



International Metalworkers' Federation

TIMELINE: Reinstate them now!

Toyota Philippines is refusing to reinstate 136 illegally dismissed workers, despite Supreme Court and International Labour Organisation (ILO) rulings in the workers' favour. The International Metalworkers' Federation and its affiliates have launched an international campaign calling for the immediate reinstatement of the workers. The workers are also demanding that Toyota Philippines recognise their fundamental right to form a union and to bargain collectively. The following chronology of events details the workers' struggle for basic labour rights in the Philippines.

February 1999

- Toyota Motor Philippines Corporation Workers' Association (TMPCWA), an independent labour organisation registered with the Department of Labour and Employment (DOLE), first seeks certification as the exclusive bargaining agent for rank and file production workers at Toyota plants in Bicutan, Parañaque, and Sta. Rosa, Laguna.

June 1999

- Toyota Philippines challenges the union's registration to DOLE.
- DOLE Secretary upholds the holding of the election on appeal by the company.

March 2000

- Election held: 1,063 of 1,100 employees cast their vote; TMPCWA receives 503 votes in favour, 440 against; 105 employees declared "challenge votes".

October 2000

- Toyota Philippines challenges the election to DOLE.
- DOLE Secretary rejects company appeal and confirms union certification.
- TMPCWA submits a collective bargaining proposal to Toyota Philippines.
- Toyota Philippines files with the DOLE a motion for reconsideration regarding union certification.
- DOLE Secretary orders parties to attend a "clarification" hearing.

February 2001

- TMPCWA agrees to attend the hearing and holds a peaceful assembly in front of the DOLE building. The union notifies the company of the assembly.



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March 2001

- The company fires 227 union officers and members and suspends 64 union members for 30 days for taking part in the peaceful assembly.
- DOLE Secretary makes a final decision on certification confirming TMPCWA as the sole and exclusive collective bargaining agent.
- TMPCWA gives Toyota Philippines notice of a strike if workers are not reinstated. A strike later commences. This strike eventually is violently dispersed by police and security guards and the government's labour relations commission steps in to mediate the dispute, ultimately ruling in favour of the company.

April 2001

- DOLE Secretary assumes jurisdiction to stop the strike, issues an order favouring Toyota Philippines whereby the company has an option of whom to accept or not accept back to work.
- The Secretary orders compulsory arbitration.
- Workers and the TMPCWA comply with the orders but challenge DOLE Secretary before the Supreme Court of the Philippines.

February 2003

- The TMPCWA lodges a complaint with the International Labour Organisation (ILO) - Case no. 2252.

September 2003

- The Supreme Court in its final judgment nullifies an injunction order of the Court of Appeals and orders Toyota Philippines to start collective bargaining negotiations.
- Management continues to refuse to negotiate with the TMPCWA.

November 2003

- In case no. 2252, the ILO recommends that "since the TMPCWA has been certified as the exclusive collective bargaining agent, that the Government will make every effort to ensure that the TMPCWA and Toyota Motor Philippines Corporation negotiate in good faith with a view to reaching a collective agreement." Further it recommends "reinstatement in their previous employment of the 227 workers of Toyota Motor Philippines Corporation as well as of the union officers declared to have lost their employment status by the National Labour Relations Commission and who are not included among the 227 workers, without discrimination based on trade union activities. If reinstatement is not possible, adequate compensation should be paid to the workers concerned."



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November 2003

- Despite the Supreme Court and ILO rulings, Toyota Philippines refuses to recognise the union, will not reinstate workers fired for trade union activities, and fails to negotiate a collective agreement.
- The International Metalworkers' Federation commits its support for efforts to have the TMPCWA recognised and to have the 227 workers reinstated. The IMF consults with its affiliates in Japan and writes to the company seeking a meeting to discuss the issue and to find a satisfactory resolution for the workers in the Philippines.
- ILO Workers' Group (WG) states that "for us in the WG the case no. 2252 on the Philippines is an illustrating example of how a Multinational Enterprise - apparently with little regard for corporate social responsibility - has done everything in its power during a number of years to prevent the recognition and certification of the TMPCWA ... The WG urges the Government to reinstate the 227 workers dismissed as well as the 15 trade union officers that lost their employment status."

March 2004

- TMPCWA files a complaint over Toyota Philippines' and TMC's (Toyota Motors Corporation Japan) infringement of OECD Guidelines for Multinational Enterprises.

December 2004

- ILO reaffirms its recommendations.

August 2005

- First meeting of the TMPCWA and Toyota Philippines.

November 2005

- ILO reaffirms its recommendations. ILO Workers' Group states "in this serious case, still the Toyota Motor Philippines Corporation refuses to recognize and bargain with the union TMPCWA since 1999. No information is given of any moves to reinstate the 227 dismissed trade union members and officers. Instead, while the union case for recognition keeps going on for years in courts, the Ministry of Labour apparently without hesitation agrees to authorizing a new certification ballot at the company requested by an alleged company-controlled union."
- Second meeting of the TMPCWA and Toyota Philippines.

December 2005

- Third meeting of the TMPCWA and Toyota Philippines.



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December 2005

- The Toyota Motor Philippines Corporation Labour Organization (TMPCLO), a second union favoured by the company, seeks certification at the site.
- DOLE Secretary issues a decision to conduct a certification election in February 2006 between the TMPCLO and the TMPCWA.

February 2006

- Fourth meeting of the TMPCWA and Toyota Philippines.
- A disputed certification election takes place with no majority vote (50 per cent + 1) indicated for the TMPCLO or the TMPCWA.
- TMPCWA files with the DOLE for election nullification.

March 2006

- Fifth meeting of the TMPCWA and Toyota Philippines.
- Toyota Philippines rejects reinstatement of dismissed workers.
- Toyota trade union representatives from some of the major manufacturing sites around the world agree on a united approach in the fight for the reinstatement of Toyota workers in the Philippines at an emergency meeting in Manila.

April 2006

- DOLE denies the protest filed by the TMPCWA seeking nullification of the February 2006 certification election.
- DOLE certifies TMPCLO as the sole and exclusive bargaining agent for rank-and-file workers.

May 2006

- IMF Executive Committee meets in Oslo, Norway. A global campaign for reinstatement of the workers is launched.

For more information about the situation at Toyota Philippines and the international “Reinstatement Now!” campaign visit the IMF website at:
www.imfmetal.org/toyotaphilippines



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