

## BRIEFS

### New DMCI condo to rise in QC's South Triangle

DMCI PROJECT DEVELOPERS, Inc. (DMCI Homes) is building a single-tower condominium within the South Triangle district in Quezon City.

Located along Panay Avenue, The Crestmont is a stone's throw away from the Metro Rail Transit Line 3 (MRT-3) Quezon Avenue station.

The Crestmont offers one-, two- or three-bedroom units with floor areas ranging from 33 to 84.5 square meters. Unit prices start at P6.1 million.

Amenities include a kiddie pool, lounge area, fitness gym, and entertainment and function rooms.

It will also have a convenience store, mailbox area, and laundry and water stations, as well as a sky promenade and sky deck pool.

### TLDC keeps scheduled turnovers on track

TORRE LORENZO Development Corp. (TLDC) turned over units at 3 Torre Lorenzo and Torre Lorenzo Malate in Manila last December.

In a statement, TLDC said the scheduled property turnovers are on track despite limitations brought by the coronavirus pandemic.

The company recently held a topping-off ceremony for the Torre Lorenzo Loyola, located along Katipunan Avenue in Quezon City. The 35-storey premium residential development is scheduled for completion and turnover in 2023.

TLDC also launched a second residential tower at Tierra Lorenzo Lipa in Batangas. It also continues to develop the five-star accommodations and amenities at Dusit Thani Lubi Plantation Resort in the Davao Gulf.

"We have implemented agile and flexible work arrangements as we balanced the safety of our employees and the need to prepare for resumption of full operations. What was critical, after ensuring the health and safety of our teams, was that construction continued on schedule at our project sites while adhering to strict health protocols and government ordinances," TLDC Chief Operations Officer Cathy Casares-Ko said in a statement.

### Mayora Group teams up with plastic waste management firms in the Philippines

THE PT Mayora Indah Group (Mayora Group) has partnered with two plastic waste management companies, in an effort to improve garbage collection and plastic recycling projects in Metro Manila.

"With the help of Plastic Credit Exchange (PCX) and Green Antz, the Mayora Group equips communities with the right resources not only to promote sustainability, but also, create livelihood opportunities and upgrade local road safety protocols," Mayora Group said in a statement.

Mayora Group said it tapped Green Antz for the upcycling of plastic waste to bollards to be used by the residents of Manila and Pasay cities. Around 800 shredded plastic laminated bollards were donated to Pasay City through the management of Light Rail Transit-1 (LRT-1). These bollards will guide commuters and bicycle riders while navigating the roads surrounding the LRT-1 train stations.

Also, Mayora Group teamed up with PCX to launch their own Aling Tindera beneficiary and sought the help of female *sari-sari* store owners in Manila in the collection of trash using refurbished container vans.

"Under this project, the Mayora Group joins PCX in providing micro-enterprises with opportunities to expand their network within the communities, and eventually acquire a new source of income through the exchange of collected waste with cash," it said.

# ODA-funded projects to continue during election period — DPWH

By Arjay L. Balinbin  
Senior Reporter

THE implementation of projects funded through official development assistance (ODA) will not be disrupted during the election season, the Department of Public Works and Highways (DPWH) said.

"The Commission on Elections (Comelec) has to be notified and informed. Most of these are ODA-funded projects, so these are actually exempted from the election ban, except for those that are actually in the pipeline where there is no yet financing. What I am referring to are [those] projects that are still yet to be approved by the NEDA (National Economic and Development Authority) Board," Public Works and Highways Undersecretary Emil K. Sadain said during a virtual briefing on Tuesday.

"Projects with approved loan agreements... can proceed [with] the implementation," he added.

Under the Omnibus Election Code of the Philippines, the prohibition on releasing, disbursing or expending any public funds for public works does not apply "to ongoing public works projects commenced before the campaign period or similar projects under foreign agreements."

The Comelec has said the public works ban for the May national elections will run from March 25 to May 8, 2022.

Also exempted from the public works ban, according to the Comelec rules posted on its website, are maintenance of existing and/or completed public works projects and those undertaken by contract through public bidding or by negotiated contract awarded.



COURTESY OF DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS

**CONSTRUCTION of a two-tube tunnel is ongoing in Davao City. It is part of the 45.5-kilometer Davao City Bypass Road Project.**

Payment for the usual cost of preparation of public works project for working drawings, specifications, bills of materials, and estimates, purchase of materials and equipment, and other procedures preparatory to actual construction, and all incidental expenses for wages of watchmen and other laborers employed for such work in the central office and field storehouses is also exempted.

However, the prohibition does not cover emergency work during a public calamity, but is limited to the restoration of the damaged facility.

The Comelec said department secretaries, chief executives, heads of agencies (including government corporations, government financing institutions and state universities and colleges) with public works projects falling under any of the exceptions should apply for a "certificate of exception."

NEDA Undersecretary Rodrick M. Planta said there are 18 ODA-funded projects on the list submitted by the DPWH, including those projects funded by Japan, South Korea, Asian Development Bank (ADB), China,

World Bank and Asian Infrastructure Investment Bank (AIIB). These projects are also part of the revised list of infrastructure flagship projects of the current administration.

Eight of the 18 projects that require Comelec certification are Japan ODA-funded, according to the list provided by Mr. Planta to *BusinessWorld*. These include Davao City Bypass Construction Project, Road Network Development Project in Conflict Affected Areas in Mindanao, Cebu-Mactan Bridge (4<sup>th</sup> Bridge) and Coastal Road Construction Project, and Metro Manila Priority Bridges Seismic Improvement Project.

The other Japan-funded projects are Pasig-Marikina River Channel Improvement Project Phase IV; Flood Risk Management Project for Cagayan River, Tagoloan River and Imus River; Binondo-Intramuros Bridge; Samar Pacific Coastal Road Project; LRT-2 East Extension; Motor Vehicle Recognition and Enhancement System; Unified Grand Central Station or North Triangle Common Station; and Malitubog-Maridagao Irrigation Project Stage 2.

The list also includes four South Korean ODA-funded projects: Samar Pacific Coastal Road Project, Pangulil Bay Bridge Project, Integrated Disaster Risk

Reduction and Climate Change Adaptation Measures in Low-Lying Areas of Pampanga Bay, and consulting services for the Panay-Guimaras-Negros Link bridge.

Also included are three Asian Development Bank-funded projects: Improving Growth Corridors in Mindanao Road Sector Project, Reconstruction and Development Plan for a Greater Marawi, and Metro Manila Bridges Project.

A certificate of exception is also sought for the China-funded Ambal-Simuay River and Rio Grande de Mindanao River Flood Control Projects as well as the consulting services for the Davao River Bridge (Bucana Bridge), which is partly funded through the General Appropriations Act.

Moreover, the DPWH also included the Metro Manila Flood Development Project Phase 1, which is funded by the World Bank and the AIIB.

DPWH's Mr. Sadain said the department is targeting to finish "about 24" projects this year, with 18 out of the 119 infrastructure flagship projects completed by the end of President Rodrigo R. Duterte's term ends in June.

He said that of the 18 projects, 11 projects have been finished and seven more are being completed, including Flood Risk Management project for Cagayan River, Tagoloan River, and Imus River; Binondo-Intramuros Bridge; Samar Pacific Coastal Road Project; LRT-2 East Extension; Motor Vehicle Recognition and Enhancement System; Unified Grand Central Station or North Triangle Common Station; and Malitubog-Maridagao Irrigation Project Stage 2.

He also noted that 89 projects out of the 119 on the list "will be carried out in 2023 and beyond."

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GRANT OF COLLECTIVE NEGOTIATION AGREEMENT (CNA) INCENTIVE Number: 1, s. 2021  
x-----x Promulgated: 13 JAN 2021

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**PSLMC RESOLUTION**

WHEREAS, PSLMC Resolution No. 4, s. 2002 provides for the guidelines in the grant of Collective Negotiation Agreement (CNA) Incentive for National Government Agencies (NGAs), State Universities and Colleges (SUCs) and Local Government Units (LGUs);

WHEREAS, PSLMC Resolution No. 2, s. 2003 provides for the guidelines for the grant of CNA Incentive for Government Owned and Controlled Corporations (GOCCs) and Government Financial Institutions (GFIs);

WHEREAS, Section 2 (a), Rule II of the Amended Rules and Regulations of Executive Order No. 180 enumerates high level, highly-confidential and coterminous employees as one of those not eligible to form, join or assist employees' organizations of the rank-and-file employees for purposes of collective negotiations;

WHEREAS, the Department of Budget and Management (DBM) pursuant to Administrative Order No. 135, s. 2005, has issued several Budget Circulars pertaining to the grant of CNA Incentive;

WHEREAS, the Budget Circulars issued yearly by the DBM which provides guidelines for the grant of CNA incentives allow the grant of the same rank-and file employees, which includes coterminous and highly- confidential employees, who are non-members of the CSC-accredited sole and exclusive negotiating agent but want to enjoy or accept benefits under the CNA, subject to payment of agency fee to the negotiating agent in accordance with PSLMC Resolution No. 1, s. 1993 as amended by PSLMC Resolution No. 15, s. 2013;

WHEREAS, the PSLMC has not issued a resolution allowing coterminous employees and highly confidential employees to receive CNA Incentive together with the rank-and-file employees of the organizational unit;

WHEREAS, employees belonging to the management of government agencies may be granted CNA Incentive by virtue of Congress Joint Resolution No. 4 approved on June 17, 2009;

WHEREAS, coterminous and highly-confidential rank-and-file employees may be granted CNA Incentive since they also contributed to the agency's productivity and are also considered government employees;

WHEREAS, public sector unions have constantly inquired on whether coterminous employees and highly confidential rank-and-file employees are allowed to receive CNA Incentive;

WHEREAS, to provide clarification as to whether coterminous and highly confidential rank-and-file employees may receive CNA Incentive, a PSLMC Resolution regarding this matter has to be issued by the PSLMC.

WHEREFORE, the Council **RESOLVES**, as it hereby **RESOLVED**, that the grant of CNA Incentive may be extended to coterminous employees and highly confidential rank-and-file employees who also contributed to agency productivity and implementation of cost-cutting measures identified in the CNAs or supplements thereto. Provided that, these employees have paid the corresponding agency fees as provided for in PSLMC Resolution No. 1, s. 1993 as amended by PSLMC Resolution No. 15, s. 2013.<sup>1</sup> Quezon City.

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Attested by:

(Sgd.) CECILIA C. DELA FUENTE  
Director IV, Human Resource Relations Office  
Civil Service Commission  
**Head, PSLMC Secretariat**

<sup>1</sup>PSLMC Resolution No. 15, s. 2013

WHEREFORE, the Council **RESOLVES**, as it hereby **RESOLVED**, to adopt the following guidelines in determining the reasonable amount of agency fees to be assessed and collected from non-member rank-and-file employees who benefit from CNA incentives. The agency fee assessed and collected under any of the following circumstances shall be deemed reasonable:

- It is equivalent to all dues and other fees paid by a member in a particular year where CNA incentive was granted.
- Equivalent to a certain amount as determined in a resolution duly approved by the members of the employees' association in a General Assembly and carried as one of the stipulation in the Collective Negotiation Agreement (CNA) duly concurred by the management of the employee unit and ratified by the members of the negotiating unit, provided, it is not unconscionable.

Newspaper, Date

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AMENDMENT TO PSLMC RESOLUTION No. 1, s. 2002 Number: 2, s. 2020  
Re: Additional Requirement on Accreditation of Public Sector Organizations/Unions Promulgated: 18 JUN 2020  
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**PSLMC RESOLUTION**

WHEREAS, Section 3 of PSLMC Resolution No. 2, s. 1991 sets forth the following conditions for accreditation of an employees' organization/ union: a) it is the only registered employees' organization/ union in the organizational unit, b) that no other employees' organization/union is in the process of registration with the Civil Service Commission and/or Bureau of Labor Relations; and c) that it enjoys the majority support of the rank-and-file employees in the organizational unit;

WHEREAS, PSLMC Resolution No. 10, s. 1991 clarified the meaning and intent of the term "appropriate organizational unit";

WHEREAS, Section 1 (th) Rule 1 of the Implementing Rules and Regulations of Executive Order No. 180 defines an "Organizational Unit" as, an identifiable government unit such as the constitutional bodies and their regional offices; the executive department including services and staff bureaus; line bureaus; attached agencies; the legislature; the judiciary; state universities and colleges, government-owned and controlled corporations with original charters; provinces, cities and municipalities; regional offices (composed of provincial, district, local offices) of a department/agency, office, or government-owned or controlled corporations; and, such other identifiable government units as may be considered by the Public Sector Labor-Management Council;

WHEREAS, PSLMC Resolution No. 1, s. 2002 which provided a list of organizational units to serve as guide on employees' organizations/ associations/unions for purposes of registration and accreditation shall be updated whenever necessary;

WHEREAS, since the issuance of PSLMC Resolution No. 1, series of 2002, the list contained in "Annex A" thereof has not been updated despite the transformation of some state colleges to state universities, creation or dissolution of some government agencies and government-owned and controlled corporations and the subsequent issuance of a Resolution by the PSLMC allowing regional registration and accreditation of employees' associations in the Department of Education;

WHEREAS, the annual General Appropriations Act (GAA) contain a list of agencies with corresponding approved budgets;

WHEREAS, there are government agencies which are not included in the GAA but has the capability to administer its own funds and authority to appoint its own personnel;

WHEREFORE, for consistency and uniformity, the Council **RESOLVES**, as it hereby resolved, to amend PSLMC Resolution No. 1, s. 2002 that the need to update the list found therein will no longer be necessary for purposes of inclusion in the list of organizational units, which are eligible for registration and accreditation to act as negotiating unit, provided, that such organizational unit is listed in the annual General Appropriations Act (GAA); or when not listed in the GAA, such organizational unit has the capability of administering its own funds and has the authority to appoint its own personnel. Quezon City

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EFFECT OF A DENIAL OF A PETITION TO CHALLENGE THE ACCREDITATION OR PETITION FOR CERTIFICATION ELECTION Number: 2, s. 2021  
x-----x Promulgated: 13 JAN 2021

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**PSLMC RESOLUTION**

WHEREAS, under Section 13, Rule VIII of the Amended Implementing Rules and Regulations of Executive Order No. 180 provide for the grounds for a petition to challenge the status of an accredited employees' organization, to wit:

"(a) failure of the accredited employees' organization to maintain the support of the majority of the rank-and-file employee after one (1) year from the issuance of its certificate of accreditation, subject to the contract-bar under Section 3 (d), Rule IX of these Rules;

"(b) failure of the accredited employees' organization to submit a CNA proposal to management, x x x."

WHEREAS, Section 14 (c) of Rule VIII provides that denial of the petition to challenge accreditation is appealable to the Council within ten (10) calendar days from receipt thereof;

WHEREAS, under Section 1 of Rule IX of the Amended Rules and Regulations of Executive Order No. 180 provides that "certification election proceedings may be initiated through a petition for certification election filed by any registered employees' organization of the management when requested to negotiate collectively by a registered employees' organization";

WHEREAS, under Rule IX of the Amended Rules and Regulations of Executive Order No. 180, a petition for certification election may be filed by a registered employees' organization within the sixty (60) day freedom period or sixty (60) days before the expiration of the current CNA;

WHEREAS, the denial by the DOLE-BLR of a petition for certification election is appealable to the Council under Section 12 (b) of Rule IX of the Amended Rules and Regulations of Executive Order No. 180;

WHEREAS, the denial by the CSC-HRRO of a petition to challenge accreditation is appealable to the Council under Section 13 (c) of Rule VIII of the Amended Rules and Regulations of Executive Order No. 180;

WHEREAS, an appeal to the Council of the decision of the CSC-HRRO or the DOLE-BLR shall not prevent the current accredited employees' organization from entering into negotiations with management to enter into a new CNA;

WHEREAS, in case the current accredited employees' organization is defeated in the certification election, the CNA between the accredited employees' organization and the management shall continue to be in force and effect unless rescinded by the newly accredited employees' organization.

WHEREFORE, the Council **RESOLVES**, as it hereby **RESOLVED**, that an appeal to the Council of a decision of the CSC-HRRO in a petition to challenge accreditation and the denial of the DOLE-BLR of a petition for a certification election shall not prevent the current accredited employees' organization to enter into a new CNA with their management, pending resolution.

**RESOLVED** further that the CNA entered by the current accredited employees' organization and its management pending appeal to the Council may be a subject to rescission in case a newly accredited employees' organization chose to do so. Quezon City.

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