



Public Sector Labor-Management Council

Civil Service Commission Central Office Building
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GUIDELINES ON ACCREDITATION OF AN EMPLOYEES' ORGANIZATION IN CASE OF MERGER OF AGENCIES

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Number: 15, S 2017

Promulgated: 17 MAY 2017

PSLMC RESOLUTION

WHEREAS, a duly registered employees' organization can only be accredited as the sole and exclusive negotiating agent (SENA) of a particular negotiating unit in an agency if it has majority support of the rank-and-file employees;

WHEREAS, a merger of an agency with another will result to either an entirely new organizational unit/agency composed of the merged agencies or a "surviving" organizational unit/agency wherein other agencies are being absorbed or attached thereto;

WHEREAS, the merger may create a hiatus whenever the different agencies have their own registered employees' organizations;

WHEREAS, when there exist two or more registered employees' organizations within the merged agency, any of the registered employees' organizations has three options in acquiring the accredited status, namely: 1. Certification Election; 2. Merger; and 3. Consolidation;

WHEREAS, the law only allows one accredited employees' organization within an agency to represent the negotiating unit;

WHEREAS, when two or more registered employees' organizations merge into single employees' organization/entity, only one employees' organization will retain its existence as the surviving employees organization while the other employees' organizations will cease to exist;

WHEREAS, when there are two or more registered employees' organizations, they may consolidate to form an entirely new employees' organization under a new name;

WHEREAS, petition for merger or consolidation of employees' organizations shall be filed with the DOLE-BLR or the DOLE Regional Office;

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WHEREAS, the certificate of registration to be issued by the DOLE-BLR and CSC to a consolidated employees' organization shall indicate the following: (a.) the name and address of the employees' organization; (b.) the names of employees' organizations that were consolidated; and (c.) new registration number of the employees' organization, if applicable;

WHEREFORE, the Council **RESOLVES** as it is hereby **RESOLVED** that in case of merger of agencies, the employees' organizations may undertake any or a combination of the following options:

1. Merger

The petition for merger of employees' organizations shall include the following:

- (a.) the name/s and address/es of the employees' organizations to be merged;
- (b.) name and address of the agency;
- (c.) total number of rank-and-file employees in the subject negotiating unit;
- (d.) resolution by the Board or officers of each concerned employees organization adopting the merger;
- (e.) ratification by simple majority of members of each concerned employees' organization or national union;
- (f.) the new/amended constitution and by-laws;
- (g.) the name of the surviving employees' organization.

2. Consolidation

The petition of consolidation of employees' organizations shall include the following:

- (a.) the name/s and address/es of the employees' organizations to be consolidated;
- (b.) name and address of the agency;
- (c.) total number of rank-and-file employees in the subject negotiating unit;
- (d.) resolution by the Board or officers of each concerned employees organization adopting the consolidation;

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- (e) ratification by simple majority of members of each concerned employees' organization or national union;
- (f) the constitution and by-laws of the consolidated employees' organization;
- (g) the names of the new officers of the consolidated employees' organization.

3. Certification Election

The provision laid down in Rule IX of the Implementing Rules and Regulations of Executive Order No. 180 as amended, shall apply.

4. Agreement among all the existing registered employees' organizations to designate one of them to represent the negotiating unit

- a) Resolution by the Board or officers of each concerned employees' organization to enter into an agreement to designate one of the existing employees' organizations as the Sole and Exclusive Negotiating Agent;
- b) Ratification by simple majority of the members of each concerned employees' organization of the said resolution, including an authorization for their respective representatives to execute such agreement;
- c) Agreement designating the Sole and Exclusive Negotiating Agent;
- d) Proof that the majority of the total members of the employees' organizations is not less than the majority of the total rank-and-file employees of the negotiating unit.

This Resolution shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

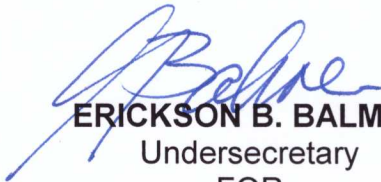
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Attested by:



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