

**TIPC-Monitoring Body**  
**Resolution No. 3, Series of 2011.**

**CASE OF SR METALS, INC.**

**IN RE: COMPLAINT OF TRADE FEDERATION FOR METALS, ELECTRONICS, ELECTRICAL AND OTHER ALLIED INDUSTRIES-FEDERATION OF FREE WORKERS (TF4-FFW) ON BEHALF OF SR METALS, INC. WORKERS UNION-FFW CHAPTER.**

**RECOMMENDING OBSERVANCE OF THE PRINCIPLE OF NON-INTERFERENCE IN THE EXERCISE OF THE RIGHT TO SELF-ORGANIZATION AND A DOLE-AFP-LGU MEMORANDUM ON AGREEMENT ON AFP MOBILIZATION AND DEPLOYMENT IN OR NEAR THE WORKPLACES.**

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**RESOLUTION**

**WHEREAS**, the Trade Federation for Metals, Electronics, Electrical and other Allied Industries- Federation of Free Workers (TF4-FFW) on behalf of its local affiliate SR Metals, Inc. Workers Union-FFW Chapter, filed a letter-complaint for intervention and/or appropriate action before the TIPC-High Level Monitoring Body for violation of Article 3 (2) of ILO Convention 87<sup>1</sup>;

**WHEREAS**, TF4-FFW avers that a certification election<sup>2</sup> was scheduled on 28 September 2010 at the Special Operation Center (SOC) of SR Metals, Inc. (SRMI), La Fraternidad, Tubay, Agusan del Norte, but the same was reset on 28 October 2010 at the SRMI Mining Enhancement Protection and Environment Office (MEPEO) because of non-compliance with the agreement on posting of the list of voters, presence of Special Civilian Armed Auxiliary (SCAA) in the area, and later discovery that SOC is a detachment of SCAA<sup>3</sup>;

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<sup>1</sup>Article 3

1. Workers' and employers' organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes.

2. The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof."

<sup>2</sup> Should be "consent election."


<sup>3</sup> Alleged militia unit assigned at SRMI for the purpose of maintaining peace and order and protect the sites, installations, personnel, equipment and properties of SRMI, and while the SRMI defrays the cost of their monthly allowance and uniforms, they are being trained, armed and supervised by the Armed Forces of the Philippines.


necessary in workplaces where national security threats are imminent, clear terms of reference through a Memorandum of Understanding/Agreement should be ensured to prevent conduct that is inconsistent with the principle of non-interference in the workers' exercise of their right to self-organization, and undue interference is an infringement of the exercise of freedom of association and the right to organize.


**RESOLVE FURTHER**, that SRMI be engaged by the DOLE in ensuring non-interference in the workers' exercise of their right to self-organization and collective bargaining, and for this purpose, the DOLE is requested to make a report on the progress of this case to the TIPC-Monitoring Body.


**APPROVED** this 24<sup>th</sup> day of May 2011, Occupational Health and Safety Center, North Ave., Quezon City, Philippines.


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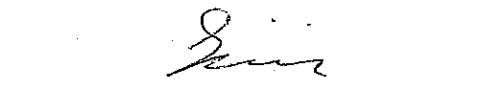
  
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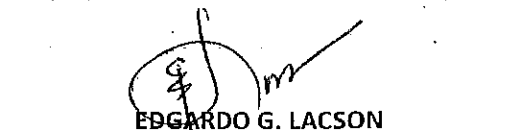
  
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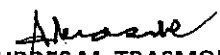
  
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