

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FOURTEENTH CONGRESS
Second Regular Session

House Resolution - 694



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

RESOLUTION
CALLING ON THE HOUSE OF REPRESENTATIVES COMMITTEES ON LABOR AND
EMPLOYMENT TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE
ANTI-LABOR PRACTICES OF THE BLEUSTAR MARKETING AND MANUFACTURING
CORPORATION (BMMC) AND RECOMMEND MEASURES TO ENSURE THE PROTECTION
OF THE WORKERS

WHEREAS, Bleustar Manufacturing and Merchandising Corporation (BMMC), a manufacturer of Advan shoes and boots located in Wilmark 2, RMT Industrial Complex, Tunasan, Muntinlupa City, employs five (5) supervisors, less than 10 office personnel, and 205 rank-and-file workers. The company which was established in 1990, is owned and managed by Mr. Jimmy Ong, a Filipino-Chinese;

WHEREAS, BMMC produces 5,400 pairs of Advan-branded rain boots and 2,700 pairs of shoes every day. Majority of the products are distributed locally, and one of its biggest buyer is the SM chain of department stores;

WHEREAS, Bleustar Workers Labor Union (BWLU), an independent labor union duly recognized by the Department of Labor and Employment, represents the 205 rank-and file employees of BMMC. BWLU was established in 2007;

WHEREAS, BWLU complained of the management's anti-labor practices, which include unkind treatment, unjust wages, forced leaves, union busting by way of illegal dismissal of 58 union officers and members, illegal attempt to establish a runaway shop, non-payment of salaries and allowances, and sexual harassments;

WHEREAS, BMMC also employs casual workers who receive compensation that is P100.00 below the minimum wage at the same length of work with that of regular workers. Moreover, the workers complained of incorrect computation of their overtime pay, night differentials and holiday pay. They have raised these issues several times with the management, but were never addressed;

WHEREAS, the workers also complained of not having received their salaries and allowances from June 25 to July 9, 2008;

WHEREAS, the workers are forced to leave for three to four (3 - 4) days after six (6) days of work without any rational basis;

WHEREAS, after all their experiences of horrible working conditions in the BMMC, the workers considered putting up a union that will represent their interests and fight for their welfare. Their first two attempts, however, failed because the management did everything to bribe and corrupt their leaders. Their third attempt was in 2006, but they were again unsuccessful for the management persecuted all known leaders by giving them difficult assignments that eventually

forced them to resign from their work. The rest of the workers who were supportive of the plan to establish a union were warned that the company would close if they would pursue their plan;

WHEREAS, the workers successfully registered the Bleustar Workers Labor Union (BWLU) with the Bureau of Labor Relations of the Department of Labor and Employment (DOLE-BLR) on October 27, 2007. They filed a petition for Certification Election on the same year and the BLR granted to hold it on July 25, 2008. The management, on the other hand, did not appear in any conciliation meetings called for by DOLE and even boasted that they do not care if the workers wanted to form a union;

WHEREAS, on July 12, 2008, thirteen (13) days before the scheduled certification election, the workers were surprised when the factory operation was stopped and machines were shut down. Around 25 machines and other equipment vital to the factory's operation were loaded in a container truck, but before the truck can leave the premises of the factory, the workers picketed the gate and lied on the passageway. The workers alleged that the stoppage of operation and bringing out of the machines are illegal attempts of the management to establish a *runaway shop*;

WHEREAS, 62 workers involved in the blockade were immediately suspended and eventually dismissed for alleged violation of Article 264 of the Labor Code which states, "(e) No person engaged in picketing shall commit any act of violence, coercion or intimidation or obstruct the free ingress to or egress from the employer's premises for lawful purposes, or obstruct public thoroughfares." Starting July 14, 2008, they were denied entry to the BMMC factory;

WHEREAS, the workers fear that the result of the certification election will be biased against them for the votes casted by majority of the illegally dismissed workers were not counted and were temporarily segregated;


WHEREAS, women workers of BMMC also complained of sexual harassments perpetrated by their employer, Mr. Jimmy Ong;

WHEREAS, there is an urgent need to look into this particular case of the workers in BMMC where series of anti-labor practices were committed by the management, and inhumane working conditions prevail resulting to sexual abuse of workers by their employer;

NOW THEREFORE, BE IT RESOLVED that the House of Representatives Committee on Labor and Employment conduct an investigation, in aid of legislation, on the anti-worker practices of Bleustar Marketing and Manufacturing Corporation (BMMC) and recommend measures to ensure the protection of the workers.

Adopted,


REP. LIZA LARGOZA-MAZA


REP. LUZVIMINDA ILAGAN