

**PROJECT COMPLETION REPORT**  
**on the Capacity Building Component of the Project**  
**“Promoting Freedom of Association and Collective Bargaining in the Philippines”**

1. The first of the two training modules is on collective bargaining and social dialogue at the enterprise level. The second is on social dialogue and tripartism at the industry, regional and national levels.
2. The first training module was implemented in September 28-30, 2015 at Fontana Resort at the Clark Freeport Zone, Pampanga. A total of 38 participants attended – 15 representing labour, 10 representing employers, and 12 representing government. The participants representing labour and employers were from enterprises engaged in manufacturing such as food products, feeds and semiconductors, in services such as banking and transportation, and in agriculture and agri-processing, and whose collective bargaining agreements (CBA) that were due for renewal or renegotiation. The participants were members of the union and management negotiating panels of their respective enterprises. The participants representing government were technical and line officers from DOLE regional offices and from branches of the National Conciliation and Mediation Board (NCMB). The participants were selected from regions with relatively active collective bargaining environments, specifically the National Capital Region (NCR) and Regions III, IV-A, VII and X1. Director Benjo Benavidez of the DOLE’s Bureau of Labor Relations (BLR) and Med-Arbitrator Jayson Balais of DOLE Region XI, along with ILO Consultant Benedicto Ernesto R. Bitonio Jr served as resource persons for the training.
3. The second training module was implemented in October 19-21, 2015 at the same venue as the first. A total of 38 participants attended – 13 representing labour, 11 representing employers, and 14 representing government. The participants representing labour and employers were members of either the national Tripartite Industrial Peace Council (TIPC) or regional or industry tripartite councils (RTIPCs or ITCs) based in the NCR. Those from the RTIPCs and ITCs were affiliated with enterprises engaged in manufacturing, education, construction, automotive, maritime operations, mining, banking and agriculture. The participants representing government were technical to mid-level officers from DOLE, NCMB and the National Wage and Productivity Commission (NWPC) including the Regional Tripartite Wage and Productivity Boards (RTWPB). Director Benjo Benavidez of BLR and Executive Director Virgilio Fulgencio of the Department of Trade and Industry’s National Competitiveness Center, along with ILO Consultants Benedicto Ernesto R. Bitonio Jr and David Tajman, served as resource persons for the training.
4. The two training modules covered concepts and principles on freedom of association, collective bargaining and social dialogue derived from ILO Conventions Nos. 87, 98 and 144 and other instruments, conflict management, and interest-based negotiation principles. International and national experiences were also incorporated to give participants a wider comparative perspective on the policy and legal dimensions of collective bargaining and social dialogue institutions and practices. The modules also included a diagnostic portion where the participants themselves assessed and analyzed their own environment for collective bargaining and social dialogue, as well as the strengths, weaknesses, threats and opportunities in further promoting these processes. Further, the modules included an action planning segment, during which the participants devised their own re-entry and action plans to further promote social dialogue in their own workplaces.

5. Both training modules used a highly participatory and dominantly inductive approach, with several group exercises. Brief lectures and notes, as appropriate, were given to introduce the subject matter of each exercise. The case method was used so that the participants could have as much opportunity as possible in devising their own solutions to the problem sets given to them. Roleplaying through simulated negotiation was extensively used. To enable the participants to assimilate the dynamics of representing sectoral interests, they were assigned to play labor, employer and government roles regardless of the sector they actually came from. Each role play was followed by an assessment by the participants themselves as well as by the consultants, with the idea of identifying or deriving specific approaches used by participants to illustrate the application of negotiation theories and concepts as well as analytical tools.
6. The first module focused on enterprise level collective bargaining. The cases and problems used in the role plays were based on actual collective bargaining issues that are typical at the enterprise level. One case dealt with the issue of performance-based pay to underscore the significance of collective bargaining as a potent tool to address this issue. The second module focused on policy analysis and the policy process, and how principles of policy analysis, policy reasoning and impact evaluation can be used to improve the quality of labor policymaking. The cases used in the role plays were based on actual policy issues that have been pending in various policymaking fora, such as Congress, the National Wage and Productivity Commission, and the TIPC. One case dealt with the issue of double appeals in certification elections, a particularly thorny and problematic issue in the current law on collective bargaining. This case was used to encourage the parties to start looking for more efficient ways to secure bargaining representation so that the process of making workers freely choose their bargaining representative need not hold up the parties in meaningfully exercising their right to bargain. To emphasize the potentials of social dialogue and tripartism in addressing a wide range of labor, employment and other related issues, cases dealing with matters other than freedom of association and collective bargaining, such as subcontracting, productivity and minimum age of employment, were used.
7. The ILO and DOLE have various modules on freedom of association, collective bargaining, social dialogue and tripartism. These are widely used in capacity building trainings in the Philippines. For the most part, these modules focus on the legal aspects of, and processes involved in, the exercise of freedom of association, collective bargaining, social dialogue and tripartism. Further, the modules are usually delivered through lectures and classroom-type discussions to an audience limited to one sector at a time, i.e., labour and employer representatives are usually trained separately.
8. While building on these existing modules, the two training modules are different in three ways: first, the target participants were technical, mid-level and high level representatives from the three sectors; second, the target participants were selected based on their knowledge of the basic laws and processes as well as on their actual experience in collective bargaining and social dialogue as representatives of their respective sectors; and third, the participants were integral resources of learning, such that the trainings were structured to give each participant every opportunity to showcase and share his or her knowledge and experiences with others. In sum, the two modules were designed as advanced courses, requiring application of pre-existing knowledge and competencies of participants.
9. The participants in both modules exhibited a high degree of enthusiasm in completing the trainings. They were particularly engaged in the roleplaying exercises. At the end of the two

trainings, they expressed satisfaction and appreciation to the design, content and approach used.

- 10.** With the completion of the two trainings and finalization of the two modules, the following next steps may be considered:
  - Replication of the trainings using the same modules in strategic areas or industries or with key actors involved in policy or decision making (i.e., areas with relatively active collective bargaining environment, or groups including DOLE officials occupying policy or decision making positions, members of the TIPCs, RTIPCs, ITCs, wage boards and secretariats, conciliators, arbitrators, among others).
  - Identification of a pool of potential trainers to conduct trainings based on the modules. Those identified should be given further advanced training on designing and formulating cases for role plays as well as the use of assessment and analytical tools and techniques. Considering that the trainers are envisioned to be advocates of good collective bargaining and social dialogue practices, further trainings for them should include change management and leadership.
  - Setting up of a network of advocates for collective bargaining, social dialogue and tripartism, through which training participants can further exchange post-training experiences. This network can be set up by DOLE, through the Bureau of Labor Relations.
  - Adaptation of the case method, problem-solving and policy analysis approaches used in the trainings to future follow-up actions or discussions on issues identified in the national policy paper on collective bargaining.
- 11.** The training materials used for the two modules are attached as an integral part of this Report.