



PRESS STATEMENT

(for immediate release)

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We cannot be a country of contractual workers, NO to a new D.O. that institutionalizes 'endo', TUCP tells DOLE

The Trade Union Congress of the Philippines rejects a new department order that will only perpetuate contractualization and continue to curtail workers right to regular employment, freedom of association and collective bargaining.

“If there’s a new DOLE department order, it should only aim to repeal Department Order 18-A,” said TUCP President Ruben Torres.

“Workers have been exploited for a long time. We cannot be a country of contractual and ‘endo’ workers. Repeal D.O. 18-A. Scrap contractual employment arrangements and ensure that workers get regular and decent employment which the Labor Code and the Philippine Constitution guarantee,” Torres said.

DOLE D.O. 18-A, series of 2011 otherwise known as Rules Implementing Article 106 to 109 of the Labor, as Amended is the policy that defined and specified legitimate contracting and sub-contracting, prohibition against labor only contracting, and registration requirements for contractors, among others. Torres says the D.O. went beyond the provisions of the law.

TUCP insists that ‘direct hiring’ by principal employers should become the standard practice like before the issuance of DO 18-A and previous related orders. Doing away with service contractors would effectively address the issue.

“President Duterte’s policy declaration to end contractualization is very clear. He understands that all forms of contractualization --under trilateral employment arrangements --are unjust, uninclusive and anti-worker. Institutionalizing bilateral employment arrangement is the correct way to do it,” said Torres.

Under bilateral employment relationships, principal employers hire workers’ directly and are made regular workers after the prescribed probationary period of six months.

Trade unions maintain that the practice of contractualization is precarious and nothing but a ‘race to the bottom’. Contractual workers receive the lowest wages, lack the required social protection, and in many instances, work in unsafe and unhealthy working conditions. The use of on-the-job-trainees and interns that replace regular workers is equally exploitative.

“The exploitation of many workers --many of whom are women and young workers --is very real while employers and service contractors are laughing their way to the bank” said TUCP.

“The DOLE has the President’s instructions. It should act with haste. DOLE cannot and should not allow workers to remain exploited,” said Torres.

Furthermore, TUCP called on the institutionalization of an efficient and upright labor inspection system to restrain abuses. ####

TRADE UNION CONGRESS OF THE PHILIPPINES

*TUCP is the biggest confederation of trade unions in the Philippines with 1.2 million members from 40 affiliated national labor federations. Its most representative labor organization character is evidenced by its range of members **in all sectors**, from agriculture to industry to services, those in public service, including public school teachers, the largest informal sector organization in the Philippines, the largest organization of OFWs, as well as the first registered unions of workers in call center and BPOs (business process outsourcing), the largest federation of hotel and restaurant workers union, and the largest federation of farmers unions.*

TUCP’s representations extend to the ASEAN, where the TUCP-led ASEAN Trade Union Council (ATUC) is implementing a wide-range tripartite-based project to promote and protect the rights of migrant workers.

TUCP is an affiliate of the International Trade Union Confederation (ITUC) and its Asia-Pacific Regional Organization (ITUC-AP). TUCP serves as Secretariat of the ASEAN Trade Union Council (ATUC) which is composed of 18 National Centers in 9 ASEAN countries, representing five million workers.