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Senate
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SENATE
P. S. R. No. 74

REC

BY:

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE CREATION OF INSTITUTIONAL
MECHANISMS TO ADDRESS THE GENDER INEQUALITY IN LABOR MARKETS
BY PROVIDING WOMEN WITH ACCESS TO EMPLOYMENT OPPORTUNITIES

WHEREAS, the Constitution, Article 13, Section 3 mandates: "The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all";

WHEREAS, the Labor Code, Article 135 provides: "It shall be unlawful for any employer to discriminate against any woman employee with respect to terms and conditions of employment solely on account of her sex. The following are acts of discrimination:

(a) Payment of a lesser compensation, including wage, salary or other form of remuneration and fringe benefits, to a female employee as against a male employee, for work of equal value; and

(b) Favoring a male employee over a female employee with respect to promotion, training opportunities, study and scholarship grants solely on account of their sexes";

WHEREAS, Republic Act No. 9710 also known as the Magna Carta of Women, Section 22 mandates: "The State shall progressively realize and ensure decent work standards for women that involve the creation of jobs of acceptable quality in conditions of freedom, equity, security, and human dignity.

(a) Decent work involves opportunities for work that are productive and fairly remunerative as family living wage, security in the workplace, and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize, participate in the decisions that affect their lives, and equality of opportunity and treatment for all women and men";

WHEREAS, according to a 3 May 2011 article in the *Malaya*, Asia and the Pacific are losing up to \$47 billion annually because of women's limited access to employment opportunities; discrimination against Asia's female labor force of 734 million women remains pervasive;

WHEREAS, the report was based on a joint publication of the International Labor Organization and the Asian Development Bank; it further emphasized that the annual average employment growth for 2000-2007 was higher for Asian women than for men and 45 percent of working-age Asian women were inactive compared to 19 percent of men;

WHEREAS, gender inequality in labor markets remains a persistent phenomenon and the link between working in the informal economy and being poor is stronger for women than for men;

WHEREAS, informal sector is defined in the study as employment and production that takes place in small, unincorporated or unregistered enterprises; in the Philippines, 90 percent of agricultural workers are informal;

WHEREAS, employees are considered to have informal jobs if their employment is not subject to labor laws, income tax, social protection or benefits such as pay severances, paid annual vacations, sick leaves, among others; they may be self-employed, working in family enterprises or in subsistence farming;

WHEREAS, in the Philippines, males dominate in all industry types except in the private household category where 86 percent are women;

WHEREAS, women also accounted for 61 percent of all informal traders in the Philippines;

WHEREAS, according to the report, the informal economy is not crisis-proof, pointing out that in the Philippines, the labor burden on women has increased in the face of the crisis, as they are forced to evolve to alternatives to cushion the blow of poverty;

WHEREAS, women had to take on second jobs or sidelines and other alternative income sources that will bridge the family from one day to the next;

WHEREAS, the usual scenario is for the woman to ensure that there is food on the table and that the most immediate needs of the household, such as water and health care, are met;


WHEREAS, women continue to disproportionately face a range of multiple challenges relating to access to employment, choice of work, working conditions, employment security, wage parity, discrimination, and balancing the competing burdens of work and family responsibilities;

WHEREAS, in addition, women are heavily represented in the informal economy where their exposure to risk of exploitation is usually greatest and they have the least formal protection;

WHEREAS, it is imperative for the State to provide quality jobs and equal employment opportunities to women for them to achieve their full productive potential;

WHEREFORE, be it hereby resolved by the Philippine Senate to direct the proper Senate Committee to conduct an inquiry, in aid of legislation, on the creation of institutional mechanism to address the gender inequality in labor markets by providing women with access to employment opportunities.

Adopted,


MIRIAM DEFENSOR SANTIAGO
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