

Abstract of Workplace Dispute Resolution in Philippines

Bitonio, Jr., B. E. R. (2012). Industrial relations and collective bargaining in the Philippines. *Industrial and Employment Relations Department, ILO Regional Office for Asia and the Pacific*, (41), 1-44. Retrieved from http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---dialogue/documents/publication/wcms_194267.pdf

Abstract

As excerpted from the author, “This paper is part of a series of national studies on collective bargaining and effective responses to the crisis conducted under the ILO Global Product on *Supporting collective bargaining and sound industrial and employment relations*. The national studies seek to examine the impact of the crisis on industrial relations and collective bargaining institutions; and identify the ways in which collective bargaining was used to mitigate the effects of the crisis and the outcomes as they relate to employment, wages, working time and employment relations. They identify good practices in this regard and consider the implications for balanced and effective recovery.

The paper provides a comprehensive analysis of the industrial relations trends in the Philippines. It highlights the limited roles that industrial relations played in dealing with the global crisis. Both trade union density and collective bargaining coverage are low. The effects of collective bargaining are confined to the enterprise level where negotiations actually take place. Given its long history, the country’s industrial relations system itself is mature and stable, supported by the Labour Code and a comprehensive set of social legislation, but this also limits the scope of adaptation for change.

Concerning dispute settlement, the system should be simplified. Procedural reforms that have been introduced at the administrative level over the years are definitely well intentioned, but more procedures can have an opposite effect and can actually make the system even more complicated. The binding nature of arbitration needs to be given primacy, the layers of administrative and judicial appeals and review need to be reduced, and the number of agencies in the system needs integration and streamlining. It is time to consider greater involvement and responsibility of the social partners and other stakeholders in resolving labour disputes. For this purpose, the principles and various approaches of alternative dispute resolution need to be expressly assimilated into the Labor Code. In particular, given the chronically limited resources and

The paper concludes that the industrial relations system requires renewal and reforms to make it more effective and sustainable, identifying specific areas that can be the target of reforms, including labour market governance, labour standards, wages and productivity, collective bargaining and dispute settlement. Such reforms should be through tripartism and social dialogue.”

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