

Received: May 2, 2024; Revised: July 19, 2024; Accepted: August 26, 2024

Decent Work Practices Incorporated in the Collective Bargaining Agreements of Unionized Firms

<https://doi.org/10.58870/berj.v9i1.66>

Divina M. Edralin

Graduate School of Business
San Beda University, Manila, Philippines
dedralin@sanbeda.edu.ph

Ronald M. Pastrana

Graduate School of Business
San Beda University, Manila, Philippines
rpastrana@sanbeda.edu.ph

Abstract

We investigated the decent work practices related to employment at work, rights at work, social protection, and social dialogue incorporated in the Collective Bargaining Agreements (CBAs) of unionized firms. We analyzed qualitatively the various provisions of each of the 20 CBAs of unionized firms from diverse industries in the Philippines that come from manufacturing, hotels, resorts, health, education, telecommunication, and public utilities. Findings revealed that the CBAs' provisions articulate many significant provisions on decent work practices. Specifically, the employment-at-work provisions revealed 14 main themes related to benefits, employee classification, wages, work hours, and opportunities for advancement. Eight key themes were identified on rights at work provisions: employee development, protection against discrimination, safeguards against company closure, sale, lease, transfer, or merger, protection against lay-offs and retrenchment, shared social responsibility, and the ban on labor contracting. On social protection provisions, twelve main themes emerged: maternity benefits, other social security benefits, job security, extended financial assistance and loan benefits, and medical/health care incentive programs. On social dialogue provisions, 11 main themes evolved about union-management communication, acknowledging the current labor union as the sole bargaining representative, the institution of

grievance machinery, the union's right to information and consultation, as well as the presence of the Labor-Management Committee. The overall results underscored the important role of the union through its collective bargaining power in ensuring that decent work thrives in the workplace. We recommend implementing the “one union one industry policy” as stipulated in the Labor Code; strengthening the conceptual, technical, and behavioral skills of the union leaders; treating unions as social partners; and undertaking research studies that can benefit both the union and management during their CBA negotiations. These efforts can open more opportunities for unions and those workers covered by CBAs to actualize the ILO conventions of guaranteeing decent work that will transform people and organizations toward a sustainable mindset that includes justice, peace, and equality for the common good of the future generation of working people.

Keywords: decent work practices, collective bargaining agreements, unions, labor standards, sustainable development goals

“Decent work is at the heart of the search for dignity for the individual, stability for the family, and peace in the community.”

(Juan Somavia, 2012)

Introduction

Work is an essential part of our lives that expresses who we are and gives meaning to our existence. Through work, we can create products and services that have economic and social value, benefiting our families, communities, and society. Moreover, work provides us with a livelihood to meet our material needs, and it allows us to interact with diverse people, either on an individual level or as part of a group. This recognition gives us a sense of purpose, achievement, and dignity as human beings. However, work can also be a source of negative emotions such as anxiety and exploitation. Therefore, the availability of decent work is crucial for the security, peace, and social advancement of individuals, families, and communities, and it is essential for the common good.

According to the International Labour Organization (2023), decent work is defined as work that provides productive opportunities and a fair income, job security, and social protection for everyone. It also includes better prospects for personal development and social integration, freedom of expression, the right to organize and participate in decisions that affect one's life, and equal opportunities and treatment for all genders (<https://www.ilo.org/global/topics/decent-work/lang--en/index.htm>).

In 2015, the concept of decent work and the four pillars of the Decent Work Agenda, which include rights at work, employment creation, social protection, and social dialogue, were integrated into the 2030 Agenda for Sustainable Development. This was done to address the world's significant challenges and ensure a more sustainable future for all people. Specifically, three out of the twelve targets of Sustainable Development Goal #8 aim to achieve full employment and decent work with equal pay, eliminate modern slavery, trafficking, and child labor, and protect labor rights while promoting safe working environments (<https://www.globalgoals.org/goals/8-decent-work-and-economic-growth/>).

Goals and features of decent work components

The rights of working people are based on the principles of social justice. The concept of decent work was introduced as a public policy initiative by the International Labour Organization (ILO) in 1999 and further developed in 2008. Decent work is characterized by specific structural parameters that should be present in all workplaces worldwide, as

suggested by Blustein, Lysova, and Duffy (2023). According to Ghai (2006), the four components of decent work, which vary in their objectives, content, and relevance across different countries, include the following:

Rights at Work: Ensures that work is associated with dignity, equality, freedom, adequate remuneration, social security, and voice, representation, and participation for all categories of workers. It includes matters relating to employment, wages, hours, and conditions of work, social security, industrial relations, multinational enterprises, health and safety at work, and many others. Labor rights have been established to protect vulnerable groups such as migrants, women workers, indigenous people, and children against hazardous occupations, exploitation, and discrimination.

Employment at Work: Refers not only to wage jobs but to all kinds of work, including self-employment, wage employment, and work from home. It includes full-time, part-time, and casual work, and applies to women, men, and children. To achieve decent work, certain conditions must be met. There should be enough job opportunities for everyone seeking employment. The compensation for work should be enough to meet the essential needs of the workers and their family members. Workers should be free to choose the work they do, and there should be no discrimination against any category of workers, such as women, migrants, or minorities. Workers should be protected from accidents, unhealthy and dangerous working conditions, and excessively long working hours.

Social Protection: Provides security against a wide range of risks and vulnerabilities, such as ill-health, maternity needs, accidents, unemployment, destitution, extreme economic fluctuations, natural disasters, and civil conflicts. The primary aim of these policies is to alleviate suffering, anxiety, insecurity, and material deprivation, and to promote health, confidence, and a willingness to accept technical and institutional innovations for higher productivity and growth.

Social Dialogue: This entails that the stakeholders in the production process should have the right to form and join independent associations to represent their interests, engage in collective bargaining, and discuss work-related issues with employers and government authorities. This gives them a voice and representation in the production process, allowing them to articulate their concerns and priorities, and negotiate with other actors in the production system and public authorities on social and economic policies. Social dialogue can help to empower the weaker partners in the economy and bring about a better balance of bargaining power in the marketplace, making it a vital element in a representative and participatory democracy.

Collective Bargaining

Collective bargaining originated during the Industrial Revolution, which led to a new kind of relationship between employers and workers - the employment relationship. Through collective bargaining, employers and workers, represented by their respective representatives, work together to achieve their objectives, which require mutual respect, cooperation, and sometimes conflict. The ILO recognized in 2006 that the original purpose of collective bargaining remains valid, as the employment relationship continues to be the primary framework for work. One of the most significant benefits of collective bargaining is its adaptability to different situations and changing economic circumstances.

The ILO's definition of "collective bargaining" and the ILO's supervisory machinery's jurisprudence offer a framework that can be tailored to various national situations. Over the past two decades, industrial relations development has demonstrated many examples of how collective bargaining can cope with new challenges. In other words, collective bargaining is a governance method that is well-suited to the demands of the modern world. (ILO, 2008).

The international reference points for freedom of association and collective bargaining are ILO Conventions Nos. 87 and 98. Collective bargaining between free associations of workers and employers, as well as other forms of social dialogue, are descriptions of democratic societies (ILO, 2006). In many countries, the historical process in which the state agreed and supported the right to freedom of association often showed a turning point in the advent of democracy (ILO, 2006, p. 55). As proof, millions of working men and women have won higher pay, better health care and retirement benefits, stronger health and safety protections on the job, and other important improvements through forming unions and using their collective strength in bargaining with their employers (Bivens et al., 2017).

In the context of the Decent Work Agenda of ILO (2007), collective bargaining is an important means for securing rights and representation at work, promoting employment, improving working conditions, and extending social protection to all workers. Collective bargaining as a right of workers is intertwined with freedom of association and is a tool for labor market governance as well as a form of social dialogue (ILO, 2007). According to Article 2 of the Collective Bargaining Convention, 1981 (No. 154) collective bargaining is "all negotiations which take place between an employer, a group of employers or one or more employers' organizations, on the one hand, and one or more workers organizations, on the other, for

(a) determining working conditions and terms of employment; and/or (b) regulating relations between employers and workers; and/or (c) regulating relations between employers or their organizations and a workers' organization or workers' organizations" (as cited in ILO (2007, p.2-3).

In this regard, Book V of the Labor Code of the Philippines (2017) specifically stipulates the policy of the state regarding labor relations, such as the promotion and emphasis on the primacy of free collective bargaining and negotiations; the promotion of free trade unionism; and ensuring the participation of workers in decision and policy-making processes affecting their rights, duties, and welfare. Therefore, unionized companies and institutions are mandated under the law to enter into collective bargaining through their authorized management and union representatives. The agreements that are mutually arrived at by the parties and are duly approved by their constituents; are documented in the form of a contract called the Collective Bargaining Agreement (CBA). The CBA has a 5-year effectivity and is then subject to renegotiation by the existing duly recognized labor union of the company. As of the 2nd quarter of 2022, 951 CBAs are covering 236,966 workers across industries in the Philippines (BLR- DOLE, 2022).

Concretely, many working people around the world have realized the value of organizing and joining labor unions to be able to secure better terms and conditions of work, regulate the management prerogatives, participate more in decision-making on concerns that affect their employment, unite the workers in their workplace, and be involved in national issues that can change the lives of people for the better (Edralin, 2016). A lot of these objectives are fought and achieved through collective bargaining by the concerted effort and courage of the labor unions. Collective bargaining, therefore, is an essential component of unionism and a powerful tool to ensure that there is decent work in the workplace so that workers live in dignity as human beings.

Statement of Research Problem and Objectives

Based on the four components of decent work, namely: rights at work, employment at work, social protection, and social dialogue, we answered the question: "*What are the decent work practices incorporated in the Collective Bargaining Agreements of unionized firms?*"

More specifically, we aimed to: (1) describe the CBA provisions that cover rights at work; (2) analyze the CBA provisions that address employment at work; (3) examine the CBA provisions that pertain to social protection; (4) identify the CBA provisions that relate to social dialogue;

and (5) propose ways to institutionalize decent work practices in unionized firms through their CBAs.

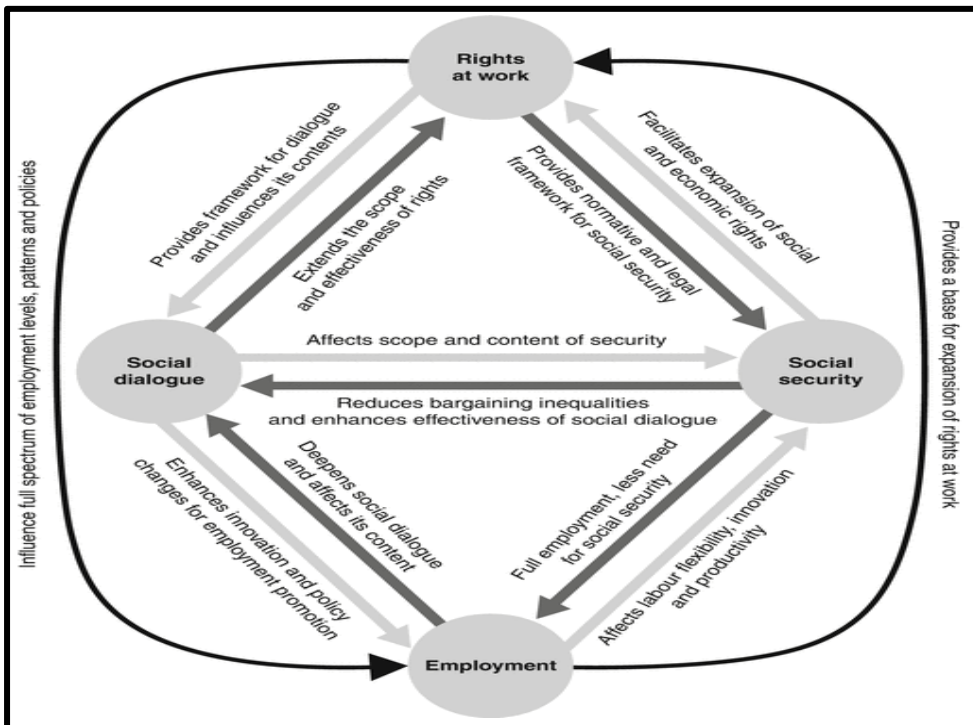
Frameworks of the Study

Conceptual Framework

We used the ILO's Decent Work Agenda as incorporated in the Decent Work Model of Ghai's (2006) four pillars: employment opportunities, workers' rights, social protection, and social dialogue, together with the Collective Bargaining fundamental concepts and principles, as our conceptual anchors.

Figure 1.

Decent Work Model (Ghai, 2006)



Decent work is a construct that defines the baseline attributes of work, reflecting the ILO's four strategic objectives: “the promotion of rights at work; employment; social protection; and social dialogue” (ILO 1999, p. 6).

According to Ghai (2006), the decent work model in principle applies to all working people in all societies and is a universal aspiration. The objectives of decent work are valid across the full spectrum of institutional and developmental diversity. The aim is to ensure that work is associated with dignity, equality, freedom, adequate remuneration, social security, and voice, representation, and participation for all categories of working people (Ghai, 2006).

Working people in all societies yearn for the freedom of association and resist all forms of discrimination, forced labor, and child labor in precarious and harmful situations and want to work in conditions of dignity and safety and with adequate remuneration (Ghai, 2006). These working people desire to partake through social dialogue in decision-making affecting their work and lives, from enterprise, national, regional, and global levels (Ghai, 2006).

Collective Bargaining Model

Collective bargaining is fundamental to all aspects of the ILO Decent Work Agenda, including as an important element in maintaining social and economic peace and stability. It is recognized as an enabling right similar to freedom of association by the ILO's Declaration on Social Justice for a Fair Globalization (2008). Collective bargaining as a right of workers is intertwined with freedom of association and is a tool for labor market governance as well as a form of social dialogue (ILO, 2007).

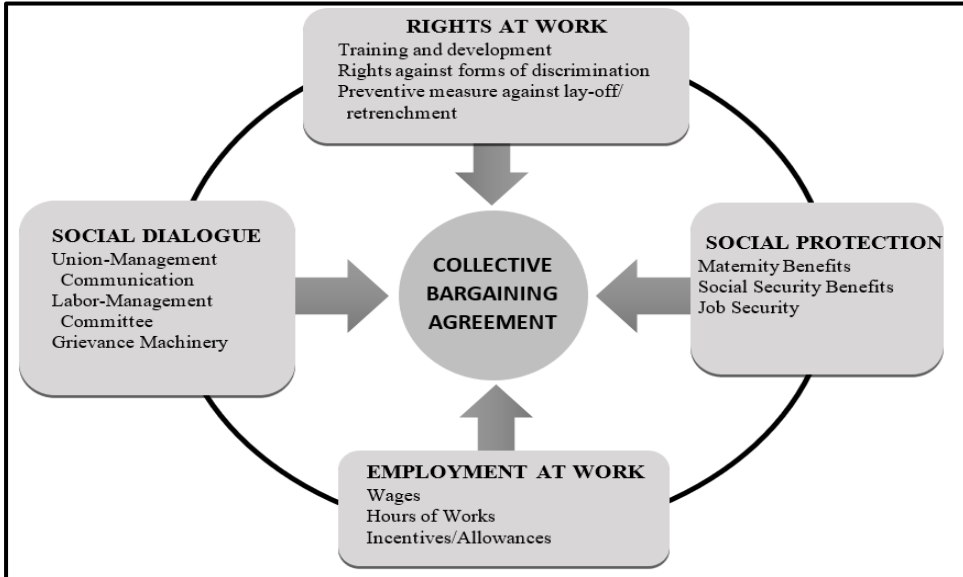
The promotion of collective bargaining is to encourage and regulate terms and conditions of employment and social dialogue at the firm, industry, and national levels. It is a powerful tool for working people to ensure that decent work practices are institutionalized by stipulating them in the CBA. This is a binding document because it incorporates the agreements between the workers and their employers. The process of collective bargaining requires that the management and the union bargain in "good faith" and resolve their disputes in a non-violent way (Edralin, 2016).

Collective bargaining as a governance method helps ensure that the implementation of the four pillars of decent work in the workplace can lead to securing better conditions of employment, improving social protection, strengthening unions' voice in the workplace, fostering harmonious labor relations, and workers having a chance to live a life of human dignity.

Operational Framework

Figure 2.

Operational Framework of the Study



Our operational framework, as illustrated in Figure 2, is rooted in the Decent Work Model of Ghai (2006) and the Collective Bargaining Fundamentals as reiterated by ILO and the Labor Code of the Philippines. It consists of the “promotion of rights at work; employment at work; social protection; and social dialogue” (ILO 1999, p. 6; Ghai, 2006). We operationalized each of the four pillars to include specific indicators as shown in Figure 2. These indicators are taken from the ILO labor standards conventions ratified by the Philippine government and also stipulated in the Labor Code which are applicable at the firm level of unionized organizations with negotiated CBAs.

Propositions of the Study:

Based on the related literature on decent work targeted by the UN in its SDG #8, the theoretical underpinnings of the study, and the specific research objectives to answer the main research question, we posed this proposition that was answered qualitatively: “*There are several significant CBA provisions that address each of the decent work pillars: (1) rights to work; (2) employment at work; (3) social protection; and (4) social dialogue.*”

Methodology

Research Design and Strategy

We adopted a descriptive research design. We identified and illustrated the decent work practices of selected unionized companies as stipulated in their CBAs based on the four pillars of the Decent Work Agenda, namely: rights to work, employment at work, social protection, and social dialogue.

Research Approaches

We used a qualitative research approach to develop a deeper understanding of this decent work phenomenon highlighted in SDG#8 as our pragmatist research lens on what works (Creswell and Poth 2018). The qualitative approach probed for emerging patterns across CBA provisions as existing practices of decent work in the selected unionized companies.

Research Procedures of Data Collections and Sources of Data

We utilized the archival method by collecting CBAs from 20 different unions of companies and institutions from the education, health, electric power, telecommunication, manufacturing, hotel, and resort sectors. The Research Team got a copy of the CBAs either from the DOLE-NCMB Office in Intramuros, the Labor Federation/Center where they are affiliated, and/or from the Internet. The name of each included union is found in the Reference list.

Research Ethics Approaches

We relied mainly on the CBAs that are available to the public either in printed booklet or pamphlet form or soft copy online. Therefore, the informed consent of the concerned organization was no longer secured, and we have no conflict of interest in doing this research.

Data Analysis

We employed content analysis about the decent work practices stipulated in the CBAs based on the four pillars of the Decent Work Agenda, namely: rights to work, employment at work, social protection, and social dialogue at the firm level. We were generally guided by the Data Analysis Procedures in Qualitative Research, consisting of seven sequential steps: 1) organize and prepare the data for analysis; 2) read or look at all the data; 3) start coding all of the data; 4) generate a description and themes; 5) represent the description and themes; 6) array the codes/themes into a

conceptual map that shows the flow of ideas in the “section findings”; and 7) write the narrative of each theme that will go into the “findings” of the study or for a general summary that will go into the “discussion” section as the overall findings in the study (Creswell & Creswell, 2018, citing Creswell, 2016 pp 169-170). In the process, we found key themes and patterns of specific provisions negotiated by the union that answered our research objectives and proposition (Saunders, Lewis, & Thornhill, 2019; Creswell & Creswell, 2014).

Results and Discussion

The findings of our study articulate provisions in the 20 CBAs of various unions from industries we have analyzed. Seven of the CBAs are in the Food and Beverage Industry and another seven are in the Hotel and Resort Industries. Moreover, two of the CBAs are from unions in the university, and one CBA each from the Healthcare, Cement, Telecommunications, and Public Utility Industries. The provisions are categorized into the four pillars of the Decent Work Agenda, namely, employment at work, rights at work, social protection, and social dialogue. Figures 3 to 6 summarize the unionized firms' practices as embedded provisions in their CBAs.

1. CBA provisions that address Employment at Work

Figure 3.

Summary of the CBA provisions related to Employment at Work

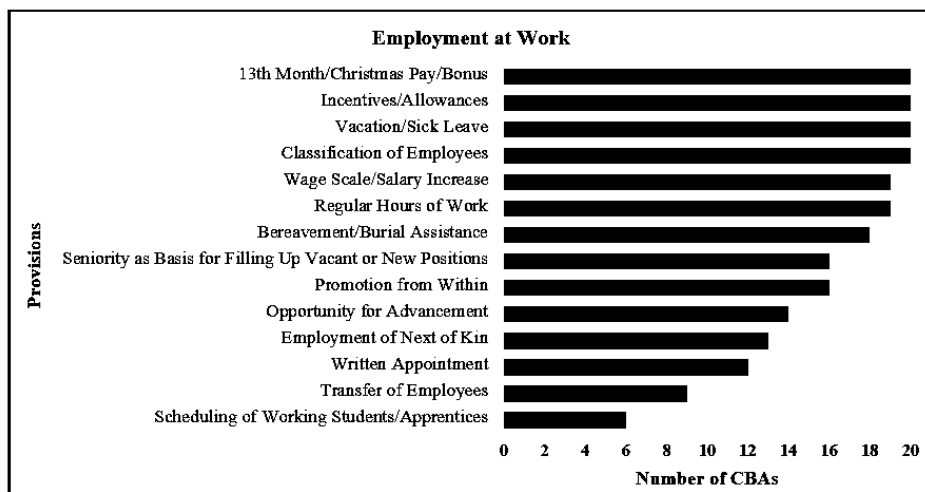


Figure 3 presents an overview of the employment-at-work practices incorporated in the CBAs. Fourteen main themes have emerged related to benefits, employee classification, wages, work hours, and opportunities for advancement.

All 20 collective bargaining agreements (CBAs) comply with the nationally prescribed 13th-month payment for workers. Additionally, companies provide their employees with Christmas bonuses and other forms of bonuses such as performance incentives, loyalty incentives, health and safety allowances, perfect attendance and punctuality incentives, and allowances for uniforms, rice, shoes, meals, and mobile phones throughout the year. These employment benefits are voluntarily given by the company based on the nature of their business. Holiday pay, sick leave, and vacation leave are also extended to employees. An unused portion of vacation and sick leaves may be converted to cash, promoting worker well-being and engagement.

The 20 CBAs specify that employees are categorized based on their qualifications and the job requirements in their respective companies. This classification system is used to determine the status of the employees and the significance or value of the position they hold. It also helps to identify which employees are part of the Collective Bargaining Unit (CBU) and who can be members of the union in their company.

Nineteen unionized companies practice regular working hours. This is to ensure that workers are not overworked. They also give annual wage increases based on the duration of the CBAs, which usually last for 5 years according to the Labor Code. The wage increases are often higher than the minimum wage rates and are determined by the financial capacity of the company. These unionized companies have a Wage and Salary Scale that sets a salary range for each job level. This ensures that there is consistency in pay for each job, regardless of the gender of the worker. However, during CBA negotiations, the adequacy of wages, wage increases, and wage adjustments to reach a living wage for workers is often a contentious issue. It is a common cause of deadlock in negotiations, which can result in arbitration or a strike.

As a matter of practice, 16 out of 20 companies prefer to promote their employees from within, provided that they possess the required qualifications for the job. Additionally, 16 firms consider seniority as a criterion for filling up vacant positions. These two practices have proven to increase employees' morale as they are provided with opportunities to advance their careers. Moreover, these practices ensure a reliable source of workers in the event of vacancies or any unpleasant circumstances in the

workplace. This also reduces the adjustment period for new employees in their new roles, which ultimately contributes to increased efficiency.

It is worth noting that out of the 20 unionized companies, 16 of them follow the "promotion from within" policy. This means that an employee can be promoted to a higher position as long as they possess the necessary qualifications for the job. Moreover, 16 of these firms use seniority as a basis for filling vacant positions. These two practices have numerous benefits, such as boosting employee morale by providing career growth opportunities, rewarding loyalty, ensuring a reliable pool of workers, reducing the adjustment period for new employees, and strengthening the company's culture, resulting in overall efficiency in the workplace.

Moreover, certain provisions are followed by unionized companies that are noteworthy and equally relevant. These provisions include opportunities for advancement (14 out of 20 CBAs), employment of next of kin (13 out of 20 CBAs) in case of death or disability of the union member worker, and written appointment at work provided to formalize and legalize the employee-employer relationship (12 out of 20 CBAs). Having a written contract of employment is an example of a negotiated agreement that defines work conditions, outlines salaries and benefits, and establishes expectations for the worker. The employment of the next of kin following the death of a union member refers to the hiring of a competent and qualified family member. This practice is considered fair and involves a selfless transaction and reciprocal relationship. The union members perform their best for the company, and in return, the company provides employment opportunities to their family members in the event of their death. This creates a sense of security and support, knowing that their loved ones will be taken care of.

The following text discusses Ghai's (2003; 2006) employment pillar, which highlights the requirements for decent work. It states that there should be sufficient job opportunities for those seeking employment and that the work should provide fair remuneration that meets the essential needs of workers and their families. Additionally, work should be chosen freely, without any discrimination against minority groups, such as women or migrants. Workers should also be protected from accidents, dangerous working conditions, and excessively long working hours. In June 2022, the International Labour Organization added a safe and healthy work environment as one of its five fundamental principles and rights at work for all.

The data collected from the sample unionized firms supports the notion that they go beyond the requirements of the Labor Code and fulfill their social responsibility to the country. This includes providing equal opportunities for all workers, helping them to avoid hunger, and reducing poverty. Unions have played a significant role in advocating for better wages, improved working conditions, benefits, a safe and healthy work environment, and job security for members through collective bargaining. The extent of the union's bargaining power and the provisions they were able to negotiate reflect the strength of their leadership and membership. It also demonstrates the employer's commitment to understanding the needs of its workers and creating a decent work environment, going beyond the interests of shareholders.

2. CBA provisions that address Rights at Work

Figure 4.

Summary of the CBA provisions related to Rights at Work

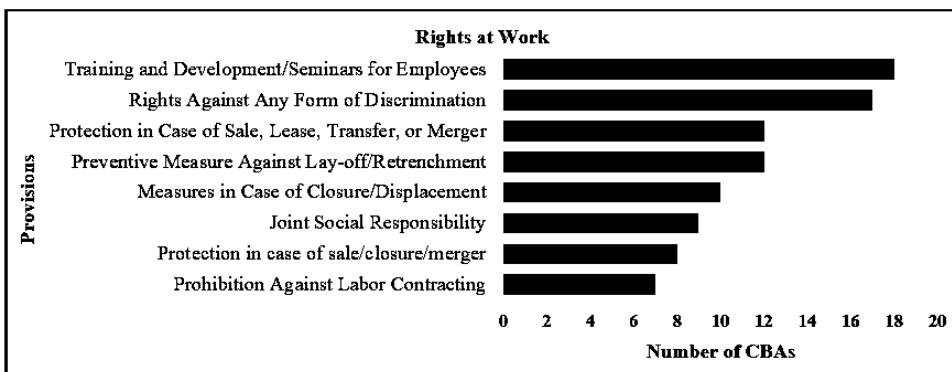


Figure 4 presents an overview of the company practices related to rights at work that are stipulated in the CBAs. The analysis of these agreements has identified eight key themes that address areas such as employee development, protection against discrimination, safeguards against company closure, sale, lease, transfer, or merger, protection against layoffs and retrenchment, shared social responsibility, and the ban on labor contracting.

All 20 CBAs provide various opportunities for training and development to their workers, including seminars, formal education, cross-training, and coaching. These training programs help employees to acquire a deeper understanding of their roles, improve their performance, and learn new skills. On the other hand, development programs focus on supporting

employees' plans, allowing them to grow their roles and plan for the future instead of just concentrating on their current jobs. This human resource management practice helps workers to improve their technical and behavioral competencies, which in turn enhances productivity, boosts motivation and engagement, increases opportunities for advancement, and improves retention. By fostering a culture of continuing learning and development efforts, the firm supports the human development of its workers, thereby reinforcing one's dignity at work.

It is noteworthy that 17 out of 20 CBAs include provisions that protect workers from any kind of discrimination. This is in line with the 1986 Constitution of the Philippines and reiterated in Article 3 of the Labor Code, which states "that the State shall provide labor protection, promote full employment, ensure equal job opportunities regardless of gender, race, or religion, and regulate the relationship between workers and employers." Discrimination in employment not only affects the mental and physical health of workers but also increases job turnover, obstructs career advancement, and hinders workers' ability to accumulate wealth. Therefore, when workers are safeguarded against all forms of discrimination in the workplace, they will have access to better job opportunities, contributing to narrowing wage gaps. This will also enable many workers who were previously denied opportunities because of discrimination to hold jobs, as well as protect them against unfair treatment at work.

Out of the 20 CBAs, 12 have included measures for safeguarding workers against company closure, sale, lease, transfer, or merger, as well as protection against layoffs and retrenchment. Such measures ensure that companies are mindful of their treatment of employees who are impacted during mergers and that those who are laid off receive "procedural justice" in instances of closure and retrenchment.

Among 20 Collective Bargaining Agreements, nine of them have a notable provision against labor contracting. Some unions have demanded that their employers put an end to the practice of contracting out jobs since it poses several challenges and risks, especially for marginalized workers. The rise of remote work and the changing values of the labor force have also given rise to new competition for jobs. As employers try to reduce costs by hiring contract workers, regular employees often lose out on important benefits, protections, and job security. This practice follows the Labor Code's prohibition on labor-only contracting. This means that "contracting out a job, work, or service should be done in good faith and justified by the needs of the business and should not result in the termination of regular employees or loss of work hours or bargaining power (Labor Code of the

Philippines, 2007-2008 ed., p.120). Labor contracting is being addressed by the government through the legislative branch by enacting laws amending the definition and scope of labor contracting, particularly “labor-only – contracting” which is generally prohibited. This is further defined in the Implementing Rules and Regulations (IRR) of the Labor Code and the Dept. of Labor and Employment (DOLE). Thus, it can be surmised that this issue is not any more commonly agreed upon and incorporated in the provisions of CBAs. Protecting workers from labor contracting has numerous advantages both for workers and society as a whole. It ensures that workers receive fair wages, benefits, and legal protections, which can lead to increased consumer spending, economic growth, and social stability.

These results confirm Ghai's (2003; 2006) theory that fair work, which includes the right to work, is the moral and legal foundation for all aspects of decent work. This is done to ensure that work is associated with dignity, equality, freedom, adequate pay, social security, and voice, representation, and participation for all categories of workers. Over the last 85 years, the organization has adopted 185 Conventions and 195 Recommendations covering all the topics of concern to both workers and employers, including employment, wages, working hours, social security, industrial relations, multinational corporations, health and safety at work, and others. They have also protected vulnerable groups such as migrants, women workers, indigenous people, and children from risky occupations, exploitation, and discrimination.

Recognizing the rights of workers as human rights means acknowledging the psychological risks that many workers experience, such as stress, burnout, and isolation. Granting workers their rights at work is a way to give them dignity. Dignity at work includes recognition, trust, autonomy, and self-mastery. In dignified work relationships, both workers and their employers work together to avoid taking advantage of the inherent vulnerability of the employment relationship and power differentials in organizations.

3. *CBA provisions that pertain to Social Protection*

Figure 5.

Summary of the CBA provisions related to Social Protection

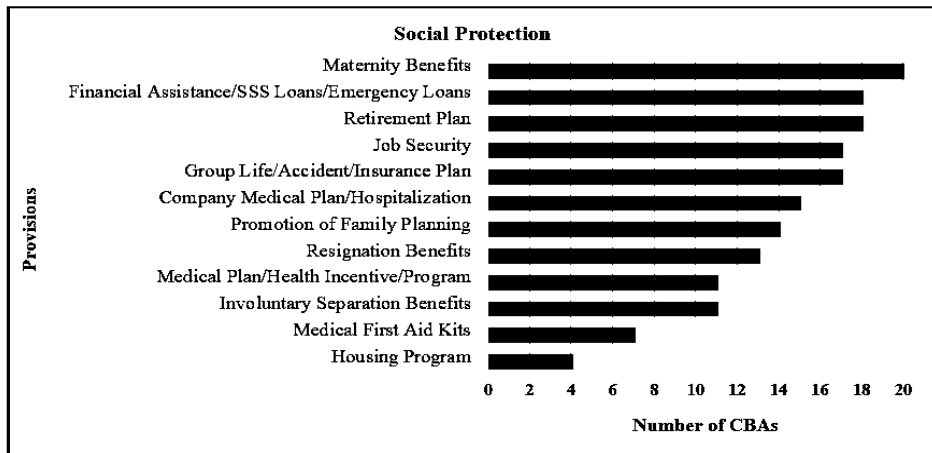


Figure 5 summarizes the decent work practices related to social protection that have been embedded in the CBAs. Twelve main themes have emerged, such as provisions on maternity benefits, other social security benefits, job security, extended financial assistance and loan benefits, and medical/health care incentive programs.

All 20 unionized companies comply with the PhilHealth Maternity Benefits. These benefits are provided by the government to pregnant women and cover their healthcare needs from prenatal to postpartum care, ensuring a safe pregnancy while considering the costs of giving birth, whether in hospitals or non-hospital birthing facilities (<https://filipiknow.net/philhealth-maternity-benefits/>). This is under R.A. 7322 and the Universal Health Care Act. This is a good example of streamlining a women-responsive CBA provision. This provision, along with other women-friendly provisions, will allow female workers with children to continue working, become active members of the union, and contribute to society.

Eighteen out of 20 companies have committed to providing financial assistance and loan benefits in case of any unforeseen emergencies. These benefits can be used for various purposes, including education, housing, disaster relief, and more. The money received must be repaid, often without interest, and will be deducted from the salary. This additional provision

offers a sense of security to workers during times of financial distress and other unforeseen circumstances.

Seventeen out of twenty companies have ensured that their workers have job security, which includes job tenure. This means that workers have a guarantee that they can keep their jobs for either the short or long term, and they will receive a steady income without the fear of being laid off or terminated without prior notice. Additionally, these companies offer life and accident insurance to their workers. The purpose of this insurance is to provide financial protection and support to individuals and their families in the event of accidents resulting in bodily injury, disability, or death.

It's worth noting that there are some important agreements made by unionized companies regarding healthcare programs. These programs include incentives for medical care such as HMOs, as well as free consultations with pediatricians and/or gynecologists who come to the workplace. Eleven out of 20 CBAs have implemented these programs. Furthermore, social protection mechanisms such as group insurance, social assistance, labor, and economic inclusion programs are in place to help working people, especially women, find better jobs. These mechanisms also help marginalized sectors of society by improving productivity, investing in the health and education of their children, providing food security, and protecting the aging population.

The results support Ghai's theory (2003; 2006) on social protection, which emphasizes the importance of providing security against various contingencies such as ill health, maternity needs, accidents, unemployment, destitution, extreme economic fluctuations, natural disasters, and civil conflicts. Social protection policies should aim to reduce suffering, anxiety, insecurity, and material deprivation, and promote health, confidence, and a willingness to accept technical and institutional innovations for higher productivity and growth.

In the Philippines, social security protection is managed by the Social Security System (SSS), which is mandated to provide retirement, health, disability, sickness, maternity, funeral, and death benefits to all paid-up employees. Therefore, all private employers are required to register their workers with SSS to avail themselves of these benefits.

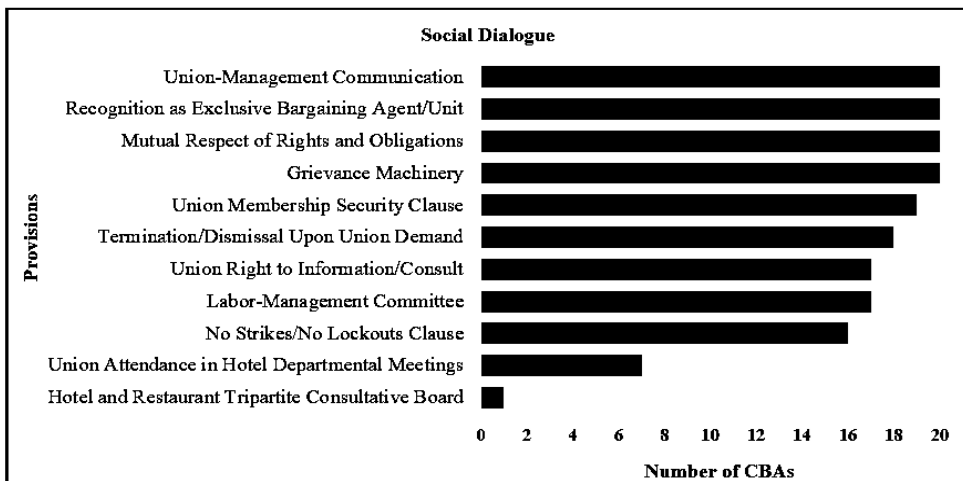
Job security is another form of social protection that provides many benefits for workers, such as improved physical and mental health, financial stability, and better career opportunities. It can also create a culture of loyalty in the workplace and help retain top-performing workers until they retire.

The Social Protection pillar includes several provisions that aim to minimize or eliminate barriers preventing workers from enjoying a safe and healthy work environment. The majority of companies prioritize the social security and protection of their employees, which is a clear indication of their good intentions toward their workers' well-being. This reflects a strong commitment from workers, employers, and the government to ensure safety and health at work, thereby preventing deaths and injuries among the working population.

4. *CBA provisions that relate to Social Dialogue.*

Figure 6.

Summary of the CBA provisions related to Social Dialogue



The summary provided in Figure 6 outlines the decent work practices associated with social dialogue that were identified in the CBAs. These practices revolve around 11 main themes that pertain to union-management communication and acknowledge the current labor union as the sole bargaining representative.

All 20 unionized firms have agreed to include a provision in their Collective Bargaining Agreement that emphasizes the importance of mutual respect for rights and obligations. To maintain open communication between both parties, it is crucial to allow workers to have the assistance of their representatives and obtain legal advice, if necessary. This will help in resolving disputes and promoting a harmonious working relationship. In

addition, the Department of Labor's mechanisms for conciliation and mediation should be utilized to address conflicts over rights.

Corollary, all twenty companies have officially recognized the current labor union as the sole authorized bargaining agent for all employees included in the Collective Bargaining Unit. The union is authorized to act on behalf of its members through collective bargaining to address employment-related issues, work rights, joint union-management projects, and union obligations. The management acknowledges the union's legal status to represent its members and to listen to their concerns related to matters such as safe working conditions, fair wages, social protection, active participation in company programs, workplace productivity, and a secure working environment.

It is required by the Labor Code that all unionized companies should have Grievance Machinery. Twenty CBAs have provisions for this. The Grievance Machinery is a mechanism designed for workplaces to resolve issues related to unfair labor practices, dissatisfaction of workers with their working conditions, and other concerns about decent work. Unfair labor practices, as defined by Article 247 of the Labor Code of the Philippines, include violating the constitutional right of workers and employees to self-organization, disrupting industrial peace, hindering the promotion of healthy and stable labor-management relations, and being inimical to the legitimate interests of both labor and management, including their right to bargain collectively and otherwise deal with each other in an atmosphere of freedom and mutual respect.

The other company practices related to social dialogue include the union's right to information and consultation, as well as the Labor Management Committee (17 out of 20 CBAs). Moreover, 16 out of 20 CBAs have provisions for a no-strike, no-lockout clause, and 7 out of 20 CBAs allow union representatives to attend departmental meetings. These four provisions, which are negotiated by the union, provide workers with a means to voice their concerns about their work life in the workplace, which can affect their family and social life. For social dialogue to be effective, both the union and management must listen and respect each other to arrive at courses of action that benefit both parties.

Our study has found that unionized companies across various industries have implemented good work practices based on the fourth pillar of decent work proposed by Ghai (2003; 2006). According to Ghai, social dialogue is crucial in providing a platform for workers to represent their interests, voice their concerns, and participate in negotiations with other

stakeholders and authorities. It also empowers the weaker sections of the economy and balances the bargaining power in the market.

Our analysis revealed that all 20 sampled CBAs had essential provisions for social dialogue, including grievance machinery, recognition of unions as collective bargaining units, union-management communication, labor-management committees, and mutual respect and recognition. Some experts believe that legal provisions for better information, consultation, and other forms of workers' participation in the company can lead to superior economic performance. This is known as the "rights-based version of market regulation," which advocates for the improvement of corporate governance" (Deakin & Wilkinson, 2000, pp. 56-61).

Conclusion

Table 1.

Summary of CBA Provisions Practiced by the Companies per Decent Work Component

Decent Work Component	CBA Provision
Employment at Work	<ul style="list-style-type: none"> ● 13th Month/Christmas Pay/Bonus ● Incentives/Allowances ● Vacation/Sick Leave ● Classification of Employees ● Wage Scale/Salary Increase ● Regular Hours of Work ● Bereavement/Burial Assistance ● Seniority as Basis for Filling Up Vacant or New Positions ● Promotion from Within ● Opportunity for Advancement ● Employment of Next of Kin ● Written Appointment ● Transfer of Employees ● Scheduling of Working Students/Apprentices
Rights at Work	<ul style="list-style-type: none"> ● Training and Development/Seminars for Employees ● Rights Against Any Form of Discrimination ● Protection in Case of Sale, Lease, Transfer, or Merger ● Preventive Measure Against Lay-off/Retrenchment ● Measures in Case of Closure/Displacement ● Joint Social Responsibility ● Protection in Case of Sale/Closure/Merger ● Prohibition Against Labor Contracting

Table 1.*Continued.*

Decent Work Component	CBA Provision
Social Protection	<ul style="list-style-type: none"> ● Maternity Benefits ● Financial Assistance/SSS Loans/Emergency Loans ● Retirement Plan ● Job Security ● Group Life/Accident/Insurance Plan ● Company Medical Plan/Hospitalization ● Promotion of Family Planning ● Resignation Benefits ● Medical Plan/Health Incentive/Program ● Involuntary Separation Benefits ● Medical First Aid Kits ● Housing Program
Social Dialogue	<ul style="list-style-type: none"> ● Union-Management Communication ● Recognition as Exclusive Bargaining Agent/Unit ● Mutual Respect of Rights and Obligations ● Grievance Machinery ● Union Membership Security Clause ● Termination/Dismissal Upon Union Demand ● Union Right to Information/Consult ● Labor-Management Committee ● No Strikes/No Lockouts Clause ● Union Attendance in Hotel Departmental Meetings ● Hotel and Restaurant Tripartite Consultative Board

The rights of working people are based on the principles of social justice. The concept of decent work was introduced as a public policy initiative by ILO in 1999 and further developed in 2008. According to Ghai (2006), the four components of decent work, which vary in their objectives, content, and relevance across different countries, include the promotion of rights at work; employment; social protection; and social dialogue. The aim is to ensure that work is associated with dignity, equality, freedom, adequate remuneration, social security, and voice, representation, and participation for all categories of working people (Ghai, 2006).

Collective bargaining is fundamental to all aspects of the ILO Decent Work Agenda, including as an important element in maintaining social and economic peace and stability. The promotion of collective

bargaining is to encourage and regulate terms and conditions of employment and social dialogue at the firm, industry, and national levels. It is a powerful tool for working people to ensure that decent work practices are institutionalized by stipulating them in the CBA. As a governance method, it helps ensure that the implementation of the four pillars of decent work in the workplace leads to securing better conditions of employment, improving social protection, strengthening unions' voice in the workplace, fostering harmonious labor relations, and workers having a chance to live a life of human dignity.

Our findings revealed from the examined CBAs underscore the capacity and strength of unions to secure considerable CBA provisions on decent work. It showed that unionized companies across various industries have implemented good work practices based on the four pillars of the decent work model. Our proposition that "significant CBA provisions address decent work pillars: (1) Rights to work; (2) Employment at work; (3) Social protection; and (4) Social dialogue" is accepted.

Specifically, the employment-at-work practices that are incorporated in the CBAs revealed 14 main themes related to benefits, employee classification, wages, work hours, and opportunities for advancement. On company practices related to rights at work, eight key themes were identified that address concerns such as employee development, protection against discrimination, safeguards against company closure, sale, lease, transfer, or merger, protection against layoffs and retrenchment, shared social responsibility, and the ban on labor contracting. On the decent work practices related to social protection, twelve main themes have emerged, such as provisions on maternity benefits, other social security benefits, job security, extended financial assistance and loan benefits, and medical/health care incentive programs. On the decent work practices associated with social dialogue, 11 main themes emerged that pertain to union-management communication, acknowledging the current labor union as the sole bargaining representative, the institution of grievance machinery, the union's right to information and consultation, as well as the presence of Labor-Management Committee.

Therefore, unions have played a significant role in advocating for better wages, improved working conditions, benefits, a safe and healthy work environment, and job security for members through collective bargaining. The extent of the union's bargaining power and the provisions they were able to negotiate reflect the strength of their leadership and membership. It also demonstrates the employer's commitment to

understanding the needs of its workers and creating a decent work environment, going beyond the interests of shareholders.

A closer review of these negotiated decent work practices indicated that most of the provisions are in compliance with the Philippine labor laws that emanate from the ILO Conventions and were ratified by the government, or policy declaration under the 1986 Philippine Constitution, or were voluntarily given by the firms since they believe in their social responsibility to their workers as an important stakeholder in the workplace and that their business must also advance the pursuit of the UN Sustainable Development Goals such as Decent Work that will transform people and organizations toward a sustainable mindset that includes justice, peace, and equality for the common good of the future generation of working people.

Recommendations

Based on the results of the study, we suggest the following strategies or courses of action to strengthen the thriving of decent work practices in unionized firms through their collective bargaining power:

1. **Implement the “one union, one industry policy” as stipulated in the Labor Code.** This will enable the unions to have more members and bring about a better balance of bargaining power in the same industry. There is always strength in numbers. The more organized workers are in the same industry, the more bargaining leverage the unions have to support and rally behind them on important decent work issues peculiar to their industry to be covered in their CBAs. This is to actualize the ILO conventions of ensuring decent work practices through the four pillars of employment at work, rights at work, social protection, and social dialogue.
2. **Strengthen the conceptual, technical, and behavioral skills of the union leaders.** This can be done through continuing labor education to be offered by the DOLE, federation/center where the union is affiliated, labor-oriented NGOs, and the academe. Topics on unionism, collective bargaining, ILO labor standards convention, leadership, socio-economic-political situation, and SDGs among other topics. It is a means for them to defend their interests, articulate their concerns and priorities, and engage in negotiations and discussions with other actors in the workplace and with public authorities on social and economic policies competently and confidently.

3. **Dialogue and treat unions as social partners.** Social partnership is fundamentally “stable relations of mutual recognition, institutionalized cooperation, and regulated conflict between organized labor, organized business, and government” (Streeck & Hassel, 2003). As social partners, employers should authentically promote a caring and agile management approach to collective bargaining so that the impact of decent work issues such as wages, workplace conditions, women and child labor, work-life balance, and equality in health should be resolved for the welfare of the workers and the growth of the company. Hold continuing dialogue with the leaders and members of the union as well as with other actors that shape labor relations, at the international, regional, national, industry, and firm levels.
4. **Undertake research studies that can benefit the union and management during their CBA negotiations.** The academe, in collaboration with the unions and employers with the support of the government and ILO should pursue studies on collective bargaining negotiations and contentious decent work issues like employment opportunities for migrants, women workers, and Indigenous people; protection against hazardous occupations, exploitation, and discrimination of children and young workers; additional non-monetary benefits peculiar to the company; women-focused benefits; and wage disparities that may be present in the workplace. Based on the economic reason of collective bargaining, adequacy of wages is one of the most important decent work issues that is a subject of every negotiation. Concerns about wage levels and incremental allotments of such should include adjustments in inflation and interest rates. This indicator is one of the twelve targets to create action to ensure decent work and sustainable economic growth in UN-SDG #8 (<https://www.globalgoals.org/goals/8-decent-work-and-economic-growth/>).
5. **Improve the research methodology in future research.** Further studies should increase the number of unionized company respondents to expand the representation of different industry sectors such as retail, agriculture, service, and manufacturing corporations. Using purposive sampling must approximate a proportionate number of the companies to be studied. Key informant interviews representing union and management can also be done to add qualitative information regarding decent work practices in their company.

References

- Ateneo de Manila University, & Ateneo de Manila Employees and Workers Union (2019). *Collective bargaining agreement between Ateneo de Manila University, & Ateneo de Manila Employees and Workers Union, April 1, 2014- May 31, 2019*.
<https://www.ateneo.edu/sites/default/files/2023-02/CBA%202014-2019.pdf>
- Bivens, J. et al. (2017). *How today's unions help working people: Giving workers the power to improve their jobs and unrig the economy*. Economic Policy Institute. <https://www.epi.org/publication/how-todays-unions-help-working-people-giving-workers-the-power-to-improve-their-jobs-and-unrig-the-economy/>
- Blustein, D., Lysova, E., & Duffy, R. (2023). Understanding decent work and meaningful work. *Annual Review of Organizational Psychology and Organizational Behavior, 10*, 289-314.
- Bureau of Labor Relations-DOLE (2022). *Existing collective bargaining agreements by industry*. <https://blr.dole.gov.ph/wp-content/uploads/2022/07/CBA-Q2-2022-BY-INDUSTRY.pdf>
- Centro Escolar University, & Centro Escolar University Faculty and Allied Workers Union, (2020). *Collective bargaining agreements, April 1, 2003- March 31, 2020*.
- Century Park Hotel Employees Labor Union, & Maranaw Hotels and Resort Corporation (2020). *Tenth rank and file collective bargaining agreement, July 1, 2020- June 30, 2025*.
- Club Punta Fuego, Inc., & Club Punta Fuego Supervisors Chapter (2022). *Club Punta Fuego supervisory collective bargaining agreement, 1 January 2022 to 31 December 2026*.
- Coca-Cola Beverages Philippines, & Coca-Cola Misamis Oriental Plant Labor Union (2021). *Collective bargaining agreement, January 1, 2021- December 31, 2023*.

- Creswell, J. and Creswell, D. (2014). *Research design: qualitative, quantitative, and mixed methods approaches* (5th ed.). Sage Publications.
- Creswell, J. W., & Poth, C. N. (2018). *Qualitative inquiry and research design: Choosing among five approaches* (4th ed.). Sage Publications
- Davao Holcim Employees and Workers Union-Sentro ng mga Nagkakaisa at Progresibong Manggagawa (SENTRO), & Holcim Philippines, Inc. (2020). *Collective bargaining agreement between Holcim Philippines, Inc. & Davao Holcim Employees and Workers Union (DAHEWU)-Sentro ng mga Nagkakaisa at Progresibong Manggagawa (SENTRO)*, April 1, 2020- March 31, 2025.
- Deakin, S., & Wilkinson, F.W. (2000). *Labour law and economic theory*. In H. Collins, P. Davies and R. Rideout (Eds.), *Legal regulation of the employment relation*. London, Kluwer Law International.
- Dusit Hotel Employees Labor Union (DHELU), & Dusit Thani Philippines, Inc, (2022). *Collective bargaining agreement*, January 1, 2022- December 31, 2026.
- Edralin, D. (2016). Good work through decent work: practices of sixteen unionized firms in the Philippines. *DLSU Business & Economics Review*, 26(1), 1-16.
- Ghai, D. (2003). Decent work: Concepts and indicators. *International Labour Review*, 142(2), 113–145.
- Ghai, D. (Ed.). (2006). *Decent work: Objectives and strategies*. Geneva, Switzerland: International Labour Organization.
- ILO (1999). *Decent work* (Report of the Director-General during the International Labour Conference, 87th Session). International Labour Office.
- ILO (2008). *Collective bargaining and the decent work agenda*. Rep., ILO, Geneva.
- ILO (2008). *ILO declaration on social justice for a fair globalization*. Rep., ILO, Geneva.

- ILO (2006). *Changing patterns in the world of work*. Report of the director-general. 95th Session. Geneva.
- Indorama Ventures Packaging Philippines Corporation Labor Union - FCCU (IVPPC LABOR UNION-FCCU, & Indorama Ventures Packaging Philippines Corporation, (2020). *Collective bargaining agreement*, February 11, 2020 - February 10, 2025.
- Foz, V. (ed.) (2015-2016). *The Labor Code of the Philippines and Its implementing rules and regulations*. Philippine Law Gazette.
- Makati Medical Center Employees Association (MAMECEA), & Medical Doctors, Inc., (2007). *Collective bargaining agreement*, March 1, 2007- February 29, 2012.
- Manila Peninsula Rank and File- NUWHRAIN, & Manila Peninsula Hotel, Inc., (2016). *The ninth (9th) The Peninsula Manila rank and file collective bargaining agreement*, December 16, 2016- December 15, 2021.
- Manila Peninsula Supervisors' Chapter- NUWHRAIN, & Manila Peninsula Hotel, Inc., (2018). *The sixth (6th) The Peninsula Manila supervisors' collective bargaining agreement*, January 1, 2018- December 31, 2022.
- Nagkakaisang Mangagawa ng Buong Lohistika at Distribusyon ng Coca-Cola Southern at Central Mindanao- Federation and Cooperation of Cola, Beverages, and Allied Industry Unions (NMLDCC-SCM-FCCU), & Coca-Cola Beverages Philippines, Inc., (2021). *Collective bargaining agreement by and between Coca-Cola Beverages Philippines, Inc. and Nagkakaisang Mangagawa ng Buong Lohistika at Distribusyon ng Coca-Cola Southern at Central Mindanao- Federation and Cooperation of Cola, Beverages, and Allied Industry Unions (NMLDCC-SCM-FCCU)*, February 1, 2021- January 31, 2026.
- Pepsi Cola Employees and Workers Union (PEWU)-FCCU-SENTRO, & Pepsi Cola Products Philippines, Inc. (PCPPI), (2022). *Collective bargaining agreement*, July 1, 2022- June 30, 2025.
- PLDT, & Manggagawa sa Komunikasyon ng Pilipinas, (2020). *Collective bargaining agreement*, November 9, 2020- November 8, 2025.

- Philippine Plaza Rank and File- NUHWRAIN, & Philippine Plaza Holdings, Inc., (2018). *Seventh rank and file collective bargaining agreement as amended*, January 1, 2018- December 31, 2019.
- Philippine Plaza Supervisors' Chapter- NUWHRAIN, & Philippine Plaza Holdings, Inc., (2017). *Sofitel Philippine Plaza sixth supervisory collective bargaining agreement*, July 1, 2017- June 30, 2022.
- Samahang Manggagawa sa Coca-Cola (SAMACoke-FCCU), & Coca-Cola Beverages Philippines, Inc., (2020). *collective bargaining agreement*, November 1, 2020- October 31, 2023.
- Saunders, M., Lewis, P., & Thornhill, A. (2019). *Research methods for business students* (8th ed.). Pearson Education Limited.
- Stiglitz, J. (2006). *Making globalization work*.
https://www.goodreads.com/book/show/9841.Making_Globalization_Work.
- Streeck, W., & Hassel, A. (2004). The crumbling pillars of social partnership. In H. Kitschelt, & W. Streeck (Eds.), *Germany: beyond the stable state* (pp. 101-124). London: Cass. <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-195085>
- Universal Robina Corporation Pampanga, & Cebu Industrial and Management Corporation Employees Union - Workers' Solidarity Network (CIMCEU-WSN), (2023). *Union's collective bargaining agreement, June 16, 2023 – June 15, 2028*.
- `Workers' Organization of Lami Foods Solidarity of Unions in the Philippines For Empowerment and Reforms (WOLF-SUPER), & Lami Food Products Corporation, (2022), *collective bargaining agreement*, July 1, 2022- June 30, 2027.
- Zambales I Electric Cooperative Inc. (ZAMECO), & Zambales I Electric Cooperative Inc. Employees Association- POWER, (2022). *Collective bargaining agreement*, September 9, 2022- February 28, 2027.