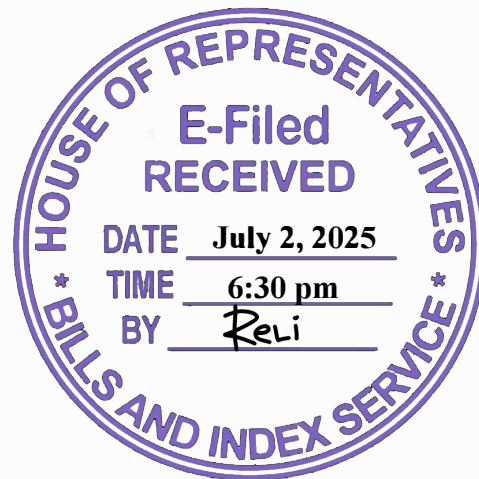


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 1162



Introduced by Representative Arturo B. Robes

**AN ACT ESTABLISHING A REFORM IN THE REGULATION OF
COLLECTIVE BARGAINING AGREEMENT, AMENDING FOR THE PURPOSE
PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS
THE LABOR CODE OF THE PHILIPPINES**

The 1987 Constitution provides that labor is the primary social economic force and that the State shall protect the rights of workers and promote their welfare. It also provides that the State shall regulate the relations between workers and employers, recognizing the right of labor to its just share in the fruits of production. It also guarantees the right to organization and association.

Enacted in 1974, the Labor Code of the Philippines is the primary legal framework governing labor relations and employment practices in the country. It provides for the right of employees to establish an organization that will bargain and negotiate for the rights and benefits of each and every one of them.

This bill seeks to reform the validity of collective bargaining agreements (CBA), shortening the term from five (5) years to three (3) years, allowing for more liberty in negotiating and amending the CBA; adjusting to the prevailing rates, economic state, and labor relations. This amendment to the law will ensure equality and equity among all.

In view of the foregoing, the passage of this bill is earnestly sought.



ARTURO B. ROBES

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

SECTION 1. Article 265 of Presidential Decree 442, as amended, otherwise known as The Labor Code of the Philippines, is hereby further amended to read as follows:

“ART. 265. Terms of a Collective Bargaining Agreement. – Any Collective Bargaining Agreement that the parties may enter into shall, insofar as the representation aspect is concerned, be for a term of [five (5)] **THREE (3)** years. No petition questioning the majority status of the incumbent bargaining agent shall be entertained and no certification election shall be conducted by the Department of Labor and Employment outside of the sixty-day period immediately before the date of expiry of such [five] **THREE**-year term of the Collective Bargaining Agreement. All [other] provisions of the Collective Bargaining Agreement shall [be] **REMAIN IN FULL FORCE AND EFFECT DURING THE EFFECTIVITY OF THE AGREEMENT** [renegotiated not later than three (3) years after its execution]. Any agreement on such other provisions of the Collective Bargaining Agreement entered into within six (6) months from the date of expiry of the term of such other provisions as fixed in such Collective Bargaining Agreement, shall retroact to the day immediately following such date. If any such agreement is entered into beyond six months, the parties shall agree on the duration of retroactivity thereof. In case of a deadlock in the renegotiation of the Collective Bargaining Agreement, the parties may exercise their rights under this Code.”

SEC. 2. Within sixty (60) days from the effectivity of this Act, the Secretary of Labor and Employment shall promulgate the rules and regulations for its effective implementation.

SEC. 3. If any part, section or provision of this Act is declared unconstitutional or invalid, the other provisions hereof shall remain in full force and effect.

SEC. 4. Any law, issuance or parts thereof, inconsistent with this Act are hereby modified accordingly.

SEC. 5. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,