

Collective Bargaining for Government Employees: A Constitutional Reflection

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The Article attempts to prove the 1973 Constitution's intent to give collective bargaining rights to government employees. The Article revolves mainly on the premise that government employees need collective bargaining rights in order to assure just and humane conditions of work despite the competition, conflict, struggle and rapid changes in the modern world.

Both "An Act to Amend and Revise the Laws Relative to Philippine Civil Service" or Republic Act No. 2260, as amended, and "A Decree Instituting a Labor Code, Thereby Revising and Consolidating Labor and Social Laws to Afford Protection to Labor, Promote Employment and Human Resources Development and Ensure Industrial Peace Based on Social Justice" or Presidential Decree No. 442, as amended, are cited. In both laws, government employees, have no collective bargaining rights.

Nonetheless, the Author observes that Section 9, Article II of the 1973 Constitution makes it a fundamental policy of the Philippine government to assure the rights of workers to collective bargaining. In submitting that the above-cited provision includes not only private-sector employees but also those employed in the government, the Author refers to the socio-political events at the time of and the discussions of the Constitutional Convention.

With this, the Author concludes that the 1973 Constitution intends to give collective bargaining rights to government employees and that the said intent should inspire the lawmakers to give government employees the right to collective bargaining.