

# GENDER EQUALITY IN THE LABOR MARKET *in the Philippines*



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*in the Philippines*



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Printed in the Philippines.

ISBN 978-92-9254-403-4 (Print), 978-92-9254-404-1  
PSN RPT136187-3

Cataloging-in-Publication Data  
Asian Development Bank.

Gender equality in the labor market in the Philippines.  
Mandaluyong City, Philippines: Asian Development Bank, 2013.

1. Gender equality    2. Labor market    I. Asian Development Bank.

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# Abbreviations

ADB	–	Asian Development Bank
ASEAN	–	Association of Southeast Asian Nations
BPO	–	business process outsourcing
CEDAW	–	Convention on the Elimination of All Forms of Discrimination against Women
DOLE	–	Department of Labor and Employment
ECCD	–	early childhood care and development
FAO	–	Food and Agriculture Organization of the United Nations
GDP	–	gross domestic product
GREAT	–	Gender-Responsive Economic Actions for the Transformation of Women
ILO	–	International Labour Organization
LFPR	–	labor force participation rate
MDG	–	Millennium Development Goal
MSMEs	–	micro, small, and medium-sized enterprises
NGO	–	nongovernment organization
PCW	–	Philippine Commission on Women
PDP	–	Philippine Development Plan
PESO	–	public employment service office
PLEP	–	Philippine Labor and Employment Plan
SMEs	–	small and medium-sized enterprises
TESDA	–	Technical Education and Skills Development Authority
TVET	–	technical and vocational education and training
UNDP	–	United Nations Development Programme
WRTS	–	wholesale and retail trade and services

## **International Labour Organization Conventions**

C2	–	Unemployment Convention
C81	–	Labour Inspection Convention
C84	–	Right of Association
C87	–	Freedom of Association and Protection of the Right to Organise Convention
C88	–	Employment Service Convention
C94	–	Labour Clauses (Public Contracts) Convention
C96	–	Convention Concerning Fee-Charging Employment Agencies (revised)
C98	–	Right to Organise and Collective Bargaining Convention
C100	–	Equal Remuneration Convention
C111	–	Discrimination (Employment and Occupation)
C129	–	Labour Inspection (Agriculture)
C144	–	Tripartite Consultation (International Labour Standards) Convention
C154	–	Collective Bargaining Convention
C156	–	Workers with Family Responsibilities Convention
C181	–	Private Employment Agencies Convention

# Foreword

Increasing job opportunities and decent work for women are essential for inclusive growth, and they are vital for advancing economic and social development in a country. This approach to attaining economic and social wealth is based on reliable academic and statistical evidence and is increasingly accepted by international and national financial and development organizations across the globe, including in Asia. However, attitudes toward providing decent work to men and women alike, irrespective of their ethnic origin and class, continue to be ambiguous, complex, and controversial, because the issue touches on deeply felt societal values in interpersonal relations, culture, religion, economics, and politics.

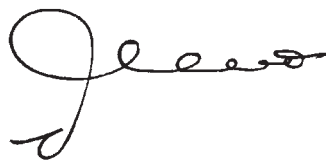
In Asia, as in other parts of the world, it is mostly women who continue to experience the greatest disadvantages resulting from gender inequalities and entrenched discrimination in work and in life. The economic and social contributions made by women in the family, the workplace, and society tend to be devalued. There are, however, many strategies which have been developed to counter gender discrimination and promote equality for working men and women through legislation and social and economic policies to reverse the unequal labor market outcomes for women.

In order to document the nature and extent of gender inequalities in the labor market, as well as to capture and share these promising initiatives, the Asian Development Bank (ADB) initiated studies in three countries—Cambodia, Kazakhstan, and the Philippines—to identify how these countries promote gender equality in their labor markets. In addition, in view of the interest in sharing good practices in developing member countries, ADB, in cooperation with the International Labour Office in Bangkok, supported the production of two global good practice reports—one on legislation and legal practices and the other on economic and social policy practices—as well as updates for Cambodia and the Philippines. This report on gender equality in the labor market in the Philippines was undertaken with the support of the Philippine Commission on Women.

The product of this combined project is five reports. The two global reports, authored by Robyn Layton and Fiona MacPhail, illustrate how the combination of good practices in law and social and economic policies working together can improve equitable employment opportunities, remuneration, and treatment for women and men at work. It is important for social justice and is also smart economics. Another report, also authored by Robyn Layton and Fiona MacPhail, analyzes and makes recommendations for gender equality in the labor market in Cambodia, Kazakhstan, and the Philippines. The series concludes with two reports on gender equality in the labor market, focused on the situation in Cambodia and the Philippines, to support the development of decent work and gender equality good practices in these countries.



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# Acknowledgments

We would like to thank the authors, Robyn Layton, former Judge of the Supreme Court of South Australia, now Adjunct Professor of Law, University of South Australia and Fiona MacPhail, Professor of Economics, University of Northern British Columbia, for their dedication in writing the reports on gender equality in the labor market in Cambodia, Kazakhstan, and the Philippines, and on the global good legal, economic, and social practices to promote gender equality in the labor market. Appreciation is also extended to Imrana Jalal of the Asian Development Bank for guiding and technically supporting the preparation of the reports, and to Nelien Haspels of the International Labour Organization for her valuable support and extensive inputs. We also acknowledge the national consultants Leda Celis, Myla Magsombol, and Carolyn Sobritchea of the Philippines for gathering research materials and for writing the first draft. We are also indebted to the Philippine Commission on Women for their collaboration in the production of this report, in particular to Emmeline Verzosa for her peer review and comments. Many thanks also go to Lisa Cox for compiling the final version of this country report on gender equality in the labor market. The careful editing of the report by Jennifer Verlini is gratefully acknowledged. We hope that readers will find this a useful and thought-provoking source of information for legislative reform and policy ideas.

# Executive Summary

This report on gender equality in the labor market in the Philippines is drawn from studies by a team of international consultants selected by the Asian Development Bank (ADB) for a technical assistance project on promoting gender equality in Asian labor markets for inclusive growth, implemented in cooperation with the International Labour Office (ILO), Bangkok. This report comprises a gendered analysis of the Philippines' labor market, policies, and legislation, and provides recommendations for policies and legislation that have the potential to expand or improve employment and work opportunities for women in specific sectors in the Philippines. The report provides a summary of findings and recommendations that are specifically relevant for the Philippines from an analysis of gender equality and the labor markets in Cambodia, Kazakhstan, and the Philippines, and two global good practice reviews: one on social and economic policy and the other on legislation (ADB 2013a; ADB and ILO 2013a; ADB and ILO 2013b).

## Major Themes of Gender Inequality and Constraints on Women in the Market

Key mechanisms for attaining inclusive growth for women requires expanding employment opportunities and decent work outcomes for women to promote gender equality in labor markets. Economic growth in the Philippines, however, has not translated into sufficient employment growth and the employment growth has not been inclusive for women. Generally speaking, there has been little improvement in gender equality in the labor market, as measured by the share of women in waged employment in the nonagriculture sector. In the Philippines, the estimated proportion of women's annual earnings to men's annual earnings stands at less than 60%.

However, employment growth alone is not sufficient to judge whether there is inclusive growth, especially in low-income countries where there is significant underemployment and a large informal employment sector. Gender inequality in the labor market is ascertained here by reference to seven gender gaps (or deficits for women): labor force participation, human capital, the unpaid domestic and care work burden, vulnerable employment, wage employment, decent work, and social protection. Despite a variety of gender-responsive legal and policy initiatives, an assessment of the labor market in the Philippines reveals that although some gender gaps have been reduced, women still suffer from persistent gender deficits.

### Labor Force Participation Rate Gap

Some progress has been made in reducing the gender gap between men and women in the labor force participation rate (LFPR), which now stands at 29 percentage points. The lower LFPR of women, compared to that of men, represents an underutilization of women's labor in the paid labor market which arises from inferior employment and decent work opportunities, human capital differences, and unpaid domestic labor and care constraints.

**Key mechanisms for attaining inclusive growth for women requires expanding employment opportunities and decent work outcomes for women to promote gender equality in labor markets**

## Human Capital Gap

A gender gap in human capital reflects gender segregation in the types of training and education available to women which may constrain their labor force participation. The Philippines has achieved gender parity in primary and secondary education, but there are still qualitative differences due to gendered segregation in the types of training and tertiary education.

## Unpaid Domestic and Care Work Gap

**There is a strong gendered division of domestic labor ... Women are not only more likely to be in vulnerable employment, but they are also more likely to be in the category of unpaid contributing family members, which offers the least opportunities for decent work**

There is a strong gendered division of domestic labor with women having primary responsibility for household and care work and a higher total work burden relative to men. In the Philippines, women provide 84% of the total household time allocated to child care. Gendered social norms contribute to women having greater responsibility for, and time commitments to, domestic and unpaid care work, and this has been slow to change despite women's increased participation in, and time allocated to, paid work. Relatively high fertility rates continue to raise the demand for women's unpaid labor, especially given the low provision of child care services.

## Vulnerable Employment Gap

The gender gap in vulnerable employment (being the sum of own-account and unpaid contributing family workers) is 6 percentage points in the Philippines. Women are not only more likely to be in vulnerable employment, but they are also more likely to be in the category of unpaid contributing family members, which offers the least opportunities for decent work.

## Employment Rate Gap

Women in the Philippines have significantly lower employment rates than men, which in 2012 gave rise to a gender gap of 26.2 percentage points in the employment rate.

## Decent Work Gap

"Decent work" includes a number of dimensions, such as rights at work, security of work, work conditions, representation and voice, and patterns of equality. The decent work gender gap exists partly because women have less access than men to wage employment. One major indicator of decent work is the level of remuneration. Low-wage work is generally indicative of a lack of decent work and is more prevalent among women. Over the past decade, the average daily basic pay, in real terms, has declined for both women and men in the Philippines. Among employees, the gender wage gap based upon the daily wage rate shows a slight wage advantage for women in the Philippines. However, once human capital gender differences are taken into account, the gender wage gap is between 23% and 30%, demonstrative of the high level of gender inequality in the labor market.

## Social Protection

A gender gap in social protection, particularly access to social insurance, exists largely because women have less access to formal wage employment.

## Addressing Challenges and Reducing Constraints on Women in the Labor Market

In summary, despite a decline in the gender gap in labor force participation, the gender gap in productive and decent work persists in the Philippines. Women are subject to the deficits of less available work, more vulnerable work, and the unpaid work burden, and in many occupations and industries are paid at a lower rate than men even when they do find work.

The main constraints on women in the labor market are domestic work and care burdens, and women's more limited access to resources, including education, training, government services, credit, and financial services. Women also face pervasive discrimination, including lack of social protection in most aspects of their employment and work.

The Philippines faces the task of generating employment growth, reducing vulnerable employment, and improving decent work opportunities. This will require broad macroeconomic responses to expand employment opportunities, as well as policies and legislation to improve decent work, social protection and active labor market support.

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## Policies

Gender equality is not recognized as a normative macroeconomic goal in the Philippines' national development plan. The use of macroeconomic policies to directly expand employment has been limited and gendered impacts remain underexplored. By contrast, trade policies have been linked with employment, and the Philippines has identified employment targets or indicators.

There is a need for country-specific analyses of the gendered impacts of fiscal and monetary policy, along with gender-sensitive and transformative program design and implementation. Reducing women's unpaid domestic and care work is an important strategy to facilitate the participation of women on more equal terms with men in the labor market. This includes developing a child care services framework policy. Similarly, the promotion of the export of goods and services should be linked with an analysis of the gendered employment effects. Such an analysis should be complemented with an employment analysis of import policies (typically tariff reductions).

There are opportunities to build upon some existing positive elements. In the Philippines, an employment-led growth model is envisaged and employment targets are set, though they are not sex-disaggregated. It is recommended that increased employment be recognized as a macroeconomic goal and that gender-equitable targets are set and monitored.

## Active Labor Market Supports

The Philippines should increase the engagement of women in relevant technical and vocational education and training (TVET) programs, linking these to the labor market and ensuring that women have access to training in nontraditional fields. This requires increased connection with industry and employer groups and the development of public-private partnerships, including links with public and private employment agencies. Each stage should involve women and should specifically target their needs before they take up TVET programs. Furthermore, young women frequently require specific encouragement to undertake nontraditional curriculum studies that will open up future employment opportunities on an equal basis with men. Such training programs need to be accompanied by measures to reduce discrimination against women being hired in nontraditional occupations and industries. Also, the government must address the fact that the informal sector (in which women are disproportionately employed) lacks social security coverage by developing a national social protection strategy for informal workers.

## Legislation and Mechanisms

Although guarantees of equality and nondiscrimination are embedded in the Philippines' constitution and labor legislation, further improvements are required. For example, legislation should be amended to properly enact the concept of "equal remuneration for work of equal value," which is relevant to reducing the wage gap. It is recommended that steps be taken to develop and implement an independent minimum wage-setting process that is transparent, applies objective criteria, and includes the involvement of social partners. Additionally, limiting the use of multiple short-term contracts is good legislative practice to address one important aspect of precarious work.

The Philippines should seek ways to provide effective, simple, and well-publicized mechanisms to encourage women to make complaints and seek redress for discrimination and sexual harassment in their working environments. Women's voices need to be heard on these issues, and women's participation through trade unions and women's collectives and organizations should be encouraged. The Philippines also needs to address structural issues and funding challenges in order to improve the effectiveness and coverage of the labor inspectorate. Initiatives may include developing public-private partnerships to achieve improved labor inspection and using social dialogue.

### **Gender Mainstreaming, Gender Targets, and Gender Action Plans**

**Gender budgeting and auditing in the Philippines are good examples of policy innovation, but these should be expanded and monitored more closely to ensure implementation**

Men and women face different constraints in obtaining productive employment, decent work, and/or government services. Because women are the most disadvantaged and suffer the most deficits, strategies to address their specific constraints must be developed. Such strategies include gender mainstreaming and gender-specific programs. The mechanisms include sex-disaggregated data, targets (e.g., quotas for women in services received, employment targets, and targets for beneficiaries of services), gender budgets, and opportunities for women in the civil service, nongovernment organizations (NGOs), and the private sector.

Gender budgeting and auditing in the Philippines are good examples of policy innovation, but these should be expanded and monitored more closely to ensure implementation. It is recommended that the Philippines introduce target setting in sector policies, as setting explicit targets and monitoring and assessing outcomes is one of the most important ways to reduce gender inequality.

### **Expanding and Improving Decent Work Opportunities for Women**

It is recommended that the Philippines expand employment and decent work opportunities for women in the agriculture, industry, manufacturing, and services (tourism and public service) sectors, as well as in entrepreneurship.

#### **Agriculture**

Agriculture is one of the largest sectors of women's employment in the Philippines and is identified as a priority for development and export, with food security being an important goal. Despite ongoing agrarian reform, when compared with men, women own less land in their own name than men and are disadvantaged through inheritance laws and land titling systems and in their ability to purchase land. Women are more likely than men to be responsible for subsistence crops and to lack access to cash crops and the resulting income. Furthermore, women receive less agriculture extension training and less credit. In addition to reducing gender-specific constraints in agriculture, there are also opportunities to support women's paid work in processing and value-added production.

The overarching agricultural policies and plans do not address the situation of women in the sector, although there are references to gender issues in a number of plans and strategies. It is recommended that the government develop an overarching agricultural strategy to reduce constraints on women, increase women's productivity and incomes, and ensure their inclusion in the transition from subsistence to commercial agriculture. Improving the collection and analysis of sex-disaggregated data is an essential prerequisite enabling the mapping of where women work, the products they produce, and their roles in production.

## Manufacturing and Industry Sectors

The Philippines has an export-oriented development strategy that is designed to promote economic growth through industrial production, manufacturing, and employment, while also taking advantage of resource endowments and creating supportive policies and laws.

Women's share in manufacturing employment has declined over the previous decade, along with a decline in absolute employment numbers. However, the past few years have shown a slight increase in absolute numbers, which is potentially indicative of a turnaround in the sector's employment prospects. Most manufacturing is conducted in economic zones. The percentage of women working in such zones is estimated to be 64% and may be even higher in industries such as electronics and apparel. The overarching manufacturing policies are essentially gender-blind, and the government appears to be crafting an integrated manufacturing plan to increase growth and diversification. Such a plan is needed to ensure identification of subsectors and products that can enhance women's employment and that also make provisions to include rural women. Women's involvement and interests should also be factored into all stages of the development of such a plan.

## Services

The services sector is large and heterogeneous in productivity, incomes, and decent work. The wholesale and retail trade and services (WRTS) sector accounts for a large share of women's employment in the Philippines and typically comprises self-employed workers and microenterprises that sell food and household goods and make repairs on vehicles. Women are overrepresented, accounting for approximately 60% of all WRTS workers in the country. The constraints and opportunities for women entrepreneurs, including in the WRTS sector, are discussed as a separate topic under entrepreneurship in this report.

Other services subsectors that offer present and future opportunities to expand and advance women's employment include public sector employment, tourism, and business processing outsourcing (BPO). Public sector employment typically offers better opportunities for decent work and social protection than private sector employment. However, women comprise only 40% of the total public administration sector.

Tourism is already a priority for the Philippines, but there are further opportunities to increase the gender responsiveness of the tourism strategy. Tourism provides employment opportunities for women at a number of different occupational levels, and ecotourism in particular could provide significant opportunities for rural women. Important policy issues to be addressed include the effects of tourism on the physical environment and the social and cultural structure of the country, and such risks as an increase in sex tourism and trafficking of women and girls. These issues require a combination of legislation and policies, and women should be involved at all stages of their development. In addition, policies should incorporate focused action plans that contain targets for the participation of women across all subsectors of tourism and related sectors.

Finally, the BPO sector has experienced rapid growth over the past decade, although it only accounts for about 1.7% of total employment. Nonetheless, the sector is an important source of employment for college-educated women. Further expansion of employment and improvement of decent work opportunities for women in the BPO sector will require ensuring that women obtain appropriate skills across all categories of present and future BPO activities; measures to increase the entry of women into the areas presently dominated by men, such as hardware and software technology-based jobs; examining employment practices and the reasons for pay differentials among men and women in various jobs; and enhancing safety and working conditions.

## Entrepreneurship

**Measures to support and facilitate women upgrading their businesses and employment circumstances are necessary**

When setting up a business, women have different motivations and requirements than men. For instance, women need access to improved microcredit programs and can benefit from improved access to information, training, and outreach services to build their capacity to start up their businesses and upgrade them over time. Measures to support and facilitate women upgrading their businesses and employment circumstances are necessary to encourage a progressive integration of women's businesses into the formal economy. This report makes recommendations in this area, particularly with relation to women in rural areas, and highlights examples of good practice.

# Introduction

This report analyzes gender equality in the labor market and related policies and legislation in the Philippines, and concludes with recommendations to promote gender equality. The report draws from a country study; a regional synthesis report on gender equality in the labor markets of Cambodia, Kazakhstan, and the Philippines (ADB 2013a); and other secondary literature; as well as two global good practice reviews: one on economic and social policy, and one on legislation (ADB and ILO 2013a; 2013b).

The Philippines has been a self-governing commonwealth state since 1935 and formally attained independence as a republic in 1946. The geographic composition of the country, which consists of 7,107 islands, makes it highly challenging to administer and complicates the provision of infrastructure, services, and programs. It also contributes to regional inequalities and differential employment and work opportunities. The Philippines has a large population, estimated at just under 100 million, making it the world's 12th most populous country.

The Philippines has a proud tradition of gender advancement. It was one of the first republics in Asia to grant women's suffrage and has ratified several international agreements, including the Convention on the Elimination of All Forms of Violence against Women (CEDAW)<sup>1</sup> and the international labor standards associated with the fundamental principles and rights at work. These include the Equal Remuneration Convention (C100) and the Discrimination (Employment and Occupation) Convention (C111).<sup>2</sup> In 1987, the government introduced a constitution that legislatively affirmed women's equality with men.<sup>3</sup> The Philippine Development Plan for Women was also established in 1987, followed by the Philippine Plan for Gender-Responsive Development 1995–2025 and the Framework Plan for Women. The Philippines has many good practice policies and objectives and has passed gender-sensitive legislation; however, it continues to struggle to operationalize these through specific, targeted actions so as to deliver real outcomes for women.

The Philippines has shown improvement in women's political participation and women are increasingly visible as leaders and decision makers. There have been two women presidents and one vice-president. In the 2010 elections, two women were reelected as senators and the number of women in the House of Representatives increased from 21 in 1995 to 45 in 2007. Locally, there was a steady increase in the number of women elected for the city and municipal governments, particularly as governors, vice mayors, and councilors.

## Major Themes and Challenges

With respect to enhancing and improving women's employment and work, the Philippines faces a number of challenges. First, it has an extensive rural population and relies on the agriculture sector for employment, economic growth, exports, and food security. The agriculture sector is a significant source of employment for women and is important for poverty reduction in rural

The Philippines has a proud tradition of gender advancement... has many good practice policies and objectives and has passed gender-sensitive legislation; however, it continues to struggle to operationalize these

<sup>1</sup> General Assembly resolution 34/180, 34 U.N. GAOR Supp. (No. 46) at 193, U.N. Doc. A/34/46, entered into force 3 September 1981.

<sup>2</sup> See ILO (1951; 1958).

<sup>3</sup> The 1987 Constitution of the Republic of the Philippines. <http://www.gov.ph/the-philippine-constitutions/the-1987-constitution-of-the-republic-of-the-philippines/>



areas. Agriculture is the second largest sector for women’s employment in the Philippines (22%). Despite the significance of agriculture, however, few farmers—and in particular women farmers—have access to high-quality inputs, credit, or information on farming techniques and markets.

**[C]hallenges for women in the labor market include the unpaid domestic work and care burden; their limited access to resources, including credit and financial services; inadequate education and lack of training programs; government services; disadvantages in social protection coverage; and pervading discrimination**

Other challenges for women in the labor market include the unpaid domestic work and care burden; their limited access to resources, including credit and financial services; inadequate education and lack of training programs; government services; disadvantages in social protection coverage; and pervading discrimination in most aspects of employment and work. Strategies to promote gender equality for inclusive growth in the labor market must reflect the Philippines’ specific historical and current conditions.

### **Structure of the Report**

The present report is divided into five sections. Following this brief introduction and background, Section II presents a gendered analysis of employment and inclusive growth in the Philippines. Section III is a gendered analysis of policy covering macroeconomic policy, employment policy, sector policies, and labor market supports, with reference to global good practices. Section IV discusses the legislative frameworks, provides a gendered analysis of various policies and laws in the context of global good practices, and offers recommendations to further promote and enhance women’s work. Finally, Section V offers some concluding remarks and observations.

# Gendered Employment and Inclusive Growth



## Review of Key Terms

**G**ender equitable employment and decent work are necessary for achieving gender equality and inclusive growth. The following is an explanation of the key terms:

**Inclusive growth**, as defined by the Asian Development Bank (ADB), means “raising the pace of growth and enlarging the size of the economy, while leveling the playing field for investment and increasing productive employment opportunities, as well as ensuring fair access to them. It allows every section of the society to participate in and contribute to the growth process equally, irrespective of their circumstances” (ADB 2011a, 4). ADB’s inclusive growth strategy comprises three elements: sustained growth and productive employment, social inclusion, and equal access to economic opportunity and social safety nets (ADB 2011d). Thus, inclusive growth requires an expansion of productive employment and decent work, and labor markets must be rebalanced to ensure that women gain greater benefits from employment opportunities.

[I]nclusive growth requires an expansion of productive employment and decent work, and labor markets must be rebalanced to ensure that women gain greater benefits from employment opportunities

Many international agencies and national governments recognize the contribution of gender-equitable employment to inclusive growth (ADB and ILO 2011; ILO 2009a; World Bank 2011b; World Bank 2012c; UNRISD 2010). Gender-inclusive growth requires that productive employment and decent work increases and that the gender gap declines across a range of employment-related indicators. According to the International Labour Organization (ILO), this means promoting gender equality in the labor market toward achieving equality of opportunity and treatment, and equal remuneration for work of equal value.

The International Monetary Fund argues that gender matters for efficiency reasons, because of the “misallocation of women’s labor as a result of discrimination, social norms, of lack of opportunity results in economic losses” (IMF 2013, 52). The importance of productive employment, decent work, and gender equality in the labor market is also reflected in the United Nations Millennium Development Goals (MDGs). Target 1.B: Achieve full and productive employment and decent work for all, including women and young people, was added in 2008 to measure progress toward MDG 1: Eradicate extreme poverty and hunger. Gender-specific education and employment targets are included to measure MDG 3: Promote gender equality and empower women. Key indicators for MDG 3 are the ratio of girls to boys in primary, secondary, and tertiary education; the share of women in wage employment in the nonagriculture sector; and the proportion of seats held by women in the national parliament (UNDP 2008b).

**Decent work**, as defined by the ILO, “involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men” (ILO website Decent Work). Decent work requires

consideration not only of levels of remuneration but also of: rights at work; security in work; conditions of work; organization, representation, and voice; and patterns of equality and inclusion (Rodgers 2008, 66). Indicators to measure these decent work dimensions have been proposed but data limitations still curtail concrete analysis of decent work patterns.<sup>4</sup>

**[G]ender equality is not a complicated idea. It's simple: women must have the same rights as men and discrimination has to stop**

Gender equality in the labor market requires going beyond the counting of wage employment to an analysis of decent work for men and women.<sup>5</sup> Women are often subject to vulnerabilities through working in jobs that have “decent work deficits.” Women are likely to be engaged in vulnerable employment (defined as own-account work and unpaid contributing family work) that is characterized by “low productivity (return for labor), drudgery (in terms of working hours and working conditions), and lack of access to social protection and basic workers’ rights” (Otoabe 2011, 9). Gender inequality in the labor market is indicated by not only the higher share of women in vulnerable employment but also the gender wage gaps, and occupational and industrial segregation by sex. Despite increases in women’s labor force participation rates and human capital, women’s share of vulnerable employment has increased indicating that without good policies and special measures to close gender gaps, gender equality in the labor market will persist. Thus, promoting gender equality in the labor market encompasses the whole decent work spectrum and is geared toward achieving equality in labor market outcomes for men and women.

**High quality employment** is associated with high wages, high employment security, good work-life balance, and high social protection (ADB 2011c, 6). A lack of data precludes direct measurement of employment quality; therefore, ADB uses employment status or class of worker data as a proxy. Wage and salary workers are viewed as having high quality jobs, whereas own-account and unpaid contributing family workers are considered to have lower quality jobs. This is only a proxy, because some wage workers, particularly those in small enterprises, will not have benefits, social security, or job security, and some own-account workers will have high and stable incomes. ADB’s measurement of low quality jobs is consistent with the ILO definition and measurement of vulnerable employment, which is defined as the sum of own-account workers and unpaid contributing family workers.

**Productive employment** is defined by the ILO as “employment yielding sufficient returns to labor to permit the worker and her/his dependents a level of consumption above the poverty line” (ILO 2012d, 3).

**Gender equality** is recognized as a human right. The Department for International Development (DIFD) of the United Kingdom (2007, 2) notes that “gender equality is not a complicated idea. It’s simple: women must have the same rights as men and discrimination has to stop.” The World Bank, in its flagship publication World Development Report 2012, has recognized that “gender equality matters in its own right.”<sup>6</sup> Thus, gender equality is viewed as an independent development objective, as well as for instrumental reasons contributing toward efficiency and growth—the idea of gender equality being “smart economics” (World Bank 2011b, 3). That is, gender equality is a pragmatic policy goal that enhances growth and development.

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<sup>4</sup> For the 10 indicators, see ILO (2012c).

<sup>5</sup> As Floro and Meurs (2009, 4) note “ [w]omen’s participation paid labour and access to decent work is particularly affected by the burden of combining reproductive and paid work. This adds stress not accounted for in traditional conceptions of decent work, which focus on paid work and do not examine related changes in reproductive labour.”

<sup>6</sup> The World Bank (2011b, 3) states that “gender equality matters intrinsically, because the ability to live the life of one’s own choosing and be spared from absolute deprivation is a basic human right and should be equal for everyone, independent of whether one is male or female.”

ILO Conventions 100 and 111<sup>7</sup> lay out some important principles for understanding gender equality in the labor market, and achieving equality in labor market outcomes. They cover both equality of opportunity, in terms of access to labor markets and labor market-related enhancements such as training and social protection, and equality of treatment, in terms of nondiscriminatory remuneration and conditions of work.

The ILO enumerates three principles that must be included in the concept of gender equality in the labor market: The first principle is “equal remuneration between men and women for work of equal value.” This accords with ILO’s fundamental principle set out in the Equal Remuneration Convention (C100), and requires not only that men and women are equally rewarded when they do the same jobs but also that they are rewarded equally when they do different jobs but which may be of equal value. The convention calls for “equal value” to be assessed by objective appraisal of jobs on a nondiscriminatory basis.<sup>8</sup> Conceptually, the equal remuneration principle applies to all work in both the formal and informal sectors, although, in practice, this may be difficult to monitor. The second and third principles are laid down in ILO’s fundamental Discrimination (Employment and Occupation) Convention (C111) on eliminating discrimination in employment and occupation by promoting equality of opportunity and treatment in the labor markets. The second principle, equality of opportunity, “means having an equal chance to apply for a job, to attend education or training, to be eligible to attain certain qualifications and to be considered as a worker or for a promotion in all occupations or positions, including those dominated by one sex or the other.” The third principle is that of equality of treatment, which “refers to equal entitlements in pay, working conditions, security of employment, reconciliation between work and family life, and social protection” (ILO 2008b, 20).

**ILO Conventions 100 and 111 lay out some important principles for understanding gender equality in the labor market, and achieving equality in labor market outcomes ... equality in labor market outcomes: equal opportunity, remuneration and treatment**

Despite the recognition of gender equality in law, there has been a lack of progress toward gender equality of outcomes in the labor market. The term gender equity is therefore used to emphasize that specific strategies are needed to ensure gender equality and fair and just outcomes for women as well as men. Such strategies are referred to as “special measures of protection and assistance” in C111 and as “temporary special measures” in CEDAW.<sup>9</sup>

The importance of attaining these equalities derives not only from their intrinsic moral value but also, as noted above, from their economic and social benefits. Given the positions of disadvantage that many women experience around the world, a movement toward gender equality in the labor market would bring with it significant economic and social benefits. There is, as the United Nations Development Programme (UNDP) puts it, a “business case” for gender equality (ILO 2008b, 2) or as the World Bank (2011b) states, “[g]ender equality matters for development—It is smart economics.” The economic benefits arise from the productivity increases which come from better education and training of a currently less-than-optimally-educated and -trained segment of the population. Increasing women’s human capital and employment opportunities improves resource allocation and contributes to economic growth.

But increasing women’s income through labor force participation does much more than this. Studies have shown that women who earn cash income attain greater autonomy within the household, and this changes the distribution of resources within the household.<sup>10</sup> This reallocation typically favors children and female children in particular. The increase in women’s autonomy (a snapshot) also contributes to an increase in women’s empowerment (a process) defined as

<sup>7</sup> See ILO (1951; 1958).

<sup>8</sup> This requires comparing factors such as skill, effort, responsibilities, and working conditions. This would include, for example, comparing female-dominated jobs systematically with male-dominated jobs through job evaluations, taking note of women’s skills which are frequently undervalued (ILO 2007a, para 4). See also Oelz, Olney, and Tomei (2013).

<sup>9</sup> The author is appreciative of communication with Nelien Haspels on this point.

<sup>10</sup> For a review of the intra-household mechanisms through which such allocations occurs, see Braunstein (2008).

the “processes by which those who have been denied the ability to make choices acquire such ability” (Kabeer 1999, 6). This then links with the wider findings that increases in women’s educational levels and income are associated with lower fertility, lower infant mortality rates, and decreased malnutrition incidence (UNDP 2008a, 1).

**Gender mainstreaming** requires that gender analysis be incorporated into all existing policy and decision making, in both the public and private sectors, to ensure that policies and decisions are gender equality-enhancing at best, or gender-neutral at minimum. Gender-specific policies, in contrast, are designed to address and reverse existing disadvantages directly by the introduction of policies targeted for women.<sup>11</sup>

**Gender mainstreaming pays particular attention to institutional decision making and evaluation. It requires policy makers to acquire a “gender reflex”**

Gender mainstreaming pays particular attention to institutional decision making and evaluation. It requires policy makers to acquire a “gender reflex,” that is, to ask what effect any policy will have on men and women (Rubery 2005, 1). To include gender analysis of effects in labor market policy formation requires that gender-disaggregated statistics be collected for all critical decent work components to inform policy formation. This is one of the first tasks of gender mainstreaming. Other institutional measures can also be taken. Examples of how this has been achieved by European Union (EU) members in the public sector, a sector which is often expected to take the lead in this regard and to provide an example for the private sector, include

- gender mainstreaming in developing national strategies;
- interministerial committees and steering groups tasked with gender mainstreaming;
- departmental task forces for specific monitoring and evaluation of programs;
- gender parity/equality advisors on key committees;
- gender analysis of budgets;
- guidelines for gender mainstreaming of government employment policies;
- gender assessment of all new legislation; and
- funding for nongovernment organizations (NGOs) promoting gender equality (Fagan et al. 2005, 574–75).

Affirmative or positive action. Positive action means special temporary measures or more favorable treatment to members of disadvantaged groups in order to speed up the pace of their recovery from long-standing, entrenched discrimination (e.g., hiring targets or quotas for groups that have been subject to discrimination). Giving effect to the principle of equal opportunity and treatment means more than treating persons in the same way: It calls for initiatives to give all individuals the opportunity to compete on an equal footing for decent work. Consequently, positive action is not discriminatory because it aims at leveling the playing field when long-standing segregation has occurred and simply outlawing discrimination is not enough (ILO website Discrimination in the Workplace).

## Decent Work and Development in the Philippines

The ability to provide productive employment and decent work is expected to vary according to a country’s level of development. Low-income, low-human development countries with a high percentage of gross domestic product (GDP) and employment remaining in agriculture will find it difficult to provide productive employment and decent work. Countries with higher levels of productivity and incomes will be more able to provide productive employment and decent work. There is a positive statistical relationship between cross-section GDP per capita and the percentage of wage workers in total employment (ADB 2011c, Figure 10).

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<sup>11</sup> Key documents highlighting good practices on gender and employment are ILO (2004); Chen, Vanek, and Carr (2004); EU (2000); ILO (2008b); and UNDP (2008a). For tools on gender and employment mainstreaming, see ILO (2011f). For further resources, see ILO (2007b).

The Philippines is a lower-middle income country with a per capita gross national income of \$2,210 and a Human Development Index of 0.654. The Philippines' Gender Inequality Index score, which measures gender disadvantage across reproductive health, empowerment, and the labor market, is 0.418 (see Table 1).<sup>12</sup>

**Table 1 Development and Population Indicators in the Philippines**

Development and Population Indicator	Philippines
Per capita gross national income, 2011	\$2,210
Human Development Index ranking, 2012	0.654
Gender Inequality Index value, 2012	0.418
Gender Inequality Index ranking, 2012	77
Population, 2011	94.2 million
Average per annum population growth, 2000–2011	1.9%
Fertility rate (births per woman), 2010	3.1
Population increase, 2000–2011	17.4 million
Poverty (national threshold), 2012	28%
Poverty (\$1.25 threshold), 2009	18%
Poverty (\$2 threshold), 2009	40%
Income inequality (Gini coefficient), 2009	0.43

Note: The Gender Inequality Index reflects gender disadvantage based on five indicators across areas of reproductive health, empowerment, and the labor market; it ranges from 0 (perfect equality between men and women) to 1 (complete inequality).

Sources: Asian Development Bank. 2011. *Key Indicators for Asia and the Pacific 2011*. Manila. Tables 1.1, 1.2, 1.17, and 2.3; Government of the Philippines, National Statistical Coordination Board. 2013. Time Series Data. <http://www.nscb.gov.ph/poverty/dataCharts.asp>; United Nations Development Programme. 2013. *Human Development Report 2013*. [http://hdr.undp.org/en/media/HDR2013\\_EN\\_Statistics.pdf](http://hdr.undp.org/en/media/HDR2013_EN_Statistics.pdf); World Bank. World Development Indicators. <http://data.worldbank.org/data-catalog/world-development-indicators>.

Although it industrialized early, the Philippines' subsequent economic growth has been slow and foreign direct investment, industrialization, and product export (particularly electronics) have declined, with adverse employment consequences (Usui 2012). Despite high levels of human capital, women's labor force participation rate is much lower than men's, even compared to other Southeast Asian countries. Although the Philippines has a relatively stable political regime, it experiences regional instability characterized by violence and displacement, particularly in the south (Hedman 2009).

**Despite high levels of human capital, women's labor force participation rate is much lower than men's**

As was mentioned, although the Philippines was one of the first countries in Asia to grant suffrage to women, and despite the fact that its constitution legislatively affirms women's equality with men, the intended positive effects for women have not materialized as planned (ADB et al. 2008).

## Employment Performance

The employment growth rate is an important indicator of the extent to which the benefits of GDP growth are being shared among the population. So-called "jobless growth" may indicate rising labor productivity, an important development objective that may be beneficial in increasing the incomes of those employed, but it may not lead to inclusive growth if those benefits are not widely shared. If women are to benefit from growth, their employment and earnings are important.

<sup>12</sup> The source for all tables and figures in this report is ADB (2013a).

Employment growth is particularly important for achieving inclusive growth in countries experiencing high population growth. The Philippines' population growth rate was 1.9% per annum from 2000 to 2011, resulting in an increase of 17.4 million people, with the total population reaching 94.2 million in 2011 (see Table 1).

Despite employment elasticities of 0.55 for women and 0.46 for men in the Philippines,<sup>13</sup> there has been little progress toward inclusive growth. There have been no reductions or limited reductions in poverty, income inequality, and gender inequality in the labor market. In fact, relative to the national income threshold, income poverty incidence actually increased between 2003 and 2012, although a more positive conclusion is reached when comparing the Philippines' performance to the international standards of \$1.25 and \$2.00 purchasing power parity.<sup>14</sup>

Employment elasticity alone is insufficient to judge inclusive growth, particularly in low-income countries. First, employment rates in low-income countries are generally high, because people must work to survive, even if they work for very low wages or self-employment income. Thus, high employment rates in developing countries may be more indicative of labor supply than of high labor demand and thus need to be interpreted with caution. Likewise, a lack of productive employment and hours of work (time underemployment) are hidden by conventional unemployment rate indicators.

Second, despite the growth in employment, time-related underemployment, defined as the share of employed people working less than 40 hours per week, but willing and available to work additional hours, remains common.

Third, unemployment rates among the youth are greater than the overall unemployment rate, indicating the difficulties young people experience in obtaining employment. In 2012, the unemployment rate for young Filipino women aged 15–24 was 18.2%, and the rate for young men was 14.9% (see Table 2).

**[D]espite economic and employment growth, gendered employment indicators suggest that gender equality in the labor market remains a goal rather than a realized objective**

In the Philippines, the ratio of youth unemployment to adult unemployment increased over the 2000s, indicative of an increasing unemployment problem for youths, although youth employment rates typically are higher than those for adults, and total unemployment rates and have been rising across many countries (ILO 2011c, Table 10). There is also a gendered dimension: This ratio has increased more for young women than for young men, indicating that young women are having greater trouble than young men finding work. Thus, although expanding the quantity of employment is necessary, improvements in the quality of employment, measured in terms of decent work and social protection, are vital.

While some progress toward gender equality in the labor market and inclusive growth has been made in the Philippines, substantial challenges remain. Most notably, despite economic and employment growth, gendered employment indicators suggest that gender equality in the labor market remains a goal rather than a realized objective. In the Philippines, the employment gap between women and men is 26 percentage points. There is little evidence of improvement given that the share of women in wage employment in the nonagriculture sector rose only by 1 percentage point, from 40.9% to 41.8% from 2000 to 2011. Furthermore, women's annual earnings are only an estimated 60% of men's annual earnings (see Table 2).

<sup>13</sup> Employment elasticity is calculated as the annual percentage changes in employment and real GDP calculated for each year over the period 2000–2010 and then averaged for the entire period; the average percentage change in employment is divided by the average percentage change in real GDP. Philippine employment elasticities are comparable to the world averages of 0.47 for women and 0.41 for men, respectively. See ADB and ILO (2011).

<sup>14</sup> Poverty incidence varies substantially by region, reaching over 40% in regions of Aba, Apayao, Sulu, ARMM, and Maguindanao (NSCB website Poverty Statistics).

**Table 2 Most Recent Employment Indicators in the Philippines**

Employment Indicator	Philippines	
Women's share of wage employment in nonagriculture sector	41.8% (in 2011)	
Estimated gender annual earnings ratio, 2012	60%	
Estimated gender annual earnings gap, 2012	40%	
Average real gross domestic product growth, 2000–2010	4.74%	
	Women	Men
Employment growth, annual average 2000–2010	2.59%	2.17%
Employment elasticity, 2000–2010	0.55	0.46
Employment rate, 2012	46.7%	72.9%
<b>Youth (15–24) unemployment rate</b>		
2008	19.4%	16.2%
2011	18.3%	15.2%
2012	18.2%	14.9%
<b>Total unemployment rate</b>		
2008	7.1%	7.6%
2011	6.6%	7.3%
2012	6.7%	7.2%
<b>Time-related underemployment rate</b>		
2009	9.2%	11.0%
2010	8.7%	10.2%
2011	9.2%	10.8%

Notes: Employment rate is the number of people employed divided by the eligible population over the age of 15 years; time-related underemployment is the number of employed people working less than 40 hours per week but willing and available to work additional hours, divided by the number of employed people.

Sources: Asian Development Bank. 2011. *Key Indicators for Asia and the Pacific 2011*. Manila. Table 2.13; International Labour Organization. 2011. *Key Indicators of the Labour Market. 7th Edition*. Geneva. Table 2a, Table 9, Table 10; Government of the Philippines, Department of Labor and Employment. Decent Work Statistics Online Database. <http://www.bles.dole.gov.ph/dews/>; World Bank. World Development Indicators. <http://data.worldbank.org/data-catalog/worlddevelopment-indicators>; World Economic Forum. 2012. *The Global Gender Gap Report 2012*. <http://www.weforum.org/issues/global-gender-gap>.

Although the Philippines has attained marginal increases in women's share of wage employment in the nonagriculture sector, substantial gender inequality remains. To achieve inclusive growth, employment-led economic growth must be gender-equitable and reduce these gaps.

**To achieve inclusive growth, employment-led economic growth must be gender-equitable**

## Gender Gaps in the Labor Market

Analysis of gender inequality in the labor market must take account of gendered constraints arising from informal and formal norms, beliefs, regulations, and laws.<sup>15</sup> For example, due to social norms, beliefs, and values within family and kinship systems, women have more limited resources in the form of assets, education, time, and social contacts. In addition, women's greater responsibility for unpaid domestic and care work affects their ability to engage in paid work on the same terms as men.

<sup>15</sup> For structures of gender constraints, see Kabeer (2008). For empirical support for a negative relationship between inequalities and social institutions and women's LFPR, see Jutting et al. (2008).



Social norms and more formal regulations and laws also mean that labor markets and the public sphere generally are not gender-neutral. Specifically, gender stereotyping of jobs creates barriers to women’s entry, resulting in occupational and horizontal segregation by sex; regulations prohibit women from certain jobs; standards relating to childbearing and rearing may create disincentives to hire women; and businesswomen are constrained, relative to men, in terms of access to credit, networking, and interaction with other businesses and government officials.

Finally, access to paid work does not necessarily result in women having control over their earned income. Women’s control over their own earnings is influenced by education, marital status, age, household composition, debt, and social and cultural characteristics.<sup>16</sup>

Gender inequality in the labor market is examined here in terms of gender gaps (or deficits for women) relating to participation and outcomes in the labor market, including employment and decent work. The industrial sectors in which women work along with gender-specific constraints on women’s employment are also discussed.

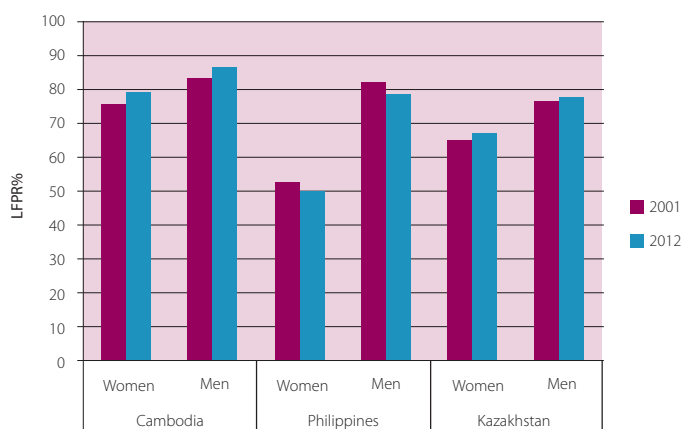
### Labor Force Participation Gaps

**In the Philippines, women’s labor market participation is lower than men’s due to inadequate employment and decent work opportunities, domestic labor and care constraints, and social norms**

In the Philippines, women’s labor market participation is lower than men’s due to inadequate employment and decent work opportunities, domestic labor and care constraints, and social norms. Together, these factors give rise to a gender gap in the labor force participation rate (LFPR). Women’s LFPRs also depend on cultural expectations about women’s mobility and the presence or absence of substitutes for women’s domestic work.

Women’s LFPR in the Philippines stands at 50%. Over the 2000s, the gender gap in the LFPR declined, ending at 28.5 percentage points in 2012 (Figure 1). However, women’s LFPRs vary by age. Between 2000 and 2010, there was an increase of 3 percentage points in the LFPRs of women in the 35–54 age group (Figure 2). For men, the LFPRs by age exhibit a more pronounced inverted U-pattern; and, in contrast to women in the Philippines, over the decade, men’s LFPRs declined in each age group (Figure 3).

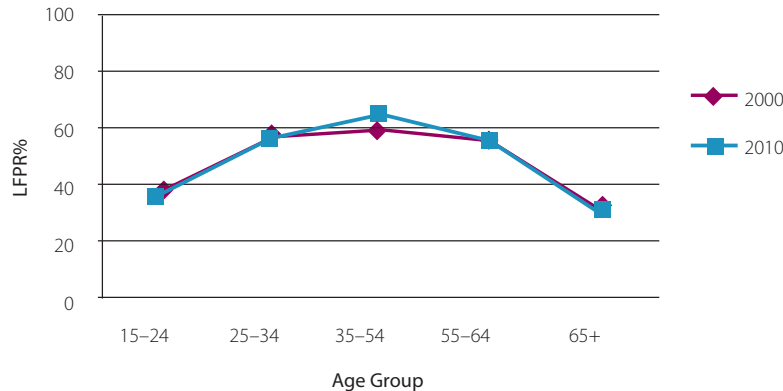
**Figure 1 Labor Force Participation Rates, Women and Men in Cambodia, the Philippines, and Kazakhstan, 2001 and 2012**



LFPR = labor force participation rate.  
 Sources: International Labour Organization (ILO). 2012. *Decent Work Country Profile: Cambodia*. Geneva. Table 3.1; ILO. 2011. *Key Indicators of the Labour Market. 7th Edition*. Geneva. Table 1a; Government of the Philippines, Department of Labor and Employment (DOLE). Current Labor Statistics. <http://www.bles.dole.gov.ph/PUBLICATIONS/Current%20Labor%20Statistics/index.html>; Government of the Philippines, DOLE. Decent Work Statistics Online Database. <http://www.bles.dole.gov.ph/dews/>.

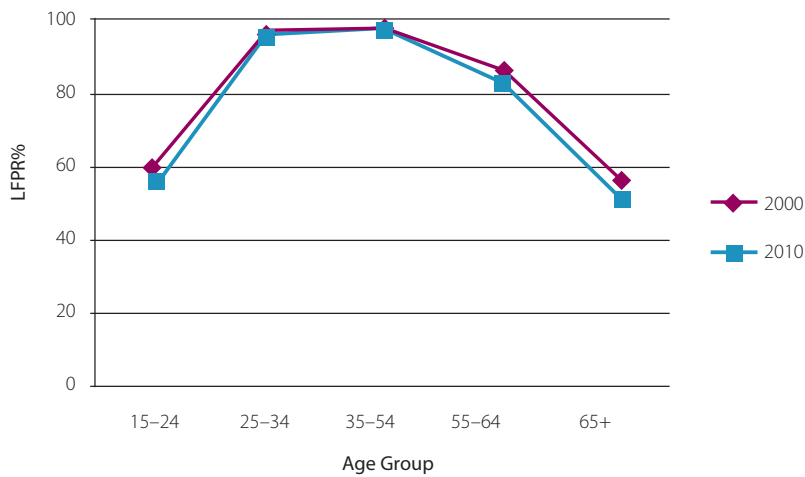
<sup>16</sup> See Kabeer (2012). For empirical examples, see Dasgupta (2002) and MacPhail and Dong (2007).

**Figure 2 Women’s Labor Force Participation Rates by Age in the Philippines, 2000 and 2010**



LFPR = labor force participation rate.  
 Source: Compiled from International Labour Organization. 2011. *Key Indicators of the Labour Market, 7th Edition*. Geneva. Table 1a.

**Figure 3 Men’s Labor Force Participation Rates by Age in the Philippines, 2000 and 2010**



LFPR = labor force participation rate  
 Source: Compiled from International Labour Organization. 2011. *Key Indicators of the Labour Market, 7th Edition*. Geneva. Table 1a.

### Unpaid Domestic and Care Work Gap

Time allocation data for many countries show a strong gendered division of domestic labor, with women having primary responsibility for household and care tasks and a higher total work burden (the sum of time allocated to paid work and unpaid domestic and care work) (OECD 2012, Figure 1.3). In the Philippines, women provide 84% of the total household time allocated to child care (Tiefenthaler 1997). Domestic and care 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).<sup>17</sup>

<sup>17</sup> See also Adair et al. (2002).

Gendered social norms contribute to women’s greater responsibility for and time commitments to domestic and care work, and this has been slow to change, despite women’s increased participation in paid work. Relatively high fertility rates will continue to raise the demand for women’s unpaid labor time, especially given the low availability of child care services.

### Human Capital Gap

**Gendered social norms contribute to women’s greater responsibility for and time commitments to domestic and care work, and this has been slow to change, despite women’s increased participation in paid work**

Low levels of human capital among women, and/or gender segregation in the types of training and education available to women, constrain women’s labor force participation. There is no gender gap in primary and secondary education in the Philippines, where the female–male student enrollment ratios were 1.02 and 1.19, respectively, in 2010 (Table 3). However, there is significant gender specialization in training and tertiary education. Substantial gender differences exist in fields of university study, with women underrepresented in areas such as law, information technology, engineering, agriculture, and architecture. For example, women comprise less than 33% of the enrollment in engineering.<sup>18</sup> Sex segregation by level and type of training limits women’s opportunities for employment in more technical fields.

Education level, a proxy for human capital, is positively associated with LFPRs for women in many countries. This is the case in the Philippines, where the LFPR in 2011 was 57.3% for women with a college education and 45% for women with a high school education. In contrast, among men in the Philippines, men with higher levels of education have lower LFPRs: the LFPR for men with a college education is 74.6% and with a high school education is 77% (DOLE 2012, Table 2.14).

Education is also related to the speed of transition from school to work. In the Philippines, for example, 1 year after completing their education, only 20% of high school graduates were employed, compared to 75% of college graduates. Further, the length of time needed to find waged employment (as opposed to own-account employment or unpaid contributing family work) is longer for high school–educated workers than for college-educated workers (Bird 2012b).

**Table 3 Education Indicators in the Philippines, 2000 and 2010**

Education level	Philippines			
	2000		2010	
	NER	F/M	NER	F/M
Primary	95.7 (1991)	--	88.3	1.02
Secondary	59.3 (2005)	--	61.6	1.19
Tertiary	27.5 (2005)	--	28.9 (2008)	1.25 (2008)

NER = net enrollment rate, F/M = female-to-male ratio.

Notes:

<sup>a</sup> NER is the enrollment of the official age group for primary or secondary education as a percentage of primary or secondary school-aged population. The NER for tertiary education is the total enrollment as a percentage of the population, regardless of age, comprising the 5-year age group following secondary school.

<sup>b</sup> F/M refers to the ratio of female to male students.

Source: United Nations Economic and Social Commission for Asia and the Pacific. 2012. *Statistical Yearbook for Asia and the Pacific 2012*. Bangkok. Tables I.27 and I.29.

<sup>18</sup> Calculated from Commission on Higher Education. *Higher Education Enrollment and Graduates by Sector, Discipline Group, Sex, and Academic Year: AY 2004/05–AY 2009/10*.

## Gender Gaps in Labor Market Outcomes

Although women's LFPRs have increased, this has not uniformly translated into reductions in the gender gaps in labor market outcomes, including employment, decent work, and social protection.

### Employment Gap

Employment rates, calculated as the number of employed people divided by the number of people in the eligible population (15 years and older), are lower for women than for men. In the Philippines, the employment rate gender gap was 26.2 percentage points in 2012. This represents a slight decline between 2000 and 2012 (Table 4).

In addition, 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 services sector are particularly prone to vulnerable employment.

[W]omen are more likely to hold lower quality employment or vulnerable employment ... which typically offers fewer opportunities for decent work and social protection

**Table 4 Employment Indicators, Women and Men in the Philippines, Selected Years**

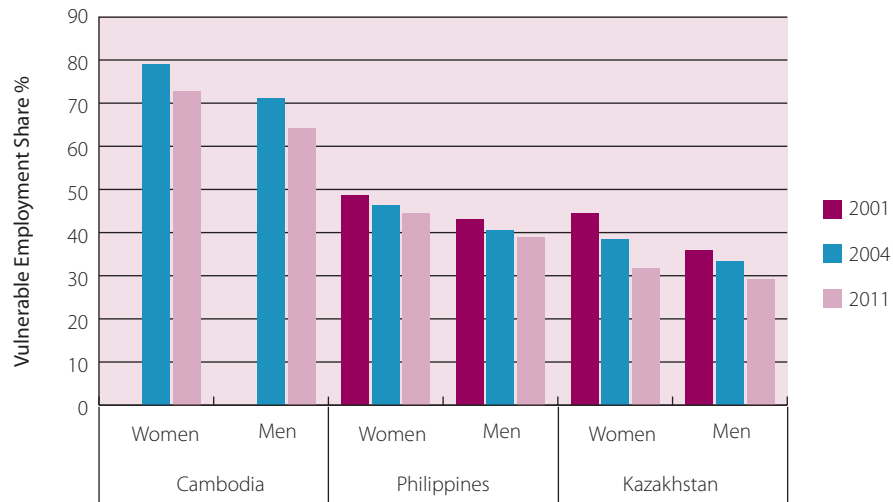
Employment Indicator	Philippines		
	Women	Men	Gap
<b>Labor force participation rate</b>			
2000	47.7%; 11.605 million	79.6%; 19.307 million	31.9%
2001	51.8%; 12.711 million	82.4%; 20.098 million	30.6%
2012	50.0%; 15.815 million	78.5%; 24.617 million	28.5%
<b>Employment rate</b>			
2000	42.1%; 10.259 million	70.9%; 17.913 million	28.8%
2012	46.7%; 14.757 million	72.9%; 22.850 million	26.2%
<b>Vulnerable employment</b>			
2001	48.6%; 5.946 million	43.0%; 7.707 million	5.6%
2004	46.3%; 5.551 million	40.6%; 7.988 million	5.7%
2011	44.5%; 6.503 million	39.0%; 8.797 million	5.5%
<b>Low-wage work</b>			
2004	17.6%	13.1%	4.5%
2009	18.6%	12.5%	6.1%
2010	18.2%	12.1%	6.1%
2011	17.7%	11.8%	5.9%

Notes: Labor force participation rate is the number of employed and unemployed persons over age 15 divided by the eligible population. Employment rate is the number of people employed divided by the number of people in the eligible population. Vulnerable employment is the sum of own-account workers and unpaid contributing family workers divided by the total employed. For vulnerable employment, the relevant age group for the Philippines is 15 and older. Low-wage work is defined as earning a wage less than two-thirds of the median wage; a daily wage is used in the Philippines.

Sources: International Labour Organization. 2011. *Key Indicators of the Labour Market, 7th Edition*, Geneva. Table 3; Government of the Philippines, Department of Labor and Employment. Decent Work Statistics Online Database. <http://www.bles.dole.gov.ph/dews/>.

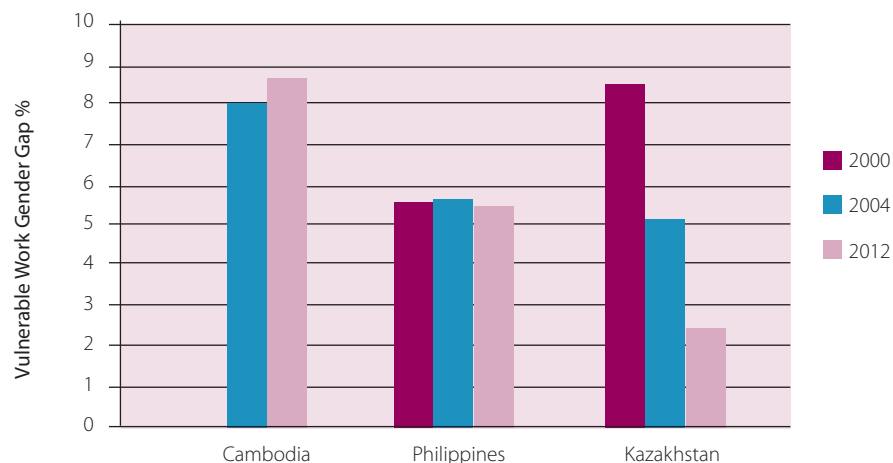
In the Philippines, the share of vulnerable employment is 45% for women and 39% for men (6.5 million women and 8.8 million men) (Figure 4 and Table 4). The vulnerable employment gender gap remained stable in the Philippines during the 2000s (Figure 5).

**Figure 4 Share of Vulnerable Employment, Women and Men in Cambodia, the Philippines, and Kazakhstan, Selected Years**



Sources: Government of Cambodia, National Institute of Statistics. *Cambodia Socio-Economics Survey Tables: Labor*. Table 7. <http://www.nis.gov.kh/index.php/social-statistics/cses/cses-tables>; International Labour Organization. 2011. *Key Indicators of the Labour Market. 7th Edition*. Geneva. Table 3; Government of the Philippines, Department of Labor and Employment. Decent Work Statistics Online Database. <http://www.bles.dole.gov.ph/dews/>.

**Figure 5 Vulnerable Work Gender Gap in Cambodia, the Philippines, and Kazakhstan, 2000, 2004, and 2012**



Sources: Government of Cambodia, National Institute of Statistics. *Cambodia Socio-Economic Survey Tables: Labor*. Table 7. <http://www.nis.gov.kh/index.php/social-statistics/cses/cses-tables>; International Labour Organization. 2011. *Key Indicators of the Labour Market. 7th Edition*. Geneva. Table 3; Government of the Philippines, Department of Labor and Employment (DOLE). Current Labor Statistics; Government of the Philippines, Department of Labor and Employment. Decent Work Statistics Online Database. <http://www.bles.dole.gov.ph/dews/>.

Women are not only more likely than men to be in vulnerable employment but also more likely to be an unpaid contributing family worker, which offers the least opportunities for decent work. For women in the Philippines, the share of unpaid family workers did not decline over the decade and accounted for 16.8% of all women's work in 2011, which is double the percentage of men working as unpaid contributing family workers (DOLE Decent Work Statistics Online Database).

Wage employment spans a continuum from informal to formal employment, with decent work more likely in formal employment. Formal employment refers to jobs that are covered by national legislation, social protection, and employment benefits; informal employment is defined in the opposite manner.<sup>19</sup> Although formal work conditions may be better than in nonwage work or informal employment, there is considerable opportunity for improvement, given the poor conditions reported for formal jobs in the Philippines.<sup>20</sup>

## Decent Work Gap

Vulnerable or low quality employment (calculated, by proxy, as own-account and unpaid family work) offers fewer opportunities for decent work and is a problem for both women and men. A few indicators permit direct analysis of decent work for workers who are employees.<sup>21</sup> While the average daily basic pay, in real terms, has declined for both women and men in the Philippines, low-wage work, defined as work that pays a daily wage of less than two-thirds of the median daily wage, is more prevalent among women (DOLE Decent Work Statistics Online Database) (see Table 4).

The gender wage gap refers to the difference between the average wage for men and the average wage for women, expressed as a percentage of the average wage for men. In analyzing gender wage gaps, three main issues need to be taken into account. First, wages are reported only for employees and do not include information about income generated from own-account work. Thus, for countries such as the Philippines with a high share of vulnerable employment, the gender wage gap refers only to a small share of all workers.

Second, the gender wage gap typically is reported without adjusting for human capital differences between women and men (calculated, by proxy, as formal education and years of labor market experience). In countries such as the Philippines, where women have higher levels of formal education than men, this unadjusted gender wage gap will underestimate women's disadvantage.

Finally, employee wages are reported only for a specific period of time, such as a day, a week, or a month, and therefore generally do not reflect gender differences in work over a longer period of time, such as a year. Women may have lower quantities of time in paid work due to domestic and family care constraints and/or employers' discriminatory hiring decisions and preference to hire men for full-time/full-year jobs. Thus, over a longer time period, the gender annual earnings gap will be larger than the gender hourly wage gap.

In the Philippines, the gender (daily) wage gap is -3%, indicating women's advantage (Table 5). However, it should be emphasized that the Philippines' gender wage gap is calculated using the average daily rate of pay, so this will not take account of differences in amounts of paid work. Further, once gender differences in human capital are taken into account, the adjusted gender wage gap is estimated to range from 23% to 30% (Rodgers and Menon 2012; Sakellariou 2004).

The gender wage gap for the paid labor market as a whole masks vast differences across occupations and industries. In the Philippines, the gender wage gap in the service workers,

**[O]nce gender differences in human capital are taken into account, the adjusted gender wage gap is estimated to range from 23% to 30%**

<sup>19</sup> See Heintz (2010) and ADB (2011b).

<sup>20</sup> See World Bank (2011a).

<sup>21</sup> A very useful data source is the DOLE Decent Work Statistics Online Database.

shop, and market sales occupations is 34% (Table 5). Thus, the service workers occupations offer relatively low daily wages on average than other occupations for women and the gender wage gap is higher.

**Table 5 Average Wage and Gender Wage Gap in the Philippines, 2011**

Occupation	Average Nominal Daily Basic Pay, Employees Only (pesos)		Gender Wage Gap (%)
	Men	Women	
Officials of government and special interest organizations, corporate executives, managers, supervisors	738.78	762.55	-3
Professionals	732.41	655.12	11
Technicians and associate professionals	489.29	431.05	12
Clerks	426.62	402.51	6
Service workers and shop and market sales workers	314.45	206.44	34
Farmers, forestry workers, and fishers	197.39	171.06	13
Trades and related workers	302.37	223.66	26
Plant and machine operators and assemblers	320.88	324.49	-1
Laborers and unskilled workers	195.79	142.80	27
Special occupations	608.23	384.59	37
All occupations	313.42	323.53	-3

Source: Government of the Philippines, Department of Labor and Employment. Decent Work Statistics Online Database. <http://www.bles.dole.gov.ph/dews/>.

**The number of women employees with precarious work increased from 23.9% to 24.7% of all employees from 2000 to 2011; for men, the share of precarious work declined from 30.9% to 28.5% of all employees**

Another key dimension of decent work is employment security. Although the evidence is limited, it appears that the increase in wage employment has not brought about increased employment security. In the Philippines, there has been a marginal rise in wage employment, but within wage employment there has been a slight increase in the share of precarious work, defined as paid work that is short-term, seasonal, or casual, or where an individual works for different employers on a day-to-day basis. The number of women employees with precarious work increased from 23.9% to 24.7% of all employees from 2000 to 2011; for men, the share of precarious work declined from 30.9% to 28.5% of all employees (DOLE Decent Work Statistics Online Database; Hasan and Jandoc 2009, Table 6). There is also evidence of increased use of short-term, casual, and probationary contracts in the export processing zones (GTZ 2010).

### Social Protection Gap

ADB (2003, 1) defines social protection as “the set of policies and programs designed to reduce poverty and vulnerability by promoting efficient labor markets, diminishing people’s exposure to risks, and enhancing their capacity to protect themselves against hazards and the interruption/loss of income.” The three main components of the social protection strategy are social assistance, social insurance, and labor market programs; the two other components are community-based microinsurance and child development. Estimates of social protection typically rely on government expenditures on key programs relating to social assistance, social insurance, and the labor market. Expenditures on social protection were 2.5% of GDP in the Philippines in 2009 (ADB 2013b).

The ADB Social Protection Index is a specific measure defined as the “total social protection expenditures per total reference population divided by a regional poverty line” (ADB 2011e, 3–4). The regional poverty line is taken to be 25% of a country’s per capita GDP. A 2009 estimate of the Social Protection Index for the Philippines was 0.085 (ADB 2013b).

In the Philippines, a gender gap in social protection, as measured by the sex-disaggregated ADB Social Protection Index, is 0.040 for women and 0.045 for men (ADB 2013b, Table A3.12). Social Protection Index results for the Philippines indicate that the largest share of social protection expenditures is in the social insurance category, which comprises expenditures on health, maternity, disability, unemployment, and pensions (ADB 2013b). Social security provisions generally have been available only to workers with formal employment, and men have higher rates of formal employment than women, contributing to the gender gap.

## Gendered Analysis of Labor Markets: Industrial Sectors

Economic growth typically is associated with structural change in production, away from the primary sector (agriculture) and toward the secondary sector (industry) and the tertiary sector (services). Structural change is associated with shifts in employment among sectors, and the increasing share of industry employment is generally associated with a rise in formal employment, higher wages, and increased opportunities for decent work, given the higher labor productivity of the industry sector.

The industry sector examined here accounts for only about 10% of women's employment, indicative of the challenges in promoting productive and decent work for women. In the Philippines, from 2000 to 2011, there was a shift in women's employment out of both the agriculture and industry sectors and into services (Figure 6). Specifically, among women, the share of total employment in agriculture fell from 23.9% to 21.7%; the share of total employment in industry fell from 13.3% to 10%; and the share in services rose from 62.8% to 68.3%. Among men, the employment share in industry remained stable, at about 18% over this period. The declining share of women's employment in the industry sector suggests a deteriorating environment for decent work for women.

**Social security provisions generally have been available only to workers with formal employment, and men have higher rates of formal employment than women, contributing to the gender gap**



Paid work exhibits considerable horizontal segregation, with women concentrated into different and fewer industries than men, reflecting discrimination against women in the labor market, as well as discrimination and cultural stereotyping in education and training. Industrial segregation



by sex reduces opportunities for women, constrains productivity and growth by not attracting the most productive workers, and tends to confine women to low-wage industries. Barriers to women’s employment in certain industrial sectors and occupations arise from both social norms and laws. For instance, social norms regarding appropriate roles for women may influence employers’ recruitment practices (ADB et al. 2008). The considerable sex segregation in education and training may also arise from social norms about appropriate fields of study, and thus women may not acquire the necessary training and qualifications for certain jobs.

Laws that restrict women from working in specific jobs or that prohibit women working at night can also serve to restrict women’s employment. In relation hereto, the Philippines repealed provisions prohibiting night work by women and introduced new provisions to protect both men and women in night work in 2011, opening up jobs for women in the business process outsourcing (BPO) sector.

### Agriculture, Forestry, and Fishing

The considerable sex segregation in education and training may also arise from social norms about appropriate fields of study, and thus women may not acquire the necessary training and qualifications for certain jobs

Despite structural change, the primary sector (agriculture, forestry, and fishing) remains an important sector of employment for large groups of women and men. In the Philippines, 22% of women’s employment is in agriculture (about 3.3 million women) (Table 6). However, women’s economic opportunities as farmers are constrained by their limited access to land and other inputs. Women own less land than men and are disadvantaged through inheritance norms, laws, land titling systems, and their ability to purchase land (USAID 2006; ADB et al. 2008). In the Philippines, women represent about 11% of landholders and account for only 33% of the beneficiaries of land redistributed under the Comprehensive Agrarian Reform Program (FAO Gender and Land Rights Database). Also, women do not have equal access to extension services, irrigation, or farm equipment.

Women’s economic opportunities for wage employment in agriculture are also limited. In the Philippines, women’s employment as farmers, forestry workers, and fishers represents only 6% of their total employment, whereas this sector accounts for 22% of men’s employment (Figures 7 and 8). Large plantations tend to hire men rather than women, although women and children may provide unpaid work to support the men’s paid work (FAO 2006). The work for both men and women is seasonal and is characterized by low wages and poor working conditions. There is some evidence that women have become even more marginalized as the government promotes more diversified cropping systems and cash crops for export. Because women are less likely to be targeted for extension services, they are unable to participate in the new crops to the same extent as men.

**Table 6 Distribution of Employment by Industry, Women and Men in the Philippines, 2011**

Industry Sector	Share of Total Employment <sup>a</sup> (%)		Female Share of Industry Employment (%)
	Women	Men	
Agriculture, hunting, and forestry	22.37	34.38	28.16
Fishing	0.84	5.91	8.95
Mining and quarrying	0.09	0.85	9.43
Manufacturing	9.93	7.58	44.42
Electricity, gas, and water supply	0.15	0.54	18.24
Construction	0.28	9.09	1.91
Wholesale and retail trade	29.56	13.13	59.94

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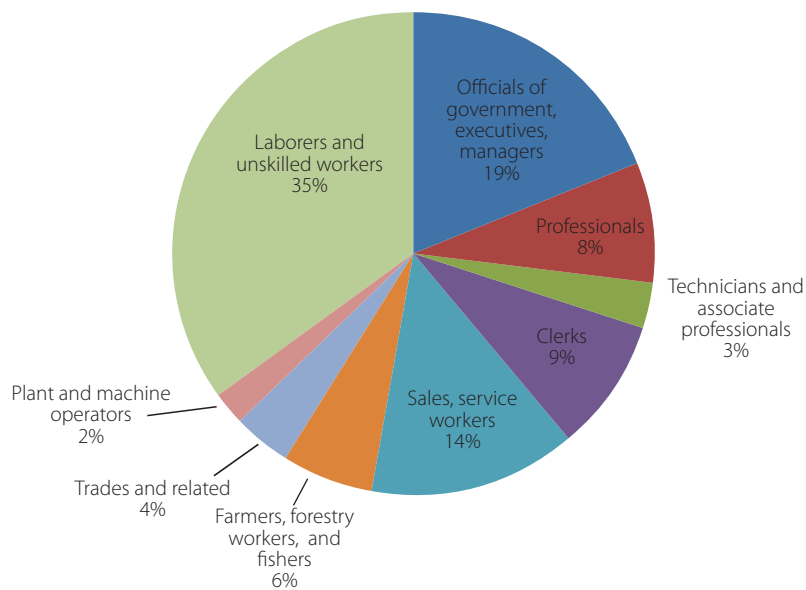
Table 6 *continued*

Industry Sector	Share of Total Employment <sup>a</sup> (%)		Female Share of Industry Employment (%)
	Women	Men	
Hotels and restaurants	3.95	2.29	53.71
Transport, storage, and communications	1.26	11.48	6.63
Financial intermediation	1.61	0.84	56.45
Real estate, renting, and business activities	2.51	3.54	36.36
Public administration	4.97	4.96	40.20
Education	6.11	1.36	74.31
Health and social work	2.11	0.58	70.80
Other services	3.10	2.11	49.04
Private households with employed people	11.17	1.35	84.40
Total	100.00	100.00	39.31
Absolute number (millions)	14.62	22.57	

Note: <sup>a</sup> Employed people 15 years and older.

Sources: Government of the Philippines, Department of Labor and Employment. 2012. *2012 Gender Statistics on Labor and Employment*. Manila. Table 3.8.

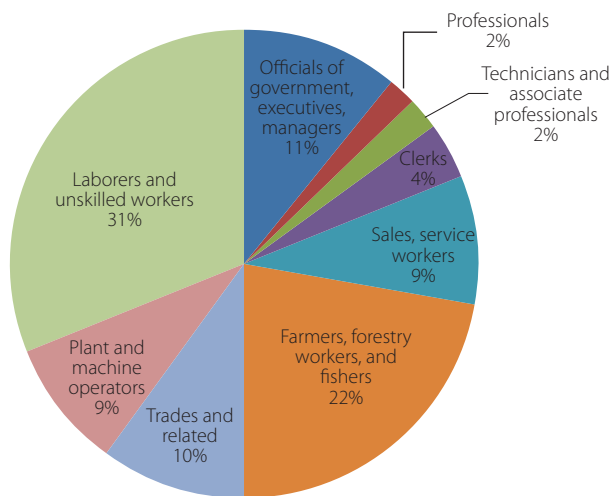
**Figure 7 Distribution of Women’s Employment by Occupation in the Philippines, 2011**



Note: Estimated for the working age 15 years and older.

Source: Government of the Philippines, Department of Labor and Employment. Decent Work Statistics Online Database. <http://www.bles.dole.gov.ph/dews/>.

**Figure 8 Distribution of Men’s Employment by Occupation in the Philippines, 2011**



Note: Estimated for the working age 15 years and older.  
 Source: Government of the Philippines, Department of Labor and Employment. Decent Work Statistics Online Database. <http://www.bles.dole.gov.ph/dews/>.

### Industry

The Philippines has adopted an export-oriented development strategy to promote economic growth, industrial production, and employment, taking advantage of their resource endowments and supported by specific policies and laws. These development strategies were anticipated to expand not only employment but also decent work because the industry sector, with its higher productivity and opportunities for organization, should facilitate improvements in decent work. Although there has been some progress in improving decent work, there are ongoing challenges and contradictions.

Philippine exports declined from 2002 to 2011, with the share of total exports as a percentage of GDP falling from 47% to 31% (ADB 2012d, Table 2.10). Exports are highly concentrated, with electronic products accounting for 49% of all exports of goods in 2011 (a value of \$23.7 billion). Agriculture-based products accounted for about 8% of exports, with coconut products representing the largest share.<sup>22</sup> Remittances from Filipino workers employed overseas are a key component of the Philippines’ economy. Remittances increased from \$9.7 billion in 2002 to \$23 billion in 2011 and represented 10.7% of GDP in 2010 (ADB 2012d).

**The Philippines’ export-oriented development strategy ... has not led to an expansion of women’s employment in the manufacturing sector**

The Philippines’ export-oriented development strategy (primarily electronics, food processing, automobile parts, textiles, and garments) has not led to an expansion of women’s employment in the manufacturing sector relative to other sectors. Women’s employment in the manufacturing sector represented 9.93% of all women’s employment, or 1.45 million women, in 2011 (Table 6). The share of men’s employment in the manufacturing category remained at about 8% from 2006 to 2011.

Employment in manufacturing generally offers more decent work opportunities than other sectors, particularly agriculture, where a high percentage of women are unpaid family workers. In the manufacturing sector, the nominal daily basic pay rate is P302, which is 93% of the average

<sup>22</sup> Commodity shares of exports are calculated from National Statistics Office (Foreign Trade Statistics, Table 2a).

wage, and opportunities exist for voice through unions. However, challenges in providing decent work remain. There is evidence of a decline in voice and representation (unionization), women's difficulties retaining employment after childbirth, and poor health and safety conditions (World Bank 2011a; Lu 2007b).

## Services

Growth and structural change have brought about a rise in the share of women's employment in the services sector in the Philippines, as discussed. Increased services sector employment can be attributed to a growing demand for services associated with the increased incomes of a domestic middle class, but it may also reflect a lack of decent work opportunities, a growing need for incomes in increasingly marketized economies, or rising landlessness pushing people into work for very low return.

The services sector is large and heterogeneous in productivity, incomes, and amount of decent work.

### Box 1 Women's Employment in the Business Process Outsourcing Sector, Philippines

Business process outsourcing (BPO) refers to information technology-intensive business processes undertaken by an external provider. The major components are call center services, software development, animation/creative services, data transcription, back office processing, and engineering design. Philippines BPO providers are concentrated in Manila and to a lesser extent in Cebu. BPO services are largely export-oriented, with the United States being the main market. About 70% of revenues are from call center services. The BPO sector's net export revenues have grown to be the third largest in the Philippines after tourism and remittances.

Employment in the BPO sector increased from 101,000 workers in 2004 to 638,000 workers in 2011, representing 1.7% of total employment in the Philippines and 3.5% of services sector employment. Export revenues rose from \$1.5 billion to \$11 billion over the same period. The Business Processing Association of the Philippines predicts that export revenue from the BPO sector will reach \$20 billion–\$25 billion by 2016 and that employment will increase from 900,000 to 1.3 million workers.

BPO represents an important employment sector for well-educated women. About 80% of women employed in the sector are college graduates with a social sciences, engineering, or business background. In order to enable women to access BPO job opportunities, the Department of Labor and Employment first exempted call centers from the Philippine Labor Code provision on night work for women, and new legislation repealing the blanket ban on night work by women and protecting men and women in night work was introduced in 2011.

There is considerable occupational segregation by sex, contributing to a gender wage gap of 13%. Women are mostly customer service representatives, technical support representatives, or client business analysts, whereas men are technical support engineers, team leaders, or quality-control officers. In 2008, women represented 55% of all workers in BPO, with higher rates in specific subsectors such as medical transcription (61%), data processing (61%), and call center activities (53%). Women are not well represented in the animation/creative services (26%) or in software (41%).

The main challenges to decent work are health and safety issues. General health concerns include monotony, stress, lack of a positive work culture, and poor promotion opportunities. Specific health issues include eye strain, backaches, headaches, muscular pain due to prolonged sitting, and sleep problems due to shift work. There are also safety issues arising from traveling at night.

Sources: Business Processing Association of the Philippines. 2012. *Philippines IT-BPO Investor Primer 2012*. <http://www.bpap.org/publications/research/investorprimer2012>; L. G. D. Cabarrubias. 2011. Gender Matters in the Call Center Industry: A Review of Literature on the Effects of Call Center Work on Women. *Review of Women's Studies* 21(2); M. S. V. Amante. 2010. Offshored Work in Philippine BPOs. In J. C. Messenger and N. Ghosheh eds. *Offshoring and Working Conditions in Remote Work*. Geneva: International Labour Organization; National Statistical Coordination Board. 2007. Understanding the Business Process Outsourcing (BPO) Industry. [http://www.nscb.gov.ph/factsheet/pdf07/FS-200711-ES2-01\\_BPO.asp](http://www.nscb.gov.ph/factsheet/pdf07/FS-200711-ES2-01_BPO.asp); National Statistics Office. 2012. Business Process Outsourcing Activities: Preliminary Results. <http://www.census.gov.ph/content/2010-aspbi-business-process-outsourcing-bpo-activities-preliminary-results>; R. Keitel and M. D. Ledesma. 2009. Night Work Prohibition of Women Workers in the Philippine Call Center Industry. Conference on Regulating for Decent Work: Innovative Labour Regulation in a Turbulent World. Geneva. 8–10 July. <http://www.ilo.org/legacy/english/protection/travail/pdf/rdwpaper35b.pdf>

### Business process outsourcing

In the Philippines, the BPO sector provides opportunities for decent work, particularly for well-educated women. Employment in the BPO sector cannot be directly measured within the usual industrial categories, although BPO employment is included with real estate, renting, and business activities (Box 1). Despite substantial growth, the BPO sector alone cannot drive inclusive growth for the large and increasing number of unemployed or for unemployed workers with moderate skills. Best-case estimates indicate that BPO would provide employment for less than 3% of the labor force by 2016 (Usui 2012).

### Wholesale and retail trade and services subsector

The wholesale and retail trade and services (WRTS) sector typically includes self-employed workers and microenterprises selling food or household goods or making repairs on vehicles. In the Philippines, women are overrepresented in this sector, with the female share of employment being approximately 60% (Table 6). The WRTS sector is the largest sector for women's employment in the Philippines.

In 2011, 4.3 million women worked in the sector, amounting to 30% of all women's employment. Women's employment in the WRTS sector has expanded enormously with almost 700,000 Filipino women who joined the sector between 2006 and 2011 (DOLE 2012). Although the growth of employment in the WRTS sector may reflect a growing demand for these goods and services, it may also indicate the overall lack of demand for women's labor and the barriers women face in accessing other higher-productivity sectors.

### Private households with employed people

In addition to the WRTS subsector, another large subsector for women's employment in the Philippines is the "private households with employed people" subsector, likely composed primarily of paid domestic workers. The share of women's employment accounted for by this subsector was 11.17%, more than 1.6 million women. Women's share of employment in the private households subsector was 84%. This subsector is also growing; from 2006 to 2011, the number of women employed in the subsector increased by 271,000 (DOLE 2012, Table 3.8).

**The services sector in the Philippines is likely to continue growing ... policy interventions should focus on improved productivity and decent work opportunities, reducing gender-specific constraints ... and strategies to facilitate women's access to jobs in other sectors**

The category of "private households with employed people" deserves special mention because it offers particularly low pay and poor working conditions, and presents many challenges for obtaining decent work. Live-in domestic workers make up a third of domestic workers, and they are mostly young and single women. Average wages are less than half the average wage for women, and the gender wage gap is very high, given that the female–male wage ratio was 65% in 2011. While domestic workers on average are the lowest paid among wage employees, they work on average 9 hours per day which is almost 1 hour more than for other wage employees; 33% work 9–10 hours per day and 20% work 11 hours or more daily. There is a lack of legal protection, social security, and health benefits, and workers are also subjected to verbal, physical, and sexual abuse (ILO 2011b; Sayres 2005).

The services sector in the Philippines is likely to continue growing. The heterogeneous nature of the sector means that a variety of policy interventions likely are needed to improve women's employment and opportunities. Because the sector tends to be low in productivity and tends to offer limited decent work opportunities, policy interventions should focus on improved productivity and decent work opportunities, reducing gender-specific constraints relating to social biases and lack of education and training, and strategies to facilitate women's access to jobs in other sectors. Policies to enhance women's entrepreneurship are also particularly relevant to the WRTS sector.

### Public subsector

Public or government-related employment typically offers more opportunities for decent work and social protection than private sector employment. For example, in the Philippines, a relatively high-skilled occupation related to the public sector—officials of government and special-interest organizations, corporate executives, managers, and supervisors—has an average wage of 2.4 times the average wage for women (Table 5). In addition, public sector employees are more likely than employees in the private sector to have access to social insurance, particularly pensions. There are opportunities for expanded employment and decent work in the public sector for women, given that women's share of employment in the public administration sector is only 40%. Furthermore, while women have some access to public sector employment, they may still experience a glass ceiling and wage discrimination, given their levels of education, experience, and ability.

### Entrepreneurship

Businesses tend to be small in size in the Philippines, where, in 2011, 91% of all enterprises were microenterprises employing fewer than 10 people (Department of Trade and Industry Micro, Small and Medium Enterprises). Although all owners of micro- and small enterprises experience a variety of challenges, women entrepreneurs face additional constraints. In the Philippines, women owned 55% of newly registered businesses in 2010. However, it is more common not to register businesses and thus sex-disaggregated data on these unregistered businesses are limited. One estimate indicates that women own 34% of unregistered enterprises, but this estimate may be low because informal enterprises include agriculture households, which are more likely to be counted as being owned by men. Among new businesses registered by women, 51% engage in retail activities, 41% engage in service, and only 5.5% engage in manufacturing (GTZ 2010, 45–46 and Table 7).

**[W]omen have some access to public sector employment, they may still experience a glass ceiling and wage discrimination**

Constraints faced by women entrepreneurs in the Philippines include limited access to capital and credit, due to lack of collateral; limited access to value-enhancing inputs such as business development services, technology, and training; lack of information; high transaction costs on business development services and credit; and domestic and care responsibilities, which restrict the time available to operate an enterprise (PCW 2012). Strategies to increase the profitability of women's businesses must take account of the specific constraints faced by women as well as the more general constraints faced by owners of microenterprises and own-account workers.

### International Migration

The increased feminization of net emigration patterns out of the Philippines is indicative of the lack of employment and decent work. Remittances to the Philippines represent a larger share of GDP than official development assistance, foreign direct investment, or gross domestic savings, although these remittances are in large part consumed rather than invested in job creation efforts (Ang, Sugiyarto, and Jha 2009). During the period 2005–2010, the net international migration rate was –2.80 per 1,000 people for the Philippines (ADB 2012d).

There are over 1.5 million Filipinos working abroad, equal to about 4% of the population currently employed in the Philippines, and 54.5% of all overseas Filipino workers are women (POEA 2010, Table 1). A gendered division exists in both overseas and domestic employment opportunities; women are most likely to be employed in household service, caregiving, cleaning, and nursing occupations; men are most likely to be employed in trade and service occupations (POEA 2010, Table 12).

## Pathways to Gender Equality in the Labor Market and Inclusive Growth

Gender inequality in the labor market is evident in the Philippines, with substantial gender gaps in participation and employment outcomes. Despite increased LFPRs from 2000 to 2012 among women, gender gaps in other dimensions did not uniformly decrease over the decade. Strategies to reduce labor market gender inequality are required. In general, the Philippines faces the task of continuing to generate employment growth, reducing vulnerable employment, and improving decent work. This requires broad macroeconomic strategy responses to expand employment opportunities, and policies and regulations to improve decent work and social protection.

**The extension of employment regulations such as formal employment contracts, minimum wages, parental leaves, and safety and health standards to include informal and vulnerable work must be explored**

Active labor market programs are needed to ensure that education and vocational training reach both women and men and that women are supported in nontraditional areas of training. Comprehensive social service provision, including water, sanitation, transport, and various forms of child care, would reduce women's unpaid domestic and care burden, making it feasible for women to participate in paid work. Social protection programs need to be extended to include informal employment, and programs related to formal employment should be revised to improve gender equity. The extension of employment regulations such as formal employment contracts, minimum wages, parental leaves, and safety and health standards to include informal and vulnerable work must be explored.

In the Philippines, the exceptionally low levels of labor force participation among women in general, and among 16- to 35-year-old women in particular, point to the need to address labor demand and domestic care constraints through broader social protection and public service measures. When employed, women are concentrated in the WRTS sector, which is characterized by low productivity and high vulnerability. Equal access to credit and training and broader social protection policies are required. The expansion of the BPO sector has led to wage work for women, but skills upgrading remains a particular challenge for women, as do health and safety. A renewed manufacturing sector may also improve employment opportunities.

At present, the export sector is a relatively small employer of women. Although agriculture is likely to remain important and, in conformity with global trends, services are likely to expand, export employment is harder to predict because it depends on the level of global demand and on shifting comparative advantages among countries. Even so, the export sector provides opportunities for decent work for women if regulations are enforced. In general, women must be more fully included in training and upgrading programs, giving them adaptable and transferable skills to adjust to changing patterns of demand.

# Review of Policies for Gender Equality in the Labor Market



The Philippines' national strategy to promote gender equality in the labor market for inclusive growth is based on both legislation and policy. Legislation is most often associated with protecting or enforcing fundamental human rights and establishing stable legal relationships in the workplace—aims that are achieved by setting enforceable minimum standards. Policy, on the other hand, is more flexible and may depend on global economic conditions, a country's specific economic and political circumstances, or a country's comparative level of development.

This section considers three separate areas of policy making: national development goals and macroeconomic policies, national women's ministries and gender equality strategies, and key sector policies to provide real opportunities for women's employment in the Philippines.

## National Development Goals and Macroeconomic Policies

### High-Level Goals and Commitments to Gender Equality

The national development goals in the Philippines recognize equity in general, although no specific mention is made of gender equality. For example, a development goal in the Philippines is inclusive growth, defined in the key planning document, Philippine Development Plan (PDP) 2011–2016, as “sustained growth that massively creates jobs, draws the vast majority into the economic and social mainstream, and continuously reduces mass poverty” (NEDA 2011, 18).

Reference to gender inequality in MDG reports and indicators reveals support for promoting gender equality. The Philippines has incorporated the new employment targets for “full and productive employment and decent work” recommended by UNDP, as related to MDG 1: Eradicate extreme poverty and hunger. However, the indicators are not sex-disaggregated (NSCB MDG Watch). Monitoring these targets using sex-disaggregated indicators would assist the assessment of progress toward poverty reduction for men and women, even though women's ability to control their earnings varies across context, and with education, marital status, and other factors. With respect to MDG 3: Promote gender equality and empower women, the Philippines reports on the target indicator for the share of women in wage employment in the nonagriculture sector (NSCB MDG Watch).

In short, although gender equality is not explicitly expressed in the national goals, the Philippines has indicated its commitment to promoting gender equality in other parts of the national plans and in the sector-specific plans.

**The national development goals in the Philippines recognize equity in general, although no specific mention is made of gender equality**



## Monetary Policy

In the Philippines, as in many other countries, the main objectives of monetary policy are low and stable inflation and management of the exchange rate, in addition to strictly monetary targets. The PDP 2011–2016 states that “monetary policy will remain committed to the achievement of low and stable inflation that is conducive to a balanced and sustainable growth of output and employment,” with an inflation target of 4% within a band of plus or minus 1%. The monetary authority will also “continue to adopt a flexible exchange rate policy” (NEDA 2011, 58).

The central bank has been charged with strengthening the finance sector. The PDP 2011–2016 indicates that “policymakers will need to focus on leveraging remittances as a tool for economic development” (NEDA 2011, 53). The emphasis is on creating an environment to facilitate remittances used for investment and entrepreneurial activities, as well as consumption and human capital expenditures.

A stable macroeconomic environment clearly is important for economic growth. However, there may also be opportunities for monetary policy to contribute more to inclusive growth. Globally, central bank objectives are undergoing review, and the objectives of monetary policy are expanding beyond inflation targeting to include employment. As a result, central banks in many industrialized countries have introduced so-called unconventional policies, including quantitative easing, designed to place more emphasis on employment and output conditions.<sup>23</sup>

The strategy of expanding monetary policy objectives to include employment is supported by empirical evidence that deflationary periods are associated with employment declines, especially for women in developing countries (Braunstein and Heintz 2006).<sup>24</sup> In addition, some countries, such as the United States, take account of information on employment and output as well as prices in making monetary adjustments (Lim 2006). Such a strategy is consistent with announcing a band on the inflation target. Therefore, incorporating explicit employment targets (rather than leaving employment implicit) could contribute to promoting gender-responsive employment growth, given women’s greater employment vulnerability during economic downturns.

**[M]aking monetary policy sensitive to gendered employment, particularly in economic downturns, could support women’s employment**

As central banks work to strengthen the finance sector both in terms of prudential regulation and in the capacity to meet the needs of the real economy, there is an opportunity to do so in a gender-responsive manner, thereby enhancing efficiency and gender equity. In the Philippines, the central bank is charged with improving the financial environment to make productive use of remittances. A key source of remittances is Filipino women working overseas. Before policies redirecting the use of remittances can be designed, therefore, the implications for women working abroad and for the families to whom they are sending their remittances must be examined.

In general, making monetary policy sensitive to gendered employment, particularly in economic downturns, could support women’s employment. Such monetary policy, combined with strengthening the finance sector to make it responsive to women’s financial constraints, could contribute to promoting women’s employment and inclusive growth.

## Fiscal Policy

Fiscal policy related to government expenditures and taxation across all sectors of the economy (agriculture, industry, and services) as well expenditures relating to human capital development, labor market supports, and social protection is a key macroeconomic policy for facilitating gender-equitable employment. Most government expenditures will have gendered employment impacts, either directly or indirectly. For example, expenditure on infrastructure is likely to increase men’s employment to a greater extent than it increases women’s employment, given the strong

<sup>23</sup> See Epstein (2007) and Cobham (2012).

<sup>24</sup> See also Epstein and Yeldan (2008).

occupational and industrial segregation in the fields related to infrastructure development. Expenditures on education and health, on the other hand, may positively impact women's employment to a greater extent. However, expansion of fiscal policy is limited by high debt-to-GDP ratios in the Philippines.

Good practice related to fiscal expenditures is to set targets for women's direct employment and to ensure a gender-responsive design that enables women to benefit equally from the investment. Ensuring that women are employed directly by government-funded projects not only provides employment but can also serve to break down gender stereotypes, potentially making it easier for women to be hired in nontraditional areas in the future. In the Philippines, elements of these good practices can be found in existing policies, but they could be adopted in additional areas. In general, however, budget allocations specified in government documents do not include a gender dimension, and a gendered analysis of sector spending priorities and commitments is absent. A high-level gender analysis of government expenditures related to employment should be considered.

**Good practice related to fiscal expenditures is to set targets for women's direct employment and to ensure a gender-responsive design that enables women to benefit equally from the investment**

### Trade Policy

In contrast with monetary and fiscal policies, trade policies have been explicitly linked with employment in national plans, and the Philippines has identified employment targets or indicators. In the Philippines, the number of workers is estimated in key targeted trade sectors (Department of Trade and Industry 2012). Setting employment targets is an important step in raising awareness and accountability and making trade employment-oriented.

Trade policies typically identify a set of products and services that will be targeted for support, along with mechanisms to support increased production and export. The Philippines' Department of Trade and Industry's export sectors of focus are "[information technology business process outsourcing] and other services, electronics, agribusiness products (food, coconuts, and other resource-based products), minerals, shipbuilding, motor vehicle parts, garments and textiles, home-style products (furniture, furnishings, decors), and wearables (fashion accessories, shoes, bags, jewelry) and value-enhanced categories (i.e., natural and organic products, green products, halal, and kosher)" (Department of Trade and Industry 2012, 32).

Given strong horizontal and vertical sex segregation in employment, promoting production in selected products and services will have gendered employment effects, and a gendered analysis of such effects is therefore necessary. It may be necessary, for example, to promote products produced by women along with those produced by men. Further, gendered value-chain analysis may be useful to identify which products and services women provide compared to men, and at what points in the chain.

Initiatives to facilitate trade need to take account of and address the gender-specific constraints on entrepreneurs. Although the link between trade and employment is generally recognized, employment indicators should be sex-disaggregated to improve the gender equality of employment in exports. Gendered analysis of employment should also be conducted in domestic sectors that compete with imports, examining how changes in tariff structure might affect the employment of both men and women. Strategies to promote exports and employment in goods and services might consider undertaking a gender analysis of the value chain to identify where women are currently employed, develop mechanisms to support their employment, and identify avenues to expand their employment.

### Employment Policy

There is growing awareness of the importance of employment and decent work for inclusive growth at the national level. There are a number of positive dimensions in the employment policy of the PDP. First, the plan identifies employment targets: to create 1 million new jobs annually. Such targets are important, and the next step would be to establish gender-equitable

employment targets. Second, the plan articulates a strategy that blends a growth-led path with an employment-led path to employment creation. It also gives explicit attention to decent work (DOLE 2011b). Third, the plan identifies three labor market interventions of particular relevance to employment-led growth and vulnerable populations—establishing employment guarantee programs, strengthening the Emergency Community Employment program, and implementing active labor market programs—and women are explicitly mentioned as one of the target groups. Thus, there is some recognition of gender issues, but greater gender awareness is still possible. Finally, the Philippine Labor and Employment Plan 2011–2016 (PLEP) briefly mentions the gender gap in labor force participation rates, and the PDP 2011–2016 recognizes that women are disadvantaged in employment “due to differences in gender roles that limit their access to productive resources and basic services” (NEDA 2011, 238). Although this is an important point, there is need for further analysis of the underlying structural causes of women’s disadvantage and of gender-specific employment strategies to overcome this disadvantage.

**Opportunities remain to make employment policies more gender-responsive, including more detailed analysis of the constraints and discrimination women face in employment, adoption of strategies to enhance women’s employment, and setting of sex-disaggregated targets**

To varying degrees, employment policies under discussion incorporate high-level employment goals and recognize the links between employment and inclusive growth, employment targets, and specific employment creation programs. Opportunities remain to make employment policies more gender-responsive, including more detailed analysis of the constraints and discrimination women face in employment, adoption of strategies to enhance women’s employment, and setting of sex-disaggregated targets with accountable monitoring and evaluation.

### **National Women’s Ministries or Commissions and Gender Equality Strategies**

The Philippine Commission on Women (PCW) is a government unit under the Office of the President and has oversight responsibilities, also indicative of a high level of commitment to gender equality. The PCW is responsible for incorporating gender into sector plans and the overall national development plan.<sup>25</sup> Gender and development focal points exist within each government agency, and each agency is charged with developing gender and development plans. The key guiding document is the Philippine Plan for Gender-Responsive Development 1995–2025 (National Commission on the Role of Filipino Women 1998).<sup>26</sup> The PCW (2013b) developed a new gender and development plan called the Women’s Empowerment, Development, and Gender Equality Plan for 2013–2016 (Women’s EDGE Plan). The PCW undertakes policy studies, conducts pilot projects, and provides technical services and resources.<sup>27</sup>

Women face different constraints from men in the labor market and more broadly. This is recognized in a recent notable legislative achievement, Republic Act 9710, known as the Magna Carta of Women, enacted in 2009. This act recognizes that “equality of men and women entails the abolition of the unequal structures and practices that perpetuate discrimination and inequality” (PCW 2010, 36). In connection with employment, the PCW indicates that the Magna Carta of Women will “level the playing field by making productive resources and economic opportunities equally available for both men and women.” It is further noted that “generally, women do not control family properties and decision making rights on the use of income, further limiting opportunities to break the poverty cycle.”<sup>28</sup>

<sup>25</sup> See PCW webpage, About Us.

<sup>26</sup> Other key gender and development planning documents have been developed by the PCW and are available on their website (<http://pcw.gov.ph/publication/types/Reference>).

<sup>27</sup> See PCW webpage, About Us.

<sup>28</sup> See PCW webpage, Women’s Economic Empowerment.

One of the focus areas of the PCW is women's economic empowerment. An example of a good gender mainstreaming practice is the Gender-Responsive Economic Actions for the Transformation of Women (GREAT Women) project, implemented by the PCW (Box 2). The PCW endorses the view that good governance is gender-responsive and "enhances the abilities of women and men to contribute to and benefit from development."<sup>29</sup> The PCW has responsibility for gender mainstreaming at subnational levels of government, strengthening linkages and partnerships among partners, and promoting the representation of women. There is also support for the involvement of women from outside of government.

The PCW has implemented a variety of mechanisms to support gender mainstreaming and accountability. For example, it makes a variety of publications and briefs, such as the Harmonized GAD Guidelines (2007), available on its website to provide assistance and tools relevant to gender

### **Box 2 Gender-Responsive Economic Actions for the Transformation of Women Project, Philippines**

The Gender-Responsive Economic Actions for the Transformation of Women (GREAT Women) project is a capacity development project designed to support the development of sustainable women's microenterprises, contributing to more and better jobs for both women and men. The GREAT Women project, led by the Philippine Commission on Women (PCW), partners with national government departments, national agencies, and local government units to create gender-responsive policies and programs that support women's economic empowerment. With financial support from the Canadian International Development Agency (CIDA), the initial 5-year project (2006–2012) has been extended.

The Canadian International Development Agency (2010, 42) concluded that "The GREAT Women Project is promoting women's economic rights.... [I]t has helped women microentrepreneurs have a clearer idea about what economic rights they can claim, and how to go about claiming these, or accessing services, information and technical support... It has contributed significantly to preparing selected LGUs [Local Government Units] and NGAs [National Government Agencies] to become better duty-bearers."

The project has enhanced the PCW's capacity to offer gender-sensitive enterprise and local economic development technical assistance to national and local partners. The PCW website, which records efforts to document activities undertaken and lessons learned, provides a useful resource for government agencies and microentrepreneurs.

Nationally, partners have enhanced the environment for microentrepreneurs by developing gender-sensitive programs and tools, such as a gender-responsive value chain analysis and planning for technologies related to food processing, bulletins on health and safety hazards, and guides on gender awareness in the workplace. The increase in knowledge has been linked to greater budget allocations for women's economic empowerment.

Local project impacts include improved gender responsiveness of plans and legislation, collection of sex-disaggregated baseline data, and strengthened partnerships between government and civil society to facilitate women's access to services.

Women entrepreneurs now have better access to government services, training in business and leadership skills, business support services, credit assistance, and linkages with local markets. A GREAT Women brand of upscale food products has also been created.

Sources: Philippine Commission on Women (PCW). 2013. *Convergence for Women's Empowerment*. Official magazine of the GREAT Women Project. [http://pcw.gov.ph/sites/default/files/documents/resources/gwp\\_magazine\\_2013\\_january\\_edition.pdf](http://pcw.gov.ph/sites/default/files/documents/resources/gwp_magazine_2013_january_edition.pdf); PCW. The GREAT Women Project. <http://pcw.gov.ph/gwp>.

<sup>29</sup> See PCW webpage, Focus Areas.

### Box 3 Gender Budgets, Philippines

Gender and development (GAD) budgeting, introduced in the Philippines in 1995, requires that a minimum of 5% of the national government budget be allocated for gender and development initiatives. Since 1998, local governments also have been required to allocate a minimum of 5% of their budget to women's empowerment. Illo (2010) notes that gender-responsive budgeting is part of a wider change toward gender-responsive governance requiring "accountability, transparency, and participation." Gender budgeting is a mechanism to mainstream gender issues.

Experience from the Philippines suggests that a GAD budget can galvanize women's organizations, link civil society and government officials, and support key women-oriented activities. The GAD budget has been used to enhance gender-responsive planning capacity through increased competencies and planning and to maintain sex-disaggregated data on labor and employment. The GAD budget was also used to support projects of direct assistance to women, including the pilot microfinance program to help informal sector workers (many of whom are women) to open bank accounts and to make contributions through these to the social security system. The budget is also used to provide legal support to improve workplace safety and access to jobs such as those in the BPO sector.

Enabling factors include selecting key issues, having committed and professional staff, collecting sex-disaggregated data, and conducting special surveys. The allocation of a specified percentage of the budget for gender initiatives enables implementation of selected gender programs and, equally importantly, raises awareness about gender issues, with the possibility that this may then spill over into other budgetary areas.

Sources: J. F. Illo, ed. 2010. *Accounting for Gender Results: A Review of the Philippine GAD Budget Policy*. Manila: Miriam College. p. 117; R. Sharp, D. E. M. Costa, and V. D. Sanjugta. 2011. *Gender Responsive Budgeting in the Asia Pacific Region*. <http://w3.unisa.edu.au/hawkeinstitute/research/gender-budgets/documents/philippines.pdf>

mainstreaming. It also supports the collection and dissemination of sex-disaggregated statistics and reviews key legislation related to women and gender equality.

**The Philippines is a leader in the use of a gender budget and has incorporated gender audits to increase compliance with gender mainstreaming initiatives**

The Philippines is a leader in the use of a gender budget (Box 3) and has incorporated gender audits to increase compliance with gender mainstreaming initiatives.<sup>30</sup> Despite the many and sophisticated measures to promote gender equality in the Philippines, however, women in the Philippines still experience a variety of challenges in accessing productive employment and decent work. The major problem appears to be ensuring that policies, strategies, and action plans are in fact implemented, monitored, and assessed using the approach taken in the GREAT Women project.

In summary, promoting gender-equitable employment requires the strengthening of gender mainstreaming and gender-specific projects across government policies and programs. This requires identifying and analyzing underlying gender differences and constraints and the factors affecting unequal participation in, and benefits from, government services and programs. It also requires a commitment to ensuring that projects are implemented.

## Key Sector Policies

### Agriculture

The Philippines has an extensive rural population and relies on the agriculture sector for employment, economic growth, exports, and food security. It is a significant source of employment for women and is important for poverty reduction in rural areas.

<sup>30</sup> Specific actions to improve gender budgeting in the Philippines are discussed in Illo (2010).

Agricultural policy is highly complex, and its overall contribution to inclusive economic growth and poverty reduction, particularly in developing countries, cannot be overestimated. Agricultural policy requires consideration at both the macroeconomic and the microeconomic levels. It includes environmental issues such as deforestation, soil degradation, and climate change as well as food security issues. It requires an assessment of country development, trade and export–import ratios, global market factors, the types of agriculture products best suited to the environment and economy, current and potential agriculture production techniques, the skill level of agriculture workers, and available and potential infrastructure. Agricultural policy requires cohesive, sustainable short-, medium-, and long-term strategies that are regularly monitored, assessed, and updated. It should include appropriate extension services to enable farmers to increase the size of their farm holdings and to move from subsistence farming to sustainable commercial agriculture.

Good practice requires an overall strategy to account for the fact that women generally represent more than half of the workers in the agriculture sector, women often are the poorest people in rural communities, and men and women frequently have different experiences, vulnerabilities, and needs. Gender considerations need to be taken into account at each phase of policy development and in all phases of implementation, monitoring, and evaluation of effectiveness. As part of that process, it is necessary to address the constraints that women farmers commonly experience.

**Good practice requires an overall strategy to account for the fact that women generally represent more than half of the workers in the agriculture sector**

The starting point is that women farmers do not have an equal opportunity to acquire land or register it in their own names. They may also have fewer inheritance rights than male farmers. Land ownership is important not only to women’s ability to earn income but also as a source of empowerment and autonomy within the household. Their lack of land also affects their ability to gain access to credit facilities. Women are similarly constrained in their access to extension services; skills development, including training in management and marketing skills; and improved farming equipment. They require special assistance to achieve equal access, and this can be achieved through gender-specific action plans that target the needs of women farmers and gender mainstreaming that is monitored for effectiveness to ensure that women share appropriately in the sector’s growth.<sup>31</sup>

The Government of the Philippines articulates its agriculture policy within a number of overarching policies. Pursuant to the PLEP, the government seeks to achieve effective implementation of macroeconomic policies conducive to economic growth and market competitiveness (DOLE 2011b). The PLEP covers four key areas: agriculture, infrastructure, education, and health. It indicates that priority is to be given to the agriculture sector, noting that this sector includes the bulk of poor and marginalized populations. Similarly, in infrastructure development, priority is to be given to the recruitment of rural and semi-skilled workers.

Importantly, the overarching PDP 2011–2016, in its strategic framework to bring about inclusive growth and poverty reduction, specifies three main goals. Goal 1 is “food security improved and incomes increased”, which includes diversifying production; improving rural infrastructure and facilities; developing markets; strengthening research, particularly through the enhancement of environmentally friendly and efficient technologies throughout the value chain; improving credit access; and ensuring the availability of food at affordable prices. Goal 2 is “sector resilience to climate change risks increased” and Goal 3 is “policy, environment, and governments enhanced” (NEDA 2011). Furthermore, PDP’s Strategy 1.1 is important to agribusiness and includes the goals of raising the productivity and incomes of agriculture and fishery-based households and enterprises.

The overarching plans outlined in the PDP and the PLEP are essentially gender-blind, including only brief references to women’s employment and their participation in the labor force. There are general references to women in agriculture in the Philippine Plan for Gender-Responsive Development 1995–2025, in the Magna Carta of Women, and in many other plans, strategies, and policy documents. However, these do not adequately focus on goals and targets to achieve real outcomes for women.

<sup>31</sup> See ADB and ILO (2013a).

Among the many agriculture products that are important to the Philippines, a particularly important subsector is rice production (ADB 2012c). The 2010 rice harvest was 6.62 million metric tons, and 2011 demand was 10.1 million metric tons. The total population was around 94 million in 2011 and is projected to grow by 2 million per year. The shortfall in rice to support domestic demand means that the Philippines is an importer of rice. The government has responded with a policy, expressed in the Department of Agriculture's Agri-Pinoy Rice Program, that there will be no rice importation by 2013 (Rice Matters 2011). The Department of Trade and Industry identifies export sectors with an agriculture focus which include agribusiness products (food, coconuts, and other resource-based products).

The case study described in Box 4, which refers to rice and vegetable production, indicates that comparable sex-disaggregated data are not easily available among subsectors. As a consequence, the understanding of the sectors and of women's involvement in them is inhibited. It is also an impediment to identifying value-added products or value chains that will generate employment opportunities for women in agribusiness.

At present, the agriculture subsectors do not appear to be operating at their optimum productivity level, and many imported agriculture products could be effectively sourced within the Philippines. In particular, increased and improved production of rice and vegetables could provide significant opportunities for women. However, women require improved access to land and credit resources, as well as support and training that takes into account their differing needs and roles, in order to increase their involvement in the production, supply chains, value adding, and processing of these products.

Given that the agriculture sector is of paramount importance for inclusive economic growth and is the second-largest sector for women's employment, an overarching agriculture strategy for women is recommended. Such a strategy could bring together national, regional, and local agencies in an organized and cohesive manner with goals, targets, monitoring, and assessment to ensure that women are properly taken into account at all phases, from design through implementation. Two examples of specific good gender practice in the Philippines, which could be further extended to assist women in poor communities, include the GREAT Women project and the Negros Women for Tomorrow Foundation program (ADB 2012c) (Box 5).

Given that the agriculture sector is of paramount importance for inclusive economic growth and is the second-largest sector for women's employment, an overarching agriculture strategy for women is recommended

#### **Box 4 Women Working in Rice and Vegetable Production, Philippines**

Surveys of women working in agriculture reveal that women play important roles with regard to cash crops, subsistence production, and small livestock raising, but that their roles differ from men's roles. A 1992 survey identified the major roles and differing tasks performed by women, and this has been confirmed in later studies, with some regional differences and variation, depending on the crop and activities. In general, women cultivate kitchen gardens and subsistence crops, mainly root vegetables, to feed their families. Land clearing is carried out by men, who also spray chemicals, apply fertilizers and do mechanized tasks. Women supply a major part of labor for planting, weeding, harvesting and post-harvest tasks as well as later marketing. Women raise poultry and pigs, whereas men are responsible for cattle and water buffalo. Men tend to have greater decision making power including about credit and loans. Women have their own areas of authority, such as seed selection and harvesting, deciding how much of the harvest to sell, how to allocate earnings and what to feed their families. Finally, women are almost completely responsible for household tasks.

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Box 4 *continued*

More recent studies of women in rice production and vegetable cultivation indicate that, allowing for the differences in produce, most of these features remain unchanged, except that in some cases decision making about credit and loans is gradually changing in favor of women, in part due to increasing migration of men from rural communities.<sup>a</sup> Women are engaged in almost all areas of rice production and also in the hiring of workers. However, only two of the five main segments of the rice value chain, beginning with accessing imports for production through distribution to markets, had gender-disaggregated data. The study concluded that the rice sector is crucial to the Philippines' food security and that policies should consider the rights, welfare, agenda, and interests of women rice farmers.<sup>b</sup>

A survey conducted by the Philippine Peasant Institute revealed the differences between women rice farmers and men with regard to access to credit and land. Almost 70% of women were directly involved in capital procurement, but their access to formal credit was lower than men's access. Ninety-four percent of women had borrowed money to finance rice farming and to augment household expenses, but they often went to private moneylenders who were also rice traders, which limited their capacity to get better prices. Most of the land titles of landowning households were held in the name of the male spouses. Women were small owner-cultivators, tenants, or farm workers. Female agrarian reform beneficiaries were only 22% of the total number of beneficiaries in 2002. Most recipients of government support were male farmers and overall, female farmers accounted for less than one-third of the total beneficiaries of government programs.

Filipino women are strongly represented in the growing, production, and sale of vegetables. A small study of vegetable growers, undertaken in 2007, again revealed men's and women's different roles and tasks.<sup>c</sup> The report makes a convincing case for the importance of vegetable cultivation in the Philippines, and this is reinforced by more recent data indicating the continuing growth of the vegetable industry and the subsector's positive contribution to export income.

<sup>a</sup> T. R. Paris, J. Luis, D. Villanueva, M. F. Rola-Rubezen, T. N. Chi, and C. Wongsanum. 2009. *Labour Out Migration on Rice Farming Households and Gender Roles: Synthesis of Findings in Thailand, the Philippines and Vietnam*. Paper presented at the FAO-IFAD-ILO Workshop on Gaps, Trends and Current Research in Gender Dimensions of Agricultural and Rural Employment: Differentiated Pathways out of Poverty. Rome. 31 March–2 April 2002. [http://www.fao-ilo.org/fileadmin/user\\_upload/fao\\_ilo/pdf/Papers/16\\_march/Paris\\_Thelma\\_final\\_.pdf](http://www.fao-ilo.org/fileadmin/user_upload/fao_ilo/pdf/Papers/16_march/Paris_Thelma_final_.pdf).

<sup>b</sup> A Spieldoch. 2007. *A Row to Hoe: Impacts of Trade Liberalization on Food System*. Geneva: Friedrich-Ebert-Stiftung. pp. 19–20.

<sup>c</sup> G. I. Johnson, K. Weinberger, and M. H. Wu. 2008. *The Vegetable Industry in Tropical Asia: An Overview of Production and Trade*. Explorations Series No. 1. AVRDC – The World Vegetable Center. [http://s3.amazonaws.com/zanran\\_storage/www.avrdc.org/ContentPages/17933344.pdf](http://s3.amazonaws.com/zanran_storage/www.avrdc.org/ContentPages/17933344.pdf)

Sources: R. Obanil and E. Dano. 2007. *Attaining Rice Self-Sufficiency in the Philippines: Lessons from Major Rice Producing Countries*. The Peasant Institute and South East Asia Regional Initiatives for Community Empowerment (SEARICE). Available at [http://www.r1phils.org/PDF%20Files/State\\_Intervention/2AttainingRiceSS.pdf](http://www.r1phils.org/PDF%20Files/State_Intervention/2AttainingRiceSS.pdf); Department of Agriculture. 2011. *Selected Statistics on Agriculture 2011*. Manila. <http://countrystat.bas.gov.ph/documents/ssa2011.pdf>; J. L. Lu. 2007. Gender Differentiation among Farmers in the Agricultural Sector in Benguet, Philippines. *Journal of International Women's Studies* 9(1); J. L. Lu. 2011. Relations of Feminization of Agriculture in Women's Occupational Health – The Case of Women Farmers in the Philippines. *Journal of International Women's Studies* 12(4): 113, including reference to J. Reyes-Canots and R. Bernabe. 2006. *Gender and Rice: The Case of Philippines*.

### Box 5 **Negros Women for Tomorrow Foundation, Philippines**

The Negros Women for Tomorrow Foundation (NWTF) began in 1984 as a nongovernment organization (NGO) to help women achieve self-sufficiency and self-reliance, particularly in Negros Occidental's low income and depressed urban and rural communities. In 2000, it became a microfinance institution following the Grameen Bank credit model. It operates under the project trademark Dungganon, which means "honorable," and today is one of the world's top 100 microfinance institutions.

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Box 5 *continued*

NWTF has 56 offices, mostly serving remote areas. Three companies operate under the directorship of Project Dungganon: the NWTF, the Dungganon Bank, and an information technology company called DO-IT, which provides banking systems technology. As of 2010, NWTF's loan disbursements had reached P1 billion (approximately \$25 million), its loan portfolio was P480 million (approximately \$11.6 million), and it had 92,484 active members and 85,808 active borrowers. By 2011, NWTF's loan portfolio had grown to P600 million (approximately \$14.5 million) and it had 122,000 members. The clients targeted by Dungganon are the poorest of the population.

There are two major loan products. The first is a minimum loan to start or expand a business, ranging from P1,000 (approximately \$24) to a maximum of P30,000 (approximately \$720). The second loan product is designed to assist individual microentrepreneurs with loans ranging from P30,000 to P100,000. In 2010, the NWTF became a fully fledged field partner of KIVA and now has an additional monthly fund-raising limit of \$100,000, which is available to qualified clients.

Dungganon's mission is to provide sustainable financial and client-responsive development services to the poor. It achieves this through a variety of strategies. It has moved away from a strictly credit-led approach toward providing a broader array of financial products and services, including savings and insurance to help the poor build comprehensive financial safety nets. For example, it provides training on entrepreneurship (which includes simple accounting, packaging, business strategies, and other income generating skills); other life benefits, notably insurance (life insurance, hospital income benefits, accidental death benefits, disability benefits, medical reimbursements, and weekly indemnity as well as a retirement fund); and a number of outreach programs, including scholarship grants and a micro-crop loans to meet the credit needs of beneficiaries of agrarian reform, enabling them to cultivate their own land and retain ownership of it.

Women are the main beneficiaries, and they have engaged in many forms of economic activity that include operating sari-sari stores; buying and selling fish, making ready-to-wear garments, and food; and engaging in numerous agriculture endeavors, such as backyard vegetable production; pig raising; medium-scale fishing; rice, sugarcane, coconut, and peanut farming; pandan bag making; salted duck egg production; restaurant operations; crab and animal meat processing; and ice-cream making.

Dungganon's goals over the period 2011–2013 include opening six new branches a year, enhancing products and services, and promoting environmentally friendly products and activities.

Sources: Negros Women for Tomorrow Foundation (NWTF). 2009. *Annual Report*; NWTF. 2010. *Annual Report*. Both reports available at <http://www.nwtf.org.ph?chapter=16>.

## Industry and Manufacturing

**The Philippines' manufacturing policy is contained within a number of overarching plans ... There is no indication that gender has been taken into account in the development of the policy or in setting the development goals**

The Philippines' manufacturing policy is contained within a number of overarching plans, notably, the PDP, the PLEP, the Philippine Export Development Plan 2011–2013, and, more recently, the Department of Labor and Employment (DOLE) JobsFit 2020 Vision.

The PDP provides a strategic framework for the industrial and service sectors and has identified goals that include creating a better business environment; encouraging public–private partnerships; strengthening economic zones; strengthening national brand and identity awareness; increasing exports; and encouraging foreign and domestic investment. It specifically refers to particular manufacturing sectors. There is no indication that gender has been taken into account in the development of the policy or in setting the development goals. Furthermore, the reference to women is limited to noting that they are generally disadvantaged in employment.

The DOLE JobsFit 2020 Vision dissects employment in various industrial sectors and regions, identifies employment needs and skill gaps, and examines the requirements for creating and fulfilling employment opportunities. Chapter 3 focuses on manufacturing and is gender-neutral.

The overarching plans were created following the decline in manufacturing in the Philippines between 2000 and 2009, even as its neighbors registered increased growth over the same period (ADB 2011c). From 2003 to 2008, the number of people employed in the manufacturing sector fell by 132,000 workers, and the decline was greater for women than for men. The Philippines has also very little export-oriented manufacturing in comparison with fellow Association of Southeast Asian Nations (ASEAN) members Cambodia, Indonesia, Malaysia, Thailand, and Viet Nam. Manufacturing's share of GDP fell from 25.7% in 1980 to 21.3% in 2009 (Usui 2012).

Manufacturing has come under the spotlight in a number of recent reports, and a number of common themes have emerged (Aldaba 2012; Habito 2010; Usui 2011; Usui 2012). First, the labor decline in the agriculture sector has largely been absorbed by the services sector, which has increased, rather than by the manufacturing sector (Habito 2010). Second, the service sector has had low labor productivity growth in comparison with the manufacturing sector (Usui 2012). Third, service-led growth has not created productive jobs (Usui 2012). Fourth, the Philippines has not kept pace with its competitors and neighbors who have better utilized foreign direct investment and developed more diversified products. Finally, manufacturing, particularly food manufacturing, has higher levels of backward and forward inter-industry linkages than most other sectors of the economy (other than tourism) (Habito 2010).

The Philippine Institute for Development Studies stated that reviving the labor-intensive manufacturing sector could help attain inclusive growth that would create more jobs and significantly reduce poverty (Roa 2012). In addition, it reported that the government is drafting an integrated manufacturing plan that will determine bottlenecks and provide recommendations to revitalize local industries. None of these plans or frameworks identifies or refers to gender issues or to any strategies by which women may be included in and benefit from jobs in manufacturing.

A major part of manufacturing production occurs in designated export processing zones (ADB 2012c; NEDA 2011, Chapter 3; DOLE undated Project JobsFit, 28). The number of women working in economic zones is estimated to represent 64% of total employment and may be much higher in some industries, such as electronics and apparel (World Bank 2011a). Thus, women's share of employment in the export processing zones is much greater than women's share of the labor force as a whole, and the conditions of employment are of concern. Reports suggest that working and living conditions are poor, that women find it difficult to obtain work while pregnant and after the birth of their baby, and that unionization is uncommon.<sup>32</sup>

There does not appear to have been a policy analysis of the importance of the manufacturing sector to women or any examination of why the decline of the manufacturing sector affected women's employment more than men's. There is also no discussion of the constraints women have in obtaining employment in manufacturing, what skills women may require to access employment, or which manufacturing subsectors would best suit their circumstances. This would include a discussion of factors such as decent factory work conditions as well as the availability of child care facilities.

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<sup>32</sup> See Lu (2007b).

## Tourism

Women are already well represented in both formal and vulnerable employment in the services sector and have a greater share of employment in the sector than men. It is therefore a potentially important source of inclusive growth for women. Specific service subsectors of high relevance to women's current and future employment in the Philippines, including tourism, BPO, and government services are highlighted here.

**Tourism helps to provide jobs and diversify local economies, and provides employment opportunities for women at a number of different occupational levels**

The Philippines places tourism in its list of top priorities for development planning, economic growth, and increased employment. Tourism helps to provide jobs and diversify local economies, and provides employment opportunities for women at a number of different occupational levels. Ecotourism in particular could provide significant opportunities for rural women. Important issues to be addressed in developing a tourism industry policy include the effects of tourism on the physical environment and the social and cultural structure of a country and the need to address risks such as an increase in sex tourism and trafficking of women and girls. These issues require a combination of legislation and policies.

The PDP 2011–2016 indicates that the country is seeking to increase its investment in the tourism industry. The government recognizes that tourism is a potentially powerful economic growth engine for the country if it is developed in a sustainable manner. It notes that tourism development will be pursued in a sustainable manner to continuously create jobs and livelihoods for local communities and to generate foreign exchange (NEDA 2011). Tourism is the fourth-largest source of foreign exchange inflow in the Philippines, behind the electronics industry, overseas Filipino remittances, and BPO. However, the Philippines ranked only sixth among its ASEAN neighbors in attracting foreign tourists, and the 2011 World Economic Forum Tourism and Travel Competitiveness Index ranks the Philippines 94 out of 139 countries worldwide.

Tourism development is linked to employment in many different subsectors, the more visible being in hotels, restaurants, travel agencies, transport services, and tour guide services. In addition, there are a number of potential backward linkages that could benefit from increased tourism, including agriculture, fisheries, and handicrafts.

As indicated in its development plan, the national government seeks to mobilize the capacity of local government units to strengthen their capacity to plan, regulate, and guide tourism development so that it is environmentally and socially sustainable as well as economically viable. The plan also encourages these units to develop tourism-related products and services using the community-based and ecotourism approaches already implemented by particularly innovative and entrepreneurial local government units (NEDA 2011).

The national government also seeks to implement partnerships between local governments and the private sector to implement a mandatory system for tourism enterprises, including the formulation of a national standards and certification program for tourism facilities and services, to ensure that tourism enterprises are comparable in quality to international standards. Such standards have the potential to encourage best practices for women's participation in the tourism industry.

The development plan also recognizes the need for a link between public and private higher education institutions through which tourism-related education programs and technical expertise can be targeted toward the local tourism industry. The government indicates that it will help support potential, new, and existing micro, small, and medium-sized enterprises (MSMEs) to support the transformation of the livelihood activities of the poor into sustainable microenterprises (NEDA 2011). The Department of Trade and Industry and the Department of Social Welfare and Development are to collaborate in providing business development and productivity enhancement services for existing livelihood projects. This will enable the implementation of community-based and ecotourism projects to provide alternative and supplemental livelihoods for local communities and enhance decent work opportunities for women.

Links have been found between tourism and human trafficking. The government addresses trafficking through the Anti-Trafficking in Persons Act, 2003 (Republic Act 9208) that criminalizes trafficking, as well as through other complementary legislation. It has entered into bilateral agreements with numerous countries for cooperation on human trafficking and collaborates on training and capacity building with the United Nations and other international organizations. An Interagency Council against Trafficking was established in 2007 to provide a forum for different government departments and stakeholders, including civil society organizations, to come together to coordinate and monitor the implementation of the anti-trafficking act. One specific measure to reduce the impact of sex tourism was developed by the Department of Tourism's Philippine Convention and Visitors Corporation, which directed its ad agencies to produce marketing campaigns and promotional products that are "gender-sensitive and ensure no discrimination of either men or women in text or visual renditions; and under no circumstances will these promote (implicitly or explicitly) sex tourism or commodification of women" (National Commission on the Role of Filipino Women 2004, 26). In addition, a number of government programs and NGOs provide programs to assist victims, and the United Nations Human Rights Council's Special Rapporteur made a number of recommendations for improvement.<sup>33</sup> A number of those recommendations could be addressed by adopting aspects of Cambodia's comprehensive approach in its trafficking prevention strategy.<sup>34</sup>

A major challenge in growing the tourist industry and enhancing the Philippines' competitiveness as a tourist destination is the need for greatly improved infrastructure. As a member of ASEAN, the Philippines can potentially increase connected regional tourism through the ASEAN Tourism Strategic Plan 2011–2015. In order to improve the subsector, however, the Philippines' tourism-related rules and regulations must become more transparent. Moreover, restrictions on foreign ownership of companies and on property rights remain a handicap in attracting tourism investment, especially from international chains and the network of tourism operators.<sup>35</sup>

The PDP refers to gender only in a very limited context. It appears that tourism planning has not included women or has had insufficient regard for gender issues. Within the tourism industry, relatively few women have the educational qualifications or foreign language skills to compete for front-of-house positions in the hotel industry, as tour guides, or in travel agencies, and women are more likely to be employed as housekeepers, waitresses, or similar low-level positions. Targeted educational programs could provide women with the necessary qualifications to climb the job ladder, which could progressively help to rectify the imbalance between work opportunities for men and women and eliminate gender gaps in tourism employment. The Philippines could benefit from considering and applying appropriate modifications to the policies, legislation, and gender mainstreaming action plan in tourism in Cambodia.<sup>36</sup>

### Business Process Outsourcing

The Philippines' Information Technology–Business Process Outsourcing Road Map 2011–2016 is not gender-responsive and does not address women's constraints in accessing higher-paid work in non-voice services or the likely growth in information technology and engineering. These matters, as well as the pay differentials between men and women and employment conditions, require specific government attention. It is likely that this can be best addressed through high-level social dialogue among government, employers, and union representatives. The promotion of this industry alone cannot drive inclusive growth for the large and increasing number of

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<sup>33</sup> See Office of the United Nations High Commissioner for Human Rights (OHCHR). *Special Rapporteur on Trafficking in Persons, Especially Women and Children*. <http://www.ohchr.org/EN/Issues/Trafficking/Pages/TraffickingIndex.aspx>.

<sup>34</sup> See ADB (2013a, Section III, Part C.3).

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

unemployed and underemployed workers, but it is an important source of current and future job opportunities and export earnings and can provide a source of decent jobs for skilled women.

### Government Services

**The Philippines has strong gender mainstreaming programs, which has given women greater access to government employment generally, but women in the civil sector may still be underpaid, given their levels of education, experience, and ability**

Public sector employment is an important source of jobs with better pay and conditions for women than many other industrial sectors, but women are constrained by being predominately employed in traditional, gender-stereotyped care sector government occupations such as health and education, and they are underrepresented in the higher-paying subsectors. The Philippines has strong gender mainstreaming programs, which has given women greater access to government employment generally, but women in the civil sector may still be underpaid, given their levels of education, experience, and ability. There are increasing opportunities for employment within this sector and women should be given the training, skills, and opportunities to enable them to obtain equitable access to all subsectors.

### Entrepreneurship

There has been a rapid surge in the number and proportion of female entrepreneurs in developing countries (Minniti and Naude 2010, 280). Studies indicate that female-led MSMEs increase employment opportunities for women and contribute to wider development goals (ADB and ILO 2013a). One survey indicated that women entrepreneurs are more likely than men to be motivated by necessity; these are livelihood-oriented entrepreneurs attempting to escape unemployment (Viet Nam Women Entrepreneurs Council 2007). Men, on the other hand, are more likely to be purpose-motivated or growth-oriented entrepreneurs, starting a business due to a good grasp on business and entrepreneurial skills. The study concluded that the main reason for this difference in motivation is that women shoulder greater household responsibilities. An additional component is female entrepreneurs' perceived weakness in establishing social relations and communication. One feature of livelihood-oriented entrepreneurs is that their businesses often stay informal, semi-informal, or small scale, whereas growth-oriented entrepreneurs have the potential and intention to grow into larger businesses because they have a clear direction for both financial investment and human resources.

In 2012, the ILO reported on the first 10 years of its Women's Entrepreneurship Development Programs (ILO 2012e). The report identified common constraints faced by women entrepreneurs, including a lack of access to and control over financial and productive resources; a lack of access to collateral, land, training, and information; greater household responsibilities and reduced mobility; and cultural norms and attitudes toward women entrepreneurs. These are similar to the constraints identified in the Philippines. The Global Entrepreneurship Monitor's 2010 Women's Report identified the importance of creating environments in which women are enlightened about entrepreneurship and can envision how this can be a viable and attractive path for their employment and livelihood (Kelley et al. 2010). The report also noted that women are less likely—or are less likely to be able—to maintain a business into its mature phase. Thus, there is a need to assist women not only in running a start-up business but also in sustaining and growing an established business.

The good practices review of policy sets out a number of policy strategies to assist women in the informal economy (ADB and ILO 2013a). Measures to support and facilitate women upgrading their businesses and employment circumstances can particularly encourage a progressive integration of rural women's businesses into the formal economy.<sup>37</sup> Women's cooperatives are often a good practice solution.

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<sup>37</sup> See also ILO (2010b).

Entrepreneurship within the Philippines has a significant legislative and policy history. Several laws have implications for women entrepreneurs in relation to microenterprises and microfinance.<sup>38</sup> Around 2006, these laws were the subject of a gender analysis, which found the laws to be gender-neutral; women's particular microfinance and microenterprise development needs were not considered at all (Pineda-Ofreneo 2006). Furthermore, the gender analysis concluded that most of the laws had a strong bias toward credit alone or toward a minimalist microfinance and microenterprise development model, which is primarily concerned with the financial sustainability of the providing institutions rather than with poverty reduction or women's empowerment. Women clients were consequently heavily disadvantaged by high interest rates and transaction costs.

In 2008, the Philippines passed a law to Promote Entrepreneurship by Strengthening Development and Assistance Programs to Micro, Small, and Medium-Scale Enterprises.<sup>39</sup> This act, referred to as the Magna Carta for Micro, Small, and Medium-Sized Enterprises, requires all lending institutions to set aside at least 8% of their total loan portfolio for MSMEs. It also mandated the creation of the Micro, Small, and Medium-Sized Enterprise Development Council, part of the Department of Trade and Industry, which is empowered to implement and monitor action plans for the advancement of MSMEs in the country (MSMED Council 2011). This act is gender-neutral.

The current government policy to increase the competitiveness of MSMEs, outlined in the MSME Development Plan for 2011–2016, is to be implemented around the four emerging global themes of climate change/green growth, gender mainstreaming, migration, and corporate social responsibility. MSMEs are also required to be “gender responsive and environment friendly” with regard to the business environment, financial products and services, productivity, and efficiency; a previous MSME development plan was criticized for lack of gender responsiveness in these areas. Thus, the present plan acknowledges that women own more than half of registered businesses. It aims to contribute 40% to gross value added and to employ an additional 2 million people by 2016. Furthermore, a government website highlights the current importance and contribution of MSMEs to the economy and employment in the Philippines.<sup>40</sup>

Importantly, the MSME development plan encourages local stakeholders to take a gendered approach and notes that gender mainstreaming, when applied appropriately, can have positive effects on the business climate, productivity, and overall economic growth. Although the Philippines has advanced policies aimed at addressing the concerns of MSMEs run by women, and, despite the importance of entrepreneurship for women, there still are considerable constraints on women's participation. Limited access to credit is a crucial one. Recent studies indicate that most microfinance clients are not considered poor by official definition and that the majority of microfinance funds have gone to urban areas in the richest parts of the country, whereas comparatively little has gone to the poorest provinces (Micu et al. 2010). A key challenge in the Philippines is to address the opportunities for and constraints on women entrepreneurs in the rural areas where most of the poor reside, and a prime policy focus should be to improve and enhance the opportunities for rural women. A good practice example from the NGO sector is the Negros Women for Tomorrow Foundation (Box 5).

**The MSME development plan encourages local stakeholders to take a gendered approach and notes that gender mainstreaming, when applied appropriately, can have positive effects on the business climate, productivity, and overall economic growth**

<sup>38</sup> An Act Providing Assistance to Women Engaging in Micro and Cottage Business Enterprises and for Other purposes (Republic Act 7882); An Act to Strengthen the Promotion and Development of and Assistance to Small and Medium-Scale Enterprises (Republic Act 8289), otherwise known as the Magna Carta for Small Enterprises; An Act Institutionalizing the Social Reform and Poverty Alleviation Program (Republic Act 8425); An Act to Promote the Establishment Barangay Micro Business Enterprises (BMBEs) (Republic Act 9178).

<sup>39</sup> Republic Act 9501 of 2008, which amended Republic Act 8289.

<sup>40</sup> See Department of Trade and Industry, <http://www.dti.gov.ph/dti/index.php?p=134>.

## Labor Support Policies

### Social Protection

The term *social protection* has changed and broadened, moving away from the notion of social security nets to encompass social insurance as well as specific social services that protect against specific risks. ADB defines social protection as a “set of policies and programs designed to reduce poverty and vulnerability by promoting efficient labor markets, diminishing people’s exposure to risks, and enhancing their capacity to protect themselves against hazards and interruption/loss of income” (ADB website Social Protection). The components of social protection programs include contributory social insurance programs, social assistance in the form of transfers to vulnerable groups, and labor market programs to help people secure employment. Social protection includes services and the payment of benefits triggered by specific social risks (such as old age or disability) or life events (such as the birth of a child). It is often difficult to draw a line between social protection and other development policies related to the creation of public works, education, and health care.

The ILO definition of social protection also includes “universal access to essential affordable social services in the areas of health, water and sanitation, education, food security, housing, and others defined according to national priorities” (ILO 2011d, 23). A recent comprehensive social security platform developed and promoted by the ILO recommends the adoption of minimum essential noncontributory benefits guaranteed by the government as well as a “social security staircase” (ILO 2011e, 257). The reference to a “social security staircase” is meant to encapsulate the combination of a horizontal dimension, comprising a set of four essential noncontributory benefits guaranteed to every person, with a vertical dimension that guides countries which have established the social floor to gradually reach the level of ILO Convention No. 102 (ILO 2011e, 257). This platform currently forms the basis for development of social protection policy and programs and their implementation in many countries and such work will start in the Philippines with ILO support in 2014.

**It is good practice in social protection policies to recognize that women and men may experience different vulnerabilities**

It is good practice in social protection policies to recognize that women and men may experience different vulnerabilities. Some programs need to specifically address risks such as childbearing that only women experience. Even when women and men face the same risks, their experiences of that risk may differ. The way in which men and women access and benefit from social protection programs will also differ (ADB and ILO 2013a).

Good practice calls for strong links between social protection and labor systems through coherent and coordinated programs that communicate with one another, work together, and sometimes share administrative subsystems (World Bank 2012a).<sup>41</sup> Programs that lend themselves to coordination include conditional cash transfers, skills training, labor market access opportunities through public works, and encouragement of small and medium-sized enterprises (SMEs) for the working-age poor and vulnerable (ADB and ILO 2013a). In addition to a comprehensive gendered social insurance system, other good practice social assistance strategies to assist women include group targeting of assistance, using indicators such as female-headed households, pregnant women, disadvantaged women, and women in the informal sector; and public employment creation programs with targets for women (ADB and ILO 2013a, 27–28).<sup>42</sup>

Informal sector workers and/or workers in rural areas of developing countries frequently lack coverage. The majority of these workers are women and should be given the highest priority. Funding of strategies and programs is always challenging, though benefits may be provided through a mix of private and public funding, employer or employee contributions, or conditional government transfers,

<sup>41</sup> See also ADB (2010; 2012a; 2011f; 2012g); UNDP, Global South–South Development Academy, and ILO (2011).

<sup>42</sup> See in particular, Box 7: The Mahatma Gandhi National Rural Employment Guarantee Act, India.

usually underpinned by legislation (ADB and ILO 2013a, 31–33).<sup>43</sup> Good practice indicates that gender-targeted employment guarantees are an innovative means of raising women’s wages in the informal sector and provide a form of insurance against unemployment, especially in poor rural areas.

The Government of the Philippines has acknowledged the need for a common framework for social protection since 2007, when the National Economic Development Agency (NEDA) adopted a resolution to define social protection and its components (NEDA 2007). This resolution indicates that the goal of social protection policies and programs is to enhance the social status and rights of the poor by promoting and protecting livelihoods and employment, protecting against hazards and sudden loss of income, and improving people’s capacity to manage risks.

At present, three mandatory public savings funds cover public and private employees: the Government Service Insurance System, the social security system, and the Employees’ Compensation Commission. These schemes variously provide benefits such as retirement, sickness, maternity, disability, and death coverage. The Government Service Insurance System and the social security system also provide emergency loans, enabling members to borrow against their retirement contributions.

Although social security system coverage was slated to be expanded to include coverage of the informal sector by allowing them to make reduced contributions, this has not been successfully achieved. The government’s development plan indicates that only 31% of those employed are covered by insurance; thus, the majority of the workforce is marginalized. This is most notable among the rural poor; some 2 million landless rural workers are still not covered by any social protection scheme.<sup>44</sup> Domestic workers also had scant access to social protection. Women were particularly disadvantaged because of the informal nature of their employment, and although maternity benefits may be available for women working in the private sector, this is not the case in the public sector. Social protection is fragmented and there is no unemployment insurance scheme in place, although labor laws include some provisions for severance pay and loans in the event of job loss.

The PDP sets out the government’s social protection framework and identifies four major areas for intervention: labor market interventions aimed at enhancing employment opportunities and protection and workers’ rights and welfare; social insurance programs to mitigate income risks by pooling resources and spreading risk across time and across classes; preventive and developmental social welfare interventions to support the minimum basic requirements of the poor; and social safety mechanisms or urgent responses that address the effect of economic shocks, disasters, and calamities on specific vulnerable groups.

The PDP notes that social protection schemes must be more inclusive and more flexible and that social protection responses should cover migrant workers and land-based overseas Filipino workers to ensure facilitation and integration. Although the PDP refers to the need for more inclusiveness, however, it appears to be gender-neutral and does not highlight the fact that women and men may experience different vulnerabilities and needs. Similarly, the DOLE’s Poverty Free Zones Program also appears to be gender-neutral (ILO 2011b). This program, which seeks to transform selected poor communities into self-sufficient entities through cooperative efforts of government and private organizations, includes job creation initiatives, promotion of livelihood and microentrepreneurial activities, provision of basic social services, and the elimination of child labor.

The government has social protection on its agenda, and trade unions and the government are making an effort to facilitate the inclusion of informal economy organizations in social security programs. This is a good approach and could benefit from strengthened links between microinsurance schemes and national social security organizations.

**The government has social protection on its agenda, and trade unions and the government are making an effort to facilitate the inclusion of informal economy organizations in social security**

<sup>43</sup> See also ADB and ILO (2013b).

<sup>44</sup> These and other deficiencies were highlighted in ILO (2011a).



The Philippines has been pilot testing a good practice conditional cash transfer program since 2008. The Pantawid Pamilyang Pilipino Program provides payments to poor households who have children 0–14 years of age and pregnant mothers, conditional upon ensuring, for example, that the children attend school and health services (Chaudhury, Friedman, and Onishi 2013). Programs such as this address the fact that it takes generations to build up the intellectual and social capital required for a productive workforce. Children, particularly young girls, who are not allowed to attend school because their labor is needed to fill income gaps at home cannot become productive workers in adulthood (ILO 2012a; World Bank 2013).

ADB has, through a technical assistance grant, helped to strengthen this program, seeking to ensure “that all activities are rooted in the specific local context of women; mobilize mothers’ and women’s groups to address the needs in their daily practical lives and ease their work burdens; increase social interactions and greater participation of women in communal life; and engender increased confidence and self-esteem among women” (ADB 2011f).

A recent workshop held at ADB headquarters in Manila on the topic, described the program as the largest poverty reduction and social development program that the government has conceived, with its reach into 3,086,427 households as at 10 October 2012 (Chin 2013). Further, it reported an example of a woman who found that the program enabled her to gain self-confidence and feel like she had a formal education (Chin 2013). The program has recently been evaluated (Chaudhury, Friedman, and Onishi 2013), and it has been shown to be effective overall in its major objectives, which relate primarily to education and the health of children, but it has also encouraged poor women to use maternal and child health services such as antenatal care and postnatal care, which assists both them and their children (Chaudhury, Friedman, and Onishi 2013, 11). In summary, it is recommended that the government develop an overall comprehensive and coordinated framework.<sup>45</sup>

### Training, Skills Development, and Transition to the Labor Market

Education and training improves labor market opportunities and outcomes for women, with positive implications for wider outcomes such as poverty reduction. Studies have shown that education and training of women has a direct effect not only on women’s increased labor market participation but also on their health and fertility, mortality, and their overall economic opportunities. Technical and vocational education and training (TVET) programs are a vital means of giving women access to work and employment. Targeted and well-delivered TVET programs significantly increase women’s incomes and improve rural livelihoods (FAO, IFAD, and ILO 2010).

**[Y]oung women may require targeted programs to improve their transition from school into the labor market in order to gain better-paying employment, on an equal basis with young men, in traditionally male jobs**

Prior to taking up TVET programs, young women frequently require specific encouragement to undertake nontraditional curriculum studies at school that will open up future employment opportunities on an equal basis with men. Unfortunately, the curriculum offered to young women is often limited by reason of socially ascribed roles. In addition, young women may require targeted programs to improve their transition from school into the labor market in order to gain better-paying employment, on an equal basis with young men, in traditionally male jobs. TVET programs should also include information about entrepreneurship and the potential for future work opportunities. An example of good practice in school-to-labor market transition programs is the Philippines’ MyFirstJob program (Box 6). Even without an overall TVET framework, however, training and scholarships to encourage young women to take up nontraditional employment can be included in the design of specific employment projects (ADB and ILO 2013a).

TVET programs vary by sector, particularly whether the program is service-based, industrial, or rural, and the level at which the training is directed. Good practice policies include an overall TVET framework to deliver coordinated, effective, and efficient programs. Furthermore, it is increasingly

<sup>45</sup> This work is scheduled to start with ILO support in 2014.

### Box 6 MyFirstJob, Philippines

MyFirstJob is designed to provide job placement assistance for those leaving high school, to enable them to better integrate into the labor market. It also recognizes that women have a moderately more difficult time than men in finding a first job and that transition from school to work is particularly slow for young women from lower socioeconomic groups. MyFirstJob aims to target 1,600 school leavers by December 2014, and, importantly, it expressly requires that 50% of these people be women.

Services to be provided include career counseling, grants for vocational training for periods of 4 weeks or 6 months, and grants or wage subsidies linked to internships with public and private sector employers for periods of up to 12 months. The MyFirstJob pilot was implemented in 2013 through public employment service offices (PESOs) in three localities, assisted by a grant from the Canadian International Development Agency (CIDA). The executing agency is the Department of Labor and Employment (DOLE) of the Philippines.

The government undertook several institutional and capacity development measures to initiate the MyFirstJob pilot. With the assistance of the International Labour Office (ILO), the DOLE provided the PISO with capacity building support in the form of employment facilitation, including staff training in coaching and counseling. The DOLE also drafted labor market information materials for dissemination among the public and high schools with the aim of improving young people's awareness about career opportunities. These initiatives are to be further extended through further capacity building measures.

The overall job-seeking program, which includes MyFirstJob, has been jointly formulated by the Asian Development Bank, the Government of Japan, and the Government of the Philippines in conjunction with the DOLE. The program has built-in monitoring and evaluation frameworks to assist the government with evidence-based policy making aimed at building stronger political support for eventual national rollout of the pilot programs. The evaluations could also guide government and development partners in adapting these models for other sectors.

Sources: Asian Development Bank. 2012. *Report and Recommendation of the President to the Board of Directors on a Proposed Loan to the Republic of the Philippines for the Increasing Competitiveness for Inclusive Growth Program (Subprogram 1)*. Manila; K. Bird. 2012. *Helping Filipino Youth to a Good Start: Design of a Youth Employment Facilitation Program*. Presented at the 12th National PISO Congress, Baguio City, Philippines. 10–13 October.

recognized that TVET programs should be directly linked to current and future government priorities in trade and investment (Chun and Watanabe 2011). Programs also need to be linked to industry needs and have a combination of both public and private training that is driven by demand rather than by supply. Substantial advancement in this regard can be made through public–private TVET partnerships. The framework should include monitoring and assessment of the quality of the TVET to ensure that standards are controlled and appropriately recognized through quality assurance certification.

A TVET framework should be gender responsive to overcome direct discrimination against women and avoid historical or systemic stereotyping of women with regard to the training offered, access to training, and the content and manner of training delivery (FAO, IFAD, and ILO 2010; Chun and Watanabe 2011). In 2009, ADB published a report on good practice in TVET that refers to the unequal access of women to TVET revealed by statistics which typically show enrollment by gender (ADB 2009). Beyond overall numbers, further inequity may occur in channeling female trainees into traditional female occupations, e.g., office work, sewing, and catering. The report noted that there is little that TVET alone can do to change these stereotypes, but an effective way to channel more female students into these nontraditional occupations is to train and recruit more female teachers in them. Typically, TVET institutions suffer from strong gender disparity in the training force (ADB 2009, 23).

Three recent studies (FAO, IFAD, and ILO 2010; ADB 2012e; Chun and Watanabe 2011) highlight some of women's specific TVET needs, particularly in poor rural areas where poverty is greatest.

**A TVET framework should be gender responsive to overcome direct discrimination against women and avoid historical or systemic stereotyping of women**

First, women need to be involved in the planning, decision making, content, and delivery of training courses. Second, the courses must encourage women's participation in a broader range of training programs and must recognize the deeply ingrained social and cultural norms to be addressed. Third, special measures are frequently needed to attract women to higher-paying jobs and to help them develop the skills necessary for these positions. Finally, targets and quotas for women should be used to increase women's participation rates.

**[S]pecial measures are frequently needed to attract women to higher-paying jobs and to help them develop the skills necessary for these positions**

To attract women and promote their training in nontraditional fields, women may need specific training programs, which should include personal development, life skills, and literacy training. Women may not start with the same skill base as men and may require bridging skills. It is good practice to combine income skills training with the provision of technical training skills, credit, and supplies for rural women. In rural areas, it is particularly useful to maximize locally available techniques and local practices where possible. Farmers' field schools have been found to be a useful source of skills training in rural areas, and this includes identifying opportunities for off-farm income, particularly during the seasonal downturn (Hartl 2009). There should be a close relationship between regional employers and the potential pool of people who can meet employment demands. Participation of the rural poor and young women can be increased through the innovative use of additional assistance such as hostels, stipends, transport facilities, and child care centers.

Finally, it is important to collect quantitative and qualitative sex-disaggregated data on training programs to ascertain uptake, completion, reasons that women attend or fail to attend, and whether women were able to use their skills to obtain work.

The Technical Education and Skills Development Authority (TESDA) manages TVET in the Philippines. It is mandated to manage and supervise technical education and skills development in accordance with the Technical Education and Skills Development Act of 1994 (Republic Act 7796). At present, TESDA supervises 57 schools, 60 training centers, and hundreds of enterprise-based and community-based training facilities that are jointly managed with local government units (ADB 2012c). In 2007, TVET programs had 2.14 million participants, but in 2009 this number declined to 1.98 million, whereas enrollment in higher education was 2.62 million in 2009 (NEDA 2011, chapter 8). A 2008 impact evaluation study commissioned by TESDA showed that the number of TVET graduates dropped from 64.6% of the labor force in 2005 to 55.1% in 2008. This decline was due in part to the global financial crisis but also to a skills mismatch.

Various scholarships and student financial assistance programs have been instituted in schools. These include the Commission on Higher Education Scholarship, the President Gloria Macapagal-Arroyo Training for Work Scholarship Program, and the Ladderized Education Program. Among mixed successes, the Ladderized Education Program has been a standout, offering 1,330 education programs in eight priority disciplines: information technology, hotel and restaurant management and tourism, engineering, health, education, maritime occupations, agriculture, and criminology (NEDA 2011, chapter 8). This was complemented by the Department of Science and Technology–Science Education Institute's merit scholarship, which is a demand-oriented science and technology scholarship and financial assistance program. Importantly, TESDA has implemented a quality assurance measure through mandatory assessment of TVET graduates.

The DOLE is developing an innovative program to help high school leavers enter the labor market and specifically requires that half of the program's participants be female. The program builds upon the recognition that high school leavers have a more difficult time than college graduates in integrating into the labor market and finding a wage job, that only half of high school leavers actually find wage employment, and that there is a widening skills mismatch in the labor market.

The government recognizes that the challenge in tertiary education, which includes TVET, is not just to broaden but also to rationalize access to education for the economically and socially disadvantaged. The government also faces the need to diversify industrial priorities

and to continuously institute programs and provide critical resources for skills upgrading and intensification at all levels. This includes greater interaction with the industry sector to develop competency standards; upgraded marketing, particularly among basic education students and their parents; provision of intentionally comparable science and technology courses; and continued work on job skills mismatches.

Gender does not appear to be specifically built into TVET or other training programs as a matter of policy. Instead, gender features are taken into account through the Magna Carta of Women, the Philippines Gender-Responsive Plan, and the gender and development mainstreaming mechanisms of the PCW in all government agencies, including TESDA.

However, there are some programs and agencies that provide TVET services specifically for women. For example, TESDA's women's center, established as a regional hub for "market-oriented, modern technology-based education and training, policy, and action-based research ... for the economic empowerment of women in the Asia-Pacific region," has extended women's training to include vocational and technical skills traditionally performed by men, such as general automotive repair, welding, and use of industrial machinery (JICA and TESDA Women's Center 2005, 9). The center has also conducted various studies and created advocacy programs to enhance gender responsiveness in traditionally male-centered workplaces. The number of participants has been small, however, and only 13% of the 1,500 women graduates from 1998 to 2003 specialized in a nontraditional field (ADB et al. 2008).

TVET type programs are also delivered within projects such as the DOLE's Women Workers' Employment and Entrepreneurship Development program, which provides capacity development activities for women in the informal sector and served 61,698 women from 2004 to 2007. The Promotion of Rural Employment through Self-Employment and Entrepreneurship Development program, which provides training to rural women in agribusiness, enterprise development, and other income-generating activities, granted jobs to 40,006 women from 2001 to 2007. In addition, the PCW is implementing the second phase of the GREAT Women project, which promotes and supports a gender-responsive and enabling environment for women's economic empowerment, particularly in microenterprises.

A recent innovation is the DOLE's 2009 Project JobsFit: The DOLE 2020 Vision (DOLE undated Project JobsFit). This initiative sought to bring together the supply and demand sides of the labor market and aimed to identify and assess the preferred skills requirements of priority industries, including emerging industries in all regions, for the next 10 years. Disappointingly, no sex-disaggregated data were utilized and there was limited reference to gender, employment of women, or skills and support requirements.

**[T]he approach to TVET in the Philippines ... requires coordination and an overall gendered approach**

Overall, the approach to TVET in the Philippines is fragmented and requires coordination and an overall gendered approach.

# IV

## Review of Legislative Frameworks and Laws for Gender Equality in the Labor Market

This section focuses on the general legislative framework in the Philippines, the laws that promote women’s access to work, the laws that ease constraints on women’s ability to work, and the laws that improve women’s work conditions. The topics selected for discussion are those that have, or could have, the greatest impact on women’s work.

### Legislative Framework

Promoting and supporting women’s work requires a strong overall legislative framework that guarantees equality and nondiscrimination and that expressly provides for temporary special measures

Promoting and supporting women’s work requires a strong overall legislative framework that guarantees equality and nondiscrimination and that expressly provides for temporary special measures to redress historical and continuing disadvantage due to discrimination. Good practice indicates that these fundamental norms, which are derived from international instruments such as CEDAW, ILO Conventions 100 and 111, and the International Covenant on Economic Social and Cultural Rights 1966,<sup>46</sup> should be contained within a country’s constitution. Legislative provisions that enable temporary special measures also provide the legal basis for affirmative action plans and gender mainstreaming.<sup>47</sup> Good practice includes legislative definitions that specifically cover direct and indirect discrimination, sexual harassment, and “exceptions” to discrimination—an exclusion or preference that is an inherent job requirement. Finally, it is essential that legislation on equality and nondiscrimination can be effectively implemented.<sup>48</sup>

The Philippines has ratified 34 ILO conventions and is party to all of the fundamental United Nations human rights covenants and conventions. The country’s constitution has embedded these rights in Section 3, Article XIII (Bill of Rights), and in Section 14, Article II, which ensures fundamental equality of women and men before the law. Article 3, Chapter 1, of the Labor Code as well as Republic Acts 6725, 7192, 7877, and 8551 all provide for fundamental human rights protection, including antidiscrimination provisions, and they ensure fundamental equality,

<sup>46</sup> UN General Assembly, International Covenant on Economic, Social and Cultural Rights, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3. Available at <http://www.refworld.org/docid/3ae6b36c0.html> (accessed 18 November 2013).

<sup>47</sup> See, for example, sections 1 and 2 of Italy’s Providing for Affirmative Action to Achieve Equal Treatment of Men and Women in Employment Act, No. 125, 1991; and Section 17 of Namibia’s Affirmative Action (Employment) Act, No. 29, 1998.

<sup>48</sup> For examples of good practice in this area, see ADB and ILO (2013b, Section II, parts A and B).

prohibition of sexual harassment, and temporary special measures. The Philippines' Anti-Sexual Harassment Act No. 7877 of 8 February 1995 is an example of good legislative practice.

The Magna Carta of Women (Republic Act 9710), another example of good practice legislation, is an overall legislative framework that articulates the specific rights, needs, and supports required by women in their general and working lives. For example, Chapter III, Section 8 provides for the human rights of women; Section 5 provides that the state is the primary duty bearer; and Section 22 provides for the right of women to decent work. Because the Magna Carta of Women is a fusion of policy goals and broadly worded provisions, however, it is difficult to enforce. Thus, other legislation, rules, or guidelines are required to implement and enforce the provisions. For instance, Section 41 of the Implementing Rules and Regulations requires agencies and local government units to report on the implementation of the act within 180 days of adoption and thereafter to provide annual reports. It is not apparent that this has been done.

In short, although the Magna Carta of Women provides a good legislative framework, implementation issues remain. Filipino women often do not know about their rights, and the complaints system is confusing even if they do.<sup>49</sup> In addition, there is no effective labor inspection mechanism to address breaches. The government must address these matters to improve women's work and employment circumstances generally.

Recent legislative developments relate to enabling women to engage in night work and protecting domestic workers. Congress repealed Section 130 and 131 of the Labor Code in May 2011, which had hitherto banned night work for women except under strict government permission. At the same time, it adopted a new Labor Code Chapter on "Employment of night workers." The new chapter provides protection to both women and men working at night. Importantly, the chapter also requires the employer to consult workers' representatives or labor organizations on the details of the work schedules before introducing night work.<sup>50</sup>

In 2012, the Philippines became the first country in Asia to ratify the ILO Domestic Workers Convention, 2011 (No. 189). In early 2013, President Aquino also signed a new law, Republic Act 10361 known as the "Batas Kasambahay" (Domestic Workers Act) in order to better protect this large group of mostly young, female workers.

## Promoting Women's Access to Work

Good legislative practice to promote women's access to work combines special measures protected by law with legislation that regulates public and private employment agencies and addresses precarious and uncertain work, outsourcing, and short-term contracts. In addition, good practice legislation refers to phases of the employment process other than just the hiring and termination stages, including recruitment, shortlisting, interviewing, selection, and conditions of employment.<sup>51</sup> Good practice also includes legislation, rules, codes of practice, or self-regulation by employers with regard to gender discrimination to enable a better understanding of the stereotyping of women and to promote women's access to employment.<sup>52</sup>

**Good legislative practice to promote women's access to work combines special measures protected by law with legislation that regulates public and private employment agencies and addresses precarious and uncertain work, outsourcing, and short-term contracts**

<sup>49</sup> See ADB (2012c).

<sup>50</sup> Republic Act 10151, An Act Allowing the Employment of Night Workers, Thereby Repealing Articles 130 and 131 of Presidential Decree Number Four Hundred Forty-Two, As Amended, Otherwise Known As The Labor Code Of The Philippines. <http://www.gov.ph/2011/06/21/republic-act-no-1015/>

<sup>51</sup> See ADB and ILO (2013b, Section III part B3) for a good example of a specific reference to both advancement and promotion—as set out in Section 4 of Côte d'Ivoire's labor code (Good Practices Example 14).

<sup>52</sup> See ADB and ILO (2013b, Section III part B2) for an example of a good legislative approach taken by Hong Kong, China, in its Sex Discrimination Ordinance of 1995, Section 69, which enables the Equal Opportunities Commission to publish codes of conduct.

## Employment and Recruitment Services

A pivotal tool to promote women's access to work is a strong and effective employment agency framework, comprising a blend of efficient public employment agencies and regulated, private, fee-charging employment agencies.<sup>53</sup> All such agencies should be required to operate without discrimination on the basis of sex (ADB and ILO 2013b). Agencies should have access to information about a country's overall employment strategy, including its trade and investment priorities. Employment agencies can also be linked to information and counseling for workers on vocational training opportunities and can specifically target women.

**A pivotal tool to promote women's access to work is a strong and effective employment agency framework**

In the Philippines, the public employment service offices (PESOs) mainly operate as centers for those seeking employment opportunities and function as a referral and information centers for job exchange purposes. Nonetheless, the recruitment and placement of workers is undertaken mainly by private companies and industries, either through private placement agencies or direct hiring. Job fairs and career placements likewise are driven mainly by employers and private entities.

Article 25 of the Labor Code affirms private sector participation in the recruitment and placement of workers, both locally and overseas. However, the government recognizes that PESO operations need improvement and that legislative amendment, particularly of sections 3, 6, and 7 of the Public Employment Service Office Act of 1999, is required. The PLEP includes measures to extend PESO operations through local government establishment, operation, and maintenance of PESOs in key cities and municipalities and through the establishment of job placement offices instead of PESOs. Furthermore, the PLEP states that such services must address the labor-mismatch problem by promoting better coordination among employers, educational institutions, and the government, and that there is a need to strengthen both PESO and private sector labor market information and exchange institutions, especially locally.

The PLEP, if implemented, is a step in the right direction. However, the PLEP and PESO operations have little gender content, which is a significant omission. Although other overarching plans contain a generalized recognition of women's equality in work, employment, and services, more is called for with regard to employment agencies (ADB and ILO 2013b).

## Short-Term Contracts

Precarious and uncertain employment increasingly affects women's access to work and their conditions of employment in all countries (ADB and ILO 2013b). Good legislative practice should clarify ambiguous outsourced employment relationships and should address the use of short-term contracts when work is ongoing rather than seasonal or genuinely intermittent.<sup>54</sup> Short-term contracts are commonly used to avoid or reduce an employer's obligations to provide benefits and protections that apply to permanent employees, such as rights to holidays, annual leave, social security benefits, and termination rights. Short-term contracts can also be used as a means to discriminate against women who marry and/or become pregnant. At the same time, the challenge when addressing precarious work is to balance employers' legitimate need for flexibility with workers' equally legitimate demands for stability and protection.

The use of short-term contracts appears to be prevalent in large companies or industries in the Philippines and includes workers who are engaged as contractors through external service providers. These independent service providers usually maintain their employees as casual or contract workers. These workers typically are women whose terms of employment expire before

<sup>53</sup> See C2, C88, C96, C181, R188 (ILO 1919; 1948b; 1949c; 1997a; 1997b) and European Union (EU) Directive on Temporary Agency Work. 2008/104/EC. See also ADB and ILO (2013b, Section III, part B1).

<sup>54</sup> See ADB and ILO (2013b, Section V Part B.2) for discussion of good practices in the EU, including Council Directive concerning the Framework Agreement on Fixed-Term Work, 1999/70/EC, which aims to prevent abuse arising from the use of successive fixed-term employment contract.

the 5-month mark is reached, because a longer contract would require additional payments to be made as well as workers' access to benefits and the rights of a permanent employee.

To address this, the DOLE issued Department Order No. 18-A, dated 14 November 2011, which had two purposes. First, it amended the rules governing contracting and subcontracting arrangements to provide clarity about outsourcing in which workers were treated as subcontractors to avoid payment of benefits. Second, the order imposed penalties on employers and subcontractors who repeatedly hire employees under rotating 5-month contracts. This legislation is an illustration of good practice. In relation to multiple short-term contracts, however, it will require monitoring to ensure that it achieves its aims without unduly impeding flexible employment relationships.

## Limiting Constraints on Work

A number of constraints, including reproductive issues and disability, can limit women's capacity to undertake work. However, the present section focuses on two major constraints related to legislation and policy. First, women can be constrained by family responsibilities, lack of access to reproductive health services, lack of access to parental leave, and poor availability of quality, affordable child care services near their homes or workplaces. Second, self-employed women can be constrained by a lack of access to land, inheritance rights, credit, and financial services (ILO 1996).

## Family Responsibilities

Women's labor market participation is constrained by time-consuming domestic and care responsibilities. Women often face a triple burden of caring for family, attending to domestic chores, and bearing and rearing children. These constraints begin during childhood and continue throughout the life cycle. Women often lack access to fertility control information and services that would enable them to plan if and when to have children. They are also constrained by the time spent on repetitive, tedious domestic work. This is often linked to inadequate public infrastructure for potable water, electricity, fuel, and roads as well as the availability of quality, affordable, convenient child care services.

These issues can be addressed through a combination of policy and legislation.<sup>55</sup> Good legislative practice includes legislative guarantees to promote and protect women's reproductive health and rights and ensure that women have access to reproductive health services. This should include access to information and services for younger women in order to reduce unwanted teenage pregnancies.

In addition, legislative measures are required to enable both men and women to reconcile work responsibilities with family obligations (ADB and ILO 2013b). Such measures may also help shift the burden of care, which presently falls largely on women, so that it is shared more equally with men. Granting of paternity leave, for example, can assist with the redistribution of care responsibilities. Systems of parental leave differ significantly among countries in terms of eligibility, payment, duration, transferability, and the age of the child to be cared for. In some countries, long parental leave may be seen as a way of providing care for young children while reducing the need for child care services, which can be relatively expensive.

**[L]egislative measures are required to enable both men and women to reconcile work responsibilities with family obligations**

Provision of child care facilities is also an important measure to help parents who wish to access work or continue to work and can help prevent discrimination against women, on whom child care responsibilities tend to fall. Availability of child care facilities enables both parents to combine family obligations with work responsibilities and participation in public life.

<sup>55</sup> For policy development in Latin America, see ILO and UNDP (2009).



The prime responsibility to ensure the development of child care services should lie with the government, though this does not necessarily mean that the government itself must provide these services.<sup>56</sup> There is a wide variation in government approaches to child care (ILO 2010c). One good practice example is the Netherlands Child Care Act 2005, amended in 2007, which requires child care costs to be split equally among employers, working parents, and the government. This benefit is not limited to women workers but also applies whenever there are two working parents. Other governments must work to integrate workers' needs into child care policies and programs (ADB and ILO 2013b). However, transposing standards from developed countries may be unrealistic for many developing countries. Nevertheless, the provision of basic child care may improve the situation for children at risk, and low-cost community-based initiatives can have a positive effect on child development indicators. Establishing and strictly enforcing minimum standards, combined with government financial support, is a good approach for developing countries.

**The prime responsibility to ensure the development of child care services should lie with the government, though this does not necessarily mean that the government itself must provide these services**

Population and fertility rates are high in the Philippines. In this regard, the passage of the Responsible Parenthood and Reproductive Health Act of 2012 (Republic Act 10354) is very important. As of June 2013, the implementation of this act was held up by litigation in the Supreme Court of the Philippines. If implemented, however, it is hoped this legislation will reduce maternal mortality and enable women to freely choose whether and when they have children. Service delivery, which is designed to be multidimensional, is the responsibility of employers, who either provide health care or partner with health-care providers for the delivery of services to female employees. This will affect the capacity of women to access and retain employment. Monitoring and assessing the implementation of the legislation will provide valuable guidance not only for the Philippines but also for other countries that may seek public-private responsibility for the delivery of health-care services.

The Philippines also has other relevant legislation. The Paternity Leave Act (Republic Act 8187) provides married men with 7 days' leave with full pay for each of their first four children, though this benefit is not available for unmarried fathers. Likewise, the Maternity Leave Act (Republic Act 7322) provides for 60 days full pay and other allowances and benefits to married women who give birth. Like paternity leave, this benefit is not available for the unmarried. Finally, Republic Act 6972 requires the government to provide child care in every barangay (smallest administrative division in the Philippines), though there is inadequate implementation of this requirement.

With regard to child care, the Early Childhood Care and Development Act 2000 established the national early childhood care and development (ECCD) framework. The essential element of the framework is shared national, provincial, city/municipal, and barangay governance to support delivery of integrated services. The act mandates the establishment of multisector coordinating mechanisms to ensure sustained national and local collaboration. In addition, the act incorporates commitments by all stakeholders, notably local governments, to fund ECCD programs projects and activities (ADB and ILO 2013b).

The national ECCD system is a comprehensive, holistic approach that addresses the development of the whole child and delivers health, nutrition, early childhood education, social protection, and other social services to children up to 6 years of age and their families. The system is collectively owned and supported by local government, the community, and families and requires multisector interagency collaboration. The national coordinating body is the ECCD Council. The legal framework is supported by two major laws and two major policies. From 2000 to 2008, 79 out of the 80 targeted provinces and all 28 targeted highly urbanized cities had established ECCD systems. Although no targets were set for the municipalities or barangays, many were still covered.

The Philippines' framework appears to be a good practice example for early childhood governance. An assessment of benefits and challenges of the ECCD system concluded that the legal framework

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<sup>56</sup> See Workers with Family Responsibilities Convention, 1981 (No. 156) and its accompanying Recommendation (No. 165) (ILO 1981b and 1981c).

is an ideal interagency, multisector structural arrangement (Manuel and Gregorio 2011). Although some modifications to legislation and policy were suggested, such as a policy to promote increased investment in country poverty reduction goals and mainstreaming, the main concerns related to implementation. The study also concluded that evidence-based knowledge is needed to design solid, effective policies and that a robust monitoring and evaluation system is required to provide timely, clear, and updated information. As of October 2010, there was a bill before parliament to strengthen the organizational structure and funding of the ECCD Council.

### Lack of Access to Property

Women's lack of access to credit and financial services has already been referred to in the context of the agriculture sector and entrepreneurship. The present section refers to women's access to land.

There are three examples of good legislation in the Philippines. First, the Comprehensive Agrarian Reform Law 1988 (Republic Act 6657) specifically states that women have the right to own land. Second, the Philippines Women in Development and Nation Building Act expresses a number of women's rights, including the right to enter into contracts and have equal access to credit, loans, and resources. Third, the Philippines' Agriculture and Fisheries Modernization Act includes specific provisions for women on this topic (ADB and ILO 2013b).

However, implementation of the Agrarian Reform Law has been slow and was extended because targets had not been met. By 2003, only a quarter of the emancipation patents granted under that legislation had gone to women, and certificates of land ownership were granted to fewer than 16,000 women, compared to 33,000 men (ADB et al. 2008). Since the passage of a new land law in 2001, including a progressive measure to ensure that both men and women are identified as owners, 78% of titles have been granted for joint ownership. Unfortunately, women still may be deprived when it comes to full property rights as a consequence of Article 96 of the Family Code of the Philippines. This article states that community property belongs to both spouses jointly, but in case of a disagreement, the husband's decision will prevail. The wife then has 5 years from the date of the contract to appeal such a decision. This provision is discriminatory, and the 5 years from the contract date may even have passed before there is any disagreement. This article should therefore be amended.

Generally speaking, the implementation of legislation is the main impediment to women gaining access to land and must be addressed.

### Improving Women's Working Conditions

Four legislative good practice measures can significantly improve women's work conditions. The first is to ensure that the international standard of equal remuneration for work of equal value is applied both in legislation and in practice, and that there are institutional frameworks for the objective evaluation of job tasks to ensure that women are paid in accordance with their skill levels (ADB and ILO 2013b). This standard is also linked to the mechanism by which a country sets minimum wages, which should be an independent and transparent process that takes specific account of women's needs. An example of good practice in this regard is Australia's Expert Panel for Annual Wage Review.<sup>57</sup>

**Four legislative good practice measures can significantly improve women's work conditions**

The second good practice is to ensure that women have effective complaint mechanisms to address discrimination in the workplace, including sexual harassment. Such mechanisms should be simple, economic, and accessible. Complaints should be resolved through independent mediation or adjudication, using procedures that address the problems of proving discrimination.

<sup>57</sup> See ADB and ILO (2013b, Good Practices Example 22).

The third good practice is a strong and efficient labor inspectorate, which effectively monitors and enforces legislative measures to ensure that nondiscrimination and decent work standards are applied in practice (ILO 2006).

Finally, a strong and effective social dialogue mechanism is required to ensure women's participation, support women in trade unions, and improve collective bargaining to improve the conditions of women's employment and work.

### Equal Pay and Minimum Wages

Many international standards enshrine the notion of equal remuneration for work of equal value. Because men and women often perform different jobs, under different conditions, and even in different establishments, the concept of "work of equal value" is essential to enabling a broad scope of comparison, encompassing work that is of an entirely different nature but which nevertheless has equal value. Good practice requires legislation that expresses this norm correctly, and the failure to appropriately address this requirement has an important effect on the gender pay gap (ADB and ILO 2013b).

**The interrelationship among equal remuneration, wage setting and application of national minimum wages, and reducing employment inequality between the sexes is increasingly recognized**

The interrelationship among equal remuneration, wage setting and application of national minimum wages, and reducing employment inequality between the sexes is increasingly recognized. A minimum wage sets a wage floor and can also be extended to particular categories of work. This has an important influence on wages for women, who tend to be at the bottom end of the free income distribution. Good practice indicates that there should be an independent wage-setting process, which is transparent, applies objective criteria, and includes the involvement of the social partners.<sup>58</sup>

The Philippines' legislation on equal remuneration does not conform to CEDAW or to ILO Convention 100, which refers to work that is "identical or substantially identical" or to work that is "substantially equal" (ADB 2012c). Under these definitions, some types of work may not be identical or even substantially identical, and indeed they may be very different, but, nonetheless, the work may be of equal value and therefore should be equally remunerated. Consequently, the legislation requires amendment to meet good practice and international norms.

As is the case in many other countries, there is a disparity between men's and women's wages in the Philippines, despite legislation that requires equal remuneration for both sexes (ADB 2012c, 25–27, 34). This raises issues about the institutional wage-setting process (ADB and ILO 2013b). In the Philippines, the institutional wage-setting process was established under the Salary Standardization Law, which established the Minimum Wages and the Wage Rationalization Act (Republic Act 6727). Minimum wages are prescribed by regional tripartite wages and productivity boards and are regionally fixed based on all of the orders issued by the boards. Minimum wage increases require board approval or an act of Congress, which provides across-the-board wage increases (ADB 2012c).

According to Article 124 of the Labor Code, as amended by Republic Act 6727, the following factors are to be considered when setting wages: (i) demand for living wages; (ii) wage adjustment relative to the consumer price index; (iii) changes in the cost of living; (iv) the needs of workers and their families; (v) the need to induce industries to invest in the countryside; (vi) improvement in living standards; (vii) the prevailing wage levels; (viii) employers' fair return on capital invested and capacity to pay; (ix) the effects of employment generation and family income; and (x) the equitable distribution of income and wealth, in keeping with the imperatives of economic and social development. The regional tripartite wages and productivity boards are not required to take into account the circumstances of women, nor is there a need to ensure that the principle of equal remuneration for work of equal value is applied.

<sup>58</sup> See also ADB and ILO (2013b, Section IV, Part C).

While domestic workers are now protected under the 2013 Domestic Workers Act, Article 98 of the Labor Code still excludes home workers or “persons working in the respective homes in needle work or in any cottage industry duly registered in accordance with the law.” Because such jobs are mostly undertaken by women, they remain disadvantaged in the application of many labor laws, including minimum wage laws. Moreover, when the minimum wage is increased in a particular region, domestic workers are not included in the wage increase (ADB 2012c). This is a significant issue for a large number of women.

The PLEP includes a strategy for the development of a wage system whereby minimum wages are to be set as a safety net or social floor. The strategy includes reform of the two-tiered wage system, correcting the exclusion of millions of workers in more than 700,000 small enterprises. The planned reform will establish a fixed entry-level wage for new entrants and for the low-skilled, along with a flexible wage that is “above the floor” and is based on industry and enterprise productivity and performance. This wage may be negotiated between employers and workers or their unions/organizations. The government also seeks to address unintended outcomes such as inflation, unemployment, informality, weak collective bargaining, distortions in pay systems, widespread atypical employment arrangements, involuntary noncompliance, and reduced incentive to adopt pay-for-performance schemes. At present, the status of this reform is not apparent. Furthermore, the planned reform unfortunately makes no mention of women or gendered concerns in wage setting.

## Complaint Mechanisms

Good practice indicates that complaint mechanisms to address discrimination in employment and work should be clear, simple, efficient, and low-cost. However, setting up a complaint mechanism includes several complexities. First, discrimination in the workplace often involves particularly sensitive issues such as sexual harassment or assault, which may amount to a criminal offence. There are also cultural issues, including women’s reluctance to complain. Finally, there may be difficulty in determining the body or agency with jurisdiction over a given issue, depending on whether the alleged discrimination is best characterized as a crime, which would be a police and justice system process; a human rights violation, which would be covered by a human rights or equal opportunity body; or, for example, a discriminatory underpayment of wages or dismissal, which may be best handled by a labor inspectorate, a labor office, or labor arbitration.<sup>59</sup>

**Good practice indicates that complaint mechanisms to address discrimination in employment and work should be clear, simple, efficient, and low-cost**

In the Philippines, the complaint mechanisms available to women who have allegedly suffered from discrimination in their employment or work are confusing. For instance, the public service has its own administrative mechanism, whereas the private sector process involves either the judicial civil process or, in the case of sexual harassment, the police (ADB 2012c). There is also a commission on human rights that is mandated to establish guidelines and mechanisms to facilitate women’s access to legal remedies, enhance the protection and promotion of women’s rights, and assist in filing cases that involve human rights violations. The Women’s Rights Program Center, a special unit to investigate human rights violations, can initiate legal action or provide assistance with respect to legal discrimination, unequal access to land, and other more general human rights breaches. Finally, complaints can be lodged through the DOLE, or matters may come to the attention of labor inspectors. This complicated structure would benefit from a process of rationalization.

## Labor Inspectorate

Good practice with regard to labor inspectors and their role is generally guided by the relevant ILO conventions.<sup>60</sup> Several ILO publications stress the importance of a coherent, efficient framework and provide guidance on good practices, seeking to establish the basis for a labor inspection system that is flexible enough to take account of different national circumstances.<sup>61</sup> Labor

<sup>59</sup> For a fuller discussion on this subject, see ADB and ILO (2013b, Section IV; part E IV is particularly relevant).

<sup>60</sup> Notably, C81, R81, C129 and R133 (ILO 1947a; 1947b; 1969a; 1969b).

<sup>61</sup> For example, ILO (2006 and 2011g).

inspection is an essential part of the labor administration system, carrying out the fundamental function of labor law enforcement and effective compliance. Laws and labor standards that are not effectively enforced are rendered useless.

Given increased demand and changes in the labor market, labor administrations must consider ways of working more closely with the private sector. The ILO notes that public–private partnerships can yield several benefits, such as improved access to and delivery of high-quality expertise and new technology. Regular monitoring and strict evaluation of the work of labor inspectors is required to assess their effectiveness and cost. Employers' and workers' organizations can make significant contributions to improved workplace compliance, particularly through advocacy and raising awareness among their members. Social partners can also contribute to shaping the strategic priorities and activities of the labor inspectorates.

The PLEP recognizes that the implementation of labor standards has become challenging and that monitoring and enforcement through the labor inspectorate requires significant enhancement. In 2004, an innovative labor standards enforcement framework was introduced, including supporting rules and regulations, detailed manuals, and other support. The framework was intended to encourage voluntary compliance with labor standards and to build strategic partnerships among employers, workers, and various government entities. However, the ILO's 2009 labor inspection audit revealed that the policy intentions were not being achieved and that there was an enormous divide between the 784,000 establishments subject to inspection and the 193 active inspectors (ILO 2009b). Although the DOLE has partnership arrangements with local governments on aspects of labor inspection, it has no such arrangements with the private sector, other than the DOLE's support of occupational health and safety personnel and the Kapatiran (big brother–little brother) program, in which large companies provide assistance and support to smaller ones, including the subcontractors of larger enterprises, to help them comply with safety and health standards.

The comprehensive ILO audit made a number of recommendations for the improvement of labor inspection. The government subsequently announced the DOLE Project Labor Enforcement and Action Program (Project LEAP), which commenced in August 2010, though there is uncertainty as to whether this program remains active. This project is specifically intended to intensify labor inspection programs to ensure compliance with certain labor standards.

**[T]he Philippines is working with the ILO to improve its labor inspection regime through the use of innovative techniques. This could be of particular benefit to women if the intensification of priority labor inspection also covers gender issues**

In addition, the National Tripartite Industrial Peace Council issued resolution No. 3-B, Recommending Proactive Involvement in the Implementation of Tripartite Certificate of Labor Standards Compliance under the Labor Standards Enforcement Framework, dated 2 September 2010. The ILO describes the tripartite certification system as an innovative and creative approach that is unique to the Philippines. It is essentially a voluntary compliance program that issues certificates of labor standards compliance after applicant companies submit to assessment. The certificate exempts the companies from regular or routine labor inspection for the duration of its validity and may be revoked only when a complaint is found to be meritorious and in the absence of voluntary restitution. There is no current information on the effectiveness of the program. It appears to be a good initiative, though it does not appear to take gender into account, an issue that also must be addressed. An effective labor inspectorate, for example, could play an educational, monitoring, and preventive role.

In summary, the Philippines is working with the ILO to improve its labor inspection regime through the use of innovative techniques. This could be of particular benefit to women if the intensification of priority labor inspection also covers gender issues such as discrimination, sexual harassment, and women's working conditions.

## Social Dialogue and Trade Unions

The term *social dialogue* covers more than consultations between workers and employers about working conditions. It extends to negotiations, consultations, or exchanges of information between workers' representatives, employers, and governments about economic and social policy issues of broader common interest (ILO 2005). The ILO specifically promotes social dialogue as a means of achieving decent work conditions and providing flexibility for inclusive economic growth (ADB and ILO 2013b). The ILO standards on social dialogue are outlined in Tripartite Consultation (International Labor Standards) Convention, 1976 (No. 144) and Recommendation No. 152.<sup>62</sup>

The Philippines has ratified ILO Convention 144 as well as the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87); the Right to Organize and Collective Bargaining Convention, 1949 (No. 98); and the Collective Bargaining Convention, 1981 (No. 154). As the PLEP demonstrates, the Philippines is taking significant steps to foster strong tripartite mechanisms and processes as well as bipartite mechanisms. The government continues to develop tripartite industrial peace councils as well as national, regional, provincial, city, and municipal tripartite industry councils (ILO 2012b). These councils institutionalize social dialogue through tripartite consultations about policies and programs that affect labor and management.

As of 2010, 100 tripartite industrial peace councils had been created. There were 246 industry tripartite councils and 7 national industry tripartite councils covering various industrial sectors and operating as monitoring bodies. There are also regional tripartite councils (ILO 2012b). According to the PLEP, the government, working with the ILO, seeks to strengthen the capacities of these bodies and to amend Article 275 of the Labor Code to institutionalize a tripartite and social dialogue framework. Fourteen voluntary codes of good industry practice have been adopted during PLEP implementation, using the tripartite engagement of industry social partners to assist with self-regulation.

The PLEP also refers to the creation of works councils in all enterprises employing 10 or more workers. In the absence of a union, such works councils would have the right to information and to consultation and negotiation with worker-elected representatives. The extent to which this has been implemented is not clear.

The PLEP noted a decline in union membership and a general decline in annual union registration from 2004 to 2009. The number of collective bargaining and negotiation agreements rose slightly during the same period, but these covered only about 82,000 workers in the private and public sectors. Union membership fell sharply from 30.5% of all workers in 1995 to 10.6% in 2010 in both the industry and the services sectors. Men comprise the bulk of union members and officers. However, male membership declined from 67.9% in 1995 to 62.1% in 2010, whereas women's union membership rose from 32.1% to 37.9% over the same period. The collective bargaining coverage rate also fell and was down to 10.9% in 2010 (ILO 2012b).

The ILO suggests that this decline may be due to the growing number of short-term, seasonal, or casual employees in private establishments; the large proportion of workers in self-employment and unpaid family work; and the growing number of establishments employing fewer than 10 people (ILO 2012b). The ILO also noted that these matters need to be the subject of continuing social dialogue.

Women need to be represented at all levels of social dialogue, from unions to the tripartite industrial peace councils, industry tripartite councils, and national industry tripartite councils, and their voices need to be heard (ADB 2012c). This is likely to require a targeted approach by both government and unions. As part of this strategy, good practice indicates that the government should lead the way through the use of labor clauses in public contracts, which could contain targets for women.<sup>63</sup>

**Women need to be represented at all levels of social dialogue, from unions to the tripartite industrial peace councils, industry tripartite councils, and national industry tripartite councils, and their voices need to be heard**

<sup>62</sup> See ILO (1976a; 1976b).

<sup>63</sup> See C94 and R84 (ILO 1949a; 1949b).

# V

## Policy and Legislative Recommendations for a Gender-Inclusive Labor Market

This section brings together the common themes and challenges in enhancing and improving women's employment and work in the Philippines. Policy and legislation recommendations are grouped under three themes: promoting access to work and enhancing employment opportunities for women, limiting constraints on work for women, and improving women's working conditions. There are specific recommendations for the expansion of women's employment and decent work conditions in the agriculture, industry, manufacturing, and services sectors (including tourism and public service) as well as in entrepreneurship.

In making these recommendations, the Philippines' historical, economic, and socio-cultural conditions, gender relations, and economic development path have been taken into account.

### Promoting Access to Work and Enhancing Employment Opportunities for Women

Promoting access to work and enhancing employment opportunities for women also requires balancing the functions of social protection and gender equity with economic efficiency considerations

Legislation and policies that guarantee gender equality and eliminate gender discrimination are fundamental to ensuring that women are not disadvantaged in employment and occupation. Law and policy need to work together in a balanced way to provide adequate protection for decent work standards while also ensuring sufficient flexibility to promote employment opportunities. Promoting access to work and enhancing employment opportunities for women also requires balancing the functions of social protection and gender equity with economic efficiency considerations. Policies and legislation based on social dialogue are best able to accommodate the interests of both employers and workers in a dynamic global market.

Furthermore, employment equity means more than treating people in the same way; it also requires special measures and the accommodation of differences. For instance, good employment equity practice requires measures to enable both men and women to reconcile work responsibilities with family obligations.

### National Plans and Policies

National policies are central to ensuring that economic growth brings with it increased employment. Economic growth in the Philippines generally has not brought about sufficient

growth in employment and decent work to substantially reduce poverty and inequality. Thus, the major strategy is to increase the demand for labor in a gender-equitable manner.

### Macroeconomic and employment policies

To enhance employment opportunities and decent work, and thereby promote gender equality and inclusive growth, it is necessary to

- make gender equality an explicit objective of national plans;
- recognize increased employment as a macroeconomic goal to be promoted through all macroeconomic policies;
- set and monitor gender-equitable employment targets to ensure that all women benefit; and
- analyze the gendered employment impacts of fiscal policy (taxation and expenditures), trade patterns and policy (exports and imports), and monetary policy.

### Gender mainstreaming and target setting

There are a number of good strategies and projects under way in the Philippines, but more can be done to strengthen gender mainstreaming and gender-specific projects and to include gender targets more broadly in government policies and programs. Opportunities for women to work within the public and private sectors need to be identified, and this requires working with civil society generally and women's groups specifically. Collection of sex-disaggregated data, as well as monitoring and evaluation, needs to be continued and enhanced.

The gender mainstreaming plans and gender budgeting in the Philippines provide good examples of policy innovations that could be expanded and monitored more closely. It is recommended that the Philippines introduce the use of targets in formulating sector policies. This tool for gender mainstreaming can be applied across ministries both to institutionalize a gender reflex and to achieve and monitor specified gender goals. There is wide scope for this approach and it is recommended that the Philippines examine how to move forward on this. Finally, although gender-aware practices are apparent in the Philippines, it is necessary to effectively implement these practices to reduce gender inequality.

### Agriculture

Due to the importance of the agriculture sector to the overall economy and to poverty reduction for women and their families, the Philippines would benefit from developing an overarching agriculture strategy for women, thus reducing constraints on women in deriving income and employment from agriculture production. The nature of such constraints varies across countries and must be understood. It is also important to increase women's productivity and incomes from agriculture, rather than only facilitating their movement into other sectors, where opportunities for economic security and decent work are limited. Efforts to increase cash-cropping for domestic sale and export need to include women, but women's production of subsistence crops for food security also must be supported. In the Philippines, women should be included in the transition to commercial agriculture to ensure that they are not relegated to subsistence agriculture, as has occurred in other countries. The transition from subsistence to commercial agriculture cannot be achieved overnight, however, and the immediate needs of poor women farmers must be addressed.

**[T]he Philippines would benefit from developing an overarching agriculture strategy for women, thus reducing constraints on women in deriving income and employment from agriculture production**

The development of an overarching agriculture strategy to enable women to participate more productively in the agriculture sector and to control their own resources should include the following features:

- collection and analysis of sex-disaggregated data and mapping of where women work, the products they produce, and their roles in the production process;
- analysis of the specific constraints on women's access to land reform and rights to inheritance, and specific strategies, programs, and targets to redress disadvantages;



- analysis of the specific constraints to women’s access to appropriate credit and finance, and specific strategies, programs, and targets to enable women to develop or increase agriculture income opportunities through entrepreneurship;
- targeted government agriculture extension programs structured to fit women’s needs so that they are represented in the sector and subsectors;
- development of gender-specific programs to encourage and support women working in the sector;
- gender-disaggregated targets for training, including microenterprise training and credit programs, to encourage women to undertake processing and value-added production;
- development and promotion of women in farmers’ organizations, or separate women’s organizations, to increase women’s voice and empowerment in employment;
- organized and cohesive combination of national and local programs; and
- monitored and assessed goals and targets to ensure that women are properly considered at all levels, from design and content through implementation and outcomes.

### Industry and Manufacturing

There is significant potential to promote and enhance employment opportunities for women in the industry and manufacturing sectors of the Philippines. In general, it is important that women have access to new employment opportunities in manufacturing and that as production processes change, for example through technological improvements, women are not displaced from manufacturing employment. Barriers to employment—such as those arising from a lack of training or from gender norms and discrimination that prevent women from working in higher-level occupations and certain types of manufacturing—need to be reduced.

Potential strategies to improve the Philippines’ manufacturing sector in general include

- providing a better business and investment environment,
- improving infrastructure,
- strategically increasing foreign direct investment,
- increasing public–private partnerships,
- fostering development of SMEs,
- increasing product diversity,
- clustering related products or services,
- upgrading products and manufacturing value-added products,
- factoring in labor-intensive products,
- increasing labor productivity and improving working conditions, and
- increasing social dialogue.

These measures should also capitalize on opportunities in rural areas, and one of the biggest challenges is to select and target the best products for development. Each of these strategies requires active structural change as well as government support and focus.

**[W]omen must be included in manufacturing growth development at all stages**

Most importantly, women must be included in manufacturing growth development at all stages. An integrated manufacturing strategy provides an ideal opportunity to focus attention on the sector and take women’s interests into account. Such a plan should include the identification of manufacturing subsectors with the potential to enhance women’s employment opportunities and reduce poverty, particularly in rural communities. Moreover, it is necessary to design and implement programs in ways that ensure women’s equal employment and representation with men.

### Services Sector

The services sector in the Philippines provides expanded opportunities for women’s employment. Development is recommended in three subsector areas: tourism, BPO, and government services.

### Tourism

Tourism is already on the list of priorities for the Philippines. The concern is that the various policies and strategies appear to be gender-blind. It is recommended that women in the Philippines be involved in all stages of the development of tourism policies and legislation. In addition, policies should incorporate focused action plans that include targets for the participation of women across all subsectors of tourism and other allied sectors. Government prioritization of the tourism industry, especially ecotourism, could be very beneficial, given the industry's potential to help rural women and their families supplement their agriculture incomes. Women should also have adequate access to TVET in a wide variety of areas beyond gender-stereotyped areas such as traditional handicrafts, cleaning, and cooking. This will enable women to access the full range of work opportunities in tourism, especially opportunities in higher-paid positions. Furthermore, the issue of trafficking of women and children must be addressed in a comprehensive way.

### Business process outsourcing services

The BPO sector is highly important to the Philippines, particularly for women's employment. The strategic development of BPO policy would be enhanced by contributions from the government, the Business Processing Association of the Philippines, employers in relevant economic sectors, and other stakeholders. BPO policy should also identify new and improved employment areas in the information technology industry. Short-, medium-, and long-term plans should be developed to help match workers' skills with available or potential jobs. At present, some BPO services are relatively low-skilled and are carried out by overqualified workers. The high attrition rate within the industry is a concern, and consideration could be given to development of an overarching code of ethics to prevent the rampant poaching of employees within the industry (Amante 2010).

Future prospects to improve and expand decent work for women require four issues to be addressed. First, women must share in the skills development strategy so that they obtain appropriate skills across all categories of present and future BPO activities. Second, the common practice of stereotyping roles, which appears to exist in some subsectors, should be examined, and the entry of women into areas presently dominated by men, such as hardware and software technology-based jobs, should be facilitated. Third, the gender wage gap between male and female employees should be addressed by examining employment practices and the reasons for pay differentials. Finally, strategies are needed to reduce health problems associated with work and to improve safety, particularly for workers traveling at night.

### Government services

Although the Philippines has good policy approaches in this area, it still needs improvement in the civil sectors, where women may be underpaid relative to their human capital value.

### Entrepreneurship for Rural Women

Female entrepreneurship as a source of work and employment has rapidly increased in a variety of sectors and subsectors. Supporting women's increased access to credit facilities and training and supporting female-led micro and small enterprises increases employment opportunities for all women (ADB and ILO 2013a). This recommendation is specifically relevant for rural women, and it is linked to earlier recommendations made with respect to the agriculture sector.

In the Philippines, women in rural areas should be targeted through agrarian reform, by tailoring lending products to women's needs and capacity to pay, by providing relevant training, by extending the GREAT Women project, by considering ways to support and encourage the expansion of NGOs such as the Negros Women for Tomorrow Foundation, and by enabling women's expansion into higher-value enterprises.

Moreover, women could benefit from improved access to information, training, and outreach services to build their capacity to start businesses and upgrade them over time. Women can also benefit from support of women-specific and mixed business associations and other business

**Supporting women's increased access to credit facilities and training and supporting female-led micro and small enterprises increases employment opportunities for all women**

support organizations such as export promotion boards for networking and the marketing of their products and services.

### Public and Private Employment Agencies

**[P]ublic and private employment agencies should address gender issues, particularly direct discrimination against women and indirect discrimination in the form of stereotyping**

The Philippines could benefit from the development of an effective and coordinated employment agency framework, which includes both public and regulated private employment agencies. This could be developed through social dialogue among employers, workers, and the government to improve the linkage, quality, and coverage of such agencies' employment services. Good practice indicates that employment agencies need to be more than just a job referral and exchange agency. Agencies can also be an important source of information about a country's overall employment strategy, including its trade and investment priorities, and can provide workers with information and counsel on TVET opportunities.<sup>64</sup>

The Philippines is working toward improved public employment services and could benefit from giving more attention to private employment agencies and the services they provide. The government can develop and enhance its employment agency strategy, which should include women at all stages of development, implementation, and monitoring. Both public and private employment agencies should address gender issues, particularly direct discrimination against women and indirect discrimination in the form of stereotyping. An additional part of the strategy might include developing rules and codes of conduct and training staff to apply nondiscriminatory practices. The ILO can be a useful resource to strengthen this area.

### Limiting Constraints on Work for Women

#### Access to Resources

It is important to identify the particular constraints that women face in accessing resources such as land and finances, and to note that collective/community and private ownership/market based-solutions are necessary to overcome such constraints. Increasing women's access to such resources will help improve their productivity and incomes. A legislative framework in conjunction with appropriate employment policies, codes, and guidelines may best redress the multiple levels of disadvantage suffered by women. There are examples of good practice legislative provisions in the Philippines, but the implementation falls short. The government should also monitor the effectiveness of its policy implementation, which would include collection of sex-disaggregated data.

To work toward providing women with equal access to land and credit, the Philippines should

- identify women's needs for a resource;
- identify the particular constraints women face in accessing that resource and the reasons women are not achieving equitable access to that resource;
- address such constraints through a legislative framework in conjunction with appropriate policies, codes, and guidelines, including gender mainstreaming;
- develop specific targets with practical strategies to address the constraints;
- deploy collective/community or private ownership/market-based solutions, depending on the situation; and
- monitor and assess the effectiveness of implementation, which would include collection of sex-disaggregated data.

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<sup>64</sup> See ADB and ILO (2013b, Section III part B and Good Practices Example 12).

## Reducing Women’s Domestic Work and Care Burden

Women’s labor market participation is constrained by time-consuming domestic and care responsibilities, including child care. Quality, affordable, and convenient child care services can alleviate this restraint on women’s ability to work. Notably, the Philippines has a comprehensive ECCD system.

## Improving Women’s Working Conditions

### Social Protection in the Informal Sector

Gender-responsive social protection will necessarily take different forms depending on the specific context and will be adapted to enable participants to move up the social protection ladder as conditions permit. However, a major concern in the Philippines is the lack of social protection coverage for informal sector and domestic workers, the majority of whom are women. The government should explore mechanisms to support women’s employment through cash transfers. It is also recommended that the Philippines consider implementing legislation and policies that provide for employment guarantees. Such employment guarantees, if adopted, would need to be monitored and assessed to enhance their effect on gender-equitable employment.

### Training Programs and Skills Development

Technical and vocational education and training programs are a vital means of giving women access to work and employment, but to be effective they must be targeted and well-delivered. The Philippines must address gender stereotyping and gender inequality in program availability and service delivery.

Specifically, the Philippines must address an overall lack of coherence in the delivery of TVET services, a fragmented government approach that is not consistently gendered, and the need for improved linkage between TVET and current and future employment opportunities. The government also needs to use public–private partnerships to increase the connection between TVET and industry and employer groups. Finally, there is a need to obtain and assess qualitative information about the services available to women and whether such services are relevant and effectively enable women to undertake TVET.

**The Philippines has enacted potentially good practice legislation to address the problem of multiple short-term contracts**

The ILO is already involved in the Philippines and can assist it in realizing improved and enhanced TVET programs.

## Legislation and Decent Work Requirements

### Antidiscrimination Legislation

The constitution and labor legislation of the Philippines includes guarantees of equality and nondiscrimination.

### Legislation on Multiple Short-Term Contracts

The Philippines has enacted potentially good practice legislation to address the problem of multiple short-term contracts. It is recommended that such legislation be assessed to establish the extent to which it is implemented in practice and to provide guidance on potential application in other countries. Legislation should also be assessed to ascertain whether it achieves its aims without unduly impeding flexible employer–employee relationships.

## Decent Work Measures

Legislative good practices and decent work measures that can significantly improve women's working conditions in the Philippines include

- ensuring that the international standard of equal remuneration for work of equal value is applied both in legislation and in practice, and that there are institutional frameworks for objective wage setting;
- providing women with effective complaint mechanisms to redress discrimination and sexual harassment in the workplace, and strengthening labor inspectorates to enforce nondiscrimination; and
- creating strong, effective social dialogue mechanisms that support the participation of female trade union members.

### Equal remuneration and minimum wage setting

The legislation in the Philippines does not accord with the ILO conventions enshrining equal remuneration for work of equal value. Furthermore, the wage-setting process is insufficiently independent or transparent, does not require the application of objective criteria, and does not fully involve social partners. In particular, there is no specific requirement to consider gender equity issues. This is the case for both general minimum wage setting and sector wage setting. In setting general minimum wages, the criteria and its application should be aimed at providing a decent wage floor and should include consideration of women's needs, which may differ from the needs of men. Sector or subsector wage setting should adhere to the concept equal remuneration for work of equal value.

It is recommended that the Philippines amend its legislation to specifically require equal remuneration for work of equal value. Steps should also be taken to develop and implement an independent wage-setting process that is transparent, applies objective criteria, and involves the social partners (ADB and ILO 2013a).

### Complaint mechanisms and labor inspectorate

The Philippines faces challenges in providing effective, simple, and well-publicized mechanisms to encourage women to make complaints and seek redress for discrimination and sexual harassment in their working environments. Furthermore, it needs to significantly improve the effectiveness and coverage of its labor inspectorate. Funding labor inspectorates is also a challenge, thus developing public-private partnerships and social dialogue should be explored to achieve improvement.

The Philippines should review its complaints process in relation to good practice, which indicates that the best approach is to have a single mechanism to refer complaints to the relevant authority. Such a complaint mechanism could be a preexisting body. The first point of contact should be especially simple and sensitive to women's needs. Women should also be provided with information and education about the complaints process and should be given access to legal assistance if necessary.

In addition, it is recommended that the Philippines continue to work closely with the ILO to improve the labor inspectorate. It needs to develop an improved and better-resourced public labor inspection system. Such a system should include a risk assessment of establishments so that, for example, employer self-assessment programs can be applied to low-risk establishments. Other strategies may be adopted to monitor and assess compliance with standards, depending on the nature and level of risk in different establishments. This can be achieved through dialogue involving employer and worker organizations. The expressed mandate of labor inspectorates and the requirements for any employer self-assessment strategies should include consideration of gender issues, with special attention given to gender discrimination, sexual harassment, and women's work conditions.

**It is recommended that the Philippines amend its legislation to specifically require equal remuneration for work of equal value. Steps should also be taken to develop and implement an independent wage-setting process that is transparent, applies objective criteria, and involves the social partners**

### Social dialogue and trade unions

The Philippines' initiatives to increase social dialogue undertaken with the assistance of the ILO represent a good practice example. Both the government and unions should work to ensure the inclusion and representation of women at all levels. It is important that networks of informal workers and entrepreneurs contribute to raising awareness and assist in linking women with larger organizations and government institutions to ensure that women's interests in employment and work issues are taken into account. Finally, unions themselves need to adopt policies and strategies that enhance women's participation in leadership positions and create an affirmative union policy that allocates a high proportion of leadership positions to women. Such measures would encourage women's participation and their ability to influence collective bargaining.

In conclusion, this report identifies pathways with recommendations to improve gender equality in the labor market in the Philippines. The report also highlights examples of good progress and good practice that can be an example for other countries. The overall message is that broad macroeconomic strategies need to include women and there is a need for a gender-aware employment strategy and a facilitating legal, economic, and social policy environment with active labor market programs. In addition, special temporary measures are required to address constraints of women and promote equal opportunities, remuneration and treatment for working women and men. Implementation using indicators and targets that can be monitored to assess effectiveness is a key to achieving real difference for employment of women in the labor market. The two global reports which form part of this project, Good Global Economic and Social Practices to Promote Gender Equality in the Labor Market (ADB and ILO 2013a) and Good Global Legal Practices to Promote Gender Equality in the Labor Market (ADB and ILO 2013b), are an important resource to assist future progress.

**[B]road macroeconomic strategies need to include women and there is a need for a gender-aware employment strategy and a facilitating legal, economic, and social policy environment with active labor market programs**

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## Gender Equality in the Labor Market in the Philippines

Based on an analysis of gender inequalities, strategies and promising initiatives to counter gender discrimination and promote equality between men and women in Cambodia, Kazakhstan, and the Philippines, as well as an inventory of global good legal, economic, and social practices, this report summarizes the findings and recommendations for the Philippines. It shows how to improve equitable employment opportunities, remuneration, and treatment for women and men at work to support the development of decent work and gender equality good practices in the country. The report is part of a series consisting of:

- Good Global Legal Practices to Promote Gender Equality in the Labor Market
- Good Global Economic and Social Practices to Promote Gender Equality in the Labor Market
- Gender Equality and the Labor Market: Cambodia, Kazakhstan, and the Philippines
- Gender Equality in the Labor Market in Cambodia
- Gender Equality in the Labor Market in the Philippines.

## About the Asian Development Bank

ADB's vision is an Asia and Pacific region free of poverty. Its mission is to help its developing member countries reduce poverty and improve the quality of life of their people. Despite the region's many successes, it remains home to two-thirds of the world's poor: 1.7 billion people live on less than \$2 a day, with 828 million on less than \$1.25 a day. ADB is committed to reducing poverty through inclusive economic growth, environmentally sustainable growth, and regional integration.

Based in Manila, ADB is owned by 67 members, including 48 from the region. Its main instruments for helping its developing member countries are policy dialogue, loans, equity investments, guarantees, grants, and technical assistance.

## About The International Labour Organization

The International Labour Organization (ILO) is the United Nations agency specialized in work and workplace issues, and related rights and labor standards. Founded in 1919, the ILO brings governments, employers and workers together to achieve decent work for all men and women in conditions of freedom, equality, security and human dignity. The main aims of the ILO are to promote rights at work, encourage decent employment opportunities, enhance social protection and strengthen dialogue on work-related issues. The ILO has 185 member countries. The ILO Regional Office for Asia and the Pacific supports work in 34 countries in the region towards equitable and sustainable social and economic progress.

## About The Philippine Commission on Women

The Philippine Commission on Women (PCW), attached to the Office of the President, is the government authority that champions women's empowerment and gender equality. As an oversight agency, it makes government work for the promotion, protection, and fulfillment of women's human rights to enable women and men to contribute to and benefit equally from development. It pursues this through policy advocacy, provision of technical assistance and monitoring and evaluation of the gender responsiveness of government policies, plans, programs and services. It was created in 1975 as the National Commission on the Role of Filipino Women, until the Magna Carta of Women of 2009 strengthened its mandate and changed it to the Philippine Commission on Women.

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