

CONCILIATION AND MEDIATION SERVICE IN THE PUBLIC SECTOR

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In the face of controversies and disputes between agency management and rank-and-file employees and the mass actions staged by the latter to dramatize and press their demands, the Civil Service Commission has often been the frequent recourse by either party in the settlement of their disputes. To provide a systematic and orderly mechanism for the settlement of such disputes, as well as to ensure fruitful dialogues and lasting agreements between the parties concerned, the Commission hereby issues the following policy guidelines on its conciliation/mediation service.

These policy guidelines shall be followed in all official conciliation/mediation efforts of the Civil Service Commission.

For your guidance and compliance.

Adopted: 14 Nov. 1990

(SGD.) PATRICIA S. STO. TOMAS

Chairman

POLICY GUIDELINES ON CONCILIATION/ MEDIATION SERVICE OF THE CIVIL SERVICE COMMISSION

- The Civil Service Commission shall provide Conciliators/Mediators to assist in the settlement of public sector labor disputes under any of the following instances:

- a. upon request of management, employee union or citizens affected by disrupted public services;
- b. in cases of spreading employee unrest as reported to the Civil Service Commission;
- c. any situation which requires immediate intervention to protect public interest; and
- d. when there is a notice of strike filed with the DOLE.

- Conciliation/Mediation shall be resorted to after exhausting all the remedies under CSC MC No. 45, s. 1989, as certified by the concerned grievance committee;

- Conciliation and Mediation conferences shall be participated in only by directly concerned parties i.e., representatives of management, rank-and-file union or association.

- Proceedings shall be non-adversarial; legal, federation, and other representations are not required and shall not be allowed;

- Conciliation/Mediation services shall only commence, if acceptable by both parties;

- Political, ideological and other issues beyond the jurisdictional control of the agency concerned may not be the

subject of Conciliation/Mediation;

- All issues resolved in Conciliation/Mediation conferences should be made subject of a Voluntary Agreement between the parties;
- A copy of any Voluntary Agreement shall be forwarded to this Commission for documentation and monitoring; and
- If an issue or dispute remains unresolved after exhaustive Conciliation/Mediation efforts, the same shall be certified for arbitration by the Office for Personnel Relations to the Public Sector Labor Management Council.

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