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A gender perspective in labour market governance

Lucita S. Lazo

September 2008

Subregional Office for South-East Asia and the Pacific

Manila

A gender perspective in labour market governance

By

Lucita S. Lazo

ILO Subregional Office for South-East Asia and the Pacific
Manila, Philippines

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Abstract

The Decent Work Agenda of the International Labour Organization (ILO) (2006–2015) commits governments, labour organizations and employers (the tripartite ILO constituency) to a number of targets in five prime areas of concern. These are: (i) enhancement of competitiveness and productivity in this new age of the globalized economy; (ii) provision of decent jobs for young people; (iii) management of labour migration (a phenomenon not just in the Philippines evident but throughout the world); (iv) improved labour market governance; and (v) extending social protection to the informal economy which, in the Philippines, accounts for some 50 percent or more of the workforce.

Other studies in this series of working papers have addressed these various issues from different standpoints. This particular study looks at the Decent Work Agenda from the perspective of gender-related issues and especially gender discrimination in the workplace.

The study analyzes gender issues affecting labour market outcomes from three perspectives: that of labour supply, labour demand and the role of the external factors that are driving change. Employment patterns are examined: the data shows that, in terms of absolute numbers, more men than women are either jobless or unemployed. Alarming, youth unemployment is also high with the highest unemployment rates being recorded among the 20–24 year-old age cohort. Unemployment is higher among females than males, higher in urban rather than rural areas and is highest among college graduates. This in part explains the drift of highly-skilled people to jobs overseas and their loss to the local economy.

Another surprise finding is that as men have dropped out of the workforce, more women are now looking for jobs. More often than not, employment is found in the informal sector and in menial and low-paying jobs (own account or unpaid family workers). Child labour remains a chronic problem for the Philippines, especially for girls.

While the government claims that the Philippines has been experiencing unprecedented growth in recent years; in fact it has been characterized as “jobless growth.” Indeed the problems associated with unemployment and underemployment have intensified over the years. A distinction is made between gender-bias (jobs that traditionally attract male or female workers) and gender-discrimination. It is in regard to the latter that women become victims and marginalized. Much of the discrimination that exists is subtly expressed and involves both direct and indirect discrimination.

The author discusses gender-related deficits in terms of : (i) access to decent work; (ii) access to decent conditions of work; and (iii) the participation of women and their influence in labour market governance institutions. She concludes that similar challenges exist in both the public and private sectors: issues of pay equity, work and family balance and maternity protection are major concerns although in some sectors, issues of occupational health and safety also become important. Cultural bias is a part of the problem. Above all else, opportunities for decent work are constrained by conditions in the informal sector where many women are to be found. To address these concerns, greater representation of women in the institutions of labour market governance, is an important first step.

In some areas, action has already been taken to address gender-related issues involving work. However, despite legislation in many important areas, the problems stubbornly persist. Examples are cited.

The author concludes with a comprehensive macro analysis together with recommendations to address the problem. This includes recommendations for initiatives that could be undertaken under the aegis of the ILO.

About the author

Ms. Lucita S. Lazo is at present working as an international freelance consultant in such areas as labour, employment and local governance; on gender mainstreaming, making governance gender responsive as well as psychosocial aspects of disaster management and climate change. She has undertaken extensive prior work for the ILO, the World Bank and the United Nations Development Programme (UNDP).



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The responsibility for opinions expressed in articles, studies and other contributions rests solely with their authors, and publication does not constitute any endorsement by the International Labour Office of the opinions expressed in them, or of any products, processes or geographical designations mentioned.

Foreword

At the 14th regional meeting of the International Labour Organization (ILO) held in Busan, Republic of Korea in August–September 2006, representatives of 40 Member States covering the Asia, Pacific and the Arab world agreed to the launch of the Asian Decent Work Decade with the aim of contributing to global poverty reduction through enhancing productivity, competitiveness and growth and the promotion of tangible policy measures to better ensure that economic growth throughout the region—the most dynamic in the World at the present time—translates into productive employment and decent work for all.

The Decent Work Decade will run to 2015. During this time governments, labour organizations and employer organizations alike are committed to a concentrated and sustained effort to create employment opportunities that enable individuals to realize their own potential through work appropriate to their skills and at a fair and just wage that, even for the unskilled, will give a living wage and thereby make a contribution to poverty reduction.

Integral to the programme is the ILO's Decent Work Agenda which stands on the pillars of rights of work, employment, social protection and social dialogue. ILO Director-General, Juan Somavia, speaking after the meeting summed up the programme:

“The primary goal of the ILO today is to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity.”

In the Philippines where we have almost 30 percent of the workforce either unemployed or underemployed and where poverty remains entrenched in many places, the Decent Work Decade and the Agenda that accompanies it, is of special importance.

It provides us with a fresh opportunity to examine critically the policy assumptions and actions that inform the approach of government, of workers and of employers to the workplace and, hopefully, work towards solutions to present problems that can be endorsed and accepted by all groups.

With this in mind, the ILO Subregional Office in Manila has commissioned a series of papers designed to examine aspects of the labour situation in the Philippines from the standpoint of the commitments made in Busan and as a catalyst to informed debate.

This paper is part of that series.

Linda Wirth
Director
ILO Subregional Office for South-East Asia and the Pacific
Manila, Philippines

September 2008



International
Labour
Organization

Decent Work for all

“The goal of decent work is best expressed through the eyes of the people. It is about your job and future prospects, about your working conditions, about balancing work and family life, putting your kids through school or getting them out of child labour. It is about gender equality, equal recognition and enabling women to make choices and take control of their lives.

For many, it is the primary route out of poverty. For many more, it is about realizing personal aspirations in their daily existence and solidarity with others. And everywhere, and for everybody, decent work is about securing human dignity”.

Juan Somavia, ILO Director-General

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List of Acronyms

| | |
|--------|--|
| APGEN | Asia Pacific Programme on Gender Equality |
| ARB | Agrarian Reform Beneficiaries |
| ARMM | Autonomous Region of Muslim Mindanao |
| BDT | Bureau of Domestic Trade |
| BLES | Bureau of Labor and Employment Statistics |
| BPO | Business Process Outsourcing |
| BRW | Bureau of Rural Workers |
| BSMED | Bureau of Small and Medium Enterprise Development |
| BTRCP | Bureau of Trade Regulation and Consumer Protection |
| BWYW | Bureau of Women and Young Workers |
| CBA | Collective Bargaining Agreement |
| CEDAW | Convention for the Elimination of Discrimination Against Women |
| CIDA | Canadian International Development Assistance |
| CITC | Cottage Industry and Trade Council |
| CSC | Civil Service Commission |
| DBM | Department of Budget and Management |
| DILG | Department of Interior and Local Government |
| DOLE | Department of Labor and Employment |
| DSWD | Department of Social Work and Development |
| DTI | Department of Trade and Industry |
| ECC | Employment Compensation Commission |
| ECOP | Employers' Confederation of the Philippines |
| FDH | Filipino Domestic Helpers |
| FFW | Federation of Free Workers |
| FGD | Focus Group Discussion |
| GAD | Gender and Development |
| GDP | Gross Domestic Product |
| GFI | Government Financial Institution |
| GNP | Gross National Product |
| GREAT | Gender Responsive Economic Action for Transformation |
| GSIS | Government Service Insurance System |
| ICT | Information and Communication Technology |
| ICFTU | International Confederation of Trade Unions |
| ILO | International Labour Organization |
| ILS | Institute of Labor Studies |
| KALAHI | Kapit bisig Laban sa Kahirapan |
| LFPR | Labour Force Participation Rate |

| | |
|----------|---|
| LGU | Local Government Unit |
| LGSP | Local Government Support Program |
| MAFC | Municipal Agrarian and Fisheries Council |
| MAIN | Migrant Advisory and Information Network |
| MFI | Micro Finance Institutions |
| MSME | Micro, Small and Medium Enterprise |
| MTDP | Medium Term Development Plan |
| NAPC | National Anti-Poverty Council |
| NAPCL | National Action Program for Child Labor |
| NCR | National Capital Region |
| NCRFW | National Commission on the Role of Filipino Women |
| NEDA | National Economic and Development Authority |
| NFL | National Federation of Labor |
| NHDS | National Health and Demographic Survey |
| NLRC | National Labor Relations Commission |
| NPADW | National Plan of Action for Decent Work |
| NYC | National Youth Commission |
| NRO | NEDA Regional Offices |
| NSO | National Statistics Office |
| OFW | Overseas Filipino Workers |
| OSH | Occupational Safety and Health |
| OWWA | Overseas Workers' Welfare Administration |
| OYSTER | Out of School Youth Serving Economic Recovery |
| PATAMABA | National Network of Home-based Workers in the Philippines |
| PDOS | Pre-departure Orientation Session |
| PESO | Public Employment Service Office |
| POEA | Philippine Overseas Employment Administration |
| PCCI | Philippine Chamber of Commerce and Industry |
| PCFC | People's Credit and Finance Corporation |
| POLO | Philippine Overseas Labor Officers |
| PPGP | Philippine Program for Gender and Development |
| PSLink | Public Sector Link |
| PYEP | Philippine Youth Employment Program |
| SC | Supreme Court |
| SCRA | Supreme Court Reports Annotated |
| SONA | State of the Nation Address |
| SSS | Social Security System |
| SULONG | SME Unified Lending Opportunities for National Growth |
| TESDA | Technical Education and Skills Development Authority |

| | |
|------|---|
| TREE | Training for Rural Economic Empowerment |
| TIPC | Tripartite Industry Productivity Consultation |
| TUCP | Trade Union Congress of the Philippines |
| TVET | Technical and Vocational Education and Training |
| UNDP | United Nations Development Programme |
| WBCP | Women’s Business Council of the Philippines |
| WHO | World Health Organization |
| VAW | Violence Against Women |
| VOIP | Voice Over Internet Protocol |

A note on spelling conventions

In accordance with the practice of the International Labour Organization (ILO) this document follows the general spelling conventions as laid out in the Oxford Dictionary. Where two or more alternative spellings are allowed we normally apply the first such spelling.

Exceptions are made for proper names. Thus we use the general term of “labour market” and “labour scenarios” but “Department of Labor and Employment” and “Labor Code of the Philippines.”

A gender perspective in labour market governance

By

Lucita S. Lazo

1 Introduction: Gender and the Decent Work Agenda

1.1 The Decent Work Agenda

This report endeavours to identify and define the gender dimensions of the Decent Work Agenda which is committed to addressing at least five areas of concern. These are: (i) competitiveness, productivity and decent jobs in a globalizing context; (ii) decent jobs for young people; (iii) managing labour migration; (iv) labour-market governance for realizing decent work in Asia; and (v) extending social protection to the informal economy.

The Philippines is committed to pursue the Decent Work Agenda and this is spelt out in the Medium Term Philippine Development Plan (MTPDP) for 2001-2004 and in the successor plan for 2004-2010.

In the Philippines, the Decent Work Country Programme has been translated into action plans. The first National Plan of Action for Decent Work (NPADW) was launched in 2002 and, at the time of writing, the second NPADW, 2005-2007 is drawing to a close. Thus, preparations are underway to prepare for the third NPADW, 2008-2011. The action plan is aligned with the MTPDP 2005-2010 and is meant to be a living document that would take into account current realities in Philippine society.

In the second NPADW, it was recognized that there is a need for government, employers, workers and the multilateral institutions to work together in tackling the challenges of globalization. This implies the need to make conscious efforts to build up the competitiveness of local firms and workers; investments in education and training; national capacity for institutional adaptation and policy innovation; and policies to ensure that everybody gets a fair share. (see NPADW: page 5)

Figure 1 depicts the factors that come into play in labour market governance which includes external forces such as *globalization, trade liberalization; labour supply and labour demand* as well as domestic considerations. Also shown in Figure 1 are the stakeholders and players in labour market governance include the government, trade unions, the private sector including employers and civil society. The latter has been included as a social partner in addition to the traditional tripartite partners of ILO in its promotion of decent work.

1.2 Gender related issues

“Achieving decent work for all Filipinos requires concerted action to address gender issues in the labour market. There is a need for greater attention to the fact that women are disproportionately represented among poor and vulnerable workers. Efforts to alleviate poverty and promote decent work require that gender equality concerns be fully integrated into all strategies and responses to promote a Decent Work Agenda in the Philippines... Gender is a major cross cutting issue... and should be a major concern in all decent work projects.”¹

This implies understanding the situation of gender in the labour market dynamics in terms of two key aspects:

- a. *Benefits for women in the labour market:* We need to examine labour market outcomes as indicators of whether or not women are sharing in the benefits of national development (or suffering from the lack of such benefits) – are women and men able to find decent work? Do

¹ Philippine 2nd NPADW, p. 39 and 17.

both men and women face the same problems? These questions are addressed in chapters 2 and 3.

- b. *Participation and influence of women in labour market institutions:* Are women and gender issues mainstreamed in labour market institutions? In order to answer that question we need to understand the nature and extent of their participation. To what extent do women influence labour market policies and programmes pertaining to labour market governance in government, the trade unions and employers sectors? Do women influence policies on the informal sector where they abound? How do the women exercise influence? In which key and critical bodies are they represented? Are women able to influence labour market outcomes? How do they exercise this influence? What mechanisms and institutions are available where women could participate and influence labour market outcomes? These issues are addressed in chapter 3.

1.3 Methodology

This paper compiles findings from various studies on gender and labour market governance. Much of the analysis in this paper is based on (i) analysis of secondary data and statistics; (ii) the results of the national seminar on work, income and gender held in Tagaytay on 22-23 November 2007; and (iii) the author's previous and current work in gender equality promotion and employment. In this regard, the GREAT Women Project has also provided major bases for the analysis cited here.

The CEDAW Fifth and Sixth Country Reports were used as the base document in the current paper. It was prepared by the Government of the Philippines through the National Commission on the Role of Filipino Women (NCRFW) in fulfilment of its reporting duties to the UN CEDAW Committee. It provides the official comprehensive and summative account of the situation of women in the Philippines in various endeavours. Pertinent sections of the CEDAW Country Report are the provisions in Article 10 on Education and Article 11 on Employment.

Data from the Current Labor Statistics (latest quarter of 2007 for which data is available) has been used to update the information and the analysis. Additional secondary data was extracted from existing studies and papers written on pertinent topics.

The 1997 Philippine Human Development Report also provided a time perspective in the analysis of gender related labour outcomes. The ILO study on *Equality at Work: Philippines*, completed in August 2006 provided numerous insights and up to date information on various equality issues in labour market governance.

1.3.1 Limitations of the study

Given the limited time, the study had been mainly based on secondary data and secondary analysis. Primary data would have been useful to explore at greater depth and length some of the important gender equality and decent work issues. A major challenge in making the analysis is the paucity of data.

1.3.2 Organization of the report

The Report consists of five chapters. Chapter 1 provides the review framework; Chapter 2 discusses the current gender differences in employment patterns; Chapter 3 describes gender discrimination in the labour market, including participation in labour market governance; Chapter 4 presents the various actions taken to address gender-based decent work deficits; and Chapter 5 presents the conclusions and recommendations of the study.

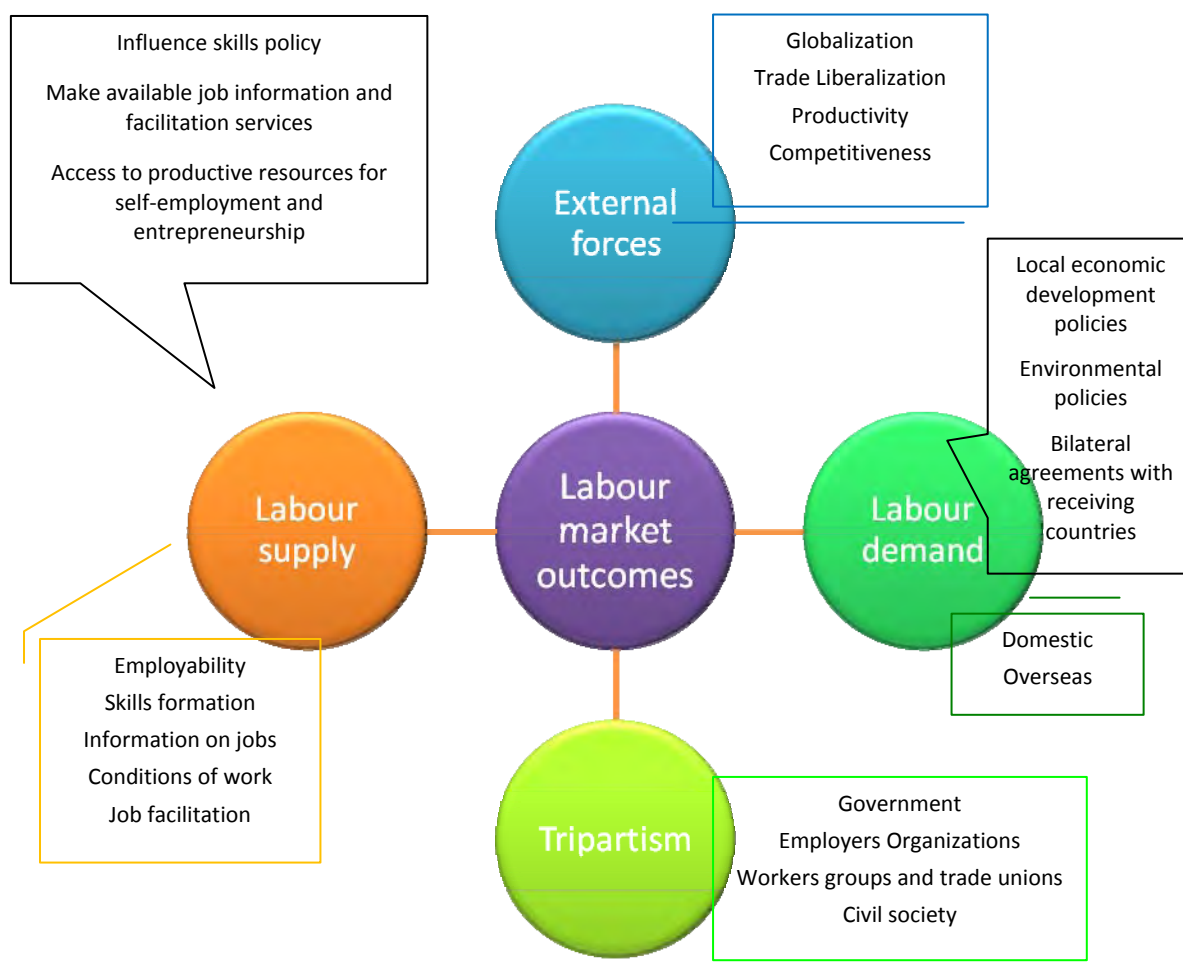


Figure 1: Schematic diagramme of those factors affecting labour market outcomes

Source: Lazo, 2006.

2 Gender differences in employment patterns

In the Philippines, current labour and employment literature cite gender-based deficits which can be classified into three types, namely:

1. Gender differences in employment patterns of women compared to men (i.e. labour force participation rates, employment, unemployment and underemployment rates, types of jobs and occupations available, work status etc.);
2. Gender discrimination in the terms and conditions of women's work which refers to hours of work, wages, maternity or paternity benefits, occupational health and safety, opportunities for training, career promotion, recruitment and other employment practices;
3. Gender differences in participation in labour market governance which refers to the availability of social space for women to have a voice in policy making on the management of the labour market.

The first issue will be discussed in this chapter while the second and third issues will be taken up in chapter 3.

These are all the proper concerns of ILO’s Decent Work Agenda. The first two have to do with the policy outcomes of labour market governance while the third pertains to the shaping and steering of labour market forces through policy making and enforcement as well as the implementation of such. From a gender lens, the first two also serve to indicate whether or not women and men equally benefit from labour market outcomes while the third indicates whether or not women have the chance to help shape policies in managing the labour market and ensure that it does respond to gender concerns.

Currently, there are three employment patterns that manifest gender differences: (i) an increasing number of males are unemployed; (ii) youth unemployment is high and especially among females; and (iii) child labour is high, a lot of whom are female children who are vulnerable to human trafficking.

Prior to talking about discrimination at the workplace, the fundamental questions to be asked and which need to be answered are these:

- Within the Philippines are there enough jobs available to which men and women can have equal access? and
- Given the limited jobs available, do women and men have equal access to those available jobs?

These are key questions we will need to keep in mind during our discussion of these issues. The present state of the labour market in the Philippines can be characterized by a dearth of jobs and it is against this background that gender discrimination must be seen and analyzed.

2.1 More men than women are jobless

Joblessness is a problem for many Filipinos but more so for men, especially the young ones. More young men are now jobless than was previously the case. In the past, during the period 1990–2000, the reverse situation applied and more women were jobless than men. During that time, it was harder for women to find jobs than their male counterparts. But the trend has now reversed. Table 1 shows that the male unemployment rates (8.2 and 8.1 percent for 2006, 2007 respectively) are now higher than that of females (7.4 percent in 2006-2007)

Table 1: Unemployment rates by gender: 2000 – 2007 (percent)

| Year | Male | Female |
|-------------|-------------|---------------|
| 2000 | 10.9 | 11.6 |
| 2001 | 9.4 | 10.4 |
| 2002 | 11.1 | 11.2 |
| 2003 | 10.0 | 10.3 |
| 2004 | n.a. | n.a. |
| 2005 | 8.3 | 8.2 |
| 2006 | 8.2 | 7.4 |
| 2007 | 8.1 | 7.4 |

Source: Current Labor Statistics

2.2 More men than women are underemployed

Consistently, the underemployment rate of women is lower than that of men suggesting that women who are out of jobs tend to drop out of the labour force entirely and revert to family work. They are no longer actively searching for employment and so are not included in the statistics.

Over the years from 2000 to 2007, *the absolute number* of unemployed males has constantly exceeded that of women although when represented as a proportion of the total male population, the male unemployment rates were lower than those of the female population.

In general, unemployment rates have been increasing for both males and females even if high rates of economic growth at GNP of seven percent have been reported in the last two years. In fact, unemployment rates are now at historical highs, surpassing the rates during the Marcos economic collapse years of 1984-85.² However, in 2007, the Current Labor Statistics (October 2007) reported that unemployment rates went down by 0.3 percentage points from the 8.1 percent posted in the same period the previous year. The National Capital Region (NCR) recorded the highest unemployment rate of 13.1 percent followed by Region III at 11.5 percent and Region IV-A at 9.2 percent.

As can be seen from the highlighted numbers in the Table 2 it is the men who are experiencing higher rates of under and unemployment. Gender is not just about women, it is about men too.

Table 2: Employment, underemployment and unemployment by gender: 2006-2007 (percent)

| | 2006 | | 2007* | |
|-----------------|------|--------|-------|--------|
| | Male | Female | Male | Female |
| Employment | 91.9 | 92.6 | 91.9 | 92.6 |
| Underemployment | 25.5 | 18.1 | 24.6 | 16.8 |
| Unemployment | 8.2 | 7.4 | 8.1 | 7.4 |

Source: Current Labor Statistics, October 2007. * January 2007 only.

The rise in the unemployment rate is mostly due to the fact that economic growth in the Philippines has been a “jobless growth.” Labour absorption in agriculture and industry has stagnated; likewise in the wage and salaried jobs available. These trends are due partly to the economic environment and instabilities, but also due to the highly globalized and competitive environment for tradable goods. This means that strong competition from imports has led to downsizing and firm closures in non-competitive industries. It has also led to loss of exports to lower cost centres and a failure of local industry to compensate with higher productivity. Given our higher costs in transportation, utilities and infrastructure as well as higher inflation and weaker currency, some firms have resorted to cutbacks in their labour costs, resulting in retrenchments, in order to survive. *The increasing number of jobless males* is an emerging concern and warrants closer examination and its implications need to be unpacked. If the statistics can be relied upon, the figures show that joblessness is increasingly affecting the male workforce. This reverse disparity (in favour of women workers) is not necessarily to be regarded as progress toward gender equality. First, while women empowerment is advocated, this should not be to the detriment of men. Secondly, increased unemployment among men does not necessarily imply better lives for the women, especially in the social context of the Philippines where oftentimes, the male member of the family unit continues to be regarded as the “breadwinner.”

In fact, if this finding is genuine, the impact on women would be that they would have to bear the impact of men’s joblessness. Increasing male unemployment rates could then likely drive women toward the informal economy, overseas work, domestic work and the like.

Having more unemployed males does not augur well for women especially those in poor rural areas. Women will have to bear the burden of poverty in a more intense way because their reproductive functions (care, unpaid work and social reproduction) have to be performed alongside their productive functions (economic activities and generation of wealth and exchange values). Aside from the lack of access to productive resources and services, women’s reproductive roles tend to stand in the way of their active economic participation.

² Canlas, 2007.



Figure 2: Employment rates by gender, 2006 – 2007



Figure 3: Underemployment rates by gender, 2006 – 2007

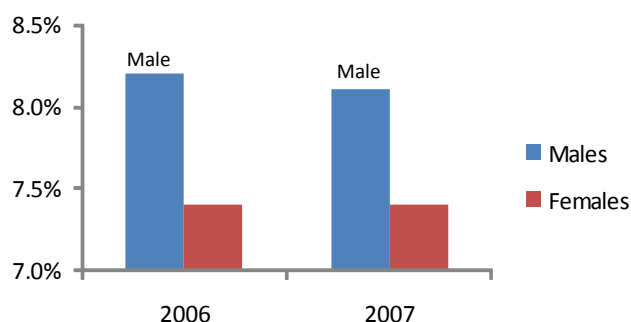


Figure 4: Unemployment rates by gender, 2006 – 2007

2.3 Youth unemployment is high and even higher among girls

Joblessness is intense among the youth, especially among girls. In January 2007, some 2 million young people (15-34 years old) were classified as unemployed persons. Overall, the youth unemployment rate (15-30 years old) stood at 14.2 percent in January 2007, lower by 0.7 percentage points from the year ago rate of 14.9 percent, but nearly double the national unemployment rate of 8.3 percent.³

³ Current Labor Statistics, October 2007, p. iii.

Young women face higher chances of unemployment compared to their male counterparts. Family responsibilities play a key factor. Most of the time, young women are forced to leave their jobs to attend to traditionally female responsibilities such as taking care of siblings or sick family members, giving birth and subsequent child-rearing. Further, young women, while performing these roles often lose contact with relevant information networks for effective labour market integration.

Youth unemployment is generally higher in the urban areas than in rural areas. The low rural unemployment rates are masked by a significant amount of underemployment.

A disturbing feature in the youth labour market is the higher incidence of unemployment among those with higher educational attainment. In 2006, college graduates posted an unemployment rate of 22.4 percent, which means that one out four college graduates finds himself/herself without work despite having a college diploma. This is disturbing because it implies wastage of opportunities not only on the individual level, but also from a macroeconomic perspective. Underutilization of college graduates indicates missed opportunities for the country in the use of better educated human resources, and this is a crucial asset for economic development.

Another alarming observation is the significant number of young people who, discouraged by an initial unsuccessful job search, fail to continue in their search for work. Although the proportion significantly declined in 2006 as compared to earlier years, more than half of the unemployed still did not bother to look for work. When asked for their reason, most answered that they believed no work was available. This pessimistic perception of the labour market lingers even in periods of substantial growth of the domestic economy. In 1996 and again in 2006 for instance, the GDP growth rate hit 5.8 percent and 5.5 percent respectively, but the belief that no work was available continued to be the main reason why the youth gave up on their job search.

The proportion of discouraged young workers is higher among younger cohorts (15 to 19 year olds) and among males. Disaggregated by educational attainment, it is noteworthy that the highest proportion (33 percent) of discouraged workers is to be found among high school graduates. The proportion drastically declines to seven percent for college graduates, accurately reflecting the youth's perceived notion that only a college degree will land them a decent job and without such, the chances of being employed are highly unlikely.⁴

Youth unemployment and the relatively high incidence of female out-of-school youth, specifically in predominantly Muslim areas and especially among girls, can be associated with a traditional cultural bias against women. A majority of the unemployed youth are females for whom housekeeping is the most common type of activity. Searching for work is a distant second, suggesting that the obligations associated with home duties present a major barrier to female youth in continuing their education or seeking employment."⁵

High youth unemployment spawns new social problems such as human trafficking. Media and anecdotal reports about young girls being trafficked and smuggled from rural areas to the major urban centres to seek jobs as domestic helpers, entertainers, prostitutes and as overseas workers are not unfamiliar. Such stories may well be a manifestation of a serious unemployment problem, affecting the young, especially girls.

From 1992 to 2002, the Philippine Foreign Service establishments recorded 1,084 cases of human trafficking. Women comprised 66 percent of the victims, of whom 18 percent had been forced into prostitution. In 2000, the Philippine Center for Transnational Crime recorded 153 cases of illegal recruitment, illegal migration and human trafficking. (CEDAW, August 2004:59)

⁴ Promoting Youth Unemployment in the Philippines, ILO, 2006.

⁵ Gert Gust. Equality at Work: Philippines, Working Paper 12, August 2006, pp. 32-33.

Table 3: Unemployment profiles

*Unemployment rates in percent by age, gender, location and educational attainment
(1988, 1996 and 2006)*

| | 1988 | 1996 | 2006 |
|----------------------------------|------|------|------|
| Total unemployment rate | 13.0 | 12.2 | 17.0 |
| By age | | | |
| 15 to 19 yrs old | 14.0 | 13.6 | 18.2 |
| 20 to 24 yrs old | 15.9 | 15.2 | 22.6 |
| 25 to 30 yrs old | 9.8 | 8.9 | 12.0 |
| By gender | | | |
| Male | 11.4 | 11.0 | 15.9 |
| Female | 15.9 | 14.5 | 18.8 |
| By location | | | |
| Urban | 18.8 | 15.6 | 22.6 |
| Rural | 9.1 | 9.1 | 13.6 |
| By educational attainment | | | |
| No grade completed | 7.4 | 11.2 | 16.6 |
| Elementary undergraduate | 6.3 | 5.9 | 8.1 |
| Elementary graduate | 8.3 | 7.8 | 8.6 |
| High School undergraduate | 11.8 | 11.5 | 14.0 |
| High School graduate | 16.1 | 13.5 | 18.9 |
| College undergraduate | 19.5 | 17.7 | 23.6 |
| College graduate | 20.6 | 17.6 | 22.4 |

Source: PUF of the Labor Force Survey- October 1988, 1996 and 2006;

2.4 More women are looking for jobs

More women of working age (15–24 years old) are now looking for jobs compared to previous years. In absolute numbers, there were still more men in search of jobs, but in relative terms, the percentage of women looking for jobs has become higher than that of the men as indicated by the labour force participation rates (LFPR). The “labour force” is defined as the working age population that is either employed or unemployed. An individual not already in work must be both actively seeking work and available for work to be counted as part of the labour force.

In April 2005, the availability criterion was added to the previous definition and so the LFPR figures starting 2005 are not comparable to those from preceding years. The change in definition had an immediate effect of reducing (statistically speaking) the unemployment rate. Historically, women have not been as active as their male counterparts in looking for work; thus, female LFPRs have always been lower than that of the males as shown in Figure 5. An economist⁶ has noted that the male labour force participation rate is 1.6 times higher than that of the women. However, the lower female LFPR could be partly due to the fact that labour force surveys generally discount a large part of the work traditionally performed by women.

⁶ Dante Canlas, “Philippine Labour Market Outcome and Scenarios,” p. 17, ILO Asia-Pacific Working, Paper 15 2008

Table 4: Labour force participation rate by gender (in percent)

| Year | Male | Female |
|---------|------|--------|
| 2005 | --- | --- |
| 2006 | 79.2 | 49.6 |
| 2007* | 79.0 | 50.7 |
| Average | 81.9 | 51.4 |

Source: DOLE, Current Labor Statistics, various issues.

Notes on the table

In April 2005, the NSCB adopted the criterion based on availability for work and was unable to report labour force participation rates that year.

* January 2007 only; this figure was not used in the computation of the average across years.

The averages are as provided by DOLE and based on additional data across a number of years

Many women of working age constitute a valuable potential addition to the labour force. If more women can be encouraged to join the labour force (assuming the jobs are to be had), it may result in a greater number of two-income families, which could sharply reduce the incidence of household poverty. It would also boost overall productivity. But if having more economically active women is accompanied by less active men, then the desired scenario of having two-income households is less likely to occur. And indeed the reverse gender disparity seems to suggest this conclusion.

In 2006, the female LFPR stood at 49.6 percent versus 79.2 percent for males. In 2007, the female labour force participation rate rose to 50.7 percent and the male LFPR went down to 79 percent, slightly lower than that of 2006. (DOLE Current Labor Statistics, various issues).

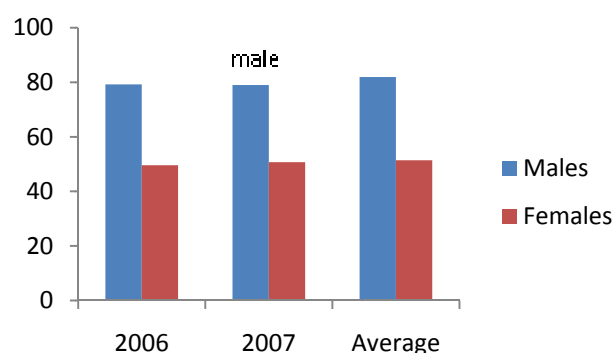


Figure 5: Labour force participation rates by gender, 2006 and 2007

As more women actively seek paid work in a difficult environment that has already made a number of men and women withdraw from the labour market, the end result is that while gender gaps in labour force participation rates remain, in fact *those gender gaps have been narrowing*. This holds for both urban and rural areas and also across age groups.

The improvement in women's labour force participation was seen to be most consistent in the age group of 25-34 years.⁷ The spread between the male and female LFPR is greater in rural areas, where

⁷ CEDAW Report, June 2004, p. 73.

work opportunities are intermittent and where women, when they work are more likely to work as unpaid family workers in farms or other family enterprises.

A key constraint to greater work force participation by women is the need to balance their work and family responsibilities. (This is discussed in the analysis and conclusions at the end of this paper.)

2.5 Child labour is a chronic problem

Child labour, working children below age 15, is a chronic problem in the Philippines. Based on the National Survey on Children (NSC) in 2000 – 2001, the number of working children 5-17 years old was placed at **4.018 million**, comprising 16 percent of the 24,851,000 total number of children in that age group.

In 1995, a national survey on working children reported that *about 1.3 million of the (then) total 3.6 million working children (5-17 years old) were females.* The majority came from rural areas and more than a quarter were unable to go to school because of work. More working children (65 percent) lived away from home, and a majority (79 percent) of them worked as domestic helpers.⁸

Boys outnumbered girl child workers in 2001 as they comprised 63.4 percent of the total number of child workers. But the trend differed in different parts of the country. For example: female child workers outnumbered male child workers in the National Capital Region (NCR). Male children are preferred in rural households where farm work is assigned to boys; girls in the urban setting find employment in retail trade, domestic work, the informal service sector and even in illicit activities like prostitution.

Over 50 percent of the working children were engaged in agriculture, hunting and forestry; five percent were engaged in fishing; 18 percent in trade-related activities and 5.7 percent worked in private households, i.e. primarily as domestic workers and 4.6 percent in manufacturing enterprises.⁹

Child workers are subject to risks and vulnerabilities. Children are generally more susceptible than adults to workplace hazards that endanger their health or their physical and psychological development. Depending on their sex, because of their youth, working children are also—or are perceived to be—defenceless and more vulnerable to exploitation, maltreatment and other forms of abuse. This is compounded by the fact that many are found working in the informal sector where they are beyond the protective reach of labour legislation, inspection and enforcement.

The causes and consequences of child labour can be traced to a number of factors—supply side factors such as poverty, large household size, high costs of school materials, transportation and travel

⁸ 5th and 6th CEDAW Country Report, p. 101.

⁹ Around 2.4 million or 59 percent of the total number of children were exposed to work hazards such as those in mining, quarrying and construction work; 942,000 working children (23.4 percent of the total number of working children) suffered from work-related injuries;

In terms of physical hazards, sectors considered the most dangerous are mining and quarrying, with 92 percent of children working in these sectors perceiving it as such; construction, with 77 percent working children reporting exposure to hazards at work. Farm work and fishing are also considered physically dangerous by and for most children in these sectors.

One out of three working children had stopped studying or had dropped out of school. 22 percent of the working children who managed to attend school reported that their work seriously interfered with school performance, resulting in high levels of absenteeism, tardiness and low grades.

Child labour continues to be an overwhelmingly rural phenomenon. In 2001 it was reported that seven out of every ten working children aged 5-17 years old were residing in rural areas. The worst forms of child labour could be found in agriculture, domestic service, mining and quarrying, pyrotechnics production, deep-sea fishing, and prostitution. This was affirmed by the National Child Labor Committee as priority targets in the National Action Program Against Child Labor (NAPCL). It was estimated that there were 155,000 children who work in the worst forms of child labour in the 6 priority sectors of the NAPCL.



Figure 6: Percent of female workers to total employed workers

(By Class of Worker, October rounds)

that effectively discourages families from sending their children to school; the value system and personality of the parents. Demand factors include the cheap labour cost of employing children where they can be used as a substitute for expensive machinery and technology as in the case of deep-sea fishing and quarrying; docility and obedience of children to authority and willingness to work for low wages making them attractive to employers; entitlements to mitigated or suspended sentences make children useful instruments in illegal activities such as drug trafficking. Customer preferences for young girls make them vulnerable to prostitution. At the community level, macro- and meso- factors contribute to the increasing incidence of child labour. These include the overall poverty incidence in the community, low economic development and slow job creation, boom and bust cycles in the Philippine economy.

2.6 Profiling women workers

Many women work as unpaid family workers, as micro-entrepreneurs or as a wage worker in the service sector.

Among the employed, females comprise 41.8 percent as shown in Table 5. Notably, more than half of the unpaid family workers are women. And a third of self-employed or own account workers are women and nearly forty percent of the wage workers are women.

Table 5: Proportion of female workers to total employed, by class of worker (percent)

| Class of worker | 2000 | 2002 | 2003 |
|-------------------------|------|------|------|
| Wage and salary workers | 37.6 | 38.3 | 37.5 |
| Own account workers | 33.4 | 34.5 | 33.2 |
| Unpaid Family workers | 52.4 | 54.8 | 54.9 |
| All workers | 37.9 | 42.1 | 41.8 |

Source: NSO Labor Force Surveys, various years, October rounds

In 2006, on average, wage and salary workers comprised 50.9 percent of employed persons. This figure included those working in private households; private establishments, with pay in family operated activities and those working in government/government corporations (refer to Table 5). This rose to 53 percent in July 2007. Unpaid family workers comprised 12 percent and 11 percent in 2006 and 2007, respectively as shown in Table 6.

Table 6: Employed persons by class of worker, Philippines: 2006-July 2007

| Class of worker | 2006 | 2007* |
|---|-------|-------|
| Wage and salary workers | | |
| • Private household | | |
| • Private establishment | 50.9 | 53.0 |
| • With pay (Family oriented activity) | | |
| • Worked for government/government corporations | | |
| Own account workers | | |
| • Self-employed | 36.8 | 35.6 |
| • Employer | | |
| Unpaid Family workers | 12.24 | 11.19 |

Source: NSO, LFS, various surveys; * July round

Sex-disaggregated data by class of worker in 2006 and 2007 were not available at the time of report writing.

The female labour force exhibits a number of specific characteristics as outlined below.

Women are found mostly in the informal economy

They work as unpaid family workers or as micro-entrepreneurs. Over the last ten years, an increasing number of women have been entering the labour force, but fewer are finding gainful employment. Instead they find their way into informal employment.

Informal sector workers, or employed workers that do not receive a regular wage or salary, account for more than half of the country's employment (NSO 2003c). Between 1996 and 2002, the sector has been expanding at about 1.5 percent per year (refer to Table 7). This is slower than the growth in total employment (about 1.7 percent).

Table 7: Size of the informal sector, or total own account and unpaid family workers (in '000) by sex

| Gender of workers | 1996 | 1998 | 2000 | 2001 |
|---|--------|--------|--------|--------|
| Female | 5 442 | 5 487 | 5 314 | 6 212 |
| Male | 8 903 | 8 915 | 8 634 | 9 419 |
| Total own account and unpaid family workers | 14 345 | 14 402 | 13 948 | 15 631 |
| Percent to total employed population | 52.3 | 51.0 | 50.2 | 51.7 |

Source: Calculations from previous data

Three out of six informal sector workers are actually small farmers and unpaid family workers. Outside agriculture, self-employed workers account for 86 percent of the employed, of whom 46 percent are in sales or trading, 28 percent in petty production and seven percent in various forms of services (Illo 2002b).

According to the government's Institute of Labor Studies, the percentage of women in the informal sector rose from 39 percent in 1996 to 42 percent in 2001. In 2006, it hovered around 49 percent.¹⁰

¹⁰ The figures were obtained by simply adding unpaid family workers and the own account workers to provide an estimate.

A large portion of the growth in informal employment has come from women in self-employment. Their number has increased by 22 percent since 1996. As heavily protected industries collapsed, workers who were laid off from their formal sector jobs sought refuge in self-employment, providing them a means of economic support. Economic uncertainties in the Philippines continue to push women to the informal economy and to overseas work.¹¹

Informal sector work enables women to combine their reproductive and productive work. Work in the informal sector provides a measure of flexibility in that they are able to engage in productive tasks and such livelihood activities as vending or hawking, operating small eateries or stores, laundry or sewing at home. However, in this sector, work is often physically exhausting or uncomfortable and income is usually low or irregular. Work in the informal sector also perpetuates the multiple burdens of women.¹² It cannot be regarded as a long-term solution to the problem of under-employment.

In the Philippines, *95 percent of micro enterprises involve women*. On average, a micro enterprise in the Philippines employs roughly three people, a small enterprise has 22, a medium enterprise has 136, and a large enterprise has 593 persons.¹³

The 1995 urban informal survey reported that women accounted for at least 51 percent of operators of non-agricultural enterprises. Most of these involve traditional roles, such as sewing garments or *retaso* (surplus rags from garments industry), laundry and vending food or petty goods along the streets or in markets (Pineda-Ofreneo 1999). There is also a preponderance of women among home workers in the garments, food, footwear and other manufacturing industries. In the country, five to seven million home-based workers perform piece-rate work for the export industry and their number is growing. Most of them work under subcontracting arrangements.

Women are usually found in the service sector and petty trade

Filipino women are dominant in two broad industrial categories: trade, especially small-scale retail trade; and services, primarily in community, social and personal services.

In 2006, 36 percent of the workforce was to be found in agriculture, 49 percent of workers were in trade and services and 15 percent were in manufacturing and construction. Compare this with 1998, when about 40 percent of workers were in agriculture, 32 percent in trade or services, 10 percent in manufacturing, five percent in construction, and the remaining 13 percent in mining and quarrying and in the utilities industry (BLES 2000). Over the last 12 years, the involvement of women in trade and in services has substantially increased from 32 percent in 1998 to 49 percent in 2006.

The same pattern was noted in the October 2003 Labor Force Survey, where women outnumbered men in the education sector (75.8 percent); health and social work (76.2 percent), wholesale and retail trade (60.2 percent) and hotels and restaurants (56.5 percent).

The manufacturing workforce was 45 percent female, while agriculture was 27.8 percent female. Outside of Muslim societies that frown on women's involvement in trading, "selling" is reserved for people who exhibit "feminine" traits including those of patience, caring and nurturance. These are attributes that are viewed as important in building a core of loyal customers in the overcrowded small-scale trade sector. In large wholesale and trading firms, however, male workers outnumber women.

Meanwhile, women continue to be a minority in construction (2.0 percent), transport, storage and communication (4.7 percent), mining and quarrying (5.9 percent) and fishing sectors (7.4 percent) and electricity, gas and water sectors (18.4 percent; NSO 2003c).

¹¹ CEDAW 5th and 6th Report. pp. 100.

¹² CEDAW 5th and 6th Report. pp. 39-40, para 97 -103.

¹³ CEDAW 5th and 6th Report. pp. 100

Table 8: Employed persons by major industry group, by sex, 2002-2005, in 000s

| | 2002 | | 2003 | | 2004 | | 2005 | |
|--------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|
| | Female | Male | Female | Male | Female | Male | Female | Male |
| Totals | 11 811 | 18 440 | 12 055 | 19 498 | 11 905 | 19 836 | 1 2670 | 20 205 |
| Agriculture | 2 888 | 7 287 | 2 917 | 7 423 | 2 849 | 7 572 | 3 044 | 7 720 |
| Manufacturing | 1 312 | 1 544 | 1 371 | 1 674 | 1 335 | 1 675 | 1 403 | 1 640 |
| Others, including trade and services | 7 611 | 9 609 | 7 767 | 10 401 | 7 721 | 10 589 | 8 223 | 10 845 |

Source: Philippine Statistical Yearbook, 2006

In the Philippines, a typical service function associated with women is the provision of *domestic help*. Private households employ domestic helpers. The Labor Force Survey suggests that there are about 1.5 million household helpers working in private households in the country, contributing 13.73 percent of total wage employment in the private sector. *A majority of household workers are female*, with figures ranging from a high of 92 percent recorded in the 2002 NSO Labor Force Survey to a low of 86 percent from the 1995 survey. The estimated number of household (or domestic) workers in the Philippines ranges from a low of 600,000 to a high of 2.5 million (ILO 2004). Visayan Forum, an NGO concerned with the plight of household workers, and using the higher estimate of 2.5 million, further estimates that 1 million of these workers are children. Domestic workers tend to be very young, usually aged 15-17 years old.

Household workers endure rampant abuse and domestic work is regarded as lowly work. Common abuses include: (i) exposure to physical and psychological and sexual abuse; (ii) exposure to harmful and hazardous working conditions; (iii) low, unpaid or delayed wages; (iv) vulnerability to trafficking and debt bondage; (v) long working hours with no days off; (vi) performing multiple and all-around work; (vii) working in isolation and without support networks; (viii) lack of social security or health benefits; and (ix) lack of opportunities for education and self-improvement.¹⁴

One special group of women which were well known for labour problems, especially in the early nineties, were female workers in the economic zones. Due to globalization, and the demand for cheap and docile labour, there has been a marked feminization of employment in economic zones.

In 1998, young women occupied an estimated 73 percent of jobs in the manufacture of electrical machinery, basic metal products, transport and car parts, precision and optical products, garments, textile and leather products. Tension among workers arose during the 90s due to the imposition of overtime work in order to meet export deadlines. On weekends, women workers, mostly temporary in-migrants from other rural towns and villages, would resist being put on compulsory overtime.¹⁵

In current times, women are finding jobs in the *modern service sector* in ICT (Information and Communication Technology) based industries, especially the call centre industry (refer to text box next page). Yet, the ICT sector is highly gendered: men tend to be engaged in hardware production and maintenance and in network engineering while women are in the assembly line of electronic firms, in data encoding and word processing. Such jobs as software development, content processing and technical support services are for both men and women.¹⁶ There are attendant gender issues associated with this new employment trend: increased risk of breast cancer among women workers

¹⁴ Marilen Soliman. Make Women Matter! Women's Priority Legislative Agenda 14th Congress, NCRFW Advocacy Kit, 2007.

¹⁵ While overtime is not supposed to be compulsory, in many cases employers are able to coerce staff under threat of dismissal

¹⁶ Jeanne Frances Illo. "Gender Discrimination and labor standards: Philippines Country Report," Submitted to the Asian Development Bank and the International Labour Organization, June 2002.

Jobs, jobs, and jobs!

The cry for jobs in the Philippines has been ongoing since the early seventies when people first turned to overseas employment for want of jobs in the local economy. More than three decades later, the same plaint is heard. Thus, job fairs are mounted almost weekly.

In 2000, jobs began to emerge in the business process outsourcing sector (BPO) and particularly the call centre industry. Since then, it has become a significant activity in the service sector. The Philippines garnered 20,000 seats in 2003, increased to 40,000 in 2004.

The promise of more jobs could be had from the call centre industry. Assuming 3 persons per seat to fill a 24 hour shift, the number of jobs generated by 2004 was estimated to be 120,000, twice that of 2003. Also, the industry provides attractive salaries of \$300 – \$ 350 a month for an entry level position. It has been estimated that by 2008 the number of jobs in the BPO sector had grown to around half a million.

The call centre industry is a sunrise industry but there is competition from other countries like China. Local policies and initiatives should be designed to sustain the growth of the call centre industry.

Source: Based on "Economic Issue of the Day." Philippine Institute of Development Studies (PIDS), Vol. VI, No.5 (August 2006) and industry sources

who work the graveyard shift in call centres; hazards due to unorthodox working hours; reproductive health problems faced by female employees in producing IT component parts, such as microchips as well as marginalization of women in decision-making, male domination of ownership and control of assets and properties related to new ICT.¹⁷

Women comprise half of overseas Filipino workers

In 2007, the Commission on Filipinos Overseas reported that the number had swollen to *9 million Filipino migrant workers*. Some 1.6 million had been deployed as new hires from 1995 to 2001.

The majority of these are women, of whom 45 percent were in domestic service and 33 were professionals, mostly as entertainers bound for Japan. A number went to Taiwan and Korea as factory workers. The main destinations of female domestic workers were Hong Kong (46 percent), the Middle East (38 percent), and Malaysia, Singapore and other countries (16 percent). In contrast, most of the men (67 percent) were deployed as production workers. All of the sea-based Filipino workers (OFW), who accounted for 32 percent of all OFWs in 2001, were males.

The 2005 survey showed that 55 percent of the women who went abroad for work are labourers and unskilled workers, while 26.6 percent of their male counterparts worked in trade and related work and 26.6 percent worked as plant and machine operators/assemblers. (2005 Survey on Overseas Filipinos, NSO). Overall there is a growing trend for professionals to seek employment overseas. This is most noticeable in health care such as nursing where major schools and colleges are now training students—especially females—for careers overseas rather than within the local economy.

Women dominated the government service, mostly at the second-level career positions

There were 1.48 million government workers as of the year 2004. Women dominate the government career service as they comprised 58 percent of career personnel in that year. In non career posts only 37 percent were women. Similarly, in 1999, women formed 55 percent of career and 36.5 percent of non-career positions as shown in Table 9.

Although women occupied almost three-fourths of second-level career posts they are outnumbered among decision makers (career third level and non-career executives) and higher paid employees. They also accounted for a small percentage of elective officials (refer to Table 10) (BLES 2003d).

¹⁷ Jeanne Frances Illo. "Women's Economic Empowerment," Country Gender Assessment, 2008. (courtesy of ILO)

Table 9: Distribution of government personnel in the career service, by gender and level of position

| Level of position | Both sexes | Male | Female |
|----------------------|------------|------|--------|
| Total | 1 250 510 | 45 | 55 |
| First level | 521 428 | 65 | 35 |
| Second level | 709 429 | 28 | 72 |
| Third level | 4 981 | 65 | 35 |
| Non-executive career | 14,672 | 90 | 10 |

Source: CSC Government Personnel Inventory, 1999. www.gov.ph. In Gust, p. 62

Table 10: Women's participation in elected positions

| Position | Total No. of seats | Total seats won by women | Percentage of the seats |
|------------------|--------------------|--------------------------|-------------------------|
| Senator | 24 | 2 | 8.3 |
| Representative | 208 | 20 | 9.62 |
| Governor | 78 | 13 | 16.67 |
| Vice-Governor | 78 | 9 | 11.54 |
| Provincial Board | 722 | 93 | 12.88 |
| Mayor | 1 607 | 233 | 14.50 |
| Vice-Mayor | 1 607 | 174 | 10.83 |
| Councillor | 13 146 | 2 139 | 16.27 |
| TOTAL | 17 470 | 2 683 | 15.36 |

Source: National Commission on the Role of Filipino Women and NSCB, 2004

2.7 Analysis and conclusions

The overall picture that emerges in the Philippine labour market is that jobless growth in the country has intensified problems of unemployment with more jobless men and unemployed youth who are now of working age. Perhaps, men's joblessness is driving more women to actively look for work as evidenced by their higher labour force participation rates. It would seem that women have become the "coping mechanism" for households with jobless men by: (i) increasing their labour force participation; and (ii) introducing a trend whereby previously unpaid female family workers in family income-earning activities would now look for paid jobs and engage as domestic helpers or informal sector workers. More jobless men in the future could intensify the feminization of migration and informal employment (including the self-employed) which often serve as the primary outlet for female workers.

Significantly, the gender gap in worker participation has narrowed. But this does not necessarily imply that the economic situation of women has improved. The main problem lies in the severe lack of job opportunities in the country and this is a problem that affects men and women alike.

In other words, access to jobs is as much a problem for men as it is for women. The pace of job creation is extremely slow compared to the number of people looking for work. Even in times of relatively high economic growth, jobs have not grown. The key concern is how to create more jobs. Actions related to this are discussed in chapter 4.

Gender biases in the labour market are manifested in those sectors and occupations where women are found. For example, women are often engaged as domestic helpers while men become seafarers; men are machine operators, women are the clerks. Women dominate clerical, sales and service positions.

In October 2003, as before, there were more women than men among the professionals (67.4 percent), clerks (66.1 percent), and government officials, corporate executives, managers,, proprietors and supervisors (55.7 percent; NSO 2003c).

There were also slightly more women than men among service workers (50.2 percent). Their college education or technical training has helped them secure jobs as teachers, nurses and midwives, positions that are classified under “professionals” but may also be viewed as extensions of women’s gender roles.

In comparison, male workers were engaged in occupations traditionally seen as being “masculine”—occupations that required physical strength. Hence, women are a minority among machine operators and assemblers (8.9 percent), farmers, fishers and forestry workers (15.1 percent), trade and related workers (26.1 percent) and labourers and unskilled workers (44.3 percent).

Gender based disadvantages can be heightened by other factors such as ethnicity and marital status or family responsibilities which contribute to further marginalization of women in the labour market. Some examples:

- *Gender intersects with ethnicity:* The impact of cultural norms on women’s economic involvement in the workforce becomes apparent by considering the employment rates for two regions. In the Cordilleras, various cultures (including the *Kalinga, Kankanaey and Ifugao*) allow women great mobility and involvement in mining, agriculture and trading, in addition to a variety of micro-enterprises. A number of women have moved with their families to Baguio City and other places, to ply their trade, beg, or embark on new livelihood (Josef 2002). All this active economic participation is reflected in an employment rate as high for women as it is for men. By contrast, in the Muslim regions, the reported female unemployment rate is much higher that of the men.
- *Gender intersects with marital status and family responsibilities:* Women choose jobs that enable them to attend to family concerns such as looking after dependent children ailing and aging relatives. *Women with family responsibilities* have less time for after-office socialization. In general, women’s work options are limited by these responsibilities. The greater burden of harmonizing work and family conflict falls on the women. The gender division of labour puts the onus of child care and family responsibilities on women which impacts on their labour force participation.

Evidence of this is cited in a study¹⁸ which observed that “in 2003, there were more married men than women in the workforce (a ratio of 1.77 to 1). In 2002, there was a 32.9 average percentage point difference in the labour force participation rates of men and women in the 25-34, 35-44, 45-54 age cohorts, the ages in which they are likely to be married and raising families.” Similar trends were cited based on a National Demographic and Health Survey: twice as many married men than married women were employed at the time of the NHD Survey, 89.2 percent versus 47.9 percent and mimics the labour force participation rates. The difference in the number of employed divorced/separated women and men is smaller (66.8 percent versus 71.5 percent) and employment trends for both sexes increase as the number of children increases.¹⁹

¹⁸ Nathalie A. Verceles and Sylvia N. Beltran. Reconciling Work and Family, Philippine Country Study, 16 December 2004, pp. 47 and 51.

¹⁹ Amaryllis Torres. Power Point Presentation, Marginalization of Women with Family Responsibilities in Paid Employment, Tagaytay, Philippines, 22 November 2007.

The existence of the work-family conflict was found to be highest among those in middle management formal sector positions. The extent to which the work-family conflict is mitigated, with respect to the work component of the conflict, is dependent on the enforcement of existing labour laws and on the amount of quality of worker- and family-friendly welfare benefit provisions that can be included in their CBAs.²⁰ In the informal economy, the work-family conflict is severe for the poorest of workers primarily due to insufficient earnings. With very little capital, low technology and/or skills resulting in low productivity and earnings, the pressure is intense.

Women tend to be absorbed to a greater extent than men in service and informal activities. These are activities which are known for their low productivity, low pay, poor working conditions, and long work hours. These are usually the more invisible and unmonitored sectors. Coupled with the reproductive and care giving activities of women, these multiple burdens may lead to work overload and deteriorating conditions for women workers. Furthermore, the available jobs in the service and informal sectors are usually casual, subcontracted and unstable where product or service demands are volatile. Neither job security nor stability is widespread. These jobs are also very prone to overdependence on monopoly traders, firms and subcontractors for access to markets, credit, technology, job security and overall working environment. Control of the women over their working environment and conditions are minimal.

So to answer the two questions posed at the start of this chapter we conclude that employment **patterns manifest gender-based marginalization** due to gender stereotypes and the multiple burdens carried by women, particularly, having to balance their reproductive roles with work responsibilities.²¹ These social biases put women in work that does not pay well, if at all; work that underplays or underutilizes their capacities and work that is burdensome or mere extensions of their stereotype domestic roles such as being a domestic helper. There is no equal access and the availability of decent jobs as well as having equal access to such jobs are continuing challenges for both women and men, and more so for women.

3 Gender discrimination at the workplace

Marginalization in employment patterns have been clearly described in chapter 2 as shown by gender differences in employment and occupational segregation.

Gender biases take the form of marginalizing and/or discriminating against women; channelling women into stereotype occupations that are insecure and which pay low wages; as well as those that perpetuate and even intensify the multiple burdens of women, i.e. reproductive and productive functions and outright violation of women workers' rights. We have seen that globalization has compounded this problem as employers search out cheap and docile labour.

In other words, discrimination in the labour market may be subtly expressed and may take the form of direct or indirect discrimination. This chapter will focus on gender discrimination, among the other manifestations of gender biases, as well as the representation of women in labour market governance institutions.

Gender related deficits at the workplace can be grouped into three clusters as follows:

Cluster 1: Access to decent jobs

- Youth unemployment and young male unemployment is growing; (this has been discussed already in chapter 2);

²⁰ Verceles and Beltran, p. 71.

²¹ Manifestations of gender biases are essentially in five forms: marginalization, discrimination, stereotypes, multiple burdens and oppression / exploitation

- There is only limited access to productive resources by own account, self-employed workers, especially in the informal economy and those in micro-enterprises; and
- There is a need to remove constraints to workforce participation by women by (i) expanding the coverage of maternity protection to the informal economy; and (ii) facilitating the ability of women to balance work and family responsibilities and perform their reproductive functions such as child care; (the latter was discussed in chapter 2).

Cluster 2: Access to decent conditions of work

- Gender-based wage differences;
- Lack of social protection coverage for the “unreached” sectors, especially women workers in the informal economy;
- Sexual harassment at the workplace and occupational health and safety hazards and risks affecting women in domestic and overseas women workers, including physical and sexual abuse of domestic helpers;
- Exploitation and abuse of migrant workers; and
- Emerging risks and hazards of new jobs in a global regime still need to be detected and understood.

Cluster 3: Increased participation and influence in labour market governance

- There is a low level of representation of women in labour market governance bodies.

These are described below by sector, i.e. (i) the private sector and its sub-sectors; and the (ii) public sector. A major source of information is an ILO sponsored study on *Equality at Work* that was undertaken in 2006.

3.1 Gender discrimination in terms and conditions of work

We will discuss in turn the conditions that prevail in the private and public sectors and the forms of discrimination that exist in each.

3.1.1 Gender discrimination in the private sector

Women workers in the informal economy and microenterprises

Non-recognition of women’s unpaid work as unpaid family workers and workers in the informal economy has been a continuing concern and advocacy of feminist scholars and women’s organizations such as the National Network of Home-based Workers in the Philippines, locally known as PATAMABA. This is an ILO supported organization of workers in informal employment. The informal sector has provided close to 80 percent of the total employment in the country for the last two decades, if one includes women’s paid work and unpaid housework in the estimate, a clear illustration of the capacity of the informal sector to absorb an ever-increasing labour force. It is estimated to have contributed 45 percent on the average of the country’s GNP from 1987 to 1993 (ILS 1994). It may be viewed as a seed bed for entrepreneurship that can spur economic development. Despite its poor condition, it possesses a strong potential for enhancing equity and economic growth because of its ability to innovate.

There is a need to pay attention and recognize women’s unpaid work, especially those aspects related to her reproductive functions such as household management and domestic chores and child rearing. Women’s reproductive roles increase their health risks, limit their access to paid work, channel them into more precarious types of employment, undermine their access to social protection and intensify their risks of exclusion.

Discrimination, what is it?

Discrimination is defined as any distinction, exclusion or preference based on race, colour, sex, religion, political opinion, national extraction or social origin which nullifies or impairs equality of opportunity or treatment in employment or occupation. In other words, discrimination at work is a difference in work-related treatment or opportunity for which there is no objective or legitimate justification. For example, evidence of productivity or prior qualifications related to the inherent requirements of a job may be a legitimate reason to pay one person more than another one. (Convention 111 (1958))

Direct discrimination exists when unequal treatment between workers of different race, colour, sex, descent or origin are paid different salaries for the same job or a job of equal reality and in practice—known as de facto.

For example, many employers are reported to be reluctant to employ women with family responsibilities because of the perceived higher costs of women due to their unpaid household and family responsibilities, because these are considered to lead to higher absenteeism of women, less ability to work overtime and lower commitment to, and interest in, work. These perceptions are not backed up by hard evidence and have proven to be invalid in many situations but they still shape the labour market experiences of many women.

Indirect discrimination refers to rules and practices which appear neutral but in practice lead to disadvantages primarily suffered by persons of one sex, race, colour or other characteristics. For example, setting requirements such as weight and height for managerial or secretarial jobs may be irrelevant to job performance; and if such requirements can be met by typically one sex, race of colour, then this would be a case of indirect discrimination.

Indirect wage discrimination could happen when existing job classifications and job grading systems undervalue female jobs or tasks. For example, caring and multi-tasking skills in domestic work may go unrecognized and un- or under-valued.

Source: Haspels, Neileen and Majurin, Eva. Research Guide for In-country Action. Equality Between Men and Women at Work: Pay Equity and Maternity Protection in East Asia, ILO, November 2007.

Through study and research programmes, it is important that women's contribution to the economy be quantified and incorporated in the national system of accounts. In this regard, ILO could support some of the initial research on unpaid work and time use that was done under the UNDP supported Asia Pacific Programme on Gender Equality (APGEN) in the late nineties. That study found:

1. Workers in the informal economy generally suffer from irregular employment, low income, and unsatisfactory terms and conditions of work including non-entitlement to social security benefits. They are exposed to a wide range of hazards, to exploitation and discrimination.

Unlike those in the formal sector, they are not covered by inspection, preventive services or enforcement. In recent years, assistance from the ILO, UNDP and bilateral sources has enabled Department of Labor and Employment (DOLE)/OSHC to develop and test methods of intervention on which expanded services to the informal sector, in particular women and children, could be based.

Limited access to credit and lack of social protection is the common lot of workers in the informal sector, mainly because a great number of the workers are self-employed or otherwise engaged in marginal activities. In cases where a semblance of employer-employee relationship exists, there are often no formal contracts, but only verbal agreements on the work terms and conditions, as is usually true for subcontract workers and home workers.

2. Women in Micro-enterprises face a number of access issues that obstruct their creation and development of their enterprises. Access issues faced by women in micro enterprises in the Philippines include the following:²²
- *Preference for small and particular types of enterprise.* Among women micro-entrepreneurs, low capitalization of their enterprises is partly due to a preference of women to keep their operations very small, so as not to interfere with the care of their home and family. Among the micro-businesses, small stores are much preferred because they produce constant streams of income which smooth out consumption demands on borrowers who have less command on joint household resources. In a survey of the informal sector, 62 percent of the women were found running stores or selling beverages and other drinks; 24 percent were operating cafes and other eating and drinking places and in various personal and household services; and six percent in textile and garments, serving principally as subcontractors. Men, on the other hand, were more mobile and were, thus, able to engage in a wider array of business, although a large number of them were in trade (39 percent), operating transport facilities (21 percent), and offering repair services (9 percent). The nature, scale and overcrowding in women-dominated activities have been found to result in much lower monthly earnings relative to businesses controlled by men.
 - *Limited loan amounts and lack of access to collateral.* Many women entrepreneurs access credit from micro-financing windows of government and non-government organizations (NGOs). The loans are small because they are not collateralized. Regardless of type of financial institution or credit programme, loans to women are generally smaller in amount compared to those secured by men.²³ Access to a higher loan amount is contingent on ownership of real estate that can be offered as a collateral, and not many women own land.
 - *Non-financing needs.* Women entrepreneurs in micro as well as those in small and medium enterprises lack awareness of product standards, improvements in technology, and available services from government, business service or industry organizations, and other private groups. They may also not have access to social and business networks of their male colleagues.
 - *Gender stereotyping in skills training and product-related services delivered to women.* By the end of 2003, at least 30,003 entrepreneurs had gone through the Department of Trade and Industry's (DTI) various training programmes, of which 61 percent were women. Participation in these training courses, however, seems to have been gender-biased. Women outnumbered men particularly in specific training programmes offered (70 percent)—dressmaking, flower making, bag making, holiday décor, novelty items, homemade paper, food processing, handloom weaving, basketry and pottery—but not in training related to the construction industry (23 percent) or product design (47 percent). Similarly, women accounted for 60 percent of the 15,200 clients of non-training services of the Department. Because the training and non-training services are generally open to people in SMEs, it appears that women entrepreneurs have been more aggressive than men in accessing them.²⁴
 - *Lack of gender-related information, particularly in value chain analyses.* The absence of sex-disaggregated data and gender-related information about the involvement of micro-enterprises in value or supply chains, and the needs and services the entrepreneurs are

²² CIDA, SEED Gender Equality strategy, 2006.

²³ NCRFW, Report on the State of Filipino Women, 2001-2003; IFC, Gender Equality Strategy, 2005.

²⁴ NCRFW, 2004.

getting has constrained policy advocacy and planning to improve financial and non-financial services to micro-entrepreneurs.

- *Limited access to markets and market information.* Micro and small businesses generally supply goods and services to their immediate community or nearby markets. Market linkages involve joining trade fairs, organizations and networks. Women entrepreneurs who have home responsibilities are constrained from participation in these activities, while those with micro-enterprises may not have the wherewithal to meet bulk orders.²⁵ Meanwhile, those who engage in production subcontracts may not have adequate product or market information to help them expand or diversify, or negotiate for better terms.

Wage and salaried women workers

Gender equity concerns exist at the workplace brought about by individual practices of employers and work institutions. In general, discrimination is still caused by individual decisions of employers in their attitude and on evaluating employees rather than a purposive company policy.²⁶

Gender biases in employment processes include the following:

- *Recruitment biases.* Gender biases are manifested in the process of recruitment, Gender stereotypes persist: males and “straights” (heterosexuals) are preferred in jobs that are in manufacturing which require brawn; males do not get pregnant, gays are perceived to be “flirtatious.”
- *Employment statistics reveal gender segregation.* For example, women are recruited in large numbers in the hotel and restaurant industries for lower paying jobs at the service levels, but it is rare to find women in the higher echelons of authority. A similar pattern appears to prevail in department stores. In semiconductor production (with an 80–90 percent female labour force), mostly young and unmarried women are recruited for low-paid routine work under tough working conditions, and they are more often than not under the supervision of Filipino or expatriate men (Gust, August 2006: p 52).

The concentration of women workers in certain industries or occupations may be linked to gender based choices of college training or career, as well as to “pre-employment sex discrimination,” as evident in sexist job advertisements (Morada and Santos 1998). Between 1975 and 1995, the Bureau of Labor and Employment Statistics noted a general decline in the proportion of discriminatory print ads, especially during the 1978–1985 period; but observed, as well, a strengthening preference for female accountants and male waiters.

In fact, there also seemed to have been reversals in gender bias. In 1975, for instance, employers wanted male accountants and female cooks. Twenty years later, they were advertising for female accountants and “male chefs.” For other fields, gender biases persisted. Females continued to be preferred for some posts: cashier, secretary, nurse, teacher, waiter, and weaver.

The gender bias seems to rest on employers’ notion of women as (more) trustworthy, honest, meticulous, and patient. Like the garments’ industry of the past, semiconductor and electronics firms reportedly prefer young women because they “settle for low wages, their fingers are nimble, and they are patient and docile (Aganon 1999: p. 71). “Preferably male” notices were noted for the following



Figure 7: An example of indirect discrimination

²⁵ Lucy Lazo, personal communication.

²⁶ Joey Molina, Training Consultant and ECOP Representative to the National Workshop on Work, Income and Gender, ILO Sub-regional office, Tagaytay, Philippines, 22 November 2007

occupations: driver, messenger, mechanic and safety guard. As women engineers increase and more women perform well as managers, the bias for men in these fields has not been as rigid as before. *Such an easing up of employers' gender biases is expanding job opportunities for both women and men.*

These gender biases in the employment process may be summarized as follows:

1. *Promotion biases:* The proverbial “glass ceiling” for women has remained. Women are bypassed in promotion and are therefore under-represented at senior levels in the private, public sectors, in the judiciary, academe and even in elected positions (from councillor to senator). A number of reasons why women are bypassed have been identified as follows:
 - During their formative years, women receive less investment that would qualify them for promotion;
 - Because of occupational and industry segregation, women largely compete among themselves for relatively few jobs with lower pay, have less job security and limited opportunities for advancement;
 - Women are concentrated in occupations with limited career prospects such as teaching, nursing, manufacturing, etc. (gender stereotyping);
 - In their 30s and 40s, when major strides are being made in individual careers, women have to divide their energies between work and domestic demands (multiple burden); and
 - Men receive preferential treatment based on perceptions of them as actual or potential breadwinners, better leaders, workers, decision makers or other qualities unfounded in evidence.” (Gust, August 2006:60)
2. *Termination biases:* There are no statistics on discriminatory termination but there are anecdotal reports that it does happen. Gust (2006) noted that an unknown number of the several thousand cases of termination handled annually by the labour justice system may contain elements of discriminatory termination. He cited two cases which suggest that employers sometimes claim legitimate termination for “just cause” such as serious misconduct, fraud, disobedience, etc. when in reality the reason given serves as a cover-up for discriminatory termination on grounds of sex and sexual harassment. In one particular case, the employer had fired a female employee (a nurse), allegedly because of gross and habitual neglect of duty, serious misconduct, fraud and wilful breach of confidence. In its decision, the Supreme Court took into account the fact that the employee had only refused to carry out assignments not related to her regular work and that the employee had been sexually harassed by the employer. In yet another case, the employer had terminated a female employee for “dishonesty”, despite her good performance, when the company found out that during her employment she had married and borne a child without informing the firm. The Supreme Court ruled in favour of the claimant, taking the dishonesty charge as a pretext for dismissal and that the company had in fact a policy discriminating against the employment of married women.
3. *Training biases:* Gender stereotyping and job segregation still exist in the sector of technical, vocational and educational training. However slow, there is a continuing process and concerted efforts to break the exclusive enrolment of males in so-called hard trades and similarly of females in so-called soft trades with the view to expanding occupational mobility of women and breaking gender-based job stereotypes (reply to the Conference Committee on Application of Standards, ILO, 2006).

Evidence exists that there are equal opportunities for both men and women in vocational training. In 2005, out of 775,588 graduates of non-school based TVET programmes, 334,101 (43 percent) were men while 441,487 (57 percent) were women. For school based graduates, out of a total of 204,713 graduates, 101,127 (49 percent) were women while 103,586 (51 percent) were men.

However, assessment and certification processes revealed gender disparity in the “quality” of the graduates of skills training: of 223,984 graduates who were assessed, overall, only 48 percent passed the certification standards. Of those who were certified, only 18 percent (20,011) were females and 82 percent (88,350) were males.²⁷

Gender biases in terms and conditions of work

There are biases too shown in the manner in which conditions of work differ for male and female workers. These biases are most evident in terms of differences in wage and salary scales, hours of work, access to non-regular work, night work, overtime, occupational health and safety concerns, maternity protection and sexual harassment.

a) Gender differences in wages

The Labor Code provides for the payment of minimum wages to workers. However, this is not necessarily applied in practice.

Male executives, management, supervisory, rank and file receive higher pay than their female counterparts. Female executives and rank and file employees receive slightly higher increases than their male counterparts. However, more company initiated tailor-fitted benefits e.g. menstrual leave, day care centres and loans are provided for females.

Table 11: Wage differentials

| Category of workers | Monthly earnings | | Variance | |
|---|------------------|--------|----------|--------------------------|
| | Men | Women | Actual | Percent of male earnings |
| Manager and Executives | 18 848 | 15 778 | 3 070 | 16.3 |
| Agriculture, Fishery and Forestry Workers | 3 089 | 2 145 | 674 | 21.8 |
| Production and Construction Workers | 5 414 | 4 454 | 960 | 17.7 |
| Other Paid Employees | 6 142 | 6 013 | 129 | 2.1 |

Average Monthly Earnings of Women and Men in Establishments Employing 10 or More Workers

Source: National Commission on the Role of Filipino Women, 2004

Table 11 shows gender-based wage differences in the formal private sector. Some of these wage differentials may be due to the fact that most men and women are working in different jobs at different levels, although part may be due to discrimination—lower pay for women for work that is equal in value to work performed by men. Only an analysis and comparison of the job contents in individual cases could give a more precise picture of the actual wage differential due directly to discrimination. In the informal sector, most workers are paid well below minimum wage levels; with women receiving even less than male workers and, as family workers, not receive any remuneration at all.

Philippine female workers in the private sector receive between 16 to 21 percent less pay than their male counterparts for work of equal value, with the lowest wage gap occurring at the managerial and executive levels (16.3 percent), as well as in production and construction (17.7 percent). The difference is highest among male and female workers in agriculture, fisheries and forestry.

The relatively narrow wage gap at executive levels may be due to several factors. First, occupational segregation limits women’s access to top level jobs and those that break through the glass ceiling are

²⁷ Philippine Government’s Report on Ratified ILO Conventions (2006), Convention 111, p.3.

highly skilled and motivated—perhaps able to negotiate and secure wages equal to those of men. Second, at the executive level, remuneration often takes the form not only of wages but also company prerequisites such as bonuses, provision of transportation and drivers, cellular phones and so on. Finally, the amendment in 1989 of the Philippine Labor Code prohibiting female discrimination in employment (RA No. 6725) may be helping to protect educated women in the formal sector.²⁸

Regional tripartite and wage boards have been established as the mechanism for wage determination that takes into account differences in cost of living in various geographic regions of the country. Cost of living allowances, holiday pay and one-month bonus have been won through negotiations with government and employers. Additional compensation has been included in collective bargaining agreements. But according to government labour inspection reports, at least one fifth of establishments routinely violated the minimum wage law: 19.6 percent of the 77,849 inspected in 1995; 25.5 percent of 37,080 in 1998 and 26.4 percent of 33,914 in 2001 (BLES 2003d) There is no information on how these violations impact on women and men.

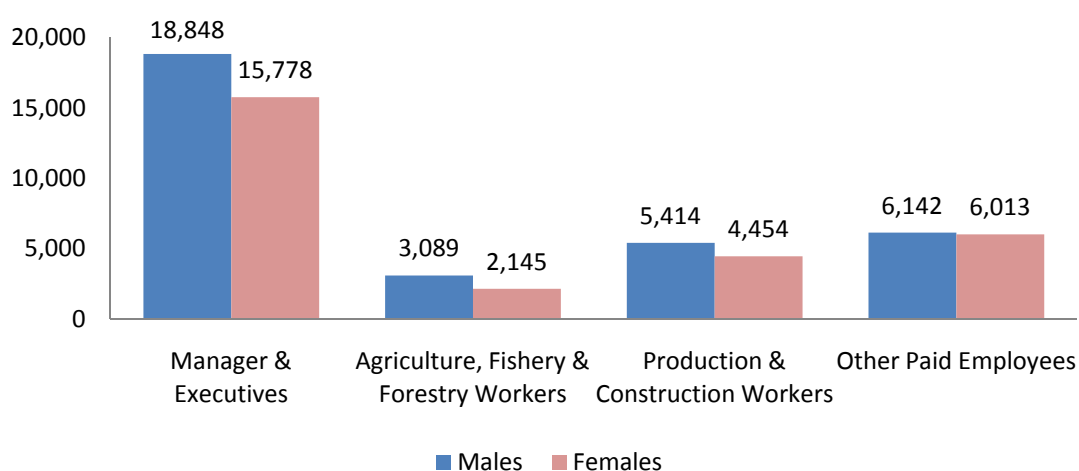


Figure 8: Wage differentials between males and females (pesos per month)

b) Gender differences in hours of work

Regular full-time workers in the Philippines put in at least 40 hours of work a week. Workers who are paid per piece or per hour of actual work, as well as unpaid family workers and own account workers keep variable hours. Many work beyond the 40 hour norm.

In the late 1990s, domestic service workers worked the longest hours. Urban women kept the longest average hours in a wage job or enterprise; rural women, the shortest. The gender gap in working time was largest in rural areas where work in the field or a rural enterprise was sporadic and far between (Table 12).

When home production time was factored in, women’s average leisure time was shorter than that of men by an hour in rural areas and two hours in urban areas (Lim 2000). These differences in home production time continue to create problems for women.

²⁸ Gert Gust, *Equality at Work: Philippines*, ILO, August 2006, pp. 24 and 54.

Table 12: Mean weekly hours worked by rural and urban workers, by gender of workers

| Location | 1995 | | 1996 | | 1997 | | 1998 | |
|----------|--------|------|--------|------|--------|------|--------|------|
| | Female | Male | Female | Male | Female | Male | Female | Male |
| Urban | 46.7 | 45.5 | 47.2 | 45.9 | 46.8 | 45.7 | 46.6 | 44.8 |
| Rural | 35.9 | 39.8 | 34.6 | 39.1 | 35.5 | 39.1 | 36.1 | 38.5 |

Source of data: October survey rounds

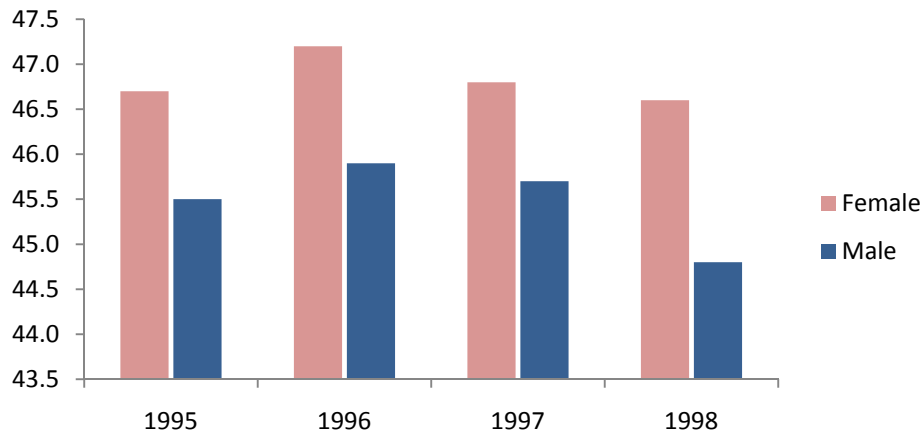


Figure 9: Average hours of work per week by gender in urban areas

There continues to be more part-time workers among the women than among the men, although the gender gap has narrowed over the years. Part time workers or those working less than 40 hours a week, accounted for 34 percent of all employed workers in 1998 and about 35.4 percent in 2003 (Table 13). They increased by an average of 6.1 percent between 1998 and 2002 or roughly double the growth rate of the employed population (BLES 2003b).

Sex discrimination in economic zones

The Philippine Constitution and labour law prohibit all forms of discrimination against women workers; despite these strong provisions, various forms of discrimination against women workers have been observed in Economic Zones of the country.

Men are often employed as regular workers with job security whereas women are mostly casuals in the production line. While some firms are putting women in supervisory positions, managerial and technical jobs are largely the preserve of men.

Wage inequality is another issue. Men are usually paid higher wages for work of equal value in the belief that men are the breadwinners. Mostly young female workers are being recruited for assembly work because they are believed to be able to accept low-paying jobs. There are also reports of cases of dismissals of pregnant women or lays-off of married women to be replaced by single women.

Excerpt from: Gust, Gert. Equality at Work: Philippines, August 2006, ILO:26)

Source: Abigail dela Cruz and Cheryl Rose Orata. "The Issues of Filipino Women Workers in Philippine Export Processing Zones," UP Solair, 2001 (unpublished term paper)

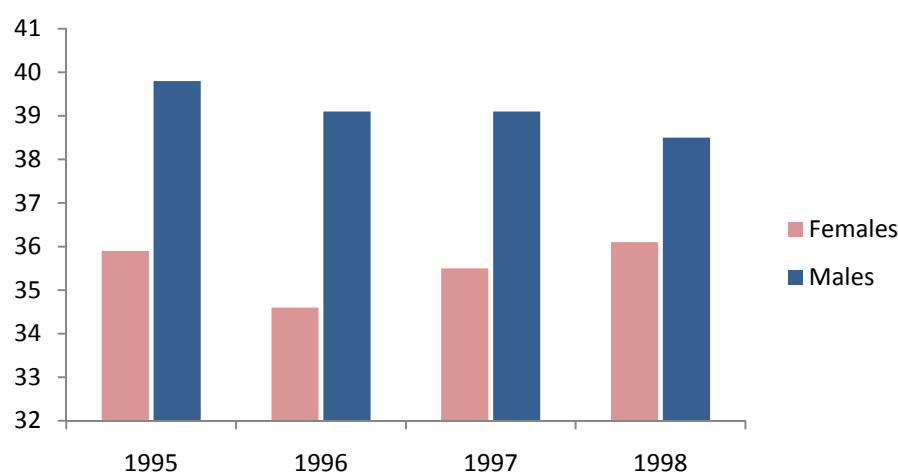


Figure 10: Hours of work per week by gender in rural areas

Table 13: Selected statistics on part-time workers

| | 1998 | | 2000 | | 2002 | |
|------------------------------------|--------|--------|--------|--------|--------|--------|
| | Female | Male | Female | Male | Female | Male |
| Total employed population (in 000) | 10 608 | 17 653 | 10 516 | 17 258 | 11 812 | 18 439 |
| Percent part-time among workers | 34.0 | 30.8 | 33.6 | 31.8 | 37.9 | 36.9 |

Source of data: October survey rounds

c) Part-time, casual or contractual work

Non-regular employment in the form of part-time work, casual work or contractual work is permitted under the law but it is often abused and used to avoid granting regular employment to workers “engaged to perform activities which are usually necessary or desirable in the usual business or trade of the employer.”

Women tend to be affected by this more than men, at least in certain occupations. Typical cases of discriminatory contractual labour are the sales staff in department stores that are employed on consecutive five-month contracts, with breaks of one month in between each contract—an arrangement that serves as a barrier to regular employment. Even though such sales persons do the same type of work as their regular female and male co-workers, they receive lower pay and work under substandard conditions. The problem is more acute among female workers.

Similarly, women in the economic zones tend to work under less stable and favourable contractual arrangements than men, who are given preferential treatment as “breadwinners.”²⁹ Gust observed that working conditions of young women workers in the Economic Zones conform to the minimum provisions set by Philippine Labor Law. But there is still much room for improvement in the areas of

²⁹ Gert Gust, *Equality at Work: Philippines*, ILO, August 2006, p. 54.

wages and benefits, employment security, training and career prospects, occupational safety and health and freedom of association.³⁰

d) Night work

Except in specific circumstances, night work for women is prohibited under the Labor Code. Compliance with this standard cannot be ascertained but government has begun to respond to this issue. This prohibition is discriminatory to women especially in the light of current trends for numerous women to be employed in the call centre industry. As contact agents, they need to work at night to be in touch with their clients during the day time in other parts of the world. Repeal of night work prohibition is now the subject of three bills in the House of Representatives.

e) Forced overtime

Sometime in the eighties, forced overtime in export firms at the Bataan Economic Zone³¹ became a major issue. Currently, women workers in the Cavite Eco zone have cited low pay, excessive salary deductions, forced overtime, high production quota and lack of incentive as their key issues. Other issues include poor ventilation, no union policy, unpaid overtime work, non-remittance of Social Security System (SSS) payments, non-regularization as well as sexual harassment, difficulty in availing of maternity leave and issuance of doctor's certificate, and gender bias in promotion.

The women further cited work-related health problems; over-fatigue, migraine and headaches induced by lack of sleep resulting from too much overtime work. Blurred vision, respiratory illnesses and accidents were believed to result from poor working conditions. While companies were supposed to maintain company doctors, they seldom visited and when they did, women were not given time to consult with them due to long hours of work or short breaks. Additionally, family planning services were also not adequately provided, in violation of the Labor Code. Only seven percent of the firms were unionized and employees were not given the chance to participate in decision making, which made it difficult for them to air their problems.³²

f) Occupational safety and health (OSH)

Current statistics do not show gender-based differences in OSH. However, there is reason to believe that women are more exposed to OSH hazards and/or discrimination in certain occupations where women are highly represented. This is the case in manufacturing (80-90 percent), in the semiconductor industry, in teaching (90 percent), in sales, entertainment, hotel and restaurants.

Documented OSH issues pertinent to women include the following:

- Exposure to lead and solvents in the semiconductor industry has been associated with spontaneous abortion and the Steven Johnsons Syndrome;
- Stress in teaching leading to heart disease and cardiovascular accidents as evidenced by GSIS and ECC claims;
- Sleep disorder and other health problems related to night work; and
- Exposure to pesticides in plantation work.

³⁰ Ibid, p 26.

³¹ Throughout the country there are four eco-zones, 34 private eco-zones and nine information and technology parks and buildings nationwide, all of which are under the managerial charge of the Philippine Economic Zone Authority (PEZA). In 2003, these ecozones employed 907,127 workers, 80 percent are women employed in garments and textiles, food and beverages processing, wood manufacturing and electronics.

³² CEDAW 5th and 6th Country Reports, 2006, p. 99.

In 1995, in plantations in Mindanao some 3,000 to 5,000 workers were reportedly affected by pesticide poisoning. A class suit was filed against the erring agribusiness firms. The latter opted for an out of court settlement.

A widely publicized example of discriminatory gender-specific OSH hazard exposure occurred in the year 2000 with the outbreak of Stevens Johnson Syndrome (SJS) among Filipina workers at electronic plants employing large numbers of women in Taiwan³³ and the Philippines. Multiple symptoms resembling third degree burns, hepatitis, fever and a general depression of the immune system of several dozen afflicted women resulted in the death of five victims, with others suffering from after-effects.

g) Maternity protection

An important issue for women is their maternity protection at the workplace. By law, maternity leave of 60 days is granted to women giving birth (see chapter 4). But there is scope for improving this provision in light of the WHO recommendation to have a minimum of six months to breastfeed a newborn baby. Current maternity benefits imply that a lactating mother would have to go back to work while her breastfeeding functions are ongoing. Conventions on maternity protection at work provide for paid nursing breaks. Employers would then have to provide appropriate facilities for breastfeeding mothers.³⁴ The cost to employers, many of whom are operating in marginal conditions, needs to be taken into account. This issue is possibly best considered as part of a package of overall productivity enhancements.

Many women workers in the informal economy are not covered by maternity protection due to their inability to pay the costs of membership and regular premium contributions.³⁵

h) Sexual harassment at the workplace

In manufacturing, sales or entertainment, where women are especially concentrated, there have been reports of discrimination against female workers on the basis of marital status, pregnancy, sexual harassment or the absence of child care facilities at the place of work to which they are entitled under the law.

A survey of 334 Filipino firms revealed that 17 percent had records of sexual harassment cases brought against them.³⁶ The figure may be higher, however, as victims tend not to report the crime (DOLE 2002). Much remains to be done in terms of raising awareness, developing workplace policies and procedures, providing training to managers, and offering counselling to victims.³⁷

Women in overseas work

In the case of overseas workers, the most common cases of gender discrimination are to be found in contract violation on the part of employers, wage discrimination and occupational health and safety concerns.

³³ See for example <http://www.pubmedcentral.nih.gov/articlerender.fcgi?artid=1447769> (accessed 20th September 2008)

³⁴ Email communication from Naomi Cassirer to Hilda Tidalgo, 5.6.07

³⁵ Mary Ann Evangelista, Extending Maternity Protection to Women in the Informal Sector, The Case of the Philippine, First Draft, no date, p. 25 of 32.

³⁶ Based on filings

³⁷ CEDAW 5th and 6th Country Reports, 2006, p. 46.

a) Contract violations

Contract violation or contract substitution includes actions that reduces OFWs' salaries and inflict poor working conditions, imposes work conditions in violations of local laws, and—for women workers especially—vulnerability to physical and sexual abuse. Domestic helpers in Singapore and Malaysia complain of insufficient food and/or too much work leaving little time to rest, prohibition of use of the telephone or socialization or daily baths, verbal abuse from female employers, and sexual harassment as well as lascivious conduct from male employers.³⁸

Many Filipino overseas workers have the status of undocumented migrants. The Japanese government believes that because of visa restrictions and lack of employment opportunities for skilled workers in the Philippines, half of the more than 40,000 Filipino workers who entered their country in 1998 were undocumented. Two thirds (63.8 percent) of these were women who risk abuse and exploitation (Sinag, 1999). In Singapore, the Philippine labour attaché claims that around 70 percent of the 80,000 Filipina domestic workers there entered as tourists or were recruited by non-accredited employers. This meant that the Philippine government had not reviewed their employment contracts.

b) Wage discrimination

Wage discrimination on account of nationality and gender has been reported for Filipinos, Thai and Indonesian domestic helpers (FDHs) in Hong Kong. A survey of 2,500 FDHs has revealed a strong correlation between wage violation, nationality and gender. But wage discrimination was less prevalent for Filipino men and women than for other nationalities. Male domestic helpers, a small minority in the sample, experienced less wage discrimination than women.³⁹

c) Occupational safety and health issues relating to migrant workers

World Health Organization (WHO) studies have also shown that female migrant workers experience disproportionately higher rates of occupational accidents and disability than men.⁴⁰

d) Psychosocial costs for women

These are illustrated by the execution of domestic helper Flor Contemplacion in Singapore⁴¹ and the outbreak of Stevens Johnsons Syndrome in Taiwan (cited previously), which caused sickness, injuries and death among female workers in electronic plants.⁴²

3.1.2 Gender discrimination in the public sector

Having examined the forms of gender bias that exist in the private sector workplace, it might be expected that the public sector would provide a benchmark for gender-neutral conditions of employment. Unfortunately this is not the case and gender discrimination can also be found in public sector employment.

a) The glass ceiling

Women held only 15 percent of all elected positions in government in 1998 but in the May 2004 elections modest progress was made in female participation in public policy and decision making. The

³⁸ CEDAW 5th and 6th Country Report, p. 78.

³⁹ Gert Gust . Equality in the Workplace: Philippines, 2006, p. 56.

⁴⁰ Gust, p. 35.

⁴¹ A 42-year old domestic helper and mother of four children who was hanged in Singapore on March 17, 1995 after being found guilty of a double murder charge. The case elicited huge protests in the Philippines and elsewhere as there were allegations of a frame-up and confession forced under torture.

⁴² Gust, p. 24.

share of women rose marginally to 16.6 percent of all elected positions, with significant gains at the level of congressional representatives and governors.⁴³

b) Pay inequities

In the public sector, standardized pay scales suggest that women and men receive equal remuneration for work of equal value, for example, when working side by side as doctors or teachers in public hospital or schools. On closer scrutiny, this observation may not hold.

A trade union of public sector employees, PSLink, observed that there are indications of pay inequities in their sector. There are some distortions in the way certain jobs are valued. For example, a Nursing Attendant I and II who face the risk of contracting diseases, physical or emotional stress and overloading of work assignments, is classified under salary grades 4 and 6 respectively. By contrast, a Motorpool Supervisor is classified at salary grade 7, and receives an additional PHP 3,057 in monthly pay or more. The job involves supervision and dispatch of drivers, assigning of vehicles for collection and delivery, transportation of finished products and requisitions of supplies, and assignment of drivers for rotation, emergency and relief duty but carries no risk to health or safety. This and other similar cases point to flaws in the job classification system for government positions, a responsibility that should be addressed by the Department of Budget and Management (DBM).⁴⁴

c) Sexual harassment

Sexual harassment at the workplace is a common hazard for women workers in government. This has led to the passage of the Anti-sexual Harassment Act or RA 7877 in 1995. In the civil service, 38 cases were filed with the Office of Legal Affairs of the Civil Service Commission. These resulted in the dismissal of 15 respondents from the service and the suspension of seven perpetrators for three to 12 months. In the private sector, reports suggest that there have been many unreported cases of sexual harassment which have been kept “invisible” in the past. Also, the Supreme Court ruled on the behaviour and action of a former provincial health officer in a landmark case of sexual harassment in 2002. The case had been in the courts since 1996 and had involved a “legal odyssey” for the complainant. The SC upheld a sentence of imprisonment for the accused. Regarding payment of compensation, the SC felt that moral damages are not intended to enrich the complainant but are awarded only to enable an injured party to obtain some means to compensate for the sufferings sustained from the culpable action of an offender.⁴⁵

d) Psychosocial burdens

A study of the multiple burdens of women and men in government indicated differences in perceived sources of stress at home and at work (OSHC 1999). Significantly more female respondents reported “inability to relax at home” after office work due to pressure of work at home, which is indicative of the multiple burden suffered by working women. The study prescribed flexible working arrangements to allow women to work from home and a stronger support network for women.⁴⁶

3.2 Equal participation in labour market governance

Labour market governance rests in the hands of three key institutions: the government, the private sector (i.e. the employers) and workers’ organizations (i.e. trade unions). Policies pertaining to work are formulated and enforced by the government. Relative to labour market governance, the agencies primarily concerned are the Department of Labor and Employment which enforces labour and

⁴³ Gust p. 27.

⁴⁴ Gust, p. 24.

⁴⁵ Gust p. 21.

⁴⁶ CEDAW 5th and 6th Country Report, p. 100, paragraphs 363-364.

employment policies in the private sector and, for public sector employees, the Civil Service Commission is in charge.

Expectedly, the employers are represented through chambers of commerce and employers' federations such as the ECOP (Employers' Confederation of the Philippines). These are the private sector stakeholders in labour market governance. On the other hand, workers as represented in public and private sector trade unions, serve as the voice of the workers interests.

Labour market governance in the Philippines is undertaken essentially through a process of social dialogue and collective bargaining among the stakeholders. Participation of women in these processes is meant to be a mechanism for ensuring that women have equal opportunity as men in shaping labour market policies.

a) Women in employers' organizations

The Philippine Chamber of Commerce and Industry (PCCI) and the Employers' Confederation of the Philippines (ECOP) are the major peak bodies representing the private sector. ECOP draws membership principally from large and medium sized companies although SMES dominate the Philippine economy. These bodies focus respectively on business and economic issues and on labour and social policies.

According to ECOP, the most common forms of discrimination in the Philippine labour market exist with regard to employment, occupation and remuneration, especially against women. Discrimination covers various aspects of female employment, ranging from lower pay for women than for men for work of equal value and lower chances of promotion because of marital status.⁴⁷ It acknowledges that inequality of work is widespread under the present tight labour market conditions.

ECOP established its own equal employment opportunity policy. In this context, it has undertaken a number of efforts to promote awareness about the costs of discrimination among its members. It has actively moved forward the global compact, promoting social and economic goals, including equality and non-discrimination at work.

ECOP initiatives have direct and indirect bearing on gender equality at the workplace. Activities undertaken by ECOP include:

- Representation at the National Tripartite Industrial Peace Council (TIPC);
- Advocacy for ratification of ILO Conventions;
- Awareness raising on the added value of equality at work and gender quality to a successful business and the costs of discrimination among its members;
- Helping employers assess their current Equal Employment Opportunity policies and practices by identifying their strengths and weaknesses;
- Launch of the programme on Recognizing the Child Friendly Firm;
- Moved forward the Global Compact, which includes the promotion of equality and non-discrimination at work;
- Research on discrimination at the workplace and its developing materials and tools that organization can use to assess and improve their own efforts to ensure equal opportunities in recruitment, hiring, promotion, pay and other workplace practices; and
- Collaborates and participation in national events for job creation, employment summits and job fairs.

⁴⁷ Gust, p.19.

According to the CEDAW 5th and 6th Report, a survey of the WBCP in 1998 showed that there were women-owned and led business in all sectors, including electronics and appliances, transportation, real estate, financial consultancy, restaurants, marketing and public relations, and publishing. Most of the women owner-managers of small and medium enterprises were in manufacturing (four percent); garment, jewellery and furniture (37 percent); marketing (nine percent) and real estate (seven percent).

Relative to this, in the 2003 census on business establishments, micro, small and medium enterprise accounted for 99.6 percent of all establishments in the Philippines, of which 91.75 percent were microenterprises, 7.5 percent were small enterprises, and 0.35 percent were medium enterprises. Translated to employment generated, MSMEs absorbed 67.9 percent of the total labour force, of which microenterprises generated roughly 37.7 percent, followed by small enterprises (23.1 percent) and medium enterprises (7.1 percent).⁴⁸

In May 2003, the Bureau of Trade Regulation and Consumer Protection (BTRCP)⁴⁹ of the Department of Trade and Industry began disaggregating its business name registration database by sex of the owner.

Of those that had been sex-disaggregated, totalling 242,178 business names, about 11 percent were registered as corporations, cooperatives, or partnerships, and 89 percent as single proprietorships. Of the latter, 113,167 were under the name of a woman. This constituted 47 percent of the total business names registered and 52 percent of singly owned enterprises. Because partnerships, corporations and cooperatives are likely to be controlled by men, one may take 47 percent (rather than 52 percent) as approximate estimate of the proportion of women-owned SMEs in the country.⁵⁰ Even so, the number is significant.

Though few in number and smaller in size, women-led firms make a significant impact on the economy according to a 1998 study of the Philippine Chamber of Commerce and Industry. Taken collectively, women-led businesses accounted for PHP 7 billion pesos in assets in 1998. However, women generally bring limited work experience and managerial training to their businesses. They are also at a disadvantage because of conflicting demands of business and family and often the lack of a network of business contacts and support. All these result in gender-differentiated impact of policies and crises such as the financial crisis in the late 1990s.⁵¹

There are a number of well-organized women business organizations that are very active in supporting women business and entrepreneurship in the Philippines. Women in the private sector are able to represent their voices through their respective organizations such as the Women's Business Council of the Philippines (WBCP) which was created by the Department of Trade and Industry (DTI) in 1997 to be the "premiere advocate and resource for the Filipino women in business. One problem is that they are mostly based in Manila and have very limited outreach to other regions and provinces outside Manila.

Since 1997, the WBCP has conducted a three-country study (Malaysia, Thailand, and the Philippines) of women's contribution to the economy and the impact of the 1997 – 1998 financial crisis on women's businesses. It also has various programmes that aim to improve women entrepreneurs' access to skills, information, markets and credit.

- *Access to skills and information:* The WBCP developed and conducted gender-sensitive seminars, including those on business entrepreneurial start up; business improvement,

⁴⁸ GREAT Women Project Implementation Plan, NCRFW, 2007:7. (Unpublished document)

⁴⁹ Enterprises or businesses secure licenses to operate from the local government unit, but those in the formal economy generally register their names with the bureau.

⁵⁰ 5th and 6th CEDAW Report, p. 101.

⁵¹ 5th and 6th CEDAW Report, p. 101.

survival and expansion; business development; and trainers' training. These capability-building programmes and the greater awareness of training graduates of their rights as women and entrepreneurs have reportedly honed their decision-making abilities and self-confidence, enabling them to become more assertive and more active in community activities.

- *Access to markets and business linkages:* The WBCP helped link Filipino women entrepreneurs with markets overseas through training in exports of handicrafts to Canada. This has allowed 60 women entrepreneurs access to practical information on how to enter the Canadian market, resulting in an expanded network among local women exporters; the hosting of an international convention that focused on business matching; participation in an international live video conference linkup with Australia, China, Malaysia and Singapore; and membership and leadership in international organizations of women in business, such as the Confederation of Women's Business Councils in APEC and the Global Summit on Women.
- *Access to credit:* A few years after its creation, the WBCP successfully negotiated a PHP 3.1 billion lending window for women in SMEs with leading government financial institutions (GFIs), such as the Land Bank of the Philippines (LBP), the Development Bank of the Philippines (DBP), and the Small Business Guarantee Financial Corporation (SBGFC), and the private banks, including Banco de Oro and Equitable-PCI Bank. The council has Opportunities for National Growth (SULONG) and has assigned two consultants to assist and mentor WBCP members on the programme.

The Women's Business Council of the Philippines has various programmes which seek to enhance women entrepreneurs' access to information, skills, markets and financing. Together with TESDA, it develops and conducts seminars on topics such as business start-up, development, improvement and expansion as well as gender sensitivity workshops. As noted, it also negotiated a PHP 3.1 billion lending window for women in SMEs with several government financed institutions (GFIs) and private banks (NCRFW June 2004).

Through participation in the Employers' Confederation of the Philippines (ECOP) which represent the private sector in tripartite dialogues and negotiations as well as the Philippine Chamber of Commerce and Industry, there is social space for women to influence the promotion of decent work and gender equality.

All told however, ECOP remains male dominated. Its leadership has always been in the hands of men. While it allows women to become members and heads of committees, there remains scope for enhancing women's participation in terms of both quantity and quality.

b) Women in trade unions

Unions in the Philippines are diverse and divided along ideological lines. Within the total number of 181 federations or union centres in 2003, there were 10,400 labour unions in the private sector and about 1,200 unions in the public sector. Unfortunately not more than 500,000 workers were covered by Collective Bargaining Agreements (CBAs).

In general, the level of unionization is low and has been placed at 10–15 percent of the workforce of 31.5 million in 2003.

There were 11,365 labour organizations in 2002. By September 2003, their number had increased to 11,976 and union membership rose to 3.96 million in September 2003, from 3.92 million in 2002. Back in 1995, trade union membership was 3.6 million within a total of 7,882 trade unions all over the country.

Based on data reported in the DOLE's *Current Labor Statistics* (Jan. 2007), the number of registered unions declined from 777 in 2004 to 492 in 2005. Workers covered by existing CBAs went up only by 1,000, from 555,000 in 2004 to 556,000 in 2005. The decline in unionization requires study.

“Unions are very rare in the Economic Zones, and union protection of women workers is virtually non-existent.”⁵² Yet there are reports that in some industrial parks or economic zones, garments manufacturing firms that hire mostly women are routinely violating labour laws, including 10-hour work days, sub-minimum wages, forced overtime, sexual harassment and threats of dismissal or relocation of the company to other countries, to keep the workers pliant.

c) *Gender balance is still to be achieved within labour unions.*

In 2006 the DOLE estimated that 34 percent of union members were women, but only 26 percent of leadership positions were held by women. This is significant progress but a higher level of organization is needed to have a critical mass in lobbying and policy advocacy. Top union leadership circles are largely male-dominated and women are perceived to be less prepared than men to take on leadership posts.

Women account for no more than a third of union membership. About 75 percent of the women trade unionists were from the private sector and 25 percent in the public sector.

A male union organizer attributed the low number of women in leadership positions to the multiplicity of burdens carried by women; union work, work in the company and domestic responsibilities: They are not at all prepared to take on some of the leadership positions because in the back of their mind, there are these responsibilities at work, and towards their family that need to be balanced. They would rather have responsibilities not at the top level but at the middle level where they think they would be more effective. But there are some women who have proven themselves as effective leaders and they have managed to overcome these challenges...

maybe not at the industrial federation level, but at the local union level women are taking on these leadership positions.

Due to the multiple burden and discrimination experienced by women workers in the workplace and in society, very few women, especially the married ones, are able to participate actively in trade union activities or even occupy leadership position in the union. Unions have also stepped up training, promoting inclusion of gender issues in CBA or encouraging access of women to leadership positions; TUCP-PSLINK also initiated investigations into sexual harassment.

It is recognized that trade unions can contribute much to non-discrimination of vulnerable groups like women, youth, and marginal farmers, who account for a large share of this sector and have largely

Promoting pay equity in the public sector

Public service unions in the Philippines have been actively involved in the PSI global pay equity campaign. Actions have included participation in a number of capacity-building workshops on gender pay equity, with themes such as job evaluation free from gender bias, and the organization of a tripartite consultation with employers and the government as an outcome of the pay equity campaign.

Awareness raising activities have also been undertaken on gender pay equity in the health service, particularly among unpaid health care volunteers who provide routine health care on a 24 hour basis in local communities. As part of this work, dialogue between unions and the government on equitable payment for these volunteers who provide front-line health care services has been initiated.

Negotiations have also led to the adoption of a Memorandum of Understanding (MOU) on Quality Public Services and Performance, covering 1.5 million government employees. The MOU contains a number of pay equity provisions, including the development of a job evaluation process free from gender bias (to be achieved by reviewing position descriptions and compensation systems). It also contains provisions to ensure that teachers and employees contracted under the Special Education Fund receive equal remuneration, a programme to address the need of women government employees, as well as plans for a programme to upgrade nurses' salaries.

Source: Haspels, Neileen and Majurin, Eva. Research Guide for In-country Action. Equality Between Men and Women at Work: Pay Equity and Maternity Protection in East Asia, ILO, November 2007.

⁵² Gust, page 26.

remained outside the protection of labour rights. For example, unions are known to have taken a stand against sexual harassment and discrimination against persons living with HIV/AIDS. The leaders of major trade unions are on record as making strong commitments to equality at work principles.⁵³

d) *Union influence on labour and employment policies*

The Labor Code upholds the exercise by workers of full freedom of association and encourages the practice of CBAs. But the various shifts in the labour market—demographic, industrial, an occupational, on the demand side and attitudinal change of non-union workers about union membership, on the supply side—must be well-understood if unionization is to be strengthened in the future.

Through the collective bargaining process, trade unions are in general able to influence the attainment of decent working conditions. Because it is in their interest, workers are the best exponents of better terms and conditions of work, including equality of treatment in the labour market. But it appears that unions in general have not completely realized the importance that must be given to gender concerns such as reproductive health, family welfare and women's rights, as reflected in the absence of substantial CBA provisions that will benefit women workers.⁵⁴

Women have been included in the collective bargaining processes by: (i) conducting regular and ongoing surveys of the needs of women workers and proposals to address them for inclusion in CBA negotiations; (ii) at least one woman leader has been included in all CBA negotiation panels; (iii) negotiated for a separate CBA Article on women benefits such as relief from strenuous work when pregnant; (iv) additional maternity benefits; support stockings; menstrual leave and receiving of service charge share during maternity leave; (vi) secured CBA provision that are gender focused in addition to that provided in the Social Security System or the Law.

However, in a study of CBAs, it was observed that negotiated contracts that claimed to be “gender-friendly” and explicitly focused on women concerns were found to be deficient in specific provisions. For example, reproductive health and women's rights were not given attention in the bulk of the 165 CBAs from 10 industries (based on the DOLE-Bureau of Labor Relations classification of registered CBAs) that were analyzed. It appears that only the CBAs in the hotel industry were gender focused as evidenced by the inclusion of a separate article that pertains to women workers' benefits.⁵⁵

This finding also suggest that trade unions have not yet fully realized the vital importance of reproductive health, family welfare and women's rights.

Another trade union, the Public Services Labor Independent Confederation, has been vigorously advocating for decent working conditions and the promotion of gender equality in the public sector. It conducts research, formation of groups within the union, getting more women leaders in decision-making bodies within the union, disseminating information to relevant agencies; popularizing the campaign: *yes to pay equity; no to poverty*; organizing more women into the unions; building capacity of more women activists; putting gender equality principles and programmes in the collective agreement and capacity building of more women in lobbying and campaigning.

As well, trade unions have joined the Congress' Technical Working Groups to review the proposed HB 2963 and HB 3909 on the *Provision of Mother-Child Friendly Facility and Sleeping Quarters*.

Women's participation in labour market governance has been criticized by women-led NGOs on a number of counts:

⁵³ Gust, 2006: pp. 14 – 17.

⁵⁴ Divina Edralin. Gender Equality Concerns for Collective Bargaining, Unpublished Paper, 23 April 2004, p. 24.

⁵⁵ *Ibid.*, p. 23-24.

1. “Limited participation of women in tripartite bodies and/or multi-sectoral bodies further exacerbates a situation where social benefits and protection schemes particularly relating to women’s needs are not prioritized because of the additional costs this would entail government and private firms alike. These social benefits include provisions of the ILO on maternity protection, the conditions of home workers, reproductive health, and occupational safety and health across formal and informal sectors.”⁵⁶
2. Women from the social and economic elite have been able to take on positions of leadership and power while grassroots women remain distant and with little voice, without a right to say, even as they bear the harshest consequences of decisions over grassroots working women.
3. Women’s local sectoral representation is seen as a superficial gesture of government’s commitment to gender mainstreaming and gender-responsive governance. In practice, the government performs exclusionary activities and arbitrary exercises its political discretion, such that women belonging to—or having connections to—the local influential class are privileged over grassroots women.
4. While government recognizes women’s rights to a fair share in public decision-making at all levels of governance, it ignores the social reproduction tasks which constrain women’s time and prevent them from becoming more engaged in public life.⁵⁷

3.2.1 Women in government policy making bodies

Of great import is the representation of women in labour and employment policy making bodies such as the Civil Service Commission, the DOLE, Department of Trade and Industry (DTI), the National Anti-poverty Commission (NAPC) and related agencies.

- For workers in the public sector, personnel and human resource development policies emanate from the Civil Service Commission. For example, the Civil Service Commission Memorandum Circular No. 8 series of 1999 entitled “Policy on Equal Representation of Women and Men in Third Level Positions in Government” was issued to increase the number of women at the highest or executive level of career service. The CSC monitors the circular by enjoining agencies to report regularly on the number of women nominees to vacant third level positions, the total number of positions occupied by women and the total number of women appointees versus men appointees.
- Thus, there are a number of women in government who could help promote gender equality and in particular make labour market governance gender-responsive. For example, the NCRFW commissioner representing the labour sector has pushed for studies of women in economic zones and established the decent work deficits in the eco zones. Notably, the NCRFW launched its GREAT Women project in 2007 which seeks to make governance gender responsive by building its own institutional capacity in economic governance and advocating for the implementation of economic policies, especially affecting women as well by building LGU capacity to design and implement gender-responsive local policies and programmes.
- *National Commission on the Role of Filipino Women* (NCRFW) has been playing the lead role in promoting gender equality. Through the gender mainstreaming strategy, NCRFW has sought to influence government processes and mechanisms—development planning, policy-making, budgeting, implementation, monitoring and evaluation (M&E) — to ensure that these respond to the needs of both women and men. An office attached to the Office of the

⁵⁶ Philippine Responses to Pre-session Questions to the CEDAW 5th and 6th Country Reports, NCRFW, 2007, p. 11.

⁵⁷ Philippine NGOs Shadow Report to the 36th Session of the Committee on the Elimination of Discrimination Against Women, 2007, p. 37.

President, it oversees and coordinates the implementation of the gender equality policy of the Philippine government. NCRFW has established communication lines with the top management of concerned agencies and has worked with the focal points for the design of responsive programmes, some of which have found their way into the most recent MTPDP. Accordingly, the agencies have to allocate resources for these (some from the GAD budget) as they are now included in their accountabilities to the President. On its own, NCRFW has initiated dialogue with concerned agencies to directly address women workers' problems, such as the provision of safety nets for workers displaced with the termination of the Multi-Fibre Agreement, the housing problems of women workers in economic zones and an investigation on women in micro-enterprises. The results of the study have been shared with the NAPC. To respond to the recommendations, NAPC has decided to tap resources from the People's Development Trust Fund managed by the People's Credit and Finance Corporation (a NAPC affiliate) for educational activities to improve micro-financing towards credit.

- *National Economic Development Authority (NEDA)*. At the national level, the national planning body, NEDA, exercises oversight in planning and monitoring development priorities and programmes for the entire country. It has regional offices (NEDA Regional Offices, or NROs) that perform these functions at the local level. The NROs work with the local government units in defining priorities and plans for their respective areas of coverage. The Social Development Committee of NEDA ensures that women empowerment and gender equality are taken into account in national planning, programming and budgeting processes. Mainstreaming gender in national policies, plans, and programmes would be strategically done through NEDA.
- *The National Anti-Poverty Commission (NAPC)*. NAPC is a “coordinating and advisory body” that exercises oversight functions in the implementation of the Social Reform Agenda and ensures that it is incorporated into the formulation of the national, regional and local development plans. NAPC is the lead agency and houses the coordinating secretariat of *Kapit-Bisig Laban sa Kahirapan* or KALAHATI, the strategic framework and programme for poverty reduction under the Arroyo Administration. In 2001–2002, NAPC was headed by a woman executive director and counts a number of women among its sectoral representatives, particularly those belonging to the urban poor and the informal sector.

For workers in the private sector, the labour and employment policies emanate from a number of line agencies or implementing organizations, namely, the DTI; the DOLE; the Technical Education and Skills Development Authority (TESDA); and the People's Credit Finance Corporation (PCFC).

- The DOLE is the key government organization that is charged with labour market governance. DOLE is mainly concerned with the protection of workers and promoting their welfare; however, part of its functions is human resources development and promotion of gainful employment and livelihood opportunities for women and men. DOLE is tapped to provide technical assistance on livelihood skills. DOLE's Bureau of Rural Workers and Bureau of Women and Young Workers support women entrepreneurship especially in rural areas.

Among the relevant attached agencies and component bodies that play major roles in labour market governance are (i) the Bureau of Women and Young Workers (BWYW); (ii) the TESDA; (iii) the Philippine Overseas Employment Administration (POEA) and (iv) the Overseas Workers' Welfare Administration (OWWA). The BWYW is headed by a woman and the Philippine Overseas Employment Administration (POEA) is currently headed by a female administrator.

- An attached agency of DOLE, the *Technical Education and Skills Development Authority (TESDA)*, is the lead agency for skills development for entrepreneurship and employment. It formulates policies to develop and implement skills development programmes with the active participation of industry groups, trade associations, employers, and workers. The TESDA Secretariat has had a female director general (2002–2003) at one time, and still has a female

deputy director general and counts several women as heads of units. The TESDA Board has seats for female representatives for each of the sectors, i.e. employer, labour and TVET institutions. At present, the Board consists of 23 members and nine of them are women. By law, the policy is to have women represented at the TESDA Board. The multi-sector representation in the TESDA Board is replicated in local levels.⁵⁸

- At the Overseas Workers Welfare Administration (OWWA), there are also women representatives, one representing the workers sector and another employer sector. In compliance with the provision of RA 8042 calling for the representation of women migrant workers in the Governing Board of the Philippine Overseas Employment Administration (POEA) the President appointed a former woman migrant worker to this seat in mid-2001.

Female Philippine Overseas Labor Officers (POLO), consisting of women labour attaches, welfare officers and welfare centre coordinators are assigned in host countries that have large populations of Filipino women workers, and are under the administrative jurisdiction of the Philippine diplomatic missions. In April 2001, women labour attaches were posted in Hong Kong, Korea, Singapore and eight other countries. Female welfare officers were found in Hong Kong, Singapore, Tokyo, Osaka, Taiwan, Kuwait, Dubai and Greece; and women welfare coordinators headed the welfare centres in Hong Kong, Brunei and Dubai.

- *The Department of Trade and Industry (DTI)*. DTI serves as the primary coordinative, promotional, and facilitative arm for trade, industry and investment activities. It has attached bureaus that deal with micro and small enterprises (SMEs): (i) the Bureau of Small and Medium Enterprise Development (BSMED) initiates and implements measures to address SMEs in technology development and transfer, financing, marketing and training, and market promotion; (ii) the Bureau of Domestic Trade (BDT) promotes efficient marketing and distribution of local products and services in the domestic market and expands and strengthens linkages among and between enterprises through information exchange and market matching; and (iii) the Cottage Industry Technology Center (CITC) provides production-related training and technical assistance to furniture, gifts and home ware, fine jewellery and leather footwear industries all over the country.

DTI has a number of female officials at the higher echelon such as the Assistant Secretary and the Undersecretary. They are bound by the CSC circular.

- *People's Credit Finance Corporation (PCFC)*. A government micro-finance institution (GFI), PCFC has programmes which provide bulk money to NGOs/POs and financing institutions duly organized with either track record in lending operations or with relevant capabilities in implementing micro-credit programmes for the poor.

Significant milestones in building institutional mechanisms that could address gender issues at the workplace, directly or indirectly, are cited as follows:

- The National Labor Relations Commission (NLRC) has created a Migrant Workers' Desk, which provides guidelines on how to pursue claims for money, injury and damages of overseas Filipino workers, including those who are victims of trafficking. The Desk is handled by women and is headed by a Labour Arbiter (or labour judge per Supreme Court instruction).
- RA 7192, or the Women in Nation Building Act of 1992, opened the doors of the military and police to women. Since then, women have made significant progress. In 1997, women accounted for 15 percent of the 47 graduates of the Philippine Military Academy. In SY 1999-2000 admission examinations, 17 percent of 1,486 women applicants passed, with a woman topping the exams. In the police force, there were already more than 5,000 women out of a total of 108,291 police officers by the year 2000. Many of the women are assigned to the

⁵⁸ Philippine Government's Report on Ratified ILO Conventions, Convention 111, p.5.

Women's Desks or units in charge of handling cases of violence against women and girls. Much remains to be done however, to promote women's participation in the military and police service, including opportunity to work in areas of law enforcement other than the Women and Children's Desks.⁵⁹

- The Social Reform and Poverty Alleviation Act (RA 8425) of 1997⁶⁰ calls for the formation of councils for the targeted basic or marginalized sectors, including women as a sector, and provides a seat for a sector representative for women at the National Anti-Poverty Commission. Noteworthy is the fact that there is now a representative of the women informal workers in the board of Phil Health, a government health insurance scheme, as well as a representative to the National Anti-poverty Commission (NAPC).
- In a similar vein, the Agrarian Reform Department has established 1,704 Agrarian Reform Communities (ARCs) as of December 2005. Agrarian reform beneficiaries (ARBs) already reached more than a million and 22 percent of them are female. Beneficiaries in ARCs were organized into cooperatives and/or People's Organizations. Of the total membership, 192,718 or 38 percent are female members. Women are well represented in the board of these organizations. At present, they comprise 30 percent of the duly elected Board of Directors. 44 percent of 34,769 ARBs who actively participate in committees are women. They are also involved in the planning, implementation and monitoring and evaluation of programmes and projects of ARCs and are also active in Barangay activities.⁶¹
- The Fisheries Law of 1998 (RA 8850) requires that seats be reserved for women in the municipal or city fisheries and coastal resource management council. Women comprise only seven percent of the total membership of the Agricultural and Fisheries Councils (PAFC) level is one female to four males. At the Municipal Agriculture and Fisheries Council (MAFC) level the ratio is 1:3. All 16 Regional Agriculture and Fisheries Councils (RAFCs) currently have male chairpersons while at the PAFC level, only 3 out of the 79 provinces have women chairpersons.

3.3 Analysis and conclusions

Women workers in the private and public sectors face similar yet different challenges resulting from gender biases in society. In both sectors, there is much evidence of discrimination in the terms and conditions of work which put women at a disadvantage compared to men. For both sectors, the issues of pay equity, work and family balance, maternity protection are important concerns.

Marginalization is most marked among those in the informal sector where workers are not only "invisible" in national accounts and continue to be unrecognized for their work contributions, but are unprotected and face great constraints in starting up and growing their microenterprises. Gender differences in wages are found in the private and public sectors; employment practices also foster gender biases in recruitment, promotion, training and termination. Gender differences also show in the hours of work, imposition of overtime and the benefits accorded (or not accorded) to women.

That these gender differences are now being brought to the fore is a necessary first step to redressing them. The reason they occur is due to a combination of many things. However, the first culprit is the long-standing gender biases in the local culture. These include the persistent patriarchal attitudes and deep-rooted stereotyping of roles and responsibilities of women and men in family and society which find expression in discrimination against women in training and education, in recruitment and the type of occupations "assigned" to them; in career promotion (or non-promotion) practices, and even in

⁵⁹ CEDAW 5th and 6th Country Report, p. 75.

⁶⁰ See <http://www.napc.gov.ph/RA8425.htm>

⁶¹ Philippine Responses to UN CEDAW Pre-session Questions on the 5th and 6th Report. NCRFW, 2007.

terminations and dismissals. Gender biases find expression in sexual harassment where power differences between women and men come into play.

Beyond gender biases however, there are threats and risks to jobs and decent conditions of work such as liberalization of the Philippine mining, agriculture and fisheries sectors that could adversely impact women in rural areas, indigenous and ethnic communities and further induce labour migration; long entrenched structural inequalities, limited resources for social services, climate change and environmental disasters. These could exacerbate gender inequalities in the labour market.

Gender equality is guaranteed in the Philippine Constitution. And the Philippine Labor Code defines prohibited forms of discrimination against women: payment of lower compensation to women against men for work of equal value, favouring male employees as regards promotion, training or scholarships, discharge in case of pregnancy.⁶²

Having anti-discrimination policies and signing up to international conventions is only half the story. The bigger challenge is in enforcing labour laws and labour standards as embodied in ILO Conventions and national legislation; and administrative issuances is a mainstream concern that has direct impact on creating a gender-friendly work environment. To this day, enforcement remains as a continuing struggle even as the DOLE had instituted the new Labor Standards Enforcement Framework (LSEF) back in 2004.

Under this new framework, coverage of establishments has stayed at the 10 percent level causing labour observers to suggest a serious rethink of the LSEF. Within this framework, inspection of establishments employing numerous women and children has been put as one of the top priorities. Awareness raising and advocacy are important practical steps in this regard.

The representation of women in institutions and mechanisms that shape and steer labour market policies is vital. In this regard, there have been a few inroads made but a widespread proactive policy to bring in women into such bodies is not yet evident.

Gender equality in labour and employment could be better served with more women in unions and employers' organizations and in participation in the social dialogue. Government has promulgated such a policy (i.e. representation at the TESDA Board and the Civil Service Commission circular) but its application needs to be tracked more closely.

4 Actions to address gender issues in the Philippine labour market

A number of policy actions by government have been taken already to support the ILO Decent Work Agenda and to promote decent jobs irrespective of whether or not the actions taken address gender-specific deficits in the labour market. This chapter reviews these actions from a gender lens. *How do the policy responses take into account the gender deficits in the labour market?*

In other words, how are gender-related issues mainstreamed in labour market governance? Making labour market governance more gender responsive could be achieved by mainstreaming gender in: (i) laws and policies; (ii) programmes; and (iii) institutional mechanisms to enforce laws and implement policies to create a more gender-friendly environment.

4.1 Gender equality-related domestic legislation

The Philippines has passed numerous pieces of legislation that create an environment designed to foster gender equality in general and, in particular, the passage of laws that are in conformity with ILO Convention 111, the *Discrimination in Employment and Occupation Convention*.

These include:

⁶² Philippine Labor Code, Book II, title III, Chapter 1, Employment of Women.

- An Act Strengthening the Prohibition on Discrimination Against Women With Respect to the Terms and Conditions of Employment (RA 67250);
- An Act Promoting the Integration of Women as Full and Equal Partners of Men in Development and Nation building;
- An Act Providing Assistance to Women in Micro and Cottage Business Enterprise; and
- the Family Code, Title 3, Article 73—The Right of Every Spouse to Exercise any Legitimate Profession, Occupation, Business or Activity without the consent of the other party.

The Philippine Labor Code prohibits discrimination with respect to terms and conditions of employment on account of sex (Article 135). Article 136 of the same act specifically prohibits discrimination against women merely by reason of marriage. Article 137 prohibits discrimination of women by reason of her pregnancy.

In addition the government has taken affirmative action to promote the all round empowerment of women, respect for women's rights and well-being. The Philippine Plan for Gender Responsive Development, 1995–2025 envisages a society that promotes gender equality and women's empowerment. It is a strategic plan that translated CEDAW and the Beijing Platform of Action into policies, strategies, programmes and projects for Filipino women. Among the PPGPD goals are women's empowerment and gender equality. Its development involved other government agencies and GAD advocates in non-government organizations and the academe. The NCRFW worked closely with the NEDA in its formulation.

The Framework Plan for Women, a time slice of the Philippine Program for Gender and Development, translated into more specific, concrete and results oriented programmes and projects. FPW objectives in economic empowerment are to enhance sustainable access of women to the capital, market, to information, technology and technical assistance; and to enhance employment and livelihood skills of women, particularly in high value adding industries. It extends the same principles to agricultural activities; and to establish an enabling environment that will ensure the implementation of policies for the protection of women workers; to increase awareness of women of their economic rights and opportunities; and to strengthen women's participation in economic decision making bodies.

Objectives related to the protection and fulfilment of women's human rights are: (i) to enhance access to basic social services; (ii) to promote gender-responsive delivery of justice or Violence Against Women (VAW) survivors; (iii) to formulate and implement legislative measures that will eliminate gender bias; and (iv) to promote and advance women's and girl children's human rights.

Objectives for the promotion of gender responsive governance are: (i) to mainstream gender in the bureaucracy; (ii) to enhance women's leadership roles and participation in decision making; (iii) to strengthen women's role in promoting gender-responsive governance; and (iv) to strengthen partnership with media in covering various women's issues.

4.1.1 Addressing the challenge of creating jobs

The Arroyo administration is committed to eradicating poverty by 2010, and the government aims to provide 10 million jobs during this period. Key employment generating industries include tourism (3 million jobs), agribusiness (2.8 million jobs), housing (1 million), ICT (0.8 million), exports (0.7 million) and mining (0.2 million). At this juncture this target is unlikely to be met although the programme continues.

In order to meet the goal of creating 10 million jobs, the Medium-Term Philippine Development Plan, 2004–2010 adopted a **framework for job generation** with the following elements:

1. Adopt the philosophy of free enterprise;
2. Focus on high-value jobs;

3. Undertake microeconomic strategic measures;
4. Improve productivity; and
5. Attract investments.

Aimed at enhancing trade and investment, the government adopts the Philosophy of Free Enterprise to improve global competitiveness through support for the following principles: (i) making food plentiful at reasonable prices so as to make our labour cost globally competitive; (ii) reducing the cost of electricity through power sector reforms; (iii) modernizing infrastructure and logistics to make transport and related costs efficient; (iv) mobilizing and disseminating knowledge to make our workers and manufacturing processes more productive; and (v) reducing red tape in all government agencies so as to reduce the cost of doing business.

Trade and investment efforts are to be focused on supporting the growth of those industries and firms where employment generation potential is the largest and where the Philippines has comparative advantage because of its human resource or geography. These include high skill jobs such as those in BPO/contact centres/software, fashion garments, jewellery, medical services, automotive, electronics, health care, agribusiness, mining; medium skill jobs such as those in tourism, hotels, entertainment, low skill jobs: construction, SMEs and micro-enterprises.

To aid in creating **10 million jobs**, actions taken on the ground would include:

1. Agribusiness strategies that will be directed to make food plentiful at reasonable prices by reducing the cost of rice, corn and sugar and other food products through greater productivity and efficient transport and logistics as well as institutional reforms. The development of two million hectares of land for agribusiness is expected to generate two million jobs;
2. Provision of vigorous support to micro, small and medium enterprises by tripling loans by 2010; providing credit, technology and marketing support for micro and small and medium enterprises;
3. Vigorous support to research and development and field extension work; increase budgetary support to R&D and field extension work;
4. Promote extensively mariculture activities with mangroves and fish sanctuaries;
5. Promoting responsible mining; reduce the time to get exploration and mining permits; quickly resolve issues on Indigenous People's Rights Act;
6. Expanding private sector participation in socialized housing finance and construction; a huge housing backlog exists which has the potential to employ a million more workers for the next ten years;
7. Promotion of tourism destinations, which is expected to increase non-farm incomes and accelerate the pace of regional development; Promote the following destinations: Cebu/Bohol/Camiguin; Manila-Tagaytay; Palawan; Vigan/Laoag; Clark-Subic; Baguio/Banaue/Cordillera; Boracay; Davao;
8. Enhance the following tourism complexes: Metro Manila, Cebu-Bohol, Siargao, Northern Palawan, Boracay, Clark-Subic, Cordillera, Ilocos, Davao;
9. Digital infrastructure that will lower connectivity costs by taking advantage of VOIP to reduce long distance calls (immense benefits to OFWs and their families).
10. Expansion of the Central Luzon Growth Area: Subic/Clark development: Develop Subic/Clark as the most competitive international and logistics centre in South-East Asia SLEX/STAR Expressway; Develop the SLEX/STAR Expressway as an industrial belt south of Metro Manila; fast-track the closing of the Metro Manila commuter train loop.

Both government and non-government sectors have taken policy and programme actions to address job creation in light of the widespread poverty in the country.

- The *modernization of the fisheries and agriculture sectors* as mandated by the passage of the Agriculture and Fisheries Modernization Act of 1997 is now being pursued vigorously by the government. Such programmes are meant to raise rural incomes, ensure food security and promote rural development.⁶³
- A *country programme for the informal sector* which seeks to institutionalize programmes and policies for the informal sector through local governments was produced by the Labor Department, in partnership with government and non-government stakeholders. It was approved by the Social Development Committee of the Cabinet in July 2003. The programme replicates the lessons from the pilot study, including capacity development of local governments to support their respective informal sectors, particularly those in rural areas, and strengthening of organization of informal sector workers at the local level. This resulted from a DOLE partnership with the Bishop's-Businessmen's Conference, National Anti-Poverty Commission (NAPC) Workers in the Informal Sector Council, NEDA and other stakeholders, in 2001 and 2002, with support from the ILO and UNDP.”
- An *employment strategy*⁶⁴ for generating alternative employment opportunities has been formulated in light of the threats of economic deregulation and trade liberalization. The fastest growth in employment was found in the Real Estate, Renting and Business Activities, Mining and Quarrying and Private Households with Employed Persons, Hotel and Restaurants, Fishing, Transportation Communication and Storage, Wholesale and Retail Trade, Repair of Motor Vehicles, Motorcycles and Personal and Household Good and Financial Intermediation.
- The boom in the BPO industry, increasing foreign investments in the country's mining sector, increasing tourist arrivals, increasing trade with other countries, the liberalization of the telecommunications industry, the growing integration of the global financial system and the bullishness of emerging markets such as the Philippines have all contributed to the creation of opportunities for Filipino workers.

On the ground, the above macro strategy is brought to life by promoting small and medium enterprises (SMEs) where many women workers are found. Thus, any programme that promotes SME development will necessarily have to address women's lack of economic empowerment. This includes their lack of access to productive resources including credit, training, technology and markets.

The Philippine government recognizes that “(T)here is a need to prioritize initiatives towards micro enterprise development; diversification of products and skills, improvement of productivity, increase in value added and access to market to bridge the wide gap between micro enterprises and small and medium enterprises (SMEs).”⁶⁵ It also acknowledges that to produce more quality entrepreneurs, an enabling environment that would foster entrepreneurial skills, competency and capacity must be encouraged.⁶⁶ It intends to provide an environment conducive to micro and SME development particularly in terms of credit, technology (including product development) and marketing support.⁶⁷ The MTPDP states that women are the main targets of micro-finance initiatives, and that micro-

⁶³ CEDAW 5th and 6th Country Report, 2004, p. 52.

⁶⁴ “Philippine Growth Strategies,” NEDA Presentation at the ILO Workshop on Gender Equality, Tagaytay City, 22 November 2007

⁶⁵ Second Philippine Progress Report on MDGs, June 2005, p. 40.

⁶⁶ Medium Term Philippine Development Plan, p. 151.

⁶⁷ *Ibid*, p. 210.

finance programmes should aim not just to reduce income poverty but to empower them as well by enabling them to be decision-makers and beneficiaries. These articulations in the MTPDP reinforce the provisions of the Framework Plan for Women (FPW) which is the current operational plan to implement the long-term Philippine Plan for Gender-Responsive Development (PPGD) 1995-2025.

In the area of promoting women's economic empowerment, the FPW seeks to: (i) enhance sustainable access of women to capital, market, information, technology and technical assistance; (ii) enhance employment and livelihood skills; (iii) establish an enabling environment that will ensure the effective implementation of policies for the protection of women workers; (iv) increase women's awareness of their economic rights and opportunities; and (v) strengthen women's representation in economic decision-making bodies.

Studies on the problems of women in the economy have brought to the fore recurring issues such as the inability to obtain credit, links to markets, technology and skills training as well as the ineffective implementation of labour policies affecting women in the formal sector and the impact of trade policies on women workers and women's business, among others.

Recommendations to address these problems have been advanced and referred to the appropriate agencies.

The government has passed several laws to stimulate the growth of MSMEs in the last ten years. Of these, the most crucial are:

1. Assistance to Women Engaging in Micro and Cottage Business Enterprises and for Other Purposes, 1995 (RA7882);
2. Social Reform and Poverty Alleviation Act, 1997 (RA 8425),
3. The Barangay Micro Business Enterprises(BMBE), 2002 (RA 9178),
4. The Magna Carta for Small Enterprises, 1991 (RA6977,) amended by RA 8289 in 1997; and
5. The Women in Development and Nation-Building Act, 1992 (RA7192); and the yearly General Appropriations law that provide for gender and development, or GAD, budget.

In 1995, Congress passed RA 7882, mandating the government to assist Filipino women in their pursuit of owning, operating and managing small business enterprises. Under this law, any woman who is certified as having received appropriate training by any government or government accredited training institution is eligible to avail of loans from government financing institutions that have been tasked to set aside five percent of their loan portfolio for women's projects. In 2001, the trade and industry department reported that DBP and Land bank of the Philippines combined, had released several billion pesos to implement RA 7882, aiding about 4,000 women nationwide.

These legislative efforts, especially for female micro-entrepreneurs, have had limited success due to gender-blindness and these items of legislation tend to contradict the Philippine Plan for Gender-Responsive Development (1995-2025) and provisions of the Convention on the Elimination of All Forms of Discrimination Against Women as well as other international instruments such as the Beijing Platform for Action.

There has also been no systematic analysis of gender-related issues in micro-enterprise and micro-finance that would serve as a basis for concrete action to mainstream gender in a practical way that would promote women's empowerment. The focus instead has been on the sustainability of micro-finance institutions (MFIs) rather than the positive or negative impact it has had on the MFIs' client beneficiaries themselves⁶⁸. The MTPDP recognizes that in order for micro-finance to be a sustainable and holistic tool for poverty alleviation, especially among women who comprise a majority of its

⁶⁸ See for example: Pascual *Social and Economic Empowerment of Women in the Informal Economy*, ILO Working Paper series, in preparation

clientele, there is a need to integrate social services (insurance, family planning services) and other concerns (gender equality/ women's empowerment, etc.) into the MFIs' programmes.⁶⁹

There has been either slow or flawed implementation of the government's enterprise development laws and programmes in terms of their targeting and reach. For example, no special credit window has actually been created for women entrepreneurs as per RA 7882. Currently, most women access credit from the micro-enterprise lending windows of government⁷⁰ as well as NGO operated micro-enterprise lending windows that have small, non-collateralized loan ceilings. Awareness of laws on MSMEs is extremely low even though it was passed in 2002, and the target reach is not representative or accessible for the majority of women micro-entrepreneurs.

At the local level, there is a need to harmonize the implementing guidelines and circulars related to micro enterprises coming from the various concerned national government agencies. It is uncertain to what extent the national laws identified above have been promulgated at the local level and whether or not they have been translated into local ordinances to make them operational. Registering a business is a strong example. In the Philippines, every firm must register at both the national and local level. At the local level, all businesses are required to secure a mayor's permit or municipal license from the local government unit (LGU) in which it is located. However, there are no regulated, standardized registration procedures at the LGU level, which can vary in the time needed and cost of registering a business in one LGU compared to another. The need to simplify business registration is vital to encouraging micro and small enterprises to register and obtain licenses that will formalize them as business establishments. At present, it would take an entrepreneur 48 days on average to complete the 11 required procedures. Furthermore procedures can vary depending on the LGU involved.

This situation is further constrained by the limited capacities and resources of the LGUs on the one hand, and the willingness of the LGUs to allocate resources for GAD on the other. In the context of decentralization, the LGUs have gained more responsibilities that have been devolved from the national government. However, they have not been provided any additional funding to effectively provide services to their citizens. When first enacted in 1995, the *General Appropriations Act* required national and local government agencies to use a minimum of five percent of their budget allocations to implement GAD projects and activities. At the local level, however, compliance has been dismal. By 2003, CIDA's Local Governance Support Program II (LGSP II) database indicated that no more than eight percent of the LGUs it assisted had a GAD budget. This implies that commitment to GAD mainstreaming is not always matched with budgetary allocations. There may be a role here for the ILO to work with the various provincial leagues and especially their training institutes in order to create awareness of the issue.

Nonetheless, despite the lack of compliance in relation to GAD, roughly 88 percent of the LGSP-supported LGUs continued to have welfare programmes and services specifically targeting women, and 79 percent had women and children's desks. Very few of these LGU's provide women entrepreneurs with services such as equal or equitable access to productive resources, women workers protection from gender-based violence and other labour law violations, and informal-sector producers and workers support mechanisms (such as social protection, child-minding centres, etc.) that empower women. The focus on welfare alone could be partly attributed to the disassociation of the GAD plan from the local development plan. As attested by LGSP II data, only 11 percent of LGSP II supported LGUs included gender equality issues in its development planning.

⁶⁹ MTPDP

⁷⁰ There are three main lending windows currently accessible to women in micro enterprises: a) the Grameen Program provides the bottom 30 percent of rural women with agricultural credit without need for collateral; b) PCFC reportedly served 864,965 beneficiaries (from June 2001 to December 2003), of which about 985 were women; c) the Development Bank of the Philippines reported reaching an increasing number of women beneficiaries—from 121 in 1998 to more than 9,600 in 2001. (IFC- Assistance to Small and Medium enterprises in the Philippines – Gender Equality Strategy, 2005. p.3).

Notwithstanding the above criticisms, major programmes in support of these policies have been launched:

Enterprise development

The GO NEGOSYO CAMPAIGN has been mounted and led by the private sector. It is a national movement for entrepreneurship spearheaded by successful entrepreneurs in the private sector who, in partnership with the government, seek to encourage young men and women to venture into entrepreneurship. In March 2006, they mounted an exhibit to showcase successful enterprises and to make known the availability of entrepreneurial opportunities in the country.

- Labor Department programmes to assist women entrepreneurs in the informal sector included introduction of practical and low cost improvements to raise productivity of small enterprises; promotion of rural employment through technical assistance and entrepreneurship training to rural workers, including women; and the women workers employment and entrepreneurship development (WEED) programme. WEED provides financial and technical support in the areas of self employment, entrepreneurship and cooperative endeavours. In 2001, its training component conducted 209 capability building activities in which some 6,390 women participated.
- The NCRFW, launched the *Gender-Responsive Economic Actions for the Transformation of Women* GREAT Women Project (2007 and ongoing) with CIDA funding, to support and promote the economic empowerment of women, especially those in micro-enterprises, *where most women are to be found*. These programmes continue to this day although programme titles have changed from WEED to WORKTREP (Work Entrepreneurship). The essence of the programme remains the same. Women's economic empowerment is defined by NCRFW in terms of a woman's degree of access to and control over productive resources and benefits from wealth-creating activities. It seeks to create *a gender-responsive enabling environment for micro-enterprises*,⁷¹ taking into account the major challenges facing the Philippine economy at present, namely: (i) the high and persisting levels of poverty; (ii) high unemployment rates; (iii) slow rate of job creation; (iv) *informalization and casualization* of labour; and (v) flaws in micro-enterprise related laws and the ineffective implementation of support services for women micro-entrepreneurs.
- The GREAT Women Project addresses the gender-based constraints that hamper women's economic participation and endeavours to facilitate women's access to productive resources and services including markets, credit, information, technology and other forms of support in order to eliminate the gender-based disadvantages in the labour and goods market. Better access to productive resources would improve women's enterprises and translate into increased incomes and better quality of lives for women over the long term.
- By linking relevant agencies to each other for improved delivery of social protection measures for women workers in micro enterprises, the GREAT project is expected to contribute to easing women's reproductive functions. Also, it seeks to develop the capacity of NCRFW and its partners at the national and local levels to contribute to design, implement, review and assess, monitor and evaluate gender-responsive economic legislation, policies, programmes, and services that have specific emphasis on micro enterprise development. The goal of the GREAT Women Project is to foster efficient, responsive, transparent and accountable governance at all levels and to support the development of sustainable SMEs that create more, better and decent jobs for both men and women.⁷²

⁷¹ By enabling environment is mean a combination of policies, programmes and institutional mechanisms and similar measures that promote and facilitate the growth of women's micro, small or medium enterprises.

⁷² Objectives of CIDA's Interim Strategy for the Philippines, 2005.

- The government has initiated direct job creation for out of school youth, providing emergency employment to 78,563 out of school youth from July 2001 to April 2004 under the *Kalinga sa Kabataan* programme (SONA as of April 30 2004). Moreover, from July 2002 to January 2003, 62,162 out of school young women and men nationwide were trained in various livelihood and skills areas under its Project OYSTER (Out of School Youth Serving Economic Recovery). Further, to help young people in their search for a job, the government has installed a Public Employment Services Office (PESO) in many towns and cities. Out of school youth also pick up industrial and livelihood skills in government-run or affiliated non-formal education or technical training centres; or they could join any of the apprenticeship programmes offered in cooperation with the private sector. Neither the training centres nor the apprenticeship programmes, however, are easily accessible.
- ILO Youth Employment Programme: The International Labour Organization has collaborated with local governments in promoting youth employment, and in cooperation with the Canadian International Development Agency (CIDA), ILO embarked on a programme for Promoting Youth Employment in the Philippines (PYEP) as an initial response to tackling the youth employment opportunities and challenges. This is a two-year project of the International Labour Organization (ILO) that seeks to promote and facilitate the creation of employment opportunities for young women and young men (aged 15–30 as defined by the legal scope of the National Youth Commission) in the Philippines by: (i) supporting efforts of the Government of the Philippines and other partners to formulate and implement an integrated policy and programme package for youth employment effecting change in government policies at national and local levels; (ii) implementing action programmes with key youth targets including school leavers, young people with low skill jobs, unemployed youth in the informal economy and potential and existing young entrepreneurs; and (iii) strengthening multi-stakeholder partnerships both at the national and local levels for promoting decent work for the youth.

Results of this programme include: (i) a national youth employment strategy plan, focusing towards a policy and action agenda for Promoting Decent Work for the Youth, containing recommendations for better coordination, complementation, replication, dissemination and scaling up of employment policies and programmes, as well as gaining support from among multi-sector partners; (ii) profiling youth segments and their employability status; (iii) policy studies in 2006 and 2007, including an inventory and analysis of national government, international funding institutions as well as enterprise level policies, programmes and arrangements addressing youth employment issues; (iv) lessons drawn for planning and implementing youth employment initiatives culled from available documentations of national and local level policy oriented forums and demonstration project activities; and (v) multi-stakeholder consultations, knowledge sharing and advocacy activities provided local perspectives and allowed for increased awareness and ownership of the proposed policy and action framework on youth employment.

Results of the studies indicated policies and programmes are numerous, however, they are also fragmented. Most are characterized by one or more of the following: (i) implemented in isolation; (ii) duplicating an existing policy or programme; (iii) lacked vertical or horizontal coordination with concerned or related national, local or sector stakeholders; (iv) absence of baseline data, process documentation and impact studies; (v) poorly implemented and/or unfunded; and (vi) was without clear strategies for sustainability or scaling up.

Focus group discussions (FGD) were conducted in project pilot areas (i.e., Ángono, Rizal; Concepcion, Iloilo; Cotabato City; Davao City; Dumaguete City, Oriental Negros; Guimaras Province; La Castellana, Negros Occidental; and Marikina City). Based on the survey findings, there are indications that other than a “one size fits all” approach, focused, coordinated and urgent interventions must be specifically addressed to the following youth segments

Students:

Urban and rural schooling-age poor: Youth, primarily children from low-income families, households and/or communities likely to drop out of the formal school system but are ill-equipped with basic skills for employability and life. Hence, a number of them are facing the risk of becoming child labourers; in particular those belonging to the 15–17 years old age group.

Employed:

Low-skilled underemployed: Youth, primarily school dropouts who had accepted any kind of employment because they need to work and earn.

Unemployed:

Choosy educated: Youth who are tertiary degree holders whose employment expectations were not being met by prospective employers. They generally prefer to work abroad.

Not in the labour force:

Women with family responsibilities: Young women not actively seeking for job at least within the next 12 months as a result of pregnancy, marriage, preoccupation with raising children and/or taking care of younger siblings. They are open to work at a later time if an available job is close to their residence. But given the opportunity they would often rather work overseas.

OFW dependents: Youth not actively seeking for job at least within the next 12 months as they have been regularly receiving financial support from relatives employed overseas.

Discouraged job seekers: Youth who had dropped out or were considering dropping out of the labour market as a result of repeated rejection and discrimination

In summary, policy research and forums at the national and local levels have resulted in a clearer understanding of the youth employment situation: “where” (industries or economic sub-sectors), “what” (jobs, positions, titles) and “how desirable” (employment arrangements) are the job opportunities available. As a result we now have a better profile of Filipino youth and the distinct needs and prospects for the different youth segments; as well as stronger indications of capacities to commit and engage in youth employment undertakings.

Microcredit for small enterprise promotion

Interest in lending to women-led SMEs has been spurred by legislative action and advocacy by the trade and industry department and by Women in Business, all of which crystallized in the National SME Development Plan. Notwithstanding these gains, there is great scope to improve data disaggregation of the “youth” group to further sharpen our understanding. In support of this plan, various GFI’s collaborated to design a uniform lending programme, tailoring it to meet the funding needs of SMEs. Called the SME Unified Lending Opportunities for National Growth or SULONG, the programme seeks to simplify and standardize lending procedures, thereby creating a “wider, borderless financing system” to address the short term and long term needs of SMEs. Among the participating GFIs are DBP, LBP, National Livelihood Support Fund (NLSF), Philippine Export and Import Bank (Philexim Bank), Quedan and Rural Credit Guarantee Corporation (Quedancor), and Small Business Guarantee and Finance Corporation (SBGFC). The expanded access of SMEs to funds has reportedly created jobs.

The government claims that from January to October 2003, lending to SMEs reached a total of PHP 21 billion, compared with PHP 6 billion from July 1998 to December 2000 (SONA 2004). Moreover, 52 SMEs were said to have graduated to a higher level within six months of programme implementation.

The Development Bank of the Philippines (DBP) developed a special savings programme in June 2002, the *Maginhawang Manggagawa* Saving Account, for SSS members from the informal sector. It aims to facilitate the payment of SSS premiums by informal sector workers by combining regular savings account and an automatic debit arrangement of the SSS member's saving account. It is being tested in three cities in Metro Manila, Cebu City, in the Visayas, and Davao City in the Visayas, and Davao City in Mindanao.

The Department of Social Welfare and Development (DSWD) is mandated to assist and extend social protection to indigents and marginalized groups, among others. Relative to this it has a livelihood and micro-enterprise programme. *Self Employment Assistance-Kaunlaran (SEA-K) of the DSWD*. This is a community based capability building programme in support of micro-enterprise and micro financing development for the poor and marginalized sector.

The National *Report on State of the Filipino Women 2001-2003* stated that over a million women in urban and rural areas benefited from credit programmes, including women operating small and medium enterprises. However, there is little evidence that the loans support sustainable livelihoods or that they are truly empowering. Also, training and non-training support has failed to reach a large number of women, especially those in micro-enterprises. Greater follow-up of a kind that measures the impact of such assistance is needed.

Training to make workers employable

The TESDA Women's Center launched the "*Kasanayan-Kabuhayan One-Stop Shop*," a referral facility that seeks to expand the employment options for displaced workers and informal economy workers, especially women, was launched in May 2001. It has since extended services to 801 women: skills assessment, career counselling, information dissemination on support services in overseas and local employment, skills training or retraining, scholarships for training information communication technology development, credit and networking.

The government instituted in 1996, an affirmative action programme within TESDA to ensure that women are trained in industrial courses traditionally dominated by men, thereby preparing them for higher levels of employment, responsibilities and pay. The policy directive requires that at least 10 percent of total TESDA annual training graduates are women. TESDA has since been training women in non traditional skills. In 1998, a total of 317 women graduates have undergone training in non-traditional courses for 1999-2001, a total of 479 women were trained in traditional trades, while 172 women were trained in other non-traditional courses such as automotive, welding, ceramics and electronics.

Apart from TESDA, the trade and industry department's Specialized Training Centers and regional offices have also conducted skills livelihood training in areas, such as gifts and home ware, garments and accessories, electronics and telecommunications, metal engineering, construction services, agro and forest based activities. They also developed training programmes for wholesalers, retailers, cooperatives, managers and supervisors. The Cottage Industry Technology Center has offered training in the following livelihood areas: dressmaking, flower making, bag making, décor-making, novelty items, home-made paper-making, food processing, handloom weaving, basketry and pottery.

The ILO launched its Training for Rural Economic Empowerment (TREE) Project, an effort to promote jobs for those who have been affected by the conflict in Mindanao. Many of the survivors were women and young people. Essentially, the TREE Project gave skills training and post-training assistance to help survivors of the separatist war to rebuild their lives. TREE was primarily a post-conflict intervention, categorically meant for ex-rebels/ex-combatants and their families. It was designed for the Autonomous Region of Muslim Mindanao (ARMM), where job opportunities are few and job creation is insufficient.⁷³ For example, the TREE beneficiaries—*women, unemployed youth, and the disabled*—were nominated by community groups and partner organizations such as the

Bangsamoro Women's Organization. The project enabled a rapid response to practical requirements⁷⁴ enabling them to rebuild their lives from ground-zero after the war. Over the long term, it could also reduce the susceptibility of such disadvantaged populations to join rebel or bandits.

The TREE built on two previous ILO projects in Mindanao—the Vocational Training and Enterprise Development (VTED) effort and the Project for Community Empowerment and Economic Development (PROCEED). It endeavoured to “intensify, concentrate and consolidate resources, systems, and methodology for a more comprehensive, integrated and convergent approach in planning, delivery and post-training support. One lesson learned from the ILO-TREE project and other similar pilot projects is the significant role that local governments can play in job creation and facilitating employment.

DSWD-Productivity Skills Capability Building (PSCB) for Disadvantaged Women, which trains women in sewing, toy-making, food processing, ceramics, rattan craft and other livelihood projects. With a budget of PHP460.6 million, the programme has directly benefited 115,303 individuals, of whom 70 percent were women. It also organized 15 associations of mothers, each group receiving seed capital of PHP100,000 for livelihood projects, As of April 2002, there were 104 PSCB centres nationwide.

The skills training programmes of the social welfare department regularly bear fruit. From June 1995 to June 1999, some 166,293 women benefited from skills training programmes in 107 Productivity Skills Capability Building for Disadvantaged Women (PSCB) centres nationwide. Of these 136, 262 (or 82 percent of the trainees) were eventually absorbed in the labour force. In 2001, a total of 31,827 disadvantaged women were trained, of whom 87 percent became gainfully employed through open, self-employed, subcontracted trainers and other types of jobs. At TESDA, trained women welders had won prizes, besting male welders.

Also, the social welfare department and a number of NGOS conduct programmes to provide alternative employment to promote decent jobs for women, particularly those women in prostitution who are rescued from sexual exploitation or voluntarily leave the sex trade. NGOs take on the very critical role of organizing the women, informing them of their rights and providing them with legal and counselling services. Of course, young males are also open to such exploitation and similar services are available to them although the number of young women selling sex services remains much greater than for young men and thus can be considered a gender issue.

4.1.2 Enhancing conditions of work

Migrant workers, women in the informal economy, women in the private sector, and women in the public sector encounter varying forms of gender-based disadvantages including exploitation, abuse and harassment. However, they face common disadvantages such as pay inequity, maternity protection and assistance in work-family balance, sexual harassment and trafficking.

Relative to this, there are items of legislation that cross cut all categories of women workers:

1. RA 7877 or the *Anti Sexual Harassment Act of 1995* has been implemented at plant level within the PEZA zones through the creation of a Committee on Decorum and Investigation in 151 locator-enterprises and five in PEZA head office/zone offices. Anti-sexual harassment policies were included in nine enterprises while women's desks were created in three eco zones.

By the end of 2002, one trade union group had received the following reports from 259 unions and firms: the creation of a Committee on Decorum and Investigation (CODI) and/or formulation of their anti-sexual harassment policy; investigation of 432 cases by the committee and formalization of 20 companies; and inclusion of the issue of sexual harassment in eight collective bargaining agreements (CBAs). The impact of such moves is yet to be

⁷⁴ These included how to acquire tools and machines, how to access product designs, where to get capital, etc.

Aggressive stance against youth employment woes

The City Government of Marikina is seriously searching for remedies within its economic development plan to get rid of the youth employment headache, or at least progressively reduce it. Integral to this crusade for solutions, the Multi-sectoral Youth Employment and Enterprise Advisory Council was formed and the Youth Employment Programme was adopted as the key strategy for local economic development. The Council recommended expanding youth and employers' access to employment channels, services and facilities and developing Work Appreciation and Skills Training Programmes covering work ethics, job information, job hunting skills and ICT skills among others. Linkage with the business sector and training institutes are established to tap the vast potential for job creation and training on the area of call centre work, medical transcription and animation.

A tie up with TESDA was forged for fund sourcing and curriculum guidance. Entrepreneurship training was conducted targeting mostly the young poor and those out of school. All initiatives are products of a vibrant public-private partnership with active youth participation.

Creating options for an enterprising future

The Entrepreneurship Empowerment Program sparks hope in the hearts of the senior students of the Marist School Afternoon Shift Programme. This joint programme of the Marist School, its alumni association, the city government and the ILO is hoping to turn talents into assets, juvenile ideas into viable business proposals, and students into entrepreneurs. Set on four consecutive Saturdays which began on August 25th 2007, the programme will help disadvantaged youth to see other options and opportunities to take after completing high school.

Source: Tackling the Challenges of Youth Unemployment, ILO, 2006.

studied. In addition, the labour department require the private sector to report on its compliance with certain provisions of RA 7877 and to indicate this in the Checklist for Self-assessment on Compliance of Labor Standards. These include the posting/dissemination of RA 7877, creation of CODI and promulgation of company policy on sexual harassment. NCRFW has also been directed by the President to form a team composed of representatives from various concerned agencies to monitor the implementation of RA 7877 in the private sector.

2. The *Anti-Trafficking in Persons Act of 2003 (RA 9208)* was approved in May 2003 and it institutes policies to eliminate trafficking in persons especially women and children. It establishes the necessary institutional mechanisms for the protection and support of trafficked persons, and sets sanctions and penalties to the traffickers, to those who facilitate trafficking and to those who buy or engage the services of trafficked persons for prostitution.
3. Efforts are continuing to have an anti-prostitution bill to decriminalize persons exploited in prostitution and redefine prostitution as the victimization of persons, "whether woman, man or child for the sexual gratification, exploitation or pleasure of another in exchange for cash, profit or any other consideration." While the Anti-Trafficking Law views prostitution in the same way, the proposed anti-prostitution law considers "any act which promotes or facilitates the accomplishment of the said acts" as also constituting prostitution. The decriminalization of women in prostitution is consistent with the FPW objective of formulating and implementing "legislative measures that will eliminate gender bias."

In chapter 2, it was observed that specific groups of women face gender-based challenges and obstacles in the course of finding and performing their jobs. The key issues of the specific sectors are being addressed in practical ways as follows:

Women workers in the informal economy

Key concerns of women in the informal economy pertain to the uncertainty of work and income; low earnings; susceptibility to exploitation and **lack of social protection.**

Women engaged in the informal sector are under-represented in high income activities and over-represented in low income activities, mainly sub-contract work. Women entrepreneurs need capital, technical assistance and safety nets as they face stiff competition from cheap products from other countries. *They lack social protection, such as workers benefits and health insurance, because informal workers and home workers have always received less priority for social protection from government.*

The DOLE, together with the organized groups of the informal sector, campaigned vigorously for coverage by the SSS and Phil Health under a UNDP and ILO supported project in 2001–2002. To date, informal sector workers have the possibility of joining the SSS and Phil health as self-employed workers. The huge challenge for them is to ensure that their capacity to pay by having decent jobs and incomes to sustain their monthly contributions to the insurance systems.

The informal economy in the Philippines and the rest of Asia remains significant and NEDA estimated that in 2005 there were 24,772,000 informal workers or about 77 percent of the employed. They contributed 43 percent of the GDP in 2006. However, the concerns of the informal economy are not integrated in the MTPDP.⁷⁵

NEDA, through the NSCB, may facilitate the conduct of consultations and generate consensus among government agencies. LGUs, NGOS and private business as regards their understanding and definition of the informal sector. For the private sector, informal economy refers to unregistered businesses; for DOLE, they refer to the unregulated, voiceless sector of the self-employed, marginalized workers with irregular income and no access to organized markets, credit institutions, training, etc.

Practical challenges in the endeavour to extend social protection to workers in the informal economy pertain to the need for an acceptable operational definition that could be used for obtaining statistics vital to policy making, planning and programming.

ILO member countries differ in the use of the term “the informal economy.” In 2002, the Philippine NSCB adopted through Resolution 15, the official definition of the informal sector, referring to household unincorporated enterprises consisting of:

“informal own account enterprises that are owned and operated by own account workers who may employ unpaid family workers and occasionally hired workers and enterprises of informal employers that are owned and operated by own account workers which employ employees on a continuous basis.”

Table 14: Employed persons by class of worker, Philippines 2006-2007

| | 2006 | 2007 |
|-------------------------|--------|--------|
| All Class of workers | 33 259 | 33 334 |
| Wage and Salary Workers | 17 535 | 17 700 |
| Own Account Workers | 11 910 | 11 867 |
| - Self employed | 10 395 | 10 434 |
| - Employer | 1 515 | 1 433 |
| Unpaid Family Workers | 3 815 | 3 733 |

Source: Current Labor Statistics, October 2007, p.14.

Note on the table

For comparability, available figures for July 2006 and July 2007 are used in the above table.

⁷⁵ Milagros Rimando of NEDA Region 2. Official Travel Report. 13-16 August 2007, Asian Forum on Growth, Employment and Decent Work at Beijing, China, ILO.

Statistics about informal workers are not easy to generate from the LFS and determining their precise number has been a continuing struggle. Often, the extent of informal work is estimated from the numbers of the own-account and unpaid family workers in the Labor Force Survey. From Table 14 it can be seen that the unpaid family workers numbered 3.7 million plus the own account self-employed workers of 10.4 million, suggests that there were around 14.1 million informal sector workers in 2007.

Women in the private sector

Several pieces of legislation that address gender based discrimination have been passed including the Solo Parents Act (RA 8972 of 2000) which provides that an employer may not discriminate against any solo parent with respect to terms and conditions of employment.

- RA 6972 was passed in 1990, mandating the *establishment of day care centres in every Barangay*. Thus 35,000 centres were set up by 2000. As a support mechanism and direct poverty-alleviating effort, day care centres have been criticized as providing very little time-off for women to really enable them to undertake gainful employment. But this is still a relief from child rearing, offering “mothers time” to do other things for themselves, if not for income generation. The day care centres also afford pre-school children exposure to formal learning environment usually accessible only to those from middle and higher income families.⁷⁶
- RA 8187 grants a *seven-day paid paternity leave to a married male employee* in both the public and private sectors whose legitimate spouse delivered a child or suffered a miscarriage, to enable him to effectively lead her care and support during and after childbirth and assist in the care of the newborn.
- RA 6725 enacted in 1989 sought to strengthen the *prohibition of discrimination against women with respect to terms and conditions of employment*. The labour department has since issued the Implementing Rules, which defined “work of equal value” and set forth the conditions under which payment of a lower compensation or benefits to a female employee does not constitute dissemination. Because of the ambiguities in the implementing rules, however, the pay equality provision has yet to take effect, and compliance of employers remains to be monitored.

Related to this is ILO Convention 100 which the Philippines ratified in 1951. The Committee of Experts on the Application of Conventions and Recommendations noted that the Government of the Philippines has applied the principle of *equal remuneration for work of equal value* to compare the remuneration received by men and women engaged in different occupations such as wardens in sheltered accommodation for the elderly (predominantly women) and security guards in office premises (predominantly men); or school meal supervisors (predominantly women) and garden park supervisors (predominantly men). Comparing the value of the work done in such occupations, which may involve different types of qualifications, skills, responsibilities and working conditions is an essential step in determining commensurate and non-discriminatory remuneration. The Committee also cautioned that care must be taken to ensure that methods used be free from gender bias.⁷⁷

In the few cases of gender discrimination that reached the Supreme Court, the Court has decided in favour of the woman complainant. Consonant with Sec 2, Article 11 of the Constitution, the Supreme Court cited the Convention that prohibits discrimination against women with respect to terms and conditions of employment as the basis of corrective labour and social laws where the services of a female employee were terminated because she contracted marriage during employment (Supreme Court Reports Annotated (SCRA) 1997).⁷⁸

⁷⁶ In CEDAW 5th and 6th Country Report, p. 36.

⁷⁷ Philippine Report on Ratified ILO Conventions 2007, Convention 100.

⁷⁸ CEDAW 5th and 6th Country Report. p. 112

For unionized women workers in the private sector, their collective bargaining agreements (CBA) generally include certain maternity-related provisions, such as pregnant women being given flexible schedules, non-assignment to night shift, maternity loan, relief of heavy work load, exemption from wearing company uniform or provision of appropriate uniform during pregnancy, and granting of Social Security System maternity benefits in advance. Free pap smear is also provided for all women members as part of their CBA.⁷⁹

Studies have been undertaken to understand the effects of globalization on women, gender-based discrimination in the workplace, and the contributions women make to the economy such as:

1. The National Statistical Coordination board had developed a framework for measuring women's and men's contribution to the economy from 1997 to 2001. Using secondary data and the pilot time use survey, the National Statistics Office tested a framework for measuring the contribution of women in the proposed satellite account in the System of National Accounts.
2. The Women's Studies Center of the University of the Philippines supported a series of studies to investigate the immediate and long-term impact of globalization on women in various occupation groups: women in the garments industry, indigenous women, and migrant women. The garments industry in particular noted changes in the structure of the industry, such as the by-passing of middle level subcontractors due to increased competition and to the crisis that left only big firms surviving the competition; a shrinking market share of domestic producers cause by the flooding of cheaper imports; and increased vulnerability of home workers to layoffs and loss of orders due to the introduction of new technologies such as computer-aided embroidery.
3. NSO pilot tested and finalized the design and instruments for a national time use survey in order to estimate the economic contributions of unpaid work. All these are consistent with regional initiatives to advocate the full integration of men and women's unpaid work into national policies.⁸⁰

NGOs have been active in information dissemination, education and training of OFWs. For example, the *Kanlungan Centre Foundation*, with support from the ILO, published a handbook for Filipino women domestic workers entitled *Destination: Middle East*.

ILO commissioned a study in 1999 on reconciling work and family which took stock of existing family care services that could mitigate the stresses of women's domestic burdens. For example, it noted that 82.8 percent of all *barangays* (villages) in the country have day care centres which provide services for free, and which are targeted for use by poor families. These are publicly-funded which might not speak well of the quality of services given the scarcity of resources. Middle and upper income working women can well afford a nanny or a domestic help to take care of their children and are well catered for by privately-owned day-care centres.

Women in government

Philippine law provides that women in the public sector (as well as in the private sector) be granted maternity leave, whether married or unmarried. The Philippine Labor Code (Articles 132, 133, 134) acknowledges maternity as a social function and accords women workers the right to a nursery in the workplace, maternity leave, separate toilet facilities for women and men, family planning services and at least a dressing room for women. These rights, however, are flagrantly violated in most workplaces.

⁷⁹ in CEDAW 5th and 6th Country Report, p. 54.

⁸⁰ CEDAW 5th and 6th Country Report, p. 19.

While the Solo Parents' Act is pending, the Civil Service Commission has Memo Circular No. 8, s.2004, promulgating the Guidelines on the Grant of Parental Leave to Solo Parents. It allows for parental leave of seven days in addition to existing leave privileges to allow the parent to personally attend to the needs of the child and perform other parental obligations.⁸¹

Women workers in government have maternity benefits including maternity leave for full term delivery and miscarriage. Until 2002, it was granted only to married women. Leave is for 60 calendar days with full pay if the employee has rendered at least two years of service. Those with less than two years but have one year or more of service receive benefits computed proportionate to their length of service, while those with less than a year of service are granted 60 days with half pay. By 2003, CSC recognized the right of unmarried women to maternity leave, thus, they are now granted the same maternity leave given to married women.

Women migrant workers

Overseas workers are now protected under the Migrant Workers and Overseas Filipinos Act of 1995 and the government implements policies and other measures to protect OFW and other women workers and to prevent trafficking. Participation in international conferences organized by the International Organization on Migration (IOM) was explored as a mechanism for coordinating and enhancing policies and programmes against international trafficking.

Bilateral agreements and diplomatic negotiations have been concluded with host countries on the welfare and protection of overseas workers. Some countries have accepted the adoption of particular skill-specific Standard Employment Contracts (for household workers and performing artists). Arrangements pertaining to social security coverage for workers have been negotiated with Austria, Spain, United Kingdom, France and Canada while that with Italy was being processed as of 2004. Social security bilateral agreements have been reached with Quebec (as distinct from Canada), United Kingdom, Switzerland and Belgium, but they need to be reviewed and implementing guidelines developed and adopted. New agreements need to be explored, including European countries' issuing au pair visas for Filipino domestic helpers. Lastly, full bilateral labour agreements have been signed with Jordan, Qatar, Kuwait, Libya, Papua New Guinea, and the Commonwealth of the Northern Marianas Island. Similar agreements are being worked out with other countries in Asia and the Middle East.

In 2004, the POEA introduced new rules and regulations for recruitment agency license applicants and stiffer penalties for violators. That organization has also liberalized requirements in the accreditation of foreign principals and in the processing of paper of migrant workers, while strengthening the accountability of POLOs and recruitment agencies in their respective obligations and liabilities. In 2003, the DOLE through Department Order No. 11 recognized the growing alternative mode of recruiting Filipino household workers to Hong Kong which is cheaper, faster and more trustworthy: recruitment through word of mouth and referral by relatives.

Under the programme "International Social Welfare Services for Filipinos" of the Social Welfare Department, social welfare attaches have been deployed beginning 2002. OFWs in some destinations can now avail themselves of welfare services on site. DSWD deployed the first batch of social welfare officers to five Middle Eastern countries (Abu Dhabi, Dubai, Kuwait, Qatar, and Saudi Arabia) and three Asian destinations (Singapore, Hong Kong and Taiwan); and field a social welfare attaché in Malaysia and social workers in Japan. They are expected to render direct services (transportation, shelter, and food assistance); case management, including referrals to other social services; counselling group therapy; and the filing of cases; jail as well as hospital visits; values enhancement and skills training; and advocacy and social mobilization. A year since their deployment, the social welfare officers have been able to assist 6,429 Filipinos in Malaysia, 3,820 Filipinos in Japan, 158 Filipinos in Hong Kong, and 2,451 Filipinos in other countries where said

⁸¹ Philippine Responses to UN CEDAW Pre-session Questions on the 5th and 6th Country Report, NCRFW, p. 17.

officers serve as technical assistants to the labour attaché. About 90 percent of the clients are women, aged 22 to 40 years; the rest are men and children.

Skill-specific, and in some cases country-specific, pre-departure education programmes have been upgraded and/or instituted. These include (i) pre-departure orientation seminars for domestic workers (most of whom are women) that integrates modules dealing with special information needs of women workers, such as gender and development, health and sexuality, HIV/AIDS and self-defence techniques; (ii) a comprehensive orientation programme for entertainers (COPE) aims to ensure job readiness of artists and to raise their awareness on their rights, health, illegal recruitment, trafficking, self-development, better career options; (iii) language training and testing for nurses, in addition to verification by Philippine overseas labour officials of suitable accommodation for nurses on night shifts prior to deployment; (iv) for factory workers, most whom are women as preferred by semiconductor and computer firms in Taiwan and Korea, PDOS includes orientation to occupational and environmental safety in the workplace, the use of safety gadgets, and need for the ability to follow instructions and guidance through colours, symbols and signs as substitute to written and spoken foreign language; and (v) the small but increasing number of women seafarers working aboard cruise-passenger lines or floating hotels as waitresses, chambermaids or entertainers, are subject to the international training standards for safety that is required of all seafarers by the 1978 Standards of Training, Certification and Watch-keeping, as amended.

The Commission on Filipinos Overseas created the Migrants Advisory and Information Network (MAIN) to disseminate effectively information on migration concerns to the public. MAIN desks were set up at regional, provincial, city, municipal and Barangay levels, and information campaigns, conducted in various regions. NGOS have been active in information dissemination, education and training.

For overseas performing artists or entertainers, many of whom are women, the minimum age requirement of 23 years old for female performing artists was reduced to 18 years old on realization that the previous policy encouraged age misrepresentation.

OWWA implements a number of programmes for the security and social protection of female and males covering all OFWs who have paid the OWWA fee. These programmes and services include:

- Repatriation assistance which is supported by a budget of PHP 100 million for emergency repatriation of documented workers and facilitate the safe return of distressed overseas Filipino workers;
- An insurance programme which provides insurance coverage for all OFW who paid the OWWA fee. In 2000, around 472, 153 OFWs enrolled under the programme and insurance claims of PHP 14 million were paid out to 4,310 claimants. Of the claimants, 10 percent were women workers;
- Disability assistance which comes as cash reimbursement of PHP 1,500 to PHP 10,000, depending on impediment grade levels, paid to migrant workers who have sustained injury or suffered disability while working abroad. As of 2001, 633 women workers availed of such assistance;
- Burial assistance which involves the payment of PHP10,000 or less to the legal beneficiaries of a deceased worker. It may also be availed of OWWA members who are no longer covered by the insurance programme. In 2001, some 945 families of female workers were provided burial aid;
- Financial aid, which consists of monetary donations of PHP 5,000 or less to OWWA members who are no longer qualified to avail of any other social benefits for members who are in need of help caused by unavoidable and unforeseen circumstances. In 2001, 3,313 workers (26 percent female) were granted such financial aid;

- Monetary assistance of up to PHP 7,000 is also available for indigent former OFW and OWWA members. In 2001, 48 women received this aid; legal services which include legal counselling, documentation, conciliation and mediation. In 2002, a total of 2,269 female overseas workers availed of these services; and
- Various scholarships and skills training for target OFW and their dependents were granted. In 2004, women workers accounted for 76 percent of those who attended the free training course on food processing and agricultural technology for poor but deserving OFW and their dependents, with an optional credit facility to finance livelihood projects. In 2001, some 1,717 female OFW and dependents benefited from the skill-for-employment scholarship programme. The scholarship programme for the primary and secondary education of children of financially distressed OFW or returnees had benefited 483 children. Of this, 289 (60 percent) were children of female workers.

4.2 Enhancing gender based representation

This section discusses issues surrounding gender-based representation and participation in tripartite labour market governance. Our discussion includes the role of women in the peak councils of private industry and employer organizations, their role in the trade unions and in government.

4.2.1 Women in the private sector/employers' organizations

Tripartite representation in some institutions offers a forum for social dialogue among workers, employers, and government. This avenue of dialogue is decidedly limited, and any attempts to expand it must overcome some identified obstacles including the limited representation of women in such forums and male dominance in most employer and industry organizations.

4.2.2 Women in trade unions

To enhance the participation of women in trade unions, some steps have been taken already. These include: (i) creating and/or strengthening of Women Committees at local and national levels; (ii) reserving at least one seat for women at the local and national board level of leadership; (iii) allocated funds for programmes and activities concerning women; setting up of Anti-child labour desk and a Committee for Anti-Child Labor Actions; (iv) continuing action research and information dissemination about women workers and child labour; and (v) soliciting funds and other forms of support from other local and overseas organizations and institutions.⁸²

Through the National Committees for Women and Child Labor Concerns (NCWLC) or equivalent committees, labour organizations seek to strengthen the participation of women, not only in all union activities at the enterprise, national and international levels, and enhance their capabilities to perform more leadership roles within the union structure.

The Federation of Free Workers (FFW), a WCL affiliate, has for some time been operating as a labour centre and has brought into its fold, members from such diverse groups as women, youth, marginal farmers and other informal sector workers.

The TUCP, an ICFTU affiliate, has modified its constitution in order to organize women, youth, home-based workers and marginal farmers through its affiliated Informal Sector Coalition of the Philippines. The TUCP maintains that some 30 percent of its membership now comes from the informal economy.

To promote women empowerment and equal opportunity in employment, both FFW and TUCP have institutionalized substantive women's programmes. TUCP in its anti-sweatshop programme has assumed the role of social whistle blower by discovering problems and finding solutions to

⁸² Divina Edralin." Trends, Patterns and Challenges in Achieving Gender Equality: Trade Union Perspective and Roles," Unpublished paper, 13 October 2004, p.9.

discriminatory practices. Advocacy for equality at work is also receiving wider publicity through cooperation with the media.⁸³

Apex labour organizations,⁸⁴ such as the Federation of Free Workers, National Federation of Labor (NFL), and Trade Union Congress of the Philippines (TUCP), as well as their affiliate unions, have sought to address gender concerns in various ways. These include:

- In 2001, the NFL appointed a woman general secretary for the first time;
- The allocation of several seats on the board and/or forming a special group to oversee programmes or projects related to women members, and lead the GAD advocacy within the organizations;
- Building leadership capacities of women. For example, the FFW, prepared women members to participate in collective bargaining negotiations;
- Support for advocacy for Anti-sexual harassment at the workplace; and
- Support for advocacy for the social protection of workers in the informal sector.

4.2.3 Women in government

In the public sector, the Civil Service Commission (CSC) has adopted policies relating to the following issues involving gender:

- *Equal Representation of Women in Third Level Positions in Government* (in 1999). This policy seeks to promote gender equality at all position levels in the civil service and to ensure equal employment and development opportunities for government's human resources. More specifically, the CSC seeks to address gender inequities in gender representation at third level positions of the government, with a view to increasing the number of women holding executive positions. The policy encourages the nomination of both women and men whenever a vacancy occurs in third level positions. A Directory of "Women on the Move" was also created with the names and curriculum vitae of women in government and in the private sector who can be considered for Cabinet and sub-cabinet senior level position.⁸⁵ and
- RA 8551 or the Philippine National Police Reform and Reorganization Act of 1998, the annual recruitment of women police officers has been above the prescribed 10 percent quota. Although it initially dropped from 15 percent in 1999 to 11 percent in 2000, it has since been rising. By 2002, women recruits accounted for 17 percent of total, mostly for junior office positions. No woman police officer was hired for top-level positions (PNP 2002). However, the adoption in 1999 of an affirmative action programme in the Police Academy made possible the lateral entry of women police officers into the command. From 1999 to 2002, a total of 1,781 women police officers, or 14 percent of total police officers, were hired (PNP 2002).⁸⁶ Early in 2008, a special all-female police team was formed at Quezon City. Also, there is now a female general in the PNP, Chief Superintendant Yolanda Tanigue, heading the national police's women and children protection centre for battered wives, rape victims and abused children in the Philippines.

⁸³ Gust, p. 17.

⁸⁴ CEDAW 5th and 6th Country Reports, p. 95.

⁸⁵ Gust, p. 62.

⁸⁶ CEDAW, p. 37 para 92.

Of the 148 PMA graduates in 1997, seven were women, one of whom garnered the highest honours. In the admission examinations for SY 1999-2000, a woman topped the exams with two others in the top ten. Their performance is a good indicator of their potential as leaders in the military service.⁸⁷

4.3 Analysis and conclusions

Legislation addressing gender issues and promoting women's work participation have been passed. And several bodies have been created tasked with implementation the laws, namely: the Executive Committee to suppress trafficking in persons particularly women and children; the Anti-Illegal Recruitment Coordination Councils. NCRFW helped create GAD Resource Centres (GRC) in other parts of the country to provide similar services NCRFW also developed a gender-responsive database at Compostela Valley, which can be referred to by other Local Government Units (LGUS) for their own mainstreaming efforts.

There is no shortage of action programmes to create jobs for men and women. Currently, there is a dedicated government effort toward empowering women, the GREAT Women Project with substantial support from the Government of Canada. The thrust has been to promote self employment and entrepreneurship. Job creation efforts will have to contend with market forces such as globalization and liberalization. The challenge of job creation is a tough one due to the huge numbers of new additions to the labour force every year; it is linked to the untamed growth of the Philippine population which is expected to reach 110 million by 2015.

The Philippines is well equipped with policies and plans, some of which have been put into practice through the gender programmes. It has the gender budget and the technical tools that could be used in addressing gender issues in the labour market.

An oversight and coordinating agency for promoting gender equality, the NCRFW, has evolved tools for making governance gender responsive which could be used in mainstreaming gender in labour market governance:

4.3.1 Tools for programming and implementing gender-responsive actions

These include the (i) Manual on Handling Sexual Harassment Cases in Government (CSC); (ii) Manual on Formulating Gender Responsive Development Plans (NEDA); (iii) Technical Assistance Package for GAD Planning and Budgeting for Local Government Units and Handling and Prevention of Domestic Violence Cases at the Barangay Level (DILG); (iv) Gender Responsive Programme of Instructions from the Philippine National Police-Basic Recruit Course and Basic Course (Philippine Public Safety College); (v) Primer on GAD Plan and Budget for budget officials and personnel (DBM); (vi) Methodology for a national time-use survey (NSO); (vii) Training Manual on Statistics for Gender-Responsive Local Development and Planning (SRTC); and (viii) Methodology to Generate Statistics on Violence Against Women and Children (NSCB).⁸⁸

In addition, there are ILO tools such as the **Local Economic Development Kit**, Gender Audit and similar tools which have yet to be used in a significant way in the professional development practice in the country. For example, the Local Economic Development Kit has been tried with select municipalities in collaboration with the League of Municipalities of the Philippines. However, the widespread application of the tool after the pilot has yet to happen. Institutionalizing the use of the Local Economic Development Kit among the LGUs is an important step and could be leveraged in installing gender-friendly planning and programming at the local level.

⁸⁷ Ibid, p. 37, para 37.

⁸⁸ CEDAW 5th and 6th Country Report

4.3.2 Gender budgets

The Philippines introduced the GAD budget policy in 1995 to fund the implementation of the PPGD. A provision of the General Appropriations Act (GAA) of that year, the policy required all government agencies to set aside a portion of the budget allocated by the Act for GAD programmes, projects and activities to ensure that the goals and objectives of the PPGD are translated into agency plans and targets. Every year thereafter, the annual GAA provides that agencies submit a GAD plan along with their agency budget proposals and allocate at least five percent of their total budget to GAD. NCRFW was authorized to review agency GAD plans prior to endorsement to the Department of Budget and Management.

In 2000, 41 percent of all government agencies complied with the GAD budget provision with a total of PHP 3.3 billion pesos allocated for GAD programmes and projects. A total of 214 local government units submitted GAD plans with a total allocation of PHP 113.25 million.

4.3.3. Gender disaggregated data

The lack of sex-disaggregated data hampers the capacity for development of truly gender responsive policies and programmes.⁸⁹ Gender sensitive data, when it exists, is most often limited to the number of men and women benefiting from the programmes and services. Very little attention is paid to assessing the impact of access to these resources and services have on the lives of the women and the men who avail of them. A Presidential directive dated 4 September 1998 provides funding for provincial level sex-desegregation of data. The SRTC and the Population Commission have designed a manual on the use of data for GAD planning and a core set of indicators for local level gender-responsive population and development planning and monitoring.

The NSO and NSCP publish fact sheets presenting sex-desegregated data on selected indicators for population, employment, education, health and violence against women, with a CIDA grant. A set of 32 core indicators of the status of women and women's enjoyment of their rights has been identified after consultations with government agencies and with civil society. The NSCB Executive Board issued a Resolution which obliges government statistical agencies to regularly collect/produce and disseminate sex-disaggregated data.

In addition, the NCRFW maintains its own information centre which offers key statistics and other information materials on status of women and laws, programmes, projects activities and institutions addressing gender issues; keep a computerized database of statistical and qualitative data, and published fact sheets on women and other special reports.

4.3.4. Gender mainstreaming evaluation framework

A monitoring tool has been developed known as the Gender Mainstreaming Evaluation Framework (GMEF). It looks into financial and human resources allotted for gender mainstreaming and gender-sensitive programmes, projects and activities; and the overall capacity of the agency and its personnel for gender-responsive planning, implementation, monitoring and assessment. NCRFW uses GMEF to monitor compliance by government agencies on gender mainstreaming, including the policy to allocate five percent of agency budget for gender mainstreaming.

A GAD Indicator System has been put in place to: (i) measure changes in the lives of women and the extent at which they enjoy their rights, (ii) monitor progress in the implementation of the gender mainstreaming policy; and (iii) track specific gender issues like violence against women and women's unremunerated work.

NCRFW and key government statistical organizations have collaborated to develop and put the system in place. These agencies are the National Statistics Office (NSO), which conducts the major surveys and gathers key statistics, and the Statistical Research and Training Center (SRTC) which

⁸⁹ IFC- Assistance to Small and Medium enterprises in the Philippines – Gender Equality Strategy, August 2005, p. 7.

Gender budget in the Philippines: How useful is it?

The GAD budget policy has been the subject of intense lobbying by women's organization who are pushing for its implementation. It has been a powerful tool for women to negotiate with government agencies and local governments for better programmes, projects and services. This is exemplified by the 70-member women's group in a village in Mindanao, which negotiated with the barangay officials for the group's accreditation as a legitimate organization, prepared a GAD plan and presented it to the Barangay Council. Funds released in the first year were used, in part, to convert the old village hall into a women's centre, while funds in the second year went to livelihood training and the purchase of equipment for entrepreneurship. As a result of the process of consultations about the GAD budget, the women's organization has also secured a place in the decision making and political processes of the barangay.

During the eight years of its implementation (1995-2002), gains were noted as follows: it became the basis for women to lobby and negotiate with government for GAD programmes and adequate resource allocation; mainstreamed gender in the government's resource allocation system; focused attention on GAD as a government agenda; forced agencies and local government unit to think gender; clarified the role of oversight agencies in gender mainstreaming; strengthened NCRFW as an authority on women's concerns and served as a model for other marginalized sectors such as the elderly, the differently-abled and the indigenous people on how to negotiate with government for resources to carry out specific programs for specific sectors.

The NCRFW continues to monitor the use of the gender budget to ensure that it benefits women and promote gender equality in all sectors of government. It has analyzed the use of the gender budget in the health and agricultural sectors which was presented in a forum in the first quarter of 2008.

Source: 5th and 6th CEDAW Country Report, NCRFW, 2006

conducts statistical training programmes. These agencies seek funds or use part of their agency budgets to produce key statistics and support activities for training statistical offices of line agencies and local governments.

Having a generally gender-friendly policy environment in the Philippines, one wonders why gender discrimination is still rife in the workplace? Laws and policies cannot work their transformational magic until they are put into practice. Implementation and enforcement is a major weakness in the labour and employment field. **And it has to do with weak institutional capacities and under-resourced programmes.**

There are some innovative programmes borne out of pilot projects supported by the ILO; scaling them up to reach a "critical mass" could take these efforts to a higher level of impact and active advocacy would be needed to convince LGUs to institutionalize such programmes.

Localization as a strategy should be worth exploring as more responsibilities are now being devolved to local government units. An immediate possibility is the wider use of the Local Development and Employment Kit which could incorporate gender for local governments. The initial ILO pilot on this should be instructive in terms of approach in the field. The ILO's Gender Audit tools could likewise be harnessed and applied at the local level. In fact, these two ILO tools could be used jointly in a programme with LGUs.

The job creation challenge is well known and the solutions are also known. The scale of their application is probably the missing element. For example, the ILO Youth Employment programme has already demonstrated an approach and strategy. Can this be brought to other local governments? Partnerships with women's groups and concerned government institutions could help in advocating for this with the LGUs.

Finally there is the issue of statistical data. Much of the available information is already several years out of date and this makes a proper evaluation of the success of past programmes difficult to assess. Any effort to address gender-related weaknesses within the labour market must include the ability to analyze the efficiency of past programmes in terms of sustainable outcomes.

In sum, there are policies, programmes, technical tools, gender budgets for fostering gender equality in all spheres of life in the Philippines including labour market governance. The question is: are these tools applied in agencies such as the Department of Labor and Employment, the Department of Trade and Industry, and agencies related to labour market governance? How are these used? Further, is the NCRFW, which does not have the technical competence in labour and employment, able to push concerned agencies to apply the tools and use their gender budgets in the desired manner? There are some positive news but more could be done in harnessing these tools in the arena of labour and employment.

An issue that begs attention is the increased participation of women in policy making bodies that impact on labour and employment. These include the various government bodies cited in the chapter as well as employers' organizations and trade unions. The latter is an extremely useful vehicle for incorporating gender friendly policies in collective bargaining agreements.

A yet "invisible" force in the formal structures affecting labour market governance are the non-government organizations that cater to the concerns of those in informal employment. Inroads have been made in this regard. For example, the National Network of Home-workers have been able to dialogue with the DOLE and are represented in the National Anti-poverty Council (NAPC) where they are able to articulate concerns and issues of the day. More of the same is needed and organizations would have to be strengthened for effective representation in decision making bodies.

An opportunity for addressing gender issues in the labour market is the ILO's Decent Work Country Programme. In its 2005 – 2007 programme, the agenda covered employment, rights at work, social protection and social dialogue. These main pillars remain valid up to now. It could be carried forward to the next cycle with enhancements:

5 Conclusions and recommendations

This paper has sought to integrate and consolidate the findings of various studies pertinent to gender issues in the labour market. There have been scattered pieces of empirical evidence adduced which lend insights and provide a good sense of the gender based deficits in the labour market and its governance.

The CEDAW Report integrates information gathered through multi-sector consultations and a variety of documentary sources in drawing up the national picture on Education (Article 10) and Employment (Article 11). Government reports on compliance with ratified ILO Conventions has also helped in understanding the situation of Filipino women in the labour market. In this section we draw together the main conclusions from this study and consolidate the recommendations that follow from them.

5.1 Conclusions

Numerous actions (as described in chapter 4) have been taken by different stakeholders and the ILO to promote decent work and/or gender equality. There is an impressive array of law and policy reforms but the practical translation of these reforms stands as the unfulfilled imperative. Enforcement of laws and administrative policies as well as the implementation of policies and programmes stands in the way of realization of gender equality and women empowerment. Women-led NGOs shared the same perception which they articulated in the Philippine CEDAW Shadow Report: "the difference between policy and practice has yawned wider over the years, spelling more disempowering than empowering conditions for millions of Filipino women in this country and abroad."⁹⁰ Filipino women could therefore be having *de jure* equality but this does not mean that there is substantive or *de facto* equality.

⁹⁰ Philippine NGOs Shadow Report to the 36th Session of the Committee on the Elimination of Discrimination Against Women, p. 9.

Table 15: Summary of recommendations

| | |
|---------------------------------|---|
| Employment | <ul style="list-style-type: none">▪ Scale up the youth employment programmes. Consolidate lessons learned and increase its visibility among mayors and governors. Tie up with some lead provinces like Bohol where the employment strategy has helped in galvanizing provincial development efforts. These provinces can provide evidence of success;▪ Develop the capacity of local government officials in employment planning and incorporate this as a performance criterion in the Local Government Performance Measurement System. This will require some advocacy. Link with the NCRFW in their GREAT Women Project where the Local Development and Employment Development Kit, the Gender Audit tools could be appropriately used. Transferring the technology to them could be a gateway to institutionalizing these tools;▪ Collaborate with local feminist economists, the women’s movement and local governments in developing sensitivity to the impacts of the globalization and liberalization and how this could be factored into job creation efforts, SME promotion and the like. Again ILO-NCRFW collaboration on this is worth exploring under the GREAT Women Project supported by CIDA. |
| Rights at work | <ul style="list-style-type: none">▪ Continue the dialogue on the denouncement of night work;▪ Address issues related to gender prohibitions. |
| Discrimination at the Workplace | <ul style="list-style-type: none">▪ The ILO Conventions and CEDAW re-enforce each other. In fact, Articles 10 and 11 of CEDAW are directly related to ILO Conventions as well as the article on discrimination. Disseminating these to the policy implementers at national and local levels should be intensified;▪ The concerned public may differ somewhat on the relative importance of issues surrounding discrimination but there is in any case, a need to make the tripartite constituents more aware of the CEDAW provisions. An outright talk on rights may not sit well with some groups; but using a case study approach would make such audience connect much better to the subject. The venue is important;▪ Further work is needed in strengthening capacities of DOLE regional offices in implementing their new enforcement framework. DOLE could benefit from capacity building interventions. |
| Social protection | <ul style="list-style-type: none">▪ Revisit the social protection scheme for the informal sector and assess its impact and sustainability. Actuarial analysis should be taken into account in the impact evaluation;▪ The pay equity initiative of the PSLink should be further supported and moved forward. |
| Social Dialogue | <ul style="list-style-type: none">▪ Advocacy for further integration of gender in corporate social responsibility programmes. |

Some programmes have proven effective in furthering the economic empowerment of women but they need to be either sustained and/or expanded to realize the full benefits from them. Institutionalizing such programmes in the development agenda of local governments (including the NGO livelihood and employment programmes) could help address the serious job deficits and job mismatches in the labour market. Examples of these are the Public Employment Services offered by

the cities of Naga and Marikina. Such LGU-driven programmes demonstrate the vital role that local stakeholders play in facilitating access to jobs.

There have been some positive results in gender mainstreaming in national development such as increasing personal security through better handling of domestic violence at the community level; increased opportunities for women in community forestry; increased access of women to resources of local agencies to meet local needs and availability of periodic gender statistics. BUT the political participation of women has not progressed and labour market governance seems to be wanting relative to the needs of the work force, especially the women and young workers.

Deficits in decent work and labour market governance based on gender ideologies have not disappeared. As stated in chapter 2, prominent concerns are:

- Youth unemployment and young male unemployment is growing;
- Women's workforce participation needs to be enhanced by: (i) expanding the coverage of maternity protection to the informal economy; (ii) enhancing their reproductive functions such as child care; and (iii) facilitating ability of women to balance work and family responsibilities;
- Access to productive resources by own account, self-employed workers, especially in the informal economy and those in micro-enterprises needs improvement;
- Gender-based wage differentials need to be addressed;
- There is a need for social protection coverage for the sectors that have not so far been reached, especially women workers in the informal economy;
- Sexual harassment at the workplace and occupational health and safety hazards and risks affecting women in domestic and overseas women workers, including physical and sexual abuse of domestic helpers remains of concern;
- Exploitation and abuse of migrant workers continues;
- There is a need to detect and understand emerging risks and hazards of new jobs in a global environment; and
- There remains a low level of participation of women in labour market governance.

Deficits in labour market governance that have gender impacts have been identified thus:

- Little has been done to ensure benefits for the very poor, to address the specific needs of women in micro-enterprises and promote women's economic empowerment based on a gender equality perspective. Although women may be recognized as important players in the informal sector, most efforts to support them and their businesses have had a "women" focus and have not been based on a gender analysis of these women's situation. Targeting women as the main beneficiaries of micro-finance programmes and schemes generally translates into their over-employment in the informal sector and takes little or no account of the gender-based inequalities that put them there.
- There is a need for stronger monitoring and evaluation systems to track gender equality, in addition to women's economic empowerment at both the national and local levels. The lack of sex-disaggregated data at all levels has impeded the refinement of laws, policies, programmes, and services to make them become more gender-responsive. Existing performance monitoring systems, such as the Local Government Performance Measurement System, include gender equality indicators, but some are embedded in complex indices where gender equality is just one element. Moreover, many of the economic indicators (employment or jobs generated, entrepreneurs assisted, etc.) are not disaggregated by sex, thereby rendering it difficult to ascertain how local economic development is separately impacting on women and men. Repeatedly lamented, the lack of sex-disaggregated hampers

policy analysis and impact assessments. Revision of policies, programmes and services to be more gender-responsive cannot be accomplished without this type of information.

From the private sector perspective,⁹¹ women entrepreneurs face the following challenges:

- Very small-scale enterprises may sacrifice product quality;
- Over-competition among small traders which results in very small margins and high risks;
- No appreciation of the wider, global market;
- No knowledge or appreciation of the product cycle, which compromises the sustainability of the business;
- Individualistic attitude and lack of cooperative efforts among themselves which leads to further competition;
- No concept of up-scaling since they are already satisfied with their small earnings; and
- The need for coordinating credit, financial management training, technology, and various services for micro-entrepreneurs for maximum effect.

However, it is important to appreciate that the low capitalization of women's enterprises may be traced to several inter-related factors:

- Women may prefer to keep their operations very small so that it does not interfere with their responsibilities for home and family care;
- Lack of information and technical support about potential, higher value economic enterprises;
- Limited access to credit and capital (the lack of real property to offer as collateral remains a major constraint to women accessing higher loan amounts relative to men); and
- High transaction costs, such as the availability of time and funds, to travel to the town centre and secure the various documents for a bank loan, instead of from non-institutional sources.

Non-government organizations (NGOs) that provide microfinance and micro-enterprise services (e.g. the National Confederation of Cooperatives, Center for Community Transformation, and the Alliance of Philippine Partners in Enterprise Development) have identified the need to (i) facilitate access to information on entrepreneurial opportunities; (ii) facilitate access to technology in order to improve product quality, packaging and competitiveness (agencies like the Department of Science and Technology could contribute significantly to enterprise promotion and enhancing competitiveness); (iii) ensure convergence of business development services in local communities; (iv) disseminated information on the availability of support service for women micro-entrepreneurs, encouraging local chief executives to take a pro-active stance in promoting the growth of micro-enterprises; (v) study alternative forms of collateral or credit schemes; (vi) simplify the process for accessing loans; (vii) provide services to address issues of mobility and the challenge of balancing home and enterprise responsibilities; and (viii) and build the capacity of MFIs to identify and address gender parity issues.

LGUs need to promote entrepreneurship by building functional partnerships between government agencies, leagues, chambers of commerce and employers' organizations, business associations, NGOs, GAD structures, and academe. A "strategy of convergence" should be developed by these stakeholders to harness their respective resources to facilitate entrepreneurs' access to vital information on market opportunities, market contacts, technology, credit resources, product development support, marketing strategies to build the competitiveness of micro-entrepreneurs products and services, "niching" products at the higher end of the market, mapping out service providers for micro-enterprise and microfinance services to increase access to information and

⁹¹ Interview with the head of the Naga City local chamber of commerce, 2006.

technology to develop products and product packaging, investing in human resource development, etc.

There are threats to decent work, including environmental pressures that put sustainable social and economic development at risk. In this regard, the ILO is promoting the “Green Jobs Initiative” to ensure that jobs created do not compromise the environment. For example, small scale mining could create new jobs but could impact adversely on the people’s environment and put their safety at risk. Microenterprises that use plant based materials, for instance, could change the ecology of the surrounding area where such plant materials are harvested. This could contribute to soil erosion and increase the risk of disasters.

5.2 Recommendations

5.2.1 General recommendations

Awareness raising and social dialogue

1. Enhance awareness of CEDAW (aka the Women’s Convention) and the comments of the ILO Committee on Experts on the Application of Standards among ILO constituents and the links of CEDAW to ILO Conventions, especially those ratified by the Philippine Government.

ILO could support and work more closely with the ongoing programme on CEDAW funded by CIDA and implemented by UNIFEM. Many of the above recommendations are corroborated by the recommendations from the union sector, actions to further address gender equality issues were suggested as follows:⁹²

- a) Strengthen the link between ILO programming on gender equality at work and CEDAW to ensure coherence in national actions. This implies closer coordination with the National Commission on the Role of Filipino Women and harmonization of work in-country among the stakeholders and players in labour market governance;
 - b) The ILO has a particular role to play in informing key players in the “gender” field with labour market and decent work perspectives and the labour market specialists with gender perspectives;
 - c) Many of the development partners and stakeholders could benefit from such inputs. Labour economists, inspectors, judges and social partners in labour market governance need to internalize gender equality concepts and apply it to their respective work; and
 - d) Gender stereotypes continue to linger so that requires sustained advocacy and monitoring the impact of interventions in the educational system.
2. More social dialogue should be pursued between the ILO, DOLE, NEDA and Department of Finance (DOF) to help place the Decent Work Country Programme into the mainstream of national policies.
 3. NEDA and other agencies should dialogue and learn more from DOLE about the Global Employment Agenda. NEDA should support the advocacy of the Global Employment Agenda and the Philippine Decent Work Programme. The GEA should be highlighted in the Medium Term Philippine Development Plan (MTPDP) and in the accompanying Regional Development Plans (RDPs) as these reflect the priorities of the National Government. Gender equality concerns should already be integrated in the Decent Work Agenda to be mainstreamed in the MTPDP.

⁹² Edralin, 13 October 2004, pp. 10-12.

Capacity building

4. Support the strengthening of LGU capacity in promoting employment and decent work. Local government units have critical roles to play in effective employment and decent work programmes which require coordination at both national and local levels. They implement and operate the Public Employment Service Offices (PESOs) and are tasked with the registration of Barangay Micro Business Enterprises (BMBEs).
5. NEDA Regional Offices (NROs) should propagate the Local Development and Decent Work Resource Kit, especially among the Local Government Units (LGUs). The tool is meant to provide planners with tools for an integrated socio-economic development planning. However, these tools have not been disseminated to the regions.
6. Continue and sustain strengthening of national capacity to enforce and implement labour laws and standards, compliance with international conventions and treaty obligations. Compliance with labour laws and standards has been low and little monitoring of enforcement of gender equality and women related laws has been done. These are being addressed by moves to develop inspection guidelines on women workers' concerns, and strengthen the national policy on home workers, and to strengthen labour inspection of establishments. Initiatives to innovate on the labour enforcement framework should be supported; enhance the Labor Standards Enforcement Framework (LSEF) based on the experiences from 2004 – 2007 and monitor its actual application on the ground.

Impact assessment

7. Existing welfare programmes of the government designed to raise the quality of life in the workplace must be subjected to evaluation and impact analysis to find out whether or not they deserve to continue and be scaled up or if mid-course corrections need to be carried out. In line with these approaches, the following are crucial:
 - a) Raising the quality of the labour force through investment in education and training and health;
 - b) Strengthening labour demand by improving the investment climate. The increase in the additional productivity of every unit of labour can be trusted to increase the demand for labour. This can happen from increased investments. Additions to the capital stock embody new technologies. Once labour is equipped with these capital-based innovations, its productivity rises and so is the demand for it;
 - c) Improving the investment climate requires accelerating the government policy reform process and enhancing the public investment programme in physical infrastructure, including, tariff reduction and import liberalization, and further liberalization of foreign direct investments. Accelerating financial and capital market reforms is vital to transform savings, particularly, the income remittances of overseas Filipino workers, into productive business and economic activities;
 - d) To improve the integration of markets, heightening public investments in infrastructure, e.g., highways, ports, and airports are essential. A network of rural and secondary roads is needed to connect the periphery to the centre and reduce spatial income disparities; and
 - e) Improved communications in provincial centres would allow greater disbursement of employment opportunities that rely on knowledge workers.

Policy studies and research

8. Labour market governance must be more sensitive to the impacts of globalization and this must be factored into national policies and programmes. Opportunities afforded by the emerging industries cannot be ignored but their downsides have to be addressed such as the effects of continued night work for young women and men. Continuous monitoring should be

done both by the Labor Department and other related agencies like NEDA and DTI and these should be put to the table for national debate and social dialogue.

9. DOLE should review legislation related to labour market governance and the Decent Work Agenda using a gender lens and address the gender-based deficits. It should ensure alignment with ILO Conventions to eliminate discrimination on the basis of sex, marital status, actual or potential pregnancy, and family responsibilities and to facilitate greater balance between work and family responsibilities.
10. Update statistical data to guide policy analysis and evaluation of programme impacts. As found during the course of this study, much of the available statistical data is already several years out of date making it virtually impossible to benchmark current performance outcomes against policy statements.

5.2.2 Specific recommendations

Decent jobs in a globalizing context

11. Decent job generation has been a continuing struggle for the Philippine economy which has been characterized by jobless growth and a boom and bust business cycle. This has led to job insecurity and vulnerability for all workers, men and women alike. The staggering youth unemployment and underemployment, together with the annual addition of about one million young people to the labour market is a challenge to be tackled head on. In the light of such statistics, both employment creation and equality at work for the young must become primary, immediate and medium term goals that should be vigorously pursued. Of special concern is the emerging trend that more young males are jobless than females.
12. Quality of employment is an area of concern. The need for more jobs has been a constant refrain. In March 2006, employment data released by government showed an impressive 750,000 jobs created in 2005 but the numbers hide the “serious deterioration in the quality of the country’s workforce.” Formal sector jobs have been shrinking while the informal sector is growing. This trend has continued. Jobs in those areas of the economy that contribute to economic growth are declining while more and more people are being employed on a part time basis doing menial jobs in agriculture.” Farming saw significant growth in 2005 where 479,000 jobs were created (but the likelihood is that this involves subsistence employment); second was in private households where 102,000 jobs were added.⁹³ The numbers suggest employment degradation—higher status jobs are being lost and replaced by low paying ones—and migration to subsistence employment. The Philippines has been losing its health professionals and pilots to overseas labour markets. Linesmen of the Manila Electric Co. were reportedly being poached by companies in Australia, Ireland, US and New Zealand. About 140 senior pilots and over 1900 aircraft mechanics have left for higher paying jobs overseas in the past five years (2002-2006). Philippine telecom carriers could well find themselves grounded by 2010.⁹⁴
13. In the last few years, the business process outsourcing (BPO) industry has turned out to be a significant generator of new jobs. BPO is the leveraging of technology or specialist process and applications as illustrated by call centres, human resources, accounting and payroll outsourcing. It may involve the use of off-shore resources. In the Philippines, this industry is mostly fuelled by customer care, medical transcription, software development, animation and shared services. In 2005, it was estimated that 112,000 people were working in call centres bringing in revenues of US\$1.12 billion for the year. By 2010, it is forecast that BPO will

⁹³ “Jobs said to hide loss of ‘mission critical’ workers” <http://mail.google.com>, 3/20/2006..

⁹⁴ Ibid.

earn US\$13 billion.⁹⁵ At that time the goal is to have one million employed within this industry.

14. An advantage of the Philippines in the BPO industry is the English language proficiency of Filipinos. However, in the future “there could be a shortage of qualified employees due to the deteriorating quality of the country’s educational system and lack of communication training needed by the industry. To address this challenge, the Philippine government, through the Department of Trade and Industry (DTI) and in partnership with various educational institutions, included BPO-related courses in the curriculum of some of the colleges and universities in the country.”⁹⁶ Private sector companies within the industry are also addressing this need with specialized training.
15. Further, relative to call centres and BPO related occupations, where many women are found, Philippine ratification of the ILO Convention on night work has been called into question. Night work prohibition runs counter to call centre job opportunities which require workers to engage in graveyard shifts to maintain their “presence” for clients in other parts of the globe where the time zone is opposite to that of the Philippines. Anecdotal reports allege that there have been cases of sexual harassment and even rape when female call centre agents return from work in the dead of night or early mornings. The occupational hazards borne by BPO jobs are not yet well understood and must therefore be monitored and studied. The Business Process Outsourcing Association of the Philippines (PBA/P) could play a partnership role in this respect.
16. Night work prohibition is now up for repeal and the President has expressed support for such a move. There are three bills (House Bills 324, 3792 and 3851) filed at the House of Representatives which support the repeal of night work prohibition. These bills seek for call centre agents to be included among those allowed to undertake night work.⁹⁷ Such a move is probably inevitable but it will be important to ensure that adequate protection is afforded for night-shift workers as part of the change.

Recommendations

Job generation for women and men

17. Build the capacity of the local government in creating jobs and facilitating employment through the use of the ILO tools on gender audit and the Local Economic Development Kit. These have been tried out with some degree of success with some local partners such as the League of Mayors of the Philippines. However, it needs to be rolled out to a larger group to generate a critical mass of local government officials and programme implementers in the private and non-government sector who would take job creation and employment facilitation as a component of their local governance agenda. ILO could catalyze this process in collaboration with NEDA as a follow up action to the Global Employment Agenda that was discussed at the Asian Forum on Growth, Employment and Decent Work in Beijing in 2006. A NEDA representative attended said forum and could serve as the pivot for a technical assistance programme.
18. Consider performance incentives for LGUs that are able to generate jobs for their constituencies through proper planning, policy making, programming, budgeting and service delivery such as those undertaken by the Public Employment Service Offices (PESOs). This could be linked to current efforts supported by the World Bank to evolve a Performance Grant System for LGUs. This initiative is being done under the programme of the Philippine Development Forum Working Group on Local Governance and Decentralization which is co-

⁹⁵ Business Process Outsourcing in the Philippines, www.wikipedia.org/4/12/2006.

⁹⁶ Economic Issue of the Day, Philippine Institute for Development Studies, vol. VI, No. 5, August 2006.

⁹⁷ Philippine Responses to Pre-session Questions to the CEDAW 5th and 6th Country Reports, p.19.

chaired by DILG. ILO should link with NEDA and advocate that they push for the inclusion of effectiveness in employment promotion as a criterion for granting performance incentives to LGUs.

19. The *GO Negosyo* (entrepreneurship) movement is a positive step and must be applied as a strategy at the local level. There is a need to encourage local chambers of commerce as well as service groups such as Rotary, to participate in this programme in their respective localities or communities and help in mobilizing the private sector in employment promotion.
20. Sustain the implementation of the Country Programme for the Informal Sector, make it part of the MTPDP and disseminate it more vigorously to implementing agencies at national and local levels. Currently, DOLE has launched the WORKTREP programme. Support for its roll out at the regional and provincial levels would be extremely necessary and helpful, given the financial limitations of the labour department.
21. NEDA Regional Offices (NROs) could advocate to the LGUs the expansion of the PESOs to include more services especially at the provincial levels. Philippine PESOs could emulate the HRD Service Center (HRDSC) at Tianjin City, China that was jointly set up by the LGU of Tianjin and the Chinese Ministry of Labor and Social Security. It is a public employment service centre and exchange and display window for overseas employment. Its functions include collecting and disseminating regional labour market supply and demand information; research on new occupational standards; providing services to jobseekers and employed workers—job placement, enterprise recruitment, online job seeking; providing services to employers—vocational guidance, training, outsourcing. Philippine PESOs could offer services along the lines of the Chinese model such as job vacancy information kiosk; interviews over the internet; vocational quality assessment (self-service); information on new occupations and standards; labour and social security services; and services for employers.⁹⁸
22. Facilitate women’s labour force participation *by recognizing women’s unpaid work*, especially those related to her reproductive functions such as household management, domestic chores and child rearing. Women’s reproductive roles increase their health risks, limit their access to paid work, channel them into more precarious type of employment, undermine their access to social protection and intensify their risks of exclusion. ILO could build on and support some of the initial work on unpaid work and time-use studies that were conducted under the UNDP supported Asia-Pacific Programme on Gender Equality (APGEN) in the late nineties. Through studies and research, the contribution of women to the economy should be quantified and incorporated in the national system of accounts and there has been initial work on this by the National Statistics Office.
23. Collaboration among the tripartite and other development partners i.e. bilateral and multilateral donors and the private sector would be crucial to achieving the necessary “job creation” consciousness at local level.
24. Encourage the acquisition of core work skills (i.e. communication, networking, human relations skills) to prepare women and men for the global market and introduce practical measures to “globalize” the outlook of Filipino workers.
25. Revisit the pilot projects on economic empowerment such as the ILO-TREE, GREAT Women Project, etc. by government and non-government organizations, assess their employment impacts, and derive lessons learned. Consider scaling up of those pilots that have succeeded. For example, the TREE has been evaluated and shows promise for replication and scaling up.

Youth employment

⁹⁸ Milagros Rimando. Official Travel Report, 13-16 August 2007, ILO Asian Forum on Growth, Employment and Decent Work, Beijing, China.

26. There is a need to curb the rise of youth unemployment as this might give rise to a Millennium generation that is educated but unemployable and therefore unproductive and dependent. Actions are needed on different fronts: opportunities for education and training as well as gainful employment must be made more equally accessible to all young men and women from different socio-economic and/or ethnic backgrounds in both urban and rural communities. The ILO programme on youth employment should be revisited, lessons extracted and then considered for scaling up as may be appropriate. Such a programme should be popularized and could be presented to the *Kabataang Barangay* (KB) or the barangay youth organizations. This would help build consciousness on employment issues and more actively engage the youth in employment promotion.
27. Youth employment policies must embrace equal and non-discriminatory access to education, as well as on the job training, industrial relations, skills development, apprenticeship, traineeship and other forms of vocational opportunities, taking into account various cultural factors (as in the case of indigenous peoples and the disabled).⁹⁹
28. Observance of the core labour standards to ensure fundamental labour rights for the youth in terms of equality and non-discrimination, training, education, recruitment, promotion and termination. Social protection should go beyond effective OSH and cater as well to the psychosocial trends of the young, including prevention of lifestyle risks.
29. The youth should be involved in consultations for the formulation of the Decent Work Programme to ensure ownership and political support.¹⁰⁰
30. The youth need a voice in decisions affecting their rights at work on the level of the firm and the country at large. The recent establishment of a national youth network can serve as a suitable forum, where young people can discuss and help find solutions to their own problems and pursue their own visions. Such a forum can also help in identifying future leaders who understand and commit to the tripartite process as a means of lifting productivity and the opportunities for decent work.

5.3 Managing labour migration

31. Overseas work is continuously being feminized as more and more women, married and unmarried, are forced to look for better paying jobs overseas in view of the poor state of the Philippine economy. Overseas employment exposes women to dangers of trafficking, prostitution, sexual abuse and cultural dislocation, social isolation in host countries, the emotional pain of separation from loved ones, absentee parenting and family disintegration. It has spawned social concerns for families left behind as well as for OFW children born and raised in the destination countries.
32. From a total of 1.08 million Filipino workers deployed to other countries in 2006, DOLE reported an 0.6 percent slump in the hiring of OFWs in 2007. POEA data showed a total deployment of 1,012,954 as of December 9, 2007. This decline is attributed to the new policy in the hiring of Filipino domestic helpers that was implemented by DOLE in 2007. The said policy was meant to raise the salaries of domestic helpers to a minimum of \$400 US dollars per month. Despite this regulation, many domestic helpers still receive salaries lower than the minimum of \$400 US dollars, according to Philippine Overseas Labor Officers (POLO). This

⁹⁹ Recommendations on youth employment were extracted from Gert Gust. *Equality at Work: Philippines*, Working Paper 12. ILO Sub-regional Office for Southeast Asia and the Pacific, Manila, Philippines, August 2006

¹⁰⁰ Gert Gust. *Equality at Work: Philippines*, Working Paper 12. ILO Sub-regional Office for Southeast Asia and the Pacific, Manila, Philippines, August 2006, pp. 30-31.

has led some labour officials to say that the new policy has only resulted in the drop in the hiring of Filipino workers and it did not succeed in providing more protection for workers.¹⁰¹

33. There are expected shifts in overseas demand in the present year (2008). In the coming months, local recruiters' project that human resource demand will consist of technicians, mechanics and other vocational skills because of the construction boom in the Middle East and other countries. "Between 78 to 80 percent of the total demand overseas in the coming year is expected to be technical and vocational skilled workers such as carpenters, pipe fitters, welders and electricians. POEA recorded about 70,000 new overseas jobs for Filipino tech-voc workers in 2007. In 2007, POEA reported that "about 60 percent of the OFWs deployed in 2007 were professionals and highly skilled workers who command higher salaries than unskilled workers who are more prone to welfare cases."¹⁰² Pipe fitters could earn as much as \$ 7,000 USD per month abroad.

Recommendations

34. Sustainable local employment for women is still seen as the long-term solution to the huge tide of labour migration which continues to pose risks and hazards for women migrant workers.
35. Demand for technical and vocational skills is expected to increase. Hence, government should intensify national and local-level efforts at skills training for the unemployed, out of school youth and women. More vigorous support should be given to public and private providers of technical and vocational training. The TESDA Women's Center should renew its programmes to build non-traditional skills for women to match skills demands in the labour market, local and overseas.
36. Benefits from migration should be optimized by investing dollar remittances in viable and globally competitive agricultural and industrial enterprises that could generate jobs in the country, ensure food security and boost the country's financial capacity to provide adequate social services.
37. More vigorous implementation of programmes for reintegrating returning workers should be pursued and ensure that they are given financial literacy and guidance in the use of their hard-earned monies from overseas work to ensure their financial stability and security over the long term. Note that many overseas workers do not have pension benefits; they have to provide for themselves.

5.4 Labour market governance for realizing decent work

Labour market governance must take into account key gender equality issues at the workplace namely: *equality of opportunity and treatment in employment; equality of pay for work of equal value; better balance and sharing of paid and unpaid work between men and women workers with family responsibilities and maternity protection.*

Concern has been drawn to the economic situation of women in a period of globalization and the financial and economic crisis of the late 1990s. Some sectors may have benefited from economic and trade liberalization policies but the economic situation and status of women have been eroded by such policies. Companies are increasingly resorting to flexible labour arrangements by reducing the core of permanent workers and increasing temporary and casual employees, part-time or home work arrangements to ensure global competitiveness. Displaced women workers join the informal sector and have had to live with stagnant wages and low returns to labour while prices increase.

¹⁰¹ "All quiet at labor front, but not at DOLE". *Philippine Star*, 29 December 2007, p. 5.

¹⁰² Mayen Jaymalin. "All quiet at labor front, but not at DOLE". *Philippine Star*, 29 December 2007, p.5.

A number of women workers in industries such as garments and handicrafts have been displaced, as local producers lost out to cheaper imports in the domestic market and cheaper exports of other countries in the labour market. The dire economic and employment conditions in the manufacturing industries forced many of these women to enter low paying, vulnerable and insecure jobs, and to join the informal sector, a hazardous, unprotected and mostly unregulated sector where workers are marginalized and have no access to amenities or support systems.

Since many of the workers in manufacturing were rural women, the impacts of globalization-induced worker dislocations have been hard on them. Thus, one serious concern is the situation of women in rural areas. While a number of policies and programmes to alleviate poverty have been put in place especially in the countryside, gaps in implementation and the economic crisis being experienced in the country tend to obviate any possible benefits to the condition of women.

38. Gaps in women's economic empowerment and economic governance include¹⁰³ the following:
- a) Weak political will and support, local executives need to take a pro-active stand in promoting entrepreneurship;
 - b) Slow or flawed implementation of laws and policies pertinent to women's economic empowerment in terms of targeting and reach; micro-enterprise/microfinance related laws and policies have yet to be fully implemented; limited reach and unsustainable, high transaction costs; need to harmonize the implementing guidelines and circulars coming from various concerned government agencies that seek to implement the BMBE law; need to localize the laws on micro-enterprise and microfinance; *gender blindness of legal and regulatory framework for micro enterprise and microfinance*;
 - c) Weak economic environment, need for information on entrepreneurial opportunities; and
 - d) There remains a need for non-credit type of programmes and services such as technology to upgrade product quality and competitiveness; convergence of business development services in local communities; impact of microfinance hard to measure; lack of monitoring and evaluation system; lack of sex-disaggregated data; lack of information on available programmes and services for women's economic empowerment among the women, especially at the local level.

The unfavourable conditions of work of domestic helpers have been brought to the fore. Actions are needed toward giving them appropriate training to elevate their position as professional workers who can demand more reasonable wages. The implementation of the law for domestic workers is not being adequately monitored in terms of minimum salaries, educational benefits and membership in the SSS. The adoption of the Magna Carta for Household Helpers or the *Batas Kasambahay*, a bill that seeks to institutionalize and uplift the minimum working parameters and standards of the household helper industry, needs to be pursued in Congress.

Recommendations

Equality of opportunity and treatment in employment

39. Gender must be integrated into economic inquiry and analysis of economic policies to take into account how such policies affect gender wage gaps, job security and the quality of jobs of women and men.
40. Gendered impacts of globalization must be investigated and monitored systematically. This implies disaggregating by sex, sector and sub-sector, employment data, wages, hours of work and nature of work (part-time, full-time; time-rated; piece rate), ownership of establishments, retrenching or closing, workers affected by non-compliance to labour standards, compliance

¹⁰³ refer to Table 16

data on gender equality standards and the like. The situation of women entrepreneurs needs looking into, but it has been difficult to establish a database on them.

41. More social protection measures are needed to help women cope with the negative impact of globalization. These measures would include increasing access to social insurance benefits and provision of legal protection to women in various types of informal activities. Alternative social insurance schemes and supporting women's groups and other social groups are necessary to provide the necessary framework of social solidarity and mutual insurance and protection. Group-based strategies for mobilizing internal savings and credit services should also be considered.
42. Women in small and medium enterprises need safety nets, as they face stiff competition from cheaper products from other countries. Like other local industries, they require reasonable protection to enable them to compete in a global trading regime. This may require concerted action at the industry level to level the playing field. .
43. Occupational hazards persist for women, men, girls and boys and these may even be greater in the informal sector and in small enterprises where workers are often not aware of the occupational hazards and risks they face. There is a need to disseminate a wide range of information to raise the awareness on risks and dangers and the needed precautions for those in hazardous occupations. This can be reinforced with continuous seminars for small and medium enterprises in hazardous industries to enlighten both the workers and the owners about the dangers inherent in their jobs.
44. Data on beneficiaries must be disaggregated by sex to determine how many women and men avail of and have access to social benefits. This is particularly important in light of the fact that women have higher life expectancy than men and depend on their pension as support in their old age. On health insurance, there is a need to advocate for the provision of full benefits to beneficiaries who will pay the full cost of hospital charges, doctors' fees, surgical expenses and surgical or family planning procedures.
45. Support for the passage of legislation for the protection of domestic workers which would include the following features:
 - a) Upholds the rights and dignity of household workers;
 - b) Recognizes the special vulnerability of household workers to various kinds of abuse, as their workplaces are the private homes of their employers, and their work is hidden from public view, thus the need for special protection beyond those accorded to workers in other sectors;
 - c) Revises of the Labor Code's definition of household service from "services in the employer's home which are ... desirable for the maintenance and enjoyment thereof and includes ministering to the personal comfort and convenience of the members of the employer's household..." to "tasks" ascribed as normal household chores within a specific household..."
 - d) Provides for the use of a formal contract to govern employer-employee relationship that clearly identifies the scope of work to be rendered;
 - e) Provides for a realistic minimum wage that is regularly adjusted in accordance with rising cost of living;
 - f) Provides for other benefits such as SSS, PhilHealth;
 - g) Prevents bonded labour;
 - h) Prevents physical, sexual, mental and economic abuse of workers;
 - i) Mandates the registration of household workers; and

- j) Mandates the roles of government agencies in providing gender-responsive and/or child-friendly services to the household workers, settling disputes and scheduling of penalties against violators;¹⁰⁴

Better balance and sharing of paid and unpaid work between men and women workers with family responsibilities

46. Consider the adoption of policies and programmes to facilitate women's control over their reproductive choices and to support their unpaid work and facilitate their access to productive, paid employment, and that provide social security and protection from risk.

Equality of pay for work of equal value

47. ILO should consider providing technical assistance to the DOLE to enable it to undertake job evaluation and to use methods to analyze and classify jobs on the basis of objective factors relating to the jobs to be compared, skills, efforts needed, responsibilities involved and working conditions. This is to ensure equality (including gender equality), in the determination of remuneration by using analytical methods of job evaluation.
48. Continuing support to build stakeholders' capacity to enforce labour laws and labour standards as embodied in ILO Conventions and national legislations and administrative issuances. To this day, enforcement remains as a continuing struggle even as the DOLE had began to institute the new Labor Standards Enforcement Framework (LSEF) in 2004. Under this new framework, coverage of establishments has stayed at the 10 percent level causing labour observers to suggest a serious rethink of the LSEF. Within this framework, inspection of establishments employing numerous women and children has been put as one of the top priorities.
49. Compliance with labour legislation on gender-based discrimination must be monitored regularly and sanctions imposed on violators. It is noted that employers' compliance with general labour standards such as the minimum wage, payment of SSS premiums is low and the same may be said with compliance to gender equality standards. Of great importance to women at the workplace is the Anti-Sexual Harassment Law which needs to be reviewed, particularly with regard to its scope and its enforcement in the private sector. Currently, the law is not clear as to which agency should monitor private sector observance of the law. Data on its implementation in this sector is not available.

Maternity protection

Policy and/or legislative reforms should be considered in the area of maternity protection to ensure that women are able to perform breastfeeding functions at the workplace and to explore how maternity protection could be extended to women workers in the informal economy. Existing health insurance schemes by cooperatives and community-based health care organizations serve as alternative ways of extending health care to women, especially those related to their reproductive health. But these schemes could be enhanced.

Specific recommendations were put forward by an ILO study¹⁰⁵ as follows:

50. Consider expanding current benefit schedules for deliveries. While normal delivery care benefits are available, the actual amount provided (by current insurance schemes) is quite small.
51. Many women requiring such services are not reached, especially those beyond the reproductive health group or those who choose not to have children. Inclusion of reproductive

¹⁰⁴ Women's Priority Legislative Agenda 14th Congress, *Kasambahay Bill*. NCRFW Advocacy Kit, 2007.

¹⁰⁵ Evangelista, pp. 25-26.

health care services and benefits such as family planning, and simple screening tests for cancers of the breast, cervix and uterus are worth considering.

52. Encourage integration of maternity benefits into the services of existing microfinance institutions and cooperatives that offer health care and to have comprehensive and quality health services.
53. Develop strategies to promote micro-insurance schemes with maternity benefits in catchment areas.
54. Improve currently existing community databases in order to identify catchment areas that are in need of micro-insurance schemes with maternity benefits.
55. Explore realistic means of integrating existing micro-insurance schemes with the National Health Insurance Program to further expand the benefits available to members and their beneficiaries.
56. Develop mechanisms to routinely collect feedback from members as regards the level of responsiveness of maternity benefits.

Participation of women in labour market governance

57. Enhance the leadership competence of women to enable them to assume leadership positions in labour market governance in government, trade unions and the private sector. Government must intensify actions to help women break the glass ceiling in the bureaucracy. Initiatives must be strengthened to enable more women to handle key positions in the bureaucracy through training on leadership, communication, negotiation and assertiveness, among others.¹⁰⁶ Programmes to train young women leaders in transformative leadership and its application in labour market governance should be developed and help them acquire a global outlook attuned to the demands of global labour market governance of the 21st century.
58. The above also give us various dimensions and handles (which can be translated later into indicators) of women's economic empowerment. The dimensions of women's economic empowerment include: availability of decent jobs and decent wages/earnings for the unemployed, underemployed and 'badly' employed; involvement in more productive, higher value-added, and higher income-earning activities; enough time for: (i) income-earning activities; (ii) reproductive and care activities; (iii) self-development and leisure; (iv) good working conditions and freedom from occupational and health hazards; (v) access to resources (markets, skills, technology, credit, infrastructure); (vi) some control over economic and business variables and environment, and more independence from and stronger bargaining power with monopoly traders, firms and subcontractors; (vii) freedom from

The dividends of gender equality

The dividends of gender equality at the workplace can be summed up as follows:

For **women** themselves, non discrimination amounts to opportunities for growth, self-development and full enjoyment of the rewards of their work and efforts;

For **companies**, the use of meritocratic and objective criteria for recruitment, hiring, promotion, pay, etc. would pay dividends in productivity, workers morale, lower turnover, etc.

For **trade unions**, their fight for gender equality would be reflected in a high socio-political profile, greater strength, larger membership and strong leadership

For **government**, greater equality would involve the reduction in cost of discrimination in terms of poverty, inspection, protection or provision of social services

For the **country**, greater equality would increase the potential for economic growth, social justice and a better use of the nation's human resources and talents.

Source: Gert Gust, ILO, August 2006, page 27.

¹⁰⁶ CEDAW p. 77.

violence, discrimination, prejudice and family/social pressures because of their economic activities; and (viii) equal opportunities vis-à-vis the men in all the above.

5.5. Extending social protection to the informal economy

The informal sector represents a highly heterogeneous group of industries and occupations and this should be considered when developing a comprehensive social protection strategy for workers in this sector. Varied groups, i.e. vendors, home workers, pedicab / tricycle drivers, etc. have varying needs and capacities. Additionally, discrimination and disadvantage may be the result of intersecting factors such as gender, ethnicity, religion or even sheer distance from the centres of development and modernity. There is a need to identify, particularly those groups that are difficult to organize for assistance.

Challenges include the difficulty of accessing formal social security measures due to the complexity of the SSS administrative processes from registration, collection of contributions, and verification of claims to actual provision of the benefits. Given the irregularity and seasonality of informal sector workers' incomes, their financial capacity to pay the required contributions, by itself, is already a serious concern. Identifying the correct and necessary amount of contribution and mode of collection further complicates the problem. Adjudication of benefits, and the lack of or weak organization of informal sector workers are continuing concerns. Reaching the informal sector workers has been difficult for social development agencies due to fragmentation, and sometimes, isolation.

Social protection for the informal economy was addressed in the Decent Work Agenda 2005–2007.¹⁰⁷ Efforts in this regard could be further pursued in the coming biennium. In particular, the impact of micro-insurance schemes and how they have helped women informal sector workers improve the quality of their lives and cope with life exigencies should be assessed. A general and continuing challenge in social insurance schemes for informal workers is sustainability.

5.5.1 Recommendations

59. NEDA should ensure that the Planning TWG for the updating of the MTPDP will integrate the concerns of the informal economy. The National Regional Offices should be informed of these new concerns for integration into the Regional Development Plans.

NEDA should use the soon-to-be established Asia Decent Work Knowledge Network (ADCKN), as a resource in development planning activities. The ADCKN will include a broad range of topics such as employment, labour market, productivity, informal economy, etc.

60. Social protection for workers in the informal economy is a work in progress and must be part of a continuing effort and build upon previous initiatives, successes and lessons learned from past work. Various micro-insurance schemes have been documented and further work should be done in order to analyze and ensure sustainability of these schemes as well as to explore how their reach could be expanded.

61. Women entrepreneurs need technical and capital assistance if they are to go beyond micro-enterprises. One-stop-shop services at the local level could be set up by local governments in collaboration with local service providers and institutions. This idea is being piloted under the GREAT Women Project in selected LGU sites. It is worth monitoring how this will play out in the course of project implementation.

In the union sector, a number of practical and concrete steps have been suggested as follows:

62. Strengthen gender mainstreaming in collective bargaining and other trade union structures and bodies:

¹⁰⁷ Philippine Decent Work Agenda 2005-2007, p. 28.

- a) Involve and train more women in union governance. Their participation in women's activities and involvement in various union programmes could lead to increased awareness and skills to better engage in the promotion of women workers' rights through collective bargaining;
- b) Mainstream gender equality issues in all CBAs. This should translate into provisions in the CBAs related to reproductive health, such as substantial family planning services, maternity and paternity benefits, and facilities for mothers at the workplace;
- c) Work for the strengthening of Labour-Management Committees (LMCs) and creation of other forms of workers' participation at the firm level so that more women workers can be given the opportunity to contribute their ideas to improve their conditions in the workplace and their family; and
- d) Exert greater efforts to promote and realize genuine social partnership which could facilitate the workers' protection in general, including women and children.

63. Advocacy:

- a) Unions should take up the sexual harassment issue at the workplace more seriously as a violation of a workers' right, particularly the right to security on the job;
- b) Lobby for structural adjustment programmes that would ensure protection of women's rights, health and well-being, and promote family harmony and good community relations;
- c) Pursue advocacy for the ratification and implementation of international labour standards and the corresponding implementing national legislation that will promote equal employment opportunities and protection for women; and
- d) Push for the creation of Committees on Decorum and the formulation of the Company Rules and Regulations concerning the implementation of the anti-sexual harassment law in all companies.

64. Legislation:

- a) Lobby for the passage or amendment of existing laws to promote working women's rights; and
- b) More programmes to implement legislation that promote equal access and empowerment in the fields of education, skills development, and employment which could enhance women's negotiating power and facilitate the sharing of work and family responsibilities.

65. Education and training:

- a) Conduct gender sensitivity education programmes for men;
- b) Refocus education and training (including those done by the trade unions) on gender issues and needs. Specific measures would include: popularizing the anti-sexual harassment code and how to use it; providing support and back-up for women in leadership positions; empowering women trade unionists with practical organizational skills; supporting and deepening a gender agenda for the work place and for collective bargaining; and campaigning extensively for parental rights and child care.

5.6 The role of the ILO

Enhancing Philippine labour market governance and making it gender-responsive is a niche for which ILO has distinctive competence and comparative advantage. Current gender-based deficits that are prominent in the labour market scene were identified and described in chapter 2.

ILO could strengthen national efforts and support initiatives that address decent work deficits and move forward the Decent Work Agenda, keeping in mind the links to gender. The link between gender, employment and poverty could be spelt out and disseminated to the policy makers, implementers, especially the LGU officials who are in charge of local governance.

Some general recommendations where ILO could play a catalytic and/or advocacy role are:

66. ILO could strengthen its linkage with DOF and NEDA and other agencies that promote employment, decent work and productivity. Job generation is among the work targets of many agencies such as DTI, DOLE, DA, DAR, DOST, DENR, DOT, and MGM. The projected biggest contributors to the targeted job creation are the programmes of DTI, DA and DOT.

Facilitating access to jobs

67. The ILO should assist the Government of the Philippines in scaling up successful pilot projects and effective methodologies on economic empowerment, especially for women, such as the ILO TREE and the GREAT Women Project. This could also be done through the strengthening of the PESOs.
68. Gender issues in labour market governance and decent work promotion should inform the UN Country Team's work in gender mainstreaming and in promoting gender equality. This is being pursued through the UN Gender Mainstreaming Committee, one of the most active committees thus far. Also, this implies closer collaboration between ILO and other UN agencies such as UNFPA, UNIFEM, UNDP, UNICEF and WHO. The current chair of the GMC is the ILO and this gives an opportunity to infuse decent work perspectives among gender advocates and players.

Facilitating access to decent terms and conditions of work

69. Support the systematic review of all labour market related legislation and move for appropriate reforms and necessary revisions to achieve full compliance with the provisions of the CEDAW Convention. The current regime of labour-market regulation appears to have led to a proliferation of court litigation and corruption. Thus, action to ease such processes and to eliminate corruption must be taken. Minimizing court litigation requires a review of the Labor Code with a view towards easing provisions that overly invite litigation.¹⁰⁸
70. Support dialogue with the Muslim community in order to remove discriminatory provisions from the Code of Muslim Personal Laws and efforts to sensitize parliamentarians and public opinion regarding the importance of these reforms.
71. Support campaigns and advocacy programmes to bring about changes in patriarchal attitudes in gender stereotyping, including awareness-raising and public educational campaign addressing women and girls, as well as, in particular, men and boys, and religious leaders with a view to eliminating stereotypes associated with traditional gender roles in the family in accordance with articles 2(f) and 5(a) of the CEDAW. Specific advocacies could be launched relative to expanding maternity protection for those in the informal economy and the provision of facilities at the workplaces to enable women to perform their reproductive functions at the workplace.
72. Support action programmes to address the root causes of trafficking and improving preventive measures. Such efforts should include measures to improve the economic situation of women and girls to provide them with educational and economic opportunities, thereby reducing and eliminating their vulnerability to exploitation and traffickers. Strengthen bilateral, regional

¹⁰⁸ It has been asserted that the Labour Code tends to be restrictive and that flexibility is needed (see, e.g. Sicat 2004). Imperial (2004) argues that a historical perspective is essential to understanding existing labour-market policies.

and international cooperation with countries of origin, transit and destination so as to address trafficking in women more effectively.

As a final note, to ensure overall gender-responsiveness of labour market governance, the following guidelines are suggested, among others:

- Policies that improve the competitiveness of our products vis-à-vis imported ones would improve the employment situation of both women and men. Coming up with globally competitive products will specifically bring women more into higher productivity, higher value added and higher earning jobs, away from low-productivity and low-skilled activities in the service and informal sectors.
- Other employment and economic activities for women should contribute towards attaining higher productivity and higher value added so that remuneration and income will be higher, and prospects for advancement will be better.
- Employment and economic activities for women should ensure the women's welfare in terms of work overload (taking into consideration reproductive and care activities), working conditions, health and occupational hazards, given that current employment opportunities are concentrated in the service and informal sectors, which are largely invisible, unmonitored and hard to reach.
- Enhancing women's access to markets, skills, technology, information and credit can contribute to their economic empowerment and bring about sustainability and more bargaining power with traders, subcontractors and firms buying their products. These also give women more control over the resources and environment of their economic activities.
- Employment and economic activities entered by women should provide job security and stable and continuous earnings.
 - a. Give priority in securing long-term employment and decent jobs to: (i) young, low-income women; (ii) rural low-income women as a priority; and (iii) low-income but educated women should also be a priority.

In conclusion, initiatives to infuse gender in labour market governance need to be pursued more consistently, steadily and vigorously. There is scope for major gender enhancement in labour market governance and in the Decent Work Agenda. Gender based deficits in decent work and labour market governance require that current efforts be stepped up significantly. Gender equality is a legitimate right of all women. An imperative is the implementation of the progressive laws and affirmative action to compensate for the disadvantage of specific groups of women.

Table 16: Gaps in economic governance for women’s economic empowerment

| | Gaps relative to women in micro-enterprises | Institutional responsibilities (Policy maker, implementer, service provider) |
|--|--|---|
| Policies | Gender blind policies on credit and skills training, technology; | NEDA, NAPC, NCRFW |
| National | | PCFC |
| Local | National policies on micro-enterprise not matched with local ordinances and circulars; LGU outlook – they do not see their role as champions of economic empowerment; Weak enforcement of labour laws and industrial policies; Workers themselves are reluctant to implement the law on social protection out of fear of losing their jobs. | DILG, LGUS, DTI (8 agencies in small enterprise cluster) DOLE |
| Programmes and services | Limited information to would be beneficiaries; Limited services in technology and product development; Limited marketing support for micro-enterprises; Cost of credit and other enterprise inputs not affordable; Complicated procedures for availing services; Limited Outreach of services. | Service providers Government- national DTI, TESDA, DOST, DSWD LGUS NGO Private Sector – chambers of commerce; sectoral organizations of micro-entrepreneurs MFIs |
| Institutional mechanisms and processes | No oversight agencies for micro-enterprise, leading to duplication of programmes; Lack of synergy and coordination, convergence among service providers especially those within government; Lack of systematic monitoring and evaluation system, impact assessments; Lack of sex-disaggregated data. | NEDA NAPC/NCRFW |

References

- 2006 Philippine Statistical Yearbook, National Statistical Coordination Board (NSCB), <http://www.nscb.gov.ph>
- Betonio, Benedicto. LMG.Doc1/09 July 2007.
- Business Process Outsourcing in the Philippines, www.wikipedia.org/4/12/2006.
- Canlas, Dante “Philippine Labour Market Outcomes,” ILO Working Paper 15, 2008
- CIDA, SEED Gender Equality strategy, 2006.
- Current Labor Statistics. October 2007. Department of Labor, Republic of the Philippines.
- Gust, Gert. Equality at Work: Philippines, Working Paper 12, International Labour Organization Subregional Office for Southeast Asia and the Pacific. Manila, Philippines. August 2006.
- Economic Issue of the Day, Philippine Institute for Development Studies, vol. VI, No. 5, August 2006.
- Edralin, Divina. Gender Equality Concerns for Collective Bargaining. Paper presented at the Training on the Promotion of Gender Equality Bargaining sponsored by the Federation of Free Workers Women’s Network (FWN) at the Hotel Frendy, Manila. 23 April 2004, 25 pp.
- Edralin, Divina. Trends, Patterns and Challenges in Achieving Gender Equality: Trade Union Perspective and Roles, Unpublished Paper, Dela Salle, University, Manila. 13 October 2004. 12 pp.
- Evangelista, Mary Ann. Extending Maternity Protection to Women in the Informal Sector: The Case of the Philippines, no date (2007?), 32 pp.
- Fifth and Sixth CEDAW Reports, 2004. National Commission on the Role of Filipino Women.
- Goonsekere, Savitri and de Silva-de Alwis, Rangita. Women’s and Children’s Rights in a Human Rights Based Approach to Development, UNICEF Working Paper, Division of Policy and Planning, (Presented in the Regional Workshop on Women and Children: The Human Rights Relationship, 9-10 December 2007, Royal Orchid Sheraton, Bangkok, Thailand), September 2005, p. 26.
- GREAT Women Project. Project Document and Project Implementation Plan, 2006.
- IFC- Assistance to Small and Medium enterprises in the Philippines – Gender Equality Strategy, August 2005. p.7
- “Implementation of the Labor Standards Enforcement Framework in the Philippines,” Unpublished Report. June 2007.
- Jaymalin, Mayen. “More tech-voc skills wanted for OFWs.” Philippine Star. 29 December 1007, p.4.
- “All quiet at labor front, but not at DOLE. Philippine Star. 29 December 2007, p. 5.
- Medium Term Philippine Development Plan, p. 151.
- National Plan of Action for Decent Work, 2005-2007.NCRFW, Report on the State of Filipino Women, 2001-2003; IFC, Gender Equality Strategy, 2005.
- Philippine Labor Code, Book II, title III, Chapter 1, Employment of Women.
- Philippine Report on Ratified ILO Conventions 2007.

Philippine NGOs Shadow Report to the 36th Session of the Committee on the Elimination of Discrimination Against Women. Unpublished Paper prepared by more than 100 women's organizations.

Rimando, Milagros (NEDA Region 2). Asian Forum on Growth, Employment and Decent Work, 22 November 2006, Beijing, China.

Second Philippine Progress Report on MDGs, June 2005, 40.

Soliman, Marilen. Make Women Matter! Women's Priority Legislative Agenda 14th Congress, NCRFW Advocacy Kit, 2007.

Verceles, Nathalie and Beltran, Sylvia. Reconciling Work and Family. Philippine Country Study, Final Report submitted to ILO, 16 December 2004.

Women's Priority Legislative Agenda. National Commission on the Role of Filipino Women, 2007.

Other Sources

Emails from Naomi Cassirer & Hilda Tidalgo, 5.6.2007 and 5.7.2007.

Presentations at the National Workshop on Work, Income and Gender, 22-23 November 2007, Tagaytay City, Philippines.

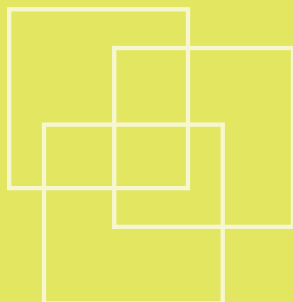
Philippine Growth Strategies," NEDA Presentation at the ILO Workshop on Gender Equality, Tagaytay City, 22 November 2007.

Torres, Amaryllis. Power Point Presentation. *Marginalization of Women with Family Responsibilities in Paid Employment*, Tagaytay, Philippines, 22 November 2007.

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A gender perspective in labour market governance



This study analyzes gender issues affecting labour market outcomes from three perspectives: that of labour supply, labour demand and the role of the external factors that are driving change. Employment patterns are examined: the data shows that unemployment is higher among females than males, higher in urban rather than rural areas and is highest among college graduates. This in part explains the drift of highly-skilled people to jobs overseas and their loss to the local economy. Recent growth in the Philippines has been characterized as “jobless growth.” Indeed the problems associated with unemployment and underemployment have intensified over the years.

In analyzing the data, a distinction is made between gender-bias (job that traditionally attract male or female worker) and gender-discrimination. It is in regard to the latter that women become victims and marginalized. Much of the discrimination that exists is subtly expressed and involves both direct and indirect discrimination.

The author discusses gender-related deficits in terms of (a) access to decent work; (b) access to decent conditions of work and (c) the participation of women and their influence in labour market governance institutions. She concludes that similar challenges exist in both the public and private sectors: issues of pay equity, work and family balance and maternity protection are major concerns although in some sectors, issues of occupational health and safety also become important.

Above all else, opportunities for decent work are constrained by conditions in the informal sector where many women are to be found. To address these concerns, greater representation of women in the institutions of labour market governance, is an important first step. The author concludes with a comprehensive macro analysis together with recommendations to address the problem. This includes recommendations for initiatives that could be undertaken under the aegis of the International Labour Organization.

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