

WORK AND EMPLOYMENT OF PERSONS WITH DISABILITIES IN THE PHILIPPINES

Equality in all areas of employment is the overall statement under Article 27 of the Convention on the Rights of Persons with Disability. Nations that have signed and/or ratified the Convention have agreed to pursue equality of people with disabilities in all areas of employment. The Convention, in relation to employment, begins by saying:

“States Parties recognise the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities.” The CRPD then says that States Parties will both safeguard and promote the realisation of our right to work, to include people who acquire a disability during the course of employment, by taking appropriate steps that include legislation. It also says States Parties shall pursue a number of additional efforts in relation to people with disabilities and employment.”

Under the CRPD, persons with disabilities are those who have long-term physical, mental, intellectual or sensory impairment which, in interaction with various barriers, may hinder their full effective participation in society on an equal basis with others.

The World Health Organization (WHO) estimates that 10M or Ten (10%) percent of the total population of the Philippines is comprised of persons with physical, sensory, or mental impairment.

Administration’s position for PWDs:

Philippine President Benigno S Aquino III at the 2nd Asia-Pacific Community-Based Rehabilitation Congress on 29 November 2011 articulated his administration’s vision to allow PWD to have equal opportunity, by acknowledging, and appropriately responding to their impairment in order for them to contribute meaningfully in the society.

“Our Government pledged inclusive growth to the Filipino people. Most people take this in the context of economics –of providing opportunities for the poor –but when we promised inclusive growth, we promised it to all Filipinos, including those who by virtue of certain limitations, tend to be thought of as being unable to contribute to society. This is not necessarily a mindset that comes from cruelty, but one that perhaps only stems from ignorance and mistaken notions. And this is something that we want to change, because we know that to perpetuate this prejudice means not only depriving persons with disabilities of their rights, but more importantly, depriving them of their dreams.” (Aquino, 2011)

Mention on disability in 1987 Philippine Constitution

1. The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.” (Philippines 1987, Art. XIII, Sec. 11)
2. Mandates the establishment of a special agency for persons with disabilities (currently National Council for the Welfare of Disabled Persons) for their rehabilitation development and self-reliance, integration into the mainstream of society. [Sec. 13, Art. XIII, 1987 Philippine Constitution]

Comprehensive Law on Anti-Discrimination to PWDs

1. Republic Act No. 7277, as amended by RA 9442, An Act Providing for the Rehabilitation, Self Development and Self-Reliance of Disabled Persons and Their Integration into the Mainstream of Society and for other Purposes (the “Magna Carta for Disabled Persons”)
2. Batas Pambansa Bilang 344, the Accessibility Law.
3. Executive Order No. 261 which Creates an Inter-Agency Committee on Employment Promotion, Protection and Rehabilitation of PWDs.

Pending Bills before the Congress relative to work and employment are as follows:

At present, there is a pending bill before the Senate of the Philippines, SBN 980, entitled Persons with Disability (PWD) Employment Facilitation Office Act of 2010. This bill seeks to institutionalize a National Employment Facilitation Service Network for Persons with Disability (PWD) through the establishment of Persons with Disability Employment Facilitation Office.

Another pending bill before the Senate, SBN 412, entitled Supported Employees Act for Person with Disability. This Act seeks to provide a Supported Employment Program for Persons with Disabilities.

Program on Work and Employment of PWDs

Various efforts have long been undertaken by the government in providing employment and livelihood supports to PWDs. One of those is the Magna Carta for Disabled Persons (MCDP), which ensures equal opportunities for suitable employment to PWDs as their able-bodied counterparts. Among the remarkable employment and livelihood programs of the government are as follows:

A. By the Philippine Government:

1. DOLE’s Special Employment Assistance for Disabled Persons

Disabled individuals often had a hard time getting a decent jobs because some view them incapacitated to work. However, according to the labor code of employment, disabled people has the rights to work, only rejected if the job is literally harmful and not suitable based on his/her disability.

With this, the government launched **TULAY, Tulong, Alalay sa Taong may Kapansanan** that aims to help disabled people finds jobs. The program also teaches and trains members various livelihood programs, enhance their skills and make their disability effective.

In this program, person with disability can choose various courses that he/she want to learn. The following programs are as follows:

- Industrial Skills- For disabled who want to learn basic labor force such as office works, information technology, etc.
- Livelihood Skills- Disabled can receive monthly income by learning basic livelihood projects such as basket making, food processing, etc.
- Entrepreneurship skills- Disabled can learn how to make their skills productive by getting into business.

Bureau of Labor and Employment come up with a strategy on how they will help disabled have jobs and source of income:

- Registration of persons with disabilities.
 - Inventory/Survey of companies, government and non - government agencies, local government units and funding institutions (local and foreign) and programs for PWDs.
 - Networking and close coordination with private companies, GOs, NGOs, LGUs and funding institutions particularly those for PWDs.
 - Maintenance of a skills pool of persons with disabilities.
 - Establishment of cooperatives, production workshops and self - employment projects.
 - Active advocacy and information campaign to awaken public conscience to the need to create employment opportunities for PWDs.
 - Development of capability of program implementers for successful program implementation.
 - Close monitoring of enforcement laws pertaining to employment of persons with disabilities
2. Assistance package for PWDs of the Department of Trade and Industry (DTI);
 3. Philippine National Skills Competition for PWDs of the Technical, Education and Skills Development Authority (TESDA); and,
 4. Science and Technology Intervention for the Poor, the Vulnerable and PWDs of the Department of Science and Technology (DOST)

The local government has also undertaken projects that promote economic opportunities for the persons with disabilities. Last 2008, the Provincial Government of Bulacan, together with Provincial Social Welfare and Development Office, launched free livelihood training seminars for persons with disabilities to either improve or acquire relevant skills pertaining to in-demand business opportunities such as candle and soap making.

B. By the Non-governmental Organizations

1. Tahanang Walang Hagdan, Inc., an NGO in Cainta, Rizal – it is a non-stock, non-profit and non-government organization that aims to uplift the lives of the Orthopedically handicapped persons. It has rehabilitation and skills training center with sheltered workshops where the people with disabilities are trained to be productive and self-reliant member of the society. They employ handicapped workers for the manufacture of wheelchairs, school desks and educational aids.
2. Cross Foundation Agency for the Rehabilitation of the Disabled (CFARD) – it is a non-stock, non-profit, non-government Christian Organization committed to hold persons with disability to be productive, and self-reliant members of the society through various community based projects.
3. St. Joseph the Worker Parish, through its Livelihood and Training Center - it has been one of the many church-based responses to the call of equal opportunities for the persons with disabilities. During the graduation of the

first batch of the Food Processing Seminar, one graduate, a polio victim walked in his crutches to receive his diploma.

However, in spite of the various efforts carried out by the government in providing full and productive employment to PWDs, it seems that employment opportunities for this segment of the population are still limited. Schelzig (2005) noted that out of more than 100,000 employable PWDs that are registered with the DOLE, only less than 10 percent are wage employed. A pioneering survey on the socioeconomic conditions of PWDs in selected cities in Metro Manila, which was conducted in August 2008 jointly by the Institute of Developing Economies (IDE) and the Philippine Institute for Development Studies (PIDS), revealed that slightly more than half of the PWD respondents have income-generating job/business. Out of those with job/business, almost 50 percent engage themselves (either full-time or part-time) into other small-scale income-generating activities, which are usually under informal arrangements. Meanwhile, around 25 percent of the PWD respondents rely merely on supports from family members/friends, benefits from the government, or even from begging.

Non-availability of statistics for PWDs

It is very unfortunate that even near-accurate data or social statistics on the number of persons with disabilities in the Philippines is hard to come by for the simple reason that our information infrastructure is not yet fully developed. Systematic data gathering remains one of the country's great challenge considering the fact how fragmented the Philippine's 7,100 islands are and how severe the economic problems loom over its people. This prevents / hinders the Philippine Government from developing the right programs for the disabled sector.

There were various attempts in the past to come up with the right statistics, specifically creation of a Registry of PWDs as mandated under Republic Act No. 7277 and Article 31 of the UNCRP, however, these proved to be a failure.

Some insights that could help the government craft better policy strategies in the provision of livelihood to, as well as empowerment of, PWDs.

1. Additional source of livelihood

Certain groups of PWDs possessing different individual and household characteristics need specific types of interventions from the government. For instance, being a household head seems to put additional pressure for a PWD to seek employment. This is particularly true among those who are male, have their own families, have relatively small number of assets, and cannot afford and/or does not urgently need assistance from any special devices. Apparently, these PWDs belong to relatively poorer households as evidenced by ownership of fewer assets and lesser access to assistive devices. Thus, the government might want to provide special assistance to this particular group of PWDs through provision of additional source of livelihood to their families.

2. Rehabilitation and livelihood assistance

Higher access to assistive devices may imply higher degree of disability (or limited physical functioning) or higher household wealth. Many PWDs who belong to these groups tend to have no job/business. Rehabilitation and livelihood assistance may be provided by the government to these PWDs, not only to make earnings for themselves, but also to let them feel their worth and get empowered in the long-run.

3. Scholarship grants and/or alternative learning sessions

Moreover, education can be considered as a critical factor in gaining employment. The government might offer scholarships to school-aged PWDs who cannot attend school because of financial constraints. Alternative learning sessions might also be conducted (on a regular basis and free of charge) to PWDs who are

already beyond the school-age but do not have high school diploma (which is usually the minimum qualification set by employers). Special sessions might also be catered to hearing-impaired who do not know sign language (especially those in far-flung areas where deaf schools are inaccessible) and are not knowledgeable with Filipino (since English is the medium of instruction in deaf schools). The government might also allocate additional funds for programs and activities related to skills training and livelihood assistance to older PWDs with lower educational attainment.