

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FOURTEENTH CONGRESS
Second Regular Session

House Resolution - 651



Introduced by
Gabriela Women's Party Representatives
LIZA LARGOZA-MAZA and LUZVIMINDA ILAGAN

A RESOLUTION DIRECTING THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR AND EMPLOYMENT TO CONDUCT AN INVESTIGATION IN AID OF LEGISLATION ON THE VIOLATION OF THE MINIMUM WAGE LAW, UNFAIR LABOR PRACTICES AND THE DENIAL OF "THE RIGHT TO ORGANIZE" APPARENTLY PERPETRATED BY FOREIGN INVESTORS/OWNERS OF K&Y APPAREL AGAINST THEIR WORKERS

WHEREAS, the K&Y Apparel located in Kapalaran Subdivision, Barangay San Juan Taytay, Rizal, Region 4, a Korean Company, is jointly owned by Sung Hyan Kim-President, Jae Dong Kim-Vice-President, Ok Ja Yoon-Treasurer, Jin Sun Kim-Secretary, Choon Eui Kim and Eun Sun Lee;

WHEREAS, the K&Y Apparel workers have been receiving wages below the minimum wage prescribed by law;

WHEREAS, ninety eight percent (98%) of the eight hundred (800) casual workers and a hundred and one (101) regular workers of K & Y Apparel are females;

WHEREAS, the Center for Trade Union and Human Rights (CTUHR) research reveals that K&Y Apparel casual workers receive P110 daily wage and regular employees working for 10 years receive only P237 daily wage which are both below the prescribed minimum wage of P287 for those employed within Region 4A or CALABARZON areas based on the Department of Labor and Employment (DOLE) Wage Order No IV A-11 Setting The Minimum Wage For Calabarzon Area;

WHEREAS, the DOLE National Wages and Productivity Commission issued Wage Order No IV A-12 increasing the minimum wage of workers across CALABARZON including Taytay, Rizal to P300 effective August 22, 2007;

WHEREAS, the K&Y Apparel management allegedly forced the workers to sign a waiver stating that they are receiving the prescribed minimum wage for workers in Taytay, Rizal;

WHEREAS, the K&Y Apparel management also deducted anomalous amounts from the workers' wages if they failed to deliver the targeted quota for the month without any explanation on how computations were made and why the said deductions were made on their salaries;

WHEREAS, the said Korean employers continues to ignore the DOLE's writ of execution issued last January 22 ordering them to pay back wages to some 800 garment workers;

WHEREAS, the management coerced the K&Y Apparel workers to sign quitclaim or motion to quash stating that they are no longer interested in claiming their back wages in exchange for their continued employment to the company and that they want to nullify the writ of execution. The workers who signed the quitclaim filed a motion to DoLE Region 4-A stating that the quitclaim was null and void because they were only forced to sign it due to threats that they would be dismissed from the company if they refused to;

WHEREAS, on June 7, 2008 some 400 workers picketed outside the factory to claim their salaries for the service they rendered to the company. However, instead of paying the workers, the management called the PNP to escort K & Y Vice-President Jae Dong Kim's exit from the factory premises, and assisted him to run away. The workers have yet to receive their latest salaries;

WHEREAS, the management formed three (3) service cooperatives wherein more or less 800 workers were forced to join. These cooperatives namely: Lucky Line Multi-Purpose Cooperative, KS Textile Multi-Purpose Cooperative and Friendship multi-Purpose Cooperative are classified non-operating according to a document from the Cooperative Development Authority;

WHEREAS, any worker under any of these cooperatives is considered as casual employee and is not allowed to join unions;

WHEREAS, workers are humiliated publicly by their employers, not allowed to air their grievances and are constantly reminded that *"hundred workers are available to replace a single one who intends to leave."*;

WHEREAS, the Labor Code of the Philippines is vehemently and intentionally violated by the Korean owners of the K&Y Apparel;

WHEREAS, the Constitution in Article 13 Section 3 states that: "The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all. It shall guarantee the rights of workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law. They shall be entitled to security of tenure, humane conditions of work, and a living wage. They shall also participate in policy and decision-making processes affecting their rights and benefits as may be provided by law";

NOW THEREFORE, BE IT RESOLVED that the House of Representatives Committee on labor and Employment conduct an investigation in aid of legislation on the alleged violation of the minimum wage law, unfair labor practices and the denial of "the right to organize" by foreign investors perpetrated against the workers of K&Y Apparel.

Adopted,


HON. LIZA LARGOZA-MAZA


HON. LUZVIMINDA ILAGAN