

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FOURTEENTH CONGRESS
Second Regular Session

House Resolution - 707



Introduced by
Gabriela Women's Party Representatives
LIZA LARGOZA-MAZA and LUZVIMINDA ILAGAN

RESOLUTION
DIRECTING THE HOUSE OF REPRESENTATIVES COMMITTEE ON LABOR AND
EMPLOYMENT AND THE COMMITTEE ON WOMEN AND GENDER EQUALITY TO
IMMEDIATELY CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE
PREVALENCE OF CASES OF SEXUAL HARASSMENT PERPETRATED AGAINST WOMEN
WORKERS IN ESTABLISHMENTS EMPLOYING MOSTLY WOMEN, AND INTO THE
COMPLIANCE OF SUCH FIRMS TO THE PROVISIONS OF RA 7877 OR THE ANTI-SEXUAL
HARASSMENT ACT OF 1995

WHEREAS, Section 3 of RA 7877 stated that, "Work, education or training-related sexual harassment is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainor, or any other person who, having authority, influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said act";

WHEREAS, Section 4 of the same Act states, "It shall be the duty of the employer or the head of the work-related, educational or training environment or institution, to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment. Towards this end, the employer or head of office shall:

"(a) Promulgate appropriate rules and regulations in consultation with and jointly approved by the employees or students or trainees, through their duly designated representatives, prescribing the procedure for the investigation of sexual harassment cases and the administrative sanctions therefor.

"Administrative sanctions shall not be a bar to prosecution in the proper courts for unlawful acts of sexual harassment";

WHEREAS, many establishments in the country do not comply with RA 7877, as exemplified by the recent case of Bleustar Marketing and Manufacturing Corporation (BMMC);

WHEREAS, Bleustar Manufacturing and Merchandising Corporation (BMMC), a manufacturer of Advan shoes and boots located in Wilmark 2, RMT Industrial Complex, Tunasan, Muntinlupa City, employs five (5) supervisors, less than 10 office personnel, and 205 rank-and-file workers. The company which was established in 1990, is owned and managed by Mr. Jimmy Ong, a Filipino-Chinese;

WHEREAS, BMMC produces 5,400 pairs of Advan-branded rain boots and 2,700 pairs of shoes every day. Majority of the products are distributed locally, and one of its biggest buyer is the SM chain of department stores;

WHEREAS, according to the Bleustar Workers Labor Union (BWLU), most women workers have suffered sexual harassments from their employer, Mr. Ong. They revealed that Mr. Ong started harassing some of them in 1993. They recalled of Mr. Ong often arriving in the workplace drunk

and calling on women workers, who at that time were between 17-22 years old, forcibly kissing them on the lips, and touching their breasts, genitals and butt. Moreover, Mr. Ong made indecent 'invitations' to workers of his likings. The workers were helpless; they just shiver in horror and fear of getting dismissed;

WHEREAS, women workers interviewed by the Center for Trade Union and Human Rights (CTUHR) who requested anonymity said that their employment in BMMC was their first job, and they cannot afford to lose it. They also said that they were so young and naïve then and they did not find any courage to complain. Some of them have even developed serious trauma. Violeta (not real name) a sewer in the company for 18 years, said that since the indecent proposal made to her at the burial of his boss' mother, she has developed trauma. Whenever she sees her boss, she hides quickly under the table or behind the cabinets to avoid being called and harassed;

WHEREAS, Girlie (not her real name), also a sewer in the company, recalled that some of them complained to their supervisors and manager regarding the sexual abuse perpetrated by their boss. Their supervisors, being fully aware of Mr. Ong's abusive sexual behavior, simply apologized, told them to keep quiet, and advised them to "*just wash your face or take a bath; that will make you feel clean again.*" Such advice coming from a person of authority is very demeaning and humiliating, and therefore deserve the strongest condemnation;

WHEREAS, Ms. Daisy Arago, CTUHR Executive Director even said that "This is the most deplorable and outrageous work condition where women workers are forcibly subjected into";

WHEREAS, there is an urgent need to look into the cases of sexual harassment, not only in BMMC, but also in establishments employing the most number of women workers. Female workers are usually employed in establishments "where the nature of the work requires the manual skill and dexterity of women workers," like textile and electronic factories found in the export processing zones. According to Ibon Databank, 70 to 85 % of workers in the export processing zones are women. The retail service sector such as department stores, also employ a significant number of women workers;

WHEREAS, the Country Reports on Human Rights Practices (2007) by the US State Department revealed that "sexual harassment in the workplaces in the Philippines was thought to be widespread and underreported due to victims' fear of losing their jobs. Female employees in special economic zones (SEZs) were particularly at risk; most were economic migrants who had no independent workers' organization to assist with filing complaints. Women in the retail industry worked on three- to five-month contracts and were often reluctant to report sexual harassment for fear their contracts would not be renewed";

NOW THEREFORE, BE IT RESOLVED that the House of Representatives Committee on Labor and Employment and the Committee on Women and Gender Equality immediately conduct an investigation, in aid of legislation, into the prevalence of cases of sexual harassment perpetrated against women workers in establishments employing mostly women, and into the compliance of such firms to the provisions of RA 7877 or the Anti-Sexual Harassment Act of 1995.

Adopted,


REP. LIZA LARGOZA-MAZA


REP. LUZVIMINDA ILAGAN