

**Republic of the Philippines  
House of Representatives  
13<sup>th</sup> Congress**

**Third Regular Session**

**House Resolution No. 1415**



**Introduced by Anakpawis Rep. Crispin Beltran, Anakpawis Rep. Rafael Mariano and  
Gabriela Women's Party Rep. Liza Largoza-Maza**

A RESOLUTION URGING THE HOUSE COMMITTEE ON LABOR AND EMPLOYMENT TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION INTO THE CASE OF STRIKING WORKERS OF CHONG WON FASHION INC. (CWFI), A WAL-MART COMPANY, AND PHILIPPINES JEON GARMENTS, INC (PJI), BOTH COMPANIES LOCATED IN THE CAVITE EXPORT PROCESSING ZONE (CEPZ) WHO LAUNCHED THEIR RESPECTIVE STRIKES FOLLOWING BOTH COMPANIES' CONTINUED REFUSAL TO NEGOTIATE FOR COLLECTIVE BARGAINING AGREEMENTS, AND TO DETERMINE THE POSSIBLE ABUSE OF AUTHORITY PERPETRATED BY THE OFFICIALS OF THE PHILIPPINE ECONOMIC ZONE AUTHORITY (PEZA) IN ITS ASSUMPTION OF JURISDICTION OVER THE STRIKES

WHEREAS, on September 25, 2006, the workers of Chong Won Fashion Inc. (CWFI), a Wal-Mart company, and Philippines Jeon Garments, Inc (PJI), both companies located in the Cavite Export Processing Zone (CEPZ) launched their respective strikes following both companies' continued refusal to negotiate for collective bargaining agreements. The management declared all workers who joined the strike as absent without leave (AWOL);

WHEREAS, in August 2004, both unions won in their certification elections but their respective managements protested it. The DoLE, the National Conciliation and Mediation Board (NCMB) and the Court of Appeals (CA) have since issued separate decisions affirming their legitimacy;

WHEREAS, Chong Won supplies products for Wal-Mart, the biggest retail store in the US . Their buyers include the famous GAP, American Eagle Outfitters, and Target (Cherokee and Mossimo). It is 100% Korean-owned which started operation in CEPZ in 1990. Chong Won is a subsidiary of Chong Won Co. Ltd based in South Korea . Among its products are shirts, ladies blouses, polo shirts, pants, sleep wear and other apparel for the aforementioned foreign companies.

WHEREAS, the following September 27 at 8:30 am, the combined forces of company security guards, Philippine Economic Zone Authority (PEZA) police attacked the picketline, injuring 13 strikers. The Solidarity of Cavite Workers (SCW) and the Center for Trade Union and Human Rights (CTUHR) have documented the various physical injuries sustained by the strikers such as bloodied heads and bruised arms and legs as a result of the blows inflicted by the attackers;

WHEREAS, most of the injured workers were women. They sustained contusions, head injuries and bruises from police beating. The strikers also reported that the attackers mashed the breasts of some women workers to further humiliate them. They were also hit in the private parts. Chong Won worker Myrna Elizarde collapsed in the September 27 scuffle and was brought to the hospital.

WHEREAS, the management and the strikers agreed to hold a dialogue last September 28, but that same day, eight workers from other companies who were supporting the strike were arrested. The arrested supporters Gemma Lape, Lorna Reli, Ivy Villasan, Analou Estrimos, Galysa Layesi, Josephine Bahar, Pablito Sapata and Rodelito Amo were eventually turned over to the Rosario Municipal Police Station (RMPS). The RMPS attempted to file charges of inciting to sedition against the eight and detained them for six days;

**WHEREAS**, on October 4, the eight were brought to the Rosario Cavite Municipal Trial Court where they were arraigned and pleaded not guilty to the charge. Judge Rita Quizon ordered the release of the eight supporters without bail as there was no proof of sedition and the other accusation was merely trespassing. The judge, however, ordered that they appear for the first hearing of their case scheduled on January 15, 2007.

**WHEREAS**, the PEZA administration led by Director-general Atty. Lilia De Lima and Industrial Relations Division chief Atty. Mary Jane Arada has ordered the implementation of a food and water blockade and denied the entry of strikers. PEZA police have confiscated the IDS and zone passes of workers, saying that the strikers are already terminated employees.

**WHEREAS**, since 2004 the workers of Chong Won Fashion International have fought for the right to bargain with management but they consistently ignored by the company. Despite this, however, they workers have won the support from international groups such as the International Labor Rights Fund and Maquila Solidarity Network. ILRF and MSN immediately contacted Wal-Mart as the primary buyer at the factory. MSN clearly stated what the expectations of Wal-Mart were which included meeting with the union leaders and the Worker's Assistance Center.

**WHEREAS**, according to ILRF and MSN, Wal-Mart claims to audit every single factory once a year where their private brands are being produced, but it didn't even bother to get the results of a recent audit done by Intertek in February 2006 at Chong Won. During this audit, workers reported concerns about the way that factory management was violating freedom of association.

**WHEREAS**, besides clear violations of freedom of association, workers have alleged being forced to work 24 hours shifts and not being allowed to drink water or go to the bathroom. Unfortunately because the overwhelming majority of the audits done by Wal-Mart are announced, Chong Won management takes down the signs regarding bathroom usage and tells workers how to respond to the questions that Wal-Mart asks them.

**WHEREAS**, the Chong Won Fashion union members have requested international solidarity as they struggle against their factory management for the rights they deserve. Even worse, the primary company at the factory, Wal-Mart, has done the opposite of what they agreed upon and even threatened to pull orders out of the factory. Even the factory management is threatening that they will close the factory and move else where. Workers have reported working 24 hours shifts, being paid about half of what is considered a living wage, not being allowed to drink water or use the bathroom during work hours, and only being allowed to leave after they have requested permission to leave the factory.

**WHEREAS**, Wal-Mart is the major buyer in the factory. Although Wal-Mart carried out an audit of the factory last September 20, it reneged on its commitment to meet with WAC to hear its side of the story, as requested by MSN, or to put sufficient pressure on its supplier to cease all harassment, discrimination and abuse of union members. A day before the audit, management personnel reportedly circulated and pressured workers to sign a document condemning their union for protesting outside the factory.

**WHEREAS**, the aggrieved workers held an indignation rally on Oct. 2 in front of the PEZA main office in Pasay City. In a joint statement signed by union presidents Resurreccion Ravelo of the Nagkakaisang Manggagawa sa Chong Won (NMCW or United Workers in Chong Won) and Normelita Galon of the Kaisahan ng mga Manggagawa sa Phils. Jeon (KMPJ or Unity of Workers in Phils. Jeon), they denounced PEZA director-general de Lima for "her blatant disregard of our right to strike and to bargain collectively."

**WHEREAS**, the workers believe that all the illegal actions of the police and security guards are in tacit approval by the PEZA authorities headed by De Lima. The absence of intervention by PEZA signifies that it condones the workers constitutional rights while giving hand to police and guards-inflicted-violence in the peaceful strike of the workers;

**WHEREAS**, the union leaders charged De Lima of and three others before the regional office of the Commission on Human Rights (CHR) last October 23. Union secretary Merly Grafe of KMPJ and Ravelo submitted their complaints to CHR-National Capital Region investigator Carlo Altiche;

**WHEREAS**, the union leaders demanded to have the illegal and arbitrary acts allegedly committed by De Lima, PEZA Industrial Relations Division Chief Atty. Mary Jane Arada, PEZA Police Chief Jose Sarasua, and Philippine National Police (PNP) Chief Inspector Audie Lirio Madrideo, head of the Rosario Municipal Police Station, investigated by the Commission;

**WHEREAS**, Grafe and Ravelo accuse the respondents of allegedly conspiring with each other in using their authority to blatantly violate the fundamental rights of the workers in connivance with the managements of the two companies. In their complaint, they cited the violent dispersals of their strike carried out by PEZA and its security forces on September 25 and 27 in Chong Won and Phils. Jeon respectively without any lawful written order. A total of 50 workers on strike were injured in that separate incidents, including a three-month pregnant worker, Analyn Diaz, of Phils. Jeon who had a miscarriage days later;


**WHEREAS**, the union leaders also strongly condemn PEZA De Lima for the blanket authority she gave, in particular, to Atty. Arada and Sarasua, in to use violence, arbitrary and coercive acts against the workers on strike such as banning the entry of the strikers to the economic zone, continued enforcement of food and water blockade, supplying and escorting of scabs to get into the factory, confiscation of strikers' company identification card and zone pass, and setting up of checkpoints to ensure no entry of strikers to their picket lines;


**WHEREAS**, Ravelo and Grafe also said that last October 19, without any provocation, and upon order from Atty. Arada, the combined force of Peza police, Rosario PNP, Jantro security guards, company guards, goons and scabs, dismantled the makeshift shelter of the strikers one after the other, according to them. The striking workers are now forced to stay in their picket lines in an open view under the heat of the sun and cold of the night;

**NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, that the House Committee on Labor and Employment conduct an inquiry into the case of workers of Chong Won Fashion Inc (CWFI) and Philippines Jeon Garments INC. (PJI) who launched their strikes following their companies refusal to negotiate with them for collective bargaining agreements, and to determine the possible abuse of authority perpetrated by the officials of the Philippine Economic Zone Authority (PEZA) when it assumed jurisdiction over the strikes

**RESOLVED, FURTHER**, that the House Committee on Labor and Employment recommend measures to protect the rights and welfare of the workers of the two companies and to correct the anti-union and anti-labor practices of the latter.

Adopted,

  
REP. CRISPIN B. BELTRAN  
Anakpawis Partylist

  
REP. RAFAEL V. MARIANO  
Anakpawis Partylist

  
REP. LIZA LARGOZA-MAZA  
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