

# Unions wary of employer backlash to wage hikes

UNIONS said workers need to organize in case employers respond to proposed wage hikes with staffing reductions and the increased use of casual workers.

In a conference organized by the Trade Union Congress of the Philippines (TUCP) to discuss House Bill 7871 or the Wage Recovery Act, Joanna

Bernice S. Coronacion, deputy secretary general of the Sentrong mga Nagkakaisa at Progresibong Manggagawa (SENTRO) said organizing helps workers practice their collective bargaining rights via unions.

Business groups have warned that legislated wage hikes or further increases in the minimum wage could force

companies to reduce staffing levels.

Ms. Coronacion also encouraged workers to know their rights under the Labor Code to counter practices like the resort to more informal work arrangements should employers refuse to pay the higher wages.

"When you look at Scandinavian countries... wage ne-

gotiations are at the national level... We don't have that right now because of our low union density. As a result, the gap between rich and the poor is wider," Mr. Coronacion told *BusinessWorld* on the sidelines of the conference.

Separately, Kilusang Mayo Uno (KMU) general secretary Jerome Adonis said employers

should absorb the cost of higher pay and not pass on the expense in the form of higher prices, arguing that increased purchasing power in the hands of workers will drive economic growth.

The Senate has approved on third and final reading Senate Bill 2534, which proposes a P100 increase in the daily minimum wage for the private sector.

Also participating in the conference were the Bukluran ng Manggagawang Pilipino, Federation of Free Workers, KMU, SENTRO, and the TUCP. The conference was organized in conjunction with a union march on the House of Representatives to call for the immediate passage of the legislated wage hike bills. — **Chloe Mari A. Hufana**

OPINION

## The limits to hiring contractual workers

**A human resources (HR) manager at a medium-sized enterprise often brags of a manpower ratio of 90%-10% in favor of temps sent by manpower agencies and a labor cooperative. Is there a limit to the number of temporary workers that we can hire? — Moon River.**

The company you mentioned could be on treacherous legal ground. Having a contractual ratio that high is asking for trouble when labor inspectors come around. It can happen any time because anyone can file an anonymous complaint with the Labor department.

An employer who refuses to accept a labor inspector's request for access to HR records may invite the filing of a criminal action. I know, it's not easy to get a result of things go down this road — there's a process for that. But even a visit by labor inspectors could have a chilling effect to management.

Don't get me wrong — the hiring of workers from manpower agencies or labor cooperatives is a common business practice. Outsourcing of employees is imperative, giving companies much-needed flexibility to operate efficiently in the face of production ups and downs.

Temps can free the principal organization (client) from the tedious administrative tasks of sourcing, training, even disciplining workers. Aside from the cost benefits, it is easy to terminate the temps if they break the rules or as soon as they become unnecessary to the business.

EXTRA CAUTION

Extra caution must be exercised when hiring temporary workers as the practice can be abused by management, as in for instance the 90%-10% ratio you have encountered. If not controlled, there will come a time when tensions could arise when regular workers act like toxic bosses or difficult colleagues who treat the temps like second-class citizens.

With that, let me list down the pros and cons of having more temps than regulars.

**Training.** The inclusion of temps and regular workers in the same training program is beneficial to the organization. That means putting them all on the same page makes everyone understand what is expected of them. One caveat, though. There's a possibility that temps may use the training program as a stepping stone to look for jobs elsewhere.

**Uniforms.** Avoid giving the same type of uniform for both the temps and regular workers. If you're careless about it, there will come a time when the practice could be used as evidence against the principal. This caveat

also applies to identification (ID) cards. Let the manpower agency issue the IDs and uniforms for the temps.

**Teamwork.** Many regular workers treat temps as inferiors. This makes it difficult to create and maintain camaraderie with people who will not be staying long. Therefore, it's best to assign temps to work situations where there's no need for extensive collaboration with regular workers or customers.

**Safety.** In many cases, temps are not given any personal protective equipment (PPE) by their employer-agency even in unsafe, unhealthy, and hazardous work situations. Many unprincipled agencies do this to save money and often in connivance with their principal-clients.

**Legality.** The most common issue in hiring temps is when the principal client and its agents violate the four-fold employment test: Once, selection and engagement of workers. Two, payment of their wages and benefits. Three, power of dismissal. And four, the authority to control the worker's conduct. Other than no. 2, the rest are usually done by the principal-client.

'USUALLY NECESSARY'

Aside from hiring temps or contractual workers, there are many options that an employer can pursue if it's unsure about the viability of its business operations over the long term. These options include the hiring of fixed-term employees, casuals, project workers, part-timers, and seasonal workers. Even interns or apprentices may be considered.

Be that as it may, even these modes could be subject to legal challenge. The issue centers on Article 295 of the Labor Code, which sets the definition of regular employment. This provision says a job is "deemed to be regular where the employee has been engaged to perform activities that are usually necessary or desirable in the usual business or trade of the employer."

In conclusion, an organization is only as good as the people that it hires and maintains. Recruitment and selection are twin strategies that can't be ignored. All organizations, regardless of the nature of their business, must strive hard to attract the best and the brightest.

While there's always an abundant supply of talent in the Philippines, all job candidates must pass through a thorough process of recruitment and selection if the organization is to find the workers that best fit its needs.

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ELBONOMICS:  
Everything is temporary, even regular employment.

## Apple cancels electric car project

APPLE has canceled work on its electric car, a source familiar with the matter told Reuters on Tuesday, a decade after the iPhone maker kicked off the project.

The move draws the curtain on a plan that would have helped Apple break out into a new industry and potentially replicate the success of the iPhone.

The project had seen uneven progress throughout its life and its end comes as global automakers cut back their investments in electric vehicles (EVs), whose demand has dropped significantly.

Several employees working on the project will be shifted to the company's artificial intelligence (AI) division, according to Bloomberg News, which first reported the development.

Apple declined to comment. "If it is true, Apple will put more focus on GenAI and that should give investors more optimism about the company's efforts and ability to compete at a platform level on AI," said Ben Bajarin, CEO of consulting firm Creative Strategies.

Apple has so far held back from any big moves in AI, in stark contrast to tech giants such as Alphabet and Microsoft which have first-mover advantage in incorporating the breakthrough technology.

Its quiet approach has sparked worries the iPhone-maker could be behind in integrating the technology into its products.



PEXELS-CHRISTIAN KONOPATZKI

That was reflected in Apple's share gain last year, which at nearly 50% was the smallest among the so-called Magnificent Seven stocks.

Last month, Microsoft overtook Apple as the world's most valuable company as the iPhone maker grapples with weakness in demand for its key products, especially in major market China.

Meanwhile, high interest rates have led to a slowdown in demand for usually pricier electric vehicles, prompting the industry to cut jobs and reduce production.

Several major automakers, including EV market leader Tesla TSLA.O, have decided to pull back on investments, with some shifting plans to focus on hybrids instead of fully battery-powered cars.

Tesla CEO Elon Musk cheered Apple's move on X social media with a post of a saluting emoji and a cigarette.

PROJECT TITAN

Apple kicked off Project Titan, as its car effort was known internally, a decade ago, as a wave of interest in self-driving vehicles swept through Silicon Valley.

Reuters reported in 2020 that Apple was considering releasing its proposed car soon as 2024 or 2025.

But progress had been bumpy even before the coronavirus disease 2019 (COVID-19) pandemic disrupted the global automotive industry. Apple had laid off 190 workers from the group in 2019 after revamping its software approach.

The design of the concept car also changed from a radical, steering-wheel-free autonomous vehicle that would have been a departure from traditional automotive design to a more conventional car with advanced driver-assistance features.

News of the project had initially raised hopes that Apple may replicate the success of the iPhone, whose fresh design and clean interface helped alter the handheld phone market.

But even iPhone sales, the main source of the company's revenue, has started seeing a growth slowdown as rivals launch handsets with matching specs and competitive prices.

Sales of iPad and Mac computers have also fallen amid broader slump in demand for expensive gadgets. — **Reuters**



MARKETS AND SECURITIES REGULATION DEPARTMENT

IN THE MATTER OF THE : REGISTRATION OF SECURITIES  
OCEANAGOLD (PHILIPPINES), INC. : INITIAL PUBLIC OFFERING  
Registrant :

X-----X

NOTICE

Notice is hereby given that on 27 February 2024, a revised sworn Registration Statement ("RS") has been filed with the Securities and Exchange Commission (the "Commission") on behalf of OCEANAGOLD (PHILIPPINES), INC. (the "Company") in order to reflect the latest Audited Financial Statements as at 31 December 2023 and the election Ms. Mia G. Gentugaya as new Independent Director in connection with the registration of 2,280,000,000 common shares of the company, comprising 456,000,000 secondary common shares (the "Offer Shares") and 1,824,000,000 issued and outstanding common shares not forming part of the Offer Shares with a Par value of P0.10 per shares at an Offer Price of up to P17.28 per Share to be listed and traded on the Main Board of The Philippine Stock Exchange, Inc.

The revised RS and Prospectus can be viewed and downloaded by interested parties from the Company's website <https://www.DidipioMine.com.ph> A copy of this Notice shall be provided by the company to the Philippine Stock Exchange for its information and for appropriate posting in the PSE website.

ATTY. OLIVER O. LEONARDO  
Director

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MARKETS AND SECURITIES REGULATION DEPARTMENT

IN THE MATTER OF : REGISTRATION OF SECURITIES  
OCEANAGOLD (PHILIPPINES) INC. : INITIAL PUBLIC OFFERING  
Registrant :

X-----X

NOTICE

Notice is hereby given that on 2 February 2024, a sworn Registration Statement ("RS") was filed with the Securities and Exchange Commission (the "Commission") on behalf of OCEANAGOLD (PHILIPPINES) INC., (the "Company") for the registration of TWO BILLION TWO HUNDRED EIGHTY MILLION (2,280,000,000) Common Shares, with par value of TEN CENTAVOS (P0.10 per share), to be listed and traded on the Main Board of the Philippine Stock Exchange, broken down as follows:

Secondary Offering	456,000,000 common shares	At an initial public offering price of up to P17.28 per share
Issued and Outstanding Shares (Not included in the Offer)	1,824,000,000 common shares	With par value of P0.10 per share
<b>TOTAL</b>	<b>2,280,000,000 common shares</b>	

An application for the listing of all of the Company's issued and outstanding shares (including the shares to be offered and sold by way of Initial Public Offering) has also been filed with The Philippine Stock Exchange, Inc. on February 1, 2024

According to the documents presented, the following persons are the directors and/or officers of the Company:

NAMES	POSITIONS
Peter John Sharpe	Chairperson and Director
Joan D. Adaci-Cattiling	President and Director
David John Bickerton	General Manager and Director
Liang Tang	Director
Marius van Niekerk	Director
Karina P. Dulinayan	Corporate Secretary
Cherrie Lou B. Burabod	Treasurer
Dyann C. Rabaya	Compliance Officer
Tomasa H. Lipana	Independent Director
Gregory L. Domingo	Independent Director

Said Registration Statement and other papers/documents attached thereto are open to inspection by interested parties during business hours and copies thereof, photostatic or otherwise, shall be furnished to every party at such reasonable fees as the Commission may prescribe. The Registration Statement and Prospectus may also be downloaded from the Company's website <https://www.DidipioMine.com.ph>

ATTY. OLIVER O. LEONARDO  
Director