

EXECUTIVE ORDER NO. 180

PROVIDING GUIDELINES FOR THE EXERCISE OF THE RIGHT TO ORGANIZE
OF GOVERNMENT EMPLOYEES, CREATING A PUBLIC SECTOR
LABOR-MANAGEMENT COUNCIL, AND FOR OTHER PURPOSES

In accordance with the provisions of the 1987 Constitution, I, CORAZON C. AQUINO, President of the Philippines, do hereby order:

I. Coverage

SECTION 1. This Executive Order applies to all employees of all branches, subdivisions, instrumentalities, and agencies of the Government, including government-owned or controlled corporations with original charters. For this purpose, employees covered by this Executive Order shall be referred to as "government employees".

SECTION 2. All government employees can form, join or assist employees' organizations of their own choosing for the furtherance and protection of their interests. They can also form, in conjunction with appropriate government authorities, labor-management committees, works councils and other forms of workers' participation schemes to achieve the same objectives.

SECTION 3. High-level employees whose functions are normally considered as policy-making or managerial or whose duties are of a highly confidential nature shall not be eligible to join the organization of rank-and-file government employees.

SECTION 4. The Executive Order shall not apply to the members of the Armed Forces of the Philippines, including police officers, policemen, firemen and jail guards.

II. Protection of the Right to Organize

SECTION 5. Government employees shall not be discriminated against in respect of their employment by reason of their membership in employees' organizations or participation in the normal activities of their organization. Their employment shall not be subject to the condition that they shall not join or shall relinquish their membership in the employees' organizations.

SECTION 6. Government authorities shall not interfere in the establishment, functioning or administration of government employees' organizations through acts designed to place such organizations under the control of government authority.

III. Registration of Employees' Organization

SECTION 7. Government employees' organizations shall register with the Civil Service Commission and the Department of Labor and Employment. The application shall be filed with the Bureau of Labor Relations of the Department which shall process the same in accordance with the provisions of the Labor Code of the Philippines, as amended. Applications may also be filed with the Regional Offices of the Department of Labor and Employment which shall immediately transmit the said applications to the Bureau of Labor Relations within three (3) days from receipt thereof.

SECTION 8. Upon approval of the application, a registration certificate shall be issued to the organization recognizing it as a legitimate employees' organization with the right to represent its members and undertake activities to further and defend its interests. The corresponding certificates of registration shall be jointly approved by the Chairman of the Civil Service Commission and Secretary of Labor and Employment.

IV. Sole and Exclusive Employees' Representatives

SECTION 9. The appropriate organizational unit shall be the employers unit consisting of rank-and-file employees unless circumstances otherwise require.

SECTION 10. The duly registered employees' organization having the support of the majority of the employees in the appropriate organizational unit shall be designated as the sole and exclusive representative of the employees.

SECTION 11. A duly registered employees' organization shall be accorded voluntary recognition upon a showing that no other employees' organization is registered or is seeking registration, based on records of the Bureau of Labor Relations, and that the said organization has the majority support of the rank-and-file employees in the organizational unit.

SECTION 12. Where there are two or more duly registered employees' organizations in the appropriate organizational unit, the Bureau of Labor Relations shall, upon

petition, order the conduct of a certification election and shall certify the winner as the exclusive representative of the rank-and-file employees in said organization unit.

V. Terms and Conditions of Employment in Government Services

SECTION 13. Terms and conditions of employment or improvements thereof, except those that are fixed by law, may be the subject of negotiations between duly recognized employees' organizations and appropriate government authorities.

Peaceful Concerted Activities and Strikes

SECTION 14. The Civil Service law and rules governing concerted activities and strikes in the government service shall be observed, subject to any legislation that may be enacted by Congress.

Public Sector Labor-Management Council

SECTION 15. A Public Sector Labor-Management Council, hereinafter referred to as the Council, is hereby constituted to be composed of the following:

- | | |
|--|-----------------|
| 1) Chairman, Civil Service Commission | Chairman |
| 2) Secretary, Department of Labor
and Employment | - Vice-Chairman |
| 3) Secretary, Department of Finance | - Member |
| 4) Secretary, Department of Justice | - Member |
| 5) Secretary, Department of Budget
and Management | Member |

The Council shall implement and administer the provisions of this Executive Order. For this purpose, the Council shall promulgate the necessary rules and regulations to implement this Executive Order.

VIII. Settlement of Disputes

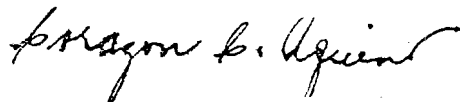
SECTION 16. The Civil Service and labor laws and procedures, whenever applicable, shall be followed in the resolution of complaints, grievances and cases involving government employees. In case any dispute remains unresolved after

exhausting all the available remedies under existing laws and procedures, the parties may jointly refer the dispute to the Council, for appropriate action.

IX. Effectivity

SECTION 17. This Executive Order shall take effect immediately.

Done in the City of Manila, this 1st day of June, in the year of Our Lord, nineteen hundred and eighty-seven.



By the President:



JOKER P. ARROYO
Executive Secretary