

**Director of the International
Labour Organisation in the
Philippines**
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Brussels, July the 12th, 2004

Dear and respected Sir,

I have been informed by Social Alert and the IYCW about the following situation in the Philippines:

The company Manchester Industries Inc. owned by the Murillo family is based in Valenzuela City and produces plastic bags for big companies in the Philippines and other countries.

In 1996, a YCW team contacted workers from Manchester Industries Inc. and a group of militants was created. This group of discussion progressively became a worker's union, dealing with the improvement of working conditions. This union has thus started some struggle actions for defending basic human rights at the working place, according to the law, such as: complain for preventive Mediation, Conciliation on the issue of Violation of Labor Standards like wage, regularization, holiday pay, etc. Because of these actions, some of the unionists were dismissed and the union was then weakened.

In December 1997 the company announced its closing down and proposed a small separation fee, and only to a limited number of workers. Some of the union workers (24) refused the company proposal and brought the case, of **illegal dismissal**, to the National Labor Relation Commission (NLRC), which was successfully achieved. The workers then had to be paid a much higher amount of money than the company proposal.

In January 1998, before the workers were paid, the company reopened with a new name "Sackline Industries Inc". Nevertheless, the personnel manager and his loyalist workers remain. After the new opening, the company took away some of the former social benefits of the workers, like "holiday pay", "service incentives", "overtime pay", "night differential pay" and "security of tenure". After being in business for 8 months, the company issued a blank paper to be signed by workers and then used it to register a Company Union (SIIEU) with a collective agreement between the management and the new Union.

In 1999, the YCW group, with 9 remaining workers created a new group in the new Company Sackline industries Inc. still struggling for the defense of workers' rights in the company. In 2001, the registration of the YCW group was officially approved as a union (NMS).

In 2001, the management of the company announced the lay-off of the workers, because of decreasing demand of the products. This decision was followed by an evident harassment, implemented by the management in order to weaken the leadership of the NMS union. In response to this situation, the union filed a notice of strike, but the harassment continued more intensely: the management ordered a mandatory overtime of 16 hours of work, suspension from work for those who refused to do so et al. In 2002, as the intimidations from the management continued, the workers launched different forms of protest inside and outside the company. Nevertheless, in November 2002 the company laid 150 workers off. The workers then organized a picket protest in front of the company to show the management their intense grievances and struggle against the mass lay-off, against the practice of only 1 or 2 days of work and the insistent refusal of the management to recognize NMS.

Early December 2002, the management of the company issued a "back to work memorandum" to those 150 workers, but two weeks later, December 19th, the management suddenly declared to close the

company because it had been sold to another company. The workers were not paid their salary of December 2002 and their 13th month pay. The company has systematically dismissed 386 workers. After some workers accepted the conditions, the company reopened with a new name and called for new applicants, but again the same owner and the same management remained.

For all these reasons, since January 2nd 2003, the NMS union workers have unanimously decided to go on a peaceful strike in front of the company entrance. Since that date, striking workers have suffered continuous harassments and violence from the management of the company. The workers have suffered attacks from security guards hired by the company, as well as Philippine National Police. As a result of these attacks:

-13 union members, mostly women and young workers, have been horrendously beaten.
-2 young workers and Union officers, together with the YCW national chaplain have been beaten and then hauled and handcuffed, treated like criminals, brought to the police detention center and interrogated during for almost 7 hours.

Last March 2004, the management of Sackline appeared in court but insistently refused to recognize NMS union. Eight cases are already in National Labor Relation Commission but it might take 3 years before a decision is made.

Sackline Industries Incorporated continued its operation by changing its name again into Zack Packaging Corporation but managed by the same personnel manager, plant manager and production supervisor. It demonstrates clearly that the company avoids its responsibility towards their workers.

At present, there are still 41 members who are maintaining the continuous picket action in front of the company in Valenzuela City, living in **the heat, the dust, the rain, the noise of the passing trucks, plus the scarcity of food that have progressively affected their health. The NMS union needs support for their legal battle in Court and to sustain those who subsisting with their family in the picket line.**

For all these reasons and before this violation of worker's rights, I urge you to take action, as director of the ILO in the Philippines, in order to :

- bring this case into your attention and to intervene with respect to the Philippine Department of Labor's disrespect if ILO Convention 98 and the Universal Declaration of Human Rights, Art. 23 (both guaranteeing workers' freedom to organize, just and favorable working conditions and freedom of collective bargaining.)

In advance, I thank you for the follow-up given to this letter.

Yours sincerely,