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# Media for Labour Rights 2010

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## Winning Article

### **Filipino domestic workers: the struggle for justice and survival**

by Nina Corpuz



Nina Corpuz is a broadcast journalist for the Philippine's biggest TV network, ABS-CBN Broadcasting Corporation. She has been a reporter for 9 years, covering labour, education, health and politics. She also anchors a television news program entitled "Balitang Europe" (News from Europe), which tackles the concerns of overseas Filipino workers in Europe.

Nina also hosts a public service radio program, with Philippine Vice-President Noli de Castro, on ABS-CBN's AM station, DZMM, the No. 1 radio station in the Philippines. The program, "Para sa yo Bayan" (For the Country) discusses national issues affecting the Philippines, including the situation of overseas Filipino workers. She also anchors a radio talk show, "Magandang Gabi Doc" (Good Evening Doctor) which discusses health issues with the Philippines' top doctors. Nina is also a contributor for ABS-CBN's news website, [www.abs-cbnews.com](http://www.abs-cbnews.com). Most recently, she joined the team of reporters who covered the Philippines' 1st nationwide automated Presidential elections.

even members of the lower middle class can employ them. If they are lucky enough to work for a good employer, they are treated as part of the family. Some maids or their children are even sent to school by the employer. Sometimes the employer also shoulders their medical expenses or other emergency needs. But the master-servant relationship still exists. Some choose to stay because at least they have food and shelter there.

And yet, overseas domestic workers contribute much to the country's economy. Official statistics show that the total remittances of unskilled labourers in 2008 amounted to 19.8 billion pesos (about 430 million USD) and nearly 80% came from working women.

According to Oebanda, while domestic workers are the Philippines biggest export, the local market is still their biggest employer. Based on the VFFI's data, there are more than 1 million Filipino domestic workers deployed all over the world and 1.7 million working inside the Philippines. She says the Philippines needs to clean up its own backyard if it wants other countries to address the situation of Filipino domestic workers. The VFFI, however, is hopeful once international standards are set, countries like the Philippines will be pressured to comply.

In the meantime, people like Maria, continue to suffer the consequences of human trafficking and forced labor. She said she would never go back to working overseas, "I left with hopes of giving my children a better future, but I came back with nothing. Worse, I have lost my dignity and self-respect. I will carry this for the rest of my life." Maria hopes that the millions of other OFWs won't have to go through what she went through.

**Nina Corpuz**

Domestic work has been a long-standing concern of the ILO. In 1948, it adopted a resolution concerning the conditions of employment of domestic workers. In 1965, it adopted a resolution calling for normative action in the area, and in 1970, the first survey ever published on the status of domestic workers worldwide. In March 2008, the ILO Governing Body agreed to place an item on decent work for domestic workers on the agenda of the 99th session of the International Labour Conference in 2010 with a view to a double discussion procedure to the setting of labour standards.

The ILO supports the Philippine Campaign on Decent Work for Domestic Helpers, which aims to craft a unified position to the Conference, and to continuously lobby for the passage of the domestic workers national law.

Part of the 10-point agenda on decent work for Filipino domestic workers is the immediate passage of the Batas Kasambahay bill, a law with the aim of uplifting and giving decency to the standards that will protect domestic workers' labour rights. "Kasambahay" means "part of the household" in Filipino and this is how domestic workers are called. The job is not professionalized and workers are often, if not always, underpaid. With a minimum wage of 8,000 pesos a month, maids get only from 2,000 to 3,000 pesos, about 42 to 63 USD. The employers claim that they already provide for workers' food and lodging. Also, maids do not have government insurance cards nor health cards, as required in regular jobs. Most of them also have to multitask. They cook, do the laundry, clean the house and take care of the kids. They also do not have a regular 8-hour working schedule but are on-call any time of the day. There is no minimum age requirement and many of the maids are minors who usually come from rural areas. Instead of going to school, they work as maids and send a bulk of their wages to their families. Maids come cheap and

## Filipino domestic workers: the struggle for justice and survival

*Increase in trafficking and abuse demands  
stronger labour protection*

Maria (not her real name) was limping when she arrived at the airport of Manila from Saudi Arabia. She is one of the 80 Overseas Filipino Workers (OFWs) who was repatriated in August 2009 by the Philippine government from the Middle East. All of them were women who worked as domestic helpers and fell victim to various kinds of abuses from their employer or the agency that recruited them.

Maria's leg was fractured after her employer's son pushed her from the stairs for not following his order. She also said she was made to sleep under the stairs and fed only once a day. But the worst part was when her male employer raped her. "He was touching me, kissing me and forced me to have sex with him. I couldn't fight back" she said.

Her troubles started when she was illegally recruited by an agency in Riyadh last year. She was promised a salary of 400 dollars a month, but ended up getting paid only half of this. She was also forced to work long hours for multiple tasks. "We were treated like animals, we barely got enough sleep" Maria said.

The Visayan Forum Foundation (VFFI) is a non-government organization that promotes the welfare of OFWs. According to VFFI President Cecilia Flores Oebanda, there has been a 20% increase in the incidence of persons trafficked for domestic work: from 539 in 2008 to 697 in 2009. "If we talk about human trafficking, we have to think that it comes in many forms, like forced labour, organ donor trafficking, child trafficking but what alarms us most now is that this year there is an increase in forced labour among domestic workers" she said.

"Many of our domestic workers were promised good salaries but when they arrive at their destination, they only receive half, which means there is contract substitution. Many of them are fooled, the employer confiscates their documents, passports, and they are not allowed to go out. Most of the time they are locked up in the house and they really experience different kinds of abuse" Oebanda added.

In 2003 the Philippines enacted the Republic Act (RA) 9208, also known as the Anti-Trafficking in Persons Act. The law foresees measures aimed at preventing the trafficking of persons including the rehabilitation and integration of the trafficked individuals. Trafficking means recruiting, transporting, transferring and receiving people across national borders by means of threat, coercion, abduction and deception for exploitative aims such as prostitution, forced labour and the removal or sale of organs.

The International Labour Organization (ILO), an agency of the United Nations, has called the attention of the Philippines on forced labor. The ILO's Committee of Experts on the Application of Conventions and Recommendations has made a direct request to the Philippine government to provide information on the application of RA 9208 in practice, such as the information on the prevention and protection

measures, including copies of reports, studies and inquiries, as well as available statistics.

To coordinate and monitor the anti-trafficking law, the government created an Inter-Agency Council which has already submitted its report to the Department of Labor and Employment (DOLE). "The report will be submitted to the ILO", said DOLE Director Jay Julian.

Senior State Prosecutor Deana Perez said there have been 16 convictions since 2005. From 577 anti-trafficking cases that were filed in court since the law was created in 2003, only 242 cases are now pending trial while the rest are dismissed, archived or acquitted. "Many of the cases were dismissed after the victim had decided to settle, because they had been offered money or because they had gone back to work abroad instead of waiting on their cases. It's really sad but it's a matter of economic necessity. Between justice and survival, they choose survival," said Perez.

In the Philippines there is also an Overseas Employment Agency (POEA) that holds orientation seminars in partnership with local government units as an effective preventive measure against illegal recruitment. "Human trafficking starts with illegal recruitment, people don't get trafficked if they are not recruited illegally," said POEA deputy administrator Hans Cacdac.

During the seminar, trained personnel educate the public on the good and bad aspects of overseas employment, the risks involved and the types of vulnerable jobs and cases encountered by OFWs in these jobs. "We advise them to be careful especially if the job being offered is dirty, dangerous and demeaning like domestic work abroad. They have to check if the recruiter is legal and licensed with the POEA. Likewise the employer abroad should also be registered" said Cacdac.