

Luzon Consultation Forum on ILO Convention No. 189 (Marangal na Hanapbuhay Para sa Kasambahay)

Dona Jovita Garden Resort, Calamba City, Laguna
17 November 2011

Participants

The participants to this forum were from the Department of Labor and Employment (DOLE) Regional Directors and Labor Communication Officers from National Capital Region (NCR); Regions 1, 2, 3, 4 and 5 along with stakeholders from Cavite, Laguna, Batangas, Rizal and Quezon (CALABARZON) and Metro Manila. Key government agencies such as Department of Social Welfare and Development (DSWD), Philippine Health Insurance Corporation (Philhealth), Home Development Mutual Fund (HDMF), more popularly known as the PAG-IBIG, Social Security System (SSS), Public Employment Service Offices (PESOs) were also invited and shared their respective programs for the domestic workers.

Opening Statement of Regional Director Ricardo Martinez, Jr.

- The Region supports the ratification of ILO Convention No. 189 (C. 189). He shared that the Regional Tripartite Council (RTIPC 4-A) had signed a resolution that advocates the ratification of C. 189. He further mentioned that the region pushes for the passage of the Kasambahay Bill. These efforts are deemed as appropriate since the Philippines spearheaded the adoption of the Convention during the 100th International Labour Conference (ILC).
- In line with the region's efforts, he mentioned that the leadership of DOLE Region 4-A expects the participation of the Regional Tripartite Wages and Productivity Board (RTWPB) in coming up with a wage order to protect and ensure the welfare of the Kasambahay.
- On a final note, the Regional Director encourages everyone to support the campaign for the ratification of C. 189 and the passage of the Kasambahay Bill.

Opening Statement of Undersecretary Hans Leo J. Cacdac

- Undersecretary Cacdac conveyed the Department's appreciation for the efforts exerted by the entire Region 4-A and assured the Regional Director he will spread the news that RTIPC of 4-A has initiated the support to the ratification of the C. 189.
- The Undersecretary's provided the introduction to the event by mentioning that the Consultation is being conducted for the speedy ratification of C. 189 which signals the official adoption of the instrument by the Philippines.
- He explained the process flow of the consultation which would ultimately lead to a deeper understanding, awareness and appreciation of the Convention. He presented the provisions of the Convention and Recommendation and the DOLE Action Plan towards the ratification of the same. During the said presentation he pointed out that there are two aspects which the body can analyse in the capacity

of the Philippines to give effect to the provisions: (a) Fundamental nature of what is written in the convention; and (b) flexibility provided by the Convention.

- He mentioned that the government cannot work alone in this endeavour and so he emphasized the importance of the participation of the social partners and other non-government organizations like *Samahan at Ugnayan ng Manggagawang Pantahan sa Pilipinas* (SUMAPI), Visayan Forum (VF), Migrant Forum Asia (MFA), Center for Migrant Workers (CMW), Federation of Free Workers (FFW), Alliance of Progressive Labor (APL) in pursuing the ratification of C. 189.

Presentation of Director Teresa V Peralta, Bureau of Labor and Employment Statistics

- Director Peralta presented the profile of Filipino Domestic Workers.

Presentation of Ms Katherine Brimon, Deputy Executive Director of the Institute for Labor Studies

- Ms Brimon presented the Policy and Programme Responses for Domestic Workers in the Philippines.

Open Forum

- Ramon Certeza, Secretary RTIPC–Cavite commended the effort of Usec Cacdac for the historic setting of the C. 189 and for being the chair of 100th ILC in Geneva. He likewise extended his gratitude to Ms Brimon for her honesty in providing the participants with the realities and inadequacies of both the law and the government in the aspect of monitoring and compliance because her presentation provided clarifications and solutions that would lead to the speedy ratification of C. 189. He suggested a policy review particularly on employment and fiscal policies and the social cost since any impulsive action may have some adverse effects on national development.
- Usec Cacdac said that the concept of inclusive growth under the Aquino Administration states that all Filipinos including those who are vulnerable are included in the growth of the country and domestic workers are categorized as the most vulnerable, hence the ratification of C. 189 would embody the concept.
- Genara Maharigan of SSS Carmona requested a clarification on the inclusion of the Employees' Compensation Commission (ECC) in the SSS contribution for domestic workers and asked if there is a policy to address the employment of relatives as house helpers.
- Usec Cacdac promised that the issue would be closely looked into and will be included in the future meetings of the Technical Working Group. Further, clarification with regards to SSS contributions is still being threshed out with SSS.
- Roger Ratim, PESO-Antipolo asked on about the policy implementation and employer compliance on the provisions of the Convention.

- Usec Cacdac noted the issue and explained the concept of Freedom of Association as a basic right embodied in the national law.
- Froilan Maglaya, DSWD-NCR suggested taking note of the experiences of Kasambahays who are victims of abuses.
- Ding Abolencia, PESO-Antipolo asked on the Local Government Units (LGUs) role in the implementation of the Convention and mentioned noticing that there is no provision on security of tenure.
- Usec Cacdac explained that there is a provision in the labor code on contract termination, and the role of the LGU is in the dispute settlement.
- Lilibeth Masamloc from SUMAPI suggested a timeline for the development of standards for the domestic worker, wage reviews and explore the possibility of an employment contract.

Updates

- Ms Mansaloc gave a presentation on the history, structure, mission, activities of their organization. She enjoined every participant who has a kasambahay to enroll their domestic workers with SUMAPI.
- Jerome Alcantara from VF recommended the following to the government:
 - a. Development of a set of standards for occupational safety and health
 - b. Creation of an implementation structure (SSS and Provident fund)
 - c. Strengthen the protection of the Kasambahay's and implementation of laws
 - d. Encourage education and skills training for domestic workers
 - e. Capacity building for implementing agencies
 - f. Domestic workers representation in decision making bodies

Closing Remarks of Asst. Secretary Ma. Joji V. Aragon

- Asec Aragon expressed the Department's gratitude to the participants for their support to the successful conduct of the consultation. She hoped that the consultation provided the participants with the knowledge and importance of the Convention and the enactment of a national law that would protect domestic workers. She has assured the participants that the concerns raised will be considered and taken up in the crafting of the Kasambahay Bill.