

Dole Philippines retrenched 478 regular workers amidst pandemic and recession.

The Center for Trade Union and Human Rights (CTUHR) seeks your solidarity and support in calling for the immediate reinstatement of 478 regular workers and cease the retrenchment program of Dole Philippines Inc. (Dolefil) in Polomolok, South Cotabato, in the island of Mindanao, Philippines. The workers denounce the unexpected termination of their employment after their long years of service in the largest fruit company. The Dolefil management claims that the company has been in dire financial conditions due to its dismal performance in the past three (3) years and was further aggravated by the COVID-19 pandemic. However, this claim is not backed by any financial record or any other evidence. Workers claim that the management continuously hire new workers from manpower cooperatives.

Furthermore, the workers are firm in their belief that the retrenchment is a form of union-busting, as it comes at a time when a certification election is upcoming. It is also glaring that most of the retrenched workers are regular workers. Some have been in the company for more than a decade.

The workers fear another batch of retrenchment. They estimate that around 1,000 more will be dismissed in the following days.

Company Profile

Dole Philippines Inc. established their plantation in Polomolok, South Cotabato, Mindanao, Philippines in 1963. It operates in around 16,000 hectares including its base plantation and private growers in South-Central Mindanao, with expansion operations in neighboring provinces. This is the largest pineapple plantation of Dole Asia Holding in Asia.

According to their website, Dolefil Polomolok produces more than 30 million cases of processed pineapple slices, chunks, tidbits, crushed, juice, and concentrate) and more than 16 million boxes of fresh pineapples shipped annually. Approximately 95% of their total production is exported to markets in America, Europe, and Asia.

Dolefil, together with plantation, canneries and processing factories in Asian countries (China, South Korea, Taiwan and Thailand) was acquired by Itochu Corporation of Japan from Dole Food Inc. in 2013.

Facts of the case:

On the night of September 17, 2020, hundreds of workers of Dolefil were notified by the management through SMS or call to come to the Dolefil gym at 9am the following day for an important announcement. On September 18, everyone who was asked to come to the gym was in disbelief, as they were each given a letter of termination, effective immediately. It was an emotional moment for the dismissed workers, especially to those who have served the company for more than a decade. Everyone was shocked, as the company did not follow the due process in implementing retrenchment. Most of the retrenched workers are those who have regular status that's why they are questioning the basis of the management in choosing who to dismiss.

The workers also noted that private security guards, police and military were present during that important announcement at the gym.

The minority union, Asosasyon sa mga Mamumuo sa Dole Alang sa Kalinaw ug Demokratikong Nasud (Amado-Kadena), under the National Federation of Labor Union – Kilusang Mayo Uno (NAFLU-KMU)

cried foul over illegal retrenchment. According to the complaint they filed at the Regional Office of the Department of Labor and Employment (DOLE), they believe that the retrenchment is illegal and baseless due to the following grounds;

1. The capitalist, Dolefil, have not shown any evidence or financial records to support their claimed that they are in dire financial situation for the past 3 years;
2. The implementation of retrenchment program is untimely as the freedom period is forthcoming. The termination of regular workers was clearly a form of union busting especially that at least two (2) legitimate labor organizations have made preparations for the certification election to challenge the existing bargaining agent which they believe to have failed to fulfill its mandate to protect and promote the rights of the regular workers. The retrenched regular workers experienced being forced to sign a petition for no election by the officers of Labor Employees of Dolefil (LEAD) - existing sole and exclusive bargaining agent who are moving heaven and earth to prevent any certification election;
3. It also noted that the company continues to hire contractual employees through manpower cooperatives and other service providers;
4. The company prioritized the termination of regular workers instead of contractual workers giving credence to the fact that the retrenchment program was done in bad faith to prevent the regular workers from exercising their constitutional right to self-organization;
5. Lastly, the undersigned found out that the company filed a notice to retrench the regular employees only on September 18, 2020 after the workers have been terminated on September 15, 2020 as shown in the Notice of Retrenchment. The retrenched regular workers were notified through text messages and handed their Letters of Retrenchment while escorted by the FEMJEG Security Guards and noticeable in the presence of personnel from the Philippine National Police and the Philippine Army.

Since their illegal termination, the retrenched regular workers have suffered mental anguish, serious anxiety, sleepless nights, loss of appetite and social humiliation. They also have a family to feed, children to take care and support their schooling.

The existence of Dolefil for almost six decades in Mindanao proves the richness of the island and their arable land and hard work of the Filipino laborers brought a huge profit to the company and put them as one of the largest fruit companies in the world. According to data, Dolefil employs almost 20,000 workers, more than 7,000 are regular employees while 12,000 are contractuels.

Recommended Action:

Please support the workers in calling the attention of Dole Philippines, Itochu Corporation and Philippine Government through Department of Labor and Employment to demand the following;

1. Immediate reinstatement of 478 retrenched workers of Dolefil since September 18, 2020 and cease the retrenchment program of the company;
2. Respect the inherent right of the workers to organize; Stop all form of harassment and intimidation to prevent union election;

Please send your communication to the following:

H.E. Rodrigo Roa Duterte

President, Republic of the Philippines
Malacanang Palace, JP Laurel St., San Miguel Manila Philippines
Telephone: (632) 736-8645
E-mail: pcc@malacanang.gov.ph

Hon. Silvestre H. Bello

Secretary, Department of Labor and Employment (DOLE)
Muralla Wing cor. General Luna St., Intramuros, Manila, 1002, Philippines
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Email: secshb3@dole.gov.ph, osec@dole.gov.ph

Hon. Joel Villanueva

Philippine Senator; Chairman, Senate Committee on Labor, Employment and Human Resource Development

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Hon. Enrico Pineda

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Please send a copy of your letter and solidarity messages to the union through:

Asosasyon sa mga Mamumuo sa Dole Alang sa Kalinaw ug Demokratikong Nasud (Amado-Kadena)
c/o National Federation of Labor Union – Kilusang Mayo Uno (NAFLU-KMU)
c/o ctuhr.pilipinas@gmail.com

THANK YOU VERY MUCH FOR YOUR SUPPORT AND SOLIDARITY.