

Primer on

Registration of Collective Negotiation Agreement



Civil Service Commission
Personnel Relations Office
Constitution Hills, Batasan Pambansa Complex
Diliman, Quezon City
Tel No.: 931-8039; Telefax: 931-4149
email: pro_csc@yahoo.com; csc_pro@webmail.csc.gov.ph
CSC Website: www.csc.gov.ph

Registration of CNA

What is Registration of CNA?



Registration of CNA refers to the process by which the CSC, after an evaluation and review of the CNA, issues the corresponding certificate of registration to the accredited employees' organization.

What are the benefits of Registration?

- a) No challenge to accreditation, meaning no petition questioning the majority status of the incumbent exclusive collective negotiation representative shall be entertained; and
- b.) No certification election shall be conducted by the DOLE-BLR nor shall a certificate of accreditation be issued by the CSC-PRO outside the freedom period.

When shall the CNA take effect?

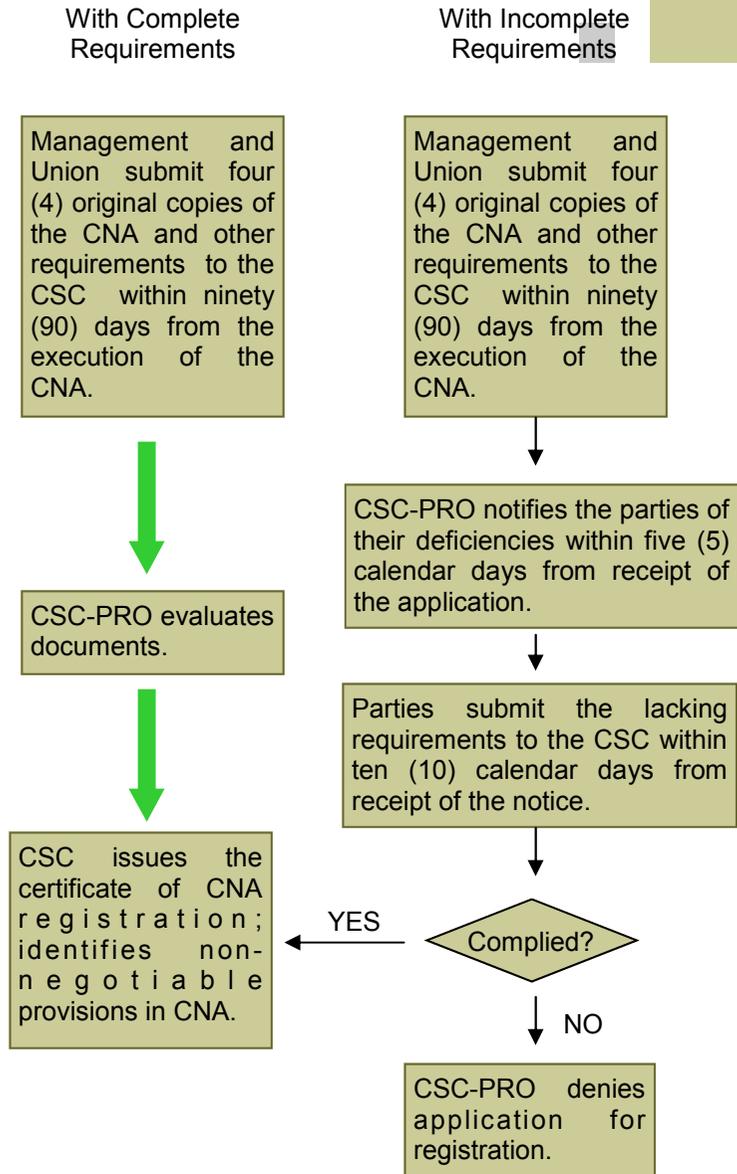
Upon its signing by the parties and ratification by majority of the rank-and-file employees in the negotiating unit to take effect within ninety (90) calendar days. Otherwise, the application for registration shall be denied. (PSLMC Res. No. 02, s. 2007)

What are the requirements for Registration?



- 1.) four (4) signed original copies of the agreement;
- 2.) sworn statement that the CNA was posted in at least two (2) most conspicuous places in the principal address of the agency and all its regional offices/branches, if any, at least seven (7) calendar days before its ratification;
- 3.) notarized proof of ratification of the signed CNA by the majority of the employees in the negotiating unit;
- 4.) the Certificate of Accreditation issued in favor of the accredited employees' organization (certified true copy);
- 5.) Certification from the HRMO/AO as to the total number of rank-and-file employees in the agency; and
- 6.) Official Receipt (OR) as proof of payment of registration fee of One Thousand Pesos (P1,000.00) or such amount as may be determined by the Council.

STEPS in the CNA REGISTRATION



Appealing the DECISION of CSC-PRO

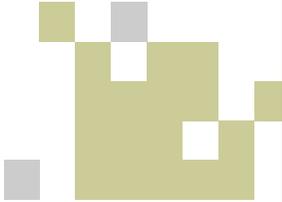
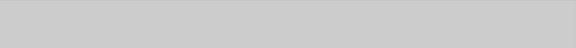
Is the decision of the CSC-PRO to cancel the registration of the CNA appealable?

Yes. The decision of the CSC-PRO to cancel the registration of the CNA may be appealed to the Council within ten (10) calendar days from the time the parties receive the copies of the decision.

The Council shall have sixty (60) calendar days within which to resolve the appeal. The decision of the Council shall be final and executory unless a motion for reconsideration is filed within ten (10) calendar days from receipt of such decision. Only one motion for reconsideration shall be entertained. (section 8, Rule XIII, IRR of EO 180).

On what ground may the decision of the CSC-PRO to cancel the CNA registration be appealed?

On the ground of grave abuse of discretion on the part of the CSC-PRO.



What is Contract-Bar Rule?



Contract-Bar Rule is the protection of the incumbent union from being challenged regarding its accreditation by a rival union if there is an agreement in effect having a term of not more than three (3) years, except during the agreement's "freedom period" ---i.e., 60 days prior to the expiration of the agreement.



What are the exceptions to the Contract-Bar Rule?

The registration of the CNA shall not constitute a bar to a certification election after a finding by the CSC-PRO that the supporting documents for registration were fraudulent, falsified or tainted with misrepresentation. In such a case, the CSC-PRO shall order the cancellation of the registration of the CNA.

NOTE: *The registration of the CNA will not validate any provision which is contrary to law, morals, good customs, public policy and public order.*