requires a legislative act shall remain unenforceable, notwithstanding the registration of the Agreement.
5. A certified copy of the duly registered Agreement shall be furnished to the parties within five (5) days from the date of registration.
6. The Office for Personnel Relations shall keep a file of all registered collective negotiation agreements.
7. Collective Negotiation Agreements already existing at the time of the issuance of this Circular must be submitted to the Office for Personnel Relations within a period of sixty (60) days from the date of effectivity hereof.

This Memorandum Circular takes effect fifteen (15) days after its publication in a newspaper of general circulation.

  
PATRICIA A. STO. TOMAS  
Chairman

June 24, 1993

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