

Rapid Assessment of the Magna Carta of Women and Other Laws for Women in the Electronics Industry in Export Processing Zones in the Philippines



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TABLE OF CONTENTS

A. Background of the Study	5
B. Objectives of the Study	7
C. Methodology	7
D. Limitations of the Study	8
E. Philippine Policy Framework on Women's Rights and Women Empowerment	9
F. Findings of the Study	12
G. Conclusions	25
H. Recommendations	26
References	27
Appendix	28

Published by the



Crispin B. Beltran Resource Center

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Project IV, Quezon City, Philippines

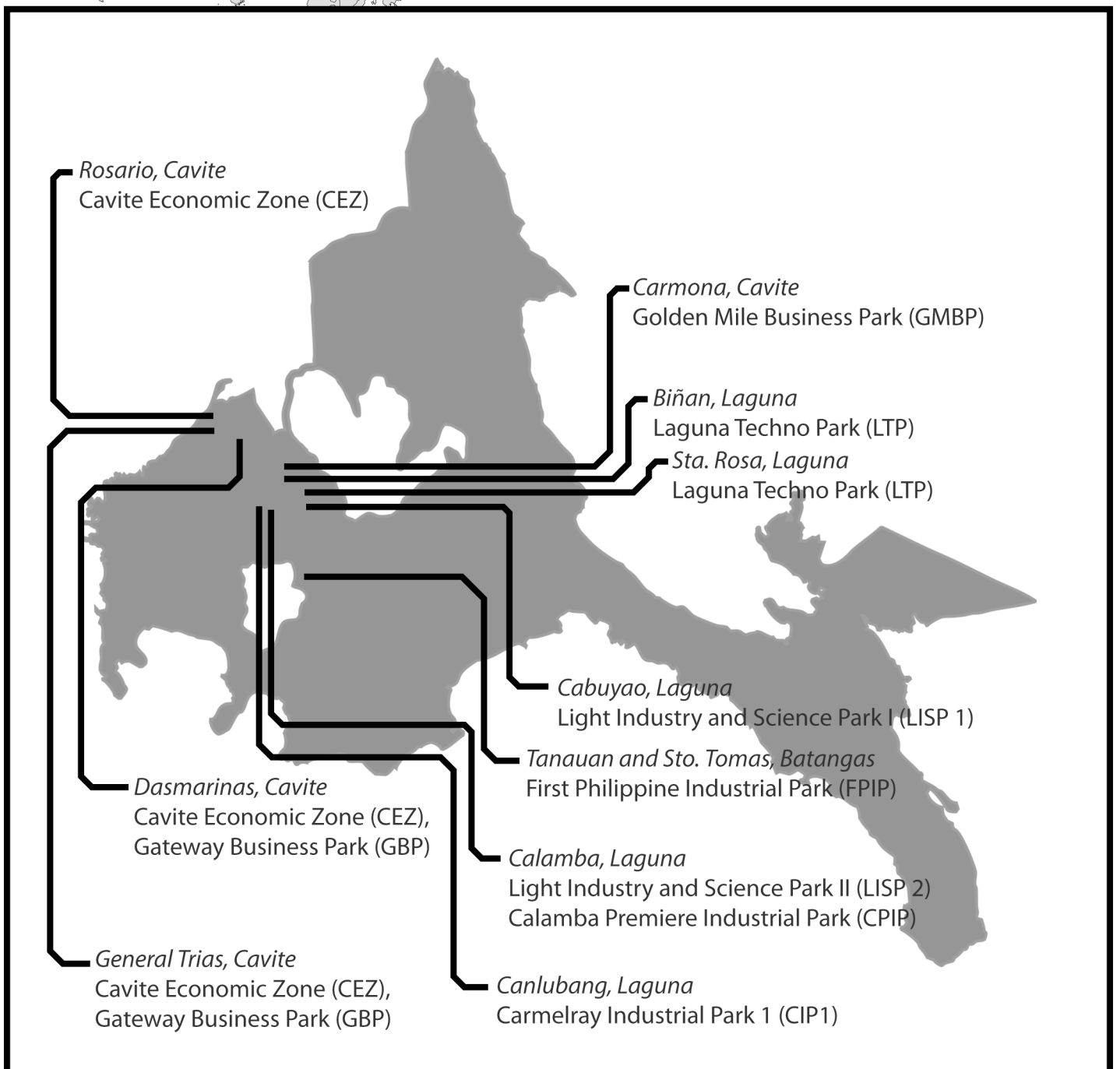
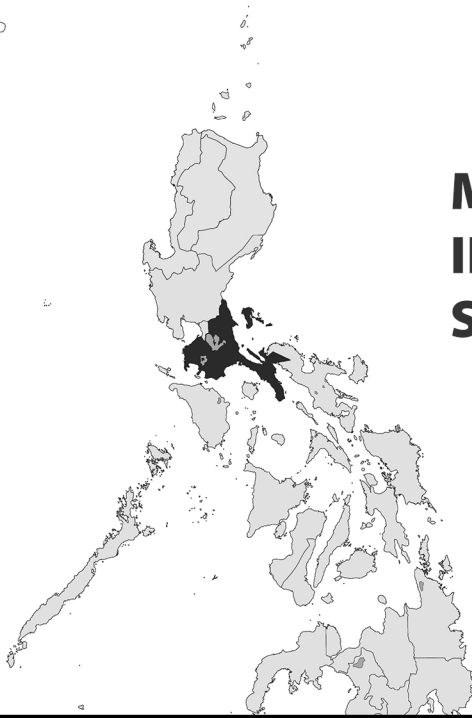
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MAP OF EXPORT PROCESSING ZONES IN CALABARZON SUBJECTED TO THE STUDY



Acknowledgement

The CBBRC would like to thank everyone who helped in the research, especially the Offices of Gabriela Women's Partylist Representatives Emmi de Jesus and Luz Ilagan, the Metal Workers Alliance of the Philippines (MWAP) and Pamantik-KMU.

Also, our sincerest gratitude to the Good Electronics Network and the European Union for helping make this research possible.

Rapid Assessment of the Magna Carta of Women and Other Laws for Women in the Electronics Industry in Export Processing Zones in the Philippines



First Philippine Industrial Park, Tanauan, Batangas

A. Background of the Study

Globalization and Impact on Women

The late '70s to early '80s witnessed the implementation of neoliberal globalization policies affecting millions of workers. The structural adjustment programs (SAP) of the World Bank facilitated the imposition of the neoliberal policies of deregulation, privatization, and economic liberalization.

Tariff and non-tariff barriers were removed opening domestic markets further to foreign

capital to the detriment of domestic industries, particularly in the global south.

Export-oriented industrialization became the main strategy of governments under IMF-WB tutelage to generate economic growth. Countries competed to attract foreign investments through a wide array of fiscal incentives, cheapest labor, and least government intervention in their operations. Domestic production in the countries became tightly integrated with the global supply chain of transnational companies.

Table 1. Average Number of Employed Persons in the Philippines*

Year	Total Employed	Men	Women
2013 Average	38,118	23,150	14,968
2014 Average	38,651	23,365	15,286

*In thousands

Source: Philippine Statistics Authority, Labor Force Survey

The restructuring of international work production was aimed to build purportedly greater global “competitiveness” and generate greater profits.

Labor under neoliberal globalization has become highly productive yet has also become extremely low-cost, precarious, docile, adaptable, and expendable (Tujan Jr 2006).

In this context, women provide the cheapest labor for transnational corporations, particularly in export processing zones (later called “special economic zones”).

Labor flexibilization, particularly contractualization, rendered women’s labor at its cheapest. Informalization of labor also increased the incidence of precarious labor for women -- labor beyond the reach of legislation and bereft of any social protection.

Laws were purportedly enacted by national regimes in order to protect women’s labor rights and welfare following the adoption of international instruments such as the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in the 1990s. Whether women, especially the working classes, actually gained from these international agreements, however, remain a valid subject for review and evaluation.

Women in the Labor Force

Women are more likely to hold lower quality employment or vulnerable employment (own-account work and unpaid contributing family member), which typically offers fewer opportunities for decent work and social protection. This has resulted in a vulnerable employment gender gap. Own-account workers are less likely than wage workers to contribute to pension plans and other social insurance programs, and workplaces are less likely to be regulated by health and safety standards or regulation on working conditions. Although some own-account workers may be able to attain high productivity, high and stable incomes, voice through networks, and ability to purchase social security, the majority of own-account workers experience low productivity, low and unstable demand for their products and services, and few opportunities for decent work (Chen, Vanek, and

Carr 2004). The agriculture sector and parts of the service sector are particularly prone to vulnerable employment.

Data from the Philippine Statistics Authority (PSA) and Labor Force Survey (LFS) show that in 2014, out of 38.7 million employed persons in the country, 40% or 15.3 million are women. From 2013 to 2014, there was an increase of two percent in the number of employed women while for men the number barely increased by 0.9%.

Among major occupation groups, women employed as laborers and unskilled workers account for the biggest number with 3.5 million. Taking into account the occupation groups, women in the manufacturing sector account for 3.7 million workers or 29% of total employed women in 2014.

From the total 38.6 million employed persons in the country, 4.2 million are unpaid workers of which 2.4 million (58%) are women. These unpaid women workers are mostly in agriculture (60%) while 32% are in services and 4% in industry. Most of them are unskilled women workers.

Women provide 84% of the total household time allocated to child care (Tiefenthaler 1997). Household work can constrain participation in paid work. For example, in the Philippines, 31% of working-age women reported that they were not in the labor force in 2011 because of household or family duties, compared to only 3% of men who reported this (DOLE Decent Work Statistics Online Database).

In terms of unionization, women account for 35% of members in 2014. In manufacturing, women account for 31% of unions. Unionized women are highest in education (60%), health (56%), and whole retail trade/repair of motor vehicles (49%).

In terms of type of ownership of company, women union members in foreign companies make up 47% with only 28% for multinational companies.

Women in EPZs and Electronics Industry

From 239 operating economic zones in 2010, the number has increased to 327 as of June 2015. Since then the number of operating and proclaimed zones has increased by 35%. Many other zones

are already being developed, and would further increase the current number of zones by 70%.

According to PEZA, direct employment as of October 2015 has reached 1.24 million, a negligible increase from 1.15 million in 2014.

The Gender and Development (GAD) Survey of PEZA covering 238 out of 2,585 companies in 2014 states that the women workforce in economic zones has reached 48%. The proportion of women may even be greater since only 9% of companies responded to the PEZA survey.

According to the National Statistics Office data, the number of women workers in the manufacturing

sector rose to 447,000 in 2010 from 438,000 in 2009, representing a 2.1% increase. In the electronics sector, the number of women workers grew from 116,626 to 140,535 in the said period, representing a 20.5% increase. They represent 31.4% of the total women workforce in the manufacturing sector. Women workers account for almost 70% of the total workforce in the industry (NSO, 2013). The proportion of women was consistently higher at 80.1% in 2010 and 82.3% in 2009 in the manufacturing of computers, peripheral equipment, and accessories. The manufacture of consumer electronics was also high at 79.7 % in 2010 and 81.5% in 2009 (NSO, 2013).

B. Objectives of the Study

This study aims to achieve the following results:

- a) Determine the level of knowledge of women electronics workers regarding laws for the protection of women's rights and welfare in the workplace;
- b) Determine how electronics companies comply with labour standards related to women;
- c) Cite cases that violate the rights of women electronics workers; and
- d) Aid in formulating legislation on policies to ensure compliance of women workers' rights.

C. Methodology

This study was conducted using a descriptive research design gathering data from major stakeholders such as women economic zone workers, electronics companies through their human resource departments, and concerned government offices such as Philippine Economic Zone Authority (PEZA), Department of Labor and Employment, and Philippine Commission on Women (PCW).

Data was gathered through: 1) survey questionnaire for companies and women workers; 2) focus group discussions among women workers; 3) interviews with women workers and concerned government offices; and 4) secondary data gathering through library and desk research.

The study focused on electronics companies located in Laguna, Batangas, and Cavite, major provinces of the Southern Tagalog region, where electronics companies are concentrated. The main list used in identifying companies was the PEZA list of firms in 2014 and in comparison with the list of Business World Top 1,000 Companies in 2014.

The survey for companies covered 72 companies from 12 special economic zones situated in the said provinces, while the survey for women ecozone workers covered a total of 360 respondents from 46 companies located in 12 economic zones. Electronics workers comprise 76.9% of the survey for workers. The percentage points of error is +/-6.

Table 2. Company Survey

Province	No. of SEZs	No. of Locators	Actual respondent
Laguna	7	46	2
Batangas	1	5	2
Cavite	4	14	2
TOTAL	12	72	6

Table 3. Workers' Survey

Province	No. of SEZs	No. of Locators	No. of women respondents
Laguna	8	28	215
Batangas	1	9	42
Cavite	3	9	103
TOTAL	12	46	360

The company survey focused on the profile of the company (ownership, company size, type), company policy on women's welfare, gender distribution of workforce, company provisions for women, wages, and benefits. The survey for women workers focused on basic worker profile, wages and benefits, health and safety, discrimination and harassment, and awareness of policies for women's welfare.

Letters for companies requesting them to participate in this study and offering them a free seminar on Magna Carta of Women were sent to the companies starting June 7, 2015 through the office of Congw. Emmi de Jesus, representative of the Gabriela Women's Partylist via fax, email, and registered mail. (See Table 2)

The pilot survey for women workers was conducted from May 28-30, 2015 involving 30

respondents. After revising the questionnaire, the survey proper was carried out from June to mid-November of the same year. Women workers in companies with existing unions have been the first respondents of the survey. The survey was also carried out in the surrounding areas of target economic zones and pick-up points of shuttle services for workers. (See Table 3)

Focus group discussions were carried out among workers from five companies through the assistance of unions. A total of 35 women workers have participated in these focus group discussions.

Letters for key informant interviews were sent to the offices of PEZA, DOLE, PCW, and PEZA offices of the 12 covered economic zones. Responses came only from PEZA and PCW.

D. Limitations of the Study

Several limitations were faced during the course of the study, specifically during the gathering of data. There is a huge lack of data from the government regarding the subject.

Data from companies have also been very limited. All means of communication such as email, fax, registered mail, and site visits were

used to reach out to companies and there was a lengthy period for follow-up work, but only six companies responded, of which three have actually accomplished the survey and the other three refused to answer. After five months, the response rate among companies was only eight percent of the 72 targeted companies.

While some workers were responsive to the survey, there were more workers who were evasive in participating. Women workers due for work are always in a hurry, while workers who just got off from work still have household duties to attend to. Some women workers have also expressed fear

of losing their jobs if they participate in the study. These have affected the number of respondents for the survey. The number of respondents represents 0.3% of the total number of women workers in the electronics sector.

E. Philippine Policy Framework on Women's Rights and Women Empowerment

International Conventions

Even before the CEDAW came into effect on September 3, 1981 Philippines has signed it on July 15, 1980 and ratified it on August 5, 1981, making the country the first in the ASEAN to do so.

It has also ratified the Convention's Optional Protocol, which allows parties to recognize the competence of the Committee on the Elimination of Discrimination Against Women to consider complaints from individuals on November 12, 2003.

National Policy - The Magna Carta of Women

The Philippines enacted the Magna Carta of Women (MCW) or Republic Act 9710 on August 14, 2009 which took effect on September 15, 2009.

According to the Philippine Commission on Women (PCW), the Magna Carta is "a comprehensive women's human rights law that seeks to eliminate discrimination through the recognition, protection, fulfillment and promotion of the rights of Filipino women, especially those belonging to the marginalized sectors of the society. It conveys a framework of rights for women based directly on international law."

In effect, the MCW is the local translation of the provisions of the CEDAW, particularly in defining gender, discrimination, state obligations, substantive equality, and temporary special measures.

Its salient provisions include:

- *Affirmation of Women's Rights as human rights.* The MCW says: "the State affirms

women's rights as human rights and shall intensify its efforts to fulfill its duties under international and domestic law to recognize, respect, protect, fulfill, and promote all human rights and fundamental freedoms of women, especially marginalized women, in the economic, social, political, cultural, and other fields without distinction or discrimination on account of class, age, sex, gender, language, ethnicity, religion, ideology, disability, education, and status."

Related to this, the law guarantees the protection of women from all forms of violence, including those committed by the State.

- *Equal employment opportunities.* The MCW states that the number of women in third level position in government shall be increased within five years after the implementation of the law in order to achieve a fifty-fifty gender balance.
- *Mandatory training on human rights and gender sensitivity.* The MCW requires all government personnel involved in the protection and defense of women against gender-based violence be trained on gender sensitivity. It also mandates local government units to establish a Violence Against Women Desk in every barangay to address violence against women cases;
- *Equal access and elimination of discrimination against women in education, scholarships and training.* This includes revising educational materials and curricula to remove gender stereotypes and images, and outlawing the expulsion, non-readmission, prohibiting enrollment and other related discrimination

against women students and faculty due to pregnancy outside of marriage;

- *Health services.* The MCW guarantees comprehensive health services and health information and education covering all stages of a woman's life cycle, and which addresses the major causes of women's mortality and morbidity, including access to among others, maternal care, responsible, ethical, legal, safe and effective methods of family planning, and encouraging healthy lifestyle activities to prevent diseases;

For women employed in the formal economy, the MCW has the following provisions:

Chapter IV, Section 18:

"Special Leave Benefits for Women. – A woman employee having rendered continuous aggregate employment service of at least six (6) months for the last twelve (12) months shall be entitled to a special leave benefit of two (2) months with full pay based on her gross monthly compensation following surgery caused by gynaecological disorders."

Chapter V, Section 22 meanwhile, guarantees the rights of women to decent work, stating:

"The State shall progressively realize and ensure decent work standards for women that involve the creation of jobs of acceptable quality in conditions of freedom, equity, security, and human dignity."

The chapter also guarantees the following for women workers:

- (1) Support services and gears to protect them from occupational and health hazards taking into account women's maternal functions;
- (2) Support services that will enable women to balance their family obligations and work responsibilities including, but not limited to, the establishment of day care centers and breast-feeding stations at the workplace, and providing maternity leave pursuant to the Labor Code and other pertinent laws;
- (3) Membership in unions regardless of status of employment and place of employment; and

- (4) Respect for the observance of indigenous peoples' cultural practices even in the workplace.

For migrant women, the MCW adds,

"In recognition of the temporary nature of overseas work, the State shall exert all efforts to address the causes of out-migration by developing local employment and other economic opportunities for women and by introducing measures to curb violence and forced and involuntary displacement of local women. The State shall ensure the protection and promotion of the rights and welfare of migrant women regardless of their work status, and protect them against discrimination in wages, conditions of work, and employment opportunities in host countries."

Besides the MCW, the Philippines also has in place other laws that advance, and protect the rights of women. These include:

- Women in Development and Nation Building Act (R.A. 7192)
- Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act (R.A. 7610)
- Anti-Sexual Harassment Act of 1995 (R.A. 7877)
- Anti-Rape Law of 1997 (R.A. 8353)
- Rape Victim Assistance and Protection Act of 1998 (R.A. 8505)
- Anti-Trafficking in Persons Act of 2003 (R.A. 9208)
- Anti-Violence Against Women and their Children Act of 2004 (R.A. 9262)
- Expanded Breastfeeding Promotion Act of 2009 (R.A. 10028)
- Solo Parent's Welfare Act (R.A. 8972)

Monitoring and Oversight

The PCW, formerly known as the National Commission on the Role of Filipino Women, is tasked to be the overall monitoring and oversight body to ensure the implementation of the MCW. It shall be the primary policy-making and coordinating body for women and gender.

The Commission on Human Rights (CHR) shall act as the Gender and Development Ombud to ensure the promotion and protection of women's rights.

When asked for an interview regarding the MCW and their office, the PCW, in an email to the researchers responded, however, that the "PCW, given its current limited human resources, has focused its monitoring on the implementation of MCW among government agencies."

As such, monitoring of the implementation of the MCW in private companies and industries, including those within Special Economic Zones has been relegated to other agencies such as the Department of Labor and Employment (DOLE) through the Bureau of Working Conditions (BWC) and Philippine Economic Zone Authority (PEZA).

The PCW is also mandated, by the Implementing Rules and Regulations (IRR) of the MCW to review, within two years from the adoption of the IRR, and every six years thereafter, the agency's gender mainstreaming strategy in consultation with key stakeholders and modify the program accordingly.

For 2015, the PEZA allocated a total of P1,501,126.00 for its Gender and Development (GAD) Budget which was used for Gender Sensitivity Training (GST) Orientation and Employment Empowerment for Women programs.

The PEZA claims an estimated 80% completion of its target to provide GST training for all their employees. For their client locators, the PEZA provides the said training for HR managers and HR representatives.

For 2015, the agency was able to train some 240 company representatives, with particular focus on the latest DOLE advisory related to the special

leave provided by the MCW for women suffering from gynaecological disorders.

The primary means by which the PEZA monitors the implementation of the MCW by locators is through an online survey/questionnaire that is accomplished by representatives of the locators. However, the PEZA does not impose sanctions for companies who fail to respond to their questionnaire.

When asked about data on cases related to the Magna Carta such as the number of women workers who have been given the benefits due them, the PEZA responded that they were still formulating a more thorough evaluation and monitoring mechanism in coordination with the PCW.

However, the agency has had positive experience in facilitating the availment of benefits for workers who approach the agency. This includes the special leave benefit due to gynaecological disorders and 10 days leave due to cases of domestic violence and abuse.

The agency has also monitored some locators receiving certificates from the Provincial Health Offices and DOLE in compliance with RA 10028 by putting up lactation stations inside the workplace.

For its part, the DOLE has added the statutory provision of the MCW on the non-discriminatory benefits for women workers in its 2012 Handbook on Workers' Statutory Monetary Benefits.

DOLE however, failed to respond to the request for an interview that was sent to them by the research team. Interview questions were sent twice to the Women Workers Development Division under the Bureau of Workers with Special Concerns (BWSC) but there has been no response, despite follow-ups.

F. Findings of the Study

Company Policies on Gender & Development and Compliance with Magna Carta of Women

As of 2011, there are 936 industry players engaged in electronics of which 72% are foreign companies while 28% are Filipino-owned (TESDA 2011). These TNCs control the global supply value chain, where the Philippines is placed as a low-value added but labor-intensive contractor.

Most electronics companies in the Philippines are located in EPZs. Out of 308 private and publicly owned economic zones in 2013, the electronics industry hold 38.41% of the total locator investments (PEZA 2014). Most of them are located in Northern Luzon, Central Luzon, Metro Manila, CALABARZON, and Cebu.

Interview questionnaires and requests for interview were sent to the following economic zones:

First Philippine Industrial Park (FPIP)

Located in Tanauan City, Batangas, FPIP was established in 1996 as a joint venture of Japanese company Sumitomo Corp. and First Philippine Holdings Corporation owned by the Lopezes. Covering approximately 450 hectares, it currently employs 40,000 workers in its 77 locators — half of which are part of the electronics industry. There were five companies covered by this study in this economic zone.

Cavite Economic Zone (CEZ)

CEZ is located in the towns of Rosario and General Trias. Established in 1980 and named as Cavite Export Processing Zone (CEPZ) by virtue of Presidential Proclamation Nos. 1980 and 2017, it was later developed into CEZ in 1992 when the Special Economic Zone Act of 1995 was enacted under former President Fidel V. Ramos. Using Official Development Assistance (ODA) loans from Japan, CEZ has further developed its infrastructure in the mid-1990s and late 2000s. CEZ covers 275 hectares, hosting around 280 companies, of which 150 are electronics-related. Five companies were requested to take part in the company survey.

Gateway Business Park (GBP)

GBP is located in the town of General Trias, Cavite. Established by Filipino-owned Gateway Property Holdings, Inc., GBP's 180 hectare-lot houses 23 companies that employ 13,000 workers. Seven of its locators are known as electronic components manufacturers. Five companies were also included in this study.

First Cavite Industrial Estate (FCIE)

Located in Dasmariñas City, FCIE is a joint venture of National Development Company (a government-owned company of the Philippines), Marubeni Corporation (a giant Japanese general trading house), and Japan International Development Organization. Spanning 159.5 hectares, it has an estimated 20 electronics-related companies out of its 95 locators. Two companies have been included in the study.

Golden Mile Business Park (GMBP)

Located in Carmona, Cavite, GMBP is a privately-owned industrial estate spanning 37 hectares. Letters of request were sent to two electronics companies out of its 30 locators.

Laguna International Industrial Park (LIIP)

The LIIP located in Biñan City, Laguna was established in 1992 as a joint venture of Samsung Corp. and Solid Corp. In its 117 hectares, there are around 64 locators, of which three electronics companies were requested to take part in the study.

Laguna Techno Park (LTP)

Located in the cities of Binan and Sta. Rosa, LTP was established in 1989 as a joint venture between Ayala Land Inc. and Mitsubishi Corp. LTP is touted as one of the first privately-owned industrial estates in the country. Covering 460 hectares, there are approximately a hundred out of its 220 firms connected to electronics. Ten electronics companies were contacted for the company survey.

Carmelray Industrial Park 1 (CIP1)

Carmelray Industrial Park 1 (CIP1), located in Canlubang, Laguna, was developed and owned by Carmelray Industrial Corporation (CIC). Covering 270 hectares, CIP1 has around 63 locators wherein around 15 are connected to the electronics industry. Six companies were contacted for the company survey.

Carmelray Industrial Park 2 (CIP 2)

Located in Calamba, Laguna, Carmelray Industrial Park 2 (CIP 2) was established in 1997. It was developed by Carmelray-JTCI Corp., a joint venture between CIC and Singapore's Ascendas. CIP2's 140 hectares houses 50 corporations, mostly engaged electronics export. Seven companies were requested to answer the survey questionnaire.

Light Industry and Science Park 1 (LISP1)

Established in 1991 in Cabuyao, Laguna, LISP1 is the first among chains of industrial estates developed and managed by Science Park of the Philippines, Inc. (SPPI). Regarded as having the largest hectareage of industrial estates, SPPI's stakeholders include: Investment & Capital Corporation of the Philippines (boutique investment house run by top local bankers), Philam Life, Fremont Group (investment arm of the Bechtel Family), and the National Development

Company (NDC). Around 92 locators cover the 178 hectares of LISP I, employing more or less 28,000 workers. There are around 13 electronics companies in the ecozone of which 12 were requested to answer the company survey.

Light Industry and Science Park II (LISP 2)

SPPI developed its second industrial estate, Light Industry & Science Park II, in 1996. Situated in Calamba, Laguna, the 65-hectare LISP II has 24 locators, employing more than 10,000 workers. There are an estimated eight known electronics company within the zone. Letters were sent to six electronics companies for the study.

Calamba Premiere Industrial Park (CPIP)

Calamba Premiere International Park (CPIP) is located in Calamba City, Laguna. Established in 1999, around 110 locators are situated in its 65.63- hectare lot. There are at least 30 electronics company located in the ecozone of which nine companies were given letters of request for the company survey.

Out of the 72 companies that were given company surveys, only six companies responded. Three companies were able to send back their filled-out questionnaires while three companies categorically said they will not respond to the survey.

Below are the responses of the three companies.

Table 4. Company Responses to Survey Questions

Survey Questions	Company S	Company K	Company I
Ownership	Japanese	Korean	Filipino
Workforce	Above 300	Above 300	Above 300
Type of Company	Subsidiary	Parent company	
Existing Company Policy on Women Welfare	Yes	Yes	<input type="checkbox"/>
Equal Pay	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Non-Discrimination	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Security of Tenure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Right to Association	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Protection Against Sexual Harassment and Abuse	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Table 4. Company Responses to Survey Questions

Survey Questions	Company S	Company K	Company I
Gender Distribution of Workforce (managers/ supervisors)			
Male	28	7	57
Female	33	4	67
LGBT	0	0	5
Gender Distribution of Workforce (rank and file)			
Male	170 2 non-regular	27 1 non-regular	58 4 non-regular
Female	390 2 non-regular	269 94 non-regular	798 177 non-regular
LGBT	0	7 2 non-regular	6 non-regular
Mechanisms for general redress of women's grievances			
Human Resources Department	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Labor management Council	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Union	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Workers Association	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cases of sexual harassment filed by employees in the past two years	None	None	None
Percentage of married women	21-50%	21-50%	21-50%
Percentage of male rank and file workers receiving minimum or above wages	30% or less	76 to 100%	76 to 100%
Percentage of women receiving minimum or above wages	51 to 75%	76 to 100%	76 to 100%
If qualified women can avail of two-month special benefit.	Yes	Yes	Yes

Table 4. Company Responses to Survey Questions

Survey Questions	Company S	Company K	Company I
Number of women who availed of this benefit in the last two years	1 to 50	51 to 100	1 to 50
Paternity leave	Yes	Yes	Yes
Number of those who availed of the Paternity Leave Benefit	1-50	1-50	1-50
What medical/health benefits are available for women?			
Free annual check-up	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Health insurance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SSS maternity leave	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Company paid maternity leave	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Services of nurse/doctor	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Child nursing/Breastfeeding facilities	Yes	Yes	Yes
Are these free of charge	Yes	Yes	Yes



Women workers participating during the Focus Group Discussion conducted by the research team.

Women Workers and Magna Carta of Women

Profile of Respondents

Figure 1. Distribution of Respondents by Province

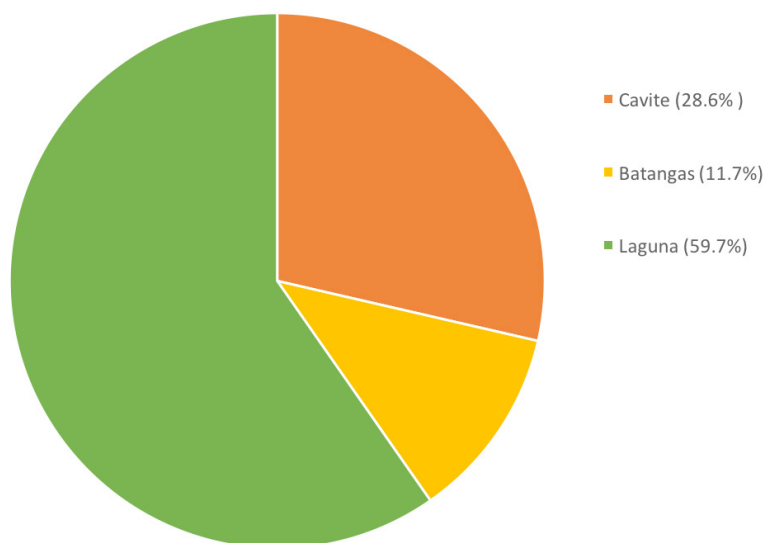


Figure 2. Distribution of Respondents by Economic Zone

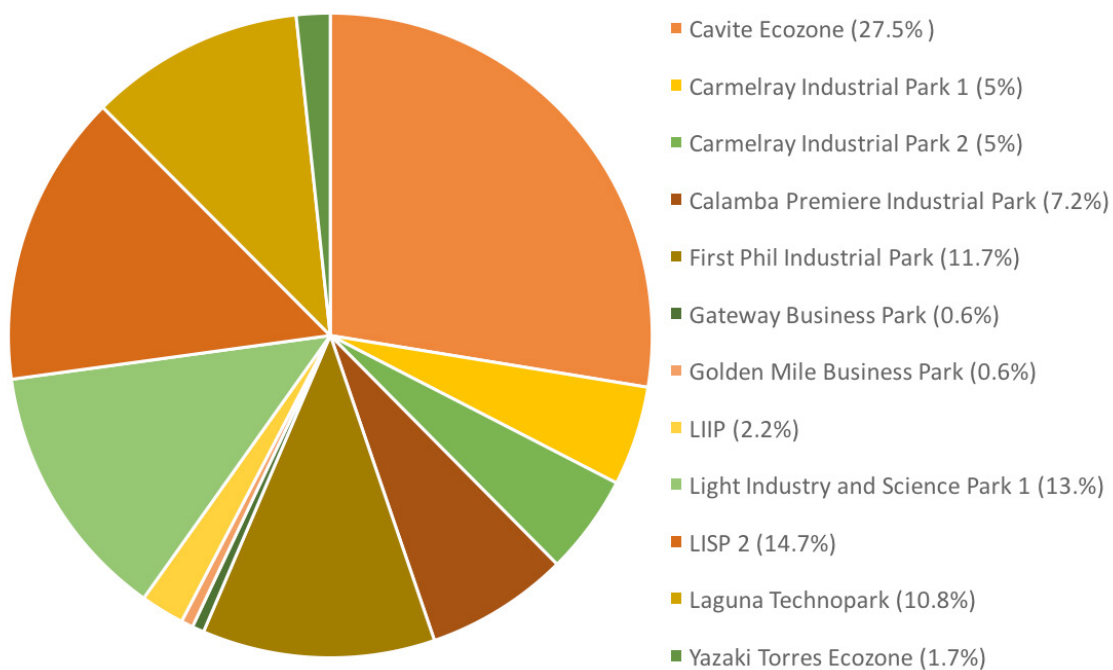


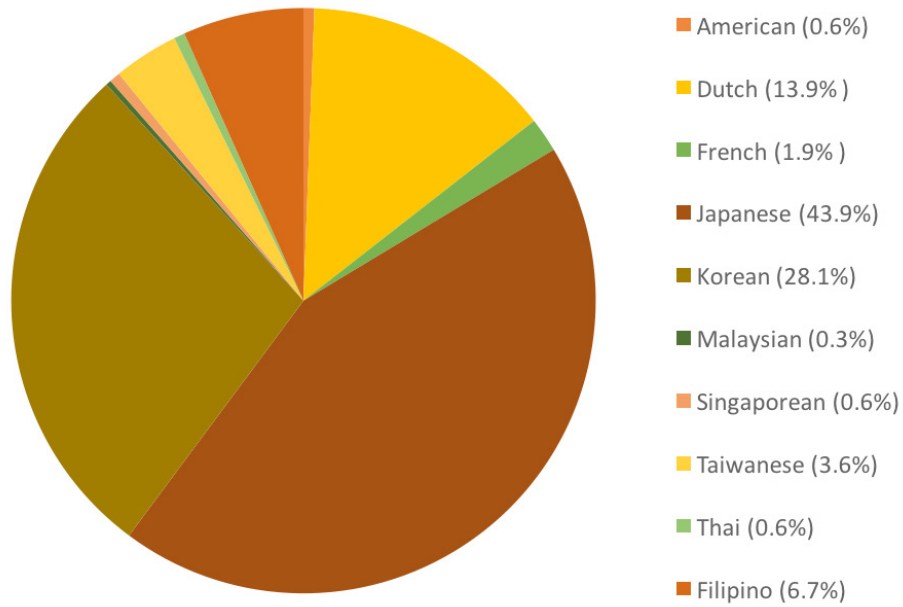
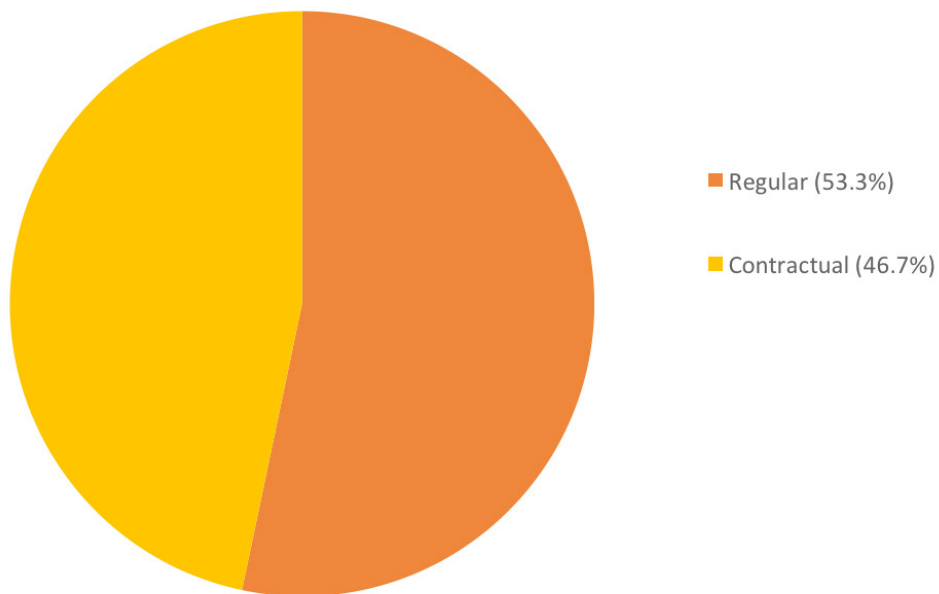
Figure 3. Distribution of Respondents by Nationality of Company**Figure 4. Distribution of Respondents by Employment Status**

Figure 5. Distribution of Respondents by Industry Electronic/Non-electronic:

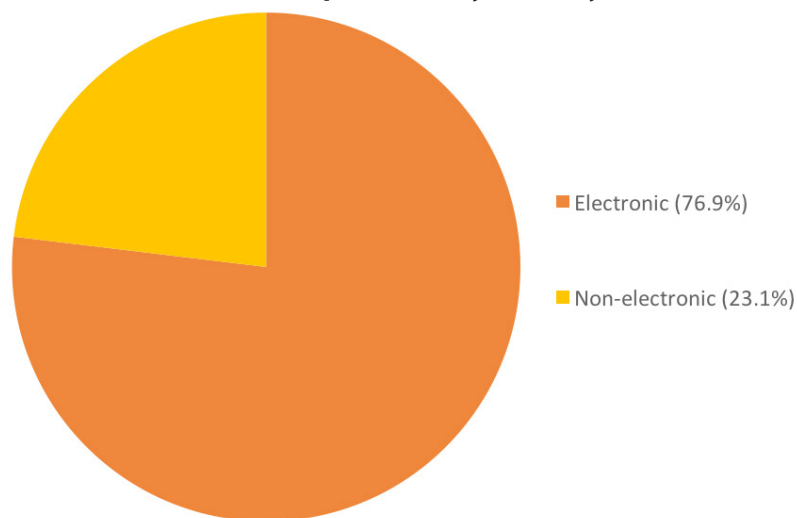


Figure 6. Distribution of Respondents by Age

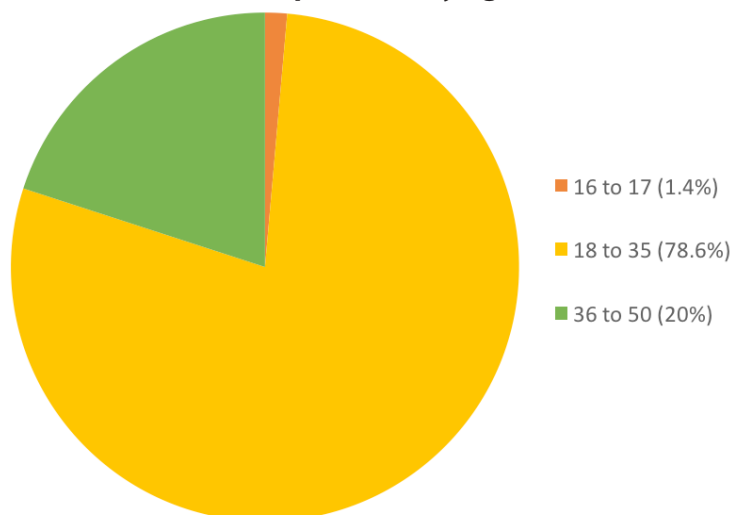


Figure 7. Distribution of Respondents by Marital Status

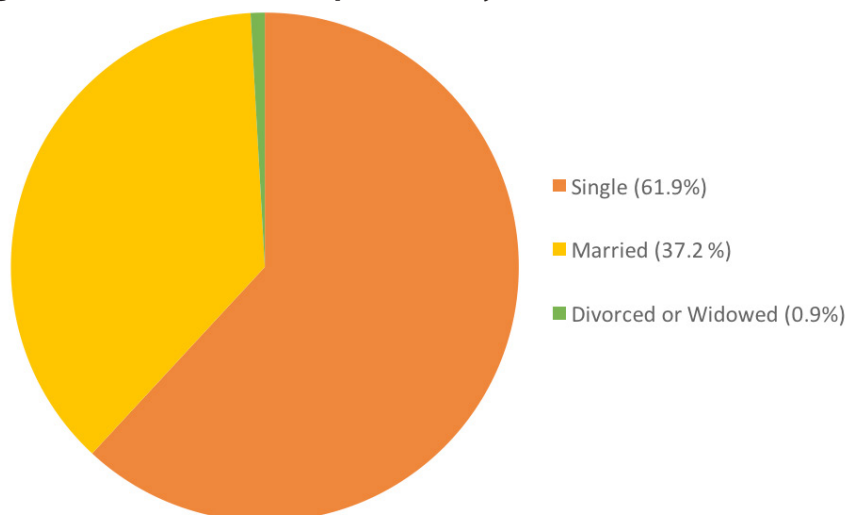


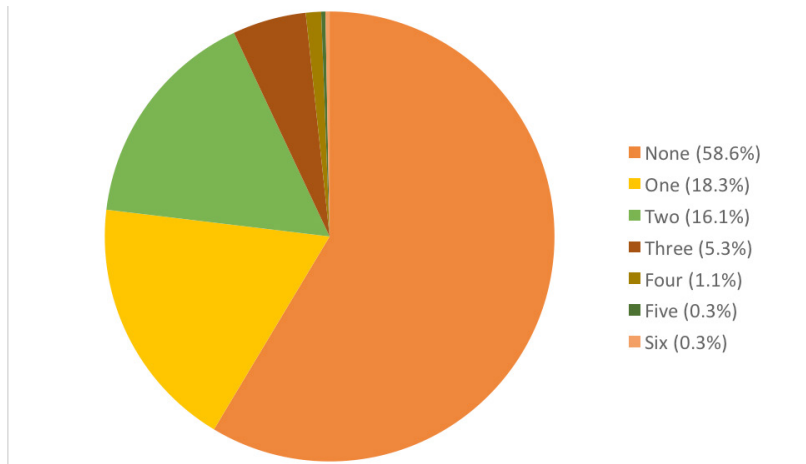
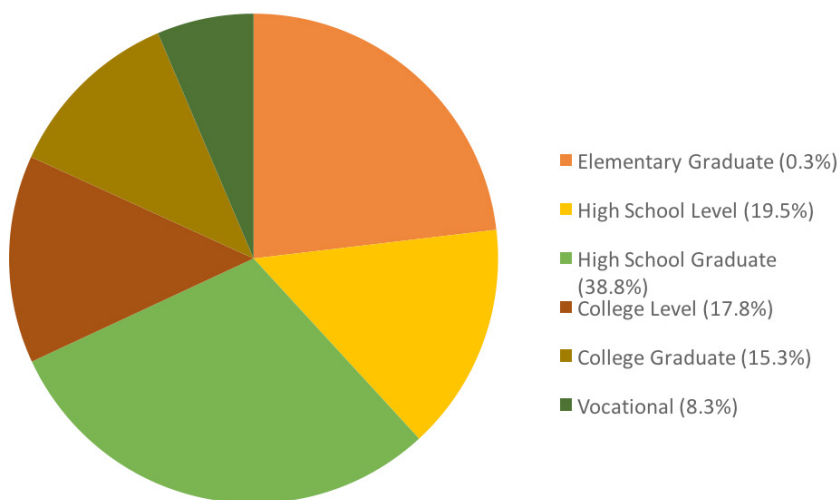
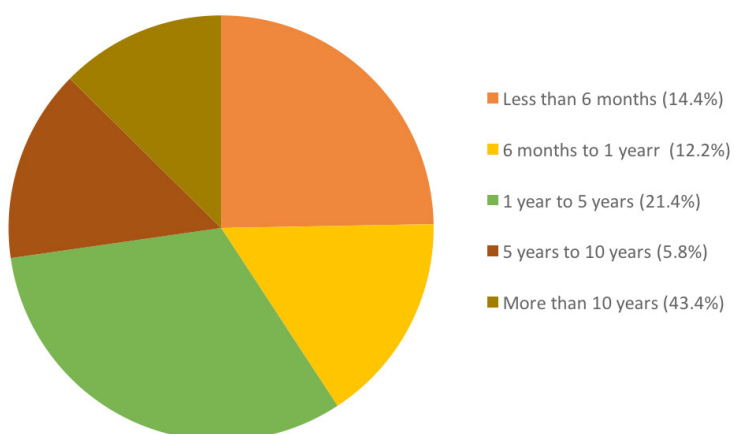
Figure 8. Distribution of Respondents by Number of Children**Figure 9. Distribution of Respondents by Educational Attainment****Figure 10. Distribution of Respondents by Length of Employment**

Table 5. Regular and Contractual Employment of Respondents by Ecozone

Ecozone	Employment Status		Total
	Contractual	Regular	
CEZ	15	84	99
CLP1	13	5	18
CLP2	12	6	18
CPIP	22	4	26
FPIP	37	5	42
GBP	0	2	2
GMBP	2	0	2
LIIP	1	7	8
LISP1	13	34	47
LISP2	13	40	53
LTP	35	4	39
YT	5	1	6
TOTAL	168	192	360

Table 6. Number of Electronics and Non-Electronics Workers among Respondents by Ecozone

Ecozone	Industry Type		Total
	Electronic	Non-Electronic	
CEZ	94	5	99
CLP1	14	4	18
CLP2	15	3	18
CPIP	25	1	26
FPIP	27	15	42
GBP	0	2	2
GMBP	2	0	2
LIIP	0	8	8
LISP1	43	4	47
LISP2	53	0	53
LTP	4	35	39
YT	0	6	6
TOTAL	277	83	360

Wages and Benefits

Under Republic Act 6727 or “The Wage Rationalization Act”, the Regional Tripartite Wages and Productivity Board (RTWPB) of each region determines the applicable minimum wage of workers in private companies within their area. This follows a standard minimum wage fixing process and a set of criteria.

Since the rationalization of wages and the non-existence of a national minimum wage, there have been more than 1,000 salary levels in the country. Wages differ not only among regions, but also among provinces within a region.

Table 7. Minimum Wages of Workers in Region IV

Type of Area	Covered Areas	Non-Agri	Agri (Plantation)	Agri (non-Plan)	Less than 10 Workers
Growth Corridor Area	Bacoor, Imus (CAVITE)	362.50	337.50	317.50	259.00
	Binan, Laguna Technopark, San Pedro (LAGUNA)				
	Cainta, Taytay (RIZAL)				
	Carmona, Cavite City, Dasmarinas, Gen. Trias, Rosario (CAVITE)	340.50	315.50	295.50	246.00
	Cabuyao, Calamba, Los Baños, San Pablo, Sta. Rosa, Sta Cruz (LAGUNA)				
	Antipolo (RIZAL)				
Emerging Growth Area	Alvarez, Kawit, Silang, Tagaytay, Tanza, Trece Martires (CAVITE)	335.50	310.50	290.50	243.00
	Batangas, Bauan, Lipa, LIMA Techno Center, San Pascual, Sto. Tomas, Tanauan (BATANGAS)				
	Rodriguez (RIZAL)				
	Lucena (QUEZON)	316.50	291.50	261.00	226.00
	Balayan, Calaca, Calatagan, Lemery, Mabini, Nasugbu, Rosario, San Jose (BATANGAS)				
	Angono, Binangonan, San Mateo (RIZAL)				
Resource Based Area	Candelaria, Sariaya (QUEZON)	305.50	261.00	261.00	213.00
	Indang, Naic, Noveleta, Ternate (CAVITE)				
	Paete, Pakil (LAGUNA)				
	Pililia (RIZAL)	300.50	261.00	261.00	212.00
Resource Based Area	Tiaong (QUEZON)				
	Taysan (BATANGAS)				
Resource Based Area	Teresa (RIZAL)	296.50	261.00	261.00	208.00
	The rest of CAVITE, LAGUNA, BATANGAS, RIZAL				
Resource Based Area	The rest of QUEZON	261.00	261.00	249.00	201.00

Table 8. Benefits Received by Survey Respondents

Benefits	Regular	Contractual	Total	% of respondents
Social Security	192	58	250	69
Philhealth	192	58	250	69
Pag-ibig (Housing)	192	58	250	69
Rice Subsidy	114	20	134	37
Sick Leave	192	32	224	62
Maternity Leave	188	0	188	52
Vacation Leave	188	0	188	52
Education Subsidy	46	0	46	13
Productivity Bonus	50	10	60	17
13th Month Pay	177	46	223	62
Christmas Bonus	190	30	220	61
Other Benefits	53	0	53	15

In the case of Southern Tagalog (Region IV-A), there are so many minimum wage levels that depend on specific categories that the wage board has set. According to the Regional Wage Board, these differences in the wage rates are attributable to differences in socio-economic conditions such as regional domestic output, net employment, and poverty incidence.

On the basis of Wage Order IVA-16 approved in May 2014, the daily minimum wage of the region ranges from Php267.00 to Php349.50. Wages differ according to areas categorized as Growth Corridor Area (GCA), Emerging Growth Area (EGA) and Resource Based Area (RBA).

These minimum wages set by the regional wage board is far from the daily minimum wage set in the Metro Manila which is Php481.00 for non-agriculture and Php444.000 for agriculture and establishments with less than 15 employees. These are 27% to 44% lower than the minimum wage in the National Capital Region.

Furthermore, comparing these wages with the Php1,088 daily cost of living for a family of six as computed by IBON, a research think-tank, these wages do not even make up for half of this cost of living. These are only 25 to 32% of the cost of living.

As per Wage Order No 14A-16, women workers in the targeted areas should be receiving minimum wages from Php335.50 to Php360.50 since their companies are located in Growth Corridor Areas. However, 45.6% of the respondents receive below these minimum wages. Those receiving wages within the minimum range are 27.5%, while 26.9% receive above minimum wages. These above minimum wage earners are regular workers who have been in the company for many years. They are also unionized workers who benefited from gains in their struggles and collective bargaining agreements (CBA).

Only regular workers are entitled to other benefits such as listed in the following. Only a small portion of contractual workers receive benefits other than wages, depending on the preference of their company and hiring agency. Contractual women workers don't have maternity and vacation leave benefits and education subsidy for their children.

While the Magna Carta of Women guarantees the economic rights of women, significant increase in workers' wages, including women workers, has not happened. Under neoliberal globalization, women are situated in precarious work conditions and receive very low wages with little or no benefits. This is confirmed by the study despite the limited number of respondents.

Table 9. Common Issues Faced by Respondents by Length of Employment

Health Issues	Below 1 year	1 - 5 years	5 years and above	Total
Headache	47	82	175	304
Eye Problem	20	42	159	221
Lung Problem	6	17	80	103
UTI	28	67	147	242
Muscle Pains	37	72	141	250
Skin Problem	1	5	61	67
Miscarriage	2	9	60	71
Leukemia	0	1	3	4
Cancer	0	1	4	5

Health and Safety

There have already been studies that documented the different health issues being faced by women electronics workers.

The Institute for Occupational Health, Safety and Development (IOHSAD) found out in their November 2015 study regarding the reproductive health of women electronics workers that 78% of their respondents experience irregularities with the dates of their monthly menstrual periods while 28% have experienced having more than one menstrual period per month. Also, 30% of them have experienced miscarriages, 24% are having a difficult time conceiving babies, and 50% have been diagnosed at least once with urinary tract infection. For various reproductive health issues such as ovarian cysts, myoma, severe dysmenorrhea, urinary tract infection, 25% of them have filed leave of absence from work.

This study has once more verified these health issues being faced by women electronics workers.

The following are the health problems experienced by the respondents:

Table 10. Health Problems Reported by Respondents

Headache	84.4%
Eye Problems	61.4%
Respiratory	28.6%
UTI	67.2%
Muscle Pains	69.4%
Skin Problems	18.6%
Miscarriages	19.7%

Leukemia	1.1%
Cancer	1.4%
Others	6.7%

When workers were asked if they get any medical assistance from the company for such illnesses or major health problems, 50.3% responded that they did not. Several respondents have also said that their health insurances were being shouldered solely by themselves.

The research has also found a noticeable increase in the number of health issues the workers reported the longer their employment.

Sexual Harassment and Gender-based Discrimination in the Workplace

Among the respondents, 5.8% stated that they experienced sexual harassment in the workplace.

However, according to the Center for Women's Resources (CWR) in an interview, the number of cases of sexual harassment may be greater than the one reported due to the sensitive nature of sexual harassment and some women are afraid and/or ashamed of disclosing the information.

Meanwhile, 23.6% have experienced discrimination in the workplace which include sexual discrimination (1.1%), promotional (7.5%), use of facilities (11.7%), and other forms (2.2%).

Table 11. Unionization of Respondents by Ecozone

Ecozone	Number of Companies with Unions		Total
	Non-Unionized	Unionized	
CEZ	12	87	99
CLP1	18	0	18
CLP2	18	0	18
CPIP	18	8	26
FPIP	39	3	42
GBP	2	0	2
GMBP	2	0	2
LIIP	1	7	8
LISP1	5	42	47
LISP2	9	44	53
LTP	37	2	39
YT	6	0	6
TOTAL	167	193	360

Unionization

In 2014, the number of unionized workers in all industries is very dismal at only 340,370. Women account for only 35% of union members for this period.

Among the respondents, 53.6% are unionized. Most of them are located in Cavite Economic Zone, Light industry and Science Park 1, and Light Industry and Science Park 2. Unionized workers are only those who are regular employees.

The larger percentage of unionized was because electronics companies with unions and organizing work were tapped for the study.

Awareness Level on Magna Carta and Other Laws for Women

Many of these women workers (74.2%) have no idea that there is a special benefit women can avail of. Most of them stated that the company has not made them aware of this special benefit.

Only 25.8% of the women workers have responded that they have knowledge of the Magna Carta of Women. Most women who have certain knowledge on Magna Carta attribute this to their union (7.5%) while only 3.3% say they learned this from the efforts of the company. Other sources of their knowledge are TV/radio (6.1%),

social media (3.3%), peers (8.3 %), family (0.6%), women organizations (2.2%), and others (1.7%).

Among those who knew about the MCW, the number of unionized workers is almost the same with the non-unionized. This shows that unions have to play a more active role in informing union members regarding the MCW. National and regional labor organizations, labor advocates, and federations also have to play a role in informing workers.

Among these women who had knowledge of Magna Carta of Women, only 3% were able to avail of the special benefits mandated by this law. However, they have raised the issue of taxability of this special benefit. When they received their two-month paid leave, tax was slashed from the benefit. In one case, the special benefit was slashed by 20%, which is a week's worth of paid leave.

While among the respondents 54.4%, have stated that though they want to learn about the MCW, they cannot depend on their HR officers to provide them with the training. PEZA conducts seminars which include discussions on the MCW at the level of the zone attended by HR officers. However, companies are not obliged to echo this to their workers.

Women Workers Respond to Company K's Response to Survey

Company K is a Korean electronics company operating since 1993 in Cavite Economic Zone. It has a workforce of more than 300 workers, of which 89% are women. It has an existing company policy on equal pay, non-discrimination, right to association, security of tenure, and protection against sexual harassment and abuse.

However, workers claim that the company has not been truthful in their responses to the survey. The company claimed that 51 to 100 workers have availed the special benefit for women, however, workers claim that they were not aware of the special benefit, so it was unlikely that workers have claimed this benefit from the company. Also, 70% of the respondents of the workers survey claimed that they have

been receiving below minimum wages since they started working for the company. As far as the workers are concerned, there are no free annual check-ups and their health insurances are shouldered by themselves.

Company K also reported that there were no sexual harassment cases filed, however, a few cases were filed by the women workers. The manager (who is not a Filipino) had a habit of touching intimate body parts of women workers whenever he pleases. While he sees this as a joke that women should just ignore, the women workers who were victims of this harassment didn't let this pass. Several workers filed a case against this manager. He was eventually dismissed and replaced by the company.

G. Conclusions

Six years after it was enacted into Law, there is room for improvement in the effective implementation of the Magna Carta of Women.

There is a very low level of awareness of the Law among women workers, preventing them from availing the benefits that are due to them.

There is also a lack of oversight and monitoring in the implementation of the Law from government offices such as PCW, DOLE, and PEZA. The government does not have a systematic database regarding the coverage of Magna Carta benefits among women in the private sector. This makes it difficult to monitor the compliance of private companies with this law.

The government is yet to review the Law itself and its implementation.

Private companies are also not being obliged by the government to inform their workers of their rights under the MCW.

In light of the lack of proactive government initiative to promote the MCW, unions play a role in raising women members' awareness regarding the role of unions can also be improved further.

Beyond the legislative point of view, women's rights and welfare can be achieved by women's empowerment through unions and organizations.

H. Recommendations

- 1) Government should have a systematic and comprehensive monitoring and evaluation mechanism on the implementation of the MCW in the private sector to determine compliance of companies which in turn can better promote and protect the rights of women workers.
- 2) There must be a law that provides for a mandatory seminar on MCW for women workers to be held in companies.
- 3) There must be penalties for companies that do not comply with the provisions of MCW. Legal and administrative cases must be filed against companies that violated the Law.
- 4) There must be a law exempting special benefit for women under MCW from taxation or limiting the taxes to not more than three percent.
- 5) Trade unions, labor federation, labor institutions, labor advocates, and women's groups should play a more active role in educating workers, especially women, regarding the special benefit and other provisions of MCW. There should be an active participation of women through trade unions, labor federation, labor institutions, and women's groups in awareness-raising and defense of women's rights in the workplace.
- 6) Dialogues with concerned government offices like the DOLE Bureau for Women and Special Concerns and Bureau of Working Conditions, Philippine Commission for Women, PEZA, and even with industry associations, should be held to inform them of the result of the study and find solutions for a more effective implementation of the MCW and ensure that private companies comply with this law.

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APPENDIX

Employed Women Wage and Salary Workers, Self-Employed in own family-operated farm or business (in thousands)

Major Occupation Group	2010	2011	2012	2013	2014
Government officials, corporate executives, managers, supervisors	2,617	2,708	2,653	2,899	2,910
Professionals	1,153	1,182	1,227	1,263	1,274
Technicians and Associate Professionals	491	501	488	492	508
Clerks	1,219	1,266	1,283	1,352	1,445
Service Workers and Shop/Sales Workers	1,476	1,564	1,671	1,755	1,766
Farmers, Forestry Workers, Fishermen	836	834	819	779	866
Trades and Related workers	553	554	431	414	388
Plant and machine Operators, Assemblers	218	247	243	271	267
Laborers and unskilled workers	3,202	3,294	3,574	3,502	3,469
Special Occupations	30	31	16	15	17
TOTAL	11,794	12,181	12,405	12,740	12,910

Source: PSA, LFS

Employed Persons by Nationality of Company

Year	2012	2013	2014
Type of Ownership	340,370	222,405	117,965
Filipino	258,869	173,052	85,817
Foreign	31,148	16,490	14,657
Joint Venture	27,530	16,337	11,193
Multinational	22,823	16,525	6,298

Source: PSA, LFS

Employed Persons by Company Employment Size

Year	2012	2013	2014
Employment Size	340,370	222,405	117,965
20-99	23,398	17,944	5,453
100-199	36,393	27,461	8,932
200 and over	280,580	177,000	103,580

Source: PSA, LFS

Number of Special Economic Zones in the Philippines (June 2015)

Operating	327
Manufacturing	68
IT	217 (173 IT Centers, 44 IT Parks)
Tourism SEZ	19
Medical Tourism Park	1
Medical Tourism Center	1
Agro-Industrial EZ	21
Proclaimed	126
Manufacturing	28
IT	87 (65 IT Centers, 22 IT Parks)
Tourism SEZ	6
Agro-Industrial EZ	5
Operating and Proclaimed	453
Development in Progress (for Presidential Proclamation)	317
TOTAL	770

Source: PEZA



About the CBBRC

Staunch patriot, widely- respected labor leader, internationalist, honorable public servant and beloved son of the masses — this is Crispin “Ka Bel” Beltran.

An unrelenting union organizer since his youth, he was also a champion of peasants and the urban poor, living among them and fighting for their demands for years until his death on May 20, 2008.

His integrity and incorruptibility shone brilliantly until his last days. He was imprisoned several times by those in power to pressure him into cooperation. He fought for laws where they benefit the people, resisted anti-democratic government schemes, exposing attempts to bribe him into compliance.

Most of all, it was his ardent wish for the working class everywhere to break free from the shackles of wage slavery, and for his beloved country to achieve genuine independence and prosperity.

The Crispin B. Beltran Resource Center (CBBRC) was founded on September 2008 to honor the legacy of this great man, who shall be an inspiration for generations of workers and patriots to come, in the long and arduous fight for workers’ right, genuine democracy and national sovereignty.

The CBBRC shall serve as an independent institution serving the needs of workers and the urban poor, and upholding Ka Bel’s legacy as a parliamentarian of the people.

Specifically, the CBBRC shall:

- Work for laws and policies that promote the interests of labor and the urban poor, and aid in building their capability for articulation their issues within the halls of parliament.
- Build a Workers’ Social Center which shall serve as a skills training center for displaced workers and the unemployed as a concrete response to the problem of unemployment.
- Provide a social and physical center where workers and their families can converge for a wide range of social activities that promote their cultural upliftment.
- Promote international solidarity and linkages among labor movements of various countries on issues of common and/or international concern.

Crispin B. Beltran Resource Center, Inc.

December 2015