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5

# EMPOWERING THE FAIRER SEX: LAWS CRAFTED FOR WOMEN IN THE PAST 30 YEARS

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**I**t can be argued that Filipino women have never been more empowered than they are today.

This is evident with the emergence of female trailblazers in society which in the past 30 years have included Corazon Cojuangco Aquino and Gloria Macapagal Arroyo, as the first and second female presidents of the Philippines; Ramona Go, the Philippine Army's first female general; and Maria Lourdes Sereno, the first woman to head the Supreme Court (SC) as Chief Justice, just to name a few.

That Filipinas are more empowered than ever before is also undeniable when we list the pro-women measures passed by Congress and subsequently enacted during the same period.

Foremost of these laws is Republic Act (RA) 9710, also known as the "Magna Carta of Women (MCW)." Incidentally, it was signed into law in August 2009 by then President Gloria Macapagal-Arroyo.

The MCW battled for the increase in the number of women in third level positions in government in order to achieve a 50-50 gender balance within a five-year period. It also seeks to keep the composition of women in all levels of development planning and program implementation at no less than 40 percent.

The MCW also provides for the "incremental increase in the recruitment and training of women in the police force, forensics and medico-legal, legal services, and social work services availed of by women who are victims of gender-related offenses until 50 percent of the personnel thereof shall be women."

The particular law also sought to eliminate discrimination of women in the military, police, and other similar services, as seen with the emergence of Brigadier General Go. "Women in the military shall be accorded the same promotional privileges and opportunities as men, including pay increases, additional remunerations, and benefits and awards based on their competency and quality of performance," said the law.

Women workers also gained a two-month special leave benefit with pay under the MCW. This can be availed of by a woman employee who has rendered continuous aggregate employment service of at least six months for the past 12 months.

Under RA 8972 or "The Solo Parents' Welfare Act of 2000," female solo parents are also granted a seven-day leave from work for as long as she has rendered at least one year of service.

It should be noted that while maternity benefits in the Philippines are limited to just 60 calendar days of paid

leaves for normal delivery and 78 paid leaves for caesarian (CS) delivery, local legislators have been aggressively pushing for the increase of such leaves to 98 days as prescribed in the 2000 International Labor Organization (ILO) Maternity Protection Convention.

Women's protection from discrimination in the workplace had earlier been provided for by RA 6725, or "An Act Strengthening the Prohibition on Discrimination Against Women with Respect to Terms and Conditions of Employment, Amending for the Purpose Article One Hundred Thirty-Five of the Labor Code, As Amended." It was enacted in April 1989.

RA 6725 outlawed the payment of a lesser compensation to a female employee as against a male employee, for work of equal value, as well as favoring a male employee over a female employee with respect to promotion, training opportunities, study and scholarship grants solely on account of their sexes.

Graver concerns like sexual harassment in the workplace have been addressed via RA 7877 or the "Anti-Sexual Harassment Act of 1995."

RA 7877 provides that, work, education or training-related sexual harassment is "committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainer, or any other

\* MAGNA CARTA FOR WOMEN  
\* WOMEN DELIVER

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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."

Specifically, it says that work-related sexual harassment is committed when the sexual favor is made as a condition in the hiring or in the employment, re-employment or continued employment of said individual, or in granting the said individual favorable compensation, terms, conditions, promotions, or privileges; or the refusal to grant the sexual favor results in limiting, segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee.

Sexual harassment also occurs when the conditions of the sexual favor impairs the employee's rights or privileges under existing labor laws, or would result in an intimidating, hostile, or offensive environment for the employee.

But generally speaking, all forms of harassment toward women are covered by RA 9262 or "An Act Defining Violence Against Women and Their Children, Providing Protective Measures for Victims, Prescribing Penalties Therefor

and for Other Purposes."

Enacted on March 8, 2004 or during the observance of International Women's Day, RA 9262 and its all-encompassing provisions has given remedy for Filipino women and children who have been the subjects of abuse.

Other pro-women laws that can be considered victories for women's rights crusaders are the following: RA 7192 (enacted on December 11, 1991), "An Act Promoting the Integration of Women as Full and Equal Partners of Men in Development and Nation Building and for Other Purposes;" RA 7600 (June 17, 1992), "An Act Requiring All Government and Private Health Institutions with Obstetrical Services to Adopt Rooming-in and Breastfeeding Practices and for Other Purposes;" RA 7688 (March 3, 1994), "An Act Giving Representation to Women in Social Security Commission Amending for the Purpose Section 3(A) of RA1161, as Amended;" RA 7822 (February 20, 1995), "An Act Providing Assistance to Women Engaging in Micro and Cottage Business Enterprises, and for Other Purposes;" and the marital rape provision in RA 8353 (September 30, 1997), "Act Expanding the Definition of the Crime of Rape, Reclassifying the Same as a Crime Against Persons, Amending for the Purpose Act No. 3815, as Amended, Otherwise Known as the Revised Penal Code, and for Other Purposes."