

Philippines: Protests after the deadly fire at the Kentex factory and the death of 72 workers

Saturday 16 May 2015, by [Sentro](#) (Date first published: 15 May 2015).

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Nagkaisa seeks justice for Kentex workers, blames partial privatization of labor inspection

Partial privatization of labor inspection, weak certification process and the endemic problem of corruption down to the local levels have consigned workers to precarious working conditions, including unnecessary deaths and accidents, the labor coalition Nagkaisa said in a statement.

The statement was issued in reaction to the statements made by the lawyer of Kentex Corp. and the labor department that the company has been compliant with safety standards.

Also this morning, members of Nagkaisa such as the Bukluran ng Manggagawang Pilipino (BMP), Sentro ng Nakakaisang Manggagawa (Sentro), Partido Manggagawa (PM), and the Trade Union Congress of the Philippines (TUCP) offered flowers as an expression of sympathy and solidarity for the dead workers at the Kentex factory in Valenzuela City.

In a protest rally held afterwards, labor groups reiterated their call that aside from compensation, criminal liabilities be exacted among the perpetrators of this terrible crime, including the violation of other labor standards at Kentex.

According to Nagkaisa convenor Josua Mata, the relaxation of labor inspection through “self-assessment” under DOLE’s Department Order No. 57-04 has rendered toothless the supposedly tough safety standards required in workplaces.

The conduct of self-assessment, according to Mata, is voluntary and is based from a labor standard checklist conducted by representatives of employers and workers.

“This partial privatization of labor inspection promoted evasion rather than voluntary compliance, while self-assessment conducted by the management in generally non-unionized workplace simply won’t work,” said Mata.

This self-assessment, according to TUCP, is followed by a weaker compliance certification process under the jurisdiction of DOLE’s regional offices.

On his part, Partido Manggagawa (PM) chair Renato Magtubo noted that the DOLE's "Labor Laws Compliance System" (LLCS) inaugurated in 2013 and the hike in the number of labor inspectors to almost 600 is still not working. An audit by the International Labor Organization in 2009 revealed that with only 193 labor inspectors to inspect 784,000 companies, an establishment gets inspected only once every 16 years.

"A big loophole in the so-called LLCS is the focus on 'voluntary compliance' and 'self-assessment' by employers. Voluntary compliance and self-assessment means that the government is asking the wolf to guard the sheep. No wonder the sheep get slaughtered," Magtubo lamented.

BMP President Leody De Guzman averred that endemic corruption at all levels aggravates the problem of compliance.

"Regulatory capture has always been the antidote to strict compliance to regulation in this country," said De Guzman.

Sentro, May 15, 2015

* <http://www.sentro.org/?p=605#sthash.SEuGM3RE.dpuf>

Valenzuela factory inferno: Grim reminder of the country's still mediocre workplace safety standards

I would be a traitor to these poor burned bodies if I came here to talk good fellowship ... you have a couple of dollars for the sorrowing mothers, brothers and sisters by way of a charity gift ...

I can't talk fellowship to you who are gathered here. Too much blood has been spilled. I know from my experience it is up to the working people to save themselves. The only way they can save themselves is by a strong working-class movement. – Rose Schneiderman, socialist, feminist, trade unionist; speech during a memorial meeting for the 146 garment workers burned to death in the Triangle Shirtwaist factory fire in New York City on March 25, 1911

WORKERS have a myriad of problems and struggles to overcome – low or unstable wages, meager or unreliable benefits, abusive or insensitive employers or management, no job security or contractualization, anti-worker and anti-union laws and policies, union-busting, unjust terms and conditions of employment, which may include inhumane working environment or a workplace that blatantly violates the mandated occupational safety and health standards or OSHS.

Which brings us to yet another horrible and senseless industrial tragedy yesterday (May 13) that could have been prevented if the OSHS and other related measures are strictly implemented, regularly reviewed and constantly drilled. The death toll in the 7-hour fire that engulfed the footwear factory of Kentex Manufacturing Inc. in Ugong, Valenzuela City has reached to 72 as of this Thursday afternoon. It could still increase based on earlier accounts of the workers' relatives that aside from the initial 35 charred bodies retrieved last Wednesday, another 65 were missing and trapped mostly on the second floor of the 3,000-square-meter, two-story building.

Central to the arson investigation should be the widely perceived trigger of the blaze: Why did the

company recklessly and stupidly allowed a welding job (in the front door), which generates sparks, near a place where combustible chemicals were stored and which could easily ignite? Likewise, were the two front (entrance) and back doors as well as the supposed fire exits were sufficient enough and appropriately located? And considering the number of workers trapped on the factory's second floor, was there any possible violation of the building's required occupancy limit?

Moreover, a report said that one of only 10 workers who managed to escape the Kentex conflagration hinted of "lax fire safety standards (that) may have contributed to the high death toll." Employed there for five years already, but he admitted that "I had never been involved in a fire drill ever." Fire safety regulations, part of the broader OSHS, are in fact largely ignored by many companies in the country.

The national labor center Sentro ng mga Nagkakaisa at Progresibong Manggagawa (SENTRO) extends its deepest sympathy and condolences, as well as our firm solidarity, to the families and loved ones of all the workers who perished and were injured in the Kentex fire. SENTRO and its allies in the trade union movement, especially the NAGKAISA labor coalition, strongly call on the national and local governments to fully enforce the OSHS and other related laws and regulations, and to resolutely punish all violators, including those in the absolutely revolting incident in Kentex.

Sentro, May 14, 2015.

* <http://www.sentro.org/?p=596#sthash.QI2kx0z.dpuf>

Labor groups call for thorough investigation on Valenzuela fire that killed dozens of workers

A coalition of labor groups offered sympathies to the victims of a deadly fire in Valenzuela City as it called on concerned government agencies to conduct a fair, speedy but thorough investigation on this tragedy that caused death and injury to at least 60 workers.

"The high death toll from this inferno strongly indicates a complete breach of safety protocols required for industries. Life certainly matters, but justice for this kind of catastrophe goes beyond legally required compensation. Factory owners and industry regulators must be held criminally-liable for this tragedy," said Renato Magtubo of Partido Manggagawa (PM), one of Nagkaisa! convenors.

Josua Mata of Sentro ng Nagkakaisang Manggagawa (Sentro) suggested that investigations do not just determine the cause of fire but must dig deeper into why dozens of workers were fatally trapped in the second floor of the factory building.

"The country's occupational safety and health standards (OSHS) do not only require workplaces to be safe from hazardous and flammable substances but also must be equipped with necessary infrastructures that address emergencies like contamination, fire or explosions," said Mata.

Initial reports said the fire came from the stock of chemicals in the first floor of the building where a welding work is also being done.

Alan Tanjusay of ALU-TUCP, on his part, said: "this tragedy could have been prevented had government agencies, which include the labor department and local government units, strictly enforced the OSHS requirements in workplaces."

Leody De Guzman of Bukluran ng Manggagawang Pilipino (BMP) advised the families of victims of Valenzuela fire to organize themselves and press charges against the owners of the footwear company.

The Federation of Free Workers (FFW) likewise called on concerned government agencies to extend the necessary financial and legal assistance to the victims.

The National Confederation of Labor (NCL) believed a substantial number of establishments all over the country are not compliant with occupational health safety standards because of corruption in government agencies.

Meanwhile Annie Geron of PSLINK, a confederation of public sector unions, bewailed the fact that quality public service, which include ensuring the safety of all workers at all times, remains missing or stuck in a state of downgraded priority in the government bureaucracy.

Sentro, May 14, 2015.

* <http://www.sentro.org/?p=595#sthash.NaOir7np.dpuf>

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