

The Bargaining Unit and the Confidential Employee

Rolando S. De Guzman

25 *ATENEO L.J.* 9 (1981)

SUBJECT(S): LABOR LAW, BILL OF RIGHTS

KEYWORD(S): COLLECTIVE BARGAINING, RIGHT TO SELF-ORGANIZATION

The Article is divided into three parts. It begins with a review of the concepts related to collective bargaining units, focusing particularly on the determination of the bargaining unit and on the determination of the exclusive bargaining representative.

The second part discusses the Author's findings that confidential employees, which include secretaries of senior officers, personnel administration staff, payroll staff, receptionist, telephone operator, etc., are excluded from the bargaining unit composed of regular rank-and-file employees. He also tackles the possible outcome if a confidential employee seeks to join the bargaining unit.

In the last part, the Author states that there is no distinction between rank-and-file employees and confidential employees and that they share the same interests. This being so, he concludes that confidential employees must be covered by the bargaining unit of the other rank-and-file employees.