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The Struggle Intensifies Amidst Lies and Betrayals

"... enable our people to take control of their lives. To this work of empowering the people . . . I dedicate my presidency."

—President Fidel V. Ramos
in his inaugural address, 1992

Did you have to come with swords and clubs, as though I were an outlaw?" (Lk. 12:47-53)

We heard this familiar question being asked by workers during the 70s and the 80s. We still hear the question in the 90s. Unfair labor practices send the workers to the picketlines. They fall on their knees fighting for their rights and their lives. They are rammed by vans, beaten by butts of guns, pierced by bullets, and sexually molested. But they cannot be cowed by weapons of oppression no matter how deadly. They fall but they rise again.

1996 January - June

Four years before the turn of the 21st century, the Ramos government shifted to high gear the implementation of its trade liberalization and economic reforms that will push through his development agenda or Philippines 2000.

Scene One: The workers were sentenced to death on the cross of subservience.

The workers were sentenced to a slow death by an unjust regime subservient to the global imperialist interests through the import-dependent, export-oriented economic policy that swells the coffers of capitalists



but drains the blood of the workers.

* General Agreement on Tariffs and Trade (GATT) lowered tariffs (taxes on imports) that kill our domestically-produced products, because trading is decidedly one-sided in favor of highly industrialized countries that export surplus capital, buy cheaper raw materials from the Philippines and sell to the country finished products tagged as imported. This scheme also floods the country with world-competitive imports and consumer goods that destroy local manufacturers and, thus, throwing workers out of their jobs. With many jobless people, foreign monopoly investors need not bid competitively for Third World labor, nor offer high wages and better working conditions.

* Expanded Value-Added Tax (EVAT) or the "improved" tax (I-VAT) required by IMF-WB so the government can pay off its creditor banks. The government was silent on the reality that taxes are a basic factor in pricing. Any increase in the cost of production is automatically charged to the consuming public.

* Deregulation of the oil industry grants the oil companies a free hand in dictating their own profit margins in the interest of competition while the consuming public suffers from the chain reaction let loose by an oil price hike.

Scene Two: Labor Laws: Criminalization of Workers' Rights

The labor situation, as President Ramos enters the fourth year of his term, has worsened. Labor flexibility, the "new bubonic plague," has relentlessly attacked the job security of workers as manifested by the phenomenal growth of contractual workers.

Batas Pambansa 227 - free ingress and egress during strikes.

Batas Pambansa 130 - observance of 15- to 30-day cooling-off period required before holding a strike.

These laws virtually curtail the workers' right to strike.

RA 6715 otherwise known as the Herrera Law highlights the fact that the labor department may assume jurisdiction over labor disputes. The labor secretary may assume jurisdiction over any labor dispute and arbitrarily order striking workers to return to work for the sake of the "national interest."

Assumption of Jurisdiction, Temporary Restraining Order, Injunction, Return-to-Work-Order are instruments of covert repression against the workers in favor of employers, particularly the foreign monopoly investors.

The Labor Code which is being restructured to

conform to the vision of RP 2000, legalizes job sub-contracting.

Labor-only contracting (LOC) has become the favorite mode of hiring among foreign and local investors. This scheme deters union organizing in new foreign-owned industries; jobs are on a short-term (five months) duration.

Criminalization of labor issues is the government's new strategy of clobbering militant union members—a new kind of harassment especially applied to union officials.

Scene Three: The workers are stripped of their economic rights to job security and just wages—

and also of their political right to organize unions, stage strikes and picket protests. They are bared naked of their human dignity.

Union-busting of an extra devious kind

Capitalists, armed with ample supply of pro-management laws, have crafted more insidious schemes in a desperate attempt to totally wipe out unions in their establishments and in the country in general. This is illustrated by the dramatic increase in the number of workers victimized via union-busting. Issues of strikes and picket protests for the first quarter monitored

by CTUHR show that 29 out of 39 worker-actions stemmed from management-orchestrated union-busting activities as seen in Table 1.

The often whispered remarks of company-owners— "*ayaw namin ng unyon dito*" (we do not want any union here) in the past is now put across with such force that approximates that of a jackhammer drilling through thick concrete. Presently, unions still in their formative stage have become the prime target of such moves, the most glaring example of which is that of the workers from the Uniwide Sales chain of department stores owned by Mr. Jimmy Gow. Management, much like a recurring night-

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Table 1

ISSUE	STRIKE	PICKET PROTEST	NUMBER OF UNIONS AFFECTED
1. Unfair Labor Practice			31
a. union busting	21	5	
b. lock-out	4	1	
SUB-TOTAL	25	6	
2. CBA-DEADLOCK	6		6
3. DNA	1	1	2
TOTAL			39

mare, has again thwarted an attempt by the workers to finally form a genuine union after several years of trying. In January 100 employees from the different branches of Uniwide were dismissed after being identified with union officers earlier ousted from the department store for initiating a certification election last year. As a stern warning to other employees, management bulldozed the same set of officers with various fabricated criminal offenses while the dismissed workers are currently facing sedition charges for picketing several branches of Uniwide in the early part of the year. Certainly this has resonated loudly throughout the labor front while chalking up another success for capitalists nationwide.

Labor flexibility: The new "bubonic plague"

The relentless attack on job security is manifested through the phenomenal growth of contractual workers. Now with a ratio of one contractual for every two regular workers (Center for Applied Research and Library Services, 1995), the number of the latter has been steadily decreasing in the past several years... not much different from the bubonic plague that wiped out large chunks of the European population in the Dark Ages. Of the strikes and picket protests documented by CTUHR, at least eight striking unions raised the issue of contractualization in their strike notices. The issue of contractualization cuts across major industry lines as these eight strike-bound companies come

from the manufacturing industry, communication and infrastructure, transport, and wholesale and retail industry. A case in point is the giant telecommunications company, the Philippine Long Distance Telephone Company. The recent strike launched by the workers was primarily directed against the Early Retirement Plan to pave the way for massive contractualization by the management. According to the Manggagawang ng Komunikasyon sa Pilipinas (MKP), the PLDT rank and file union, management started hiring temporary employees in 1992 as its Zero-Backlog Program commenced. As of October 1995, a total of 1,409 of temporary employees and an additional 150 agency workers from four different labor agencies are among the 19,000 PLDT workers nationwide (TAWAG, October 1995).

Another dark side of contractualization is the automatic non-inclusion of thousands of temporary, casual and agency workers in unions and collective bargaining agreements. During the 7th National Conference of Employers, Mr. Juan

Table 2

IST HALF YEAR -1996 TUHRV'S REPORT		
TABLE I. CASE CATEGORY	NUMBER OF CASES	TOTAL NO. OF VICTIMS
1. FRUSTRATED KILLING (picketline)	1	1
2. ARD (picketline)	9	20
3. ASSAULT (picketline)	14	532
4. COERCION (picketline)	9	161
5. G. THREAT (picketline)	7	76
TOTAL	40	780

Santos, president of Nestlé Philippines Inc., fearlessly predicted the existence of unionless business community in the future. This, he said, will be due to several factors, like more people working on a "contingent basis." Contingent workers, he emphasized, seldom form unions (TODAY, May 1996). Meanwhile in April, the Group of 7 made up of the US, Japan,

Germany, Canada, United Kingdom, France, and Italy held a meeting on the issue of growing unemployment in their countries. With an estimated 22 million people jobless across Europe and the numbers rising every day, business and political leaders slammed the door to any solutions by following the lead of the United States. They changed rigid labor practices and scale back cradle-to-grave welfare systems which translate to "job flexibility, mobility, productivity and multi-tasking" (Manila Times, 10 April 1996).

In a broader framework, CTUHR feels that job insecurity rises with the so-called Philippines 2000. The cases documented point to the same: the weakening of labor organizations through union busting goes hand in hand with the growing trend of temporary employment. The absence of unions eases the way for contractualization.

Industrial Peace, RP 2000 Style

Incidence of trade union and human rights violations remains a grim reality for the labor sector despite the so-called industrial peace peddled abroad by the Ramos administration under the umbrella of the messianic Philippines 2000. For the first six months, 40 cases of violence from 22



picketlines were documented, most of which occurred in the National Capital Region and one in Southern Tagalog (see Table 2). A total of 780 workers fell victim to various human rights violations ranging from arrest and detention, assault at the picketline, coercion and grave threat. Not surprisingly, the Philippine National Police usually figured in the cases mentioned. Add to this a new twist: management now tops the list of criminal perpetrators. In 18 incidents documented, management

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personnel themselves took a direct hand in fascistic activities.

As in the past, the bulk of the worker-victims is aligned with the militant Kilusang Mayo Uno and Koalisyon ng Progresibo at Makabayang Manggagawa: 16 out of the 22 local unions victimized belong to them; two cases involved independent unions; two cases from World Federation of Trade Unions; and two cases of arrest and detention involving one worker and one organizer.

Hoodlums in the picketlines?

Parallel with the violence in the picketlines is the growing criminalization of labor disputes, a development that is getting uglier and more prevalent every day. From January to June this year, officers from six local unions were swamped with 14 criminal cases by their respective managements. The ILA Trucking Express which took to the picketlines October last year was met with a barrage of six cases ranging from perjury, falsification of public documents, illegal detention, carjacking including the latest which is illegal squatting filed by Mr. Robert Sena, the owner of the trucking company. On the other hand, the Uniwide union officers were slapped with falsification of public documents and sedition! One need not have to raise an inverted Philippine flag to merit a sedition case. A mere placard or streamer in front of any Uniwide department store suffices. The other companies which made use of this tactic were Victory Plastic in Malabon, Rempson Department Store in Cainta, Sunny Brook Garments in Mandaluyong and the Unity Printing in Kalookan City. In addition, the cases filed against the union officers were illegal squatting, grave threat, qualified theft, obstruction of justice and contempt of court.

"The workers join, in solidarity with the other victims of the puppetry and treachery of a callous and uncaring government, the peasants, youth, women, indigenous peoples, in the unceasing resistance against the global anomaly of impoverishment and oppression."

Scene Four: The workers are fitted into the scheme of global capitalism

"The integration of our country in the global economy is a reality we must grapple with rationally and consistently if we are to successfully pursue our development goals - FVR" (Today, 7 May 1996). It is imperative for the Philippines, being a neocolony of the global capitalist United States, to join the Asia-Pacific Economic Cooperation (APEC). And as a springboard for the 4th APEC Leaders' Summit to be hosted by the Philippines in November this year, the Manila Ministerial on Human Resource Development Meeting was held in early January. More than 150 officials from 18 countries attended.

Although the Ministerial meeting centered on "enhancing efficiency and effectiveness of the labor markets," the actual issues raised were those related to education and improving training and skills of the Asian labor force. According to Labor UnderSecretary Brillantes, "the bottom line is to constantly produce workers where and when needed and with the assurance of high quality output. This entails setting up an information network for labor mobility."

The government's Education 2000 Program grants to private schools the pivotal role in education designed to enhance their autonomy to increase their tuition and matriculation fees. The resulting high cost of education forces the youth and students out of schools, colleges, and universities. This actually is an imperative of global capitalists to ensure the training of skilled and doc-

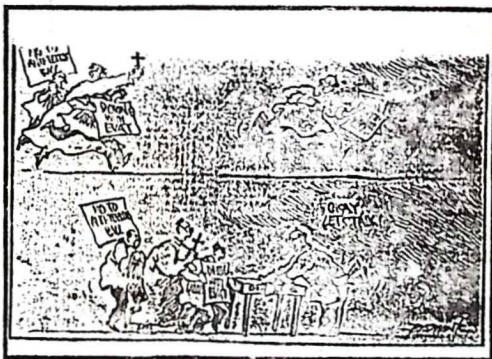
ile labor for multinational corporations in their neo-economic territories to serve their interests. As socio-political and security agenda are within the APEC's concerns, the delegates' safety from so-called "terrorist" attacks is a ploy of the government to misrepresent or associate legitimate workers' protests against antipeople and antilabor laws and policies as "terrorism." President Ramos would want to assert extrajudicial and martial powers in the face of growing discontent and resistance against imperialist economic and political policies.

And to contain the dissenters who reject the establishment of a regime of global imperialism, pro-administration Congress is hell-bent on changing the Constitution, particularly the provision on the terms of officials that bans the President from seeking another, and the provision on the Bill of Rights guarantee against search and seizures. Members of Congress launched a signature campaign for a resolution calling for Charter changes before 1998 tapping village assemblies with the barangay votes as target.

Scene Five: The Workers continue the arduous task of achieving genuine change

When one worker falls, ten new ones arise to continue the struggle to thwart the government's plan of development anchored on its subservience to the dictates of its global imperialist masters.

The workers join, in solidarity with the other victims of the puppetry and treachery of a callous and uncaring government, the peasants, youth, women, indigenous peoples, in the unceasing resistance against the global anomaly of impoverishment and oppression.





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