

**DEPARTMENT OF LABOR AND EMPLOYMENT  
NATIONAL WAGES AND PRODUCTIVITY COMMISSION  
REGIONAL TRIPARTITE WAGES AND PRODUCTIVITY BOARD  
NATIONAL CAPITAL REGION  
MANILA**

**In Re: PETITION FOR WAGE INCREASE /  
REVIEW OF WAGE ORDER NCR NO. 22**

**PAMBANSANG KILUSAN NG  
NAGKAKAISANG MANGGAGAWA  
(KILOS NA MANGGAGAWA),  
represented by its President,  
JENIDA ROSE PAJEL  
Petitioner.**

X -----X

**RTWPB - NCR**  
**RECEIVED**  
**APR 26 2019**  
By: *[Signature]* Time: 10:00 PM  
*Daisy Mae*

**PETITION with MOTION  
TO CONSOLIDATE**

**PETITIONER PAMBANSANG KILUSAN NG NAGKAKAISANG MANGGAGAWA (KILOS NA MANGGAGAWA),** through counsel , and to this Honorable Board , most respectfully states:

1. Petitioner is a labor association duly registered with the Department of Labor and Employment (DOLE) with Certificate of Registration No. 11928 (MAP) LC.
2. Petitioner's members are usually contractual employees employed under labor agencies. Under the law, however, petitioner's members are still entitled to benefits under the minimum wage law.

**ANTECEDENT FACTS**

3. It can be recalled that in June 1989, Congress passed the Wage Rationalization Act (R.A. 6727) which creates and mandates the Regional Tripartite Wage and Productivity Boards (RTWPBs), to determine and fix minimum wages and to undertake studies and researches and surveys necessary to the attainment of their functions and objectives.



4. Accordingly, this Honorable Board granted minimum wage to covered employees from time to time, the latest of which was Wage Order No. NCR – 22 dated October 30, 2018.

5. Under the latest Wage Order, the minimum wage of covered employees in the National Capital Region was increased by P25.00 per day, thereby granting non-agricultural workers a minimum salary of P 537.00 per day; workers of retail and service establishments regularly employing not more than 15 workers a minimum salary P 500.00 per day ; and workers employed in manufacturing establishments regularly employing less than 10 workers a minimum salary of P 500.00 per day;

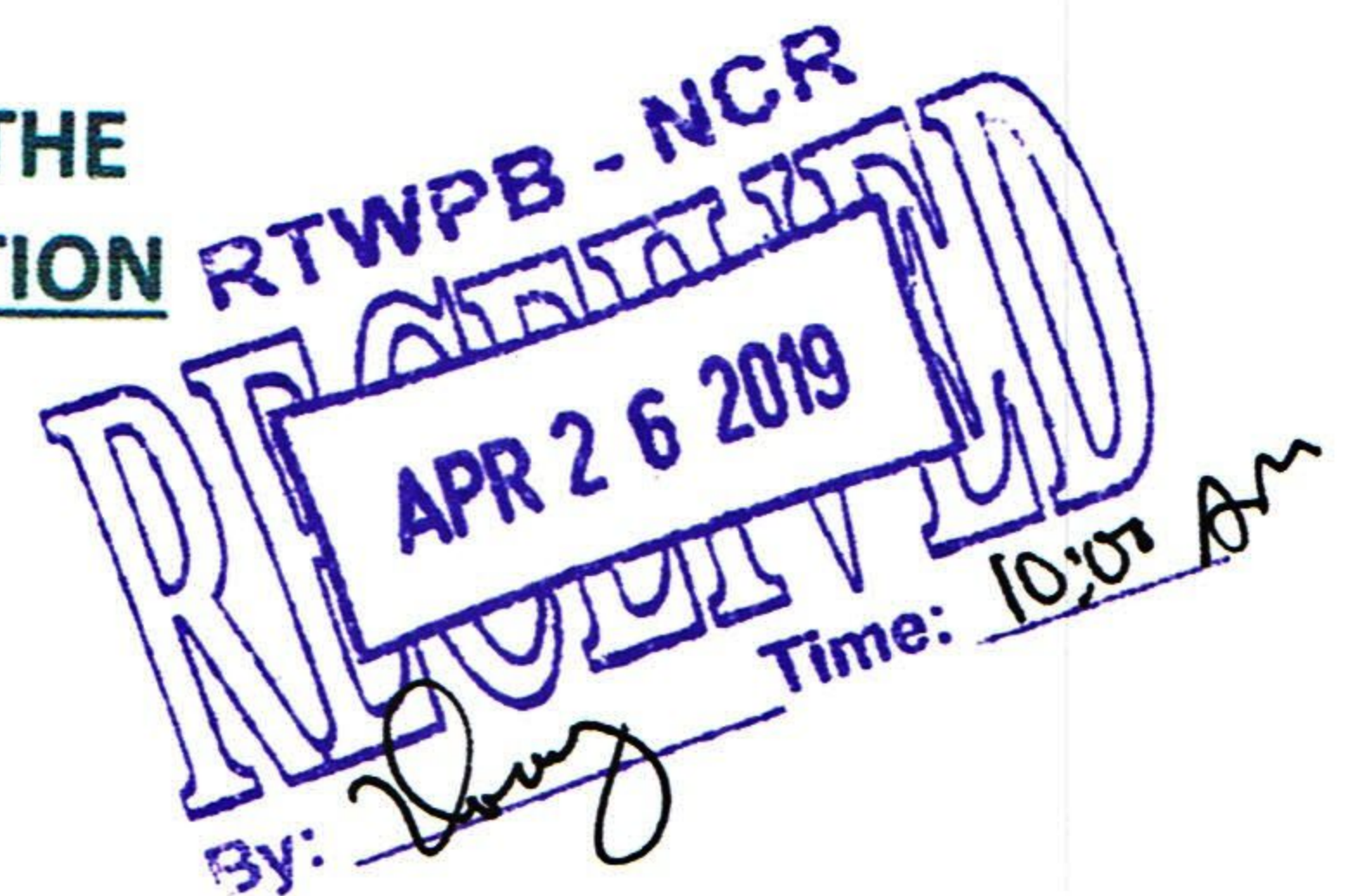
6. Despite the said adjustments, however, current minimum wage levels remained inadequate for workers and their families as inflation rate still stood at a high 6.7 percent.

7. While under the Rules any Wage Order issued by the Honorable Board may not be disturbed for a period of 12 months from its effectivity and no petition for wage increase shall be entertained within the said period, supervening conditions such as extra-ordinary increase in prices of petroleum prices and basic goods or services shall demand a review of the minimum wage rates as determined .

8. It is submitted that supervening conditions demand a review of the minimum wage rates previously granted by the Honorable Board.

**GROUND S RELIED UPON FOR THE ALLOWANCE OF INSTANT PETITION**

**Increase In The Family Living Wage Justifies Increase In The Minimum Wage**



9. The Family Living Wage for a family of five has been estimated by IBON Foundation, a reputable research institution , to be in the amount of P23, 660.00 per month for March, 2019, computed as follows :

Food expenditures - - -	P 11, 262.00
House rent - - -	P 3, 975.00
Water, gas, electricity , etc. - - P	2, 295.00
Transport - - -	P 1, 254.00



Health ----- P 521.00

Total ----- P 23, 660.00

10. The said figure would amount to P1,004.00 per day.

11. The minimum wage amount of P 537.00 per day is definitely inadequate to cope with the current Family Living Wage.

**The Effect of the  
Train Law and Other  
Price Increases Justify  
Another Wage Increase.**

12. The enactment of the Tax Reform for Acceleration and Inclusion ( TRAIN ) law or Republic Act No. 10963 have significant increase in the prices of sweetened beverages, cigarettes, petroleum , and other products.

13. This justifies another wage increase in the National Capital Region.

14. There is no dispute that after the enactment of NCR Wage Order No. 22 and as a consequence of the Train Law, The prices of oil and petroleum prices have gone higher.

15. For instance, on April 9, 2019,, most of the oil companies implemented a per liter price increase of P0.25 for gasoline, P0.20 for diesel and P0.10 for kerosene.

16. Year-to-date adjustments stand at a net increase of P6.90/liter for gasoline, P4.65/liter for diesel and P3.45/liter for kerosene.

17. Sugared drinks are now taxed at P 6.00 to P 7.00 per liter such that a liter of soda now costs P 35.00 per liter compared to P 23.00 last year.

18. Cigarettes, from its base price, 30 pesos, rose to 32.5 pesos recently and this will continue to rise with an increment of 2.5 pesos per year until 2022.

19. For those intending to buy a car, the excise tax have doubled from 2 % to 4 % for cars having a cost of P 600,000.00 below and for those having a worth over P4 Million, the tax would be up to 50% of the vehicle's value from its previous 10%.

instance, the P 25 wage hike in the National Capital Region (NCR) to P 537.00 was just a 4.9% increase in the minimum wage versus 5.5% inflation in NCR for 2018.



20. Philippine Statistics Authority ( PSA ) reports that in the National Capital Region , the prices of rice, sugar and native garlic are more expensive by as much as P 3.00, P 10.00 and P 20.00 per kilo, respectively.

21. According to PSA, prices of vegetables like cabbage and eggplant increased by P 10.00 and P 40.00 per kilo; while bangus and beef have also increased by P 40.00 and P 25.00 per kilo.

22. Along with the price hikes of the above-mentioned commodities, common goods such as rice, canned goods, and other grocery items are starting to have the bullish price trends as well.

23. This caused a domino effect that even sidewalk vendors tend to increase their price lists to make their ends meet.

24. Thus, it is imperative that another minimum wage increase be given .

**The Increase In The  
Productivity Of  
Workers Justifies  
Wage Increase**

25. According to IBON an increase in the minimum wage is also justified by growing worker productivity.

26. Between 2009 and 2017, labor productivity in NCR grew by 35% from P 456,059 per worker to P 614,297.

27. However, that same period, the real value of the mandated minimum wage only increased by 11% and of ADBP by 16%, both measured in real terms at constant 2012 prices.

28. This implies that a large part of productivity gains go to employers as profits rather than to workers as higher wages.

29. It is more urgent than ever in these times of economic crisis for the government to ensure that the poorest working class Filipinos do not suffer needlessly.

30. Thus, it is imperative that another round of wage increase should be considered.

**A P750. 00 Minimum  
Wage Is Not Harmful  
To The Economy**

31. Accordingly, petitioner submits that this Honorable Board increase the statutory minimum wage to P 750.00 a day.



32. NEDA Secretary Ernesto M. Pernia was quoted in June 2018 as saying that a family of five needs P42,000 a month in order to maintain a standard of living deemed "decent," .

33. P 42, 000 a month is approximately P1,400 a day.

34. Yet, petitioner is asking for only P 750.00 a day as minimum wage, which is less than the amount mentioned by Sec. Pernia.

35. Raising minimum wages nationwide reduces inequality by transferring wealth overly concentrated in a few to millions of workers and their families.

36. The country's largest corporations and the wealthiest families owning these can easily absorb the substantial wage hike.

37. Smaller producers in micro, small and medium enterprises (MSMEs) will also be able to afford the wage hike with government support such as immediately providing cheap and easy credit, giving marketing support, nurturing locally-integrated supply chains, and improving their scientific and technological capabilities.

38. These enterprises will also benefit from increased worker demand for their goods and services in the domestic market.

39. Thus, the statutory minimum wage should therefore be increased to P750.00 a day.

#### **MOTION TO CONSOLIDATE**

40. Petitioners had been informed that the Trade Union Congress of the Philippines ( TUCP ) has filed a separate Petition for the Increase in the minimum wage for workers in the National Capital Region after Wage Order No. NCR- 22.

41. Petitioner thus requests that the instant Petition be consolidated with the Petition filed by TUCP.

#### **PRAYER**

WHEREFORE, petitioner most respectfully prays for the minimum wage in the National Capital Region be increased to P750.00 per day.

PETITIONER prays for any other relief just and proper under the premises.

QuezonCity for Manila;



April 22, 2019.

**PRO-LABOR LEGAL ASSISTANCE CENTER (PLACE)**  
**No. 33-B E. Rodriguez Sr. Avenue,**  
**Quezon City**  
**Counsel for the Petitioner**

By :

  
**REMIGIO D. SALADERO JR.**

Roll No. 33489

IBP No. 065185/January 10, 2019; Rizal  
PTR No. Rizal 11118957A/January 03 , 2019  
MCLE No. V-0019514/4-13-16  
(MCLE for the 6<sup>th</sup> Compliance Period  
already completed with  
ChanRobles Law Net but MCLE  
Completion Number still not yet  
Available )

By:

  
**NOEL V. NERI**

Roll No. 47168

IBP LN No. 05613/1-13-06/Quezon City  
PTR No. 7446457/1-10-19/Quezon City  
MCLE No. V-0019455/4-13-16  
Tel. No. 791-95-64  
(MCLE for the 6<sup>th</sup> Compliance Period  
already completed with  
New Era University but MCLE  
Completion Number still not yet  
Available )

**VERIFICATION and CERTIFICATION**

I, **JENIDA ROSE PAJEL**, of legal age, after being duly sworn in accordance with law, depose and say :



That I am the president of the Petitioner in the instant case;

That for and on petitioner's behalf and with prior authorization, I have caused the filing of the instant Petition;

That I have read the same and found its contents true and correct based on my own knowledge and based on authentic documents on record;

That there is no similar case pending before the any other court, body or tribunal and we have not filed any case involving similar issues before any other court, body or tribunal except the Petition earlier filed by the Trade Union Congress of the Philippines, and in case we become aware of such a case, we undertake to inform this Honorable Court within five days from such knowledge.

JENIDA ROSE PAJEL

Affiant

SUBSCRIBED AND SWORN TO before me this 23<sup>rd</sup> day of April 2019, here at Quezon City. Affiant exhibited to me her Govt. ID No. PRC ID NO. 1510116 as proof of her identity.

ATTY. ROGELIO J. BOLIVAR

NOTARY PUBLIC IN QUEZON CITY

AM Adm. Not. Com. No. NP-124 1-12-19 UNTIL 12-31-2020

IBP O.R. No. 055255 Jan. 2019 & IBP O.R. No. 055255 Jan. 2020

PTR O.R. No. 7376155 C-1-7-19 / Roll No. 33832 / TIN# 129-871-009

MCLE No. V-0019296 valid from 04/15/2016 until 04/14/2019/PASIG CITY

Address: 31-F Harvard St. Cubao, Q.C.

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