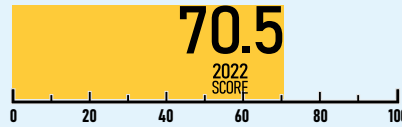




## Philippines



62 2020 SCORE

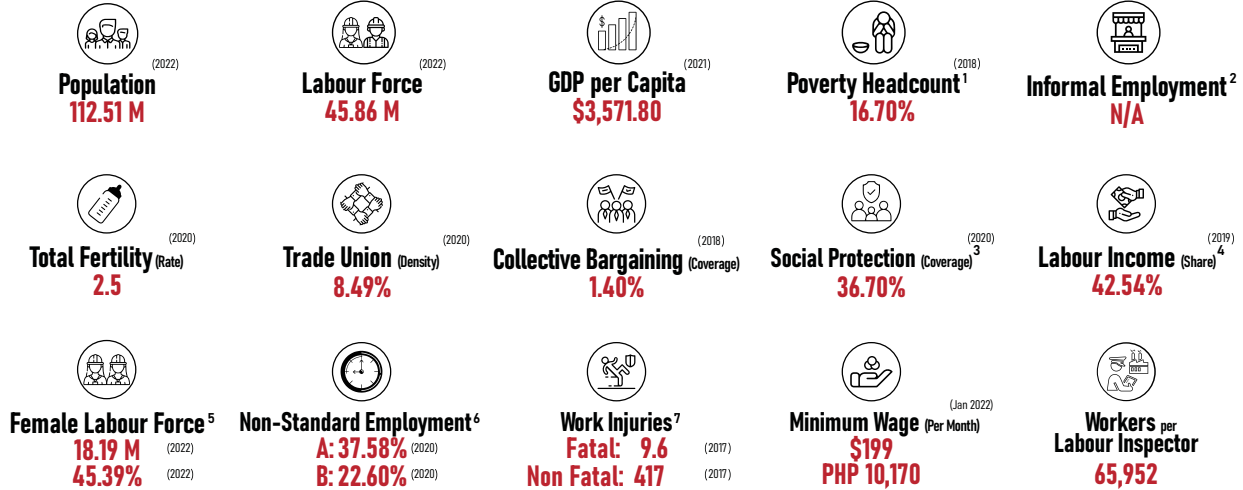
South East Asia

Lower-middle income

Reasonable Access to Decent Work

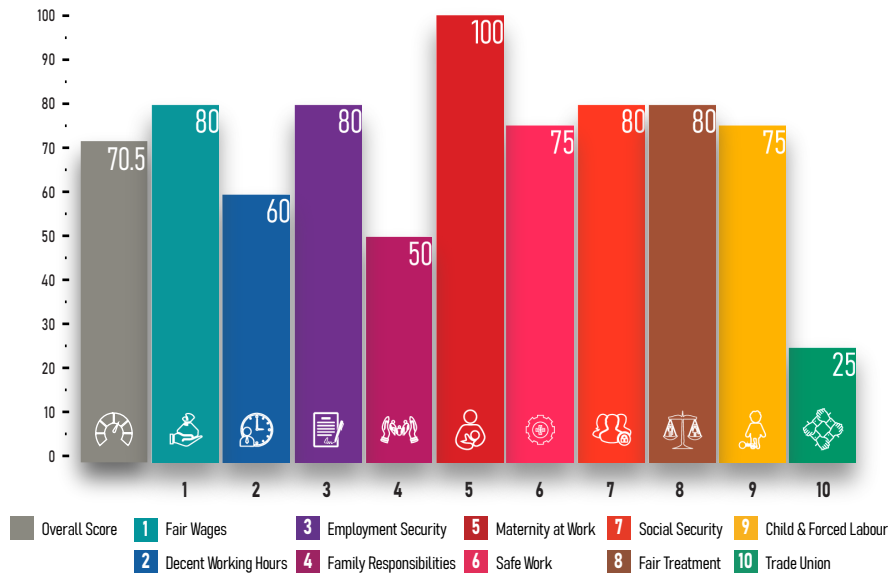


## Contextual Indicators



Sources: World Bank  
International Labour Organization  
WageIndicator Minimum Wages and Living Wages Database  
M = Million

## Legislative Performance Indicators



## Introduction

The Labour Rights Index 2022 (LRI 2022) is a de-jure index covering 135 economies and structured around the working lifespan of a worker. In total, 46 questions or evaluation criteria are scored across 10 indicators. The overall score is calculated by taking the average of each indicator, with 100 being the highest possible score. The Index uses a rating system, ranging from "Total Lack of Decent Work" to "Decent Work". The Labour Rights Index aims at an active contribution to the Sustainable Development Goals, by providing necessary (complementary) insights into de jure provisions on issues covered in particular by SDG8 (Decent Jobs), SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and SDG 16 (Strong Institutions). The Index is based on national labour legislation, applicable on 1 January 2022. The Index does not take into account COVID-19 related labour market measures in its scoring.

Philippines's overall score is 68.5 out of 100. The overall score for the Philippines is higher than the regional average observed across South East Asia (62.33). Within the South East Asia region, the highest score is observed for Viet Nam (75).

<sup>1</sup> Proportion of population living below the national poverty line (%), as measured under SDG 1.2.1

<sup>2</sup> Share of informal employment in total employment (%), as measured under SDG 8.3.1

<sup>3</sup> Proportion of the country population covered by social protection floors, as measured under SDG 1.3.1

<sup>4</sup> Labour income (income of employees + partly income of the self-employed) as a percentage of GDP, as measured under SDG 10.4.1

<sup>5</sup> The female labour force is shown in absolute number along with the female labour force participation rate

<sup>6</sup> Non-Standard Employment has been defined as Part-Time Employment (A) and Temporary Employment (B)

<sup>7</sup> Rate of fatal and non-fatal injuries per 100,000 workers, as measured under SDG 8.8.1

The country rating is based on the overall score of 0-100, with the following coding:

(90.5-100) Decent Work | (80.5-90) Approaching Decent Work | (70.5-80) Reasonable Access to Decent Work | (60.5-70) Limited Access to Decent Work | (50.5-60) Basic Access to Decent Work | (0-50) Total Lack of Decent Work

# LABOUR RIGHTS INDEX 2022

	Question <sup>9</sup>	Answer	Legal Basis	Trend <sup>12</sup>
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	§61, 75, 80, 98,99, 120, 121, 122, 123, 124, and 143 of the Labour Code, 1974	●
	Does the law require regular payment of wages?	Yes	§97, 103, 104 and 113 of the Labour Code, 1974; Presidential Decree No 851 of 1976	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§87 of the Labour Code, 1974	●
	Does the law require additional compensation for working on a weekly rest day?	No	§91-94 of the Labour Code, 1974	●
	Does the law require additional compensation for night work?	Yes	§86 of the Labour Code, 1974	●
2. Decent Working Hours	Does the law stipulate general working hours as 48 hours or lower?	Yes	§82, 83, 84, 87, 88 and 89 of the Labour Code, 1974	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	No	No applicable legal provisions could be located	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§82 & 91 of the Labour Code, 1974	●
	Does the law require paid public holidays?	Yes	§94 of the Labour Code, 1974; Proclamation No 269 of 2017	●
	Does the law require at least three working weeks of paid annual leave?	No	§82 & 95 of the Labour Code, 1974	●
3. Employment Security	Does the law require written employment contracts or at least written employment particulars?	Yes	§295 & 296 of the Labour Code, 1974; §1193 of the Civil Code of the Philippines 1949	●
	Does the law restrict the hiring of fixed-term contract workers?	Yes	§1193 of the Civil Code of the Philippines 1949; §295 of the Labour Code	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	No	§295 of the Labour Code, 1974	●
	Does the law require a 30-day notice before contract termination?	Yes	§135-137, 279, 297-300 of the Labour Code, 1974; DOLE D.O. 147-15; §32 of the Republic Act No. 7277 of 1992	●
	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	Yes	§298 and 299 of the Labour Code, 1974; DOLE D.O. 147-1	●
4. Family Responsibilities	Does the law require parental leave for parents?	No	§3 & 8 of the Solo Parents' Welfare Act 2000 (Republic Act No. 8972)	●
	Does the law require at least one week of paid paternity leave for fathers?	Yes	§2, 3 and 5 of the Paternity Leave Act of 1996 (Republic Act No. 8187)	●
	Does the law require flexible work arrangements for workers with family responsibilities?	No	Telecommuting Act (Republic Act No. 11165)	●
	Does the law require paid nursing breaks?	Yes	§130 of the Labour Code, 1974; §11-12 of the Expanded Breastfeeding Promotion Act of 2009 (Republic Act No. 10028)	●
5. Maternity at Work	Does the law prohibit inquiring about pregnancy during recruitment?	Yes	§6 of Law that Prohibits Discrimination Remuneration between Men and Women, 2017 (No. 30709)	●
	Does the law require paid maternity leave of at least 14 weeks?	Yes	§131 of the Labour Code, 1974; §14-A of the Social Security Law (R.A. No. 1161); Republic Act No. 11210	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§131 of the Labour Code, 1974; §14-A of the Social Security Act, 2018; 105-day Expanded Maternity Leave Law (R.A. 11210)	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§131 of the Labour Code, 1974; §14-A of the Social Security Act, 2018; 105-day Expanded Maternity Leave Law (R.A. 11210)	●
	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§135 of the Labour Code, 1974	●
6. Safe Work	Does the law require provision of free personal protective equipment to workers from employer?	Yes	Rule 1080-1087 of the OSH Standards 1989; OSH Standards Act (Republic Act No. 11058, 2017)	●
	Does the law require the employer to train workers on health and safety issues?	Yes	Rule 1030, 1093, 1948 and 1961 of the OSH Standards 1989; OSH Standards Act (Republic Act No. 11058, 2017)	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	No	§130 of the Labour Code, 1974	●
	Does the law provide for employment injury benefit?	Yes	Workmen Compensation Act 1925; §197-199 of the Labour Code, 1974; ISSA Country Profile for the Philippines	●
	Does the law provide for an old age pension?	Yes	§12 and 12-B of the Social Security Act 2018	●
7. Social Security	Does the law provide for a dependants/survivors' pension?	Yes	§12-A and 13 of the Social Security Act 2018	●
	Does the law provide for unemployment benefit?	Yes	§14-B of the Social Security Act 2018; §4-C1 of the Bayanihan to Recover as One Act (No. 11494, 2020)	●
	Does the law require paid sick leave for the first 6 months of sickness?	No	§14 of the Social Security Act 2018; ISSA Country Profile for the Philippines	●
	Does the law provide for invalidity benefit?	Yes	§13-A of the Social Security Act 2018	●
	Does the law require equal remuneration for work of equal value?	Yes	§133 and 303 of the Labour Code, 1974	●
8. Fair Treatment	Does the law prohibit sexual harassment in employment?	Yes	§2-5 & 7 of the Republic Act No. 7877 of 1995 (Anti-Sexual Harassment Act); §16 of the Safe Spaces Act (No. 11313 of 2018)	●
	Does the law prohibit discrimination in employment matters? <sup>10</sup>	No	§3, 118, 132-135, 138, 257, 259, of the Labour Code, 1974; Republic Act 7277, 1992; §8 of Republic Act 10911	●
	Does the law allow women to do the same jobs as men?	Yes	No restrictive legal provisions could be located	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	§9-A of the Social Security Act 2018; Republic Act No. 8282, 1997; ISSA Country Profile for the Philippines	●
	Does the law prohibit employment of children?	Yes	§137 of the Labour Code, 1974; §12 of the Special Protection of Children Act, 1992	●
9. Child and Forced Labour	Does the law set employment entry age equal to or higher than the compulsory schooling age?	No	§4 of the Enhanced Basic Education Act, 2012	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§137 of the Labour Code, 1974; §12-D & 14 of the Special Protection of Children Act, 1992 (53-55)	●
	Does the law prohibit forced labour?	Yes	§4 and 5 of the Expanded Anti-Trafficking in Persons Act, 2012	●
10. Trade Union	Does the law allow workers to form and join unions of their own choice?	No	§3 & 13, Constitution 1987; §218, 219, 253-257 & 269, Labour Code 1974; USDOS CRHRP 2021	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	Yes	§251, 259-272 of the Labour Code, 1974	●
	Does the law provide for the right to strike?	No	§263 of the Labour Code, 1974	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	No	§264 & 272 of the Labour Code, 1974	●

## Covid 19 and Labour Market in Philippines\*

Total Covid Cases	3.74 Million
Total Covid Deaths	60,641
Partial Vaccinated	71.0%
Fully Vaccinated	66.0%

Wage Subsidies	✓
Social Security Contributions (deferrals/waivers)	✓
Paid Sick Leave	✓
Add. Unemployment Benefits	✓

Protection from Dismissals	✗
Telework/flexible work	✓
Improved Health Access	✓
Training (activation measures)	✓

<sup>9</sup> The Index has 10 indicators and 46 evaluation criteria or questions.

<sup>10</sup> The prohibited grounds for discrimination are "race, colour, sex, religion, political opinion, national extraction or social origin, age, disability and trade union membership". A score of 1 is assigned only if a country has prohibited discrimination on at least 7 of the above 10 grounds.

<sup>11</sup> A country's score on LRI's Trade Union indicator must also be read together SDG indicator 8.8.2 which measures the level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation. It has a range from 0 to 10, with 0 being the best possible score (indicating higher levels of compliance with FACB rights) and 10 the worst (indicating lower levels of compliance with FACB rights). The score of Philippines on SDG 8.8.2 is 3.97 (2020)

The Index uses Observations/Direct Requests from ILO CEACR and the US Department of State's Country Reports on Human Rights Practices (US DOS CRHRP) to measure a country's compliance on the Trade Union indicator.

<sup>12</sup> In order to measure the trend in country's legislative performance over the last edition of the Labour Rights Index (2020), the legislative table indicates improvement or worsening of labour rights in country through the following colours.

- Score increase
- Score decrease
- Score adjustment
- No change