



# **Deaths amid Growth for a Few, Destitution and Resistance**

A Report Assessment of Workers' Situation  
under the Aquino Administration

**CENTER FOR  
TRADE UNION AND  
HUMAN RIGHTS**

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## Introduction

**D**uring his first State of the Nation Address (SONA), President Benigno Simeon “P-Noy” C. Aquino III, talked about the corruption of the government that preceded him and the bankruptcy of the government he inherited. He promised to “hold accountable the murderers and corrupt in the government” and lay down as solution to the lack of government funds, the Public-Private Partnership (PPP). He said:

“[With] PPP the government is not going to spend, instead it will earn. From Public Private Partnerships. our economy will grow and every Filipino will benefit. Once we implement Public-Private Partnership, it will be able to fund social services, based on our platforms. It will help many sectors,... Let us be reminded that first in our platform is creation of jobs, and jobs come from growth of our industries....” ([SONA, 2010](#))

PPP is Aquino government’s flagship strategy or main engine of economic growth. In PPP, the government enters into contracts with private companies to design, build and/or finance, maintain and/or operate a public service or infrastructure project for 25 to 30 years. This means, that the private sector will develop, implement and manage major and strategic services and projects like water services, railway systems, roads, ports among others. From these, the government expects to earn. In essence however, the government abandons these sectors and transfer the authority to corporations who have the power to set policies on how these projects and services will be managed according to their interests—how to get their returns of investment and profits—and not according to the interests of the people.

PPP is one of the strategies of the neoliberal program carried out in the Philippines and other countries in the world. By implementing PPP and other neoliberal policies as prescribed by big financial institutions like the World Bank (WB), International Monetary Fund (IMF), and the Asian Development Bank (ADB), the national and world economy is expected to sustain growth.

According to PPP Center Executive Director, Cosette Canilao, the government expects to gather a total of US\$ 24 billion from the PPP project.

However, by 2015, total projects approved only amount to US\$4.2 billion (PHP 189 billion). A very small percent but big enough if used to support local industries and social services. Unfortunately, PPP does not aim to develop services, rather PPP targets to make collection of fees more efficient and increase the profit margins from the company-managed services.

Six years after, did the Filipino people really benefit from the promises of P-Noy? Are there sufficient jobs created? Are social services enjoyed by the larger public? Are Filipino families freed from insecurity of the future for their children?

In the last six years of Aquino’s presidency, the people and workers suffered from severe poverty, cruel violence and tragic deaths amid growth of a few. The workers’ livelihoods were further eroded as Aquino enforced neoliberal policies and programs, of which the PPP is a major one. Workers poverty deepened as wages remained low, regular employment destroyed, and basic services privatized resulting in higher costs. On the other hand, the wealthy few and foreign businesses relished the much-touted economic growth that only served them.

The Aquino administration’s record in opening the economy is unparalleled as it signed multiple bilateral and multilateral trade and investment agreements. Laws and programs implemented were designed to rapidly advance the neoliberal globalization<sup>1</sup>. This policy made labor more flexible and cheaper while silencing discontent to attract foreign investors further squeezing the Filipino people and the country’s natural resources for private profit.

Integral to implementing neoliberal policies is the carrying-out of the Internal Security and Peace Plan (IPSP) counter insurgency program, or better known as Oplan Bayanihan. This resulted in ceaseless violations of human rights. According to Karapatan,

<sup>1</sup> Neoliberalism, in simple terms, refers to the free flow of capital, products and services; removing or reducing government intervention in terms of capitalists business, reducing government expenditure in social services and projects. Neoliberal policies are said to directly impact on labor such that flexibilization of work is promoted, real value of wages are kept frozen or and unions are weakened or suppressed. In general, the economy works according to the dictates of the market and the capitalists.

238 individuals were extra-judicially killed (EJK), 26 were forcibly disappeared, and number of political detainees reached at 527, since Aquino took office on June 2010 until March 2016.

Contrary to what Aquino promised when he took the Presidency, killings, criminalization, harassment and threats against unionists and the urban poor did not stop and justice remained elusive even from the victims under the past administration. CTUHR initial documentation revealed 726 different cases of human and labor rights violations including 26 victims of killings committed against workers. The Aquino administration astutely used violence and legal system to win yellow unions, workers and youth organizations, schools and other institutions to suppress, if not totally crush, independent unions and organizations of workers and the urban poor. Similar to boasting the hollow economic growth that averaged 6% annually, the Aquino administration took pride in maintaining industrial peace in the country. But such peace is treacherous and disturbing as it is based upon deeper workers' exploitation and comprehensive attack on their rights. In fact, in the last six years of Aquino's straight path, the struggle of workers and urban poor for better wages, permanent jobs, justice, freedom to organize and to secure housing has intensified and advanced.

As P-Noy ends his term of office, it is clear to the workers that there is nothing the Aquino administration can be proud of, that the Straight Path must not be continued. Rather, the people's fight

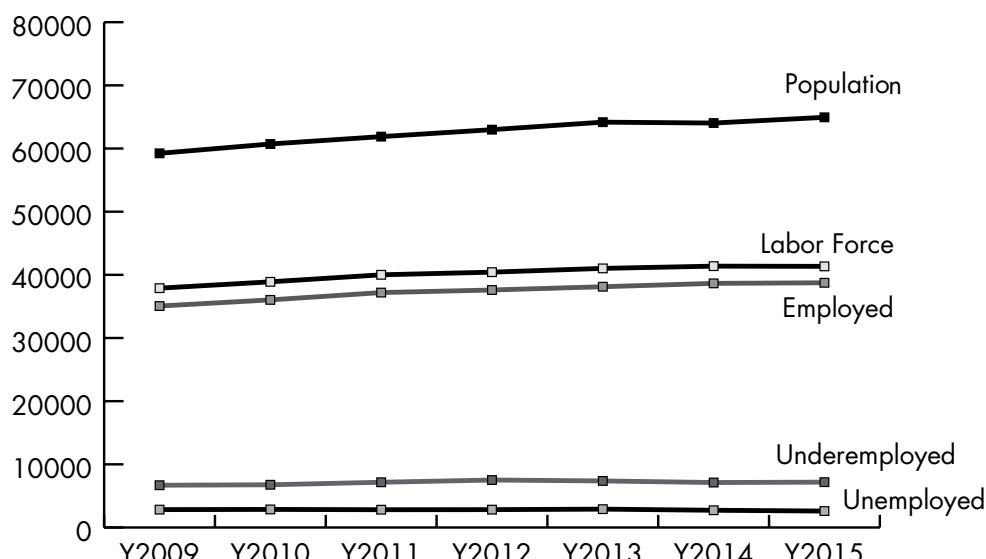
against poverty, exploitation and repression brought about by neoliberal globalization carries on.

### **Job Crisis: Destroying regular and local jobs**

The much-hyped growth of the gross domestic product did not create sufficient, regular local jobs for the people. Instead, grave job crisis continued to beset the workers as the number of jobless individuals increased and contractual and informal workers proliferated.

At the onset of the Aquino administration, it was already apparent that it does not have a clear and decisive program to create regular and local jobs for the people. The Philippine Labor and Employment Plan (PLEP 2011-2016), an implementation of its 22-Point Labor Agenda, the Aquino government denies the lack of jobs in the country as it points to job mismatch as the key reason for unemployment. Thus, instead of performing job creation as key strategy, the government turned to job facilitation, and played the role of a manpower agency, as primary response to resolving high unemployment. It is also apparent that in the 22-Point Labor Agenda, job facilitation gives particular emphasis on exporting more Filipino workers as reflected in functions that government will perform including expediting employment processes for OFW, setting-up and developing numerous government agencies that will directly look for and administer overseas employment. Even P-Noy actively peddled the

**Graph 1: Continuing Job Crisis**



Filipino workers in countries he visited in the form of labor agreements that he encouraged and signed.

From 2010 to 2015, annual average of jobs created is 632,000 jobs, way below the 732,000 annual average jobs created from 2000-2009 (Ibon, 2016). Although the number and percentage of wage and salary workers slightly increased from 2009-2015 and number of unpaid family workers decreased, the number of self-employed also increased by 108,000. Total number of underemployed also increased by 174,000 even as unemployment rate eased from 19.1% in 2009 to 17.6% by October 2015.

Even with fewer jobs generated, the government still boasts the decrease in unemployment rate from 7.1% in 2010 to 6.4% by the end of 2015. However, the statistics is questionable and does not necessarily reflect the real job situation particularly when one takes a closer look at the Labor Force Survey (LFS). The survey reveals around 23.6 million individuals on the working age (15 to 60 years old) who are not included in the labor force and are therefore excluded from the employed-unemployed ratio. One reason behind this is that discouraged workers, or those people who have stopped looking for jobs for various reasons, are not included in the labor force even if they are capable to work. Moreover, since typhoon Haiyan hit the provinces of Samar and Leyte, Region VIII have been excluded from the LFS. Ibon Foundation estimates that unemployment rate could go as high as 9.8% to 10%. This is equivalent

Table 1: Unemployment Rate in Southeast Asian Countries

COUNTRY	UNEMPLOYMENT RATE
Brunei	6.9%
Cambodia	0.3%
Indonesia	6.18%
Laos	1.4%
Malaysia	3.14%
Myanmar	4.02%
Philippines	5.8% *
	10%**
Singapore	1.9%
Thailand	0.91%
Vietnam	2.31%

from Trading economics (as of March 2016)

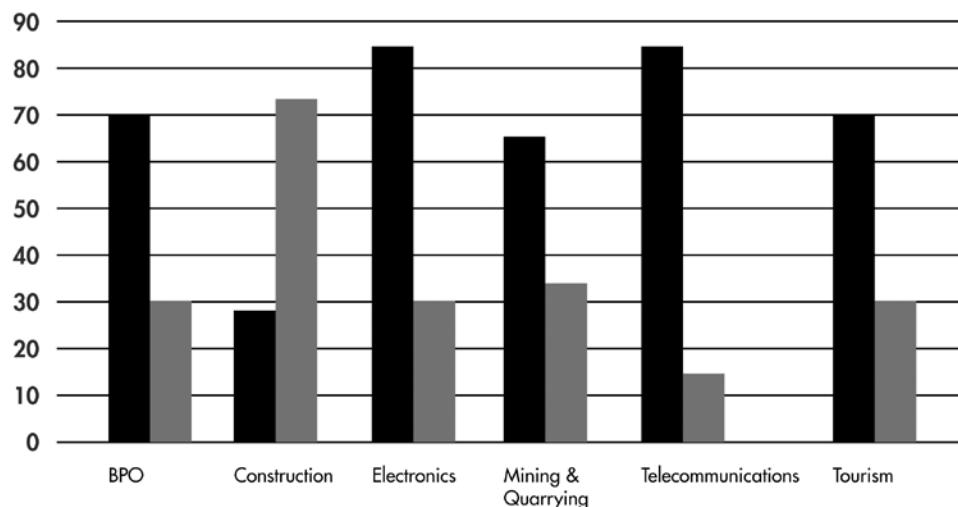
\* Government data/ \*\* Ibon estimates

to 4.2 million to 4.3 million Filipinos. The Social Weather Station (SWS) survey revealed however that unemployment rate in the country is around 21.9% in 2015. And compared to other Southeast Asian economies, the Philippines remains on top in terms of joblessness.

#### Proliferation of flexible and precarious jobs

By promoting industries highly dependent on foreign capital and market at the same time openly selling cheap labor force, the Aquino administration destroyed regular jobs and made commonplace and widespread flexible and precarious employment. A

#### Graph 2. Regular and non- regular workers in the so-called sunshine industries under PNoy



\*Based on BLES Industry Profile Survey Series (2014)

■ Regular ■ Non-Regular

study by BLES (2014) on the profile of labor force in sunshine industries--namely Tourism, BPO, Mining, Construction, Telecommunications, at Electronics-reveals that 1 out of every 3 (35%) rank and file worker in these industries is non-regular and can be categorized in one of the following: seasonal, probationary, contractual/project-based, apprentice/learners, or casual.

Another study on employment in South East Asian Countries (Serrano, 2012) shows that 7 out of 10 workers in the Philippines are in precarious (non-standard) employment, meaning they are either non-regular wage and salary workers, self-employed or unpaid family worker.

In the first few months of the Aquino administration, it already favored labor flexibilization as reflected in the Department of Trade and Industry's (DTI) pronouncement that laws on security of tenure need to be relaxed to attract foreign investors, and the Department of Labor and Employment and Malacanang's decision that allowed outsourcing on the basis that it is a management prerogative in the case of Philippine Airlines that cut jobs of some 2,600 ground crew members.

Eventually, the Aquino government further consolidated and legalized the promotion of flexible work through the issuance of DOLE Department Order 18-A (DO-18-A) which diluted and obscured the definition of regular workers, made the right to security of tenure co-terminus with the contract by stating that , workers can enjoy security of tenure and right to form union against the labor contractor, and not the principal employer. As a result, workers directly hired by the companies continuously shrink compared to those agency hired. In Tanduay Distillers Manufacturing Inc. in Cabuyao for example, there are only around 40 rank and file workers directly hired by the company, while the big majority, 396 workers are hired by different manpower agencies. The situation is similar in Asahi Flat Glass Philippines where only 99 rank and file workers are directly hired and regular compared to 500 to 700 agency-hired workers who do similar jobs for the company. It is not true that workers, through DO 18-A, enjoy security of tenure as job contractors normally allow workers to sign six months up to one year contracts. After their contracts expire, commonly workers are made to sign a new contract unless they are found organizing unions or workers organizations. In paper, DO 18-A provides

that workers are allowed to form unions but this is virtually impossible in practice as the workers are constantly in fear that their contracts will no longer be renewed.

Flexible work promotion also found its way within the framework of the other sectors outside manufacturing production—banking and finance, government service, transportation, water, and education. Labor flexibilization is part of the implementation of several policies like BSP Circular 268 that allowed outsourcing of bank functions to third party service providers, rationalization in government agencies, privatization of hospitals, transportation systems, dams and other public services, and even K to 12 (Kindergarten-Grade 12) education curriculum.

In government, around 22% of government staff are contractual in 2010. This figure had worsened six years after, as more government agencies resorted to contractual or job order positions as part of rationalization. Contractualization is most widespread in the Department of Social Welfare and Development (DSWD) among all government agencies. According to Confederation for Unity, Recognition and Advancement of Government Employees (COURAGE), contractual employees in the said agency is roughly 20,000 compared to only 3,000 regular employees, ([Manila Today, 2015; Guda K.R., 2014](#)). Contractualization is also present in local government units.

With the privatization of the Light Rail Transport Authority (LRTA), about 964 workers are in danger of losing their jobs or becoming contractual because the new management renewed their contracts for only six months. Similar threats of contractualization hound nurses and employees of public hospitals up for privatization. In addition, about 49,000 teachers are contractual while 78,318 more, according to Alliance of Concerned Teachers (ACT) face the risk of losing their jobs following the implementation of K to 12 program in universities ([Geronimo, 2015](#)). Following K to 12, tenured positions for professors in universities and colleges are expected to shrink in the future.

#### Intensified export of Filipino workers

Instead of creating jobs in the local economy, the Aquino government fully carried-out the labor export policy. Most of its 22-Point Labor Agenda

pertain to migrant Filipino workers and how it can easily and swiftly export Filipino labor. As a result, from a daily average of 3,600 Filipinos leaving the country to work abroad in 2009, the daily average increased to over 6,000 workers in 2015. Turmoil, crises and deaths of Overseas Filipino workers (OFWs) did not prevent the Aquino administration from continuing the labor export policy. Rather in the middle of wars in Western Asia and in Africa, spread of fatal diseases in Africa, economic crises in Europe and Saudi Arabia, discrimination, slavery, violence and deaths experienced by OFWs, the government relied on labor demands in foreign land in order to employ Filipino and cut unemployment. Moreover, the Philippine economy remains dependent on OFW remittances to keep it afloat despite the global crisis and worsening conditions of OFWs.

### **Depressed wages, cheap labor force**

Wages remain low under the Aquino's six year term. The administration continued the implementation of wage rationalization (1989) that removed the national minimum wage. DOLE reports that there are about 1,000 wage levels in the country which was reduced to about 500 following the two-tiered wage system implementation. The result of this is more depressed real value of wages especially in regions where nominal wages are already low. Based on Ibon Foundation's computation, the real wage of P481(US\$10.45) in the National Capital Region (NCR) based on its value in 2010 only increased by P17. And based on government computation, current real wages in 2016 (based on 2006 prices) is much lower than wage levels in 2006 in almost all regions (See Chart 3).

In the same way that capitalists refused to heed the workers call for significant wage hike (P125 across the board nationwide increase), the Aquino government also denied workers of any significant wage increase. According to the government, big wage hikes will cause higher inflation, and unemployment. On the contrary, Ibon Foundation (2011) reveals in its own study that giving P125 across the board wage increase is possible and will only slash 15% or a total of P135.6 billion (US\$2,948 billion) of total profits of companies that amounts to P895.2 billion (US\$19,461billion).

With workers' depressed wages, the gap between the minimum wage and the family living wage (FLW)

**Table 2: Nominal wages, FLW and Wage Gap (2009 vs 2016)**

	2009	2015
Nominal Wage (NCR)	P 382	P 481
Family Living Wage	P 917	P 1,089
Wage Gap	P 535	P 608

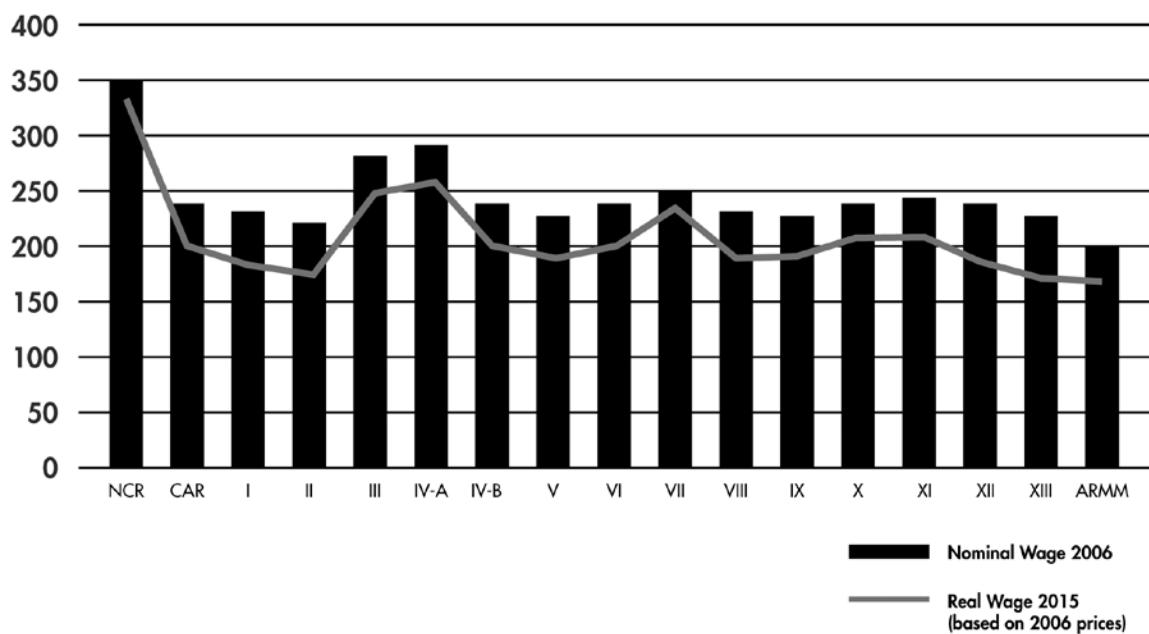
(Ibon Foundation, 2016)

widened. In 2009, the wage gap between minimum wage rates and FLW is P535 (US\$11.63) This amount increased by 14% with the current wage gap now at P608 (US\$13.21). This means that a family of five or six people with only one minimum wage earner needs to earn P608 more in order to afford basic needs.

As the Aquino government is hell-bent at attracting more foreign investors, it drove workers deeper into the abyss of exploitation and poverty. In 2012, the DOLE released new guidelines on how to implement the two-tiered wage system (2TWS). This new wage system introduces two levels of wages: the floor wage as the first tier and the productivity wage as the second tier. This scheme radically redefines the basis of computation of the wages of workers. Currently, the minimum wage is based on the concept of a living wage, but the floor wage in the 2TWS is based on the poverty threshold, which is only P46 (US\$1) per day. 2TWS thus may result in wage cuts. In region IV-A (CALABARZON) where the first computation of 2TWS was released, the floor wage set is P255 (US\$5.54) which is 25% lower than the minimum wage in the region set at P337 (US\$7.32). Meanwhile, the productivity wage under the 2TWS is merely voluntary and thus may not be implemented by employers. In addition, productivity-based wages push workers to compete with each other and therefore also result in intensified exploitation of the workers.

### **No wage hike for government employees**

Government employees did not receive increments in their compensation in the last six years. Instead, the Aquino administration merely implemented the Salary Standardization Law 3 (SSL3), which was already approved by the previous administration. Only in the last few months of 2015 did the Aquino administration pass SSL 4 which will be implemented on a staggard basis in the next four years. The law came under fire from

**Chart 3. Real wages 2016 at Nominal Wages in 2006 (2006=100)**

from government employees against SSL as “unjust” because of the widening gap in terms of salary grades (SG) that low SG employees get compared to high SG employees, the Aquino administration pursued the approval of SSL 4. Worse than previous SSLs, the latest version makes the gap compensation much wider. According to COURAGE National President Ferdinand Gaite, under SSL4, those employees in the lowest SG will receive P20 (US\$0.43) daily wage increase after four years, while those with the highest SG (like the President) will receive P2,000 (US\$43.48) daily wage increase after the same period ([Perdez, 2010](#)). In concrete terms, those government staff who receive a meager P9,000 (US\$195.65) every month, will receive P16,000 (US\$348) every month, after four years. While the President who currently receives P120,000 (US\$2,608) a month will receive P399,000 (US\$8,674) every month by 2020.

#### Selling cheap, young and passive workforce

Other than depressed wages and flexible work, the Aquino government has put in place policies that systematically shape the country's labor force as a source of cheap labor for the global market. This can be seen in the government's allocation of resources to programs that encourage more Filipino young workers to finish technical and vocational courses through TESDA and the Kto12 program. In attracting more foreign investors into so-called sunshine

industries, the Aquino government primarily offers cheap, semi-skilled, young and passive workforce. In the business process outsourcing (BPO) industry for instance, wages of call center agents in the outsourcing country is 10 times that of call center agents in the Philippines. Moreover, a huge chunk of electronics companies are found in economic zones outside Metro Manila where wages are cheap and the right to form unions is heavily suppressed.

#### Discrimination and exploitation of women and child laborers

Women workers are still trapped in poverty amid the government-hyped economic growth. Women remain more vulnerable due to their low labor participation rate compared with men. According to the 2015 Gender Labor Statistics of BLES, women's labor participation is only 50.7% compared with 78.6% for men. There are also industries where women receive generally lower wages than men. In the service sector, where women workers are concentrated (70%), average wages of women is 6.5% lower than average wages of men. Women workers are also concentrated in occupations that are known to being flexible, informal or precarious. Six out of 10 unpaid family workers are women and six out of 10 employed in the wholesale and retail and food and accommodation are women, while seven out 10 employed in other service activities are also women.

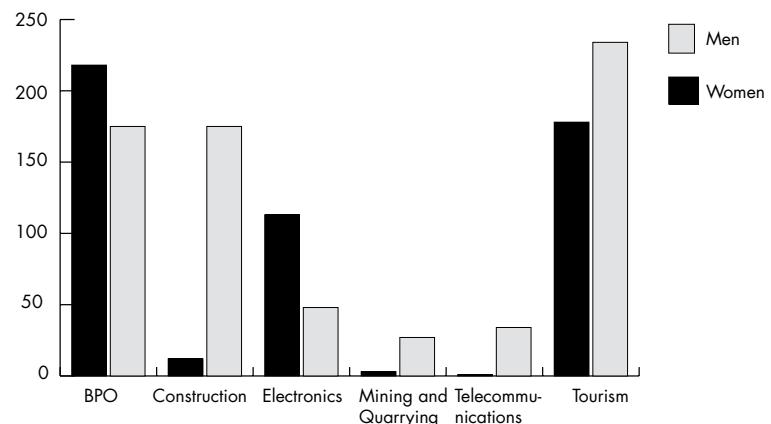
In sunshine industries, discrimination against women workers is also noticeable. Most of these industries prefer male workers than women workers. In construction, employment opportunity for women is very low with only 6.5% of the total employed in construction. In mining and quarrying, only 10% of the employed are women and 79.1% of the mining companies prefer male workers than females.

According to Migrante International, under P-Noy, more women were forced to go abroad to work. Women OFWs as of 2014, account for 50.43% (11.7 million) of OFWs around the world. One of the issues that gained prominence during Aquino is the case of Mary Jane Veloso, a Filipina migrant worker who was almost executed in Indonesia due to drug trafficking charges. The case of Mary Jane represents the pitiable condition of Filipino workers abroad, especially women and the government's neglect of OFWs it sent. For decades, women OFWs remain very vulnerable to various forms of exploitation: *human trafficking, drug trafficking, sexual harassment, discrimination and violence*. According to Migrante International, overseas workers victims of these many forms of exploitation increased among Filipinas. In the 174 cases handled by the migrants group, 138 (80%) involved women. Despite all these dangers, the government continues to underpin labor export as an employment and source of foreign exchange strategy.

Even inside the country, women workers are continually exposed to danger. In the last six years, several workplace tragedies that are preventable, occurred killing hundreds of workers, many of whom are women. Last May 13, 2015, Kentex factory fire—the worst industrial fire in history—shocked and angered many as it left a death toll of 74 workers, 45 of whom are women. Other workplace fires that victimized women workers include: Asia Micro Tech in Pasay City in 2014 that killed 8 workers and fire in Novo Jeans in Butuan City in 2012 that burned 17 women workers to death.

The Aquino government did not give women workers a favor when it lifted the night work prohibition under the pretext of anti-discrimination. On the contrary, the lifting of the ban placed in great danger women's health more especially pregnant and lactating mothers. Night work promotes flexible working conditions and negates the fact that women need special care, the reason why night work was

**Chart 4: Women Workers in the Sunshine Industries Under Aquino**



previously prohibited. On the other hand, important laws that truly advance the women workers' welfare were not passed. These include the law that extends the length of maternity leave. At present, women workers in the country are given between 60 to 78 days maternity leave, far below the standard set by the International Labor Organization which is 98 days.

#### Child labor is still prevalent

Because of worsening situation and rapidly declining source of livelihoods of Filipino families, child labor persisted. According to the ILO, there are about 5.5 million child laborers in the country, where 3.9 million are employed in the worst forms of child labor. Among the worst forms of child labor are found in mining and plantation industries. A study conducted by CTUHR (2012) in oil palm plantations in CARAGA, Mindanao reveals that one out of four employed workers in palm oil plantations are children. Child laborers are exploited more because they receive lower wages compared with adult workers. They are facing different risks to their health as their work exposes them to hazardous chemicals and are physically strenuous beyond the capacity of their young bodies, such as the case of child miners and haulers of palm fruit bunch.

Besides hard work, child laborers also become victims of militarization. Last January, a 14 year-old child miner was hit by a gunshot after elements of the 46th IB and 10th ID of the Armed Forces of the Philippines (AFP) in Pantukan, Compostela Valley indiscriminately fired at the mining area and the surrounding community. The military is conducting a clearing operations for the entry of big mining

company, NADECOR or National Development Corporation.

### **Enslaving and squeezing the workers harder**

Instead of finding ways to lift the people out of poverty, the Aquino administration pushed the people deeper into misery and slave-like conditions when it deprived them of basic social services. Through PPP, public services like the Metro Rail Transit-Light Rail Transit (MRT-LRT), hospitals and tollways were handed over to the private sector benefitting businesses solely as they increased charges to recoup their investments, guaranteed by the government, and thus actually extracting more profits from the people.

In transportation, the problematic railway system is a case in point. In 2015, fare hikes between 50% to 87% were imposed for the use of LRT and MRT, despite the many problems on the maintenance and safety of the said railway. The fare hike did not change anything, and ordinary train commuters continually endured very long queues to squeeze themselves in cramped trains and frequent breakdown of the train or rails. The fare collection went to paying the private company.

These fare hikes added more insult and suffering to the commuters, many of whom come from the working class who themselves are already experiencing piles of difficulties. The promise of improving the MRT-LRT service has long been for naught and overused to justify the imposition of fare hike. In fact, the problems of the railway system's services actually worsened after the hike. This is primarily because the income generated from the fare hikes went directly to the MRT Corporation as part of the government's commitment to ensure a 15% return of investment for the company. More so, even before the problems of the MRT and LRT are fixed, new fees are already being collected from the passengers in the form of the beep card for the Automated Fare Collection System. The P120 beep card for instance only contains P100 useable load.

Another issue that irked the public is the Social Security System (SSS) pension. The SSS is an institution that the government has established to take care of the security of workers in the private sector, including the self-employed. However, for a long time already, SSS has not offered security as pensions

have been kept very low, between P1,200 (US\$26) to P3,000 (US\$65.22) for ordinary pensioners. Instead of increasing the pension, SSS imposed a premium hike on the mandatory contributions. In 2014, SSS increased contributions from 10.4% to 11% of members' salaries, purportedly to prolong the lifespan of the fund until 2049. This added burden to the workers who are already paid very low and yet are deducted with higher contributions, but not receiving quality and efficient services when they need it.

This year 2016, Aquino vetoed the bill passed by Congress that will give a P2,000 (US\$43.48) pension hike across the board insisting that the institution will go bankrupt if this pension hike is implemented. However, Ibon Foundation, Bayan Muna, and Ecumenical Institute for Labor Education and Research (EILER), in separate studies noted that SSS has the capacity to increase pension especially if it will increase its collection of contribution from workers employed in companies as well as their employers. Apparently there are plenty of companies who deduct SSS contributions from their employees but fail to remit these contributions to the SSS. Citing possibility of bankruptcy in refusing pension hike, the Aquino government did not think twice in according the SSS executives multi-million compensation, per diems and bonuses.

Getting more money from the workers and the poor, did not end. The last six years of the Aquino administration bled the workers and government employees dry, by continuously collecting huge income taxes (32%) from their incomes and from 12% value added tax on basic commodities and utilities. On the other hand, companies in economic zones enjoy tax holidays for up to 8 years and are exempted from paying VAT.

### **Disaster and demolition king**

Aquino's *Daang Matuwid* (straight path) seems to have lured several disasters and tragedies that claimed thousands of lives, rendering those directly affected more miserable. Some of these tragedies were: i) the Zamboanga siege which caused destruction of houses and properties and death of many civilians when the government bombed the city to rid the Moro National Liberation Front forces who took control of the city; ii) the typhoon Pablo (Bopha) and Sendong which hit Mindanao in 2011; Bohol earthquake in

2013; the strongest and worst typhoon in history, Typhoon Yolanda (Haiyan) in 2013; and Typhoon Ruby in 2014. Until now, the survivors of these calamities have yet to recover from these disasters despite the billions of donations from different parts of the world and the billions that the government reported to have been allocated for the provinces directly affected like Samar and Leyte. Instead, the Department of Social Welfare and Development (DSWD) let sacks of rice and other relief goods rot in Leyte while victims especially women and children are looking for food.

The public continuously ask, where the money is, as victims languish in hunger, homelessness and poverty. Yet, these tragedies played prominently in the election campaign ad that the administration supported candidate is drumbeating so hard. In cities and town centers, organizations of urban poor branded Aquino as the “Demolition King” as he began his term with series of demolitions and forced eviction in different parts of the country.

CTUHR data estimated that about 25,000 families or 150,000 individuals have been affected by demolitions and forced evictions under the Aquino administration. The common reasons are: land rights claim of private owners, clearing of communities in the danger zones and strategic city centers to give way to development projects under Public-Private Partnership Program. Big corporations such as SM, Ayala and Robinson's, which build malls, so-called business and residential centers could be found in every strategic locations in the country, displacing the poor.

In 2011, the government announced that it started allotting Php10 billion every year to Informal Settler Fund (ISF) for the in-city housing program dedicated to those evicted from danger zones in Metro Manila. However, according to Task Force Relocatees, among the 49,640 housing units built by the National Housing Authority (NHA) since that year, only 3,318 housing units are in-city relocation sites within Metro Manila. Most of the relocatees are brought in far-flung areas which have poor access to jobs, basic social services including water. There are also reports from relocation sites that the housing units are low in quality and a big part of these sites are not completed yet.

Aside from the poor access to livelihood in relocation sites, relocatees worry more for their

security and safety from both man-made and natural calamities. Some relocatees aptly put their situation as from “danger zones” to “death zones.” Relocatees brought in Rizal reported that the land where they were transferred is part of the West Valley Fault (earthquake belt) which is identified to be highly vulnerable to the “The Big One” or strong earthquake. A relocation site in Kasiglahan Village in Rodriguez, Rizal was reported to have experienced severe flooding. Other reports complained about the destruction of their homes due to low quality of the materials used.

The demolitions under Aquino were violent that claimed lives and arrests of scores of urban poor. The most violent were the demolitions in Sitio San Roque, Quezon City; Silverio Compound in Paranaque, Corazon de Jesus in San Juan, Road 10 in Tondo, Manila and Laperal Compound in Makati City. The communities did not take evictions quietly. They responded with a strong opposition and resistance but also met with immeasurable state violence. From 2010 to 2015, 16 urban poor leaders had been killed, 7 of whom had been killed in the middle of their barricades against demolition. One of them was Arnel Leonor, 21 years old. He joined the protest against the demolition in Silverio Compound in Paranaque City and was hit by gunshot from the demolition team. Another victim is Ka Erning Gulfo, an urban poor leader in Catmon, Malabon, who was shot three times while having breakfast by an unknown man in 2012. At the time, his community was in the middle of struggle against threat of forced eviction. The most recent victim of extrajudicial killing was Benilda Santos, shot by a suspected village guard in 2015. She was a leader of the organization KADAMAY in Commonwealth, Quezon City against land-grabbing of the place where they are residing.

Not only the homes of the poor were subjected to demolitions, their livelihood was not also not spared to pave way for so-called development projects under PPP. In 2015, several moves have been made to demolish public markets in Manila and Quezon City. In Manila, under the Manila City Ordinance 8346 or the Manila Joint Venture Ordinance, the city government (LGU) is marketing the public infrastructures and services such as highways, ports, housing, land reclamation projects, schools, public markets and hospitals for joint ventures with private institutions. Seven (7) out of seventeen (17)

public markets in the city of Manila are eyed for privatization despite the vendors strong protests. The LGU has also demolished most stalls in Quinta Public Market and has started the construction of the new and privatized Quinta Market. Vendors opposed these moves in fear that privatization of market will raise stall rental fees, utilities which they will be forced to pass on consumers, consequently hiking up prices. This means vendors would no longer become competitive vis-à-vis big supermarkets that eventually send them to bankruptcy.

In Quezon City, the Balintawak or Cloverleaf Market were already ordered closed purportedly due to their violations of the environmental and sanitary standards. Vendors and other tenants who have been in the market since its started operation argued that the city government order to close the market is meant to give way to the Ayala Cloverleaf Project which already has an initial investment of 15 billion pesos. Residential areas around the market will also be cleared.

There were demolitions and evictions in the provinces like Nueva Ecija, Batangas, Cavite and Tarlac. In Brgy. Laiya Aplaya in San Juan, Batangas, almost 300 families lost their homes in the demolition in 2014. In Brgy. Zapote III in Cavite, the homes of 100 families were violently demolished by some personnel of DMCI, a construction and real estate company.

In 2015, the demolitions continued. 900 families lost their homes in Road 10 in Navotas City to give way to the road-widening project, a part of the North Bay Boulevard Business Projects under Aquino's PPP. 300 families were affected in the demolition in Calaan Compound in Caloocan City. Their land was being claimed by a businessman named, Antonio Yao. Last February 16, 2016, 150 houses with 283 individuals who are occupying a public land in Sitio Sta. Cruz, Brgy. Capitol Site in Cebu City faced a demolition threat. The area was declared by the city mayor for private use (Sunstar, Feb 2016).

### **Poverty and destitution for the majority, growth for the few**

In the past 6 years, the so-called growth did not lift the Filipino majority from destitution while the few rich families and their corporation accumulate wealth several times over. The response from the government in poverty reduction is simply lowering

the poverty threshold from P52 (US\$ 1.13) to P46 (US\$ 1.00) per day. This means that anyone who has P46 in a pocket is no longer poor, an evidence how the Aquino government pushed the poor to their limits. Despite the magical adjustment in number, the poverty rate remains high at 25.8% in 2014, higher than the 24.6% poverty rate in 2013.

But according to a survey conducted by Ibon, 67% of the Filipino people are poor. This proves that the pet poverty alleviation project of Aquino, the Conditional Cash Transfer or more known as *Pantawid Pamilyang Pilipino Program* (4Ps) miserably failed to ease the economic burden of the poor Filipinos despite the billions of pesos that the government allotted for this project. Apart from the 4Ps inability to lift the beneficiaries out of destitution, the 4Ps was used as an instrument of control of the poor, as it was and is still being used by local politicians to hinder the people from joining progressive organizations and participate in protests.

The billions 4Ps fund reek of several anomalies. It is highly questionable where the big chunk of the fund goes. According to a study, the amount distributed in 2013 which is P20.9 billion shrunk to P14.4 billion in 2014. This is only equivalent to 31.2% of the entire P50 billion budget (Diokno, 2015). In a study by Center for Women Resources, the group noted that the micro-finance program of BPI, BPI BanKo, also benefitted from the implementation of the 4Ps. They were tapped to conduct financial literacy trainings for the 4Ps beneficiaries in partnership with DSWD. After the training, the beneficiaries were asked to buy a Globe simcard worth P100 as a starter for their BPI BanKo account. Aside from this, BPI BanKo also offers the beneficiaries to loan P2,000 worth of products of multinational companies such as Procter & Gamble, Unilever and Nestle to start their *sari-sari* (small retail) stores (Umil, 2016).

Projects under PPP favor the foreign investors and big businessmen especially those who are close to Aquino. Aside from ensuring profits of these businesses through sovereign guarantee, the government allows them to borrow money from government banks for their capital when they entered into PPP. An example of this is the Megawide company which borrowed money for the modernization of the Philippine Orthopedic Center. Another is the big subsidies provided by the

**Table 3: Major Incidents of Workplace deaths: 2011-2015**

PETSA	COMPANY (INDUSTRY)	LUGAR	BLG. NG BIKTIMA	DAHILAN
17 Jul 2015 & 13 Feb 2013	Semirara Mining Corporation-DMCI (Mining)	Semirara Island, Antique	9 (2015) 5 (2013)	A portion of mine site collapsed
13 May 2015	Kentex Manufacturing Inc. (Manufacturing)	Valenzuela City	74	Fire
4 Feb 2015	Fort Bonifacio Development Corp.(Construction)	Taguig City	2	Building collapse
19 Jan 2015	Hoclim Co Construction Corporation (Construction)	Guiguinto, Bulacan	12	Warehouse wall collapsed
20 Apr 2014	Asia Microtech (Retail)	Pasay City	8	Fire
3 Feb 2013	SPC Power Corporation-San Miguel (Power)	Pililia, Rizal	5	Collapsed of scaffolding
30 Aug. 2012	Subic Keppel Shipyard (Construction/Shipping)	Subic, Zambales	6	Collapsed of ship platform
30 Aug 2012	Alimall Cubao-RCBC Agency	Quezon city	4	Drowning inside mall's septic tank
9 May 2012	Novo Jeans and Shirt (Retail)	Butuan City	17	Fire
29 Apr 2011	A Brown Palm Oil Plantation (Agri)	Opol, Misamis Oriental	9	Vehicular accident
27 Jan 2011	Eton Properties (Construction)	Makati City	10	Fall from gondola that Collapsed

government to the privately controlled maintenance operations of MRT3.

Thus, in the last 6 years, the big businessmen, foreign investors and corporations benefitted a lot from these policies. The profits of the richest people and corporations grew several folds. Data of Ibon Foundation, note that the wealth of the 40 richest Filipinos grew from P1.3 trillion in 2010 to P3.2 trillion in 2015. The revenue of the 100 biggest companies in the country grew 50% more from P5.3 trillion in 2010 to P8.7 trillion in 2014.

Consequently, the gap between the rich and the poor in the country widened. The total wealth of the 10 richest Filipinos, which is P2.2 trillion is equivalent to the income of 15 million poor Filipinos for an entire year (Ibon, 2016). The study conducted by the Asian Institute of Management, says that only 0.1% or 21,700 Filipino households can be considered upperclass or those who have an annual income of P700,000 or higher, while the 99.9% fall under the middle class or the low-income classes (Tadem, 2016).

### **Deaths and worsening conditions at work, borderless impunity on labor standards violations**

Safe and humane working conditions is a basic right of workers stipulated in the Constitution. Under Aquino's six years administration, the already poor working conditions had worsened as labor laws and policies are changed and formulated in favor of big

capitalists and businessmen.

The Aquino government continued the implementation of the much-criticized Department Order 57-04 was passed during the Arroyo government. This allowed companies with more than 200 workers to do self-inspection in terms of the implementation of occupational health and safety standards and submit report to the DOLE. The law essentially removes the obligation of the Department of Labor and Employment to look into the condition of their workers and check if these companies comply to the mandatory occupational health and safety standards. But pressures from the protests over successive workplace deaths prompted DOLE to junked the DO 57-04 but changed it with DO 131-13 in 2013.

DO 131-13 gave way to voluntary compliance to general labor standards and occupational safety and health. There is nothing new in the department order, except for the tripartism nature of implementation. This means that the labor unions are represented in the conduct of inspection. This is deceiving on various grounds: union representative/s are also chosen or approved by both the government and employers; a very small percentage (less than 8% of employed) of workplaces are unionized. Thus, the casualties due to workplace accidents persist. Contractual workers are often the victims.

Initial CTUHR documentation reports of 38 workplace deaths victimizing 228 workers.

# SIX YEARS OF DAANG MATUWID'S ONSLAUGHT ON

## JOB CRISIS



### 692,000

Jobs are created every year by the Aquino administration since 2010-2015; it's much lower than the yearly average of 732,000 jobs created every year in the period of 2001-2009



### Job Facilitation

Is the response of the government to the problem of widespread unemployment. The government served like a manpower agency that sells cheap labor of workers in the country



### 4.3 Million Filipinos

Are unemployed (Ibon)



### 7 out of 10 workers

Have precarious jobs: contractual, self-employed or unpaid family worker



### Out of 20 workers, 6 are in the agriculture sector, 3 in the industrial sector and 11 in the service sector

This is a manifestation of the worsening unemployment and the dwindling productive sector



### DOLE DO 18-A series of 2011

Reaffirmed and further legitimized job contracting and contractualization



### 5,021 OFWs

Are leaving the country everyday to look for work (2014)

## CHILD LABOR



**5.5 million** child workers in the country, 3.9 million of which are in the worst form of child labor



**1 out of 4 workers** in the oil palm plantation in Mindanao is a child laborer (CTUHR, 2012)

## WIDESPREAD POVERTY AND GROWTH OF A FEW



**25,000 families or 150,000** individuals became victims of demolitions during Aquino's term (CTUHR monitoring)



**50 to 87%** increase in the MRT and LRT fare despite its poor services



SSS contribution increased from **10.4% to 11%** while refusing to give the P2,000 pension hike



**24% of the Filipinos** are considered poor

**\$ P2.2 T = 8888888888**

The total wealth of **P2.2 trillion of the 10 richest Filipinos** is equivalent to the total annual income of **15 million poor Filipinos** (Ibon, 2016)

**\$ x 3**

The wealth of the **40 richest Filipinos increased by almost 3 times**; from P1.3 trillion in 2010 to P3.2 trillion in 2015

## DEATHS IN THE WORK PLACE



**DOLE DO 131-13** replaced the **DOLE DO**

**57-14** wherein the compliance to general labor standards and occupational health and safety became voluntary through tripartite mechanisms



**228 workers** died in 38 accidents in the workplace

# FILIPINO WORKERS

## DEPRESSED WAGES



More than 1,000 wage levels



The value of the minimum wage in NCR is only **44% of the P1,089 family living wage**



## TWO-TIER WAGE SYSTEM

A new wage system introduced by DOLE. There are 2 levels of wage, the **floor wage and productivity wage**. But only the floor wage is mandatory for employers. It is based on the poverty threshold.

## DISCRIMINATION AND EXPLOITATION OF WOMEN WORKERS



**6 out of 10 women** are in the labor force



**In every 3 women workers**, 1 of them is a laborer and unskilled worker



In every 10 women **OFWs**, **5 are laborers and unskilled workers and 2 are service workers**



**50.43% of 11.7M OFWs**

are women



P168.33 is the average salary of female laborers and unskilled workers, **26.9% LOWER** than the average salary of male laborers and unskilled workers



**MARY JANE VELOSO**, OFW who is in the death row in Indonesia after being a victim of drug and human trafficking

## COMPREHENSIVE ATTACK TO UNIONS AND THE WORKERS RIGHTS



**726 cases** of violation of workers' rights were recorded under Aquino; thousands of workers have been affected



**26 unionists and community leaders** were victims of extra-judicial killings



**288 leaders and union organizers** were charged with bogus cases by the police, military and capitalist



**14, 725 workers lost their jobs in 35 cases of mass lay-off and closure** since the 2nd half of 2010 until March 2016. Outsourcing and union busting are the usual reasons of the closure and the lay-offs



**887 victims of the 88 cases of harassments**, threat and intimidation against workers and urban poor



**44 cases of union busting** wherein **11,716 workers** have been affected



**1 out of 12 wage and salary workers** or 1.96 million of 22.2 million wage and salary workers are unionized



**CBA 1 out 10 unionized workers** or 206,927 workers have a Collective Bargaining Agreement (2015)

**Oplan Bayanihan** is the counter-insurgency program of Aquino which is the primary cause of the human rights violations like militarization, extra-judicial killings, harassment, filing of trumped-up charges, etc.

Construction sector has the highest number of casualties, followed by the mining sector. These two sectors, known to be most dangerous have the weakest protection for workers.

Under Aquino's watch, the biggest industrial fire in history, the fire in the Kentex Manufacturing Inc. took place last May 13, 2015. The fire could have been prevented if not for the neglect of the government. The Kentex Manufacturing Inc. was issued a Certificate of Compliance (COC) by DOLE on occupational safety and health as well as on the general labor standards, despite the prison-like conditions of the factory. Workers are paid lower than the minimum wage and are exposed to toxic chemicals without proper information and protection. Kentex also operates on provisional business permit from the local government of Valenzuela and without Fire Safety Inspection Clearance from the Bureau of Fire Protection. The Kentex Manufacturing Inc. produces Havana rubber slippers which are sold in different parts of the country.

In all these cases, not a single capitalist or government agency was held liable under the Aquino administration. Yet, the government tries to appease the families of victims by giving them alms, enough to get by during burial and just after the funeral, such as in the cases of ETON Properties, Keppel Shipyard corp, Novo Jeans, and Kentex Manufacturing. Kentex workers and survivors filed a criminal case against the company in June 2015, but since then, only a single hearing was conducted. The families of the victims of the Kentex fire are clear, even if they accepted the financial assistance from the company due to dire need, they remain firm in their stand that they will not stop until justice is served.

### **Comprehensive attack against trade union and workers rights**

The propaganda and the repressive machinery of Aquino Government ensured and sustained the rhetoric of straight path to conceal the reality of the working class. For the last six years, the Aquino government formulated programs and policies that cloaked the anti-poor and anti-workers characteristics of such programs through the use of popular words and languages. It has been astute in its manner, ably winning the hearts and minds of organizations who supported and benefitted from his administration. Astute the government may be, it has failed to cover

up the stinking condition of poverty and suppression as well as the resistance from those Straight Path did not serve.

The saga of comprehensive attacks against workers rights continues and no significant changes from the Arroyo regime had been implemented. Instead the comprehensive attack on workers' rights persisted: 1) intensified labor flexibilization 2) anti-workers policies, programs and practices 3) state fascism and terrorism reflected in violence and fabrication of criminal charges slapped against human rights defenders and critics, as part of counter-insurgency program *Oplan Bayanihan*.

### **Law, Cooptation and Naked Attack: Formula in Disquieting Industrial Peace**

The Aquino government astutely and effectively used the law, cooptation of unions combined with naked violence and repression to enforce industrial peace.

#### **SEnA: Accelerated process for capital**

For decades, workers are already facing a labyrinthine and long period of legal processes whenever there are those would like to file complaints against underpayment of wages, benefits, illegal dismissal, suspension, etc. and the Aquino government supposedly simplified but practically lengthen the process. Few months after Aquino was installed into power, DOLE issued the Department Order No. 107-10 series of 2010 or "*Guidelines on the single entry approach prescribing 30-day mandatory conciliation-mediation for all the labor and employment cases*" mostly known as Single Entry Approach (SEnA).

According to DOLE, SEnA aims to expedite the process of resolving disputes between the employer and employee, with the exception of gross violations of CBA and Notice of Strike. Unlike previously, where workers can file complaint at the National Labor Relations Commission (NLRC) or labor court, under SEnA, workers filing complaints are obliged to pass through and talk to SEnA Desk Officer within 30 days of complaint, the latter will call for conciliation hearing. If the dispute is not settled during the prescribed 30-day period, complaining workers will be given clearance to file his case NLRC.

What is the problem with this process? In CTUHR interview amongst workers, Kentex for example, survivors and families of victims of those

workers who were burned to death needed to wait for 30 days before they can formally file a complaint at NLRC, in the case of underpayment of wages they are claiming against Kentex. At the negotiation in SEnA, often if not always the hearing officer, asks the workers to accept whatever the capitalist is offering even if the amount for settlement is unacceptable and unfair for the workers. The SEnA Desk Officer also has no power to decide on a labor case, so it simply an added bureaucracy.

In reality, the SEnA hastens the process for the employer. It provides ample time to the capitalist to skirt their obligation to their workers, by prolonging further the enjoyment of already elusive justice for aggrieved worker. In addition, it also gives ample time for the capitalist to maneuver, as longer period of several hearings will dry the workers resources' to sustain expenses (like fare, etc.) before the case is brought to NLRC. In the end, workers will be forced to give up their claims or accept whatever is offered by the capitalist or contend with long process of administration of justice.

#### Tripartism and NTIPC: Co-optation of union into supporting the neoliberal agenda

Through the collaboration of old and new yellow unions, President Aquino almost perfected in designing and organizing labor and industrial relations to serve for the interest of capitalists especially the foreign corporations.

The most deceptive policy and mechanism implemented in labor relation is resurrecting the Tripartite Industrial Peace Council (TIPC). The TIPC was developed under Cory Aquino government to get the trade unions into supporting the Structural Adjustment Program (SAP) implementation at the time. The Trade Union Congress of the Philippines (TUCP) established by Marcos dictatorship, with the help of Asia-America Free Labor Institute (AAFLI), represented the the workers in the Council, thus the latter's credibility had always been in question, and only a year after almost no one remember the existence of TIPC. TIPC continued to exist but essentially only in papers.

However, the TIPC was given another lease of life on September 2010 through DO 01-11, and it was institutionalized by Congress through the passage of RA 10395, aimed at strengthening tripartism<sup>2</sup> as a

policy for labor relation. In tripartism, the workers through the trade unions, the government, and capitalists (employers) are placed in equal status or in equal footing in capitalists system. This is a big lie!

Some of the objectives and tasks of NTIPC according to DOLE are: 1) TIPC Monitoring Body, investigate the violations of right to organize, including the extra-judicial killings in the labor movement based on the recommendation of ILO High Level Mission (ILO-HLM) in the country in 2009. 2) To formulate and develop policies, proposed bills and mechanisms for submission to the Office of the President or Congress. 3) Support the DOLE and other government agencies in time of labor disputes. In its two major goals, the NTIPC which later became NTIPC Plus played its most effective role in crafting policy or proposed law recommendations which in general did not only weaken the labor movement, but also exposed the workers to further exploitation and repression.

DOLE takes pride in the fact that all DOLE issuances and Orders concerning worker-employer are processed through TIPC ([BLR website](#)). Department Orders (which are treated as special laws) used pro-workers and pro-union language to blur and conceal its anti-labor rights and anti-union characteristics; such as the the following:

- DO 18-A “legalizing contractualization”
- DO 107-10 (Single Entry approach 30- day mandatory conciliation )
- DO131-13- Voluntary compliance on Labor Standards

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was started by the ILO wherein employers (capitalist), workers, and the government are represented and this representation is treated equal. The ILO is the only tripartite body in the United Nations. In the Philippines, tripartite bodies have representation from the three groups: employers are represented by Employers Confederation of the Philippines (ECOP), the government by the DOLE, and the workers by several trade union centers namely the Trade Union Congress of the Philippines (TUCP), Federation of Free Workers (FFW), SENTRO, among others. Other than TIPC, other examples of tripartite bodies are the national and regional wage boards or the National/ Regional Wage and Productivity Board (N/RTWPB).

<sup>2</sup> Tripartism in labor relations is a mechanism that

- PEZA Guidelines on Police and Military Intervention on Labor Disputes
- DO 115-11 (Giving incentives to companies complying with labor standards)
- DO 118-12 (Two-Tiered wage system in bus workers, followed by 2TWGS in all industries)
- Department Order 40-H 2013 (amended from DO 40-G 03, Series of 2010, that reworded the Art 263 or Assumption of Jurisdiction (AJ) to make it acceptable by classifying what constitute the “industries indispensable to the national interest” but the power to issue the AJ Order is maintained in the hands of DOLE Secretary

The NTIPC is composed of 52 labor organizations, 81 employers and 26 youth sectors. The NTIPC plus, includes 40 non-government organizations (NGO), 50 government agencies, 6 International organizations and Industry Tripartite Councils (ITCs). Kilusang Mayo Uno (KMU) is the only trade union center that is not part of TIPC. Some of the regular members of TIPC Executive Council (TEC) are representatives from Alliance of Filipino Workers (AFL), Alliance of Progressive Labor (APL), Trade Union Congress of the Philippines (TUCP), Federation of Free Workers (FFW), Bukluran ng Manggagawang Pilipino (BMP), Church-Labor Conference (Rene Magtubo), AGLO, NCL, ECOP, etc. Representatives from these unions and organizations sitting in TEC is appointed by President Aquino. In other regions like Negros, the TIPCs were given power to hear and settle cases filed by the workers in DOLE.

Aside from NTIPC and their branches in regions, provinces, cities and municipalities, the Industry Tripartite Councils (ITCs) were also established where the leaders of labor centers, (chosen/approved by DOLE and capitalists), capitalists in particular industry or sector, as well as DOLE representative/s DOLE sit together and consult each other in formulating and implementing policies on industrial relation in their own specific industry. For example, ITCs were set-up in banks, plantation, business process outsourcing (BPO), construction, hospital and hotel industries. At the end of 2014, ITCs have already given birth to 150 Voluntary Codes/ or Conduct of Good Practices and other guidelines pertaining the workers-employers-government unity in business operation of the country.

Since the Ramos administration (since 1992) to the present (B Aquino), there were 43 policy issuances of DOLE processed by TIPC, 19 or almost half which were issued under the Benigno Aquino III government (BLR website).

The NTIPC and the ITCs are the showcase or the face of workers’ “participation” in governance of Aquino government in front of foreign investors, giant lending institutions, and international organizations that place industrial peace as a precondition for loans and investment promises or in short for undeterred implementation of neoliberal program and policy.

In a country like the Philippines, where genuine and independent unions are repressed and violently attacked, and where the leaders are killed, tripartism only become a hollow façade, a deceptive tool that not only misrepresent but betray the real interests of workers. It creates and temporarily sustains a disquieting industrial peace maintained by trade union leaders who collaborate with the state and knowingly or unknowingly represent more of the interests of business than the workers.. Lamentably, this system cunningly creates an impression that independent unions are no longer needed or relevant, neither protests or strikes, because workers through the trade union centers in the TIPC are already part of policy-making. Under neoliberalism where the economy is ruled by profit and making more profits for the few corporations, equal relationship and power among workers, employers, and government, the core of tripartism – is a mere illusion.

Looking at what is happening and broader miserable conditions where workers are thrown into, labor centers and others workers organization who are part of NTIPC have essentially surrendered their rights and power to protest, criticize more, denounce the anti-workers policy like DO 18-A or the legalization of flexible work arrangements, two-tiered wage system, etc. because they were part of formulating them, they had given their approval the reason why these laws were passed. So when these trade union leaders decry contractualization or DO 18-A, it becomes more of propaganda than genuine concern, and as in the Filipino saying goes it's like rubbing salt to an open wound.

The Aquino government’s adoration of capital does not end in cooptation of unions. In 2011, the DOLE issued DO 115-11 or Rules on Incentivizing

Labor Law compliance or giving incentives and Tripartite Seal of Excellence to companies voluntarily complying to the labor standards. This rule has been under fire for being patently one-sided and workers are asking, why are these companies given incentives, when they have already reaping profits while the government is high-handed in treating the workers and has incessantly refused legislated wage increase. The ILO providing US\$ 1 Million in aid for Labour Law Compliance System in the country.

#### Oplan Bayanihan: Counter-insurgency in the Workers Movement

Penalizing the violators of human rights and holding Arroyo government for human rights violations liable was PNoy's promise in his election campaign in 2010. When he became the President, his government in its 22-point labor agenda integrated the respect for freedom to form union (freedom of association) as compliance to the International Standards (ILO Convention 87 and 98) centerpiece of labor policy. The International Trade Union Confederation (ITUC) in its trade union and human rights report in 2014, considers the Philippines as the fifth most dangerous place in the world for workers and unionists.

From the second half of 2010, to March 1, 2016, the CTUHR documented 726 cases of violation of worker's rights, thousands of workers affected (See Tables 4 and 5). The case included the killings of labor and urban poor leaders, militarization in workplaces and workers issues, fabrication of charges and aggressive surveillance and harassment of trade unionists.

#### 26 unionists and urban poor leaders killed, 1 disappeared

Few days after Aquino took power in 2010, Mark Francisco and Edgar Fernandez were extrajudicially killed, both of them were public school teachers in Masbate and members of Alliance of Concerned Teachers (ACT) on July 9, 2010. The next extrajudicially killed on November 12, 2010, was Carlos Rodriguez, union President of Calamba Water District Union-COURAGE. Another unionist, Cielito Bacay of Maeno Gaeken in First Cavite Industrial Estate (FCIE) was murdered on March 8, 2011. Each of the victim was active and in fact leading their specific campaigns when they were murdered.

**Table 4. Trade Union and Human Rights Violations (Civil and Political Rights) June 2010 to March 2015**

CPR CASE TITLE	NUMBER OF CASES	NUMBER OF VICTIMS
Extra Judicial Killings	24	26
Physical Assault	45	524
Threat, Harassment and Intimidation (including surveillance, coercion and other forms)	88	887
Arbitrary Arrest/Detention	13	213
Red baiting		
Political Persecution	136	
Abduction	3	5
Enforced Disappearance	1	1
Fabrication of Criminal charges due to political acts/beliefs or labor dispute	41	293
Divestment of Property	5	10
Destruction of Property	4	35
Violation of Domicile	1	5
Assault in the picketline	13	538
Breaking-up/Violent Dispersal of workers concerted action	13	2293
Food Blockade	2	62

There were other unionists and leaders of their organization who had also been killed in the course of their work. Florencio Romano, organizer of National Coalition for the Protection of Workers Rights (NCPWR)-Southern Tagalog was also found dead on the street on March 8, 2015. Last January 2016, Teresita Navasilla herself a miner, leader and spokesperson of Save Pantukan Network, a group of small scale miners resisting the entry of big local and foreign mining corporations in Pantukan, Compostela Valley was also killed by unknown men.

Workers are also not spared in counter-insurgency military operations. Last January 2016, a 14 year old child miner was wounded when he was hit by a bullet while inside the mining tunnel. Similarly, an adult mine worker seriously injured when elements of 46<sup>th</sup> Infantry Battallion of Armed Forces of the Philippines indiscriminately fire their guns in Pantukan, Compostella Valley. The communities alleged that the soldiers' presence was part of clearing operation to give way for the entry of National Development Corporation (NADECOR) large scale mining operation in the area. Pantukan was previously declared by the local government as reserve for small-scale mining or people's mining area.

Leaders were not just murdered, others forcibly disappeared. In August 2013, Benjamin Villeno, worker, organizer and used former officer at Honda cars, was abducted and remains missing to this day.

Similar with the Arroyo government, victims of extra-judicial killings under the Aquino administration were active leaders in their own organizations and experienced surveillances and harassments, a patent characteristic of all counter-insurgency programmers implemented by the government where the targets are the progressive and independent section of trade union movement and other human rights defenders. Despite human rights rhetorics, changes had only been in names, from the Oplan Bantay Laya 1 and 2 (Oplan Freedom Watch) of Arroyo regime, it was changed to Oplan Bayanihan (Oplan Voluntarism) or Internal Peace and Security Plan of Aquino. Interestingly, Oplan Bayanihan resembled much like the United State's Counter-Insurgency Plan. Like in the past, no one was arrested or prosecuted in the previous and new cases of extrajudicial killings, enforced disappearances and other human rights violations against unionists and workers, even if these had been the subject of investigation of ILO High Level Mission and TIPC Monitoring Body Government investigations cited that cases could not proceed due to lack of witnesses or interest of victims' relatives, even the complaints included the killings, threat and harassments against witnesses. Even if there are witnesses, there seem to have no intention to penalize those violators of human rights. General Jovito Palparan, for example, notorious for his human rights record and for the time being was included in the police Wanted List, roamed freely until he was 'arrested' on August 2014. The arrest was hounded by suspicions as it seemed scripted. He was arrested from almost a stone throw away from the Presidential Palace, and was accused by his men in Camp Aguinaldo—the AFP general headquarters and his home for several years. One of his victims who escaped from captivity and turned principal witness narrated in details how Gen Palparan had tortured his victims particularly the students abducted in 2006. Despite the testimony, he has not been convicted and in fact, running as senatorial candidate in May 2016 election.

#### Militarization in workplaces and open intervention in labor issues

Oplan Bayanihan like the previous Plans, keeps its tentacles dipped in labor relations and trade unions. For example, elements of 10<sup>th</sup> IB of AFP with the support of the company management, continued giving series of anti-union and anti-KMU seminar, harassed the union leaders in a move to defeat then incumbent AK-NAFLU-KMU in Dole Philippines in South Cotabato for more than a year previous to the union election in 2011. Parallel with this, it openly supported the company-organized union. Thus, AK-NAFLU-KMU was not surprised when it lost the election. Military interventions in labor and industrial relations did not simply continue, but institutionalized under Benigno Aquino III administration. On May 23, 2011, the government issued the Joint DOLE-PNP-PEZA Guidelines in the conduct of PNP Personnel, Economic Zone Police and Security Guards, Company Security Guards and Similar Personnel during Labor Dispute. The guidelines aims to make sure the proper coordination of the said agencies in response to the cases or incidents of strike/lockout/picket or any labor dispute within or outside the economic zones. Included in the guidelines scope are the security guards under PNP-SOSIA, MMDA Personnel, PEZA security guards, HR Personnel and PMAP members.

A year after, this was followed and expanded through the "Guidelines on the Conduct of the DOLE, DILG, DND, DOJ, AFP and PNP Relative to the Exercise of Workers' Rights and Activities." It means, that any workers' activity or concerted action that falls within the guidelines, these government agencies could intervene, something that was not previously done nor prohibited under the law. In Southern Tagalog for example, the guideline saw the deployment of combined state forces in any workers' undertaking to maintain "order". But in Tanduay Distillers Inc, state forces passively watched the protesting workers being beaten and their belongings and vehicles destroyed by the company hired goons during the workers protests over long term contractualization and demand to get them permanent in May and June 2015.

In union certification election, like in Clarence T Pimentel Mining Corp in Surigao del Sur and Sumifru in Compostela Valley, the military actively guarded

and ed anti-communist campaign against against the leaders and organizers of KMU who are standing in the union election. In Negros Occidental, CTUHR received reports that one platoon of military from 62th IB-PA-AFP was present and harassed workers during certification election in Hacienda Ambolong Levar Development Corporation, to threatening the union members under HALDICORWU-NAFLU-KMU.

#### Legal Offensive: Slapping union leaders and organizers with trumped-up criminal charges

From astutely using the law and order, and other mechanisms, the Aquino government exploited legal processes to weaken the unions outside the NTIPC. Different trumped up criminal charges from murder, kidnapping, arson, robbery, illegal possession of firearms and explosives, malicious mischief, etc. were slapped against union and urban poor leaders were arrest warrants were issued and served. Currently detained in Camarines Norte are Randy Vegas and Raul Camposano- organizers of public sector union, COURAGE National Office, Gil Corpuz of the transport group PISTON and Rene Boy Abiva detained in Cagayan Valley. Standing warrant of arrest is up against Amelita Gamara, deputy Secretary-General of KMU-NCR and Roy Velez, Chairman of KMU-NCR on charges of multiple murder. The police and military have linked them in the alleged operation of the rebel group New People's Army (NPA) in Camarines Norte and Ifugao where soldiers were allegedly killed. The two provinces are several hundred kilometers away, one in the farthest north, the other is on southeastern of Luzon the alleged crime they supposedly committed happened within a span of two days. It could be remembered that a similar case was filed against labor lawyer. Remigio Saladero Jr in 2008 at the height of time of legal offensive under Oplan Bantay Laya, but the court dismissed all cases for lack of basis.

Aside from those abovementioned trade unionists, the Philippine National Police -Criminal Investigation Group (PNP-CIDG) and Intelligence Service of the Armed Forces of the Philippines (ISAFP) arrested and detained Adelberto Silva, his wife Sharon Cabusao, Isidro de Lima and Renante Gamara on trumped charges of multiple murders in various places.. Silva and Gamara are both NDFP Peace Consultants and longtime union organizers. Cabusao is a researcher of Crispin B. Beltran

Resource Center (CBBRC). Similarly labor organizers in Negros Occidental, such as Ronald Ian Evidente, Gualberto Dajao, Romulo Bitoon were also slapped with charges of murders, arson, robbery in band in connection with the series of attacks by rebel group NPA in Negro. Bitoon was detained for few months, released on bail and last year, his case was dismissed by court for lack of merit. In Davao region, Artemio Robilla of Maragusan Workers Union, Stanfilco and Danilo Delegencia, President and Board Member of DOLE Stanfilco Workers Union in South Cotabato were also criminally charged.

Overall, CTUHR documentation notes that 288 workers' leaders and organizers were falsely charged by the police, military and capitalists in an attempt to immobilize them from performing their work as human rights defenders In addition, CTUHR, recorded 213 workers who were arrested and detained following collective actions but were released while under investigation.

Aside from counter-insurgency related repression, workers also faced relentless violence inflicted by combined state and corporate forces in their exercise of their right to freedom of expression and of assembly. For example, 538 workers were violent attacked in the picketline and 2,000 workers experienced violent dispersals during protests. Glaring examples of violence against workers' protests were the dispersal of workers' strikes and protests at Co Ban Kiat (Paranaque), Pentagon Steel Corporation (Quezon City), NXP Semiconductor (Laguna) and Tanduay Distillers (Cabuyao, Laguna)

#### Surveillance, threats and harassments, widened and intensified

In 2015, surveillance, threats and harassments against activists and labor leaders heightened. In that year alone, CTUHR documented 31 cases where victims were visited in their houses, offices or places they frequented by a man who introduced himself as intelligence officer who offered the some "help". When the victims refused, the intelligence officer threatened them that "something bad will happen them or their family members". Others received letters from unknown sources telling the recipients that their organizations are connected to CPP-NPA and that they know what they are doing. This pattern of incidents was experienced by 26 members and officers of COURAGE National Office and 5 officers

**Table 5: Violations of Rights at Work (Economic, social and cultural rights) (June 2010 – March 2015)**

ESCR CASE TITLE	NUMBER OF CASES	NUMBER OF VICTIMS
<b>1. Violation of security of tenure</b>		
Retrenchment/Closure	35	14725
Dismissal	51	2673
Labor flex/Forced labor/ Reduced Workdays	7	4506
Long Term Contractualization	13	3588
<b>2. Unsafe Working Condition</b>		
Death due to unsafe working condition	38	228
<b>3. Violation of the right to receive fair and just wages</b>		
Underpayment of minimum wage	9	4797
Non/Delayed payment of wages		
Violation of the right to social security, insurance an other statutory benefits	10	2225
<b>4. Violation of the right to freedom of association and collective bargaining</b>		
Non-recognition	14	1017
Union-Busting	44	11,716
Harassment of Unionist in workplace	49	4,200
Interference of Union Affairs	14	6,165
Prohibition of Right to Strike	12	1,197
<b>5. CBA Violation and issues</b>		
Non-implementation of CBA	17	2,158
Bargaining in Bad faith/Refusal to Bargain	31	9,993
Total	343	

and staff of KMU. Both organizations filed complaints at the Commission on Human Rights (CHR).

Apart from the violations above, other forms of harassments were also experienced by workers intending or planning to form a union. Fifty (50) cases of harassments, including suspension and dismissal were meted out against workers sending fear amongst workers wanting to organize unions inside their workplaces. This number is only partial and could be higher in reality, but CTUHR difficulty to monitor and documents this kind of cases limit the recorded figure.

#### Retrenchment, closure and mergers of the companies – road to contractualization

Retrenchments, closures and even mergers are common particularly during economic crises. What makes these incidents different were they all occurred when workplace disputes exists or unions were just beginning. From the second half of 2010 until the time of this writing, CTUHR documented

35 cases of retrenchment and closure affecting 14,725 workers. Again, this could be a partial count. Outsourcing and union busting are the common factors in closures and retrenchment.. For example in 2011, when the union was pushing for a collective bargaining negotiation, the Philippine Airlines (PAL) retrenched 2,600 regular workers due to spin-off/outsourcing program of the company. Later, the airline started hiring new workers on contractual basis.

In 2013, RPN 9 television network retrenched 200 employees due to "losses", according to Presidential Communication Operation Office (PCOO) Chief Herminio "Sonny" Coloma. The Radio Philippine Network (RPN) is under the supervision of PCOO. Two hundred (200) media workers of GMA were also retrenched due to streamlining while the number of contractual, talents workers subsequently increased

In Cebu, the Cordia Philippines shut down its operation, resulting to the loss of jobs of 200 call centers in 2013. Five hundred (500) employees were rendered jobless in Digitel Telecommunication and later replaced with flexible workers. Retrenchment also occurred at the Philippine Long Distance Telephone (PLDT) after it bought and acquired 51.5% of shares of Gokongwei-owned Digitel giving PLDT a monopoly in telecommunication. In the same year, the management of Bluestar Manufacturing Inc (makers of Advan Shoes) suddenly stopped their operation and 210 workers, mostly women lost their job. At the time, workers of Bluestar were preparing for Collective Bargaining Negotiation.

On March 27, 2014, Carina Apparel closed their operation, leaving 3600 workers unemployed. Carina Apparel was the maker of known brands like Mark and Spencer, Calvin Klein, Victoria Secret, Uniqlo, Gap, etc. According to Carina Apparel Inc. Labor Union (CAILU), the closure was intended to bust their union as they began their collective Bargaining Negotiation with the management. Hoya Glass Disk, a Japanese company in Batangas also declared closure without notice, and forced the 2,600 affected workers to accept the separation pay, lest they received nothing. At the time the newly formed union was just in infancy stage. In less than eight months, the company resumed operations, with new and bigger number of contractual workers. In Asahi Flat Glass Philippines, 81 regular workers were retrenched, including 4 union officers in 2015 and

early 2016, in the middle of collective bargaining negotiation. According to management, they were retrenching those workers because Toshiba, one of their buyers stopped purchasing their products. This is highly questionable, because the company only targeted the regular workers and union members in retrenchment but at the same time it continues to increase the number of contractual workers in the company. The Asahi Flat Glass has 700 workers, of whom only 99 are regular.

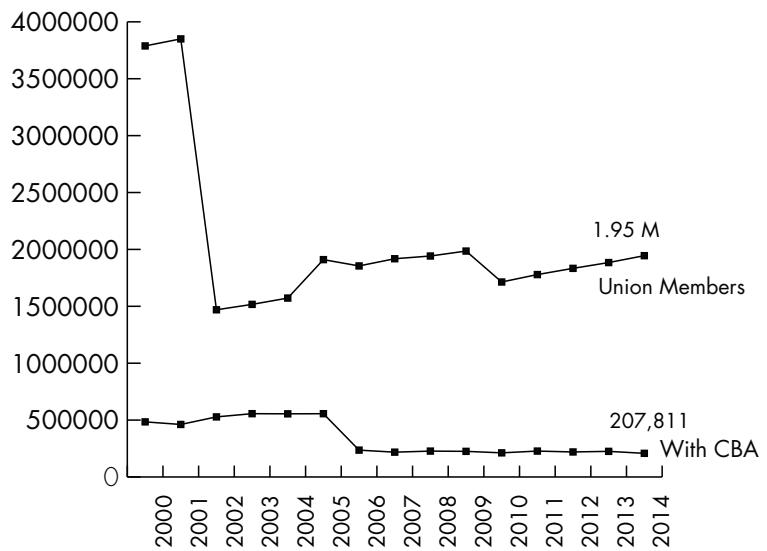
On December 2015, 11 workers of Planters Bank lost their job due to redundancy after China Savings Bank Inc (CBSI) acquired Planters Bank. Following the buy-out, CBSI management refused to acknowledge the Planters Bank Employees Association (PDBEA) and rejected to meet PDBEA to negotiate and implement agreement concerning compensation package of Planters Bank. However, information has also been circulating that CBSI is offering rehire options for Planters Bank employees, which means, employees will lose their earned tenure the bank and will receive lesser wages and benefits. On March 2015, a multi-national corporate giant NXP Nasdaq N.V also bought Freescale resulting in merger of the two companies thus, pushing NXP upward in the ranks of the world's leaders in semiconductor industry. The merger resulted to restructuring of all its operation in the world including the Philippines. The Freescale is known for making Radio Frequency (RFs) components, which NXP Philippines had been manufacturing for years. Thus, even as the negotiation and agreement were reached by two companies at the global level, NXP Semiconductors Philippines sold its RFs production to a Chinese company. As the workers in the company are unionized, 700 workers including members of NXP Semiconductors Inc. Workers Union (NXPSCIWU-NAFLU-KMU) in RFs division faced threats of job loss.

The NXP management offered them: 1) retirement and separation pay 2) work continuation in the Chinese company under the same status as when they are in NXP for a period of two years. However, there are no guarantees on what will happen to them after two years. Majority of the 700 took option 2. The sale and eventual radical cut on workforce and union members happened few months after the signing of CBA which itself was a result of the workers collective action.

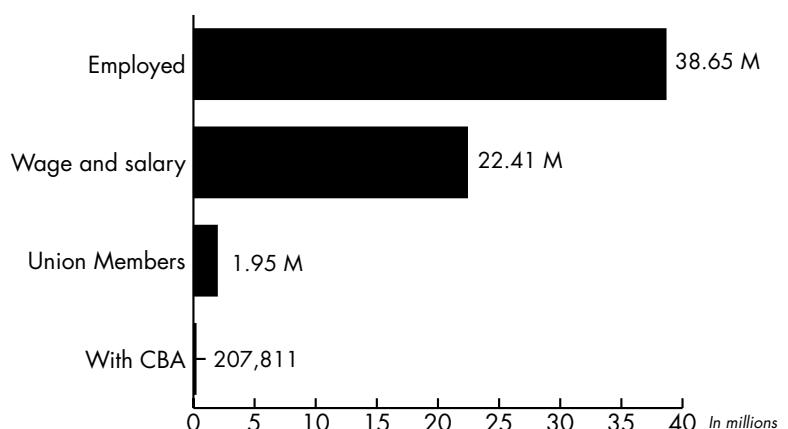
#### Declining number of unionized workers, shrinking numbers of workers covered by CBA

The combination of labor flexibilization, anti-worker laws, legal mechanisms, and collaboration of yellow unions wreaked havoc on the right to form union. The Philippines has an estimated 40,090,000 labor force, 22.2 million (55.37%) are wage and salaried workers. Out of this figure, only 1.96 million or 8.8% of wage and salaried workers are organized into the union at the end of 2015. These unions are divided along different labor centers and federation, politics and ideologies. While there is a relative increase in the union membership from 1.85 million in 2013 to 1.95 million in 2014, workers covered by CBA dramatically declined. By the end of 2014, there are only 206,927 workers covered by CBA or

**Chart 5: Employed, wage and salary, unionized, with CBAs**



**Chart 6: Union Members and CBA covered 1980 to present**



only 10.6% of unionized workers. This is lower than 2013 with 227, 049 or 12.3% of unionized workers covered by the CBA (BLR, 2015).

With decreasing number of unions and workers covered by CBA, workers become more exposed and vulnerable to different types of abuses as they have no union protection. With this tiny percentage of unionized, it is utterly deceptive, a cruel joke to workers to be told by DOLE and Malacanang to ask for wage increase through the CBA rather than in national legislation.

It is also not surprising why the number of strikes has gone down as a strike could only become legal when a union is registered. From 2010 to March 2016 P-Noy boasted that DOLE recorded only 13 strikes, compared with 250 strikes under Arroyo regime. The government however, does not include workers protest or collective action as strike like for example the protests of workers of NXP Semiconductors Inc. in Laguna Industrial and Science Park I (LISP I). The decreasing strike according to the government only proved that harmonious relationship between workers and capitalists exist and industrial peace reigns but in reality such is a result of neo-liberal policies continuously implemented in the country.

### **Resistance and Struggle of the workers**

In the midst of intensified and comprehensive attacks on workers and marginalized brought about by state repression and neoliberal policies, workers keep on fighting and continuously actions and campaigns for living wage, decent work, safe working condition, freedom to organize and social justice.

#### **Victorious Struggle for Regularization at the local level**

Despite widespread contractualization and a mammoth of legal and practical barriers, there were notable cases of long term contractualization that successfully won over by the workers. The most successful was the strike of drivers, forklift operators, and pickers of Coca-cola Bottlers Plant under *Unyon ng Manggagawang Drayber, Forklift Operator at Pickers ng Coca-cola Bottlers Philippines Inc.* (UMDFP-CCBPI-Independent in Sta. Rosa Laguna in 2013. Some of those workers had been with the company for 10 to 18 years under the manpower agency, The Redsystem Company Inc. but they remained contractual workers. After 3 days of strike,

and the Coca-cola was forced to acknowledge the workers petition to promote them to permanent status.

Contractual workers too led the fight and strike at Tanduay Distillers Inc., a member of Lucio Tan Group of companies (along with Philippine Airlines), notorious for the massive employment of contractual labor and union busting. Even though DOLE ordered the company to recognize the union, the company simply snubbed this. The former on the other hand, could not enforce its decision over the management and thus, the order was for a naught. Women workers in banana packing plants meanwhile ably launched a strike over attempts of the company to contractualize labor and introduce the piece-rate wage system at Yoshida Farm and Nader NEH in Sto. Tomas Davao del Norte. Three days of courageous strike, women died-in and barricaded the plant, and the management was forced to junk their plan to change the wage system into piece rate and maintained an hourly wage system. The struggle was also supported by plantation workers in the field.

At Sagara Metro Plastic Incorporated (SMPIC) and Karzai Corporation in Calamba, Laguna, contractual workers also led the fight for the regularization under *Samahan ng Manggagawa Para sa Regular na Hanapbuhay* (SAPAREHA) and *Ilaw, Buklod at Pag-asaya ng mga Manggagawa sa Karzai Corporation* (IGPAK), workers organizations. This defied the practice and virtual prohibition on union organizing of contractual workers in the said companies. Longtime contractuels and talents of *Kapuso Network* or GMA 7 media network filed the case at NLRC for regularization and won a landmark decision mandating the network to recognize "talents" as regular employees. This inspired other talents to establish the Talents Association of GMA (TAG) and won a promotion to regular status of 107 talents and media workers

#### **Victorious fight for wage, CBA and attempts of union busting**

On 2012, a major strike participated by 1000 workers and their families in the Filipinas Palm Plantation Inc. (FPPI) in Agusan del Sur were launched against the illegal dismissal of 293 casual workers and violations of CBA provisions. These casual workers had been working for the company for as long as 27 years and were only paid P150 per day

without benefits. The strike lasted for 62 days when the DOLE issued Assumption of Jurisdiction Order mandating the union and strikers to return to work immediately and negotiation resumed. The union won some of their demands against underpayment, the company promised to reinstate the dismissed workers, but reneged on promises shortly after the strike. Workers at Hinatuan Mining Corporation, in Surigao also won after the company and the union signed a new CBA giving the workers additional P70 per day increase in their wages.

The most successful of the workers' action in 2014 was the massive protests led by NXP Semiconductors Workers Union against an attempt to bust the union and refusal to renegotiate the CBA. Twenty four (24) union officers were summarily dismissed in the middle of negotiation. The combination of militant and collective action within and outside the factory, the effective use of social media and the support of other sectors as well as the strong resistance of the workers of NXP Semiconductors forced the company to reinstate 12 of the 24 dismissed union officers, resume the CBA negotiations and grant wage and benefits increases. The protest was particularly significant, not only on winning a new CBA but also on breaking the decades-long silence and no union no strike policy in the special economic zones in the province. As a result, significant number of workers in factories close to NXP became interested in forming union. Among them are workers in Optodev who successfully organized their union and inked their first CBA recently.

In Davao, the two-day strike of RMN-Davao radio network employees for renegotiation of CBA of the employees also succeeded in 2015. Banana plantation workers paralyzed the operations of the company on June 2015, after the management of Sumitomo Fruits (Sumifru) Corporation shutdown one of its packing plant (PP) in Compostela Valley and retrenched 177 workers. According to *Nagkahiusang Mamumuo sa Suyapa Farm-NAFLU-KMU* (Namasufa-NAFLU-KMU) the management retaliated against the workers and the union after it failed to implement the piece rate wage system.

#### First union in the BPO Industry

The business process outsourcing (BPO) began in the Philippines in the 90's. Since it was introduced, the industry has been union-free, a

pride the government boasts of. In 2012, an informal group or network called BPO Industry Employees Network (BIEN) was established. BIEN launched, gained support from many BPO employees and became known from amongst the employees and observers because of their various campaigns such as the Let There Be Light (asking the government to put up street lights in BPO centers) and Let it Flow (a campaign to give employees enough time to use the toilet). Last year, pushed by the risk of losing job security due to mergers and buy-outs, nearly a thousand employees of West Contact Services organized the United Employees of West Contact Services (UEWCS), and eventually became United Employees of Alorica (UEA), the first employee union ever established in BPO Industry,

#### Struggling for national minimum wage

As response to the neoliberal attack on wages, workers and employees from the public and private sector formed an alliance, the All Workers Unity (AWU), to fight and expose the attack on wages brought about by wage rationalization and salary standardization. AWU was formed in late 2014 and is calling for a national minimum wage of P750 per day for the workers in the private sector and P16,000 per month for public sector employees.

#### Active participation on national issues

Despite the multi-edged attacks on its ranks, workers and the progressive section of the trade union movement actively contributed in the national efforts to fight against corruption and one-sided defense agreement like Enhanced Defense Cooperation Agreement (EDCA) entered into by Aquino government with the United States of America.

Workers also continued to participate and mobilize against the billion-peso plunder of people's money under the scandal-laden Priority Development Assistance Fund (PDAF) and Development Acceleration Program (DAP) or pork barrel granted to lawmakers and Office of the President. Workers also participated in action against United States' intervention in the Philippines and presence of the American forces in the country. Trade unions also joined in the call to penalize an American serviceman involved in the murder of Jennifer Laude, a transgender killed in Olongapo City. Similarly, workers and a big section of the

Filipino public condemned the participation of the US in Mamasapano carnage on January 2015 and called to junk the Enhances Defense Cooperation Agreement (EDCA). Citing China's incursion of Philippine territory in West Philippines Sea and government hype that the country needed US support, the Supreme Court upheld the executive agreement as constitutional. For the opposition, progressive people's movement, the Supreme Court Decision was a betrayal of the victory achieved when the Senate voted in 1991 to kick out the US bases from the Philippines after more than 50 years.

### **Conclusion and Perspective**

In the six years of Aquino's administration, unemployment and poor condition of workers, urban poor and the people have worsened, despite the so-called stable GDP growth. It has wielded comprehensive attacks on livelihood and rights of the workers and the poor and cunningly concealed its anti-poor policies and programs in popular statements and pronouncements as well as from winning the collaborationist section of trade unions and political groups in order to advance the formulation and implementation of neoliberal policies and programs. To his previous supporters turned critics, Aquino was the worst President the Philippines ever had. His leadership failed in many strategic national issues, such as Mamamasapano carnage, Typhoon Haiyan, but busied himself in mundane events such as groundbreaking ceremony of a factory.

He had proven himself however as the most consistent and loyal executor of neoliberal policies and programs in the Philippines that showered powers and privileges to capital and foreign investments. The straight path is the face of raging neoliberalism in the Philippines that reduced the government as mechanism to legalize and protect a system that ensures huge profits for capitalists at the expense of the poor. It is a system that robbed the people and country of its natural resources, livelihood, rights and dignity, and handed cash (crumbs) to those displaced and affected like beggars of the government. PNoy's straight path has failed; it must not continue for people to have some reprieve. The people must be vigilant in monitoring and immediately act upon on treaties and agreements that Aquino government had

signed or had been pushing for, including Charter Change that will further rip the country open to foreign investments and trade and control. Some presidential candidates have indicated that when they are elected, they will be opening the Constitution for amendments particularly the foreign equity and land ownership provisions. .

Workers and the marginalized sectors also need to study and monitor closely the effects of ASEAN Economic Community or AEC (integration of 10 countries in Southeast Asia, Philippines, Malaysia, Brunei, Singapore, Indonesia, Thailand, Cambodia, Laos, Vietnam Myanmar) where the Philippines is aiming to get a hand on leadership, even if the Philippines will not stand to benefit from this agreement. The agreement ensures free flow of goods, products and skilled workers within the region. Priorities include trade in agricultural and aqua-marine products, which are from economic sectors that the Aquino government neglected in the last six years. As regards workers, the Philippines send mostly semi-skilled and unskilled workers overseas, workers who are not included in the service agreement under AEC. Even Filipino professionals have to pass qualifying exams before they get hired and practice their professions in other countries in the region. Currently, DOLE is preparing for implementing rules and regulations for the entry of skilled workers and experts in the country for foreign companies which some fear might cause further joblessness in the country.

The people also have to follow the commitments made by the Philippines in Paris Agreement concerning climate change which include for instance the use of clean energy. Under the pretext of reducing emissions and modernization, the government is implementing a jeepney phase-out, that will put livelihood of 300,000 jeepney drivers and their families at risk this 2016 and 2017. Another example of climate change program that may have adverse impact on the people is the conversion sugar plantation, into production of bio-ethanol with no concrete alternatives for affected farm workers. The sugar industry, with its 600,000 sugar workers and 40,000 planters, is facing losses with the implementation of effective tariff reduction on imported sugar from 18% to 5% that took effect on 2015, a commitment signed by then

Arroyo government as part of Asian Free Trade Agreement.

In a government that puts high premium on the image at the international community than the welfare of its people, some developments at the United Nations offered some space for campaign and advocacy. On March 8, this year (2016), the United Nations clarified and affirmed the legal obligation of the state regarding the rights for just and favorable working condition. This means, that like civil and political rights, states or governments are legally responsible to ensure that workplaces implement and respect the right to just and favorable conditions at work. Such affirmation was prompted by the reality that with the growth of global trade and investment is also an alarming growth of unemployment and poverty.

However, it must be clarified that such opening is useful in broadening the campaign, alliance and network building but not the ultimate solution. Experience had proven that until the so-called development agenda promoted by anyone in Malacanang remains corporate-driven and places the foreign investment as engine of growth, poverty cannot be decisively addressed and workers, farmers and indigenous peoples will have to carry forward the fight against plunder.

Experience had also taught and proven that under the six years of Aquino presidency and in the past administrations, the hopes and aspirations of workers and the people could only be achieved through consistent and painstaking collective struggle. The workers have achieved successes and victories and useful lesson to move forward. It remains a big challenge however, on how broader and bigger number of workers could be creatively but boldly organized at different levels (workplace, industry, and national) and different forms, so they can consciously, actively and strongly participate in pushing for pro-workers and pro-people policies and programs during and after the election in May 2016. Through perseverance to organize workers, together with establishing broad alliances from the different sectors, the workers and people could effectively fight the neoliberal attacks and defend themselves from state violence and repression as they persist in pushing for system change that will truly serve the people's interests.###

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