

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FOURTEENTH CONGRESS
Second Regular Session



HOUSE RESOLUTION NO. 759

INTRODUCED BY REPRESENTATIVES RAFAEL V. MARIANO, SATUR C. OCAMPO,
TEODORO A. CASIÑO, LIZA LARGOZA-MAZA AND LUZVIMINDA C. ILAGAN

RESOLUTION CALLING ON THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR AND EMPLOYMENT TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE SUCCESSIVE OCCUPATIONAL AND INDUSTRIAL ACCIDENTS AT HANJIN HEAVY INDUSTRIES CORPORATION PHILIPPINES INC. (HHIC) AND HANJIN CONSTRUCTION COMPANY LIMITED INC. (HHCL) CAUSING THE DEATH OF 15 WORKERS AND TO RECOMMEND APPROPRIATE SANCTIONS AGAINST THE SOUTH KOREAN COMPANY AND ITS LOCAL CONTRACTORS AND RECOMMEND APPROPRIATE MEASURES TO PROTECT FILIPINO WORKERS IN HAZARDOUS WORKPLACES AND DETERMINE RESPONSIBILITIES OF BOTH FOREIGN AND LOCAL EMPLOYERS

WHEREAS, as of August 2008, 15 workers of Hanjin Heavy Industries Inc. (HHIC) and Hanjin Construction Company Limited Inc. (HHCL) died due to various industrial and occupational related accidents;

WHEREAS, these successive accidents happened in various work areas of South Korean-owned shipbuilding facility located at Barangay that employs 15,000 workers;

WHEREAS, the partial list of victims, date of death, circumstances of the accidents and cause of deaths are as follows:

Date of incident	Name of Victim/Age/Work Description	Nature of Accident
August 12	Efren dela Cruz, 24, machine operator	Electrocuted while working at the motor pool
August 7	Arvy Mahinay, 19, construction worker	Fell off the roof while retrieving his helmet
July 12	Benjie Gamolo, 31, structural erector	The right section of the 8-ft. long, 8-ton steel beam used as brace for back girder slipped and hit the victim on his back and left side of his body.
June 20	Mario Atrero, 52,	A formwork at the dry-dock

	construction worker	collapsed and pinned him down
June 15	Oliver Labay, 32, shipyard worker	Victim died on the spot after a bulkhead collapsed and hit him on the head and pinned him to the concrete floor
June 11	Rafael Careg	Victim died from a vehicle collision of crane boom and pickup truck
March 11	Angelo Banaag	A crane snapped from its trestle and pinned down several workers
March 10	Neil Mojica, sling man	A crane snapped from its trestle and pinned down several workers
March 10	Eduardo Molina, sling man	A crane snapped from its trestle and pinned down several workers
January 18	Jeremias Adamos, 30, welder	Explosion due to gas leak
January 18	Mario Laxamana, 29, welder	Explosion due to gas leak
December 24, 2007	Reynan Loquinario, 25	The victim fell on the road together with several steel pipes loaded on a Hanjin truck driven by a Korean worker

WHEREAS, Hanjin shipyard is considered a 'hazardous work place', as determined by the Section 8, Book 3 of the Philippine Labor Code that reads, " (b) Where the workers are engaged in construction work, logging, fire-fighting, mining, quarrying, blasting, stevedoring, dock work, deep-sea fishing and mechanized farming.";

WHEREAS, Hanjin, a foreign-owned company, must abide by local labor laws, but based on the alarming incidents of accidents and deaths, there is a need to probe further Hanjin's specific violations of the Occupational Health and Safety Code as stated in the Implementing Rules and Regulations of the Philippine Labor Code;

WHEREAS, in July 2008, the Subic Bay Metropolitan Authority (SBMA) chaired by Administrator Armand Arreza found Hanjin guilty of violating at least seven safety standards and ordered the company to comply with international safety standards. Due to the successive incidents, the SBMA issued a 7-day Cease and Desist Order (CDO) against HHIC. The CDO was lifted on July 18;

WHEREAS, former Zambales Vice Governor Ramon Lacbain II, initiated the formation of People's Task Force on Hanjin and Subic Bay that will monitor and advance advocacies of concerning Hanjin and other investments that are detrimental to the people of Subic and Zambales. The task force alleged the South Korean firm of violating the occupation and safety standards of the country;

WHEREAS, Hanjin employs shipyard and construction workers through various local employment agencies and these contractors are not punished nor the cause of accidents extensively investigated on to avoid similar accidents in the future;

WHEREAS, on June 20, 2008, the SBMA recommended the termination of

contracts of three subcontractors who were found to have been remiss in implementing safety requirements at the shipyard;

WHEREAS, the firms were identified as Trigon/Bodahn Inc., Globe Distribution Services, and DMK/Philnorkor. HHIC officially terminated its contract with Bodahn only this August;

WHEREAS, the Department of Labor and Employment implied in its initial assessment of Hanjin's safety regulations, that the company is not liable in the latest accident, practically absolving the company of any liabilities on the incidents of work-related accidents and deaths;

WHEREAS, despite the succeeding accidents and orders from the SBMA for Hanjin to abide occupational health and safety standards, Hanjin is still operating and even inaugurated the M/V Argolikos, the largest ship built in the country and the first cargo carrier to sail from the Hanjin Shipyard;


WHEREAS, President Gloria Macapagal-Arroyo even praised Hanjin and said that the M/V Argolikos, is a marvelous showcase of sound engineering and design. She said that the 41,000-ton container carrier shows off to the whole world the excellence of the Filipino workforce in building vessel;

WHEREAS, this statement from the President is tantamount to condoning Hanjin's grave negligence of Philippine occupational health and safety laws and severe disrespect to workers' rights; and

WHEREAS, there is also an urgent need to know if the families of the abovementioned victims were given due remuneration damages for the death of the workers.

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the House of Representatives Committee on Labor and Employment conduct an investigation, in aid of legislation, into the successive occupational and industrial accidents at Hanjin Heavy Industries Corporation Philippines Inc. (HHIC) and Hanjin Construction Company Limited Inc. (HHCL) causing the death of 15 workers and to recommend appropriate measures to protect Filipino workers in hazardous workplaces like the Hanjin company and determine responsibilities of both the foreign company and its local contractors.


Adopted,



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Anakpawis Partylist



REP. SATUR C. OCAMPO
Bayan Muna Partylist



REP. TEODORO A. CASINO
Bayan Muna Partylist



REP. LIZA LARGOZA-MAZA
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