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**Silenced Voices in the Voice Industry:**  
Labor Unionism in the Call Center Industry

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May 26, 2015

## **Acknowledgment**

Writing this seminar paper was a great journey though the path was not an easy one. Hence, I would like to thank all those who stood by me as I took this journey for this paper would not have been possible without you.

To my Papa, Mama and Auntie, you are my constant source of encouragement. In the midst of confusion and hopelessness, you made me believe that I can get through everything.

To my siblings, Ciara and Ryan, you are my daily dose of joy. Your daily antics drew laughter on my face which relieved me of all the stress that I had to deal with.

To my buddies, Athena, Moselle, Meng and Yela, you are the angels whom I can run and rant to every time. You were patient enough to deal with all my silly jokes and craziness in life.

To all my research participants, you are the heart of this paper. I am indebted for your valuable time and insights. I salute you for your untiring effort to raise your families through call center service.

To my research adviser, Prof. Fatima Castillo, you instilled in me that research is a passion. Your strictness and meticulousness in research pushed me to strive harder and to discipline myself as a young researcher.

Above all, to my Lord Jesus Christ and Mama Mary, You are my ultimate source of strength. You blessed me with those persons to serve as Your instruments in helping me with this paper. You are indeed the light in my path.

## Abstract

The call center industry is one of the “new sectors” in the Philippine economy which has remained union-free for several years. This study explored how the working conditions in the call center industry affect its workers’ willingness to unionize. Sixteen call center workers based in Metro Manila and three key informants were interviewed. Interviews were recorded, transcribed, coded and analyzed through content analysis. Call center work is commonly perceived as a source of easy money for its workers receive relatively high salaries by simply answering calls. However, high salaries do not translate to decent working conditions. Call center workers are exploited by call center companies as workers are subjected to dire working conditions. The nature of their work has also adversely affected their health, security and safety. Thus, the awareness of the poor state of their working conditions and of their rights as workers predisposes them to unionize. Despite this, the call center companies and the government reinforce each other in barring labor unions from taking root in the industry. With these, the study exposes the reality behind call center work, and the need to unionize the industry. It also provides lessons on how unionizing the industry would be more possible.

## Introduction

Call center work is popularly perceived as a source of easy money<sup>1</sup> since its workers are able to receive high salaries by simply answering calls. Earning relatively high salaries, center workers seem to have a comfortable life for people see them enjoying several cups of Starbucks coffee every day, owning the latest gadgets, as well as drinking and smoking at seven o’clock in the morning. These make call centers attractive; however, behind all these are stories of labor exploitation.

Behind the glitter of money and seemingly prestigious corporate work, call center workers are subjected to dire working conditions in the 21<sup>st</sup> century swanky glass towers<sup>2</sup> and electronic sweatshops<sup>3</sup> – the call centers. The light that the call center industry sheds on the Philippine economy as a “sunshine industry”<sup>4</sup> does not reflect on its working conditions. High salaries in call centers do not equate to decent working conditions. Call center companies ensure that they are able to make more than the best out of what they pay their workers. Call center workers do monotonous work, and have heavy workloads. They are threatened with job insecurity as well as health and safety

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<sup>1</sup> R. Milawati, ‘Light at Night: How the Offshore Call Center Industry is Shaping the Young Filipino Workers’, *Flux and Flows of People, Power and Practices: Issues Relating to Social Justice*, [http://www.api-fellowships.org/body/international\\_ws\\_proceedings/10/P5-Resmi-Setia-Milawati.pdf](http://www.api-fellowships.org/body/international_ws_proceedings/10/P5-Resmi-Setia-Milawati.pdf), 2011, (accessed 25 May 2015).

<sup>2</sup> D. Sharma, ‘Shining India’s swanky new sweatshops’, *Hindustan Times*, <http://business-humanrights.org/en/india-first-major-study-of-labour-practices-in-call-centres-raises-concerns>, 2005, (accessed 30 March 2015).

<sup>3</sup> E. Herrera, ‘Labor Issues in call centers’, *Manila Times*, <http://tucp.org.ph/2010/12/labor-issues-in-call-centers/>, 2010, (accessed 30 March 2015).

<sup>4</sup> C. Buenaventura, ‘Call Centers: Philippines’ Sunshine Industry’, *Human Rights Forum*, <http://philrights.org/wp-content/uploads/2010/10/Call-centers.pdf>, 2010, (accessed 05 February 2015).

risks. Despite this, workers cannot assert for better working conditions because they are kept silent by the fear of being terminated upon voicing their concerns.

Using a Marxist perspective, the study explored how the working conditions in the Philippine call center industry affect its workers' willingness to unionize. The working conditions and work-related problems faced by call center workers, as well as their awareness of their rights as workers are delved on. The study also showed how the companies and even the government prohibit unionizing. It further highlighted how the call center workers attempted and struggled to organize a labor union despite the prohibition. Investigating this phenomenon is crucial for it seeks to uncover the reality behind call center work, and stresses the need to unionize the industry.

### *The Rise of the BPO Industry*

The Philippines has established itself as an important service offshoring destination along with India and China. It offers an extensive range of BPO services in the field of call center, back office, data transcription, animation software development, engineering development and digital content. Despite being relatively new in the Philippines as it only started to emerge at the beginning of the millennium<sup>5</sup>, the BPO industry has grown significantly in less than ten years. An industry road map released by the Business Processing Association of the Philippines (BPAP) projects the Philippine IT-BPO annual revenues to more than double to US\$25 billion by 2016.<sup>6</sup>

### *Government Support*

Recognizing the BPO industry's contribution to employment generation, investments and foreign exchange earnings, the government's thrust to promote the development of BPO services was articulated in the Philippine Development Plan (PDP) 2005-2010 and its successor, PDP 2011-2016. The government vowed to help the industry as it faces the risks of tight labor market and peso appreciation.<sup>7</sup>

The Aquino government designed the Roadmap for Public Higher Education Reform (RPHER), its education reform plan, in response to the needs of the industry. Additional funding for the State Universities and Colleges (SUCs) will be used to produce graduates in line with the government priority areas for growth and employment which include the BPO.<sup>8</sup>

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<sup>5</sup> M. Bird and C. Ernst, *Offshoring and employment in the developing world: Business process outsourcing in the Philippines*. Geneva: International Labour Organisation, 2009.

<sup>6</sup> *Philippines: The New Outsourcing Hub – A Debrief on the International Outsourcing Summit*, Business Processing Association Philippines and Team Asia, 2010.

<sup>7</sup> *Abad: Gov't will help booming BPO industry*, GMA News Online, <http://www.gmanetwork.com/news/story/300947/economy/business/abad-gov-t-will-help-booming-bpo-industr>, 2013, (accessed 10 February 2015).

<sup>8</sup> Commission on Higher Education, *CHED Strategic Plan for 2011-2016*, <http://www.ched.gov.ph/wp-content/uploads/2014/12/CHED-Strategic-Plan-2011-2016.pdf>, 2014, (accessed 20 March 2015).

## Call Center Industry in the Philippines

Of the various BPO services, the Philippines is prominent for its call centers.<sup>9</sup> The call center industry is considered a “sunshine industry” because of the revenues it has generated, and the number of jobs it has created.<sup>10</sup> In fact, the Philippines has officially overtaken India as the top destination hub for the call center industry in 2013. Thus, it is declared the new “Call Center Capital of the World”.<sup>11</sup> The shift to the Philippines is attributed to several factors. These include the workforce’s better English-speaking skills, Philippines’ superior telecommunications network, higher incentives for companies setting up business in the country, and Filipinos’ affinity with the American culture.<sup>12</sup> There are three categories of call center companies in the Philippines as explained in the table below.

Table 1. *Categorization of Call Center Companies in the Philippines*<sup>13</sup>

Category	Description
Outsourced	Foreign-owned call centers which are hired by other companies to cater call center service to their customers.
In-house	Foreign-owned call centers which are dedicated to service their parent companies.
Filipino-owned	Owned by Filipino entrepreneurs or corporations that seek customers usually from Japan and Singapore.

## State of Unionism

Labor unions in the Philippines are on the downtrend. The combined impact of three decades of economic and political neoliberalism, growing informalization of work, systematic attacks by employers, as well as the apparent failure of labor unions to organize aggressively in the “new” sectors and among “new” groups of workers, has led to a dramatic drop of union density in the country.<sup>14</sup> From a high of 30.5% in 1995, union density (i.e., share of union members to total paid employees) dramatically declined to 8.5% in 2012.<sup>15</sup>

<sup>9</sup> Bird and Ernst, *Offshoring and employment in the developing world*.

<sup>10</sup> Buenaventura, ‘Call Centers: Philippines’ Sunshine Industry’.

<sup>11</sup> R. Periabras, ‘Philippines: The New Call Center Capital of the World’, *Manila Times*, <http://www.manilatimes.net/philippines-the-new-call-center-capital-of-the-world/47984/>, 2013, (accessed 26 March 2015).

<sup>12</sup> R. Chua, Philippines to overtake India as world’s call center capital (2<sup>nd</sup> Update), *ABS-CBN News*, <http://www.abs-cbnnews.com/business/12/01/10/philippines-overtake-india-worlds-call-center-capital>, 2010, (accessed 26 March 2015).

<sup>13</sup> A. Alava, ‘Industry Report: The Problem of Sustainable Competitive Advantage in Philippine Call Centers’, *Philippine Management Review*, vol. 13, 2006.

<sup>14</sup> M. Serrano and E. Xhafa, ‘Emerging Models, Lessons and Insights from ‘New’ Organizing Initiatives in the Philippines’, *Organizing Precarious Workers in the 21<sup>st</sup> Century*, 2014.

<sup>15</sup> M. Serrano (ed.), *The Rise of Non-standard Employment in Selected Asian Countries*, <http://library.fes.de/pdf-files/bueros/singapur/10792.pdf>, 2014, (accessed 01 March 2015).

As the number of labor unions in the country plummets, the call center industry remains union-free. While freedom of association and collective bargaining are guaranteed by the Labor Code and the International Labor Organization (ILO) conventions,<sup>16</sup> unionism is generally prohibited, overtly and covertly in the BPO industry<sup>17</sup>. The industry has remained union-free or has not reported any establishment of union in 2012.<sup>18</sup> Due to this, workers are unable to collectively bargain for better working conditions.

### *Promoting Workers' Welfare*

Due to the numerous work issues in the call center industry, bills have been initiated in the House of Representatives and Senate to uphold the safety and rights of call center workers. House Bill 2592 (HB 2592) or the BPO Workers Welfare Act was filed by Kabataan Partylist. It pushes for the recognition of BPO workers' right to freedom of association and collective bargaining.<sup>19</sup> Sen. Miriam Santiago also drafted a magna carta of sorts for call center workers – the Senate Bill No. 57 (SB 57), otherwise known as “An Act Providing for the Protection of Workers in the Call Center Industry.” It seeks to expand and protect the rights of call center workers particularly the right to self-determination, privacy and a safe and healthy working environment.<sup>20</sup> At present, HB 2592 has been pending in the Committee on Labor and Employment since August 8, 2010,<sup>21</sup> while SB 57 has also been pending since July 24, 2013<sup>22</sup>.

### **Analytic Framework**

The conflict theory is the political lens used in the study. It states that in capitalist societies, structural contradictions lead to the economic exploitation of workers. In turn, this promotes class struggle between workers and capitalists.<sup>23</sup> The capitalists derive power from their ownership and control of the forces of production to exploit and oppress the working class. As a result, there is a conflict of interest between the two

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<sup>16</sup> C. Balana, 'Not all sunlight bright in sunshine industry', *Philippine Daily Inquirer*, 2010.

<sup>17</sup> R. Ofreneo, *Updates on Philippine Call Centres*, <http://www.amrc.org.hk/text/node/1089>, 2011, (accessed 05 February 2015).

<sup>18</sup> Philippine Statistics Authority, *2011/2012 Industry Profile: Business Process Outsourcing*, vol.18, no.17, 2014.

<sup>19</sup> A. Colina, "Self-regulation' in BPOs to embolden firms in violating labor rights – labor NGO", *Ecumenical Institute for Labor Education and Research*, <http://www.eiler.ph/self-regulation-in-bpos-to-embolden-firms-in-violating-labor-rights-%E2%80%93-labor-ngo/>, 2010, (accessed 20 March 2015).

<sup>20</sup> J. Britanico, 'Legal Developments in the BPO Industry', *ACCRA LAW*, <http://www.accralaw.com/publications/legal-developments-bpo-industry>, 2014, (accessed 20 March 2015).

<sup>21</sup> K. Lim, *Legal Research*, De La Salle University, <https://sites.google.com/site/stramawiki/strama-wiki/macro-research---test/legal-research>, (accessed 20 March 2015).

<sup>22</sup> Senate, *Magna Carta for Call Centers Act*, [http://www.senate.gov.ph/lis/bill\\_res.aspx?congress=16&q=SBN-57](http://www.senate.gov.ph/lis/bill_res.aspx?congress=16&q=SBN-57), 2015, (accessed 20 March 2015).

<sup>23</sup> K. Marx, *Capital: A Critique of Political Economy*, London: Lawrence and Wishart, 1887 as cited in *Review of the Roots of Youth Violence: Literature Reviews*, [http://www.children.gov.on.ca/htdocs/English/topics/youthandthelaw/roots/volume5/chapter05\\_deprivation.aspx](http://www.children.gov.on.ca/htdocs/English/topics/youthandthelaw/roots/volume5/chapter05_deprivation.aspx), 2010, (accessed 01 February 2015).

classes. The various institutions of society such as the legal and political system are instruments of ruling class domination which serve to promote the capitalists' interests.<sup>24</sup>

### *A Globalizing and Capitalistic Tool*

In the modern society, Marx's conflict theory still holds. Globalization theorists regard globalization as inevitable. Technological, economic and political developments have converged. This is to exclude any forms of economic growth other than that based on international flows of capital and commodity trade.<sup>25</sup> Globalization is further powered by neoliberalism. Neoliberalism is the systematic use of state power to impose market laws. It has evolved to protect capitalism, and reduce the power of labor.<sup>26</sup> The message for workers is that employment and security can only be guaranteed by winning world markets on the basis of low costs. Therefore, capitalists must be enticed to invest by the prospects of high profits and low taxes.<sup>27</sup>

The call center industry is fuelled by technological globalization and neoliberal capitalism. As a globalizing agent, the industry caters outsourcing services to various countries worldwide. It is a technology-driven industry which makes business process outsourcing possible and more efficient. Globalization intensified BPO activities with the lowering of barriers to trade.<sup>28</sup> As a capitalistic tool, it continuously flourishes itself through capital accumulation. BPO companies explore alternative locations to lower operating costs without sacrificing the quality of service.<sup>29</sup> Their target areas are countries which provide cheap labor like the Philippines. This ideal climate is maintained by the government to attract more foreign investments. One of the measures done to preserve a good investment climate is the discouragement of forming unions.

### *Barring Labor Unions*

Labor unions are one of the most effective social movements for the advancement of democracy and social justice in capitalist societies. They have been the first means by which workers, who to earn their living have only their labor to sell, struggle to equalize the advantages with the capitalists. Unions serve as the means to bargain over wages and better working conditions.<sup>30</sup>

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<sup>24</sup> 'Conflict Theories', *Sociology Guide*, <http://www.sociologyguide.com/social-stratification/Conflict-Theories.php>, 2015, (accessed 01 February 2015).

<sup>25</sup> J. Petras and H. Veltmeyer, *Globalization Unmasked: Imperialism in the 21st Century*, Halifax, Fernwood, 2001.

<sup>26</sup> Saad-Filho, A. and D. Johnston, *Neoliberalism: A Critical Reader*, London, Pluto Press, 2005.

<sup>27</sup> J. McFarland, 'Telling the Story of Globalization, Neoliberalism and the Call Centre Industry in New Brunswick', *Socialist Studies*, 5(1), 24-50, 2009.

<sup>28</sup> Board of Investments, *IT and BPO Industry 2011*, [http://www.philexport.ph/c/document\\_library/get\\_file?uuid=1a9505f7-f24d-4ac7-8b9b-198b1db7cb21&groupId=127524,2012](http://www.philexport.ph/c/document_library/get_file?uuid=1a9505f7-f24d-4ac7-8b9b-198b1db7cb21&groupId=127524,2012), (accessed 01 February 2015).

<sup>29</sup> Ibid.

<sup>30</sup> G. Albo, *Under Pressure: The Impasses of North American Labor Movements*, <http://www.wilsoncenter.org/sites/default/files/Future%20of%20NAFTA%20%20Albo%20%2526%20Crow%20Paper.pdf>, 2009, (accessed 01 February 2015).

The prohibition of unionizing in the call center industry can be regarded as a capitalist strategy to exploit the cheap labor of workers. Capitalists block the rights of workers to assert for higher wages and better working conditions. Through this, they are able to maximize the labor of the workers at the most cost-efficient manner.

In a neoliberal perspective, the state becomes a tool for the perpetuation of capitalism. The government works for the advantage of foreign capitalists like the call center companies. In order to attract foreign investments, the government discourages labor unionizing. Hence, this study does not include Filipino-owned call centers, and focuses on outsourced and in-house call centers in the Philippines which are both foreign-owned.

### *A Confluence of Poor Working Conditions and Workers' Consciousness*

The willingness of call center workers to unionize is driven by the confluence of poor working conditions and workers' consciousness. Their awareness of the dire state of their working conditions reflects their realization of being exploited. Thus, working conditions characterized with insufficient compensation and employee benefits, inhumane working hours, unsafe working environment, job insecurity, inadequate health services and ineffective company grievance mechanism may predispose workers to unionize. Furthermore, these material conditions should be coupled with workers' consciousness of their rights. Their cognizance of their freedom of association and of the nature and purpose of labor unions would further incline workers to unionize.

Meanwhile, relatively humane working conditions and unawareness of workers' rights hamper workers from unionizing as these prevent them from recognizing any form of exploitation at work.

### **Methodology**

A case study of call center workers based in Metro Manila was done to scrutinize their willingness to unionize. This was the target population of the study because it comprises the largest share of call center employment in the Philippines. Regarded as the "call center hub," Metro Manila houses more than 460 call center companies with more than 600 sites.<sup>31</sup> Due to the large population of call center workers in the region, the study was limited to the call center companies registered at Philippine Economic Zone Authority (PEZA). The agency only qualifies companies which are located in its designated Special Economic Zones (SEZs) and IT parks. Limiting the study to PEZA-registered companies ensured that fly-by-night call centers were not included in the study.

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<sup>31</sup> R. Ellis, *Philippine Outsourcing Primer*. CBRE Philippines, <http://www.cbre.com.ph/wp-content/uploads/2012/07/Outsourcing-Primer-ver-1Q2012.pdf>, 2012, (accessed 01 March 2015).



## Data Collection

Before starting the primary data collection, secondary data collection was conducted. Literature was reviewed to know what has already been studied on the phenomenon and to provide a baseline on what to explore more about the topic. In-depth interviews served as the primary data collection technique.

Maximum variation was used in determining the participants of the study. A sampling grid was created (see Table 2) that reflected various combinations of variables which are likely to have an impact on the participants' view of the topic<sup>32</sup>. This method also diversified the cases. Variables included the sex and age of call center workers, and the categories of call center companies in the Philippines. It was ensured that at least one call center worker was interviewed per sampling cell.

Table 2. *Sampling Distribution*

Age:	Men 18-25	Men 26-33	Men 34+	Women 18-25	Women 26-33	Women 34+
Outsourced call center	2	1	2	1	2	1
In-house call center	1	2	1	1	1	1
Total	3	3	3	2	3	2
<b>Sum Total</b>	<b>16 Call Center workers</b>					

Sixteen call center workers employed in PEZA-registered call center companies were interviewed. They were selected through the researchers' contact persons from the industry and through the assistance of the Inter-Call Center Association of Workers-Partido ng Manggagawa (ICCAW-PM). All interviews were conducted using an interview guide. Probing was also carefully done.

A general inclusion criterion was satisfied by all interview participants. They should be employed in the company for at least six (6) months. This criterion was provided to guarantee that the participants were already aware of the prevailing working conditions in the company. The determination of the required length of stay was based on the average contractual employment agreements offered by call center companies, and on the assumption that some workers engage on "call center hopping."

Participants are from the following age groups: 18-25, 26-33, and 34 and above. Seven of them are single, six are married, and three are separated. Regarding educational attainment, one of them is a high school graduate, three are college

<sup>32</sup> M. Patton and M. Cochran, *A Guide to Using Qualitative Research Methodology*, <http://fieldresearch.msf.org/msf/bitstream/10144/84230/1/Qualitative%20research%20methodology.pdf>, 2002.

undergraduates, and twelve are college graduates. Political Science, English, Education, Hotel and Restaurant Management, Nursing and Engineering were the degree programs taken by those who finished college. Of the respondents, four are Team Leaders or Coaches while twelve are Customer Service Representatives or Call Center Agents. They work in different companies, thereby including seven outsourced call centers and three in-house call centers in the study.

Jonathan Sale, an expert on labor relations and collective bargaining in the Philippine service sector from the University of the Philippines School of Labor and Industrial Relations (SOLAIR), was interviewed to provide a deeper understanding of the phenomenon. Interviews with a representative of ICCAW-PM and Ian Porquia, President of BPO Industry Employees Network (BIEN) Philippines, were also done to delve on the unionizing efforts of workers in the industry.

The ICCAW-PM, organized in 2012, is a registered BPO workers' association in the Department of Labor and Employment (DOLE). It was borne out of the struggle of 667 call center workers of Direct Access in Cebu after the company abruptly and illegally shut down, and left them with no pay, employment benefits and job. It is affiliated with the Partido ng Manggagawa (PM), and is currently expanding its network in Metro Manila.<sup>33</sup>

Founded in November 2011, BIEN Philippines is an independent network of employees, by the employees, and for the employees of the BPO industry in the Philippines. It started over cups of coffee among friends who work in the biggest call center companies in Metro Manila. BIEN Philippines currently works for its expansion and launches activities that would bring to concerned institutions and authorities the work-related issues and concerns faced by BPO employees.<sup>34</sup>

### *Data Analysis*

Content analysis was used to analyze the qualitative data. Audio-recorded interviews were transcribed and coded. Coding was done to lead the researcher from the data to the idea and from the idea to all the data pertaining to that idea.<sup>35</sup> The transcriptions were divided into subsets. Each subset was coded, and salient responses were extracted verbatim from the transcriptions. A macro code for each interview was created from the codes of each subset. Macro codes of all the interviews were cross analyzed. Differences and similarities of the data were also explored.<sup>36</sup> Subsequently,

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<sup>33</sup> M. Serrano and E. Xhafa, 'Emerging Models, Lessons and Insights from 'New' Organizing Initiatives in the Philippines', *Organizing Precarious Workers in the 21<sup>st</sup> Century*, 2014.

<sup>34</sup> BIEN. *Join the BPO Industry Employee's Network*, Online Image, <https://www.facebook.com/BIENPilipinas/photos/a.530688270337837.1073741825.356822807724385/530688377004493/?type=3&theater>, 2013, (accessed 20 March 2015).

<sup>35</sup> J. Saldaña. *The Coding Manual for Qualitative Researchers*, New York, SAGE Publications Ltd., 2009.

<sup>36</sup> F. Castillo, *Coding*, Special Topics in Political Science , Class Lecture. University of the Philippines Manila, 2015.

primary and secondary data were triangulated to increase the validity of findings. Triangulation was done through deliberately seeking evidence from a wide range of sources and comparing findings from those different sources.<sup>37</sup>

## **Ethical Considerations**

A free, prior and informed consent form was presented and discussed to the participants before the interview to explain the nature and topic of the study. It also acquainted them of their rights regarding their participation. Moreover, signing of the informed consent form attested to their voluntary participation. Their consent to record the audio of the interview was also asked.

The researcher acknowledged that the participants might not be aware of their vulnerability. Thus, the researcher explained that taking part in the study had the risk of affecting their work due to answering some questions in the interview. Confidential information regarding the call center company might be revealed to the researcher. However, the researcher did her best to avoid this risk. The identities of the gatekeepers and respondents remained confidential and anonymous in the study. The views of the participants were not disclosed to their respective employers and to any of their co-workers.

The respondents were fully informed that they would not incur any financial cost nor compensated for their participation in the study. It was made clear that participation may have no direct benefit to the participants. However, their participation may help determine whether workers in the industry need unions to address the various work-related problems, and whether workers are aware of their rights. In this indirect way, their welfare as workers was upheld.

Data protection was ensured. Only the researcher and the concerned participant had access to the audio recordings of the interviews. These were stored as mp3 files in the voice recorder securely kept by the researcher. Transcriptions of the interview were also secured. It was further assured that the interviews were exclusively used for the purposes of this study. The participants may also request and be given a copy of the results of the study upon completion.

## **Results and Discussion**

### *Capitalist Exploitation of Call Center Workers*

Call center work is usually considered a source of easy money for workers are believed to earn much from simply taking calls. Work seems easy, and workers look as if they are enjoying a comfortable life. However, in reality, relatively high salaries hardly translate to decent working conditions.

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<sup>37</sup> Patton and M. Cochran, *A Guide to Using Qualitative Research Methodology*.

*Wage.* The call center industry is known for the high wage that it offers. On the average, call center workers receive Php18,000 as basic salary compared with the currently minimum daily wage of Php481 or Php9,620 a month in Metro Manila. There is a substantial salary difference between the two categories of call centers. In-house call centers offer a basic pay of Php20,000-25,000, while the basic pay in outsourced call centers is at Php15,000-16,000. Aside from the basic salary, call center workers also receive additional pay from the night shift differential (i.e. equivalent to not less than 10% of the regular wage for each hour for work performed between 10p.m. and 6a.m.).

However, wages have decreased despite the steady growth of the industry through the years. Call centers devise strategies to lower the wages of workers like changing the payment scheme and decreasing the entry-level basic salary. A 42-year old worker in an outsourced call center for five years complained:

*“Recently, it’s not 15-30 anymore. We receive our salary every two Fridays. Due to this, we are only paid for 10 days. So, what we previously earned is lessened because they divided your compensation for the whole year. We can only receive what we previously earned on 15-30 on months when there are three pay-outs which are July and December. What if you are not employed in the company anymore by July and December?”<sup>38</sup>*

The basic pay of entry-level workers has also decreased. Porquia of BIEN Philippines claimed that clients from the US are forcing employers to trim down basic salary to as low as Php10,000 - Php12,000 on entry level, while a call center worker enjoys Php20,000 - Php 25,000 in the early 2000’s.<sup>39</sup>

These show that despite having invested in the Philippines due to its cheaper labor compared with other countries, call center companies still seek to further decrease the already low cost of Filipino labor. In this context, call centers are able to maximize the labor force while continuously minimizing their cost, thus exploiting the cheap labor of call center workers.

*Employee Benefits.* The provision of employee benefits depends on the company. Call centers commonly provide their workers with Health Maintenance Organization (HMO) plan, social security benefit through the Social Security System (SSS), and fringe benefits such as premium pay for work rendered on rest day, regular and special holidays, and service incentive, sick and vacation leaves. Nonetheless, filing of leaves is very difficult. A worker has to file the leave months before, but is still

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<sup>38</sup> Untranslated: *“Recently lang, hindi na kami 15-30, every two Fridays na ang sweldo namin. Since nagkaganun, 10 days na lang sinusweldo namin. So, ang dati naming natatanggap, bawas na siya kasi dinivide nila ang compensation mo for the whole year. Makukuha lang namin ang dati naming sinusweldo noong 15-30 kami, macocompensate pa kami niyan kapag dumating ‘yung month na tatlo ‘yung pay-out mo that is July and December. Paano na lang kung ‘di ka na umabot sa company ng July and December?”*

<sup>39</sup> F. Mangosing, ‘BPO sector’s growth leaves workers behind, says group’, *Philippine Daily Inquirer*, <http://business.inquirer.net/169418/bpo-sectors-growth-leaves-workers-behind-says-group>, 2014, (accessed 26 March 2015).

not assured of whether it will be approved or not. This is because the company primarily considers its possible loss when an employee is not able to report to work.

One of the respondents narrated her personal experience with regard to the difficulty of filing leaves. She is a victim of Violence against Women and Children (VAWC). On November 28, 2014, she filed a ten-day leave for which she was entitled by law because of her condition. She submitted her subpoena together with the application for leave. However, the leave was not granted because her Team Leader (TL) said that it was not scheduled earlier. Hence, she was forced to report to work on the day of the hearing of her case.

Not all call centers provide maternity leave. If they do, some companies monitor women's monthly period as a pregnancy test to avoid providing maternity leave. A Human Resource (HR) officer accompanies the female workers to the comfort room to regularly check their menstruation. Porquia exposed:

*"There is a company which prohibits its female workers from getting pregnant. What they do is that on a monthly basis, an HR officer accompanies each female employee [to the comfort room. The HR officer would tell] 'Let's go to the CR (comfort room). Undress, and show me your menstruation.' It's because the company does not want to provide maternity leave."<sup>40</sup>*

Call centers advertise themselves as companies providing many employment benefits, but in reality, workers hardly enjoy them. Call center companies are always mindful of the loss in profit that they may incur due to the absence of a worker and the provision of additional employee benefits.

*Working Time.* The working time is dependent on the country the call center is catering service to. Some call centers operate solely on daytime or graveyard shift with most operating on night shift. Some have both day and night operating hours. In a study of the Contact Center Association of the Philippines (CCAP), 70 to 80 percent of call center employees now work at graveyard shifts, or that period from 10 p.m. to 6 a.m.<sup>41</sup>

It is important to note that call centers are covered by the rules of the Occupational Safety and Health Center of the Labor Department to work night shifts for maximum of two weeks, and daytime shift for the following two weeks. The ILO Night Work Convention of 1990 also calls for the health assessment for night workers at

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<sup>40</sup> Untranslated: *"May isang company na ipinagbabawal na mabuntis ang babae. What they do on a monthly basis, may isang HR officer na sasamahan ang bawat empleyado na babae. 'Punta tayo sa CR (comfort room), maghubad ka, pakita mo sa'kin ang regla mo.' Kasi ayaw ni company na magbayad ng maternity leave."*

<sup>41</sup> S. Alegado, 'Sleepless in PHL: More Pinoys work the graveyard shift', *GMA News*, <http://www.gmanetwork.com/news/story/302384/news/nation/sleepless-in-phl-more-pinoys-work-the-graveyard-shift>, 2013, (accessed 26 March 2015).

regular intervals to reduce or avoid health problems.<sup>42</sup> However, the call center companies do not comply with these rules.

Every work shift is composed of nine hours, including a one-hour, unpaid lunch break. However, there are call centers which shortened the lunch break of workers to 30 minutes without properly compensating them. Some also do not provide their workers with two, fifteen-minute, paid breaks. Thus, these call centers violate the prescribed meal periods and short breaks set in the Philippine Labor Code.

Though overtime (OT) in many call centers is optional, there are still some which force their agents to work overtime especially during queuing periods. These are times when there is a huge volume of calls in line. Despite being forced to render OT, call center workers are still faced with pay disputes because of miscalculation of due compensation. Claiming of OT pay also takes several months.

*Work Organization.* Call center workers are burdened with heavy workloads. The motto “Do the extra mile” is followed in some call centers. Workers are forced to do other jobs outside their scope of support like engaging in chats even if their job is exclusively for answering calls. As long as they can still work, they are forced to do more.

The culture of call center workers is largely shaped by the management. Some call centers instill individualism in the minds of their workers during trainings. Trainees are encouraged to be the most productive that they can be while minding their own business. A 26-year old Team Leader of an in-house call center revealed:

*“The company helps the agents to become the most productive person that they can be. Just mind your own business. Do what you need to do then you’re gonna be paid.”*

Individualism is also nurtured through setting individual performance targets. Though work is usually done by teams, it is highly individualized because of the need to meet the individual performance metrics.<sup>43</sup> The notion of “work hard, party harder” is also embedded by the management. Call center workers are encouraged to have a spendthrift lifestyle as a reward to themselves for their hard work. A 45-year old call center worker who has been in the industry for nine years exposed:

*“Our company encourages happy living. During training, we have this mantra ‘work hard, party harder.’ So, you work hard but when you receive your salary, let’s drink, let’s do this, let’s do that. And since you work during graveyard, you can start drinking at seven o’clock in the morning. You are highly paid, so use your salary to enjoy your life. It’s like that.”<sup>44</sup>*

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<sup>42</sup> E. Torres, ‘Philippines: A Magna Carta for Call Centre Workers’, *Equal Time*, <http://www.equaltimes.org/philippines-a-magna-carta-for-call#U-1UvldW3c>, 2014, (accessed 26 March 2015).

<sup>43</sup> Jonathan Sale, interviewed by Camille Benedicto, 2014.

<sup>44</sup> Untranslated: “Yung company namin, they encourage happy living. During training, we had, we have this parang mantra, ‘work hard, party harder.’ So, you work hard, pero ‘pag, ‘pag sweldo, wala, let’s drink, let’s do this, let’s do

*Work Environment.* Most call centers provide their workers with necessary facilities like sleeping quarters. This is to accommodate those who start and end their shifts during wee hours. Provision of other facilities differs among call centers. A few have various amenities such as shower rooms, gym, lounge, chapel, basketball and tennis courts, while some only have smoking areas. With regard to transportation, some workplaces are not readily accessible. Thus, some call center workers find it difficult to go to work especially at night because of limited public transport.

*Employment Security.* Contrary to previous reports that employment in the industry is largely contractual,<sup>45</sup> most call centers now offer regular employment. Security of tenure is ensured through regularization at work. In some call centers, workers are regularized after rendering six (6) months of work, while some grant job permanency depending on the agents' work performance. However, workers claimed that job security is still not ensured despite regularization. There have been cases of illegal termination merely because of fraud accusation, unmet targets and incompatible work relationship with the team leader. In such cases, no due process was followed. Hence, job insecurity takes on a new face as it is not only evident in contractual but also in regular employment as well. Respondents reported:

*"I do have this officemate who was accused of committing fraud. Right there and then, he was asked to stand and he was escorted by securities out of the building. And supposedly, there should be a process, right? Investigate first if he really committed fraud."<sup>46</sup>*

*"If your TL doesn't want you, he or she can terminate you. If he or she is close with the HR, you're done."*

Call centers are very strict with absences. A respondent related her personal experience when she was terminated in the call center she previously worked in due to absences. She was in her fifth month in the company when she was not able to report to work for three consecutive days because of a personal problem. Without giving due notice of her performance, the call center immediately terminated her.

*Health Services.* Call centers have at least one clinic to provide immediate healthcare service to the workers. Nonetheless, the doctors are not always available. Some doctors are present only in the day shift, weekdays or by appointment. Workers asserted that doctors should be available at all times because one can never anticipate

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*that. And, since graveyard kayo, you can start drinking at seven o' clock in the morning. Malaki ang sweldo kaya gamitin mo ang sweldo mo para maging masaya buhay mo, parang ganun."*

<sup>45</sup> A. Bool and J. Sale, 'Possibilities of and Predisposition to Trade Unions in Philippine Call Centers and Business Process Outsourcing Firms', *Philippine Journal of Labor and Industrial Relations*, Quezon City, School of Labor and Industrial Relations, vol. XXVIII, nos. 1&2, 2008.

<sup>46</sup> Untranslated: *"I do have this officemate na he was accused of committing fraud. Right there and then, pinatayo s'ya and he was escorted by securities out of the building. And supposedly 'di ba dapat may process eh diba? Tingnan muna na kung talagang ginawa n'ya 'yung fraud."*

when illness will occur. Some clinics also lack necessary medicines especially for common ailments suffered by call center workers like headache, stomachache and muscle pain. A 42-year old respondent from an outsourced call center shared:

*“Their medicine is not always replenished. Your head is aching but they will say to you, ‘These are the only medicines that we have.’ It’s as if they are telling you ‘Can this do for you?’ They will give Kremil S (medicine for hyperacidity) but what is aching is my head.”<sup>47</sup>*

### *Profit over Workers’ Welfare*

Primarily focused on gaining more profit, call centers have not sufficiently addressed the welfare of workers. They are maximizing the labor of workers at the expense of the workers’ health, safety and security.

*Health.* Call centers barely address the health of the workers. Various illnesses ranging from the less serious to the life-threatening ones have afflicted many workers. In fact, a total of 11,638 cases of occupational diseases in the industry were recorded in 2011.<sup>48</sup>

Call center workers need to deal with high levels of stress caused by the high volume of calls that they need to take. They also need to patiently resolve all the complaints of the customers, even the irate ones. They claim that they are the “shock absorbers” of the callers. Thus, workers engage not only in physical but also mental and emotional labor as they deal with the concerns of the callers. In a survey done by the ILO, stress is also caused by harassment from irate clients (45.6 percent); excessive and tedious workload (41 percent); performance demands (37.4 percent); monotony (33.7 percent); regular night shift work (33.4 percent).<sup>49</sup>

Due to stress, many call center workers resort to constant smoking and alcohol drinking. They engage in this unhealthy lifestyle to release the tension, feel relieved or keep themselves awake. One of the respondents also admitted that she has been taking prohibited drugs just to keep herself awake at work. Workers have also endorsed this lifestyle to their co-workers, inclining more to take these measures.

Call center workers suffer from numerous illnesses because of the existing working conditions. Due to taking more or less a hundred of calls straight for seven to nine hours per work shift, call center workers are prone to sore throat, loss of voice and hearing problems. A 31-year old respondent who has been in the industry for almost four years claimed that she had to have her tonsils removed because of complications.

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<sup>47</sup> Untranslated: “*Ang medicine nila ay hindi palaging na-rereplenish. Kasi sumasakit ang ulo mo, sasabihin sa’yo, ‘ito lang po ang gamot namin.’ Parang sasabihin sa’yo ‘Pwede na po ba sa’yo ‘yung ganito?’ Bibigyan mo ko ng Kremil S (medicine for hyperacidity), sumasakit ang ulo ko.*”

<sup>48</sup> Philippine Statistics Authority, *2011/2012 Industry Profile*.

<sup>49</sup> E. Herrera, ‘Labor Issues in call centers’, *Manila Times*, <http://tucp.org.ph/2010/12/labor-issues-in-call-centers/>, 2010, (accessed 30 March 2015).



Due to the high stress levels and changing work shifts, workers develop hypertension, heart palpitation, sleeping problems, headache, cough, colds, pneumonia and upper respiratory tract infections. The Department of Health (DOH), University of the Philippines Population Institute (UPPI) and ILO also had the same findings as call center workers most of whom are below 30 years old are commonly suffering from insomnia, urinary tract infection, fatigue, and hypertension among others.<sup>50</sup>

Serious ailments have been developed by call center workers because of their work. A 45-year old respondent who has been in the industry for nine years admitted of having adopted a poor lifestyle. Instead of taking regular meals, he opted to smoke and drink coffee to keep himself awake. This continued until the arteries of his heart was blocked, and he suffered from a heart attack. He needed to undergo a heart operation. Respondents also related stories of their co-workers who severely suffered from illnesses because of the working conditions in the call center. There were cases in which workers have undertaken operations due to carpal tunnel syndrome and gallstone. A 25-year old worker who had only been working in the call center for three years died because of throat cancer which was not detected earlier.

Workers have no choice but to simply accept these health risks to which their job is tied. With the severity of health issues in call centers, the companies should immediately address this problem. Salaries and health insurance alone cannot compensate for the deteriorating health of the workers. Companies should devise more effective ways to ensure the well-being of workers like initiating mandatory, regular medical examination, and programs advocating health awareness.

*Safety and Security.* Due to graveyard shifts, call center workers are exposed to safety and security risks. They are common targets of pickpockets since they go to work during wee hours. Workers fear as they anticipate the presence of robbers in the vicinity of the call center, especially when it is pay day. They feel that they are always unsecure when going to work or home. Not all streets are well-lighted, and there is limited public transport. They also experience a threat to their safety when they are required to report to work despite the inclement weather. Even if there is a typhoon, flood or earthquake, some companies still compel them to go to work to avoid potential losses of revenue to the company. The safety of workers is therefore put at risk for the sake of profit.

### *Unheard Voices*

There are no formal grievance mechanisms in call centers. As a result, it is not clear among workers where or who to properly consult their concerns. Some workers

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<sup>50</sup> M. Yosores, *BPO calls for help*, Trade Union Congress of the Philippines, <http://tucp.org.ph/2010/10/bpo-calls-for-help-first-of-two-parts/>, 2010, (accessed 26 March 2015).

directly address their complaints to their immediate supervisor, usually the Team Leader. Some file their grievances at the Human Resource (HR) Department personally, or in some call centers through a website. In some companies, annual surveys are conducted to know the concerns of the workers. However, workers are overseen by their managers while answering the survey, thus limiting them from fully expressing their complaints. It was also reported that those who indicated several work issues on the survey were not entitled to incentives for the following year.

Workers' voices are not heard in the call center industry because of the ineffectiveness of the companies' mechanisms in seeking redress and solutions to the issues raised by workers. It takes several months to resolve a work-related problem. Some workers also find it risky to file a complaint against the management because of the possibility that it might impose sanctions on them. This is why some suggest that it would be better to resign, and find a new call center rather than file their grievances.

Meanwhile, the government claims that it is able to uphold the rights of call center workers through hearing and resolving the filed labor cases. The National Labor Relations Commission boasts that from 2009-2011, at the National Capital Region (NCR), an average of 1,843 cases were filed every year. Of these cases, 70% were settled, and 30% were decided on the merits. Also, 67% were decided in favor of labor, and 33% in favor of the management.<sup>51</sup> Contrary to this is the finding that workers have nowhere to run to in any of the departments, agencies or branches of the government where it can truly seek immediate and effective resolution to their complaints. Porquia claimed:

*"With the numerous issues faced by the workers, they have no one to lean on, they have nowhere to go. Go to the NLRC (National Labor Relations Commission), NLRC will respond, 'Okay, that will still be processed in six months, seven months.' Go the DOLE (Department of Labor and Employment), it will tell you 'Where's your lawyer?' Go to the court, it will tell you 'That will take a long time.' Almost all agencies wash their hands-off to avoid conflict."<sup>52</sup>*

### *Voicing the Willingness to Organize*

Many call center workers are aware of their rights. They trust the collective bargaining power of labor unions. They believe that a labor union is an effective mechanism in voicing their grievances, and compelling the call center companies to resolve the work issues. Among the work concerns that they would like to address through the aid of labor unions are cases of illegal termination, decreasing wages,

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<sup>51</sup> National Labor Relations Commission, *NLRC joins the 13<sup>th</sup> National Human Rights Forum on Protection of the Rights of Call Center Workers*, <http://www.nlrc.dole.gov.ph/?q=node/89>, 2012, (accessed 30 March 2015).

<sup>52</sup> Untranslated: "Sa sobrang daming issues na kinakaharap ng manggagawa, wala siyang masasandigan, wala siyang mapupuntahan. Pumunta siya kay NLRC (National Labor Relations Commission), sasagutin sa'yo ni NLRC, 'Sige, six months, seven months pa 'yan.' Punta ka kay DOLE (Department of Labor and Employment), sasabihin sa'yo, 'O, nasaan ang abogado mo?' Pupunta ka kay korte, sasabihin sa'yo, 'Ay, matagal 'yan. Halos lahat naghuhugas-kamay to avoid conflict."

inadequate employment benefits, insufficient medical services and suspension of work during calamities. Voicing these demands collectively towards the management is considered a more powerful means than appealing these to the HR or immediate supervisor individually, or than filing labor cases at court. Since complaints are addressed as a group, it is more likely that the management will be pressured to take immediate action on the grievances. Labor unions are believed to provide adequate workers' protection that the HR cannot give for it is usually on the side of the company.

The awareness of call center workers of the poor state of their working conditions and inability to resolve the various work issues incline them to unionize. Majority of the respondents are willing to join a union in order to address the work issues in the industry. In a related study of Bool and Sale, 62% of the survey respondents are predisposed to join an affordable, principled and efficient union.<sup>53</sup>

However, the willingness to organize hardly translates to union formation. Fear of termination is the main reason that hinders union organizing. Workers are tied to the salary that they need in order to sustain the needs of their families. Another hindrance is the insufficiency of time. Call center workers do not have the luxury of time to organize a union. They claim that it is already very difficult for them to allot enough time for their social life and rest, more so if they will still engage on unionizing. A 28-year old respondent who has been in the industry for six years claimed:

*"For example, one will start or organize, it will really take his time. So, aside from his work, he needs to allot time to organize a union. Sometimes, you're really tired. So, instead of minding other things, you just go straight home and rest."<sup>54</sup>*

Union organizers also find it difficult to organize some call center workers due to the latter's lack of consciousness shaped by the existing working conditions and culture developed in call centers. These include the option of "call center hopping" or the ease of moving from one call center to another, the distinctive "yuppie culture" which focused the minds of young workers on earning and spending, and the individualistic culture of focusing on one's own business. With these, workers are hindered from realizing that they are subjected to poor working conditions and that they have rights which they could fight for.

The willingness of call center workers to unionize is therefore driven by the confluence of their working conditions and consciousness. Their awareness of the poor working conditions reflects their realization of deprivation of humane working conditions.

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<sup>53</sup> A. Bool and J. Sale, 'Possibilities of and Predisposition to Trade Unions'.

<sup>54</sup> Untranslated: "Kunwari may mag-uumpisa or kunwari may mag-oorganize, it will take 'yung time nya talaga, so aside dun sa work n'ya, kailangan n'yang mag allot ng time dun sa pag-oorganize ng union. Eh minsan, ah, syempre, pagod ka na rin, 'yan, imbes na asikasuhin mo pa ibang bagay deretso uwi ka nalang, magpahinga ka nalang."

They believe that they should experience better working conditions compared to what they are currently experiencing. Along with their awareness of their rights as workers and trust in the power of collective bargaining, they become predisposed to unionize.

### *Silencing the Voices*

Despite the call of many call center workers to unionize, they are not able to do so because they are barred by the companies and the government. Thus, they become silenced. Call center companies prohibit labor unionizing. However, this is not directly stated in the contract. Prohibition is made known through the words and actions of the management. A threat of termination is posed. Initial organizing is immediately blocked through giving sanctions, or bribery. Either promotion is offered to the union organizers or they are forced to resign to stop the organizing efforts. A representative of ICCAW-PM exposed:

*“Call centers do not want labor unions. They are immediately busted. How? Bribery. ‘Don’t organize, and I’ll give you this.’ You will be promoted or else you will be paid to resign.”<sup>55</sup>*

Reports on unionizing efforts reach the management through the supervisors who have known of the issue or through the organizers’ co-workers who directly report them to the management. Meanwhile, some companies vaguely indicate on the contract that workers cannot form a union. It is stated that acts against the company are prohibited. It is then made known to workers that union organizing is considered one of those actions. Unionizing is considered a threat to the company because of its potential to bargain with the employers for better wages, benefits and working conditions. In turn, this would mean a higher cost for the companies, and lesser profit.

Aside from the call center companies, the government also discourages labor unionizing in the industry. It believes that call center workers do not need to organize unions anymore because they are already highly paid. Porquia of BIEN Philippines shared:

*“It is disheartening that even the government is discouraging employees to organize a union. An example is our case. When we reached out to the Department of Labor, we were immediately asked, ‘Do you still need unions? Isn’t it that you’re highly paid?’<sup>56</sup>*

Instead of empowering the workers to exercise their right to unionize, the government works hand in hand with the call center companies in discouraging unionism in the industry. In fact, the IT and Business Process Association Philippines (IBPAP), a BPO association supported by the Philippine government and foreign

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<sup>55</sup> Untranslated: “Ayaw ng call center ng unyon. Pinapatay nila agad ‘yan. Paano? Suhol. ‘Wag na kayo magbuo ng ganito, eto kapalit.’ Ipoposisyon ka or else babayaran ka, umalis ka dito.”

<sup>56</sup> Untranslated: “It is disheartening that even the government is discouraging employees to organize a union. Kunyare, sa case namin. When we reached out to the Department of Labor, ang tanong agad sa amin, ‘Kelangan niyo pa ba ng unyon? Diba maganda na ang sahod niyo?’”

chambers of commerce, holds that the call center industry does not need labor unions because the rights and privileges of workers are properly met. Its External Affairs Executive Director Genny Marcial said:

*"In our case, agents do not engage in unions because they would only pay their union fees and would never benefit from it [since they are provided with good pay and benefits]"*.<sup>57</sup>

Discouragement of labor unionizing is a way by which the government preserves an investment climate attractive to foreign investors aside from providing tax holidays, perks and other incentives. The BPO industry has repeatedly garnered the government's support for its peculiar work practices. The government had once granted the industry an unprecedented exemption from observing a certain holiday, thus not doubling the rates of employees who worked on that day. It has also been granting ecozone status to buildings with BPO companies in it, and not just to landholdings with industrial parks, to grant them with certain incentives.<sup>58</sup> The rights and welfare of workers are therefore compromised by the government just to encourage foreign companies to invest in the country.

### *The Road to Unionizing the Industry*

In the recent years, only workers' associations like ICCAW-PM and BIEN Philippines which exist for mutual aid and protection of workers are formed. Thus, workers are not able to collectively bargain with their employers which can only be done through the aid of labor unions. The existence of numerous workers' associations shows that call center workers are willing, and has the capacity to organize in response to the need of better working conditions.<sup>59</sup> Through the years, workers become more willing to join a labor union to address the increasing work-related issues in the industry.

#### *Box 1: The First Successful Unionizing Effort in the BPO Industry*

It was not until February 2015 that call center workers were fully mobilized and committed themselves to finally establishing a labor union in response to the work issues directly faced by workers of West Contact Services, Inc (WCSI). According to Porquia, WCSI is one of the biggest BPO companies in the Philippines, employing around 5,000 workers. However, Alorica, a minor player in the industry and with undesirable records with regard to management and with various labor cases, reportedly bought WCSI on February 27 instead of the previously announced April or May. The acquisition is the fourth biggest in the country. Workers were alarmed and disgruntled with the news. They fear losing their job and employee benefits due to the acquisition. In an effort to embrace the transition, the employees urged the management to be fully transparent with the reasons for the acquisition

<sup>57</sup> K. Lazo, 'Labor unions wither away in PH call centers', *The Manila Times*, <http://www.manilatimes.net/labor-unions-wither-away-in-ph-call-centers/19368/>, 2013, (accessed 31 March 2015).

<sup>58</sup> M. Salamat, 'Call Center Employees in the Philippines Receive Low-end Jobs, Low Salaries', <http://bulatlat.com/main/2010/12/11/call-center-employees-in-the-philippines-receive-low-end-jobs-low-salaries/>, 2010, (accessed 04 April 2015).

<sup>59</sup> Jonathan Sale, interviewed.

and its impact on their employment. However, the management withheld the necessary information, and remained silent.<sup>60</sup> This led the WCSI workers to seek the help of BIEN Philippines to help them in organizing a labor union regardless of the consequences.

The organization, United Employees of West (UEW), started with 42 members which grew into 1,800 members after two days and ultimately reached 2,500 WCSI employees. The recruitment is done online through the social media platform, Facebook. An online campaign supporting the fight of the WCSI employees was also launched through the creation of the Facebook page *Support the Call for Security of Tenure of West Contact Employees*, and through the posts with the hashtag #WeSupportUnitedEmployeesofWest.<sup>61</sup> Petition signing which demand for security of tenure and severance pay was also done, but was blocked by the management by preventing the workers from signing the petition paper. As a sign of protest, a red ribbon campaign was launched. However, security guards prevented workers wearing a red ribbon from entering the premises of the company.

On March 5, 2015, around 1000 employees of WCSI walked out to show the management the strength and demands of the workers. The WCSI management was then forced to face the workers, and set a meeting. However, the confusion of the workers regarding what would happen to their salaries, who would remain employed and other concerns were not resolved. The management insisted that everything would remain decided by Alorica. This further angered the workers, thus continuing their demand for security of tenure and severance pay. The workers also proceeded with the processing of a Certificate of Election for the union to be recognized by DOLE.

Finally, in a general assembly of approximately 70 WCSI employees on March 28, 2015 at the Makati Medical Auditorium, the Unified Employees of West Contact Services Inc. (UEWCSI) now, the Unified Employees of Alorica (UEA) was established – the first labor union in the history of the Philippine BPO industry. Francis Ugay was elected as the president.<sup>62</sup> At present, the union collectively addresses the demands of its members to the management. These include full absorption of workers without diminution of benefits, severance pay from WCSI, and recognition of tenure rights.<sup>63</sup> The union is also committed to promote and uphold the rights of BPO workers nationwide.<sup>64</sup>

The organizing initiative of UEA through the help of BIEN Philippines provides lessons in unionizing the call center industry. One of these is that a major and direct issue confronting the workers should be used as a potent force in mobilizing them, and recruiting more members because it would serve as the foremost reason why they

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<sup>60</sup> Support the Call for Security of Tenure for West Contact Employees, *What Happened*, [https://www.facebook.com/permalink.php?id=519316628208443&story\\_fbid=519535854853187](https://www.facebook.com/permalink.php?id=519316628208443&story_fbid=519535854853187), 2015 (accessed 10 April 2015).

<sup>61</sup> M. Salamat, 'BPO employees stage candle lighting for job security, benefits amid takeover of company', *Rappler*, <http://bulatlat.com/main/2015/02/27/bpo-employees-stage-candle-lighting-for-job-security-benefits-amid-takeover-of-company/>, 2015, (accessed 04 April 2015).

<sup>62</sup> I. Espiritu, 'Unang unyon ng BPO workers, itinatag', *Pinoy Weekly Online*, <http://pinoyweekly.org/new/2015/03/unang-union-ng-bpo-workers-itinatag/>, 2015, (accessed 10 April 2015).

<sup>63</sup> Support the Call for Security of Tenure for West Contact Employees, *What Happened*.

<sup>64</sup> Espiritu, 'Unang unyon ng BPO workers, itinatag'.

would like to unionize.<sup>65</sup> It is the issue that will make the workers realize that they have been deprived at work, and that they should fight for their rights. It also has a strong potential to rouse the awareness of workers who lack consciousness of the need to unionize, and to encourage them to act. Another lesson is that technology, particularly social media networks, is an essential and effective tool in organizing call center workers. The industry represents an entirely new frontier for organizing labor unions. The old-style bread-and-butter or fire-and-brimstone union proselytizing will not work, thus new creative cyber-age tactics are needed.<sup>66</sup> Since call center workers differ with their work schedules and are usually tired from work, they could hardly set a personal meeting to discuss their organizing efforts. However, since most of them are technologically equipped and active users of social media, they are now able to easily contact each other and encourage more workers to join their cause.

Aside from the efforts of the workers, support and protection should come from the government. It should balance the interests of the foreign investors and the workers. The government shall take steps to pressure call center companies to fully comply with the core labor standards and respect workers' rights. Bills concerning the welfare and rights of call center workers should be carefully deliberated and passed. With a signified government support for workers, unionizing the industry would be more possible.

## Conclusions

In this section, each of the research questions was answered based on the results and discussion of the study.

*What are the working conditions and work-related problems faced by workers in the call center industry?*

High salaries in call centers do not translate to decent working conditions. Call center workers are continuously exploited by the call center companies through exposing them in working conditions which barely comply with the basic labor standards. The industry is characterized with decreasing wages and self-regulating practices that enable the companies to impose very strict approval of work leaves, escape provision of maternity leaves and other leaves required by law, schedule purely graveyard shift on workers, and compel workers to report to work during calamities. Despite regularization at work, job security is still not guaranteed. Regularized workers may be immediately terminated without due process. Thus, these working conditions gravely affect the health, safety and security of call center workers. Despite these, call

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<sup>65</sup> Ian Porquia, interviewed by Camille Benedicto, 2015.

<sup>66</sup> R. Ofreneo, C. Ng and L. Marasigan, 'Voiceless in the Voice Industry', *IJIR*, vol.42, no.4, 2007.

center companies and the government remain deaf to the call of workers to address these various work issues.

*How do working conditions in the Philippine call center industry affect its workers' willingness to unionize? Do the call center companies and the government prohibit labor unionizing?*

Most call center workers are willing to unionize as a result of their awareness of the dire working conditions and of their rights as workers. However, they could not do so for they are hindered by the call center companies. These capitalists work hand in hand with the government in reinforcing the prohibition to maintain the ideal investment climate in the country – labor maximization at a low cost. Therefore, workers have remained silent and unorganized despite their desire for a collective bargaining power of labor unions.

*Were there any attempts to organize a labor union in the call center industry?*

As the working conditions in the call center industry worsen, the workers' struggle to organize a labor union strengthens. This is demonstrated by the success of the Unified Employees of Alorica (UEA) in forming the first labor union in the Philippine BPO industry. It is in response to the direct threat to the job security of workers of West Contact Services which was acquired by Alorica, another call center company. Despite several setbacks experienced by workers in the industry on unionizing, a group of workers was able to finally establish a labor union. This attests to the force and commitment of workers to fight for their rights and better working conditions.

Hence, with the poor state of the working conditions and workers' demand to have their voices heard, there is a strong need to unionize the call center industry. This is to put an end to the capitalists' labor exploitation of the call center workers. The success of UEA in establishing the first union in the industry serves as a great leap for the workers of the industry. It would possibly ignite the desire of more workers to be fully aware of their working conditions and to collectively assert their rights. Moreover, the government should learn to balance the interests of the workers and the foreign investors. The DOLE and PEZA should strictly implement and pressure the call center companies to comply with the labor standards set by law. The welfare and rights of call center workers should not be compromised for the sake of upholding the interests of the foreign companies. Importantly, workers should be empowered instead of being silenced.



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