Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
EIGHTEENTH CONGRESS
Second Regular Session
HOUSE RESOLUTION NO. 1034

Introduced by KABATAAN PARTY-LIST Representative Sarah Jane I. Elago,
ACT TEACHERS PARTY-LIST Representative France L. Castro,
BAYAN MUNA PARTY-LIST Representatives Carlos Isagani T. Zarate,
Ferdinand Gaite and Eufemia C. Cullamat,
and GABRIELA WOMEN’S PARTY Representative Arlene D. Brosas

RESOLUTION
URGING THE COMMITTEES ON LABOR AND EMPLOYMENT AND ON
HUMAN RIGHTS TO CONDEMN AND INVESTIGATE, IN AID OF
LEGISLATION, THE ILLEGAL ARRESTS AND DETENTION OF TEN (10)
LABOR ORGANIZERS AND UNION MEMBERS IN CALOOCAN CITY
AND THE FILING OF CRIMINAL COMPLAINTS AGAINST THEM IN A
LABOR DISPUTE WITH COSMIC ENTERPRISES INC.

WHEREAS, on February 5, 2020, six (6) labor organizers and four (4)
workers (known as the Cosmic 10) involved in a labor dispute with Cosmic
Enterprises Inc., located at 7 Lugmok St. 165 Caloocan City, were arrested
by the Philippine National Police (PNP) under PMAJ Harold Aaron Melgar
and PLTCOL Crisanto Lleva, ACOPO, and detained at the Neo Barugo
Police Station;

WHEREAS, the arrests and detention of the Cosmic 10 were made
on the occasion of an ongoing labor dispute and after a strike action
dispersal involving the said PNP personnel;

WHEREAS, PMAJ Melgar and PLTCOL Lleva assisted around 20
armed security guards from the MBB Security Agency led by Mario B.
Batuigas (the security agency employed by Cosmic Enterprises Inc.
Management) and non-striking pro-management workers by violently
dispersing the picket line of the striking workers of Cosmic Enterprises Inc.
Independent Labor Union (CEILU), who merely locked arms to protect
themselves and their picket;

WHEREAS, the violent dispersal of the strike occurred without
Cosmic Enterprises Inc. Management - Anthony and Vicente Ng - awaiting
the result of a Petition for Injunction it filed before the National Labor
Relations Commission (NLRC), scheduled for hearing on February 13,
2019, and this pre-empted any action by the NLRC and undermined its
jurisdiction;
WHEREAS, criminal complaints arising from or related to the labor dispute were brought against the *Cosmic 10* by and through the Caloocan PNP, which are currently pending with the Caloocan City Prosecution Office;

WHEREAS, workers rights are human rights and the right to strike is enshrined in the 1987 Constitution;

WHEREAS, the *Guidelines on the Conduct of the DOLE, DILG, DND, DOJ, AFP and PNP Relative to the Exercise of Workers’ Rights and Activities* ("Guidelines") provide that labor disputes are under the primary and sole jurisdiction of the Department of Labor and Employment (DOLE) such that members of the AFP, PNP and other law enforcement agencies, including Barangay Tanod/BPSO and company security personnel/security guards shall not intervene except under the conditions provided thereby;

WHEREAS, under the same *Guidelines*, fiscals and other government prosecutors shall first secure clearance from the DOLE and/or Office of the President "before taking cognizance of complaints for preliminary investigation and the filing in court of the corresponding information of cases arising out of or related to a labor dispute," including cases with "allegations of violence, coercion, physical injuries, assault upon a person in authority and other similar acts of intimidation obstructing the free ingress to and egress from a factory or place of operation of the machines of such factory, or the employer's premises;"

WHEREAS, the actions of the Caloocan PNP under PMAJ Melgar relative to the *Cosmic 10* is the latest example of an imperious need for reforms to be introduced in the current laws governing the protection of human rights, including labor rights and the right to strike, the Philippine National Police, and the national prosecution service;

NOW THEREFORE BE IT RESOLVED AS IT IS HEREBY RESOLVED that the House of Representatives Committees on Labor and Employment and on Human Rights condemn and investigate, in aid of legislation, the illegal arrests and detention of the *Cosmic 10* by the Caloocan PNP under PMAJ Harold Aaron Melgar and the filing of criminal complaints against them for causes arising from or related to a labor dispute with Cosmic Enterprises Inc.
Adopted,

Rep. SARAH JANE I. ELAGO
Kabataan Party-list

Rep. CARLOS ISAGANI T. ZARATE
Bayan Muna Party-list

Rep. FRANCIS L. CASTRO
ACT Teachers Party-list

Rep. FERDINAND GAITE
Bayan Muna Party-list

Rep. ARLENE D. BROSAS
Gabriela Women’s Party

Rep. EUFEMIA C. CULLAMAT
Bayan Muna Party-list