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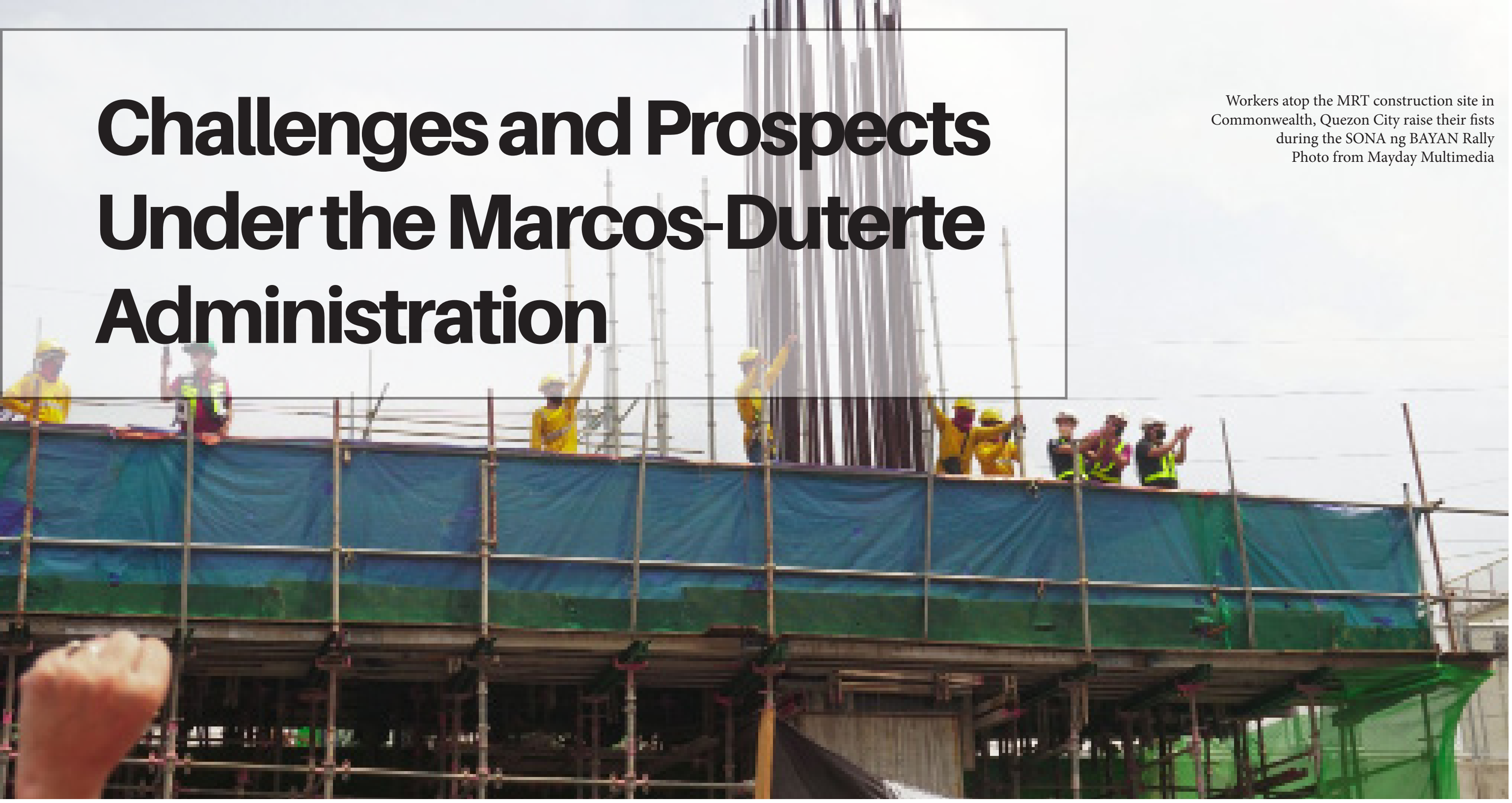
IN THIS ISSUE

An onlooker flashes the "V" sign, a symbol appropriated by the Marcoses and their supporters.
Photo by Mayday Multimedia

Challenges and Prospects Under the Marcos-Duterte Administration



Workers atop the MRT construction site in Commonwealth, Quezon City raise their fists during the SONA ng BAYAN Rally
Photo from Mayday Multimedia

The Marcos-Duterte administration inherited an economy crippled by the policies of its predecessor at the backdrop of a persisting pandemic. In 2021, poverty rate was recorded at 18.1% or 1.4% higher than the 2018 rate. This is equivalent to 19.99 million Filipinos living under the poverty threshold of PhP 12,030/month for a family of five. To note, such threshold indicates that a family of five members earning at least PhP 401 per day is not poor.[1]

Recent months were marked, as well, by supply shortages in basic commodities such as sugar, salt, and onion. Ironically, the Philippines experiences such shortage in sugar despite its vast agricultural lands and in case of salt, despite its 36,000 km shoreline, one of the longest in the world.[2] Perennial landlessness, state abandonment to industries, and import dependency are among the most pressing factors contributing to such ironically stunted agricultural production.

In his first State of the Nation Address, Mr. Marcos, concurrently the agriculture secretary, laid down his plan to condone/ suspend amortization payments of land reform beneficiaries. [3] More than condonation of amortization, Mr. Marcos is aware from the failures of the land reform program of his dictator-father that land reform is more than relief to amortization. The Philippines is marred by widespread landlordism from which big agri-capitalists and landlords grip tightly to their hacienda. State neglect to agriculture is also a big factor to a stunted agriculture sector. To wit, while 10 million Filipinos are earning their keep from the land, the 2023 budget proposal for the agriculture sector is measly PhP 184 billion or 3.49% of the PhP 5.268 trillion budget proposal.[4]

Mr. Marcos did not mention the plight of Filipino workers and his long-awaited platforms for them. This nonchalance manifested in his proposed budget wherein the labor department's share is only PhP 26.2 billion or 0.5% of the proposed budget. This budget already encompasses livelihood programs for displaced workers and other forms of aid.[5]

The finance secretary even announced that no more 'ayuda' or dole outs will be included in the 2023 budget. The official echoed the pronouncement of Mr. Marcos in his first Address that no more lockdowns to be implemented, hence, marking a process of normalization and recovery.[6] Be that as it may, lesser restrictions in mobility does not equate to normalization (or higher quality) in livelihood/wage for many Filipino workers. Case in point, while unemployment decreased from April (5.7%) to July (5.2%), the average number of unemployed for the first seven months of 2022 (2.9 million) is still higher than that of in 2019 (2.26 million) or before.[7]

More so, the number of Filipinos who need additional work and income even increased in number from 6.4 million in April to 6.54 million in July.[8] The need for more work and income is brought about by decreasing real value of wage to which inflation significantly contributes to such decline.

Inflation rate saw significant increase in 2022. In July, it reached as high as 6.7%, the highest in four (4) years. Yet, economists foresee that inflation can even peak at 7% in October.[9] Prices of oil products continually increase in the past months. Per September 6 monitoring of the energy department, kerosene is at PhP 93.45/liter and diesel is at the range between PhP 74.9 and PhP 78.45 in Manila.[10] This unending increase in oil prices prompt segments of the transport sector to demand fare hike, yet again. In less than one year, two fare hikes were imposed in which the minimum fare in jeepneys is now at PhP 12.

While basic commodities and services become more inaccessible, allocation sought for aid and other reliefs are, instead, aligned to debt-servicing. In its effort to maintain a good credit rating, the government is set to allocate 30% of the 2023 budget or PhP 1.6 trillion to pay domestic and foreign debts. Notwithstanding, current national debt totalling to PhP 12.89 trillion is still set to balloon to PhP 14.63 trillion by the end of 2023. [13]

The Marcos-Duterte administration anchored its campaign on a flimsy and elusive campaign promise of unity. The first few months of this administration saw politico-economic developments that demand more than just motherhood policies but pro-people and scientific ones that would immediately and significantly tide over millions of Filipinos from impoverished conditions. ###

Sources:

[1] https://psa.gov.ph/poverty-press-releases/nid/167972

[2] https://mb.com.ph/2022/08/30/isnt-it-ironic-ph-imports-93-of-salt-supply/?fbclid=IwAR0sW4cmaXYwNr8IbHvRxM4wzXmE-s87jG9H84fseXTMY6EMbDnxVq-1QLQ

[3] https://www.rappler.com/nation/full-text-transcript-president-marcos-jr-state-nation-address-2022/

[4] https://www.dbm.gov.ph/index.php/secretary-s-corner/press-releases/list-of-press-releases/2352-dbm-submits-2023-budget-to-congress-education-infrastructure-health-social-protection-agriculture-top-budget-priorities#:~:text=A%20total%20of%20Php1.,of%20Transportation%20will%20receive%20Php167.

[5] Ibid

[6] https://newsinfo.inquirer.net/1655055/no-more-covid-related-ayuda-in-2023-budget?fbclid=IwAR2qy5zDosBq4z4ScWN-40z9ofXGJJcuuWyZbHRYyvEV-cgDKBqB9d_k5sZY

[7] https://www.philstar.com/business/2022/09/08/2208277/jobless-rate-slips-july-more-filipinos-want-additional-work-amid-inflation

[8] id

[9] https://www.philstar.com/business/2022/08/20/2203774/bpi-inflation-peak-near-7-october?fbclid=IwAR15otfxxR-g6OMuLecljBsMgoVDNHIE53jHa1yZNKyYCiWVTlF6UXtNtM3Q

[10] https://www.doe.gov.ph/sites/default/files/pdf/price_watch/petro_ncr_2022-sep-06.pdf

[11] https://www.philstar.com/headlines/2022/08/29/2205932/overdue-jeepney-fare-hike-rate-be-released-earliest-next-week

[12] https://www.philstar.com/business/2022/09/04/2207163/national-debt-bloats-record-high-p129-trillion-

[13] https://newsinfo.inquirer.net/1651322/nearly-1-3-of-p5-3-t-natl-budget-to-pay-for-debts

The Costs of OSH Standards Violations

The Integrated Survey on Labor and Employment (ISLE) for 2019 recorded 310 workplace fatalities out of 40,892 total cases of occupational accidents. While the pandemic continues to threaten workers' safety everyday, past issues of company failure to ensure protection in the workplace remain unresolved. The dangerous combination of precarious work conditions, management neglect, and a worsening economic crisis leaves workers with little to no choice but to endure inhumane working conditions. Four years after the enactment of RA 11058 11058 or the Occupational Safety and Health Law meant to underline compliance guidelines and intensify companies' protective measures, are Filipino workers actually safer?

Last June, the International Labor Organization (ILO) recognized the right to "a safe and healthy working environment" to its framework on Fundamental Principles and Rights at Work. While this resolution reaffirms health and safety protections in the workplace, such a reality remains elusive for Filipino workers.

Three employees of E-One Consumers Trading Corporation in Bulacan - identified as Roel Preston (38), Analyn Baldon (35), and James Franklin Marcelo (19) - were killed after the second floor of a warehouse building collapsed on June 1st. The next day, Stephen Corilla of Universal Robina Corporation's Mandaue Facility died while on duty, cleaning a sugar pulverizing machine which suddenly switched on, killing him on-site. Findings from several labor agencies concluded that apart from the lack of orientation on occupational safety and health standards (OSHS), "haphazard reassignment of tasks and the use of unsafe machines" factored in Corilla's death. Unaware of the machine's handling and status as he is only on his second week of work as a contract employee, his fate was sealed by a defective safety interlocking device on the pulverizer.

Elevator installers Manuel Linayao and Rey Miguel Gilera were killed when a passenger elevator caved in from the 38th floor of the Burgundy Corporate Tower in Makati before dawn on July 8. Several labor violations were identified, such as the absence of safety orientation, mandatory orientation on OSHS, non-provision of personal protective equipment (PPE), lack of permit to operate for working at heights, among others. Days later in Tagaytay City, six construction workers were confirmed fatalities after a six-meter concrete fence and cement blocks fell on their barracks. Ronilo Casaway, Nino Villasquez, Daniel Nesperos, William Ocong, Jerimy Doña, and Ramir Gamba were resting on the evening of July 11 when the wall collapsed on them.

Seven years after the Kentex Manufacturing tragedy where 74 individuals were killed in a footwear factory, not one person has been convicted or held criminally liable for the biggest factory fire in the country. Employer negligence include absence of fire exits and fire safety drills, trapping workers in the second floor with no way to escape, as well as the lack of proper labeling, training, and mishandling of a highly flammable rubber emulsifier that engulfed Kentex employees in a matter of hours.

More recently, a KumOSHtahan forum saw representatives from the Institute for Occupational Health and Safety Development (IOHSAD) in dialogue with union leaders about the state of their company's OSH measures. Workers raised concerns about the lack of proper ventilation and fire exits in the workplace, lack of training for toxic chemicals, and absence of material safety data sheet for proper handling instructions. Spot or unscheduled inspections are not allowed, and when inspectors do visit, contractual employees without mandatory training would be sent home or hidden from view. No worker representatives are present for inspections and workers' safety concerns fall on management's deaf ears. And yet, issued permits allow these facilities to run business as usual.

Workers endure inhumane working conditions due to absence of job security and meager pay. This encourages employers to be complicit with workplace accidents especially that occupational safety laws do not criminalize such negligence. House Bill No. 2126, filed by Gabriela Partylist Rep. Arlene Brosas, seeks to amend the existing law to include stiffer penalties and criminalization of gross OSH standard violations. Proposed stiffer penalties include jail time, loss of business permits, and steep fines of up to three million pesos per day for management neglect. These are set to ensure that employers create suitable working environments for the prevention of occupational fatalities.

Occupational Safety and Health is a fundamental right and it follows that the frequency and severity rates of workplace accidents must be closely monitored and penalized accordingly. Employers must take the preventive approach from such accidents by strictly adhering to the compliance policies and recommendations of their respective OSH committees or face stringent legal consequences. Workers' organizations must strengthen their OSH programs and collectively demand for better labor conditions and safe workplaces now.

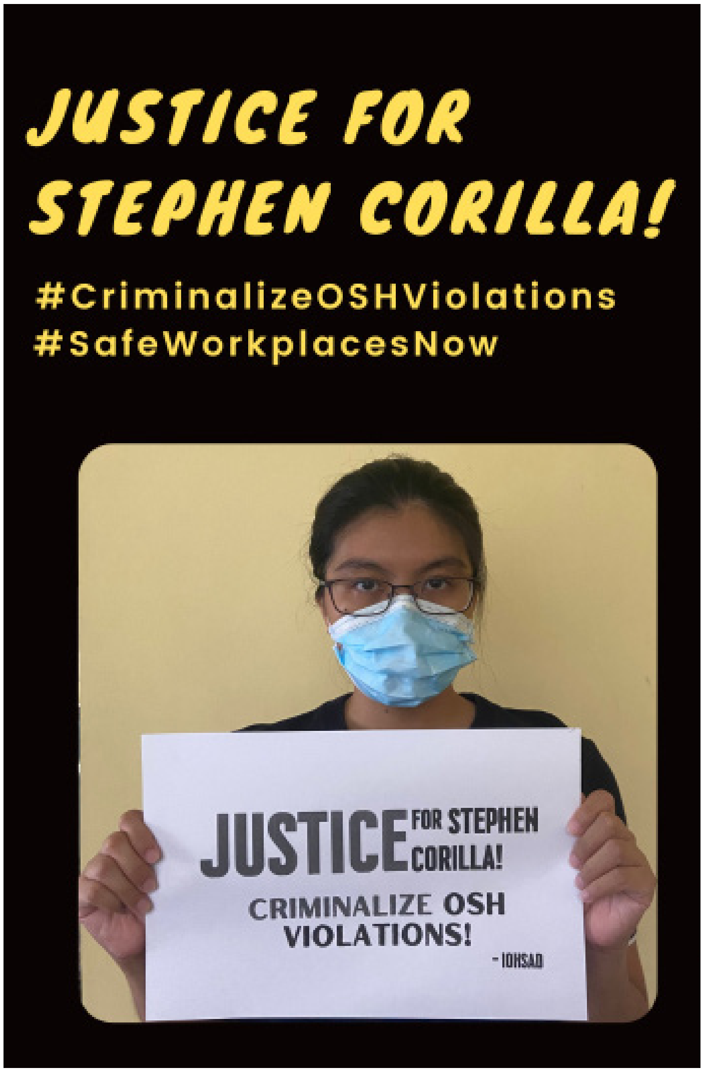


Photo from the Institute for Occupational Health and Safety Development

TIMELINE 2022
WORKERS' FIGHTS

MARCH 21

Transport strike was commenced by jeepney drivers in Negros Occidental. This was their response to the relentless price increase of oil products and the reluctance of the Duterte administration to suspend the imposition of excise tax to oil products.

APRIL 14

Contractual workers under the group Hugpong sa mga Mamumuong Nagkahiusa sa Universal Robina Corporation (HMN-URC) filed a protest to call out the illegal termination of 293 workers among their ranks. Many of them had been working for the company for 6-11 years, yet, remained contractual.

MAY 23

Gabay sa Unyon sa Telekomunikasyon ng mga Superbisor (GUTS-PLDT) filed its position paper with DOLE expressing their opposition to the union busting schemes by their employer. This followed after more than 200 Relationship Management Executive (RME) were terminated from the union even if the CBA clearly stipulates that such position is eligible to a member of the union.

JUNE

The series of petitions filed by workers groups for minimum wage increase resulted with wage boards in all regions to issue wage increase orders. Wage increases are between PhP 3 and PhP 110.

JUNE 4

The United Rank and File Employees of J&T Express (URFE) scored big win as their employer promised to recognize their union in a meeting at the National Conciliation and Mediation Board meeting. Said meeting came after the union launched a strike. The company also promised to reinstate dismissed workers, payment of unpaid benefits and deficient salary, and a commitment that no workers will be dismissed for joining the strike.

JUNE 16

Workers of Luico Tan Group's Tanduay factory in Negros Occidental stage a strike. The Tanduay Bottle Sorters Organization protest the union busting and harassment of its members and leaders.

JUNE 30

Following the protest of Food Panda riders in Davao City calling for the transparency in the computation of their income per delivery and condemning the imposition of 10-day suspension to those who joined said protest, the National Labor Relations Commission ordered Food Panda Philippines to pay all their riders it illegally dismissed. The compensation award amounted to PhP 2 million.

AUGUST 15

Around 630 contractual workers of the Oishi manufacturer Liwayway Marketing Corporation (LMC) in Mandaue City, Cebu received Notices of Termination due to LMC transferring operations to a new warehouse in Liloan, Cebu. The move came while the workers' appeal for regularization is still pending before the Department of Labor and Employment.

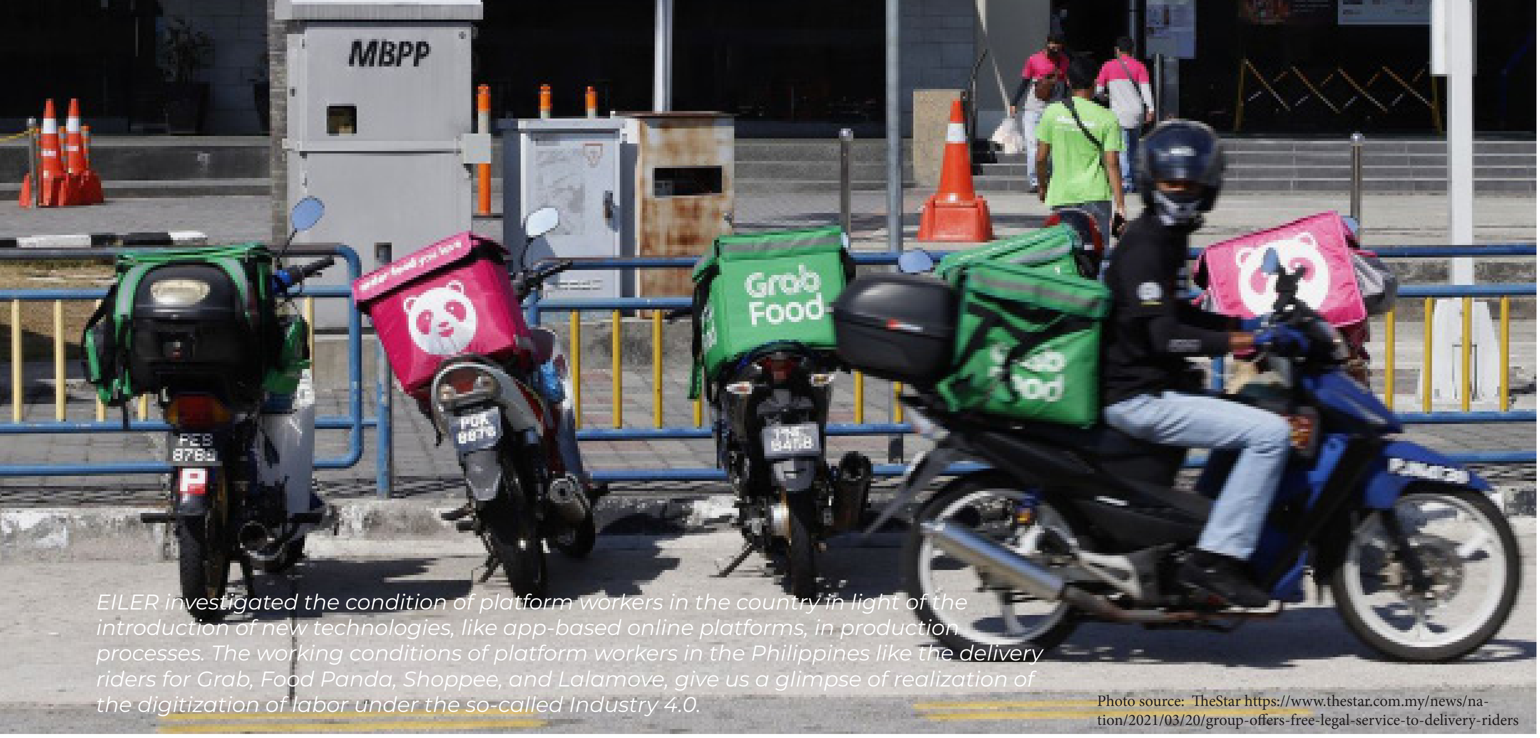
AUGUST 25

Around 500 Grab Riders in Angeles City, Pampanga stage a protest against arbitrary reductions in their delivery fares. Aside from arbitrary adjustments in their delivery rates, platform workers also face poor working conditions and other unfair labor practices - the consequences of a labor flexibilization scheme which obscures the employee-employer relationship.

AUGUST 29

Members of Pambato Cargo Federation Labor Union (PAMBATU) launched protests in front of the office of Pambato Cargo Forwarder, Inc. in Manila. They demanded the management to implement stipulations of their Collective Bargaining Agreement (CBA) which include salary increase, venue for General Membership Assembly, regularization, among other benefits.

WORKERS AND ADVOCATES CONTINUE TO FIGHT FOR LABOR RIGHTS AND THE DIGNITY OF WORK AMIDST THE WORSENING ECONOMIC AND POLITICAL CRISIS IN THE COUNTRY



EILER investigated the condition of platform workers in the country in light of the introduction of new technologies, like app-based online platforms, in production processes. The working conditions of platform workers in the Philippines like the delivery riders for Grab, Food Panda, Shoppee, and Lalamove, give us a glimpse of realization of the digitization of labor under the so-called Industry 4.0.

Photo source: TheStar https://www.thestar.com.my/news/nation/2021/03/20/group-offers-free-legal-service-to-delivery-riders

Industry 4.0 and the Rise of the Gig Economy

Technology has advanced rapidly during the past 30 years. The introduction of the internet and supercomputers have expanded and further socialized production like never before. This phenomenon has been dubbed by economists and big capitalists as the Fourth Industrial Revolution or known simply as Industry 4.0.

All of these technological advancements, however, are happening under the pretext of monopoly capitalism and neoliberal globalization. The use of digital platforms has allowed for faster and wider transactions between businesses and consumers, with online-based corporations like Amazon raking in billions of dollars in profits amid a devastating pandemic.

The combination of digitization and neoliberal globalization allowed outsourcing and other forms of exploitative working relations. Aside from outsourcing through BPOs, businesses have introduced schemes that blur employee-employer relationships such as freelance work under an emerging 'gig economy.' The pandemic and massive unemployment further popularized digital platform companies as alternative sources of income.

Digitization of Labor in the Philippines

During the early stages of the pandemic, platform workers provided invaluable service to those affected by the lockdowns. Delivery service apps capitalized on the immobility of the people and gained huge profits. Food Panda posted a 62% revenue jump by the last quarter of 2021. Amid the economic crisis which worsened under the pandemic, Grab reported a 39% growth and an all-time high in sales amounting to US$507 million for the first quarter or 2021.

Despite the monumental growth, riders suffer under very exploitative conditions. Under the guise of being treated as "rider partners" or "freelancers" instead of employees, these companies have blurred their employee-employer relationship with the riders which gave them the leeway to neglect benefits and other labor rights.

Based on the accounts of Grab cyclists as well riders for FoodPanda and Shoppee, being treated as freelancers absolves the company from any responsibility with the welfare of riders. This has even allowed the companies to arbitrarily change rider delivery rates.

Riders have reported diminishing income because of the arbitrary changes in the rates. In the past, some riders earned as much as PhP800 (US$16) in just six successful deliveries, almost PhP300 more than the 8-hour minimum wage in the country's capital. Nowadays, they earn as little as PhP48 (US$0.96) for every delivery within a 5-kilometer radius.

Despite the perilous nature of their job, they are not given proper occupational health and

FoodPanda riders protest in Davao City.
Source: Photo grabbed from Nonoy Librado Development Foundation, Inc.

It is the government's job to protect and ensure the rights of digital platform workers, especially in the time of the gig economy. However, the lack of government action continues to put digital platform workers in vulnerable positions.

safety benefits. No hazard pay nor medical insurance exist for the riders. The labor rights of women platform workers are neglected as well. They are also forced to pay for their uniform and other delivery equipment despite already paying for the maintenance and fuel of their vehicles.

Considered as 'partners' by the corporations, the platform workers in the gig economy are deprived of their bargaining rights, and the corporations do not provide grievance mechanisms. In November 2020, hundreds of disgruntled Grab cyclists decided to take their grievances to its head office, going against threats by management that they would be "laid off" if they organize a protest. Just recently, hundreds of Grab riders in the province of Pampanga stopped taking delivery orders and held a picket protest against the company's arbitrary changes in their fares which decreased their earnings.

Companies wield the power to virtually terminate riders, by blocking them from using the app, despite being treated as independent partners. FoodPanda riders from Davao were offboarded because they held a protest against the unfair working conditions. They are being deprived of their fundamental right as workers to form their own unions or associations.

It is the government's job to protect and ensure the rights of digital platform workers, especially in the time of the gig economy. However, the lack of government action continues to put digital platform workers in vulnerable positions.

Technology should serve everyone, not just the profiteering of the few. While digitization of production and the introduction of app-based services have made everyday tasks much easier for the rest of us, labor rights must not be compromised. Labor advocates, associations, and unions must continue to fight for humane working conditions amid digitization, and struggle to make technology genuinely serve mankind.

J&T Workers stage a strike..
Source: Mayday Multimedia

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