



Working conditions
in **PHILIPPINE**
electronics factories
from a gender perspective

Setem

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justa

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Introduction

This report forms part of the Fair Electronics campaign of Setem Catalunya. The campaign denounces environmental damage, labour rights, and human rights violations committed in the electronics industry by companies and promotes fairer alternatives. Electronics play a substantial role in our everyday lives; however, information about who produces them and under what conditions remains relatively obscure.

This report includes a gender analysis that specifically centres on women workers in electronics factories. Given that women constitute the majority of the workforce in this sector, they encounter distinct challenges compared to their male counterparts. Additionally, the following text highlights the significantly problematic human rights situation for workers and their representatives in the Philippines. It denounces shortcomings in risk prevention and failures in workers' safety and analyses the workers' situation during the COVID-19 pandemic in the semiconductor and electronics industry.

Note for the reader

The identity and names of some interviewees and the companies they work for have been changed. This is to protect their identity and to prevent them from being harassed, losing their jobs or suffering any kind of violence.

Methodology

The report is based on qualitative methods including literature research, the analysis of internal union documents and semi-structured interviews with workers from the semiconductor and electronics industry and with agents from civil organisations working in the Philippines such as the Ecumenical Institute for Labor Education and Research (EILER), the Center of Trade Unions and Human Rights (CTUHR) and the Institute for Occupational Health and Safety Development (IOHSAD). The sources for this article have been collected by Setem Catalunya in collaboration with Workers Assistance Center (WAC) and Metal Workers Alliance of the Philippines (MWAP).

Political Situation

The Philippines, an archipelago in South East Asia, is a lower middle income country with more than 110 million inhabitants. For 300 years, the Philippines were a Spanish colony until the Philippine revolution took place (1896-1898). After the defeat of Spain and a short proclamation as a republic, Philippines came under the control of the United States until the country's independence in 1946.¹ Since then, the country is a presidential constitutional republic with the president being both head of state and head of government.²

In recent years, the political landscape in the Philippines has been viewed critically by observers, particularly with regard to human rights and worker rights issues. Despite some progress, such as the implementation of the Labour Protection Act in 2018, which has improved the implementation of health standards for workers, the situation of workers remains poor. According to the Global Rights Index 2023, the Philippines is among the 10 countries with the worst conditions for workers worldwide. The report highlights alarming trends, including numerous attacks, red tagging, abductions and arbitrary arrests of workers and their representatives.³

1. Gregorio F. Zaine, Sonia M. Zaine, Philippine history and government, Quezon City, Philippines: All-Nations Pub, 2004.

2. Associació Catalana per la Pau, International Action for Peace, Duterte's KILL THEM ALL politics. A diagnosis on the state of human rights in the Philippines.

3. Global Rights Index 2023.

The election of President Marcos Junior, while free from overt restrictions, was influenced by structural advantages and characterised by highly organised disinformation campaigns and widespread vote-buying, as highlighted by Freedom House.⁴ The opposition often faces political repression, with the government using the National Task Force to End Local Communist Armed Conflict (NTF-ELCA) as a tool for this purpose.

In 2018, then-President Rodrigo Duterte funded the NTF-ELCA with the aim to “ensure efficient and effective implementation of the Whole-of-Nation approach”.⁵ However, since its establishment, the task force has been accused of numerous human rights abuses against political opponents of the government such as environmental human rights activists and Indigenous peoples.⁶

Electronics industry in the Philippines

The Philippines’ electronics industry was established following relocations organised by Western companies since the mid-70s to reduce production costs. During the 70s, this industry employed only around 5000 workers. In the 80s, there was a significant increase: in just a decade, the number of employees grew from 5000 to 47000 workers. In the mid-80s, Japanese companies started to invest. Following Japan, in the 2000s, South Korea also began to outsource to the country. In 2022, **the sector employs an average of between 2.2 and 3.2 million workers** in 920 electronics companies and 261 electronics manufacturing establishments.⁷

As in other countries that have benefited from globalisation and the outsourcing of labour-intensive work to low-wage countries, the Philippine electronics sector has been hiring mostly women. This is in part due to the high demand for work among women, for whom factory work is often the best-paid option. The high competition for factory jobs means employers are able to impose **lower salaries and worse working conditions on women than they would on men.**⁸ In addition, the high turnover rate in precarious factory

4. Freedom House, Freedom in the World 2023.

5. Executive Order no.70.

6. Ian Laqui, Groups call for gov’t action on UN Rapporteur’s recommendation to abolish NTF-ELCAC.

7. Gulf News, Philippines records 13% jump in electronics exports.

8. Md. Ismail Hossain, Golam M. Mathbor, Renata Semenza, Feminization and Labor Vulnerability in Global Manufacturing Industries: Does Gendered Discourse Matter?, Asian Social Work and Policy Review, Vol. 7 (2013), No. 3, p. 198f.

work allows employers to evade maternity leave by hiring new workers.⁹ Another reason for hiring women is the patriarchal gender bias that implies that women are easier to control and more submissive than men.¹⁰ On the other hand, men are seen as more suitable for leadership positions¹¹ or new positions created by the technological upgrading of production, which are considered to , which require qualities that are culturally and socially adhered to as masculine, such as technical expertise or stamina.¹² All in all, the feminisation of assembly work has been used to justify low wages and poor working conditions, with **women being seen as ‘secondary’ workers.**¹³

The Philippines is a middle-income country with a GDP per capita of 3,498.5 US\$ in 2022¹⁴ and a Gini coefficient of 0.41 indicating a high income inequality.¹⁵ From an economy based on agricultural exports, the **Philippines has transformed into a multi-billion-dollar exporter of electronic components and microchips.** According to the official site of SEIPI (Semiconductors and Electronics Industries in The Philippines), as of May 2022 “cumulative electronics exports reached US\$ 19.00 billion, or 59.60% of the total Philippine exports.”¹⁶ The sector is therefore the country’s most important export-orientated industry. This results in a dependency on the sector in general and on semiconductors in particular, as semiconductors alone account for one third of the Philippines’ total exports.¹⁷ This dependence is exacerbated by the fact that only **six companies account for more than 75 % of Philippines’ semiconductor exports.**¹⁸

Most of the electronics companies in the country operate in four key areas: Metro Manila, the CALABARZON region (Cavite, Laguna, Batangas, Rizal, and Quezon provinces), Northern/Central Luzon and Cebu.¹⁹ ²⁰ Many of their factories are located in what are called Special Economic Zones. Established in 1995, Special Economic Zones are areas with distinct business and trade laws, differing from those in the rest of the country. Currently, there are approximately 400 Special Economic Zones.²¹

9. Jessica Hansen-Weaver, The switch to female factory labor, *International Socialist Review*, Issue 63 (2009).

10. Laura Villadiego, The gender gap in electronics factories: women exposed to chemicals and lower pay, *Equal Times* 2017.

11. Ibid.

12. Steven C. McKay, Hard drives and glass ceilings: Gender stratification in high-tech production. *Gender & Society*, 20(2), 207-235, 2006.

13. Md. Ismail Hossain, Golam M. Mathbor, Renata Semenza, Feminization and Labor Vulnerability in Global Manufacturing Industries: Does Gendered Discourse Matter?, *Asian Social Work and Policy Review*, Vol. 7 (2013), No. 3, p. 198.

14. World Bank, GDP per capita (current US\$) – Philippines.

15. Philippine Statistics Authority, Highlights of the Preliminary Results of the 2021 Annual Family Income and Expenditure Survey.

16. SEIPI, (Semiconductor and Electronics Industries in the Philippines Foundation).

17. World Bank, A New Dawn for Global Value Chain Participation in the Philippines, p.25.

18. Ibid.

19. SEIPI, (Semiconductor and Electronics Industries in the Philippines Foundation).

20. Stephen La Marias, A look at the current Philippines electronics manufacturing landscape (part I & 2).

21. CBBRC Inc., Rapid assessment of the Magna Carta of Women and Other Laws for Women in the Electronics Industry in Export Processing Zones in the Philippines, December 2015, p.35.

Labour rights and working conditions

The Philippines has officially ratified 37 ILO (International Labour Organization) conventions on the Decent Work Agenda, but only 30 of them have already entered into force.²² In addition, the Philippines has also formulated a Labour Code for the country that aims to protect and promote the interests of workers and the nature of employment in all sectors of the country.²³

However, **there are numerous accounts of labour rights abuses** in the Philippines semiconductor and electronics industry. These include:²⁴

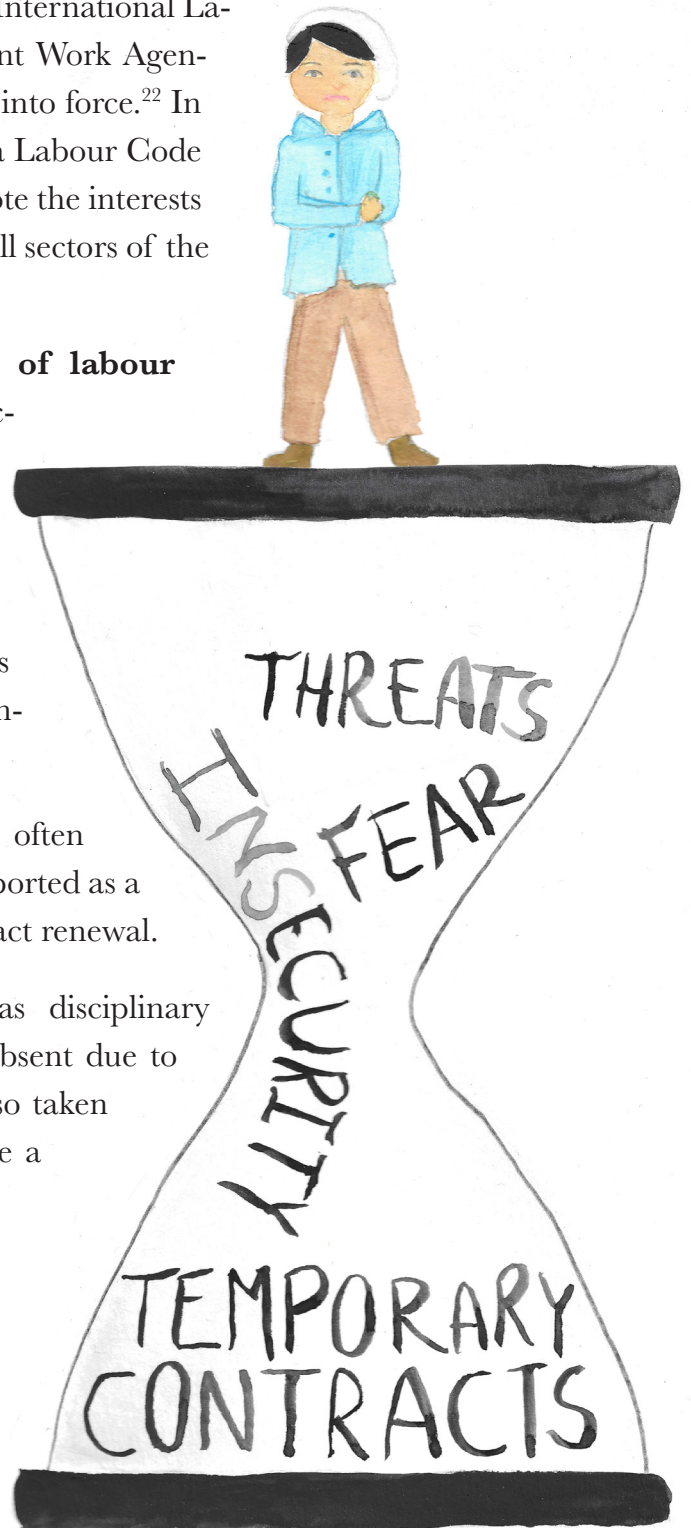
Working Hours: exceeding legal limits, raising concerns about labour exploitation.

Health and Safety: reports of workers handling toxic chemicals without proper training on health hazards and prevention.

Forced Labour: Mandatory overtime, often without legally required rest days, has been reported as a condition for continued employment or contract renewal.

Dismissal: suspensions are employed as disciplinary measures, particularly when employees are absent due to overwork and fatigue. Punitive actions are also taken against those who attempt to join or organise a union.

Freedom of Association and Collective Bargaining: Trade unions are notably scarce in the Philippines semiconductor and electronics industry. Many times, job applicants are informed that unions are not tolerated.



22. ILO, Ratifications for Philippines.

23. JustJobs Network, The Philippines in the Global Value Chains: A Brief, January 2021, p. 5.

24. CTUHR, Electronics watch, "Regional Risk Assessment Semiconductor and Electronics Industry, Philippines", December 2016, p. 4.

Working hours are regulated by the Labour Code of the Philippines, stipulating a six-day working week (Sundays are rest days) with regular working days of 8 hours, including short rest periods, with overtime limited to 2 hours per day.²⁵ However, in practice, workers often exceed these limits. According to a JustJobs Network report, interviewed workers revealed that **regular overtime ranges from 2 to 4 hours a day, with working days frequently extending to seven days a week.**²⁶ In the interviews we conducted, working days of up to 16 hours are not uncommon.²⁷ Rochelle Porras (EILER) explained that one of the reasons why many workers are not involved in unions is their limited availability due to the extensive overtime they undertake.²⁸

The Philippines and the electronic companies are often targeted by human rights associations because of the lack of transparency of the working conditions in the factories.

Many studies include testimonies of workers who explain that working overtime is the norm. Contractual workers suffer more from overtime because if they do not accept the extra hours their contract might not be renewed.²⁹

The distinction in the treatment of regular and contractual workers became evident through our research and the interviews conducted. Companies generally treat regular employees better, ensuring the provision of basic labour rights. However, it is important to note that regular employment is often not the predominant status, leaving the majority of workers without similar rights and treatment. This gap between the two types of employment plays a crucial role in causing inequalities in various aspects such as healthcare, securing wages, and being able to exercise basic labour rights like joining unions.

25. Ibid., p.14.

26. JustJobs Network, the Philippines in the Global Value Chains: A Brief, January 2021.

27. Interview with Catherine Cruz, ex-worker at Company X, 8th December 2023.

28. Interview with Rochelle Porras, director of EILER (Ecumenical Institute for Labor Education and Research), 1st December 2022.

29. CTUHR, Electronics watch, "Regional Risk Assessment Semiconductor and Electronics Industry, Philippines, December 2016, p. 14.

Furthermore, vacation days are often only granted to regular workers. For example, according to CTUHR's research, one contractual worker stated "she had not had a single day off in five years of work, even when working 12 hours a day, seven days a week. She is able to rest only when she is sick, but has to have a doctor's certificate to avoid having her leave marked as absence."³⁰

Wages

Since 1989, the Wage Rationalization Act has abolished a national minimum wage and has established different minimum wage levels according to the region and a distinction between the agricultural and non-agricultural sector.³¹ The highest wage is found in the Metro Manila Region and the minimum wage decreases the farther away one is from this region. Thus, **there are more than a hundred different levels of wages.**³² The fight for a national minimum wage is a priority for unions and workers because the wages are different, but the cost of many goods is not. Sometimes, higher prices might even be charged in the provinces because of transport costs.³³

As González and Schipper point out, globally the semiconductor and electronics sector is offering low wages.³⁴ In the Philippines, companies typically adhere to the legal minimum wages of the specific region where the fabrication site is located.³⁵ However, workers face deductions from their salaries, covering mandatory social, housing and health insurance payments.³⁶ According to Nadia De Leon from IOHSAD, the remaining salary is primarily allocated to purchasing food, leaving little to no funds for other needs such as covering health expenses not covered by insurance.

Union membership often leads to higher wages for employees due to collective agreements negotiated with the employer.³⁷ Nonetheless, wages are often still based on the minimum wage, which is supplemented by daily bonuses. In the moment this report is written, the

30. Ibid., p. 14.

31. Department of Labor and Employment. Current Real Minimum Wage Rates.

32. Interview with Kamille Deligente, director of CTUHR (Center of Trade Union and Human Rights), 9th December 2022.

33. Ibid.

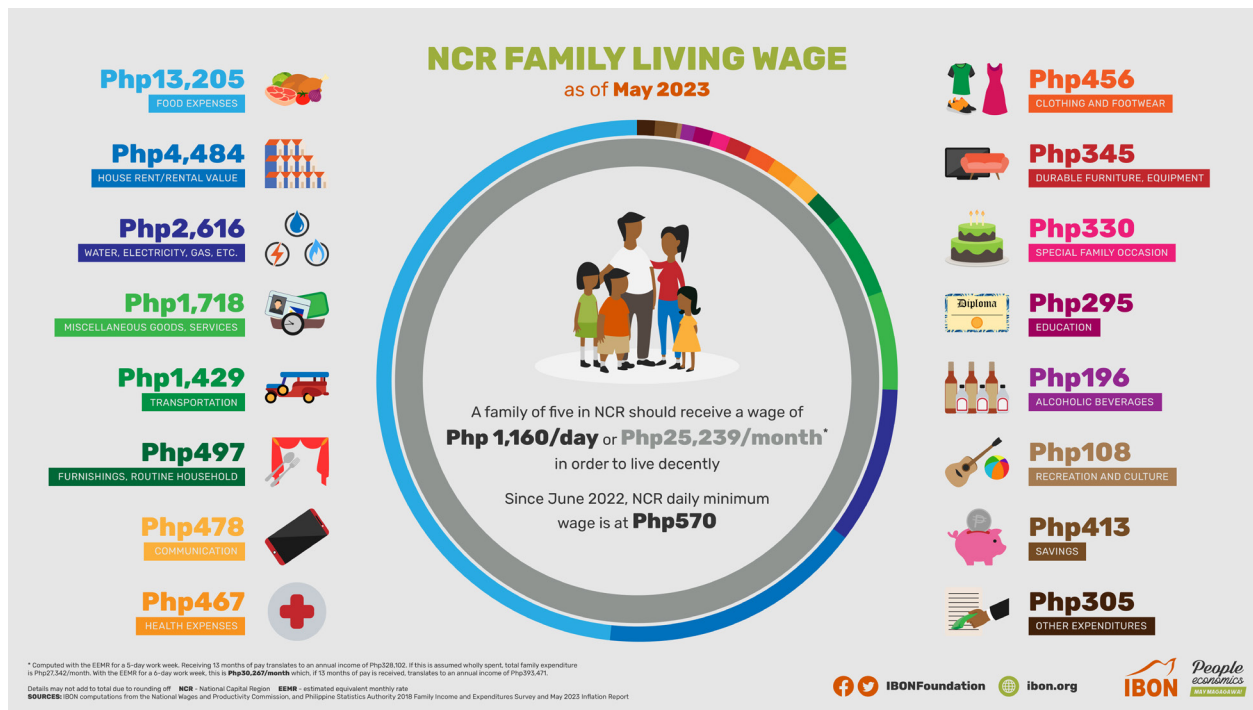
34. Alejandro González, Irene Schipper; State of play and roadmap concepts: Electronics sector –RE-SOURCING Deliverable 4.3, Centre for Research on Multinational Corporations (SOMO), December 2021, p.8.

35. CTUHR, Electronics Watch, Regional Risk assessment Semiconductor and Electronics industry, Philippines, December 2016, p. 10.

36. Ibid., p.17.

37. Ibid., p.17.

minimum wage in the National Capital Region (NCR) is PHP 500 per day.³⁸ However, this amount falls short of providing a decent livelihood for a family of five.



Source: <https://www.ibon.org/ncr-flw-ao-2305/>, accessed on 24th January 2024.

Gender

Interestingly, the interviews conducted have shown that there is no gender gap in salaries of the workers. Given that women dominate the assembly lines in this sector, the women's movement in the Philippines has effectively advocated for equal pay. This makes the electronics and semiconductors industry appealing for women, providing economic opportunities that women are lacking in other sectors of Philippine society, such as the agriculture sector, where many women are unpaid family workers.³⁹ In general, women face greater challenges entering the workforce. Official data reveals that 77% of males aged 15 years or older are employed, whereas only 54% of females in the same age group are working.⁴⁰ The challen-

38. Department of Labor and Employment. Current Real Minimum Wage Rates.

39. Robyn Layton, Fiona MacPhail, Gender equality in the labor market in the Philippines, Asian Development Bank 2013, p.20.

40. Philippine Statistics Authority, Employment Rate in March 2023 is Estimated at 95.3 Percent.

ge of finding paid employment for women likely explains why, despite expressing concerns about the difficult working conditions, the female workers interviewed for this research, generally conveyed satisfaction with their pay.

Nevertheless, **the gender of the worker remains a discriminatory criterion, as evident in the gender distribution within factories.** The electronics and semiconductors sector, in general, sees a dominance of women workers. For instance, in the companies where we conducted interviews, Cirtek has a ratio of 75% female to 25% male and Company X has a ratio of 60% female to 40% male. Other estimates suggest that women make up as much as 90% of the workforce.⁴¹ Despite this dominance, many women in the sector receive lower wages due to their concentration in lower-skilled jobs. Positions with better pay often require higher qualifications, such as engineering roles. In the companies that are included in our investigation these positions are predominantly occupied by men.

On the other hand, in the Philippines the burden of care work is very unequally distributed. This places additional responsibilities on women outside of their paid work, resulting in a structural disadvantage compared to their male counterparts. Therefore, effective employment equity practices necessitate measures that enable both men and women to balance work responsibilities with family obligations. In the case of contractual workers this disadvantage is even more pronounced as they do not even have maternity and vacation leave benefits or education subsidies for their children.⁴²

As the Asian Development Bank (ADB) notably emphasizes “employment equity means more than treating people in the same way; it also requires special measures and the accommodation of differences”.⁴³ Therefore, the perspective of gender needs to be included in policies regulating the working conditions and workers’ possibilities to ascend. However, **the public administration and government bodies are not promoting the improved inclusion and protection of workers of all genders** but rather a gender-blind manufacturing plan that prioritises economic growth.⁴⁴

41. Olof Björnsson, Hazardous chemicals in ICT-manufacturing and the impacts on female workers in the Philippines, Swedwatch 2021, p.7.

42. CBBRC Inc., Rapid assessment of the Magna Carta of Women and Other Laws for Women in the Electronics Industry in Export Processing Zones in the Philippines, December 2015, p.22.

43. Robyn Layton, Fiona MacPhail, Gender equality in the labor market in the Philippines, Asian Development Bank 2013, p.20

44. Ibid., p.xiii.

Sexual harassment

During the interviews we conducted, several cases of sexual harassment were reported. These incidents involved male workers harassing female workers, either verbally or physically. Typically, these cases also featured a hierarchical difference between the aggressor and the victim. Especially in instances of direct dependency, such as a supervisor of a contractual worker relying on contract expansion, the victims are vulnerable and powerless when facing the aggressor. Fortunately, in the cases we were told about, victims could seek the help of the union, which assisted them in addressing the issue. However, **the number of unreported cases is likely to be very high**,⁴⁵ especially in companies where no union representing the workers exists.

Action was taken when the reported cases reached the union, prompting their intervention with the management to address and stop these incidents. The handling of these cases varied, with some requiring formal complaints, while others were managed more informally. In the companies' protocols, the consequence for the offenders is direct suspension, but in one case reported, a worker was temporarily suspended for a month and later reinstated. Nevertheless, the fact that there were consequences for the wrongdoing was considered crucial by our interviewees, and according to them, it was a strong signal to prevent future cases. However, the suspension was the only measure taken by companies, and they have not provided any training to prevent such cases from happening again.

During the pandemic, gender-based violence has increased sharply. At workplaces “abusive treatment and sexual harassment had been exacerbated by the difficult conditions brought on by the pandemic”.⁴⁶ These issues have led many women to give up their jobs.⁴⁷ The consequences were: “rising social and economic vulnerability due to income loss, which led to a slide into more precarious work. These risks are greater among women as they have fewer alternative job options due to breadwinner norms, job rationing and gender segmentation in the industry, in addition to the constraints created by increased care work”.⁴⁸

45. CBBRC Inc., Rapid assessment of the Magna Carta of Women and Other Laws for Women in the Electronics Industry in Export Processing Zones in the Philippines, December 2015.

46. Sheba Tejani, Sakiko Fukuda-Parr; Gender and COVID-19: workers in global value chains, *International Labour Review*, Vol. 160 (2021), No. 4.

47. AFWA (Asia Floor Wage Alliance), “The Emperor Has No Clothes: Garment Supply Chains in the Time of Pandemic”. Issue II, 2020b

48. Sheba Tejani, Sakiko Fukuda-Parr; Gender and COVID-19: workers in global value chains, *International Labour Review*, Vol. 160 (2021), No. 4.

Worker's safety

The inclusion of occupational safety and health (OSH) in the Philippine Labour Code dates back to 1974. There exists a social security system (SSS) called Phil Health. However, the system does not benefit every worker since **contractual workers are often not provided with service**.⁴⁹ In addition, many health services are privatised and workers must either pay a private insurance or face the expenses in case of health issues themselves. Therefore, “17 of 18 persons in the nation’s workforce of 38.8 million do not have acceptable working conditions and are exposed to hazards that predispose them to occupationally related diseases and injuries”.⁵⁰ The number of work-related deaths and illnesses is particularly high in Asia compared to other regions of the world, indicating that **workers in the Philippines are exposed to a higher risk of accidents**.⁵¹

Exposure to chemicals in the workplace

The semiconductor and electronics industry relies heavily on materials and chemicals that pose serious risks to the workers’ health and safety. There are numerous accounts of “workers’ occupational exposure with terrible consequences including acute poisoning, cancer, all kinds of diseases, including reduction of reproductive health, and even death.”⁵² Björnsson identifies **lead, DCM and toluene as chemicals that are used in the Philippine electronics sector and have proven chronic effects on workers**. All three chemicals affect women in particular and cause **reproductive damage and birth defects**.⁵³ Despite the knowledge of the toxicity of the chemicals, they are still being used and workers are not adequately protected.⁵⁴ For instance, Rochelle Porras reports on conditions were “the chemicals were so strong that the gloves melted on their hands”.⁵⁵

In 2015, IOHSAD published a study on the reproductive health of female electronics workers. The conclusion was that **78% of respondents had irregularities in the dates of their monthly periods**, with 28% having more than one period per month. In

49. Interview with Kamille Deligente, director of CTUHR (Center of Trade Union and Human Rights), 9th December 2022.

50. Jinky Leilanie Lu, State and trends of occupational health and safety in the Philippines, National Institutes of Health, University of the Philippines Manila, Acta Medica Philippina, Vol. 56 (2022), No. 1, p.60. (for consistency with above citations)

51. Ibid.

52. Alejandro Gonzalez, Pauline Overeem, Olga Martin-Ortega, Beyond Corporate Transparency: the right to know in the electronics industry, Good Electronics Network, SOMO, BHRE, March 2020, p.12.

53. Olof Björnsson, Hazardous chemicals in ICT-manufacturing and the impacts on female workers in the Philippines, Swedwatch 2021, p.8.

54. Ibid.

55. Interview with Rochelle Porras, director of EILER (Ecumenical Institute for Labor Education and Research), 1st December 2022.

addition, **30% had miscarriages, 24% had difficulty conceiving, and 50% had been diagnosed with a urinary tract infection at least once.** Due to various reproductive health problems such as ovarian cysts, myoma, severe dysmenorrhea or urinary tract infection, 25% had been on leave from work.⁵⁶

There is a severe lack of information and transparency regarding the use of chemicals and their impact on health in the Philippine electronics and semiconductor sector. A report by Good Electronics points out that not providing workers with the relevant information about the chemicals and hazardous substances used in the workplace can be a form of exploitation (exploitation by deception).⁵⁷ Even when workers observe health problems, they often do not complain about it, because they fear disciplinary measures such as suspension.⁵⁸ However, **there are examples of the fight against this form of exploitation.**

56. CBBRC Inc., Rapid assessment of the Magna Carta of Women and Other Laws for Women in the Electronics Industry in Export Processing Zones in the Philippines, December 2015, p.23.

57. Baskut Tuncak, Alejandro González, Jonathan Örnberg, "Exploitation by Deception in the Electronics Industry," November 2018, p.3.

58. Alejandro González, Irene Schipper, State of play and roadmap concepts: Electronics sector –RE-SOURCING Deliverable 4.3, Centre for Research on Multinational Corporations (SOMO), December 2021.



Testimony **JESSICA****Impacts on reproductive health of workers****Worker at Company X, and President of the Company X Workers' Union**

Jessica started working for Company X Philippines in 2003, specializing in soldering operations. In 2014, at the age of 43 years, she was diagnosed with a trigger finger, which impeded the movement of her fingers, and ultimately led to a surgery.

In 2015, she experienced lower body pain due to an ovarian cyst. In 2016, she made the difficult decision of removing her uterus entirely and went through another surgery. After that, the management transferred her to a different unit, where she had to do lighter work, not soldering any more.

IOHSAD conducted an investigation at Company X, and through a survey, to which only 100 workers responded, discovered that 19 other women were suffering from reproductive health issues such as cysts, cancer, mioma, polyps and scarring. 15 of these workers were working in soldering processes, and 4 others in different processes. These cases were seen among workers that had been working for the company for 10 to 30 years. There are currently approximately 800 people working at Company X in total, including the management, and it is unknown if there are more undiscovered cases.

When Jessica started working at the company, she did not receive any information or training about the health risks involved with her job. Only recently, when IOHSAD started working with the company and carried out the above-mentioned investigation, that workers at the company started doing their own research about it and got more information. As part of the study, a list of potentially hazardous substances and chemicals was generated.

Before this, Company X had to go through an audit, and in order to comply with the law, provided some OHS training to the workers. However, the training did not include any space for participants to ask questions, or to get more details about what to do in case of an accident, or information on how severe the health threats could be. Thus, the company complied, but did not provide what workers needed to be safe and healthy.

Before becoming the president of the union, Jessica had been the vice-president. In 2022, the president of the union at the time resigned from the company, and since then, Jessica has been the new president. Jessica had never been recognized by the management as vice-president. During that time, the union was a so called 'yellow union', which means a union where its leaders are manipulated by the management, or look after their own benefit, instead of the whole workforce of the company.

In the interviews conducted, progress was reported in the area of occupational safety and health (OSH) following the introduction of a new Occupational Safety and Health Act in the Philippines in 2018. This shows that the **legal instruments are working as a viable tool to protect workers**. However, the chemicals lead, DCM and toluene are still in use and the responsible companies show no interest in replacing them unless they are forced to do so.⁵⁹ Even if workers are not exposed to chemicals, health problems can be caused by the repetitive nature of the work. For example, muscle tension due to the lack of sitting breaks. In addition, many workers suffer from urinary tract infections due to the **low number of toilet breaks during a 12-hour shift**.⁶⁰

One principle of the new law is the right to know. This means access to information, such as Material Safety Data Sheets (MSDS) detailing the chemicals to which workers are exposed and outlining their protective rights, has to be provided. While some workers interviewed have access to this information, regulations mandate its explanation to workers through specified training sessions.⁶¹

The government has deployed inspectors for on-site visits to production facilities, but their limited number (1,200 OSH inspectors⁶²) makes it difficult to effectively monitor the Philippines' diverse operations, which range from micro to small and medium to large enterprises (approximately 1 million establishments).⁶³ Although the workers' movement has lobbied for an increase in inspectors, the government has not provided additional resources, reflecting a low priority for occupational safety and health.

However, workers and unions have the possibility of filing complaints, and in one case we were told that an inspection was carried out immediately following a complaint. The widespread lack of knowledge among workers, due to the lack of information provided by employers, often prevents them from actively campaigning for the implementation of health and safety regulations.

59. Olof Björnsson, Hazardous chemicals in ICT-manufacturing and the impacts on female workers in the Philippines, Swedwatch 2021, p.12-17.

60. Interview with Rochelle Porras, director of EILER (Ecumenical Institute for Labor Education and Research), 1st December 2022.

61. Department of Labor and Employment, 2018, Implementing rules and regulations of republican act no. 11058.

62. Anjo Bagaoisan, Many small businesses fail to observe occupational safety standards: DOLE.

63. Interview with Nadia De Leon, director of IOHSAD (Institute for Occupational Health and Safety Development), 10th January 2023.

Freedom of Association

The Philippines have ratified the ILO convention on Freedom of Association and Collective Bargaining.⁶⁴ However, there are shortcomings in the effective practice of collective bargaining between workers and employers.⁶⁵ Additionally, the situation of workers has been deteriorating, particularly since the start of the administration of President Rodrigo Duterte.⁶⁶



64. ILO, Overview of ILO Assistance to Promote Freedom of Association and Right to Collective Bargaining in the Philippines.

65. Ibid.

66. Interview with Rochelle Porras, director of EILER (Ecumenical Institute for Labor Education and Research), 1st December 2022.

Testimony **SHINE**

Obstacles in forming a union

Secretary at Cirtek Electronics Corp Workers Union

Shine joined the company after the existing union was dissolved in 2005 and replaced by a Labour Management Council (LMC), which did not increase workers' wages or benefits. As a result, Shine and her co-workers launched a campaign for the re-establishment of the union.

However, it took them years to fight for recognition. The first election for union officers was held in 2012. The election was a landslide victory for the newly established Cirtek Electronics Corp Workers Union, with a high turnout of workers. However, the management did not recognise this victory and had no intention of bargaining with the union.

In subsequent elections, the Cirtek Electronics Corp Workers Union stood and won again. This time the management agreed to hold regular meetings with the union on the condition that the officials who had lost the election and who had previously been part of the LMC attended the meetings. In order to start negotiations with the management, the union agreed to allow the LMC officer to join. This led to negotiations for a Collective Bargaining Agreement (CBA).

After four years, the union won another election in 2019, and for the first time the management recognised its victory, but with the onset of the pandemic, the management suspended the regular meetings. It was not until 2023 that the regular meetings were resumed and the negotiations for the new CBA were started.

Shine reports:

“Our integrity and strong determination to get what we want was the key to being recognised by [the] management. The thought that we should never give up also helped us to keep going. We were never afraid of [the] management. They saw that we were really determined for our rights and that’s how we managed to negotiate our CBA”.

Moreover, she explains:

“We also had a new union leader. She led us to fight hard. She led us to be stronger, to be braver. To fight for what is right.”

The new CBA negotiations include benefits. One of the new achievements of the CBA is a pension plan for the workers. With the successful signing of the CBA, the union increased its membership by 15% (more than 50 workers in the last quarter of the year

In the Philippines, a low number of workers is unionised. In the electronics sector the rate of unionisation is especially low. This is due to the location of most of the industry in special economic zones, characterised by “informal mechanisms and unwritten policies [which] are used to quell labour unrest”⁶⁷. As Kamille Deligente (CTUHR) puts it:

67. Olof Björnsson, Hazardous chemicals in ICT-manufacturing and the impacts on female workers in the Philippines, Swedwatch 2021, p.10.

“I think also in terms of freedom of association, because most of the electronics companies are in special economic zones (...). They have their own world and they have their own rules. So, it’s really more difficult to put up unions to organise, even to campaign in those areas because they are highly guarded not just by private guards, but guards employed by the economic zone authority.”⁶⁸

There is also a **strategy to discredit unions and their activities and link them to terrorist groups** in order to discourage workers from joining. For example, in interactions with workers, state agents disseminate information linking unions to the financing of terrorist organisations. Consequently, they warn workers that union membership and financial participation could be harmful because of this alleged connection.⁶⁹

Moreover, Björnsson points out that “workers in the electronics industry stated that unions are not allowed in their companies, and that suspensions and terminations are used to discipline workers who are absent due to overwork and fatigue, or to punish those who join or seek to organise unions.”⁷⁰ In some instances, this restriction is explicitly outlined in the employment contracts, explicitly stating that workers should not join or establish unions.⁷¹

As previously mentioned, not all workers are classified as regular employees; many of them are contractual and do not enjoy the same rights. Consequently, they are even less inclined to join unions. Moreover, contractual workers at a particular company, where regular employees are unionised, reported that human resource personnel advised them during orientations not to participate in activities such as rallies and meetings organised by the union.⁷²

Harassment of union members

The struggle for workers’ rights in the Philippines is dangerous, with frequent attacks such as red-tagging, abductions and arbitrary arrests. This pressure is often exerted by state agents such as the NTF-ELCAC, as in the case of Jocelyn.

68. Interview with Kamille Deligente, director of CTUHR (Center of Trade Union and Human Rights), 9th December 2022.

69. Interview with Rochelle Porras, director of EILER (Ecumenical Institute for Labor Education and Research), 1st December 2022.

70. Olof Björnsson, Hazardous chemicals in ICT-manufacturing and the impacts on female workers in the Philippines, Swedwatch 2021, p.9-10.

71. CTUHR, Electronics Watch, Regional Risk assessment Semiconductor and Electronics industry, Philippines, December 2016, p.4.

72. Ibid., p.12

Testimony **JOCELYN****Harassment of union members****Women's committee leader at X Workers Union**

Jocelyn has been working at company X for 28 years as a technical operator. During this time, she has spent a significant amount of time as part of the X workers' union and is currently the head of the women's committee. In her capacity as a union member, she reported that she had received several threats from the NTF - ELCAC staff in recent years. Accused of being under the influence of the NPA (New People's Army - the military wing of the Communist Party of the Philippines), she was visited multiple times by the NTF-ELCAC agents and coerced to disaffiliate from the union.

She describes one of the visits as follows:

"It happened again the following day on Good Friday in April 2021. Seven men (2 soldiers wearing military uniforms, 2 police officers, and 3 barangay officials), accompanied by our homeowners' association president, visited me at home and advised me to disaffiliate from the union."

She is not the only union member to suffer this harassment from state agents. This is a reality for many union members, especially those who hold positions in the union. For example, the president of the X workers' union was followed by men on motorbikes asking for information. Jocelyn also reports cases of red-tagging, where the union president's initials were written on her house as a "threat to her and her family's safety".

The authorities have gone as far as threatening to kill union members. She explains:

"The very worst of these visits was experienced by my co-union officer, the chair of our Welfare and Screening Committee. She was with her daughter when a uniformed man with a gun from the NTF-ELCAC, accompanied by a Barangay official, said, 'You know what, there were unionists that were being killed.' This was very intimidating for them and especially affected her daughter a lot."

The intimidation is not limited to visits by NTF-ELCAC personnel, but often involves Barangay officials (Barangay is the smallest level of administrative division in the Philippines). They know who is active in the union and pass this information on to NTF-ELCAC staff. Jocelyn also explains that there have been incidents where union members have received a letter from the barangay telling them to report to the barangay offices for a worker orientation by NTF-ELCAC staff. She is particularly disappointed because, as she says, "the barangay officials are there for peace and order in the community, not for harassment and intimidation".

Beyond mere threats and harassment, the human rights organisation Karapatan has documented 427 extrajudicial killings between July 2016 and December 2021, including several cases involving workers' rights defenders.⁷³ According to Human Rights Watch, there have been **72 extrajudicial killings of workers and unionists since 2016**.⁷⁴ One of these cases is the workers' rights activist Dandy Miguel.⁷⁵

Dandy Miguel was the president of Strength of United Workers in Fuji Electric, the union of Fuji Electric. He was shot on his way home from work in the evening on March 28, 2021. Prior to his killing, he had expressed fear for his life and for his fellow unionist members regarding a recent series of extrajudicial killings.⁷⁶ Rochelle Porras specifies that:

“Prior to that tragic incident, he was campaigning for workers’ rights and welfare. He, as the union president, together with the union, was able to secure a collective bargaining agreement in the time of the pandemic. And they were also actively campaigning for policy reform to defund the government agency that perpetrates (..) militarization in many regions in the Philippines. So, we connect that with what happened to him, and it’s a clear case of extrajudicial killings among union leaders.”⁷⁷

This extrajudicial killing shows that any unionised **worker or union representative can be classified as a terrorist**, giving the state an alleged reason to have them killed.⁷⁸

73. Karapatan, 2021 Karapatan Year-End Human Rights Report, 2021.

74. Human Rights Watch, Philippines: Killings of Unionists Go Unchecked.

75. Interview with Rochelle Porras, director of EILER (Ecumenical Institute for Labor Education and Research), 1st December 2022.a

76. Karapatan, 2021 Karapatan Year-End Human Rights Report, 2021.

77. Interview with Rochelle Porras, director of EILER (Ecumenical Institute for Labor Education and Research), 1st December 2022.

78. Ibid.

Collective bargaining agreement (CBA)

One of the strongest instruments of the unions is the elaboration of a collective bargaining agreement (CBA). In the case of the electronics and semiconductor sector the workers that work under a CBA frequently have better payment and additional benefits such as:

- Bonus payments: rice subsidy, Sunday, Holidays and overtime and nightshift, 13th month payment and Christmas bonus.
- Fixed conditions for leaves: sick leave, vacation leave, maternity and paternity leave or emergency leave (natural calamities, accidents or death in the family).
- Extras such as: emergency loans, retirement benefit plans, or job security guarantees.

Furthermore, the CBA strengthens the union by regulating infrastructure made available to it and the paid time off for union work. This is necessary so that the union can fulfil its role as a representative of the workers' interests. In addition, the CBA stipulates that the union is informed of incidents such as extraordinary dismissals and may then take a stand for the workers in mediation processes.

In the electronics and semiconductor manufacturing sector **the implementation of a CBA is often especially a win** for female workers. Not only because they are the majority of the workforce but also because they constitute the committees from the union that negotiate the CBA. For example, in the case of the Cirtek union the CBA was solely negotiated by female representatives of the workers. This is a peculiarity in comparison to the mostly male-dominated union in other sectors of the Philippines.⁷⁹

Situation during the Pandemic:

The electronics sector was not severely impacted by the pandemic, with companies experiencing brief shutdowns of only a few days. Nevertheless, the restrictions imposed during the COVID-19 pandemic strongly affected the employees. In particular, **the government's "no work, no pay" policy was a challenge** because it left workers without an income. As a result, many workers went to work with symptoms of COVID. As the government did not provide

79. Melissa R. Serrano, Ramon A. Certeza, Gender, unions and collective bargaining in the Philippines: issues and critical factors. Labor and Globalization, 4 (2014), 55-94.

sufficient support to equip companies and workers with adequate protective measures, the number of infections increased dramatically.⁸⁰

Once again, the situation of job insecurity was worse for contractual workers. Additionally, they were required to pay for their COVID tests (unlike regular workers).⁸¹ Most contractual workers did not receive any financial support from their employer. Instead, **they received mandatory loans, which they had to pay back on a monthly basis.**^{82 83}

However, regular workers also encountered difficulties, with treatment varying significantly depending on the employer. During the lockdown many companies in the electronics and semiconductor sector in the Philippines were able to continue their production under special conditions to contain the spread of the disease. In the table below, this is exemplified by three different companies. The data is based on interviews with (former) employees of the companies.

80. IOHSAD Comprehensive Covid-19 response, not militarist lockdowns.

81. Interview with Nadia De Leon, director of IOHSAD (Institute for Occupational Health and Safety Development), 10th January 2023.

82. Interview with Kamille Deligente, director of CTUHR (Center of Trade Union and Human Rights), 9th December 2022.

83. For more information see Video "Women Workers Rise Up" 26.03.2023, IOHSAD: https://www.facebook.com/watch/live/?ref=watch_permalink&v=866145097821326





At a glance:

	Dae Duck	Cirtek	Company X
Workers:	The workers were illegally dismissed by being pressured into submitting a voluntary resignation.	The workers were given the choice to work or stay home. Most chose to stay in the factory during the lockdown. There they were provided with the basic necessities.	Only 50 workers could stay in the factory initially. They were provided with sleeping places and food at the factory. The remaining workers returned in batches.
Salary compensation:	In April 2020, the workers received 25 kilos of rice from the company. They also received 16,000 pesos (equivalent to the cost of a mid-range mobile phone or the living wage for a family of five for two weeks) from the social security system and a small amount from the union. The company didn't apply for the pandemic benefit on behalf of the workers. The workers did it themselves.	The workers staying at the factory were paid extra allowances plus overtime bonuses. The interviewed worker felt "properly compensated" and could save up money. The workers that chose not to report back to work and stayed at home did not receive any compensation according to the no work no pay policy.	No salary adjustment during COVID. The workers did not get any compensation according to the no work no pay policy. The union provided financial assistance from internal budgets to its members.
Sickness or care work:	Contracts suspended.	Workers that stayed at home with sick leave and holiday leave with pay. Sick leave 18 days and holiday leave 19 days. After they could stay at home with no pay.	Sick leave and quarantine leave were only granted to those who reported for work, but some chose not to take the risk. They received no compensation. Workers that were in contact with a person that had COVID got paid for 7 days of sick leave.
Workers reinstated:	No	Yes	Most of the workforce

Another significant problem during the pandemic was transportation. The government, at first, shut down the transport system and when they re-opened a part of it, it adopted a “no vaccine, no ride” policy. This was extremely challenging for non-vaccinated workers who were not able to take public transport. However, due to the “no work, no pay” policy they needed to come to work to provide for their livelihoods. Therefore, many walked to their factories.

The “no work, no pay” policy was one of the main factors contributing to the spread of the COVID virus in the workplace, affecting a large number of workers. This policy forced workers to make a difficult choice between their health and their livelihood. Ultimately, many workers chose to go to work despite symptoms in order to secure wages for their daily expenses.⁸⁴

The Philippines witnessed a substantial increase in unemployment due to pandemic-related lockdowns, facilitating companies in the dismissal of workers and subsequent recruitment from the expanded pool of job seekers. Women workers encountered specific challenges during this period as highlighted in the story of Emily Barry, former vice president and head of the women’s committee of an electronics union.

“During the pandemic, their union was able to bargain that a free shuttle service should be provided to workers, especially workers who are going home late, including women whose safety is now put into a more dangerous situation. Because if you go home late, a lot of things could happen and there’s no public transport during the lockdown between 2020 and 2021. (...) So one time, Emily noticed that a couple of fellow women workers were not able to take the shuttle because of the physical distancing rule, but it was already late at night. There was no other shuttle coming in to get them. So the only option for them was to stay outside of the factory for 12 more hours before their shift or to walk home, which would also put them in danger. So Emily made the call as the union vice President, you should just get on the shuttle.”⁸⁵ - Rochelle Porras (EILER)

Unfortunately, Emily Barry was dismissed after this because it was a violation of the COVID-19 protocol enforced by the company. The appeal to reinstate Emily Barry was still on at the time of writing of this report.

84. Interview with Nadia De Leon, director of IOHSAD (Institute for Occupational Health and Safety Development), 10th January 2023.

85. Interview with Rochelle Porras, director of EILER (Ecumenical Institute for Labor Education and Research), 1st December 2022.

Conclusions

All in all, the report sheds light on the difficult working conditions in the electronics sector in the Philippines. There is a notable lack of regulation of hazardous chemicals, and although health standards have improved with the introduction of the Occupational Safety and Health Act, they are still falling short of being sufficient. In addition, the sector struggles with low wages, forcing many workers to work long overtime shifts with inadequate rest periods.

Furthermore, the sector is characterised by two discriminations. The first lies in a **gender-specific dimension**. The electronics sector is one in the Philippine society that gives women the opportunity to be independent, as they can be the family breadwinners. The equal pay offered in the sector makes it an attractive choice for women, thereby explaining the dominance of females in electronics manufacturing. Despite the appearance of inclusivity in job opportunities, the overall societal structures remain patriarchal. Consequently, women working in these factories continue to bear the burden of domestic care work. While this unequal distribution of care responsibilities is not explicitly recognized in women workers' perceptions, it contributes to the continuation of inequality such as in the opportunities of career advancement.

The second discrimination is the **situation of contractual workers** who, as outlined, face precarious conditions. Due to economic circumstances, they often depend on accepting poor conditions in the hope of obtaining a regular contract. This makes them very vulnerable, especially to superiors. As the documented cases underline, this unequal distribution of power can lead to abuse. This is particularly evident in cases of sexual harassment, where the intersection of gender and contract worker status exacerbates the difficulties faced by the affected individuals.

Therefore, the research underlines the importance of unions as bodies that fight for the workers' rights and provide protection and assistance to workers during conflicts. However, as widely recognized, the Philippines is a country where the struggle for workers' rights is not only arduous but also dangerous, as evidenced by the constant harassment and red tagging of human rights defenders and union representatives by the National Task Force (NTF). Despite these hardships, the union movement has shown resilience and achieved modest but decisive victories, such as the formation of new unions and the negotiation of collective agreements that have significantly improved the working conditions of employees.

During the COVID-19 pandemic, the treatment of workers differed a lot depending on the employer. The government's "no work, no pay" policy combined with an inadequate social security system left many workers without sufficient means. While some companies took care of their workers' welfare, others left their employees to face the challenges alone. **Uni-**

ons played a crucial role in supporting and advocating for workers' interests. For example, they set up food pantries in workers' communities, donated their gowns and overalls to health workers, and distributed face masks and alcohol.

The electronics sector is a prime example of how **global commodity chains prioritise profitability over social or environmental impacts**. Consequently, the struggle of workers and civil society is crucial to ensure the progress that is urgently needed. This fight can be supported by consumers, who can join campaigns like the Fair Electronics campaign to put pressure on big brands to ensure an improvement of working conditions along supply chains. Today **there is no fair trade electronics yet** that consumers can buy with a guarantee that the products have been produced respecting humans rights and the environment. However, since many electronics companies that buy products manufactured in the Philippines are based in the global North, **effective legislative action could ensure that conditions in the factories meet the required standards**. At the time of writing, there are proposals for a Corporate Sustainability Due Diligence Law at EU level and regional initiatives such as the *Centre Català d'Empresa i Drets Humans*. On the other hand, responsible public procurement can also leverage changes, introducing clauses in public contracts and/or becoming a member of Electronics Watch, which through worker-driven and the support of public administrations monitoring works directly with companies to address specific cases of human rights violations in the supply chain. These initiatives offer hope that supply chains will be better regulated, ultimately improving the safety and well being of workers in the Philippine electronics sector.



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