

Compulsory Arbitration and the Magna Carta of Labor

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Republic Act No. 875 or “An Act to Promote Industrial Peace and for Other Purposes,” aims to promote industrial peace by reinforcing unionism and by adjusting the process of collective bargaining. To remove the believed restrictions that it poses to free enterprise, compulsory arbitration has been eliminated in the said law.

The Article provides an overview of the current state of laborers in the Philippines. Only a small percentage of city laborers are found to belong in labor unions. The lack of sympathy from the general public, the lack of solidarity in and the lack of funds of these unions are also noted to advance the contention that compulsory arbitration must not be suppressed until a new formula that prevents litigations and resolves conflicts is found. In addition, the Author submits that at the current state of the country, the suppression of compulsory arbitration will serve as an ideal basis for the growth of Communism.

The Article also makes a short comparison of the Filipino laborer and his American counterpart in dismissal cases. It is found that a Filipino is still better protected. In the United States, a laborer may be dismissed for any reason other than “uniono activites” and “unfair labor practices” while in the Philippines, only “just cause” can make a dismissal possible. The Author then discusses the implication of this difference.

In conclusion, the Author finds that despite the Filipino laborer being better protected when it comes to dismissal cases, the jurisdiction of the Court of Industrial Relations to decide and settle conflicts between the capitalist and laborer should not be withdrawn.