



Public Sector Labor-Management Council

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

**EFFECT OF A DENIAL OF A
PETITION TO CHALLENGE THE
ACCREDITATION OR PETITION
FOR CERTIFICATION ELECTION**

X-----X

Number: 20S2021

Promulgated: 13 JAN 2021

PSLMC RESOLUTION

WHEREAS, under Section 13, Rule VIII of the Amended Implementing Rules and Regulations of Executive Order No. 180 provide for the grounds for a petition to challenge the status of an accredited employees' organization, to wit:

"(a) failure of the accredited employees' organization to maintain the support of the majority of the rank-and-file employee after one (1) year from the issuance of its certificate of accreditation, subject to the contract-bar under Section 3 (d), Rule IX of these Rules;

"(b) failure of the accredited employees' organization to submit a CNA proposal to management, x x x."

WHEREAS, Section 14 (c) of Rule VIII provides that denial of the petition to challenge accreditation is appealable to the Council within ten (10) calendar days from receipt thereof;

WHEREAS, under Section 1 of Rule IX of the Amended Rules and Regulations of Executive Order No. 180 provides that *"certification election proceedings may be initiated through a petition for certification election filed by any registered employees' organization of the management when requested to negotiate collectively by a registered employees' organization"*;

WHEREAS, under Rule IX of the Amended Rules and Regulations of Executive Order No. 180, a petition for certification election may be filed by a registered employees' organization within the sixty (60) day freedom period or sixty (60) days before the expiration of the current CNA;

WHEREAS, the denial by the DOLE-BLR of a petition for certification election is appealable to the Council under Section 12 (b) of Rule IX of the Amended Rules and Regulations of Executive Order No. 180;

WHEREAS, the denial by the CSC-HRRO of a petition to challenge accreditation is appealable to the Council under Section 13 (c) of Rule VIII of the Amended Rules and Regulations of Executive Order No. 180;

WHEREAS, an appeal to the Council of the decision of the CSC-HRRO or the DOLE-BLR shall not prevent the current accredited employees' organization from entering into negotiations with management to enter into a new CNA;

WHEREAS, in case the current accredited employees' organization is defeated in the certification election, the CNA between the accredited employees' organization and the management shall continue to be in force and effect unless rescinded by the newly accredited employees' organization.

WHEREFORE, the Council **RESOLVES**, as it hereby **RESOLVED**, that an appeal to the Council of a decision of the CSC-HRRO in a petition to challenge accreditation and the denial of the DOLE-BLR of a petition for a certification election shall not prevent the current accredited employees' organization to enter into a new CNA with their management, pending resolution.

RESOLVED further that the CNA entered by the current accredited employees' organization and its management pending appeal to the Council may be a subject to rescission in case a newly accredited employees' organization chose to do so.

Quezon City.


ALICIA dela ROSA-BALA
Chairperson, Civil Service Commission
CHAIRPERSON



Ana C. Dione

ANA C. DIONE

Undersecretary

FOR

SILVESTRE H. BELLO III

Secretary, Department of Labor and Employment

VICE-CHAIRPERSON

Gil S. Beltran

GIL S. BELTRAN

Undersecretary

FOR

CARLOS G. DOMINGUEZ

Secretary, Department of Finance

MEMBER

Emmeline Aglipay-Villar

EMMELINE AGLIPAY-VILLAR

Undersecretary

FOR

MENARDO I. GUEVARRA

Secretary, Department of Justice

MEMBER

Wendel E. Avisado

WENDEL E. AVISADO

Secretary, Department of Budget and Management

MEMBER



Attested by:

Cecilia C. Dela Fuente

CECILIA C. DELA FUENTE

Director IV, Human Resource Relations Office

Civil Service Commission

Head, PSLMC Secretariat