

November 4, 2009

To: Mr. Akio Toyoda, President – Representative Director  
TOYOTA MOTOR CORPORATION, Tokyo, Japan

From: Ed Cubelo, President  
TOYOTA MOTOR PHILIPPINES CORPORATION WORKERS ASSOCIATION  
(TMPCWA)  
&  
Masamichi Yamagiwa, Joint Representative  
SUPPORT GROUP FOR TMPCWA IN JAPAN

Re: Our Protest and Request regarding Labor Dispute at Toyota Philippines

In seeking a human life, workers at Toyota Philippines had formed a labor union TOYOTA MOTOR PHILIPPINES CORPORATION WORKERS ASSOCIATION (herein “TMPCWA”) and in the year 2000, gained the support of the majority of all the rank-and-file employees in the Certification Election (herein “CE”) conducted for being recognized as having the collective bargaining right. However, under the direction of its mother company TOYOTA MOTOR CORPORATION (herein “Toyota Japan”), the Company Management of Toyota Philippines unduly interfered with the CE, and thus did not recognize the collective bargaining right of TMPCWA and refused the collective bargaining. On top of that, in 2001, Toyota Philippines dismissed a total of 233 officers and rank-and-file members of TMPCWA and framed up criminal charges. We, both TMPCWA and SUPPORT GROUP FOR TMPCWA IN JAPAN, hereby renew our strong protest to you, Toyota Japan, for having caused Toyota Philippines to commit such union busting attacks and also hereby request you to promptly guide them to take corrective measures such as the withdrawal of dismissal, etc.

Toyota not only is still refusing to have a collective bargaining with TMPCWA does not withdraw its mass dismissal of TMPCWA members, and does not withdraw its criminal charge against TMPCWA members, but also is still now shamelessly exerting its malicious union busting, harassment and intimidation attacks upon TMPCWA, such as follows. We hereby strongly protest to you against that in deep aversion beyond anger.

Namely, irrespective of the fact that the Philippine Supreme Court had already issued a too bad judgment regarding the dismissal case negating even the necessity of separation pay, how palliative it was that Toyota secretly approached one of the illegally dismissed TMPCWA members individually, trying to persuade him into receiving the separation pay and signing a letter pledging that he would never contend the dismissal! This is nothing but union busting and an unfair labor practice against both TMPCWA and its members. Why in the world does Toyota not seek to dialogue face-to-face with TMPCWA but rather resorts to such palliative tactics?

TMPCWA is none of a union consisting of the dismissed workers only. Despite Toyota's union busting by way of refusal of collective bargaining, mass dismissal and criminal charge, such workers as actually working inside its factory are becoming the members of TMPCWA in sympathy with the cause of TMPCWA as well as the fight of their senior members. But, when Toyota had to recognize that one of such new members was very good at his job and is gaining respect from his colleagues, Toyota attempted to persuade him into leaving TMPCWA by baiting him with promotion to a supervisory position. When he read out Toyota's evil intention and refused the bait, then in complete contrast Toyota distributed a bad-mouth leaflet yelling and screaming, <<*You, get out of the Company together with TMPCWA!*>> All of these are unfair labor practices, too.

Moreover, Toyota installed a number of video cameras in its production line focusing only on the workplaces where TMPCWA members were working in order to make surveillance of every move of them. Why in the world must the workers be placed under surveillance all the time, separate from other workers, who are the members of TMPCWA as a duly registered regular labor union pursuant to the Constitution and the Labor Code of the Republic of the Philippines? How come in the world is Toyota allowed to do such an act? These are utter violation of human rights. We wonder if Toyota cannot mobilize workers in the production without demonizing TMPCWA in such a way. Is that in fact what <<*The Toyota System*>> or <<*The Toyota Way*>> is all about?

All the examples mentioned above are true facts. And, they are only a few examples.

That is the very real status where ILO (International Labor Organization) is pointing out that the fact that extra-judicial killing of hundreds of activists and progressive people is rampant in the Philippines is caused by the insufficient pursuit of respect for the freedom of association, trade union rights and civil liberties.

It was for investigating such real status and requiring improvement thereof that ILO dispatched its High-Level Mission to the Philippines recently as an extraordinary action. The Mission is requiring that the Arroyo Administration issue a Presidential statement to the effect that the Philippines will respect for the freedom of association, trade union rights and civil liberties. It should be noted that this ILO's requirement has been made by recognizing the existence of Toyota's violation of the freedom of association, trade union rights and civil liberties as being a serious actuality.

It is true that under the ILO Convention No. 87 on the Protection of the Freedom of Association and the Right to Organize, ILO can issue its recommendations or mention anything only to the government of a state in question due to the system thereunder. It cannot issue any recommendation or mention anything to an employer enterprise as the true party to the dispute case. However, the Mission came over the long way to the Philippines, stepping out of the shell-frame of the system, for personally meeting with and directly hearing from the Company Management of Toyota Philippines as the substantial party. In other words, in addition to paying a visit to the production line at Sta. Rosa Plant to see how it was, it was for the purpose of hear out convincing reasons, if any, from the Company Management of Toyota Philippines, which, in the first case (ILO Case No. 2252), had stubbornly refused for many years to comply with the Recommendations that Toyota should have collective bargaining with TMPCWA and that Toyota should reinstate the dismissed workers and further did not intend even to submit a Reply in the second case (ILO Case No. 2652) which was newly opened to deal with various unfair labor practices subsequently committed by Toyota. While taking the way of listening to what was spoken by the mouth of the Company Management of Toyota Philippines, ILO is in fact asking about the stance of the Headquarters of Toyota Japan.

As such, for Toyota, the outer moat is now being filled day by day. It is the time now for you to seriously consider whether to reluctantly concede under the pressure of your surrounding situation or to willingly change the shift lever toward resolving the matter under the recognition of your self responsibility, is it not? It might be bitterly <<*just in time*>> now, but if you postpone your determination and action any longer, you will necessarily leave grave troubles for the future. Until now, whenever your Company receives our visit, you always took an extremely arrogant attitude which a globally reputable super-first-class enterprise like you should never have taken, by ridiculing us and dodging the subject as saying, <<*Any matter of Toyota Philippines is the matter of*

*the Company Management of Toyota Philippines, on which Toyota Headquarters has no bearing at all.>> With such an attitude taken, it might be inevitable that a bad rumor will spread all over the world, <<Toyota may have indeed become No. 1 in the world in car manufacturing but at the same time it is also the World No.1 union buster, is it not?>> Even though the Management of Toyota Japan repeats hundred times, or even thousand times, <<We have left everything to Toyota Philippines,>> nobody will take it in that way, and should it be truly so, everybody will only think, <<How stupid the Management of Toyota is.>>*

Therefore, we again strongly protest to you against all what Toyota has done to us so far in deep aversion beyond anger, and at the same time we, urging you to deeply reconsider by taking the above-mentioned points into account, sincerely request you to make up your mind to take a course for resolving the matter.

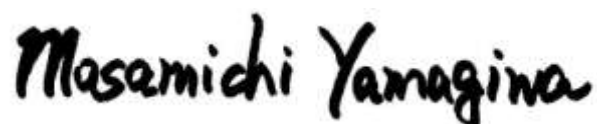
Incidentally, for your information we attach a copy of the Letter of Request for Immediate Start of Initial Assessment we sent to the OECD-NCP Japan

A handwritten signature in black ink, appearing to be 'ED G. CUBELO', written over a horizontal line.

ED G. CUBELO

President-TMPCWA

Email:tmpcwa1998@yahoo.com

A handwritten signature in black ink, reading 'Masamichi Yamagiwa'.

Masamichi Yamagiwa

Joint Representative

Support Group for Philippine Toyota Union TMPCWA in Japan

Attached Document: Copy of our Letter of Request for Immediate Start of Initial Assessment to OECD-NCP Japan