

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'04 JUL 26 P1:02

SENATE RECEIVED BY: _____
S. B. NO. 1472

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article II, Section 14 provides:

SECTION 14. The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.

Women have historically been underrepresented in scientific and engineering occupations, and although progress has been made over the last several decades, there is still room for improvement.

Female students earn fewer bachelors, masters and doctoral degrees in science and engineering. Among recent bachelors of science and bachelors of engineering graduates, women are less likely to be in the labor force, to be employed full-time, and to be employed in their field as men. Moreover, a substantial salary gap exists between men and women with doctorates in science and engineering.

Limited access is the first hurdle faced by women seeking industrial jobs in science and engineering. While progress has been made in recent years, common recruitment and hiring practices that make extensive use of traditional networks often overlook the available pool of women. Once on the job, many women find paternalism, sexual harassment, allegations of reverse discrimination, different standards for judging the work of men and women, lower salary relative to their male peers, inequitable job assignments, and other aspects of male-oriented culture that are hostile to women. They, to a greater extent than men, find limited opportunities for advancement, particularly for

moving into management positions, and the number of women who have achieved the top levels in corporations is much lower than would be expected.

This bill seeks to establish a commission that would examine these issues and help —

(1) to focus attention on the importance of eliminating artificial barriers to the recruitment, retention and advancement of women in the fields of science, engineering and technology, and in all employment sectors of the Philippines;

(2) to promote work force diversity;

(3) to sensitize employers to the need to recruit and retain women and minority scientists, engineers and computer specialists; and

(4) to encourage the replication of successful recruitment and retention programs by universities, corporations and agencies having difficulties in employing women in the fields of science, engineering and technology.


MIRIAM DEFENSOR SANTIAGO

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**AN ACT
ESTABLISHING THE COMMISSION ON THE ADVANCEMENT OF WOMEN
IN SCIENCE, ENGINEERING AND TECHNOLOGY DEVELOPMENT**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* - This Act shall be known as the "Commission on the Advancement of Women and Minorities in Science, Engineering and Technology Development Act."

SECTION 2. *Establishment.* - There is established a commission to be known as the "Commission on the Advancement of Women and Minorities in Science, Engineering and Technology Development" "Commission").

SECTION 3. *Duty of the Commission.* - The Commission shall review available research and, if determined necessary by the Commission, conduct additional research to:

(1) identify the number of women, minorities and individuals with disabilities in the Philippines in specific types of occupations in science, engineering and technology development;

(2) examine the preparedness of women, minorities and individuals with disabilities to:

(a) pursue careers in science, engineering and technology development; and

(b) advance to positions of greater responsibility within academia, industry and government;

(3) describe the practices and policies of employers and labor unions relating to the recruitment, retention and advancement of women, minorities, and individuals with disabilities in the fields of science, engineering, and technology development;

(4) identify the opportunities for, and artificial barriers to, the recruitment, retention and advancement of women, minorities and individuals with disabilities in the field of science, engineering and technology development in academia, industry and government;

(5) compile a synthesis of available research on lawful practices, policies and programs that have successfully led to the recruitment, retention and advancement of women, minorities and individuals with disabilities in science, engineering and technology development;

(6) issue recommendations with respect on lawful policies that government (including Congress), academia, and private industry can follow regarding the recruitment, retention and advancement of women, minorities and individuals with disabilities in science, engineering and technology development;

(7) identify the disincentives for women, minorities and individuals with disabilities to continue graduate education in the fields of engineering, physics and computer science;

(8) identify university undergraduate programs that are successful in retaining women, minorities and individuals with disabilities in the fields of science, engineering and technology development;

(9) identify the disincentives that lead to a disproportionate number of women, minorities and individuals with disabilities leaving the fields of science, engineering and technology development before completing their undergraduate education;

SECTION 4. *Membership.* -

(1) MEMBER AND APPOINTMENT - The Commission shall be composed of six (6) members to be appointed by the President as follows:

(a) two members from among for-profit entities that hire individuals in the fields of engineering, science and technology development.

(b) two members from among institutions in education or academia in the fields of life science, physical science, or engineering.

(c) two members from among non-governmental organizations, people's organizations or any similar entities that promote and advance the welfare of women, minorities and individuals with disabilities.

(2) The Secretary of the Department of Science and Technology shall automatically seat as chairman of the Commission in an *ex-officio* capacity.

(3) TERMS.

(i) IN GENERAL. - Each member shall be appointed for the life of the Commission.

(ii) VACANCIES. - A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(4) PAY OF MEMBERS. Members shall not be paid by reason of their service on the Commission.

(5) TRAVEL EXPENSES. - Each member shall receive travel expenses, including *per diem* in an amount to be determined by existing law.

(6) QUORUM. - A majority of the members of the Commission shall constitute a quorum for the transaction of business.

(7) MEETINGS. - The Commission shall meet not fewer than five (5) times in connection with and pending the completion of the report described in this Act. The Commission shall hold additional meetings for such purpose if the Chairperson or a majority of the members of the Commission requests the additional meetings in writing.

SECTION 5. *Directors and Staff of the Commission; Experts and Consultants.*

(1) DIRECTOR - The Commission shall appoint and fix the pay of a Director and additional personnel as the Commission considers appropriate.

(2) EXPERTS AND CONSULTANTS - The Commission may procure temporary and intermittent services to assist in the discharge of the Commission's functions.

SECTION 6. *Powers of the Commission.* —

(1) HEARINGS AND SESSIONS. - The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(2) POWERS OF MEMBERS AND AGENTS - Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(3) OBTAINING OFFICIAL DATA - The Commission may secure directly from any department or agency information necessary to enable it to carry out this Act. Upon request of the Chairperson of the Commission, the head of that department or agency shall furnish that information to the Commission.

(4) MAILS. - The Commission may use mails in the same manner and under the same conditions as other departments and agencies of the government.

(5) CONTRACT AUTHORITY - To the extent provided in advance in Appropriations Acts, the Commission may contract with and compensate government and private agencies or persons for the purpose of conducting research or surveys necessary to enable the Commission to carry out its duties under this Act.

SECTION 7. *Report.* Not later than one (1) year after the date on which the initial appointments are completed, the Commission shall submit to the President and the Congress a written report containing the findings, conclusions and recommendations of the Commission resulting from the study conducted under Section 3.

SECTION 8. *Construction; Use of Information obtained.* —

(1) IN GENERAL - Nothing in this Act shall be construed to require any non-governmental entities such as a business, college or university, foundation, or research organization to provide information to the Commission concerning such entity's personnel policies, including salaries and benefits, promotion criteria and affirmative action plans.

(2) USE OF INFORMATION OBTAINED - No information obtained from any entity by the Commission may be used in connection with any employment-related litigation.

SECTION 9. *Termination; Access to information.* —

(1) TERMINATION. The Commission shall terminate thirty (30) days after submitting the report required by this Act.

(2) ACCESS TO INFORMATION - On or before the date of the termination of the Commission under subsection (1), the Commission shall provide the Department of Science and Technology the information gathered by the Commission in the process of carrying out its duties under this Act. The Department shall act as a central repository for such information and shall make such information available to the public, including making such information available through the Internet.

SECTION 10. *Review of Information provided by the Department of Science and Technology and other agencies.* —

(1) PROVISION OF INFORMATION - At the request of the Commission, the Department of Science and Technology (DOST) and any other department or agency shall provide to the Commission any information determined necessary by the Commission to carry out its duties under this Act, including data on academic degrees awarded to women, minorities and individuals with disabilities in science, engineering and technology development and workforce representation and the retention of women, minorities and individuals with disabilities in the fields of science, engineering and technology development; and

(2) REVIEW OF INFORMATION - The Commission shall review any information provided under subsection (1) and shall include in the report required under Section 7 — recommendations on how to correct any deficiencies in the collection of the types of information described in that subsection, and in the analysis of such data, which might impede the characterization of the factors which affect the attraction and retention of women, minorities and individuals with disabilities in the fields of science, engineering and technology development.

SECTION 11. *Authorization of Appropriations.* There are authorized to be appropriated to carry out this Act -

- (1) THREE MILLION PESOS (P3,000,000) for fiscal year 2004, and
- (2) THREE MILLION PESOS (P3,000,000) for fiscal year 2005.

SECTION 12. *Separability Clause.* - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 13. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 14. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.