

Towards a Gender-Sensitive Workplace:
**Integrating Women's Concerns
in the Occupational Safety
and Health Standards**



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Towards a Gender-Sensitive Workplace: Integrating Women's Concerns in the Occupational Safety and Health Standards

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WOMEN AT WORK: THE STATISTICS

- Of the country's total labor force of 27.5 million in 1994, 63.1 percent are men while 36.9 percent are women. (Figure 1: pie chart showing percentage of men over women workers)
- Of these, eight out of ten men in the economic active group are in the labor force;

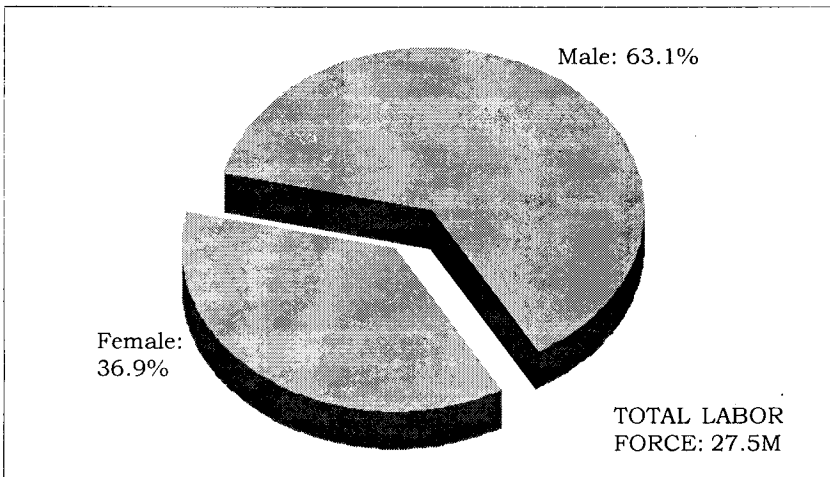


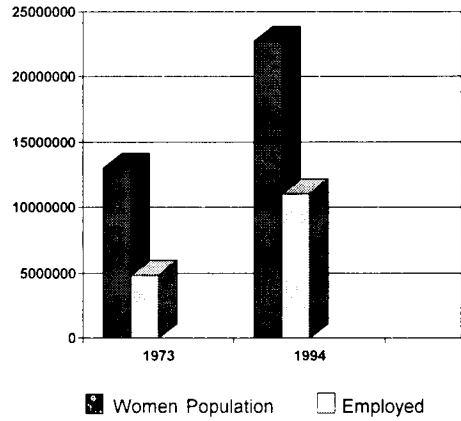
Figure 1. Labor Force, 1994

□ Four to five women out of ten are in the economically active group in the labor force.

■ Various industries such as production and manufacturing, and heavier infrastructure industries not only employ more men than women but also tend to pay men higher wages.

■ The last two decades witnessed a tremendous rise in the number of female workers joining the labor force. Between 1973 and 1994, the number of women in the labor force doubled from 4.8 million in 1973 to 10.9 million in 1994.

Table 1: Working Women

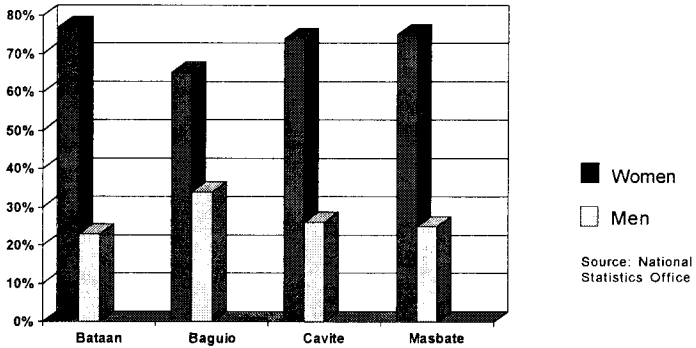


Source: National Statistics Office

million in 1994. These figures translate into a 33.1 percent labor force participation rate for women in 15 years and over in 1973, and a substantially higher percentage of female labor force participation rate in 1994. (Table 1: Working Women, 1973-1994)

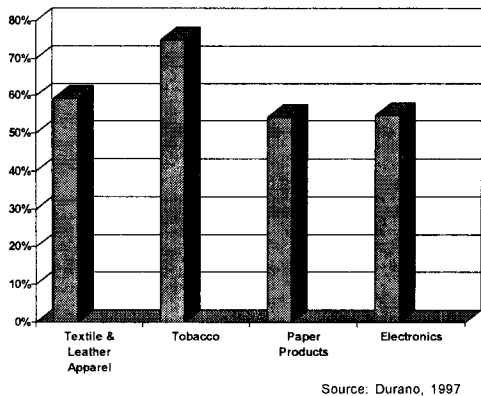
■ The establishment of Export Processing Zones (EPZ) has been an important development in recent years. Since they have been hiring more female than male workers, women's overall share of manufacturing jobs not only in traditional manufacture (garment and textiles) but also in other machinery and metal manufactures have increased. (Table 2: EPZ Labor Force)

Table 2: EPZ Labor Force



- Based on a report by Durano in 1997, of the almost one million women workers employed in production, 59.3% are employed in the textile, wearing apparel and leather industry.
- Women comprise 75% of those employed as tobacco preparers and product makers.
- Among electrical fitters and related electrical and electronic workers, 54.8% are females.
- In the paper and paperboard products manufacture, women comprise 54.5%. (Table 3: Women Employed In Production)

Table 3: Women Employed In Production



THE ISSUES

In early 1997, news about a mystery disease spreading in Taiwan factories broke out. The disease, according to reports, struck mainly Filipinos, majority of them women. The condition was identified as Stevens-Johnson syndrome (SJS), a manifestation of a reaction to certain “triggering factors,” among them toxic substances in the environment.

A year later, SJS cases were detected in the Philippines, particularly in a foreign electronics factory in Pampanga. Not unlike in Taiwan, most of those afflicted were female workers. Some patients’ conditions were serious, others are less severe and have since recuperated. There have been deaths. One of them was a female employee whose death certificate did not indicate that her ailments and subsequent death were factory-related.

The Department of Health (DOH) and the Department of Labor and Employment (DOLE) have formed a team to check the SJS cases. The media did their own investigations, as well. They all found out that the patients refused to talk and even so much as reveal the name of the company they worked for. Those who did refused to be identified. The reason: they were afraid that medical assistance would be cut off and that they will lose their jobs. And, worse, that the factory might face closure and would mean losing a major source of income for hundreds of families who live near the area.

The Stevens-Johnson syndrome is only one of several cases that illustrate that women workers are more prone to certain types of occupational illnesses. Based on the figures shown of the number

of women in the labor force, there is a gender structure in the workplace. Thus, it is of prime concern that the standards for occupational safety and health hazards be gender-sensitive.

For a true development process which is responsive to gender concerns, a system needs to be put in place. This responsibility falls on the shoulder of government, which is the major institution that determines who gets what and how. Efforts directed toward gender issues, therefore, should involve the government as the key sector. It must consciously work toward implementing policies, programs, and projects that would ensure a gender-sensitive workplace.

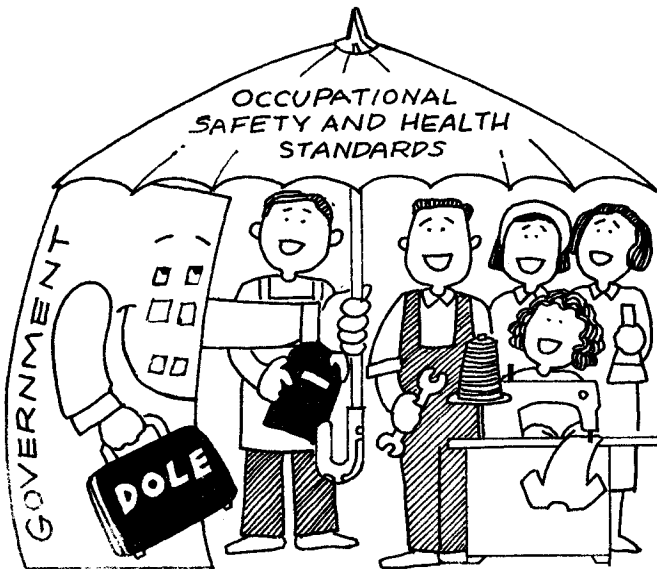


THE POLICY SETTING

What is the State's role and responsibility in the development process in the workplace?

In Article II, Section 18 of the 1987 Constitution of the Philippines, the state affirms labor as a primary social economic force. It also expresses the State's commitment to the protection of worker's rights and the promotion of their welfare.

The Constitution reiterates its commitment to the labor sector in Article XIII, Section 3, by providing guarantees for full protection, employment and equality of employment. The Section further guarantees the **rights of all workers**. These include the entitlement of workers to humane conditions of work including the assurance to a safe and healthy working environment.



Are there policies set by the government that ensure safe and healthy working environment for workers?

The Department of Labor and Employment (DOLE), in August 1989, issued an amendment to the **Occupational Safety and Health Standards** which has already been in place since 1978. The amendments were formulated through a joint effort by the Bureau of Working Condition (BWC) of DOLE, the Manila office of the International Labor Organization (ILO), and the tripartite sectors.

What are the provisions of the Occupational Safety and Health Standards?

The Standards contain provisions for registration, the training of personnel in occupational safety and health, the formation of health and safety committees in all establishments, and notification and keeping of records on accidents and/or occupational illnesses. It also spells out the specifications for the various premises of establishments, including specifications for space requirements, walkway surface, floor and wall opening, stairs, window openings, fixed ladders, overhead walks, runways and platforms, and yards.

What else are the inclusions in the Standards?

The Occupational Safety and Health Standards define occupational health and environmental control and specifies the standards for personal protective equipment and devices. The Standards also spell out the specifications for dealing with hazardous materials in the workplace and for the conduct of work in specific hazardous processes such as gas and electric welding and cutting operations, and explosives. It further specifies standards for materials handling and storage in boilers, unfired

pressure vessels, and machine guarding. Safety standards are further spelled out for electrical work, elevators and related equipment, piping systems, construction, logging, fire protection and control, pesticides and fertilizers. Furthermore, the Standards also provide for occupational health services in all establishments.

How does the State ensure implementation of the Standards?

The State ensures proper implementation of the Standards through Rule 1003.01, which stipulates:

Enforcement. The Department of Labor and employment shall administer and enforce the provisions of this Standards.

Supervision. Every employer shall give to the Secretary or his (sic) duly authorized representative access to its premises and records for the purpose of determining compliance with the provision.

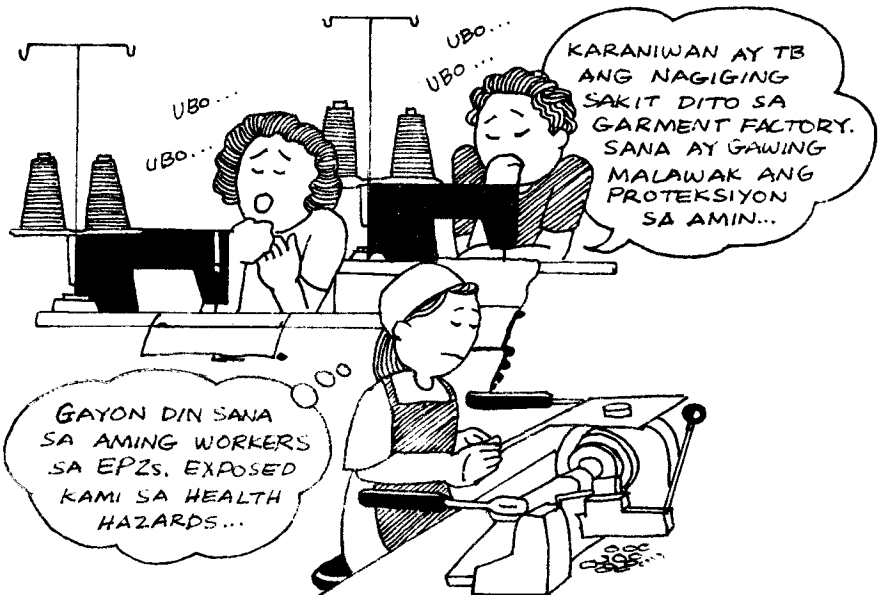
Inspection. Every establishment or place of employment shall be inspected at least once a year to determine compliance with the provisions. Special inspection visits, however, may be authorized by the Regional Labor Office or as authorized under Rule 1980 of this Standards, to investigate accidents, occupational illnesses or dangerous occurrences.

Compliance. The enforcement officer shall determine reasonable periods of compliance with recommendations depending on the gravity of the hazards needing corrections or the period needed to come into compliance with the order.

GENDER GAPS AND OPPORTUNITIES IN THE POLICY

Where do women workers come in? What protection can they expect?

The commitment of the state to protect the rights of workers, including the provision of safe and healthy places of work, includes its commitment to protect the rights of women. In Rule 1001 of the Standards, it is stated that the objective of “this issuance is to protect every workingman (sic)... consistent with... the State’s commitment for the total development of every worker as a complete human being.



Are the rights that are stipulated in the Standards enough to protect women workers?

Unfortunately, no. The Occupational Safety and Health Standards, even with its amendments passed in 1989, still lacks substantive measures that address the special needs of women exposed to health hazards. Key to this failure is the limited and stereotyped definition of hazardous working conditions.

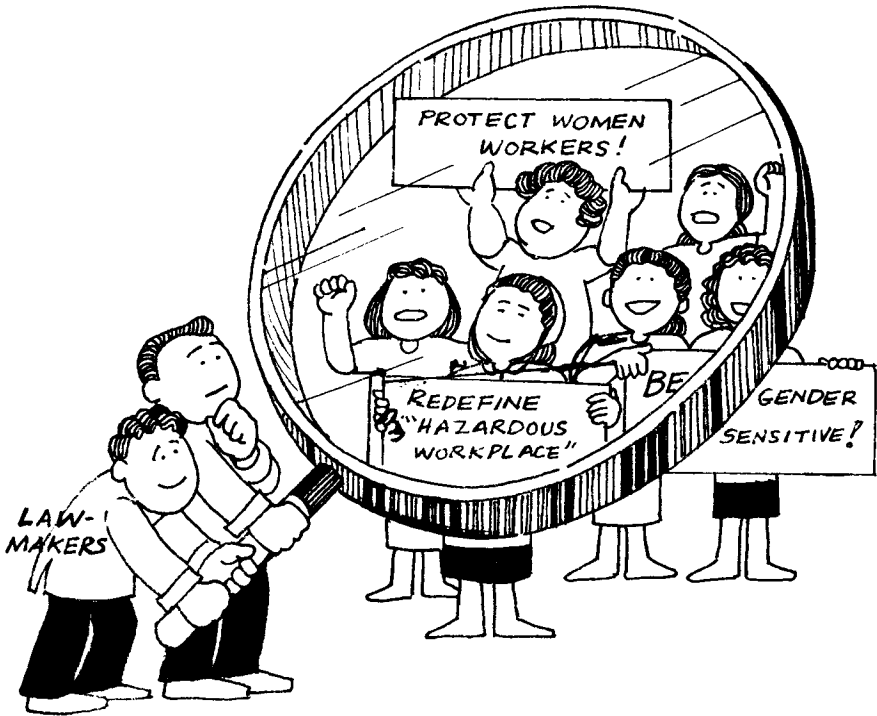
How is “hazardous workplace” defined by the Standards?

In Rule 1013, “hazardous workplaces” are limited to places where the nature of work exposes the workers to dangerous environmental elements, contaminants or work conditions; where the workers are engaged in construction work, logging, fire fighting, manufacture and handling of explosives and other high-risk jobs; and where workers are exposed to biologic agents such as bacteria and viruses.

The places of work mentioned here would reveal the general impression, right or wrong, that for the most part, the kinds of work specified in rule 1013 are mainly involving men. The issue here is not the stereotyping, but the limited information on the number of women employed in hazardous situations, as defined, as well as on the number of women who have been actual victims of work-related illnesses.

Are there ways that the definition of a “hazardous workplace” be re-defined so that substantive measures can be taken to address the gender gaps in terms of safety and health in the workplace?

The Standards provide mechanisms by which safety and health rules may be promulgated, amended, or revoked. Rule 1011



specifies that this can be done. Hence, the challenge is to make the policy instrument on Occupational Safety and Health Standards gender sensitive and responsive to the special needs of women workers.

Are there existing policies supporting such endeavor?

There are specific policy mandates, including the Constitution and R.A. 7192 or The Women in Nation Building and Development Act. The Beijing Platform for Action (BPA) passed during the Fourth World Conference on Women in 1995 contains specific provision which direct all governments to take up action towards a gender-sensitive workplace.

What are the BPA provisions and where are they contained?

In pursuance of Strategic Objective C.2, which aims to strengthen preventive programmes that promote women's health, paragraph 107 directs governments, in cooperation with non-governmental organization, the mass media, the private sector, and relevant international organizations, including UN bodies, as appropriate to:

n) Reduce environmental hazards that pose a growing threat to health, especially in poor regions and communities; apply a precautionary approach ... and include reporting on women's health risks related to the environment.

Furthermore, in pursuance of Strategic Objective K.1, which seeks to involve women actively in environmental decision-making at all levels, paragraph 253 mandates all government at all levels as appropriate to:

d) Take appropriate measures to reduce risks to women from identified environmental hazards at home, work and in other environments, including appropriate application of clean technologies, taking into account the precautionary approach agreed to in the Rio Declaration on Environment and Development.

What measures have been passed in support of a gender sensitive work environment?

Child-care facilities are now required for establishments employing working mothers. The passage of the anti-sexual harassment law, R.A. 7877, has also provided measures that will ensure a safe working environment for women who are prone to sexual advances from their male superiors and colleagues.



Besides what is specified in Rule 1013 of the Standards, what else constitutes an occupational safety and health hazard that should be included in the definition?

Factors such as work relationships and decision latitude can affect the mental state and cause psychological stress and psychosomatic illnesses like peptic ulcers and chronic headaches. Women workers are particularly vulnerable to work-induced stress, as well as to sexual assault resulting from assertion of male power over them. Thus, it is important to broaden the scope of the definition of "work hazard" to include not only hazard in the physical and ergonomic sense, but also in the psychological and political sense.



In defining workers protected by the State, are they limited only to office and factory workers? How about those in the home front?

That is another issue which should be addressed: the recognition of domestic work rendered by housewives and mothers as well as by domestic helpers as legitimate forms of occupation, and therefore should merit coverage under the occupational safety and health standards.

Are there existing laws that protect housewives, mothers and domestic helpers?

There are already laws which tacitly recognize the rights of housewives and domestic helpers. R.A. 7192, or the Women In Nation Building and Development Law, stipulates that women who devote full-time to managing the household and family affairs shall, upon the working spouse's consent, be entitled to voluntary PAG-IBIG, GSIS, and SSS contributions. On the other

hand, R.A. 7655, passed in 1993, increases the minimum wage of domestic househelpers.

These pieces of legislation have the intent of bestowing upon full-time housewives and domestic househelpers some rights which workers in traditional occupations enjoy.

What hazards and risks are a woman at home exposed to?

It is a fact that the performance of domestic work exposes women to safety hazards and health risks, emanating from poorly ventilated homes and unsafe or unhealthy home maintenance equipment and appliances. In India, for example, studies conducted by researchers at the East-West Center point to the health hazard on women emanating from their exposure to deadly smoke pollution coming from cooking stoves and ovens. Women are also put at risk from poorly designed and ergonomically deficient gadgets and home products.

What about commercial sex work? Does it fall under the definitions of the Standards?

The case of commercial sex work is another contentious issue. The recognition of such work as an occupation deeply divides women advocates and activists. There are those who argue that prostitution, in any form is a blatant violation of women's rights, and recognizing it as an occupation will only bestow legitimacy on an otherwise reprehensible and illegal act.

On the other side of the debate are those who argue that even if prostitution is a violation of women's rights, measures will have to be done to protect them, particularly those who are, according

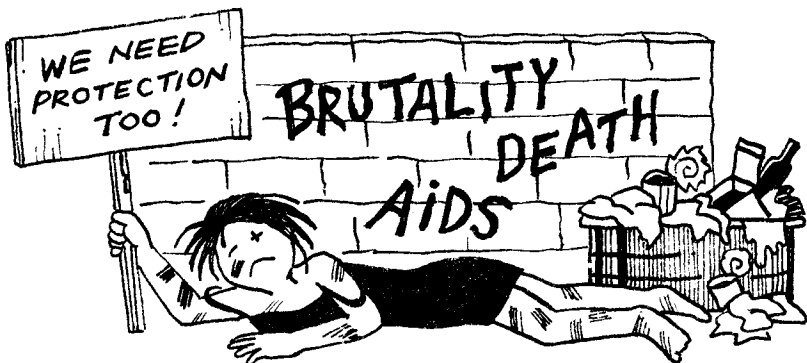
to them, “prostitutes by choice,” and reduce their exposure to the hazards and risks which accompany this kind of work.

What are these hazards and risks?

Commercial sex workers are not only exposed to the risks of brutalization, assault and even death in the hands of their customers, but also to the deadly viruses and bacteria which are associated with sexually transmitted diseases and HIV.

Considering the hazards they are exposed to, shouldn't the State recognize and protect commercial sex workers as well?

The difference in opinion is rooted on different ideological anchors and would require continuous dialogue between and among women's rights advocates and activists. Whatever the outcome, measures will have to be taken to rescue women from prostitution and provide those who are already in this kind of occupation, either by their own free choice or under coercion by both personal and structural forces, with safety and precautionary measures.



WHAT CAN BE DONE

7he integration of gender concerns in the Occupational Safety and Health Standards require a concerted effort not only to gender-sensitize the instrument but also the people and processes involved in the implementation of the instrument. Fortunately, the Standards itself has provided a mechanism for its revision and amendment, as spelled out in Rule 1011.

Recommendations For Engendering The Policy Instrument

The existing standards will require substantial reorientation. The following specific amendments are being recommended:

1. **Redefine “Work Hazards.”** It is recommended, in consultation with all sectors concerned, particularly organized women and women workers, that the definition of work hazards be redefined and expanded:

- Include psychologically-related work hazards.
- Include hazards related to vulnerabilities induced by power-differentials.

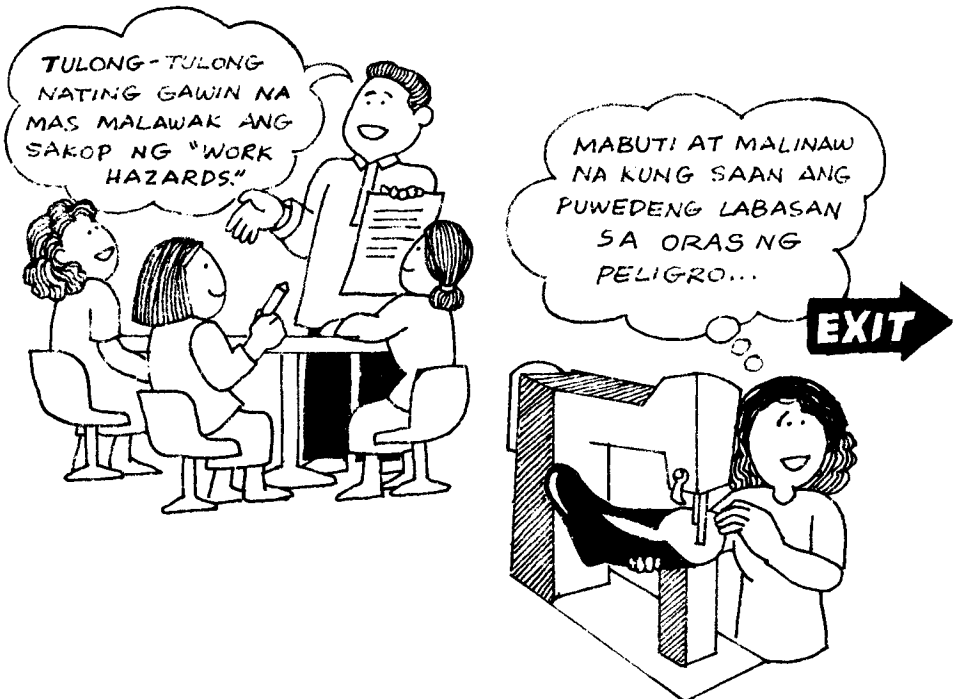
2. **Safety Measures.** Adequate safety measures should be provided to protect workers, particularly but not limited to women, from emotional and psychologically-induced hazards, as well as from the possibility of falling victims to sexual and other forms of assault.

This would include:

- Measures on the design of buildings and facilities.
- Provision of adequate lighting and escape routes.
- Deployment of ergonomic measures that would provide a relaxing atmosphere to the workplace.

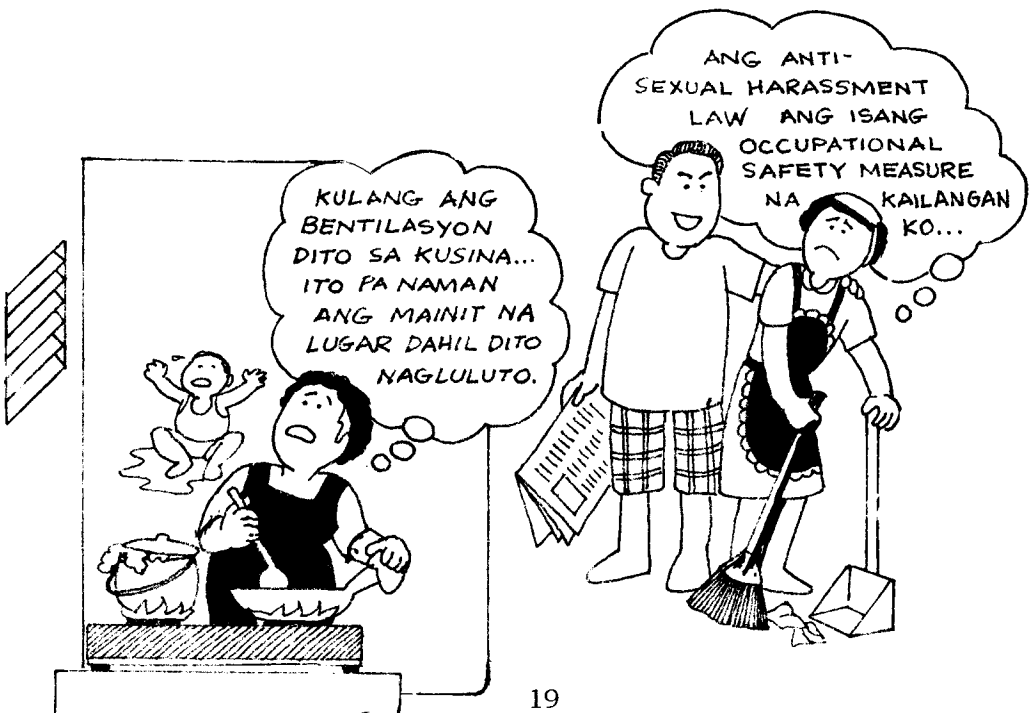
Specific details of the measures will have to be formulated through the spirit of tripartism, and with substantial participation from organized women and women worker groups.

3. Protection for Home-based workers. A separate mechanism to protect the safety and health of housewives, domestic helpers and workers in the informal sector should be established.



- These kinds of work should be considered as occupations.
- They must be covered by a certain occupational safety and health standards.
- Strict implementation of minimum products standards issued by the Department of Trade and Industry (DTI) for house appliances and other equipment and technologies which are used in the reproductive activities at the household.
- Included in such minimum safety and health standards are appropriate design of houses and rooms which ensure proper ventilation.

Monitoring of the compliance to such standards will however be very difficult. An appropriate mechanism is to translate compliance to such standards into incentives, such as tax

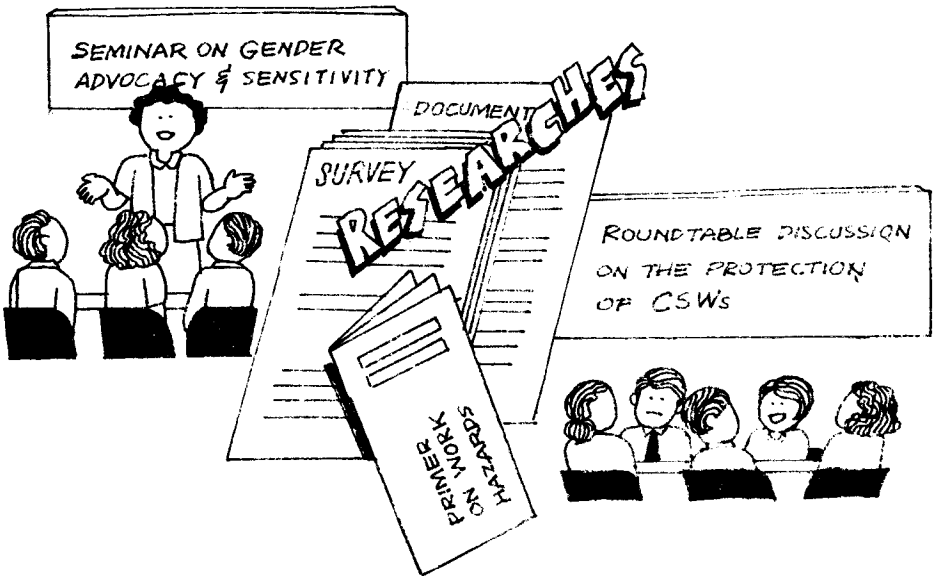


deductions for household consumption of safe and health-sensitive equipment, as certified by DTI, and for housing structural designs which are environmentally sound, safe and health-sensitive, as certified by the local government engineer. Implementation of this recommendation will require legislative action.

Recommendations For Engendering The Policy Support Mechanisms

The successful integration of gender concerns in the work environment requires supportive processes and personnel. To ensure this, the following are being recommended:

- 1. Seminars.** Intensive gender advocacy and sensitivity seminars should be conducted by NCRFW and women NGOs,



with the relevant sectors along the concept of the expanded definitions of what constitutes as work hazard and as occupation.

Expected result: Support from and awareness among the government and private sectors of the concept of mental and political health, and of housework and domestic work as forms of occupation.

2. Research. Researches on the gender aspects of the occurrence of occupational accidents be conducted to provide baseline data. Furthermore, it is also useful if the labor profile of workers in the hazardous workplaces defined in Rule 1013 of the Standards be gender-desaggregated, as well as the gender profile of actual reported cases of work-related illnesses.

Expected result: This should provide information on the gender composition of the workers and of victims of work-related hazards.

3. Discussions. Serious discussions be initiated at the policy level on what to do with the case of commercial sex workers.

Expected result: Charting a common agenda on how to deal with prostitution, and how to provide protection for those who are already engaged in this type of occupation.

Table 4: Hazards In The Workplace

Workplace	Hazards	Recommendations
<p>Factory</p>	<p>1. Impractical and inconvenient physical and architectural designs of offices that allow the possibility of sexual harassment.</p> <p>2. Lack of adequate spaces, in the temporal and physical sense, that cause work-induced stress, and which in turn can affect the mental state as well as cause psychosomatic illnesses like peptic ulcer and chronic headache.</p>	<p>1. Adequate safety measures on the design of buildings and facilities, provision of adequate lighting and escape routes.</p> <p>2. Deployment of ergonomic measures that would provide a relaxing atmosphere and working conditions that will provide safety and sanity measures.</p>
<p>Home</p>	<p>1. Poorly ventilated homes.</p> <p>2. Unsafe and unhealthy home maintenance equipment and appliances.</p> <p>3. Poorly designed and ergonomically deficient gadgets and appliances.</p>	<p>1. Appropriate design of houses and rooms which ensure proper ventilation.</p> <p>2. Strict implementation of minimum products standards issued by DTI for house appliances and other equipment and technologies which are used in the reproductive activities at the household.</p> <p>3. An appropriate mechanism is to translate compliance of such standards into incentives, such as tax deductions for household consumption of safe and health-sensitive equipment and for housing environmentally-sound, safe-and-health sensitive structural designs.</p>

Table 4. Continued

Workplace	Hazards	Recommendations
Venues for commercial sex	<ol style="list-style-type: none"><li data-bbox="341 244 628 323">1. Brutalization, assaults and even death in the hands of customers.<li data-bbox="341 370 628 502">2. Exposure to the deadly viruses and bacteria associated with sexually transmitted diseases and HIV.<li data-bbox="341 591 628 723">3. Absence of or confusion with regards to recognition of commercial sex work as an occupation.	<ol style="list-style-type: none"><li data-bbox="681 244 962 350">1. Serious discussion at the policy level on what to do with the care of commercial sex workers.<li data-bbox="681 370 962 555">2. A common agenda should be raised on how to deal with prostitution, and how to provide protection for those already in this type of occupation.

Sources:

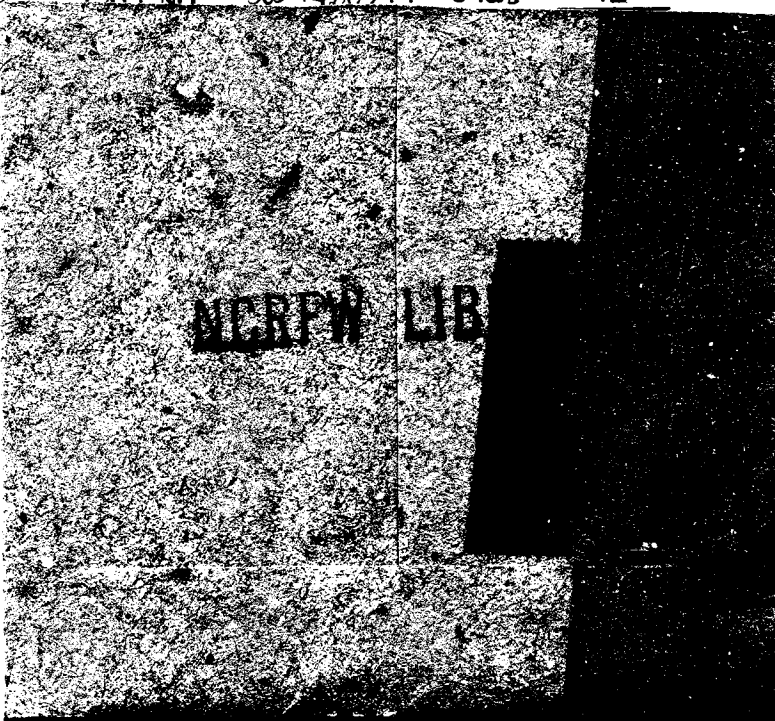
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