



Public Sector Labor-Management Council

Civil Service Commission Central Office Building
Batasang Pambansa Complex, Constitution Hills, Diliman, 1126 Quezon City
Telefax No. 931-4149

**GRANT OF COLLECTIVE
NEGOTIATION AGREEMENT (CNA)
INCENTIVE**

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Number: 1:52021

Promulgated: 13 JAN 2021

PSLMC RESOLUTION

WHEREAS, PSLMC Resolution No. 4, s. 2002 provides for the guidelines in the grant of Collective Negotiation Agreement (CNA) Incentive for National Government Agencies (NGAs), State Universities and Colleges (SUCs) and Local Government Units (LGUs);

WHEREAS, PSLMC Resolution No. 2, s. 2003 provides for the guidelines for the grant of CNA Incentive for Government Owned and Controlled Corporations (GOCCs) and Government Financial Institutions (GFIs);

WHEREAS, Section 2 (a), Rule II of the Amended Rules and Regulations of Executive Order No. 180 enumerates high level, highly-confidential and coterminous employees as one of those not eligible to form, join or assist employees' organizations of the rank-and-file employees for purposes of collective negotiations;

WHEREAS, the Department of Budget and Management (DBM) pursuant to Administrative Order No. 135, s. 2005, has issued several Budget Circulars pertaining to the grant of CNA Incentive;

WHEREAS, the Budget Circulars issued yearly by the DBM which provides guidelines for the grant of CNA incentives allow the grant of the same rank-and file employees, which includes coterminous and highly- confidential employees, who are non-members of the CSC-accredited sole and exclusive negotiating agent but want to enjoy or accept benefits under the CNA, subject to payment of agency fee to the negotiating agent in accordance with PSLMC Resolution No. 1, s. 1993 as amended by PSLMC Resolution No. 15, s. 2013;

WHEREAS, the PSLMC has not issued a resolution allowing coterminous employees and highly confidential employees to receive CNA Incentive together with the rank-and-file employees of the organizational unit;

WHEREAS, employees belonging to the management of government agencies may be granted CNA Incentive by virtue of Congress Joint Resolution No. 4 approved on June 17, 2009;

WHEREAS, coterminous and highly-confidential rank-and-file employees may be granted CNA Incentive since they also contributed to the agency's productivity and are also considered government employees;

WHEREAS, public sector unions have constantly inquired on whether coterminous employees and highly confidential rank-and-file employees are allowed to receive CNA Incentive;

WHEREAS, to provide clarification as to whether coterminous and highly confidential rank-and-file employees may receive CNA Incentive, a PSLMC Resolution regarding this matter has to be issued by the PSLMC.

WHEREFORE, the Council **RESOLVES**, as it hereby **RESOLVED**, that the grant of CNA Incentive may be extended to coterminous employees and highly confidential rank-and-file employees who also contributed to agency productivity and implementation of cost-cutting measures identified in the CNAs or supplements thereto. Provided that, these employees have paid the corresponding agency fees as provided for in PSLMC Resolution No. 1, s. 1993 as amended by PSLMC Resolution No. 15, s. 2013.¹

Quezon City.

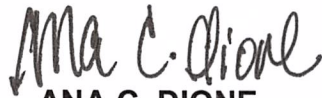

ALICIA dela ROSA-BALA
Chairperson, Civil Service Commission
CHAIRPERSON



¹ PSLMC Resolution No. 15, s. 2013

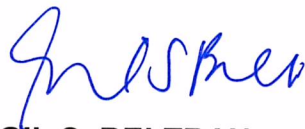
WHEREFORE, the Council **RESOLVES**, as it hereby **RESOLVED**, to adopt the following guidelines in determining the reasonable amount of agency fees to be assessed and collected from non-member rank-and-file employees who benefit from CNA incentives. The agency fee assessed and collected under any of the following circumstances shall be deemed reasonable:

1. It is equivalent to all dues and other fees paid by a member in a particular year where CNA incentive was granted.
2. Equivalent to a certain amount as determined in a resolution duly approved by the members of the employees' association in a General Assembly and carried as one of the stipulation in the Collective Negotiation Agreement (CNA) duly concurred by the management of the employee unit and ratified by the members of the negotiating unit, provided, it is not unconscionable.



ANA C. DIONE
Undersecretary
FOR

SILVESTRE H. BELLO III
Secretary, Department of Labor and Employment
VICE-CHAIRPERSON




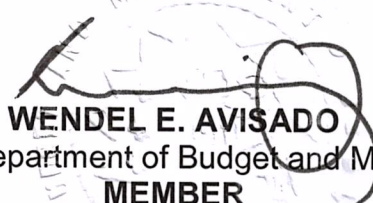
GIL S. BELTRAN
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FOR

CARLOS G. DOMINGUEZ
Secretary, Department of Finance
MEMBER



EMMELINE AGLIPAY-VILLAR
Undersecretary
FOR

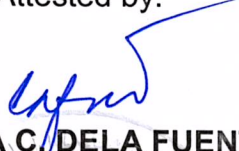
MENARDO I. GUEVARRA
Secretary, Department of Justice
MEMBER



WENDEL E. AVISADO

Secretary, Department of Budget and Management
MEMBER

Attested by:



CECILIA C. DELA FUENTE
Director IV, Human Resource Relations Office
Civil Service Commission
Head, PSLMC Secretariat