

TOWARDS A JOINT POLICY AGENDA FOR LABOR

*Managing the Social Impact
of Globalization through
Stronger State Adherence
to Decent Work*

**- PROCESS DOCUMENTATION -
April to July 2004**

Foreword

This handbook documents a process that aimed at generating common policy proposals from the various labor organizations in the country. The process is based on the premise that in order to come up with integrated policy proposals that balance economic and social concerns, venues for workers' voice must be recognized and strengthened. The State should provide fora to hear and consider workers' concerns and proposals. This could be through policy development dialogues, legislative consultations, and labor involvement in multi-stakeholder councils. In the absence of such forum and/or to complement such, initiatives taken by the organized labor sector in providing a collective voice for a labor policy agenda must be equally, if not more importantly, given serious consideration.

It is in the light of the above that representatives from a good number of national labor centers, public sector federations, and labor-oriented and non-governmental organizations with the assistance of three (3) solidarity support organizations, sat down beginning April this year to present and discuss their organizations' proposed policy agenda for labor and explore the possibility of coming up with a Joint Policy Agenda for Labor.

The process is still on-going and the printing of this handbook is to initially catalogue the various proposals and enlarge the discourse by distributing this documentation to both the members of the labor movement as well as to policy makers. This "work in progress" and reference for further discussions is divided into four (4) parts: 1) the Consolidated Proposal based on the ILO Decent Work Framework which integrates the various proposals of the labor groups; 2) the preliminary document Priority Labor Agenda for the First 100 Days; and 3) Policy Proposals of Several Participating Organizations; and 4) the List of Participating Labor Organizations.

The labor organizations that participated in the various meetings of the initiative are the following: Alliance of Progressive Labor (APL), Bukluran ng Manggagawang Pilipino(BMP), Congress of Labor Organizations (CLO), Federation of Free Workers (FFW), and the Trade Union Congress of the Philippines (TUCP), all labor centers; National Labor Union (NLU) and the National Union of Bank Employees (NUBE), both federations; Informal Sector Coalition of the Philippines, an informal workers alliance; Alliance of Concerned Teachers-Education International (ACT-EI), Confederation of Independent Unions in the Public Sector (CIU), Philippine Government Employees Association (PGEA), and Public Services Labor Independent Confederation (PSLINK), all public sector union federations; Labor Education and Research Network (LEARN), Labor Rights and Democracy, Inc. (LARIDE), Philippine Social Institute (PSI), and Workers' Development Foundation, Inc. (WDFI) all labor NGOs; and the Friedrich-Ebert-Stiftung Philippine Office (FES), LO-Norway, and Solidarity Center in the Philippines, all solidarity support organizations.

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Priority Labor Agenda for the First 100 Days

Decent Work: Enabling Workers to Live with Freedom, Equity, Security and Dignity

The economy, enterprises, workers, and communities are disadvantaged by globalization and its forces – liberalization, deregulation and privatization. In these difficult times, it is only too easy to place the burden on workers and their families. The government ought to be reminded that it should deliver services to all its constituents, and that it should ensure that workers and their families live in accordance with their needs, equity, security and rights at work.

Different labor organizations and workers' associations need to act together to promote and safeguard the interests and welfare of working men and women. Pushing a common labor policy agenda will strengthen the resolve of organized labor not to settle for anything less than the requirement of decent work and decent living.

The decent work agenda summarize the demands of workers and their organizations in the struggle for decency, dignity and respect at work. Decent work improves working and living conditions of workers and their families.

Binding together for the decent work agenda, organized labor proposes the following for urgent action during the first 100 days of the President. The proposals aim to create decent work to build people's jobs and incomes as a precondition for the establishment of a socially just, open and sustainable economy.

Socio/political environment

The above-mentioned proposals can be facilitated with an enabling socio-political environment. The socio-political environment determines the pace of implementation and attainment of said proposals:

- Good governance
 - Pushing professionalism, efficiency, accountability, and transparency in government service
 - Institute a tripartite oversight committee on compliance with RA 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees and Malacanang Memorandum Order No. 35 (Directing All Departments, Bureaus, Offices and Instrumentalities of the Government, Including Government-Owned and Controlled Corporations to Implement the Publication of Service Guides and the Posting of Work Flowcharts and Providing Guidelines Therefore))
 - Issue an Executive Order to encourage the participation and to define the oversight and inspection roles and functions of civil society “watchdogs” in government procurement, public works and revenue collecting agencies (principally customs and BIR).
 - Raise tax collection efforts through intensified collection of taxes from professionals and business enterprises¹
 - Certify a bill for the indexation of “sin taxes”.
 - Increase transparency, actual intervention and representation in the budget process [planning, monitoring and evaluation] of unions and civil society groups, principally to shift congressional pork barrels to social expenditures or use the same for debt-for-social expenditures swaps.
 - Formulate and implement long term sustainable policy programs on curbing high population growth (including the passage of a responsive Reproductive Health Law)
- Accelerate the implementation of the ILO-DOLE Decent Work Programme for the Philippines.

¹ Fixed-income earners contribute proportionally higher percentages of their income than professionals and enterprises

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- Reduction or stabilization of prices of petroleum products and electricity
 - Hold a multi-sectoral national summit to revisit proposals on how to stabilize prices of petroleum products and reduce the cost of electricity through, among others, re-establishing the Oil Price Stabilization Fund (OPSF), reducing the gas off-take from the Malampaya project, which will enable government to reduce the take-or-pay cost and this cut electricity cost, and establishing the TRANSCO franchise system to reduce the potential stranded cost and the universal charge.
 - Review of the PPA (purchased power adjustment).
 - IPP (independent power producer) Review Committee should make public/present IPP review results and conduct consultations on recommendations.²
 - Certify a Political Parties Reform bill to Congress that will prevent political dynasties, discourage political turncoatism, reform campaign finance laws and ensure full representation of marginalized sectors in the party list system by removing artificial restrictions in the representation process.
 - Remove legal barriers to the implementation of computerized voting such that it can be implemented in the elections of 2007.

Opportunities for Work/Jobs

People should have more work opportunities available for them. Employment and work opportunities for workers and entrepreneurs should lay the foundation for productive employment and livelihood/enterprise opportunities.

- To advance this, an environment conducive to socially responsible investments that will promote sustainable jobs,

² This may have to be rephrased in the light of the claim of this current administration that it “has successfully worked for the passage and implementation of the Power Sector Reform Law which reduced electricity rates from 2nd highest in Asia to 7th place. The government also condoned P900 million in debts of rehabilitated electric cooperatives and renegotiated contracts with Independent Power Producers to save over P150 in future PPA charges”, according to the Administration’s “6 Priority Program for the Poor” document.

respect for fundamental rights at work and gender equity should be created.

- Call for a multi-sectoral national summit on employment to craft recommendations on how to reduce or overcome barriers to employment creation, including establishing a National Employment Board and/or an Employment Insurance Fund as well as crafting investment policies that will encourage setting up higher value-added industries that will create better paying and more secure jobs.
- Prioritize public works, construction of social housing,³ school buildings and hospitals to create temporary employment and ease the unemployment situation now prevailing.
- Improving and strengthening small and medium enterprises (SMEs) will foster job creation; more people would be encouraged to be entrepreneurs:
 - Relaxation of requirements [liberalization of terms] and qualification for National SME Development Plan trust fund, including the credit facility program for the informal sector [ERAP (Effective Response to Alleviate Poverty) trust fund] and assistance for Leadpreneurship programs with entrepreneurs oriented on workers' rights and labor standards.⁴
 - Review implementation of the micro-finance policy specifically the Workers Micro-finance Program, amend if necessary and set MFI standards in order to facilitate access and organized-repayment of loans by, among others, making workers' organizations as conduits for the fund.
- Effective implementation of RA 6865, which requires private public works contractors to hire at least 50% of the unskilled and at least

³ Massive social housing program is particularly recommended because of its forward-backward linkages, that is its ability to multiply employment not only for construction work but also for industries providing housing construction materials as well as industries engaged in housing improvements.

⁴ In its "6 Priority Programs for the Poor" document, this current administration claims to "have provided nearly P6 billion microcredit to 1.5 million mostly poor women borrowers." Further, "under the SME Unified Lending Opportunities for National growth (SULONG), a total of P28.85 billion was lent to small businesses benefiting 315,569 accounts.

30% of the skilled labor requirements from the province, city or municipality where the projects are undertaken.

- Improve capacity of DOLE, and expand its services, for employment facilitation, principally the Public Employment Service Offices (PESO), PHILJOBNET and the National Skills Registry.
- Convene the National Coordinating Council for Education (NCCE) to facilitate and accelerate programs on equivalency, competency-based training, testing and certification, and distance learning and recompose it to provide for tripartite representation in its Council.
- Ensure funding for the various scholarship and student loan programs and work out with Congress to appropriate fund for the TESDA Development Fund.

Freedom of Choice of Employment

Decent work demands that employment is freely chosen. Freedom of choice of employment is a realization of workers' preparation and training for desired employment. Child labor and forced labor do not give workers a choice – work is imposed on them.

- Effective implementation of RA 9231 on The Worst Forms of Child Labor, and creating avenues for working children/child laborers to receive education in school and/or in alternative mode of learning.
- Intensify implementation of the Philippine Time Bound Programme to eliminate Child Labor
- Ratification of ILO Convention No. 29 on Forced Labor [the only remaining core Convention unratified by the Philippines]

Productive Work

Workers in the public and private sectors, whether working in the formal or informal sector, need compensation fair and just enough to cover the basic needs of their families, and to provide a certain level of comfort. Working men and women demand work that provides incomes which will maintain a level of dignity of living:

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- Conduct of bureaucracy-wide job evaluation, review of salary structure in government, and enactment of a new salary standardization law.
 - Repeal of Section 8 of the BMBE (barangay micro-business enterprise) law exempting BMBEs from the coverage of the Minimum Wage Law. [BMBEs are entities or enterprises whose total assets including those from loans but exclusive of the land on which the particular entity's office, plant and equipment are situated, are not more than P3 million.] Either certify a bill to amend the law or revise IRR to provide for a five-year time-bounded exemption of BMBEs from the application of Minimum Wage laws, starting from their date of registration and to limit this rule only to single proprietorships of businesses that are family owned-and-operated. Such incentives should also be implemented side by side with other programs promoting productivity and health and safety in these types of workplaces. As well as with “small brother-big brother” job subcontracting arrangements.
 - Exemption from withholding tax of workers including those of government employees earning only P20, 000 a month and below, effectively increasing the take home pay of workers.
 - Effective implementation of DOLE D.O. No. 5 (1992) on Employment of Home workers, mandating the payment of standard wages 13th month pay and SSS, Philhealth and ECC contributions by employers of industrial home workers.

Equity in Work

Equity at the workplace means no discrimination against workers. Equity in work provides equal opportunity for workers and lays the foundation for a worry and harassment free workplace.

- Enactment of long-pending legislation against discrimination and strengthening the anti-sexual harassment law (RA 7877).

Security at Work/Social Protection

Providing security at work/social protection is a major challenge faced by all sectors. Extension of social security and health insurance coverage

for all workers whether in the formal or informal sector is part of decent work:

- Expand medical and health benefits
 - Increased coverage of medical/health contingencies [Coverage against contingencies is currently under 50% of health costs].
 - Intensification of PhilHealth indigency program
 - Provide resources for effective implementation of RA 8504 or the Philippine AIDS Law
 - Appropriate action against SARS, HIV-AIDS and work-related diseases.
 - Ensure safe and healthy workplaces for all and review occupational safety and health policies to make them more attuned to globalization trends.
- Promote occupational health and safety through a massive promotional and technical assistance to enterprises by the Occupational Safety and Health Center of the ILO-designed “SOLVE Program”
- Revive or revitalize the Retirement Insurance Commission, broaden its functions and recompose its membership to add more representatives from workers’ and employers’ groups to recommend changes in the architecture, benefits, administration and financing of a more unified and comprehensive social protection scheme, including the beginnings of a workable Employment Insurance Scheme.
- Broader opportunities for livelihood and social protection for women. LGUS should designate common terminal, vending and production areas for the informal sector
 - Review the GSIS and SSS law and IIR of Philhealth Indigency Program with the participation of unions and informal sector associations.
 - Implementation of the Law on Domestic Helpers.

Dignity at Work and Social Dialogue

Workers struggle to gain dignity at work, including better treatment at work, working conditions and unionization. The exercise of the right to

form a union establishes dignity at work because of the terms and conditions of employment obtained through collective bargaining:

- Further liberalization of requirements for organizing unions.
 - Immediate recall of DOLE Department Order No. 40-B-03
 - Better implementation of the law/rules for organizing unions at the Med-Arbiters' level
- Certify a bill to Congress:
 - Ensuring job security of workers, security of workplace and protection at workplace for the informal sector.
 - To promote Freedom of Information, as adequate, timely and relevant information is the basis of rationale social dialogue.
 - To align labor laws to the standards of ILO convention 87 and 98, specifically on the requirements for registration of unions and the exercise of the right to strike, which have been found to be non-compliant with the said Conventions.
- Certify a bill or issue an Executive Order, whichever is appropriate, to allow for workers' representation in the following public policy bodies and governing boards:
 - NEDA
 - Energy Regulatory Board
 - National Coordinating Council for Education
 - Government-owned and controlled Corporations (GOCC)
 - Government Financial Institutions (GFIs)
 - Assets Privatization Trust (APT)

Social dialogue and genuine representation

Workers and their representatives should be consulted on matters affecting workers' welfare and interests. Decent work can be facilitated through meaningful consultations with trade unions and workers associations:

- Genuine representation of unions and workers associations in governing boards of welfare agencies, social security agencies, GOCCs (government-owned or controlled corporations) and GFIs (government financial institutions): to further ensure transparency;

to acknowledge unions' role in ensuring efficient public service delivery.)

- Serious review of the country's trade commitments, including WTO (and GATS) and AFTA and other multi-lateral agreements, with the end in view of correcting the negative impact to Filipino workers and ensuring the social dimension of these agreements.⁵
 - Provision of appropriate safety nets and social protection for displaced workers affected by the WTO, AFT, MFA
- Protection of local industries enterprises against dumping, smuggling, and other forms of unfair trade competition
 - DOLE/DTI joint consultations with labor on the government's WTO position
 - Tripartite consultations with DOLE and GTEB/DTI on phase-out of garments quotas by January 2005.

⁵ Later on when the full Labor Agenda is elaborated, this should be tied with the ATUC effort to negotiate an ASEAN Social Charter

Consolidated Proposals based on the ILO Decent Work Framework

Background

Globalization, in its present form, lacks a strong social dimension. It is thus unfair and exclusive. As the World Commission on the Social Dimension of Globalization (WCSDG) reports, globalization has dislocated traditional livelihoods and local communities, and increased inequalities between and within countries.¹ Financial liberalization exposes countries to greater risks of economic fluctuations, and the increased mobility of capital strengthens the hand of employers vis-à-vis workers. For globalization to be fair and inclusive, the WCSDG calls for a *focus on people* as the cornerstone of a fairer globalization: respect for their rights and decent work, among other important issues. There is also a need for a *democratic and effective State* that must have the capability to manage integration into the global economy, and provide social and economic opportunity and security.² Nation-states play a critical role in the governance of the globalization process in the absence of a global institution addressing the social dimension of globalization.

In order to effectively manage economic liberalization, the pace and sequencing of the liberalization process is critical. Liberalization that is carried out across the board has taken its toll on the health of many economies worldwide, including the Philippines. Managing liberalization means that the State has the capability to ensure that it meets both economic and social objectives. The State, now more than

¹ World Commission on the Social Dimension of Globalization. *A Fair Globalization – Creating Opportunities for All*. Geneva, 24 February 2004.

² Ibid.

ever, cannot renege on its inherent obligation to provide social protection, particularly to the vulnerable.

Workers, along with other groups, have a strong stake in the outcome of any macroeconomic policy adopted by government. In this regard, greater voice should be given to the labor sector, as well as other non-State actors, particularly organizations that represent the poor. To ensure that there is consistency between economic and social policies, the State must be able to create institutions that promote wider and democratic participation of people in the formulation of economic policies that affect them. Such institutions or fora should also provide a venue for public review and scrutiny of trade-related policies and decisions adopted by the State through its trade negotiators and/or representatives. Only through a series of multi-stakeholder policy development dialogues could a *Policy Coherence Initiative* be launched by the State.³ A National Economic and Social Council that draws membership from government, business, labor and civil society, as proposed by the WCSDG, is one such forum.

Addressing Decent Work in Labor's Policy Agenda

The *Decent Work* framework of the International Labor Organization (ILO) is at the core of Labor's Joint Policy Agenda. *Decent Work* means –

productive work in which rights are protected, which generates and adequate income, with adequate social protection. It also means sufficient work, in the sense that all should have full access to income-earning opportunities. It marks the high road to economic and social development, a road in which employment, income and social protection can be achieved without compromising workers' rights and social standards. Tripartism and social dialogue are both objectives in

³ WCSDG, 2004.

their own right, guaranteeing participation and democratic process...⁴

It is in the context of the conceptual dimensions of *Decent Work*⁵ that the various policy agenda proposals of the participating labor organizations were consolidated and/or classified. These dimensions are the following:

1. An enabling politico-economic environment for decent work
2. Opportunities for work
3. Freely chosen work
4. Productive work
5. Equity in work
6. Security and social protection
7. Dignity at work and social dialogue

Decent work requires that states shift their development focus on people in managing integration into the global economy by providing people with social and economic opportunity and security, social protection, and universal access to education and social services. Focusing on people also means respecting their rights, promoting gender equality, and building deeper partnerships with non-state actors, particularly labor organizations and other organizations representing public interests. In this regard, decent work should be accorded the highest priority by the government.

⁴ International Labour Office. *Decent Work*. Geneva: ILO, 1999, p. 13.

⁵ Anker, et al. *Measuring Decent Work with Statistical Indicators*, Working Paper No. 2, ILO Geneva.

LABOR'S JOINT POLICY AGENDA

I. Creating a politico-economic environment that enables the concretization of decent work

This requires good political governance based on democratic political system, respect for human rights, the rule of law, and social equity. Decent work is best concretized in the context of sustainable development where the pillars of economic development, social development and environmental protection are interdependent and mutually reinforcing. An enabling environment for decent work also requires that the state assume greater accountability to people.

In creating a politico-economic environment that enables the concretization of decent work, organized labor proposes the following directions, policies, legislations, and programs:

1. Commitment to good governance
 - Institute a tripartite oversight committee on compliance with RA 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees and Malacanang Memorandum Order No. 35 (Directing All Departments, Bureaus, Offices and Instrumentalities of the Government, Including Government-Owned and Controlled Corporations to Implement the Publication of Service Guides and the Posting of Work Flowcharts and Providing Guidelines Therefore)
 - Reduce the current 11,000 Presidential appointees by excluding career positions and allowing the Civil Service Commission and the CESO Board to take charge of screening and selection
 - Issue an Executive Order to encourage the participation and to define the oversight and inspection roles and functions of civil society “watchdogs” in government

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- procurement, public works and revenue collecting agencies (principally customs and BIR)
- Raise tax collection efforts through intensified collection of taxes from professionals and business enterprises
 - Certify a bill for the indexation of “sin taxes”
 - Increase transparency, actual intervention and representation in the budget process [planning, monitoring and evaluation] of unions and civil society groups, principally to shift congressional pork barrels to social expenditures or use the same for debt-for-social expenditures swaps (as well as Local School Boards at the local level)
2. Hold a multi-sectoral summit to formulate (and implement) long term sustainable policy and programs on curbing high population growth (including certifying a bill on (the passage of) a responsive Reproductive Health Law), with local government units as the lead agency for implementing programs that are most acceptable under their jurisdiction
 3. Accelerate the implementation of the ILO-DOLE Decent Work Programme for the Philippines
 4. Reduction or stabilization of prices of petroleum products and electricity
 - Moratorium on increases of prices of petroleum products and electricity
 - Tripartite consultations before implementation of increases of prices of petroleum products and services
 - Hold a multi-sectoral national summit to revisit proposals on how to stabilize prices of petroleum products and reduce the cost of electricity through, among others, re-establishing the Oil Price Stabilization Fund (OPSF), reducing the gas off-take from the Malampaya project, which will enable government to reduce the take-or-pay cost and this cut electricity cost, and establishing the TRANSCO franchise system to reduce the potential stranded cost and the universal charge
 - Review of the (unjust) PPA (purchased power adjustment)

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- IPP (independent power producer) Review Committee should make public/present IPP review results and conduct consultations on recommendations
5. Certify a Political Parties Reform bill to Congress that will prevent political dynasties, discourage political turncoatism, reform campaign finance laws and ensure full representation of marginalized sectors in the party list system by removing artificial restrictions in the representation process
 6. Remove legal barriers to the implementation of computerized voting such that it can be implemented in the elections of 2007
 7. Moratorium on further WTO-led liberalization and serious review of the country's trade commitments, including WTO (and GATS) and AFTA and other multi-lateral agreements, with the end in view of correcting the negative impact to Filipino workers and ensuring the social dimension of these agreements
 8. Protection of local industries enterprises against dumping, smuggling, and other forms of unfair trade competition
 - DOLE/DTI joint consultations with labor on the government's WTO position
 - Tripartite consultations with DOLE and GTEB/DTI on phase out of garments quotas by January 2005
 9. Enact a moratorium on privatization and undertake a review of its labor, social and environmental impact for the purpose of devising a full options approach to economic restructuring that favors democratic ownership
 - Reverse the privatization of MWSS
 10. Increase public investments in education and health, and reduce the GAA allocation for debt servicing and repayments
 11. Investigate, with the end in view of abrogating, the Philippine Government's agreement to waive its right to lodge cases to the ICC
 12. Work for the effective implementation of EO 156 regulating the importation of 2nd hand vehicles
 13. Study and take a position on the rationalization of taxation system for automotive industry

II. Opportunities for work

To provide greater opportunities for work, an environment conducive to socially responsible investments that will promote sustainable jobs, respect for fundamental rights at work and gender equity needs to be created. The promulgation of policies that promote full regular employment is also necessary. Toward these ends, there is a need to:

1. Call for a multi-sectoral national summit on employment to craft recommendations on how to reduce or overcome barriers to employment creation, including establishing a National Employment Board and/or an Employment Insurance Fund as well as crafting investment policies that will encourage setting up higher value-added industries that will create better paying and more secure jobs.
2. Prioritize public works, construction of social housing,⁶ school buildings and hospitals to create temporary employment and ease the unemployment situation now prevailing.
3. Improve and strengthen small and medium enterprises (SMEs) will foster job creation and more people would be encouraged to be entrepreneurs
 - o Relaxation of requirements [liberalization of terms] and qualification for National SME Development Plan trust fund, including the credit facility program for the informal sector [ERAP (Effective Response to Alleviate Poverty) trust fund] and assistance for Leaderpreneurship programs with entrepreneurs oriented on workers' rights and labor standards.⁷ Government should lift its counterproductive

⁶ Massive social housing program is particularly recommended because of its forward-backward linkages, that is its ability to multiply employment not only for construction work but also for industries providing housing construction materials as well as industries engaged in housing improvements.

⁷ In its "6 Priority Programs for the Poor" document, this current administration claims to "have provided nearly P6 billion micro-credit to 1.5 million mostly poor women borrowers." Further, "under the SME Unified Lending Opportunities for National growth (SULONG), a total of P28.85 billion was lent to small businesses benefiting 315,569 accounts.

market-determined interest rate policy for livelihood loans for the disadvantaged.⁸

- Review implementation of the micro-finance policy specifically the Workers Micro-finance Program in order to facilitate access and organized-repayment of loans by, among others, making workers' organizations as conduits for the fund.
 - Promote and strengthen of workers' enterprises and participation of workers' cooperatives in privatization of government assets and government financial institutions.
4. Effectively implement RA 6865, which requires private public works contractors to hire at least 50% of the unskilled and at least 30% of the skilled labor requirements from the province, city or municipality where the projects are undertaken.
 5. Improve capacity of DOLE, and expand its services, for employment facilitation, principally the Public Employment Service Offices (PESO), PHILJOBNET and the National Skills Registry.
 6. Ensure funding for the various scholarship and student loan programs and work out with Congress to appropriate fund for the TESDA Development Fund.
 7. Amend the RA 8042 (Migrant Workers and Overseas Filipinos Act of 1995) to provide better protection for overseas Filipino workers
 - There is a need to shift from active promotion of overseas employment to better protection of overseas workers
 8. Revive Filipino Seafarer's Act (with amendments)

III. Freely chosen work

Decent work demands that employment is freely chosen. Freedom of choice of employment is a realization of workers' preparation and training for desired employment. Child labor and

⁸ Market-determined interest rates should be the overall policy as this will promote discipline in the use of money even by those engaged in livelihood projects. The "bombays" are the best example of this discipline.

forced labor do not give workers a choice – work is imposed on them. In this light, the following are proposed:

1. Effective implementation of RA 9231 on The Worst Forms of Child Labor, and creating avenues for working children/child laborers to receive education in school and/or in alternative mode of learning.
2. Intensify implementation of the Philippine Time Bound Programme to eliminate Child Labor.
3. Ratification of ILO Convention No. 29 on Forced Labor (the only remaining core Convention not ratified by the Philippines)
4. Scrap the new POEA Standard Contract for the seafarers.

IV. Productive Work

Workers in the public and private sectors, whether working in the formal or informal sector, need compensation fair and just enough to cover the basic needs of their families, and to provide a certain level of comfort. Working men and women demand work that provides incomes which will maintain a level of dignity of living. In this regard, the government should:

1. Conduct a bureaucracy-wide job evaluation, review of salary structure in government, and enactment of a new salary standardization law.
2. Repeal Section 8 of the BMBE (barangay micro-business enterprise) law exempting BMBEs from the coverage of the Minimum Wage Law. [BMBEs are entities or enterprises whose total assets including those from loans but exclusive of the land on which the particular entity's office, plant and equipment are situated, are not more than P3 million.] Either certify a bill to amend the law or revise IRR to provide for a five-year time-bounded exemption of BMBEs from the application of Minimum Wage laws, starting from their date of registration and to limit this rule only to single proprietorships of businesses that are family owned-and-operated. Such incentives should also be implemented side by side with other programs promoting

productivity and health and safety in these types of workplaces. As well as with “small brother-big brother” job subcontracting arrangements.

3. Exempt from payment of withholding tax workers in the private and public sectors earning only P20, 000 a month and below, thus effectively increasing the take home pay of workers.
4. Effective implementation of DOLE D.O. No. 5 (1992) on Employment of Home workers, mandating the payment of standard wages and SSS, Philhealth and ECC contributions by employers of industrial home workers.
5. Operationalize the constitutional provision for a living wage
6. Raise the salary of teachers and education personnel comparable with other professions of the same level of qualifications and responsibility.
7. Grant immediate economic relief allowance to workers by way of providing them emergency cost of living allowance (ECOLA), e.g. PhP7, 500 emergency relief allowance.
8. Pay Back-COLA to all government workers and increase the year-end bonus by 100 percent, 50 percent of which given semestrally to include the PhP5, 000 cash gift.
9. Grant of union leave to public sector unions to facilitate full-time union work.

V. Equity in Work

Equity at the workplace means no discrimination against workers. Equity in work provides equal opportunity for workers and lays the foundation for a worry and harassment free workplace. This dimension of decent work could be realized through the following:

1. Enactment of long-pending legislation against discrimination and strengthening the anti-sexual harassment law (RA 7877).
2. Optimal use of the 5 percent gender and development budget to address gender issues in public policies, in the workplace, in the community, and at home.
3. Providing at least contractual appointment to more than 400,000 day care workers and barangay health workers who are working

on voluntary basis while incrementally targeting the creation of plantilla items for them.

4. Convening the National Coordinating Council for Education (NCCE) to facilitate and accelerate programs on equivalency, competency-based training, testing and certification, and distance learning and recompose it to provide for tripartite representation in its Council.
 - o Development of accreditation and equivalency program to offset the masteral degree requirements for positions in government equivalent to salary grade 24 by recognizing other forms of training and education of government employees acquired outside of formal educational institutions.
5. Allocating funds for the implementation of upgrading of nurses' salaries to salary grade 15 as provided for in the amended Nursing Law of 2001.

VI. Security at work and social protection

Providing security at work and social protection is a major challenge faced by all sectors. Possible loss of work and livelihood heightens workers' insecurity. A minimum level of social protection for workers and their families need to be recognized as part of the socio-economic 'floor' of the economy. Toward these ends, that the following be undertaken by the government:

1. Certify as urgent the passage of the Act Strengthening the Constitutional Right to Security of Tenure as proposed in House Bill 224 filed in the previous Congress.
2. Stop the hiring of teachers and education personnel on contractual basis or fixed term contracts. Teachers should be entitled to job security.
3. Include in annual GAA proposal safety net programs as mandated by law or as implement those previously committed.
4. Provide appropriate safety nets (seed capital, education and training, and technical assistance) to workers who will be affected by the phase out of the Multi-Fiber Agreement (MFA).

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5. Amend RA 7354 with the end in view of ensuring Philpost's sustainability.
 6. Expand medical and health benefits:
 - o Increased coverage of medical/health contingencies (coverage against contingencies is currently under 50% of health costs);
 - o Intensification of PhilHealth indigency program considering the sustainability of the program;
 - o Provide resources for effective implementation of RA 8504 (Philippines AIDS Law);
 7. Promote occupational health and safety through a massive promotional and technical assistance to enterprises by the Occupational Safety and Health Center of the ILO-designed "SOLVE Program".
 - o Appropriate action against SARS, HIV-AIDS and work-related diseases;
 - o Ensure safe and healthy workplaces for all;
 - o Review occupational safety and health policies to make them more attuned to globalization trends.
 8. Revive or revitalize the Retirement Insurance Commission, broaden its functions and recompose its membership to add more representatives from workers' and employers' groups to recommend changes in the architecture, benefits, administration and financing of a more unified and comprehensive social protection scheme, including the beginnings of a workable Employment Insurance Scheme.
 9. Broader opportunities for livelihood and social protection for women. LGUS should designate common terminal, vending and production areas for the informal sector.
 10. Establish a "Construction Levy Fund" to be used exclusively for the training needs of the 1.7 million project workers.
 11. Pass a law instituting the health and safety standards for the construction industry.
 12. Investigate overlapping insurance schemes and fees paid by transport workers (example: computer fees) with the end in view of easing the burden of transport workers.

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13. Institute immediate reforms in the SSS and the GSIS to make it more transparent and accountable in conducting its business and be more responsive to the social security needs of their members.
 14. Filing of administrative as well as criminal cases against those SSS officials involved in several bad investments made in the recent past.
 15. Declare a 100-day moratorium on all demolitions, review all existing and planned public and private infrastructure projects to determine and address their impact on urban poor occupants (who are mostly workers); and issue the necessary Proclamations and EOs declaring government lands in all urban and urbanizing areas as social housing sites for actual occupants.
 16. Investigate anomalies in friar lands and distribute the same for socialized housing.

VII. Dignity at work and social dialogue

Workers struggle to gain dignity at work, including better treatment at work, working conditions and unionization. The exercise of the right to form a union establishes dignity at work because of the terms and conditions of employment obtained through collective bargaining. Workers and their representatives should be consulted on matters affecting workers' welfare and interests. Decent work can be facilitated through meaningful consultations between and among all actors in industrial relations. A labor sector, empowered by freedom of association and expression, is also essential for ensuring participatory and socially just governance. The following proposals adequately address these dimensions of decent work:

1. Certify bill that strengthens the workers' constitutional right to self-organization as proposed by House Bill 3040 in the previous Congress.
2. Investigate LGU's intervention in workers' associations
3. Study and pass a law that would prevent companies from utilizing its subsidiary companies in undermining workers' rights (for example: using Company A to release products of Company B).

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4. Amend the Labor Code with the end in view of simplifying and codifying all labor laws; strengthening workers' rights; clarifying and simplifying classification of workers; reforming the labor adjudication system and instituting a simpler system for resolving labor cases; among others.
 5. Further liberalization of requirements for organizing unions.
 - o Immediate recall of DOLE Department Order No. 40-B-03.
 - o Better implementation of the law/rules for organizing unions at the Med-Arbiters' level.
 6. Certify a bill to Congress/enact a law.
 - o Ensuring job security of workers (Workers' right to form unions is further suppressed by the absence of job security due to contractualization and non-regularization).
 - o To promote Freedom of Information, as adequate, timely and relevant information is the basis of rationale social dialogue.
 - o To align labor laws to the standards of ILO convention 87 and 98, specifically on the requirements for registration of unions and the exercise of the right to strike, which have been found to be non-compliant with the said Conventions.
 7. Repeal Executive Order 180 and enact a public sector labor code to ensure full trade union rights to public sector workers and integrate the same in the Labor Code.
 8. Stop any reorganization plans without the effective participation of the public sector unions.
 9. Certify a bill or issue an Executive Order, whichever is appropriate, to allow for workers' representation in tripartite bodies and other government institutions such as the following, based on a transparent and participatory selection process with recall mechanisms:
 - o NEDA
 - o Energy Regulatory Board
 - o National Coordinating Council for Education
 - o Government-owned-and-controlled Corporations (GOCCs)
 - o Government financial institutions (GFIs)
 - o Assets Privatization Trust (APT)

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10. Provide venues for unions in the education sector to participate in the process of designing educational reforms in response to GATS.
 11. Reject the report of the Labor Commission, restructure its composition into a tripartite body with equal number of representatives from the social partners, and extend its life to study and recommend laws, policies and programs concerning workers' rights and welfare.
 12. Introduce reforms in the National Labor Relations Commission (NLRC) by limiting the term of office of Commissioners and Labor Arbiters appointed thereto and the creation of a tripartite body that will take charge in the hiring, appointment or reappointment of commissioners and labor arbiters, subject to performance/credentials review, evaluation and screening.
 13. Institutionalize 3-tiered collective bargaining (at the company, industry and national level).
 14. Ensure workers' participation in all trade negotiations prior to making any commitments.
 15. Set-up a tripartite economic council where major economic policies could be formulated coordinated and monitored.
 15. Work for the passage of a law enabling Local Sectoral Representation in LGUs.
 16. Remove mandatory drug testing or ensure government subsidy for transport workers.

Conclusion

A development strategy that is focused on people, a democratic and effective State, good governance and greater accountability, and deeper partnerships with various societal actors – business, labor, civil society, and other interest groups - must be the defining pillars of the Arroyo Administration. The response to globalization begins at home. Thus, how the government manages the country's integration into the global economy influences the extent to which the Filipinos, particularly the workers, will benefit from globalization and be protected from its negative effects.

Policy Proposals of several Participating Organizations

➔ Alliance of Concerned Teachers – Education International (ACT-EI)

Ten-Point Agenda for May 1

1. Raise the salary of teachers and education personnel comparable with other professions requiring the same level of qualifications and responsibility, making it possible for them to live with dignity on the salary from their work, and not to be forced to take second or third job.
2. Implement the Magna Carta for Teachers, a binding instrument that protects the rights, welfare, professional freedom of teachers, adequate working conditions, rights at work, compensation, etc.
3. Revise the Labor Code of the Philippines, repeal the Executive Order 180 and create a Public Sector Labor Code that will recognize and implement the full exercise of all trade union rights of all teachers and education personnel for the improvement of their professional status and welfare as education employees. The government must uphold and implement in full the ILO Declarations on the Fundamental Principles and Rights at Work: Convention 87, 98, 151 and 154.

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4. Stop the hiring of teachers and education personnel through contractualization scheme or on fixed-term contracts infilling-up the shortage of teachers in the local and national levels. Recruitment of teaching personnel must be on the basis of permanent employment in tenured positions, and be entitled to job security.

These contractual teachers receive lesser remuneration and lack benefits which adds on to the pauperization of teachers and education employees, their poor working conditions that make the learning environment unattractive to new or potential recruits to the profession.

5. Increase public investments in education as opposed to debt payments. Make public basic education payments socialized and subsidize private education for deserving students.
6. Amend the GAA to give focus on more public investments in education and health, and reduce the debt servicing/ debt repayments for the protection of the social services.

It is high time that the Philippine government addresses in improving the Philippine education system and the quality of life of the Filipino people. In 2002, while the debt service is on PhP185.8 billion, actual cash disbursements on debt service expenditures reached PhP 1.3 trillion (COA Annual Financial Report). More public investments in education to improve the quality of life of teachers & workers and resolve the deteriorating quality of Philippine education must be the priority of this government.

7. Increase transparency, actual intervention and representation in the budget process. Create a sensible list of budget priorities that takes into consideration the urgent needs of the country and people, pushing for a performance-based accounting to increase efficiency and representation of civil society groups in the planning, monitoring and

evaluation process through a tri-partite between the government, civil society and the private sector.

The Local School Boards at the local level and the Congress through the Department of Education are the arenas for intervention and actual representation of teachers' unions, parents, students and the private sectors to make the budget planning responsive to the priorities of education and other basic services of the people.

8. Increase the Official Development Assistance especially grants and other untied components for education focusing on the social sector as and rehabilitation package, not merely on infrastructure.
9. Implement in full the RA on the Worst Forms of Child Labor, and create avenues for the working children/child laborers to receive education in school and/or in alternative mode of learning.
10. Create negotiating bodies or tripartite to enable trade unions in the education sector to be part of the whole process of designing the nature of education reforms. Pre-empt the adverse effects of globalization in the education sector through GATS especially on the impact in the curriculum content, values orientation and process; on the working conditions of teachers and education employees; downsizing of union membership; and other rights and welfare.

➔ **Alliance of Progressive Labor (APL)**

Labor's Priority Agenda (As of June 2004)

International Issues Affecting the Working People:

1. Recall all Filipino troops from Iraq and disengage from the US-led Coalition
2. Ratify all remaining ILO Conventions not acted on by the Philippine government, especially Conventions 172, Convention No. 183 and ILO Recommendation No. 191 on Maternity Protection (Revised) 2000;
3. Ratify all IMO conventions not acted on by the Philippine government;
4. Moratorium on further WTO-led liberalization by opposing the incorporation of the "new issues" of investment, competition policy, government procurement, and trade facilitation into the WTO agenda, by freezing negotiations on non-agricultural market access (NAMA) and the GATS, and by removing WTO out of agriculture while maintain fisheries out of WTO;
5. Ensure workers' participation in all trade negotiations, including bilateral free trade agreements (FTAs), prior to making any commitments;
6. Rescind laws that led to the unilateral action of government to lower tariffs;
7. Amend the safeguard measures law;

National Issues Affecting the Working People:

8. Stop any moves to amend the Constitution;
9. Block efforts to revive the "anti-terror bills";
10. Scrap all consumer's payment for what used to be called PPA now integrated in the Generation Rate Adjustment Mechanism (GRAM);
11. Reverse the privatization of MWSS;

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12. Repeal all policies that allows automatic appropriations for payment for foreign debt (Presidential Decree 1177 and Executive Order 292);
 13. Repeal the Oil Deregulation Law (RA 8180) and replace with a new law that would effectively regulate, if not break up, the oil cartel;
 14. Institute electoral reforms primarily by amending the party list law (RA7941) with the end in view of increasing party list representatives to a maximum of five seats;
 15. Reform GSIS and SSS to ensure the efficient and transparent management of its funds and to make sure that these institutions can help promote pro-worker economic development including providing funds only for enterprises that respects workers' rights;
 16. Enact laws that would reform regressive tax structures towards progressive taxation, including increasing tax exemptions for workers;

Asset Reforms:

17. Implement a thoroughgoing land reform program;
18. Enact a law that would provide for workers' ownership (10% of the company);
19. Passage of a national land use act with the end in view of securing appropriate areas for socialized housing;

Sustainable Employment:

20. Review the Medium Term Philippine Development Plan (MTPDP) with the end in view of developing a clear industrial policy that would ensure full employment;
21. Passage of an act strengthening the Constitutional right to security of tenure of workers;
22. Oppose any reorganization plan in the bureaucracy without participation from public sector unions and employees;
23. Strengthen laws against age discrimination;
24. Enact a moratorium on privatization and undertake a review of its labor, social and environmental impact for the purpose of

devising a full options approach to economic restructuring that favors democratic ownership;

25. Enact laws that would protect the rights of plantation workers who are subject to CARP;

Living Wage, Social Wage and the Restructuring of the Wage Determination System:

26. Operationalize the constitutional provision for a living wage; abolish the Regional Wage Boards and strengthen the NWPC, setup industry wage boards through the passage an act amending Presidential Decree No. 442, as amended, otherwise known as the Labor Code of the Philippines;
27. Repeal the new law exempting Barangay micro businesses from paying the minimum wage (BAMBI Law);
28. Institutionalize multi-form collective bargaining (at the company, industry, area-based, owner-based, national levels);

Strengthen Trade Union Rights:

29. Passage of an act strengthening the workers' constitutional right to self-organization;
30. Enact laws guaranteeing full trade union rights, including the right to collectively bargain and to strike, to the public sector workers;
31. Rescind the NLRC circular restricting worker's right to be represented by their union officers;

Labor Code Reforms:

32. Amend the Labor Code with the end in view of: simplifying and codifying all labor laws; strengthening workers' and trade union rights; clarifying and simplifying classification of workers; reforming the labor adjudication system by abolishing the NLRC and instituting a simpler system for resolving labor cases; etc.
33. Review and amend DO 40 to ensure, among others, that to prevent employers from victimizing unionists during the organizing process, chartering of locals without need for

submission of list of officers and members and other similar documents be allowed.

For Specific Groups of Workers:

34. Automotive Workers:
 - a. Regulate the importation of 2nd hand vehicles through the effective implementation of EO 156;
 - b. Study and take a position on the rationalization of taxation system for the automotive industry.
35. Cement Workers:
 - a. Study and pass a law that would prevent companies from utilizing its subsidiary companies in undermining workers' rights (for example: using Company A to release products of Company B)
36. Construction Industry Project Workers:
 - a. Establish a "Construction Levy Fund" from at least 1% of the project cost to be used exclusively for the training needs of the 1.7 million project workers;
 - b. Pass a law instituting the health and safety standards for the construction industry;
37. Hotel and Restaurant Workers:
 - a. Institutionalize the category of regular extra workers and regular part-time workers with all the attendant rights and benefits;
 - b. Prevent exploitation of practicum HR-Tourism students;
38. Postal:
 - a. Amend RA 7354 with the end in view of allowing ensuring Philpost's sustainability.
39. Public Sector Workers:
 - a. Amend public sector labor law to ensure full trade union rights to public sector workers and integrate the same to the Labor Code;
 - b. Stop any reorganization plans without the effective participation of the public sector union;
40. Seafarers and Migrant Workers:
 - a. Amend the Migrant Workers and Overseas Filipinos Act of 1995 (RA 8042);

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- b. Passage of the Filipino Seafarer's Act or the Magna Carta for Seafarers (with amendments);
 - c. Scrap the OWWA Omnibus Policies;
 - d. Scrap the new POEA Standard Contract for the seafarers;
 - e. Stop trafficking in women and children;
 - f. Ensure the creation of a House Committee on Overseas Filipinos;
 - g. Increase funds to Philippine Embassies, consular offices and other government agencies to ensure effective and well-funded programs/services to overseas Filipinos;
 - h. Bilateral, multilateral and regional labor agreements to protect overseas Filipinos especially the women, irregular migrants, seafarers, etc.
 - i. Review and reinvigorate the reintegration program for overseas Filipinos and their families by allocating more funds;
 - j. Enact amendments to the Overseas Absentee Voting Law to increase OFs participation;
41. For Transport Workers:
- a. Investigate and enable a law that would prevent overlapping insurance schemes and fees paid by transport workers (example: computer fees) to ease the burden of transport workers;
 - b. Remove mandatory drug testing;
 - c. Investigate LGU's intervention in workers' associations and enact laws that would prevent the same;

Socialized Housing:

- 42. Enact the Magna Carta for the Urban Poor;
- 43. Declare a moratorium on all demolitions, review all existing and planned public and private infrastructure projects to determine and address their impact on urban poor occupants (who are mostly workers); and issue the necessary Proclamations and EOs declaring government lands in all urban and urbanizing areas as social housing sites for actual occupants;
- 44. Investigate and enact laws that would correct anomalies in friar lands and distribute the same for socialized housing.

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45. Institutionalize “Abot-Kaya Pabahay Program” instead of foreclosing socialized housing;

Institutionalize Workers’ Representation:

46. Ensure workers’ representation, including representatives from OFWs in tripartite bodies and other government institutions whose policies/programs impacts on labor, both in the formal and informal sector. An EO should be issued defining a transparent and participatory selection process, as well as recall mechanisms, for these positions;
47. Set-up a tripartite economic council where major economic policies could be formulated, coordinated and monitored;
48. Work for the passage of a law enabling Local Sectoral Representation in LGUs;
49. Set-up mechanism for a more democratic process for selecting workers’ representative/s to the ILO;

➤ **Confederation of Independent Unions in the Public Sector (CIU)**

Priority Agenda for May 1, 2004

1. Genuine Collective Negotiation Agreement signed by the government with public sector unions.

Reasons:

- There was no genuine negotiation on the claimed agreements
- The terms were not seriously discussed; seemed more of a political propaganda
- Signatory union leaders do not truly represent the larger unions in the public sector
- The signing of the agreement was obviously railroaded in time for the election

2. Grant of PHP 7,500.00 Emergency Relief Allowance

Reasons:

- To cushion the increases in prices of basic commodities
- As a form of educational assistance for the school opening

3. Payment of Back-COLA to all government employees

Reasons:

- This has already been decided by the Supreme Court
- Some government agencies have already implemented this
- Government workers deserve this

4. Increase the year-end bonus by 100%, 50% of which be given semestrally to include the PHP 5,000.00 cash gift.

Reasons:

- The 50% which will be given on the first semester will help defray the educational expenses during school opening
- The year-end bonus and cash gift we are presently receiving can no longer respond to our financial needs and expenses during enrollment and yuletide season.

5. Increase in the amount of Personnel Economic Relief Allowance (PERA) and Additional Compensation Allowance (ACA) of all government employees

Reasons:

- The value of these allowances being received by government employees for the past ten years have already been eroded.
- The same can no longer respond to our daily needs to live a decent life.

6. Let go of Mr. Winston F. Garcia and order the investigation of the GSIS mess.

Reasons:

- GSIS is grossly mismanaged by Mr. Garcia
- Members and retirees are continuously suffering from the inefficiencies of the GSIS which Mr. Garcia failed to address

7. Genuine representation of unions in governing boards of welfare agencies

Reasons:

- To further ensure transparency
- Given the appropriate recognition and respect, unions could be potent force to ensure efficient public service delivery
- Mode and process of selection of representative/s to be decided by workers through the unions

8. Participation in policy/decision making bodies

Reasons:

- Decisions made without workers representation are unilateral and often lead to arbitrary, even unjust exercise of powers
- Workers are major stakeholders, hence, they should be participants in shaping their future
- Issuance of administrative order directing heads of government offices is essential to ensure that basic labor standards are observed in policy-making

9. Grant of union leave

Reasons:

- Executive Order No. 180 provides the right to self-organization of government workers. In the exercise of this right, the government should grant all possible means and support.
- Union leaders need ample time, opportunity and support to enable them to perform their functions and responsibilities
- No law expressly prohibits the grant of such leave.
- The importance of allowing government employees/union members to union related activities must be recognized

10. Stop the on-going rationalization of the bureaucracy

Reasons:

- There was no participation/consultation with the government workers
- Has negative impact on workers and
- Worsens employment situation
- No sufficient funds for safety nets for those who would opt to retire or be separated from the service

11. Institutionalize protective mechanism for overseas Filipino workers

Reasons:

- There is a need to shift from mere active promotion of overseas employment to one of provision of better protection for those who choose to work abroad
- There is a need to provide facilities and better services to meet the individual needs of Filipino workers abroad
- The rights of Filipino workers abroad are most often violated and the Philippine government failed to give ample protection

➔ **Congress of Labor Organization (CLO)**

Priority Agenda for Labor Day 2004

1. Immediate review of the Philippine's commitments to the World Trade Organization (WTO) insofar as those affecting the Filipino Workers job and tenurial security;
2. Immediate economic relief for the workers by the way of providing them emergency cost of living allowance (ECOLA) and tax exemptions in the light of recent increases in the transport fare and in the prices of some basic commodities;
3. Immediate reforms in the SSS and GSIS to make it more transparent and accountable in conducting its business and be more responsive to the social security needs of its members. Filing of administrative as well as criminal cases against those SSS officials involved in several bad investments in the recent past is very welcome;
4. Provide safety nets (seed capital, education and training and technical assistance) to those whose workers who will be affected by the phase-out of the Multi-Fiber agreement (MFA); and
5. Reforms in the National Labor Relations Commission (NLRC) by limiting the term of office of Commissioners and Labor Arbiters appointed thereto and the creation of a tripartite body that will take charge in the hiring, appointment and reappointment of commissioners and labor arbiters, subject to performance/credentials review, evaluation and screening.

➤ **Federation of Free Workers (FFW)**

Decent Work and the Labor Agenda for 2004 and Beyond¹

Part I: Towards a Framework

In the work of putting together a common labor agenda for this year and beyond, the decent work concept has been proposed to be used as the integrating framework of the submissions made by the various organizations involved in shaping the labor agenda.

What precisely is the concept of decent work? And how can it be used as the integrating framework for shaping the labor agenda.

Decent work concept

The decent work (DW) concept has been defined as one providing “opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity.”²

Decent Work stands on four pillars. These are:

1. Work, which includes employment, self-employment and unpaid work in economic activities undertaken by families;
2. Rights at work, which are derived from commonly accepted international instruments that define these rights and principles, at the very least of which is the recognition, respect and promotion of Core International Labour Standards (CILS)³

¹ Contribution of Antonio c. Asper to the Labor Agenda Group

² The quotation is lifted verbatim from: ILO, *Decent Work: Report of the Director General, International Labour conference, 87th Session*. The six dimensions of decent work I is concisely described in Anker, et. Al, *Measuring decent work with statistical indicators*, this portion of which is reproduced in the Annex to this final draft.

³ The ILO lists eight core-labour standards as composing the CILS: 1) Convention 87: Freedom of Association and Protection of the Right to Organize; 2) Convention 98: Right to Organize and Collective Bargaining; 3) Convention 105: Abolition of Forced Labour; 4) Convention 138: Minimum Age for Employment; 5) Convention 182: Worst Forms of Child

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3. Social Protection, which the International Labour Organization (ILO) in its *World Labour Report 2000* defines as to include not only public social security programmes but also private or non-statutory schemes with a similar objective to social security schemes, including publicly financed social assistance programmes.”⁴
 4. Social Dialogue, a term that denotes peoples’ participation in decision making, the mechanism of which includes the range of from mere provision of information to co-decision, co-management and co-determination

Six plus one conceptual dimensions of decent work

“The definition ‘opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity’ explicitly includes six dimensions.

1. “Opportunities for work refers to the need for all persons (men and women) who want work to be able to find work, since decent work is not possible without work itself. The underlying concept of work is a broad one, encompassing all forms of economic activity, including self-employment, economic unpaid family work and wage employment in both the informal and formal sectors.

Labour Convention; 6) Convention 100: Equal Remuneration for Work of Equal Value; 7) Convention 29: Forced Labour ; 8) Convention 111: Discrimination in Employment and Occupation. The Philippines is signatory to 7 of these conventions, except 1: Convention 29 on Forced Labour.

⁴ “Social Protection is broadly understood by the United Nations as a set of public and private policies and programmes undertaken by societies in response to various contingencies in order to offset the absence or substantial reduction of income from work, provide assistance for families with children, and provide people with health care and housing. It embodies society’s responses to levels of either risk or deprivation that are deemed unacceptable. The existence of social protection systems also promotes more humane societies, although they are now under threat. It should be seen not simply as a residual function of assuring the welfare of the poorest but as a foundation at a societal level for promoting social justice and social cohesion, developing human capabilities and promoting economic dynamism and creativity” says Gloria Kahn, Chief, Intergovernmental Policy Branch, Division for Social Policy and Development, Department of Economic and Social Affairs, United Nations, New York

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2. “Work in condition of freedom underscores the fact that work should be freely chosen and not forced on individuals and that certain forms of work are not acceptable in the 21st century. It means that bonded labour and slave labour as well as unacceptable forms of child labour should be eliminated as agreed by governments in international declarations and labour standards. It also means that workers are free to join workers’ organizations.
 3. “Productive work is essential for workers to have acceptable livelihoods for themselves and their families, as well as to ensure sustainable development and competitiveness of enterprises and countries.
 4. “Equity in work represents workers’ need to have fair and equitable treatment and opportunity in work. In encompasses absence of discrimination at work and in access to work and ability to balance work with family life.
 5. “security at work is mindful of the need to help safeguard health, pensions and livelihoods, and to provide adequate financial and other protection in the event of health and other contingencies. It also recognises workers’ need to limit insecurity associated with the possible loss of work and livelihood.
 6. “Dignity at work requires that workers be treated with respect at work, and be able to voice concerns and participate in decision-making about working conditions. An essential ingredient is workers’ freedom to represent their interests collectively”⁵

Decent work is not a static concept and must be realized within a given and moving political economy in the country. Thus, a seventh dimension may be added: the politico-economic environment. This dimension should create the enabling environment within which the six main dimensions are to be concretized. To illustrate: work generation proceeds from investments, which is a function of savings; savings require a level of income above which people and businesses start to save, which in

⁵ Lifted verbatim from Anker, et.al.. *Measuring Decent Work with Statistical Indicators*, Working Paper No. 2., ILO Geneva.

turn require that people should have jobs or livelihood. Above all these, the managers of the political economy need to prove good governance and to ensure peace and order to create the necessary confidence for a virtuous economic cycle to continue.

Directions, Policies and Programs

The seven conceptual dimensions of decent work should be translated into acceptable and doable directions, policies and programs, which are shaped, in the context of the Philippines and the elections that have just been completed, by four basic policy instruments. These are:

1. the directions for the First 100 Days of the newly elected administration;
2. the social and economic policies adopted by the legislative and executive branches of government that is usually put together in the Medium-Term Philippine Development Plan (MTPDP);
3. the statutory laws to be deliberated on and passed upon by the bi-cameral Congress as well as administrative law, which originates from the executive branch; and
4. the agreements or instruments arrived at by the Global Economic and Social Order, principally by the WTO and the Regional Trading Arrangements (RTA), the International Financial Institutions (IFIs) and the complementary roles of the different UNO Bodies.

In turn, these set of directions and policies should be translated into concrete public programs such as in encouraging investments in ICT and tourism or in higher value-added industrial activities that will generate more permanent and regular jobs, in programs to improve qualifications and competencies of the workforce in order to improve the productivity and competitiveness of enterprises and the country, in laws and arrangements to prevent, rescue and rehabilitate child labor and eliminate its worst forms, in legal and institutional arrangements that will prevent, punish and abolish all types of discrimination at work based on sex, religion, or political affiliation, or in social programs to

improve the quality and access of all peoples to livelihood, food, housing, education and health services or social protection in general.

The expansiveness of these directions, policies and programs and the urgency of forging a common socio-economic agenda for the country create conflicts of rights and interests between, within and among the social partners and actors. The objective, thus, should be to find commonalities within these groups of actors and among themselves in order to forge a national consensus or majority opinion on which directions to follow, which policies to ensconce and which programs to implement for the common good.

These call for continuing and permanent social dialogue, which entail creating and strengthening mechanisms for rational debate and productive social dialogue to be pursued; as well, these require freedom of association and expression to be guaranteed.

Subsidiarity and Globalism

The submissions of the organizations show the diversity, and even conflicts, of interests within and among the participating groups. Placing all the details of these submissions in the suggested framework will produce an incoherent labor agenda, even when used only as an advocacy material.

Much has to be done to determine what are common issues and concerns to all, what are doable by government given existing constraints in policy and resources and what the groups can do for and by themselves. The process of negotiation or social dialogue among ourselves should be continued in order to shape a common agenda and determine what we can do for and by ourselves and what we can advocate for government and other civil society groups that they can do better or best

It is illusory for citizens to expect their government or any government, to do most everything for them. Subsidiary groups should do what they are most competent to do for themselves and not pass it on at higher level of governance. For example, the detailed proposals to reform the dispute settlement machinery under the labor code may result in

cluttering the law so, that it becomes impossible to rationally implement the amended labor code. Organizations of employers and workers are the most competent in adjusting their disputes without having to refer most disputes to compulsory arbitration. However, bi-partite resolution of disputes including voluntary arbitration, rests on the principle that the partners deal with each other as equals, which presently they are not. In this case, the better policy advocacy may be to strengthen unionism and other forms of workers' organizations such that both employers and workers are at par in their relations.

Finally, there is the truism that national governance is no longer the domain of national governments alone. In a globalized environment, national policy is now being shaped also by global developments and policy-making. This is particularly felt when assessing the impact of the Global and Regional Trading Arrangements, the International Financial Institutions and the rules made by other UNO bodies on various aspects of international cooperation, on national policies and programs. As important as advocating for a labor agenda in the national front, therefore, is the reality that the trade union movement will have to carry out their advocacy in a global scale.

➤ **National Union of Bank Employees (NUBE)**

Some ideas for the Labor Agenda for the Next Government

Rethinking development strategy

Since the 1970s, the government – under various Administrations – has relied on the advice of neo-liberal economists to open up, liberalize, deregulate and privatize the economy. It has also relied heavily on foreign and domestic borrowings to finance the country's infrastructures and development needs.

Three decades after, the Philippines is now one the industrial laggards and its unemployment rate, one of the highest in the world. Labor, both organized and unorganized, is the prime victim of the failure of the neo-liberal development strategy.

It is time to overhaul this strategy and adopt a more balanced approach to economic development, including the adjustment of Philippine tariffs upwards and an honest-to-goodness crackdown on smuggling to protect local industries and agriculture.

The first act of the next government should be to brainstorm with labor the alternative development strategy.

Stabilizing the fiscal situation

Labor and the nation cannot afford a repeat of the 1981-85 crisis, when the debt crisis exploded and the peso plunged down because the nation defaulted on its loans and the fiscal crisis was runaway. So many firms and jobs collapsed then, and workers with jobs lost real incomes heavily.

Today, with the total debt roughly equal to 120 per cent of the GDP, a similar crisis is brewing. The fiscal crisis is a time bomb waiting to explode.

It should not be allowed to explode and we should avoid becoming Asia's Argentina. One way of stabilizing the fiscal situation is to undertake debt-restructuring talks to enable the government to reduce the debt service burden.

As proposed by the Fair Trade Alliance, the revenue side can be strengthened if there is a honest-to-goodness campaign against smuggling and if there are upward adjustments in industrial and agricultural tariffs based on the maximum bound rates allowed by the WTO. On the expenditure side, there should be fiscal restraint.

Social dialogue to preserve business and jobs

Enshrined in the Constitution and echoed in the Labor Code is the principle of consultation and participation of workers in industry, especially on policies affecting their tenure and benefits. And yet, this is rarely observed, if at all, as most industries simply go on undertaking outsourcing, restructuring and closure measures without any communication and negotiation with the workers.

There should be dialogue, labor and social dialogue, on industry adjustments to global competition as well as government's efforts development programs.

The next government should call for social dialogue in key industries such as banking, hotel, telecom, etc. an in major companies undergoing restructuring. Of course, there should be social dialogue at the national and regional levels, involving government, labor, industry and other players such as NGOs.

Review of commitments to the WTO, GATS and AFTA

Labor is clearly a victim of globalization and liberalization - with eroding jobs, eroding job security, eroding membership, and eroding bargaining power. The situation is aggravated by commitments unilaterally made by the government to the WTO and AFTA.

There is a need to review these commitments based on the need to preserve local industry.

There is also a need to pay special attention to the General Agreement on Trade in Services or GATS. There are pending proposals to open up the entire service sector, including water service, electricity service, hospital service, educational service, insurance service, etc. Such opening up has serious ramifications on viability of existing service industries and jobs as well as on the availability of such services for the poor and marginal sectors of society.

The next Administration should not make any commitments related to GATS without consulting or hearing labor on this. Instead, it should make a full-blown assessment of previous commitments made to the WTO and AFTA.

➔ **Public Services Independent Labor Confederation (PSLINK)**

Priority Agenda for May 1st

1. An assessment of privatization policy of the government in terms of their impact to the delivery of public services and an immediate moratorium on privatization until the assessment is completed with the participation of public sector unions.
2. End the gross incompetence and mismanagement of the Government Service Insurance System by revamping the current Board of Trustees of GSIS and immediate replacement of President Winston Garcia. Make the GSIS transparent, accountable and participatory with the full involvement of public sector unions.
3. Prioritize adequate budget allocation for education, health and social services by restructuring debt servicing and repealing automatic debt servicing decree.
4. Increase the rate of tax exemption of rank-and-file government workers in order to increase their take home pay.
5. Provide at least contractual appointment to more than 400,000 day care workers and barangay health workers who are working on voluntary basis while incrementally targeting the creation of plantilla items for them.
6. Condonation of penalties and interest payment for contributions and payment resulting from late remittances and non-posting of contributions/payments of all government employees to the GSIS

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7. Development of accreditation and equivalency program to offset the masteral degree requirements for positions equivalent to salary grade 24 by recognizing other forms of training and education of government employees acquired outside of formal education institutions.
 8. Reduce the current 11,000 appointees by the President by excluding career positions and allowing the CSC and CESO Board to take charge of screening and selection.
 9. Allocation of funds for the implementation of upgrading of nurses salaries to salary grade 15 as provided for in the amended Nursing Law of 2001.
 10. Recognition of a permanent but inclusive negotiating panel of public sector unions by the government.
 11. Revision of formula for computing the Internal Revenue Allotment for local government units so as not to prejudice low income LGUs.

➤ **Trade Union Congress of the Philippines (TUCP)**

TUCP/WDFI Priority Issues

The Department of Labor and Employment has spearheaded the Development of a Philippine Labor Index Based on the Decent Work Framework, and six conceptual dimensions of decent work have been identified.

These six dimensions were presented and discussed by Tony Asper during the last two meetings. Since the group adopted the decent work framework in preparing the labor policy agenda, the list of issues should be categorized based on the six dimensions being developed by the DOLE.

Based on the decent work framework, below is the TUCP/WDFI list of priority issues:

Opportunities for Work/Jobs

- Liberalization of terms and qualification for ERAP trust fund, including assistance for Leaderpreneurship programs. [Government should lift its counterproductive market-determined interest rate policy for livelihood loans for the disadvantaged.]
- Review implementation of Workers Micro-finance Program
- Promotion and strengthening of workers enterprises and participation of workers cooperatives in privatization of government assets and government financial institutions.
 - Privatization only under the following conditions: (1) exhaustive consultations, (2) right of first refusal to workers/unions of enterprises under privatization, and (3) security for workers/unions
 - Provide list and schedule (notice) of government assets and agencies slated for privatization

Freedom of Choice of Employment

- Intensify implementation of the Philippine Time Bound Programme to eliminate Child Labor
- Ratification of ILO Convention No. 29 on Forced Labor [the only remaining core Convention unratified by the Philippines]

Productive Work

Payment of minimum wage

- Repeal of Section 8 of the BMBE law exempting BMBEs from the coverage of the Minimum Wage Law. [BMBEs are entities or enterprises whose total assets including those from loans but exclusive of the land on which the particular entity's office, plant and equipment are situated, are not more than P3 million.]
- Adjustment in wages in step with inflation and productivity
- Determine an appropriate time frame for implementation of the “living wage” provision in the Constitution
- Exemption from withholding tax of workers earning only P20, 000 a month or less.

Equity in Work

- Enactment of long-pending legislation against discrimination and strengthening anti-sexual harassment against women

Security at Work/Social Protection

- Curbing non-remittance of SSS (social security), Philhealth (Medicare) and Pag-IBIG (housing) premiums
 - Repeal of an existing SSS Policy disallowing salary loan applications of an employee whose employer has been delinquent in remitting SSS premiums or if other employees have outstanding unpaid accounts with SSS. [The employer is the agent of the SSS, and any deficiency of the agent should be visited on the agent or the principal (SSS), and not on the workers whose remittances have been pre-deducted.]
- Additional medical and health benefits and broader opportunities for livelihood and social protection for women.
 - Appropriate action against SARS, HIV-AIDS and work-related diseases.
 - Increased coverage of medical/health contingencies

[Coverage against contingencies is currently under 50% of health costs.

Workers are unable to afford better medical health care.]

- Provide resources for effective implementation of RA 8504 (Philippines AIDS Law)
- Ensure safe and healthy workplaces for all
[Review occupational safety and health policies to make them more attuned to globalization trends.]
- Intensification of Philhealth indigency program
- Protection of local industries enterprises against dumping, smuggling, and other forms of unfair trade competition, and serious review of the country's trade commitments, including WTO and AFTA.
 - DOLE/DTI joint consultations with labor on the government's WTO position
 - Tripartite consultations with DOLE and GTEB/DTI on phase out of garments quotas by January 2005.

Dignity at Work

- Amendments to the Labor Code and forceful implementation of labor laws, especially the fundamental ILO core standards
 - Legislation to bring Philippine laws and regulations in line with ILO Convention Nos. 87 and 98 on freedom of association and the right to organize and collective bargaining
 - Ending arbitrary layoffs. The government/DOLE should support legislation for a longer notice (90 days) for layoffs/closure
- Faster resolution of labor cases
 - Setting explicit time periods for procedures/resolution and firm disciplinary action for non-compliance with time periods DOLE, in D.O. No. 40 (2003) shortened time periods, including for conduct of certification election (CE) from the date of filing of the petition for CE. The D.O. also disallowed appeals on CEs. However, there are cases where employers have filed certiorari alleging grave abuse of discretion and for restraining orders.
 - Institution of a tripartite inspection machinery. DOLE should issue Order directing employers and unions' participation in compliance inspections.

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- A non-adversarial dispute resolution mechanism at GTEB should be set up at least for US garments exports.
 - Further liberalization of requirements for organizing unions.
 - Immediate recall of DOLE Department Order No. 40-B-03
 - Better implementation of the law/rules for organizing unions at the Med-Arbiters' level
 - Ensuring protection of OFWs, particularly migrant health workers, and workers being sent to Iraq and other areas in conflict.
 - Additional hazard pay for OFWs in areas of conflict
 - Additional consular offices in areas of OFW concentration and high risk areas
 - Review of implementation of RA 8042 and appropriate amendments.
 - Ratification of ILO Conventions concerning Migrant Workers [which have been the subject of tripartite consultations in 2003]

Other priority issues

1. Good governance

- Pushing professionalism, efficiency, accountability, and transparency in government service
 - Institute a tripartite oversight committee on compliance with RA 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees and Malacanang Memorandum Order No. 35 (Directing All Departments, Bureaus, Offices And Instrumentalities Of The Government, Including Government-Owned And Controlled Corporations To Implement The Publication Of Service Guides And The Posting Of Work Flowcharts And Providing Guidelines Therefore)

2. Reduction of prices of petroleum products and electricity

- Moratorium on increases of prices of petroleum products and electricity
- Tripartite consultations before implementation of increases of prices of petroleum products and services.
- Review of the unjust PPA (purchased power adjustment).

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- IPP Review Committee should make public/present IPP review results and conduct consultations on recommendations.
 - Considering deregulated oil markets and therefore precluding government intervention at this time, labor suggests union representation in the ERC.

**Labor Joint Policy Recommendations
Roundtable Discussions
April 2004**

1. **Amendments to the Labor Code (An outline paper follows this section)**

2. **Forceful implementation of labor laws, especially the fundamental ILO core standards, and those oriented towards decent work.**
 - Legislation to bring Philippine laws and regulations in line with ILO Convention Nos. 87 and 98 on freedom of association and the right to organize and collective bargaining
 - Institution of a tripartite inspection machinery DOLE should issue order directing employers and unions' participation in compliance inspections.
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- Determine an appropriate time frame for implementation of the "living wage" provision in the Constitution

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Intensify implementation of the Philippine Time Bound Programme to eliminate Child Labor

Ratification of ILO Convention No. 29 on Forced Labor [the only remaining core Convention unratified by the Philippines] and the Conventions concerning Migrant Workers [which have been the subject of tripartite consultations in 2003]

3. Faster resolution of labor cases

- Setting explicit time periods for procedures/resolution and firm disciplinary action for non-compliance with time periods DOLE, in D.O. No. 40 (2003) shortened time periods, including for conduct of certification election (CE) from the date of filing of the petition for CE. The D.O. also disallowed appeals on CEs. However, there are cases where employers have filed certiorari alleging grave abuse of discretion and for restraining orders.

Further liberalization of requirements for organizing unions.

- Immediate recall of DOLE Department Order No. 40-B-04
- Better implementation of the law/rules at the med-arbiters' level
- Government should support unions' opposition to negative COCLE-based amendments (including moratorium on strikes)

4. Protection of local industries enterprises against dumping, smuggling, and other forms of unfair trade competition, and serious review of the country's trade commitments, including WTO and AFTA.

- DOLE/DTI joint consultations with labor on the government's WTO position

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- DOLE should arrange consultations with GTEB/DTI on phase out of garments quotas by January 2005.

5. Exemption from withholding tax of workers earning only P20,000 a month or less.

Provision of Internal Revenue Code if inflation erodes by x%, BIR could act Chapter VII - ALLOWABLE DEDUCTIONS Section 34. "Notwithstanding the provisions of the preceding Subsections, the Secretary of Finance, upon the recommendation of the Commissioner, after a public hearing shall have been held for this purpose, may prescribe by rules and regulations, limitations or ceilings for any of the itemized deductions under Subsections (A) to (J) of this Section; Provided, That for purposes of determining such ceilings or limitations, the Secretary of Finance shall consider the following factors: (1) adequacy of the prescribed limits on the actuarial expenditure requirements of each particular industry; and (2) effects of inflation on expenditure levels; Provided, further, That no ceilings shall further be imposed on items of expense already subject to ceilings under present law.

No similar provision exists for Allowance of Personal Exemptions for Individual Taxpayers (Section 35)

Considering that it mostly low individual taxpayers who take advantage of the straight 10% deductions, a case can be made for applying the inflation-based formula to Allowance of Personal Exemptions.

6. Reduction of prices of petroleum products and electricity

- Moratorium on increases of prices of petroleum products and electricity
- Tripartite consultations before implementation of increases of prices of petroleum products and services.

Review of the unjust PPA (purchased power adjustment).

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- IPP Review Committee should make public/present IPP review results and conduct consultations on recommendations.

Considering deregulated oil markets and therefore precluding government intervention at this time, labor suggests union representation in the ERC.

7. Promotion and strengthening of workers enterprises and participation of workers cooperatives in privatization of government assets and government financial institutions.

- Privatization only under the following conditions: (1) exhaustive consultations, (2) right of first refusal to workers/unions of enterprises under privatization, and (3) security for workers/unions
- Provide list and schedule (notice) of government assets and agencies slated for privatization

8. Ensuring protection of OFWs, particularly migrant health workers, and workers being sent to Iraq and other areas in conflict.

- Additional hazard pay for OFWs in areas of conflict
- Additional consular offices in areas of OFW concentration and high risk areas
- Review of implementation of RA 8042 and appropriate amendments.

9. Additional medical and health benefits

- Appropriate action against SARS, HIV-AIDS and work-related diseases.
- Increased coverage of medical/health contingencies [Coverage against contingencies is currently under 50% of health costs.
Workers are unable to afford better medical health care.]
- Provide resources for effective implementation of RA 8504 (Philippines AIDS Law)
- Ensure safe and healthy workplaces for all [Review occupational safety and health policies to make them more attuned to globalization trends.]

10. Meaningful consultations on reforms in policies and laws

- Regular (monthly) meetings between the President and the labor sector.
- Appointment of genuine workers' representatives in tripartite agencies and in the National Security Council, NEDA, Monetary Board, and other agencies/institutions dealing with workers/social issues.

11. Low-cost housing for workers and lower interest on loans.

- A sustainable approach for social housing.
[Under current terms, most workers/families cannot afford housing units]
- Making available rent-to-own units at P200-300k. [Not all workers can afford to buy housing units immediately.]

12. Pushing responsible and issue-based politics, and not those based on personalities, wealth, or influence. Pushing professionalism, efficiency, accountability, and transparency in government service.

- Institute a tripartite oversight committee on compliance with RA 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees and Malacanang Memorandum Order No. 35 (Directing All Departments, Bureaus, Offices And Instrumentalities Of The Government, Including Government-Owned And Controlled Corporations To Implement The Publication Of Service Guides And The Posting Of Workflow charts And Providing Guidelines Therefore).

13. Enactment of long-pending legislation against discrimination and sexual harassment

14. Broader opportunities for livelihood and social protection for women.

- Intensification of Philhealth indigency program
- Liberalization of terms and qualification for ERAP trust fund, including assistance for Leadpreneurship programs
[Government should lift its counterproductive market-

determined interest rate policy for livelihood loans for the disadvantaged.]

- Review implementation of Workers Micro-finance Program

15. Formulate and implement long term sustainable policy programs on curbing high population growth (including the passage of a responsive Reproductive Health Law).

16. Implementation of the Local Government Code (1991) provision on local sectoral representation (LSR)

Proposed Amendments to the Labor Code: An Outline

- Ten Priority Issues -

TUCP has identified ten priority issues based on the urgency and extent of the implications on union activities and labor, management and government relations:

1. CRIMINALIZING LABOR-ONLY CONTRACTING (LOC).

Rationale: The need to address this particular issue is of utmost importance because employers have been increasingly using LOC to avoid their responsibilities under labor laws, more particularly workers' rights to self-organization, security of tenure, social security benefits and compensation package otherwise available to the workers in the client / principal companies.

2. DECLARING AS ILLEGAL FIXED PERIOD OR TERM EMPLOYMENT INVOLVING WORK ACTIVITIES WHICH ARE USUALLY NECESSARY OR DESIRABLE IN THE USUAL BUSINESS OR TRADE OF THE EMPLOYER, BUT AT THE SAME TIME, NOTWITHSTANDING, ITS ILLEGALITY, THE AGGRIEVED WORKER IS ENTITLED TO FILE AN ACTION FOR DAMAGES.

Rationale: Term employments or employments with a fixed period have been used to circumvent workers' security of tenure, and also carries the adverse consequences of labor-only contracting (LOC).

3. VARIOUS AMENDMENTS REGARDING THE NATIONAL LABOR RELATIONS COMMISSION (NLRC).

Rationale: The increase in divisions / chairmanship / operations of NLRC should reflect changes in realities. Admittedly, the NLRC is full of pending cases that clog its

dockets; hence, there is a need to find ways to de-congest the NLRC's dockets. The creation of additional divisions in certain regions is obviously desirable in order to put into reality the Constitutional mandate of speedy justice. Speedy justice shall have been served by the amending the scope of operations of the NLRC.

4. RESTRICTING FURTHER THE AUTHORITY TO ASSUME/CERTIFY LABOR DISPUTES BY LIMITING ITS EXERCISE TO A PARTICULAR RESPONSIBLE OFFICER (THE PRESIDENT OF THE PHILIPPINES) AND TO HIGHLY SPECIFIED CASES (SO-CALLED ESSENTIAL SERVICES VIS-A-VIS THE PRESENT PROVISION ON NATIONAL INTEREST CASES).

Rationale: This will restrict intervention only to essential services, and correct the present indiscriminate assumption of labor disputes, under the much-abused comprehensive phrase "national interest disputes". The phrase "essential services" like the ILO recommendation is proposed to mean, "limited only to power, hospital and water".

5. FASTER RESOLUTION OF LABOR CASES

Rationale: The progress of cases/complaints filed with the different government agencies mandated to dispense labor justice affects the degree of labor-management relations. Setting explicit time periods for procedures/resolution and firm disciplinary action for non-compliance with time periods can facilitate early resolution of cases.

6. MANDATORY TERMINATION NOTICE OF NINETY (90) DAYS.

Rationale: Under the normal Philippine work environment, ninety days is the reasonable period by which a worker, who is actively looking for employment, may effectively find work. The present practice of thirty (30) days notice has proved to be

not enough time for the worker to put his post-employment affairs in order.

7. A LABOR CODE FOR THE PUBLIC SECTOR UNIONS.

Rationale: Public sector workers are no less workers just because they work in government. Unionization in the public sector serves to strengthen the merit system of employment in said sector. Presently, the government bureaucracy is loaded with misfits and incompetents.

8. GIVING AUTHORITY TO THE SECRETARY OF DOLE OVER LABOR DISPUTES ON THE SALE OF GOVERNMENT-OWNED AND CONTROLLED CORPORATIONS (GOCC'S).

Rationale: Labor disputes arising from the sale of GOCC's to private parties are special kinds of disputes and deserve the attention and action of no less the Secretary of Labor and Employment. The Secretary is conceded to be with peculiar expertise on these concerns.

9. RESTRICTING THE CREATION OF LABOR MANAGEMENT COUNCILS (LMC) ONLY IN UNIONIZED COMPANIES.

Rationale: In organized companies, LMC's may be useful since the affected worker is assisted by the union. This may not be the case in unorganized companies wherein LMC's are used as instruments against union organizing since it is being used as a substitute for the union.

10. GRANTING COOPERATIVE-MEMBERS-WORKERS THE RIGHT TO SELF-ORGANIZATION.

Rationale: Workers in cooperative should enjoy similar rights as those in other private enterprises. The right to self-organization is guaranteed to all workers, without qualification.

PROPOSED AMENDMENT ON THE PRELIMINARY TITLE

1. The DOLE shall be mandated to conduct public hearings / consultations in the exercise of his rule-making authority. It may be institutionalized thus:

"IN THE EXERCISE OF THE RULE-MAKING AUTHORITY UNDER THIS ARTICLE, THE SECRETARY OR SAID GOVERNMENT AGENCY SHALL CONDUCT PUBLIC HEARINGS / CONSULTATIONS, GIVING NOTICES TO EMPLOYEES' AND EMPLOYERS' GROUPS AND OTHER INTERESTED PARTIES."

PROPOSED AMENDMENTS FOCUSED ON BOOK I

Book I, on Pre-Employment, particularly deals with the recruitment and placement of workers and the employment of resident aliens.

2. Re-organization of the Department of Labor and Employment by aligning its structures and functions to implement policies embodied in the 1987 Philippine Constitution.

Specifically, collapse the functions and duties of the Philippine Overseas Employment Administration (POEA) and the Overseas Workers Welfare Administration (OWWA) into one body with fairly decentralized mandates; delineate clearly the functions of the National Conciliation and Mediation Board (NCMB) and the Bureau of Labor Relations (BLR) and further enhance the efficiency of the quasi-judicial functions of the National Labor Relations Commission (NLRC).

3. Create a tripartite National Employment Planning Board (NEPB) which shall take the lead in the formulation of a National Employment Plan (NEP) based on the National Development Plan (NDP), recommend appropriate policies and measures aimed at promoting full employment. (Art. 14)

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4. Create the National Seamen Office (NSO) separate from the Philippine Overseas Employment Administration which shall develop an integrated maritime manpower development and placement program for Filipino seamen here and abroad. (Art. 20)
 5. Remove the requirement of mandatory remittance of foreign earnings by Filipino overseas contract workers (OCWs). (Art.22)
 6. Include in the Labor Code the existing charter of the Philippine Overseas Employment Administration. (Art. 23)
 7. Provide no limit to the number of recruitment agencies that may be accredited and licensed so long as capitalization and other requirements are met. (Art.28)
 8. Broaden the acts which are constitutive of illegal recruitment, e.g. to include non-holder or non-licensee of recruitment authority, as offenders

PROPOSED AMENDMENTS FOCUSED ON BOOK II

Book II (Human Resources Development Program) particularly deals with the National Manpower Development Program and the Training and Employment of Special Workers. In connection with the herein subject matters, TUCP proposes:

9. Separate the apprenticeship/learnership provisions in the labor code.

Rationale: Apprenticeship should be integrated in the broader training scheme for skills acquisition and development. The Dual Training System Act of 1994 should be amended to incorporate stronger mechanisms for apprenticeship/learnership programs for the protection and development of apprentices/learners.

PROPOSED AMENDMENTS FOCUSED ON BOOK III

Book III (Conditions of Employment) particularly deals with the working conditions and rest periods, wages, working conditions for special groups of employees. In connection with the herein subject matters, TUCP proposes the following amendments that would:

10. Provide innovative productivity schemes that result in improved benefits to workers.
11. Integration into the Labor Code of the Paternity Leave Law, the 13th Month Pay Law, increasing the service incentive leave to at least 15 days per year of service, instituting vacation leaves, increasing compensation under certain circumstances, abolishing payment of wages based on takay, pakiao, task, commission or other non-time basis and allowing payment of wages by check upon written request of the employee.
12. Instituting worker's claim as statutory first lien (as against a mere preferred credit, as interpreted by prevailing decisional rules) on the assets of the bankrupt employer, (i.e. in case of total cessation of operations or permanent shutdown of the enterprise, over and above those of the government and other creditors). Likewise, provide that entitlement thereunder shall not require formal declaration of bankruptcy or insolvency. (Art. 110)
13. Providing that in case of sale, consolidation or other forms of disposition of the company resulting in the change of its management, operation, control or ownership the employer-employee relations shall not be terminated and the buyer/controlling interest/successor entity shall be deemed to have succeeded to all the rights and obligations of the original company vis-à-vis the workers.
14. Providing that in case of merger, the existing union in the surviving corporation and its subsisting CBA shall be respected.

In case of privatization of enterprises, the union and its CBA shall continue to be respected.

15. Mandating that the failure of the employer to obey the reinstatement order of the Labor Arbiter under appeal shall ipso facto entitle the unreinstated worker the wages due him plus liquidated damages equivalent to at least six (6) months of his wages.
16. Institute mechanism to ensure the integrity of employer's appeal bond.
17. Provide, in legislative language, that the award of back wages is neither subject to the three-year back wages decisional rule nor to deduction or qualification as to interim income or earnings.
18. In cases of dismissal for a just cause but without due process, impose an indemnity equivalent to at least six (6) months of the worker's compensation; without prejudice to the right of the employer to initiate dismissal proceedings subject to the constitutional and statutory requirements of due process.
19. Consolidating the functions of the Regional Tripartite Wage and Productivity Boards into the National Wage and Productivity Commission, thereby making the commission a national body with regional offices (Art. 122).
20. In determining the basic wage, commissions should not be included as part thereof, provided these commissions may be included for purposes of determining the overtime pay, 13th month pay and other computations beneficial to the worker consistent with existing company practice (Art. 124).
21. Establish a conclusive presumption that employer's failure to keep employment records or produce them upon request is deemed an admission of the charges/complaints to which said employment records relate. (Art. 128)

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22. Leave with Congress the periodic determination of minimum wages of househelpers (Art. 143).
 23. Strengthen protection of women in the workplace by integrating and strengthening the Anti-Sexual Harassment Law, discrimination against women in the workplace and social and maternity protection in step with international standards.

PROPOSED AMENDMENTS FOCUSED ON BOOK IV

Book IV (Health, Safety and Social Welfare Benefits) particularly deals with Medical, Dental and Occupational Safety and Employee's Compensation and the State Insurance Fund.

24. Make the DOLE the lead agency to coordinate in cooperation with the local government units (LGUs) and monitor occupational safety and health activities (Art. 163).
25. Criminalize safety and health violations (Art. 165).
26. Restore the clause on the presumption of compensability in work-related contingencies. The burden to prove that a work-related sickness or injury is not compensable is thus shifted to the government. {Art.167 (l)}
27. Categorically mandate that any law disallowing "double" recovery provided under Article 173 of the Labor Code must specifically repeal said Article.
28. Strengthen the Employee's Compensation Commission (ECC) by expanding its powers to directly supervise State Insurance Fund (SIF), renaming the ECC to Employee's Protection and Rehabilitation Commission (EPRC), thereby making it a tripartite body (Art. 176).

PROPOSED AMENDMENTS FOCUSED ON BOOK V

As the Book dealing with Labor Relations, Book V also particularly deals with the following: - Labor Organizations, Collective Bargaining and the Administration of Agreements, Unfair Labor Practices, Strikes and Lockouts, and the Administration of Labor Justice.

29. Adopt a definition of labor organizations to read as follows "Labor organization means any union or association of employees, which exists in whole or in part, for the purpose of collective bargaining or of dealing with employers concerning terms and conditions of employment, as well as ASSOCIATIONS OF SELF-EMPLOYED PERSONS FOR THEIR MUTUAL AID AND PROTECTION" (Art. 212 {g}).

Include "cooperatives" and "members of cooperatives" in the definition of "employer" and "employee", respectively, in Article 212 (e) & (f).

30. Restore to the Secretary of Labor supervision over the National Labor Relations Commission.
31. Provide for additional six divisions of the National Labor Relations Commission to be situated in NCR, Northern Luzon, Central Luzon, CALABARZON, Western Visayas and Eastern Mindanao. (Art. 214)
32. Provide for a term of office of five (5) years for Commissioners subject to re-appointment upon recommendation of the sector that nominated him/her (Art. 215)
33. Restrict Labor Arbiters to their functions as prescribed in the Labor Code by prohibiting their acting as legal reviewers of Commissioners as well as providing under the jurisdiction of Labor Arbiters termination cases due to unfair labor practice by the employer. (Art. 217)

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34. Provide that the Temporary Restraining Order (TRO) shall be issued only after notice to the parties and formal hearing and abolish the authority of the Commission and other judicial or quasi-judicial body to issue TRO or preliminary injunction without hearing. (Art. 218)
 35. Extend Appeal Bond to one (1) year until after implementation of the case. Provide that the party-litigant and his counsel filing the appeal bond shall certify to its due procurement and genuineness. (Art. 223)
 36. Require the Labor Arbiter to determine and state in his decision the exact amount(s) of the monetary award.
 37. Incorporate in the judgment itself a clause providing for the automatic issuance of a writ of execution in cases of a judgment for reinstatement pending appeal.
 38. Provide a clause that the filing of any petition before the Supreme Court seeking a review of the decision of the Commission shall not stay the execution of the same unless otherwise ordered by said court but in no case, however, shall the aspect of the decision of the Commission ordering reinstatement be stayed by a Motion for Reconsideration or any such petition.
 39. Provide that final decisions, orders or awards of the quasi-judicial officials of DOLE be separately furnished immediately AND SIMULTANEOUSLY upon BOTH the counsels of record and the parties and impose the penalties of suspension and dismissal as the case may be, upon the responsible officers for their non-compliance therewith. {Art. 224 (a)}
 40. Provide that any compromise settlement between the company and the worker should not be less than fifty percent (50%) of the worker's original money claims and that installment payments thereof, if any, should not be longer than two (2) months.

Any amicable settlement that may be reached between the parties shall be signed by such parties and their respective counsels on record and/or authorized representatives and the compromise agreement shall be attested by the Labor Arbiter of origin.

41. Declare null and void compromise agreements / amicable settlements involving labor judgments which have become final and executory. (Art. 227)
42. Removing the documentary requirements for registration of unions. Changing the word registration of legitimate organizations in the labor code to "notice" or "notification" to the department of labor and employment and "certificate of recognition" instead of "certificate of registration". (Art. 234, 237 & 239)
43. Removing the provisions on cancellation of union registration and the grounds for cancellation of union registration.
44. Require that all officers of local unions should be employees of the company. (Art. 241 {c})
45. Revise the original provision on the concept of Unfair Labor Practice and Procedure for Prosecution. The criminal aspect of Unfair Labor Practice shall not be made to depend on the administrative finding that an Unfair Labor Practice was indeed committed. (Art. 247)
46. Insist in the retention of the "union security clause" in Article 248 (e) without allowing further exclusions in the light of the strong current attempts to restore the exclusion from said security clause "MEMBERS OF ANY RELIGIOUS SECTS WHICH PROHIBIT AFFILIATION OF THEIR MEMBERS IN ANY LABOR ORGANIZATION." (Art.248 {e})

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47. Provide a term of six years for any collective bargaining agreement, which economic provisions can be renegotiated after three years, and reducing the freedom period to thirty (30) days. (Art. 253-A)
 48. Continuous remittances of union dues by management to the incumbent until representation issue is finally resolved.
 49. Exclude members of a religious sect, which prohibit its members from affiliating with any labor union, from the list of eligible voters in the collective bargaining unit to which these workers would have otherwise appropriately belonged.
 50. Mandate that certification election in an organized company may be conducted only if the jurisdictional consent requirement of fifty-one percent (51%) is met.

A certification election may not be ordered unless written consent of at least 51% of the members of the bargaining unit accompanies the petition for CE. In a certification election, the list of employees provided by the union shall be the basis for the determination of qualified voters. Prohibiting employers from interfering in union activities, including being a party to a CE.

51. Petitions in unorganized establishments. In any establishment where there is no certified bargaining agent, when a verified petition for a certification election is filed by legitimate labor organization, the Med-Arbiter shall render a decision in not more than fifteen (15) calendar days from filing of the case and forthwith conduct the certification election. (Art. 257)
52. Removing the provision that an employer may file a petition for an election. Employer is by-stander and not a party-in-interest. Employer's participation is to provide the list of voters in the bargaining unit only.
53. "Providing that local union may voluntarily form themselves as an industry union to engage in organizational activity and

collective bargaining only in one industry, under such rules and regulations that the secretary of labor and employment may promulgate to encourage industry-wide bargaining". (new art. 258)

54. Amend paragraph one (1) of Article 261 of the Labor Code by including the phrase "including those resulting in or arising from termination" involving workers covered by a CBA.
55. Provide that in cases of unfair labor practice constituting union busting, the notice of strike shall be filled by the collective bargaining agent, if none, the notice of strike shall be filed by "any group of individuals, workers, or associations or legitimate representative of workers constituting at least a majority of the regular workers in the company", in the event that there is not even a legitimate labor organization to file the same. (Art.263)
56. Remove seven (7) days cooling-off period on strike vote. Provide categorically that the seven-day strike ban after the filing of a strike-vote report shall not apply to ULP cases involving union busting. (Art. 263 {f})
57. Identify the corporate officers who are jointly and severally liable with the company in case of illegal lockout.
58. Provide a general statement authorizing workers in the public sector with the exception of the members of the military and the police forces, to conduct a strike.
59. Confer the authority to assume jurisdiction over "national interest" labor dispute or certify the same for compulsory arbitration exclusively upon the President of the Philippines.

Limit the exercise of the above-mentioned authority only to industries performing "essential services" such as medical, water supply, telephone, electricity, national mass transport and other similar services, the withdrawal of such services could endanger the life and safety of the general public.

60. Limiting mandatory creation of LMCs (labor management councils) only in unionized companies. (Art. 277 {g})
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PROPOSED AMENDMENTS FOCUSED ON BOOK VI

Book VI (Post Employment) particularly deals with Termination of Employment and Retirement. In connection with the provisions dealing with the above subject matters, TUCP proposes the following amendments:

61. Retain the original and present provision on regular or casual employment as well as adopting the CRSS proposed amendments to read as "ANY STIPULATION IN ANY WRITTEN OR ORAL CONTRACT OF EMPLOYMENT FOR A DEFINITE OR FIXED PERIOD, TERM OR SIMILAR FORMS COVERING REGULAR EMPLOYMENT AS DEFINED UNDER THIS TITLE SHALL BE NULL AND VOID AB INITIO". (Art. 280)
62. Adopting the CRSS proposed amendments on Probationary employment to read as "REGARDLESS OF THE NATURE OF THE WORK TO BE PERFORMED, PROBATIONARY EMPLOYMENT SHALL NOT EXCEED SIX MONTHS FROM THE FIRST DAY OF SERVICE FOR ALL WORKERS, INCLUDING TEACHERS IN BOTH THE PUBLIC AND PRIVATE SCHOOLS. ANY STIPULATION TO THE CONTRARY SHALL BE VOID. THE SERVICES OF AN EMPLOYEE WHO HAS BEEN ENGAGED IN A PROBATIONARY BASIS MAY BE TERMINATED FOR A JUST CAUSE OR WHEN HE FAILS TO QUALIFY AS A REGULAR EMPLOYEE IN ACCORDANCE WITH REASONABLE STANDARDS MADE KNOWN BY THE EMPLOYER TO THE EMPLOYEE AT THE TIME OF HIS ENGAGEMENT. AN EMPLOYEE WHO IS ALLOWED TO WORK AFTER A PROBATIONARY PERIOD SHALL BE CONSIDERED A REGULAR EMPLOYEE" (Art. 281).

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63. Categorically provide union busting as a specific unfair labor practice, likewise criminal in nature.
 64. Giving authority to the DOLE Secretary over labor disputes on the sale of government-owned and controlled corporation (Art. 316).

MISCELLANEOUS:

65. Enhancing the established state policy of tripartism in policy and decision-making bodies of the government. (Art. 257).
66. Provide mandatory inclusion of worker's representatives as members of the boards of all government-owned and controlled corporations (GOCCs).
67. Strengthen the formation of unions outside of the direct employer's unit such as guilds and crafts.
68. Granting to cooperative-members-workers the right to self-organization.
69. Voluntary recognition should be prohibited in Direct Certification.
70. Regulate contract growing.

Ten-Point May 1, 2004 Policy Agenda

1. Amendments to the Labor Code and forceful implementation of labor laws, especially the fundamental ILO core standards, and those oriented towards decent work.

- Legislation to bring Philippine laws and regulations in line with ILO Convention Nos. 87 and 98 on freedom of association and the right to organize and collective bargaining.
- Institution of a tripartite inspection machinery. DOLE should issue Order directing employers and unions' participation in compliance inspections.
- A non-adversarial dispute resolution mechanism at GTEB should be set up at least for US garments exports.

Payment of minimum wage

- Repeal of Section 8 of the BMBE law exempting BMBEs from the coverage of the Minimum Wage Law. [BMBEs are entities or enterprises whose total assets including those from loans but exclusive of the land on which the particular entity's office, plant and equipment are situated, are not more than P3 million].
- Adjustment in wages in step with inflation and productivity.
- Determine an appropriate time frame for implementation of the "living wage" provision in the Constitution.

Ending arbitrary layoffs

- The government/DOLE should support legislation for a longer notice (90 days) for layoffs/closure

Curbing non-remittance of SSS (social security), Philhealth (Medicare) and Pag-IBIG (housing) premiums.

- Repeal of an existing SSS Policy disallowing salary loan applications of an employee whose employer has been delinquent in remitting SSS premiums or if other employees have outstanding unpaid accounts with SSS. [The employer is the agent of the SSS, and any deficiency of the agent should be visited on the agent or the principal (SSS), and not on the workers whose remittances have been pre-deducted.]

Intensify implementation of the Philippine Time Bound Programme to eliminate Child Labor.

Ratification of ILO Convention No. 29 on Forced Labor [the only remaining core Convention unratified by the Philippines] and the Conventions concerning Migrant Workers [which have been the subject of tripartite consultations in 2003].

2. Faster resolution of labor cases and pushing professionalism, efficiency, accountability, and transparency in government service

- Setting explicit time periods for procedures/resolution and firm disciplinary action for non-compliance with time periods DOLE, in D.O. No. 40 (2003) shortened time periods, including for conduct of certification election (CE) from the date of filing of the petition for CE. The D.O. also disallowed appeals on CEs. However, there are cases where employers have filed certiorari alleging grave abuse of discretion and for restraining orders.

Further liberalization of requirements for organizing unions.

- Immediate recall of DOLE Department Order No. 40-B-04
- Better implementation of the law/rules at the med-arbiters' level
- Government should support unions' opposition to negative COCLE-based amendments (including moratorium on strikes)
- Institute a tripartite oversight committee on compliance with RA 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees and Malacanang Memorandum Order No. 35 (Directing All Departments, Bureaus, Offices And Instrumentalities Of The Government, Including Government-Owned And Controlled Corporations To Implement The Publication Of Service Guides And The Posting Of Workflow charts And Providing Guidelines Therefore).

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3. **Protection of local industries enterprises against dumping, smuggling, and other forms of unfair trade competition, and serious review of the country's trade commitments, including WTO and AFTA.**
 - DOLE/DTI joint consultations with labor on the government's WTO position
 - Tripartite consultations with DOLE and GTEB/DTI on phase out of garments quotas by January 2005.

 4. **Exemption from withholding tax of workers earning only P20,000 a month or less.**

Provision of Internal Revenue Code if inflation erodes by x%, BIR could act

Chapter VII - ALLOWABLE DEDUCTIONS Section 34. "Notwithstanding the provisions of the preceding Subsections, the Secretary of Finance, upon the recommendation of the Commissioner, after a public hearing shall have been held for this purpose, may prescribe by rules and regulations, limitations or ceilings for any of the itemized deductions under Subsections (A) to (J) of this Section; Provided, That for purposes of determining such ceilings or limitations, the Secretary of Finance shall consider the following factors: (1) adequacy of the prescribed limits on the actuarial expenditure requirements of each particular industry; and (2) effects of inflation on expenditure levels; Provided, further, That no ceilings shall further be imposed on items of expense already subject to ceilings under present law.

No similar provision exists for Allowance of Personal Exemptions for Individual Taxpayers (Section 35).

Considering that it mostly low individual taxpayers who take advantage of the straight 10% deductions, a case can be made for applying the inflation-based formula to Allowance of Personal Exemptions.

5. Reduction of prices of petroleum products and electricity

- Moratorium on increases of prices of petroleum products and electricity
- Tripartite consultations before implementation of increases of prices of petroleum products and services.

Review of the unjust PPA (purchased power adjustment).

- IPP Review Committee should make public/present IPP review results and conduct consultations on recommendations.

Considering deregulated oil markets and therefore precluding government intervention at this time, labor suggests union representation in the ERC.

6. Promotion and strengthening of workers enterprises and participation of workers cooperatives in privatization of government assets and government financial institutions.

- Privatization only under the following conditions: (1) exhaustive consultations, (2) right of first refusal to workers/unions of enterprises under privatization, and (3) security for workers/unions
- Provide list and schedule (notice) of government assets and agencies slated for privatization

7. Ensuring protection of OFWs, particularly migrant health workers, and workers being sent to Iraq and other areas in conflict.

- Additional hazard pay for OFWs in areas of conflict
- Additional consular offices in areas of OFW concentration and high risk areas
- Review of implementation of RA 8042 and appropriate amendments.

8. Enactment of long-pending legislation against discrimination and strengthening anti-sexual harassment against women, additional medical and health benefits and broader opportunities for livelihood and social protection for women.

- Appropriate action against SARS, HIV-AIDS and work-related diseases.

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- Increased coverage of medical/health contingencies. [Coverage against contingencies is currently under 50% of health costs. Workers are unable to afford better medical health care.]
 - Provide resources for effective implementation of RA 8504 (Philippines AIDS Law)
 - Ensure safe and healthy workplaces for all [Review occupational safety and health policies to make them more attuned to globalization trends.]
 - Intensification of Philhealth indigency program.
 - Liberalization of terms and qualification for ERAP trust fund, including assistance for Leadpreneurship programs [Government should lift its counterproductive market-determined interest rate policy for livelihood loans for the disadvantaged].
 - Review implementation of Workers Micro-finance Program.

9. Meaningful consultations on reforms in policies and laws

- Regular (monthly) meetings between the President and the labor sector sector.
- Appointment of genuine workers' representatives in tripartite agencies and in the National Security Council, NEDA, Monetary Board, and other agencies/institutions dealing with workers/social issues.
- Implementation of the Local Government Code (1991) provision on local sectoral representation (LSR).

10. Formulate and implement long term sustainable policy programs on curbing high population growth (including the passage of a responsive Reproductive Health Law) and low-cost housing for workers and lower interest on loans.

- A sustainable approach for social housing. [Under current terms, most workers/families cannot afford housing units].
- Making available rent-to-own units at P200-300k. [Not all workers can afford to buy housing units immediately].

List of Participating Organizations

Labor Centers

- Alliance of Progressive Labor (APL)
- Bukluran ng Manggagawang Pilipino (BMP)
- Congress of Labor Organizations (CLO)
- Federation of Free Workers (FFW)
- Trade Union Congress of the Philippines (TUCP)

Public Sector Federations

- Alliance of Concerned Teachers-Education International (ACT-EI)
- Confederation of Independent Unions in the Public Sector (CIU)
- Philippine Government Employees Association (PGEA)
- Public Services Labor Independent Confederation (PSLINK)

Other Federations/Alliances

- Informal Sector Coalition of the Philippines (ISP)
- National Union of Bank Employees (NUBE)
- National Labor Union (NLU)

Labor Research Institutes

- Labor Education and Research Network (LEARN)
- Labor Rights and Democracy, Inc. (LARIDE)
- Philippine Social Institute (PSI)
- Workers' Development Foundation, Inc. (WDFI)

Solidarity Support Organizations

- Friedrich-Ebert-Stiftung Philippine Office (FES)
- LO-Norway
- Solidarity Center in the Philippines