

Europe Solidaire Sans Frontières > English > Asia > Philippines > Labor (Philippines) > **Urgent: Update and Protest!**

Toyota Philippines

Urgent: Update and Protest!

Monday 13 February 2006, by [TMPCWA \(Philippines\)](#) (Date first published: 13 February 2006).

There is a need for very urgent action. Letters of protest (see below) can be signed through the web at the following address:

http://www.labornetjp.org/Campaign/2006/toyota_eng

Dear Friends and supporters of TMPCWA,

Most militant and warmest greetings to all the friends and supporters of TMPCWA!

We apologize for not sending any updates on our struggle for more than six months. After all of our intensified campaign and broad support of other international organization to protest the new Certification Election (CE), Toyota Philippines Management was pressured to sit down on a negotiation with TMPCWA. There are series of meeting happened, starting August held in Japan.

Toyota Management requested that the negotiation must not disclose to others specially the international supporters of TMPCWA. We don't have any choice but to agree to that request, to show that the TMPCWA is in good faith and ready to sit for any negotiation with the Toyota Management.

On December 12, 2005 negotiation, we pushed the management of Toyota Philippines to resolve the issue of reinstatement of 233 illegally dismissed workers and to give their concrete answer on the next meeting.

On December 17, 2005 the DOLE Secretary, issued its decision to conduct the CE. And the Department of Labor and Employment railroad the Hearing on February 1, 2006 and finalized the schedule of the election on February 16, 2006, then the company had a meeting with TMPCWA after the setting of the election.

While in the meeting with some international organizations last February 3, 2006, the two proposals from the management was opened; first is the compensation with additional payment and the training program, and the other is the training for automobile mechanics and the company will provide new work to send the dismissed workers to their dealers and sales offices or to work abroad.

Moreover in the negotiation with Toyota management on February 4, 2005, Nobuharu Tabata, the former President of TMPC, brought up the package compensation and not the last discussed reinstatement. Included in the proposals are the illegally dismissed members of TMPCWA will provide six months training to become automobile mechanic, but first they must pass the examination to acquire the training program. Toyota will shoulder the expenses for the training program.

But before availing these proposals, the illegally dismissed members of TMPCWA must sign into an agreement that they must admit and accept that their dismissal is valid. Mr. Tabata strongly said that this is the last chance of negotiation to be accepted by TMPCWA and strongly said that they will never withdraw this proposal.

The proposal is very far from the ILO recommendation. Our members are very disappointed and dissatisfied to the offer and all are united to continue the struggle and not to continue the negotiations if the management pushes their position. All they want are reinstatement they did not violated any provision of the law in the land. We noticed that the management is not sincere in negotiating with us and only fooling the TMPCWA. We felt that they only used the negotiation to pacify us on our organizing and actions.

While they are negotiating with us, Toyota management implements their desperate grand design to destroy our union thru their sponsored union TMPCLC. They seek the immediate setting of Certification Election in connivance with the Department of Labor and Employment-DOLE.

Last February 6, 2006, TMPCWA staged a picket protest at the office of Department of Labor and Employment (National Capital Region, DOLE) NCR, to protest the unjust memorandum of Mediator-Arbiter Simonette Calabocal and Hearing Officer Lourdes Ching. Both officers of DOLE, in the influence of Toyota management, immediately decided and finalized the date, rules, mechanics, and official list of voters for Certification Election last February 1, 2006 pre-election conference held at their office.

The CE was set on February 16, 2006. Despite the fact that we filed at their office a motion to extend the date of the PEC because of our appeal to the Court of Appeals, (Motion for Reconsideration with Petition for Temporary Restraining Order), waiting for the resolution of CA. The DOLE Med-Arbiter and Hearing officer unitedly put the 233 illegally dismissed member of TMPCWA as challenge voters while allowing the level 5-8 employee (Supervisory level according to Supreme Court Ruling) to vote as rank and file.

During our militant protest on February 6, 2006, DOLE-NCR Director Ricardo Martinez permitted our leaders to enter his office and hold a dialogue with him. During the dialogue, we demanded to the Director to revise the unjust and rail-road rulings of the Med-Arbiter and asked him to call another pre election conference hearing. He promised us that he will take the necessary action. Our protest action cause the delayed of posting of the list of voters in Toyota plant.

In the morning of February 8 2006, we came back to the office of DOLE-NCR to check if there were changes on Med-Arbiter Calabocal ruling and to meet again the Director. But during that time, no other officers wanted to assist us, according to their staff, other officers of the DOLE, doesn't like to be involve in the very controversial case of Toyota.

It took us until the afternoon when we received the new memorandum of Med-Arbiter Calabocal thru her staff. She changed her first decision.

She allowed our dismissed members to vote legitimately and she put the votes of all level 5 to 8 on challenge. We consider these changes as a success of our militant action. One day later Med-Arbiter Calabocal suddenly change her Order to another amended Order that the Dismissed members of TMPCWA is allowed to vote but segregated again and it will counted after finishing the case pending in the Supreme Court. This is a very clear absurd action of the DOLE.

TMPCWA knew that Toyota has something to do with it. Inside Toyota plant, the officers of the management led union TMPCLO, Supervisory union president Angel Dimalanta, Toyota management agent, Francisco Mero and some managers and department heads continuously harassing our union members, psywar and forced those not member of TMPCWA workers to vote for TMPCLO. They are spending all time and resources of

Toyota to campaign for TMPCLC. But our leaders and members inside are solid to their stand that only TMPCWA are the genuine union for all rank and file workers of Toyota that struggling for the interest of all workers.

We are now on mass campaign fighting against Toyota, TMPCLC, TMPCSU and their agents, head to head reaching out all workers and office staff employees to organize, influence them and vote for TMPCWA.

On February 10, 2006, we stage another picket protest at the office of DOLE-NCR and we demanded to stop the proceeding of certification election. In accordance with law, TMPCWA are existing and certified.

But the Regional Director of the DOLE, OIC of the Med-Arbiters and the hearing officers Lourdes Ching are hiding to us and there were no employees dare to assist TMPCWA saying that they do not want to be involved in such controversial case of Toyota.

We are calling the attention of all our friends and support organizations, local and international, to support our untiring struggle against TOYOTA.

RAIN PROTEST LETTER TO THE DEPARTMENT OF LABOR AND EMPLOYMENT, TOYOTA PHILIPPINES AND TOYOTA MOTOR CORPORATION JAPAN, AND CONDEMN, OPPOSE AND EXPOSE ALL THE DIRTY TACTICS AGAINST TMPCWA.

WE ALSO NEED HELP TO ALL OF YOU TO SEND STATEMENT OF SUPPORT AND CALLING THE RANK AND FILE WORKERS TO VOTE FOR TMPCWA IN THE FEBRUARY 16, 2006 CERTIFICATION ELECTION.

LONG LIVE THE WORKING CLASS!

ED G. CUBELO
President - TMPCWA, BR > February 13, 2006

For more information please visit the newly created website for TMPCWA.

Visit <http://www.tmpcwa.org>

The following is the sample letters and addresses.

Pls do not forget to send the cc: copy for TMPCWA
Toyota Motor Philippines Corporation Workers Association (TMPCWA)
Emails: tmpcwa_eds@mail.com.ph / tmpcwa1998@yahoo.com

(1) SAMPLE LETTER to the Department of Labor and Employment;

Secretary Patricia Sto. Tomas
The Department of Labor and Employment, BR> Republic of the Philippine.

Dear Madam Secretary,

We strongly protest to you against your determination to force the conduct of a new certification election for another union of rank and file employees at the Philippine Toyota.

Your determination means to set the Philippine Toyota free from whatever responsibility for its 6 years long refusal of collective bargaining.

Your determination means to totally nullify the decision of the Supreme Court of the Philippines and the ILO that have admitted the right of collective bargaining in favor of the Toyota Motor Philippines Corporation Workers Association (TMPCWA) as the sole and exclusive bargaining agent. Your determination violates the rules of DOLE to the effect that no new certification election shall be allowed where the labor and the management are in a dispute. The new election is so illegal that it is now going to be conducted based on a list of employees that includes supervisory employees as the voters.

We, therefore, strongly request you to withdraw your determination for the new certification election at once, and also request that the Philippine Government requires the Philippine Toyota to have a collective bargaining negotiation with TMPCWA immediately.

[Date]

[Name / Organization]

cc: Toyota Motor Philippines Corporation Workers Association (TMPCWA):
Emails: tmpcwa_eds@mail.com.ph / tmpcwa1998@yahoo.com

Send it to the following Email addresses

1. Patricia Sto. Tomas
Secretary of Department of Labor and Employment
E-mail: osec@dole.gov.ph, BR> Fax: 632-527-3494

2. Ricardo Martinez Sr.
Regional Director
E-mail: Dolencr_planning@yahoo.com
Telephone: 632-400-6242
Fax: 632-400-6242

(2) SAMPLE LETTER to Toyota Motor Philippines Corporation

Mr. Hiroshi Ito, BR > President
Toyota Motor Philippines Corporation

Dear Mr. President,

We strongly protest to you against your determination to force the conduct of a new certification election for another union of rank and file employees at the Philippine Toyota. We also strongly protest to you against the refusal of collective bargaining that has been done by the Philippine Toyota for almost 6 years until today.

The new certification election you are now forcing to conduct while continuing to refuse the collective bargaining as long as 6 years is utterly unacceptable to all workers throughout the world. All responsibilities for any and all disputes that have resulted from the refusal of collective bargaining by the Philippine Toyota are to be borne by the Philippine Toyota. Also, it is the Philippine Toyota who is to be held liable for the dismissal of 233 union member employees and the criminal charge against 26 union officers.

We, therefore, strongly require that the Philippine Toyota immediately comply with the decision of the Supreme Court of the Philippines and accordingly sit at a negotiation table with the Toyota Motor Philippines Corporation Workers Association (TMPCWA) for collective bargaining without any delay. We also require that the Philippine Toyota respect for the spirit of the recommendation of ILO and accordingly withdraw the dismissal of 233 TMPCWA member employees and withdraw the criminal charge against 26 TMPCWA officers.

[Date]

[Name / Organization]

cc: Toyota Motor Philippines Corporation Workers Association (TMPCWA):
Emails: tmpcwa@edsamail.com.ph / tmpcwa1998@yahoo.com

Send it to the following Email addresses

1. Toyota Motor Philippines Corporation
Email: david.go@toyota.com.ph
Fax: 632-843-1421

(3) SAMPLE LETTER to Toyota Motor Corporation

Mr. Watanabe Katsuaki
President
Toyota Motor Corporation

Dear Mr. President,

Toyota Motor Philippines Corporation belongs to, and is one of the overseas subsidiaries of, Toyota Motor Corporation, a multinational enterprise.

We believe Toyota Motor Corporation is fully responsible for all unfair labor practices committed by Toyota Motor Philippines Corporation, such as refusal of collective bargaining.

It is clear that Toyota Motor Corporation instructed, approved or ratified such unfair labor practices committed by Toyota Motor Philippines Corporation, and is also deeply involved at present in enforcing the illegal certification election in Toyota Motor Philippines Corporation. Toyota Motor Corporation can never be exempted from its responsibility for all whatever have been done at Toyota Motor Philippines Corporation as such.

Such acts are against the labor standards provided by ILO. They are also violating the Philippine law and its spirit, including the decision rendered by the Supreme Court. Toyota Motor Corporation, a multinational company, openly says to the public that it respects each country's law and its spirit, which, however, is a flat lie.

Workers and citizens all over the world will never tolerate any such Toyota's unfair labor practice. The world's workers and citizens are, and will continue to be, impeaching Toyota Motor Corporation therefore so long as it holds such attitude. We strongly require that Toyota Motor Corporation instruct Toyota Motor Philippines Corporation to sit at the bargaining table with Toyota Motor Philippines Corporation Workers Association without any delay, and withdraw its dismissal of 233 employees.

[Date]

[Name / Organization]

cc: Toyota Motor Philippines Corporation Workers Association (TMPCWA)
Emails: tmpcwa eds@gmail.com.ph / tmpcwa1998 yahoo.com

Send it to the following Email addresses

1. Toyota Motor Corporation-Japan

Email: kazunobu_muromachi mail.toyota.co.jp

Fax:81-565-23-1230

View online : [To sign the protest letters:](#)