An evaluation of the performance of Republic Act No. 9231 in reducing the number of child workers in Central Luzon

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An evaluation of the performance of Republic Act No. 9231 in reducing the number of child workers in Central Luzon

Before the Industrial Revolution, children worked in their respective homes and participated in agriculture by helping out in farming. It was considered as customary and there were no arguments over the matter.

In a book published by the International Labor Organization (ILO) entitled *Child labour: A textbook for university students*, a brief history of child labor was presented. It was stated there that it was during the Industrial Revolution when factory owners started recruiting children to work in their factories, thus, they became involved in industrial production. There were also children who started working out of their own homes for a living. As a result, child labor became a social issue because of the effects that child laborers experience. Working children started to have poor health conditions and were oftentimes exposed to work hazards. They were also deprived of education. The conditions of working children became points of interest. Government bodies started to conduct investigations regarding the matter. Eventually, legislations were introduced to help in the protection of children’s rights which includes their right to education.

As years passed, many actions were done in order to eliminate, or at least reduce, the cases of child labor, as well as to improve the conditions of child laborers in different countries. International Organizations like the ILO conduct studies and surveys on children and launch projects and programs, which are then supported by their member states, in order to help in improving the conditions of child laborers.\(^1\) However, despite the actions being done, Child Labor never ceases to exist. According to the study conducted by the ILO in the year 2000, the Asian-Pacific region, to which the Philippines belong to, has the largest number of child workers

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which is about 127,300,000. As a result, the issue of child labor was considered as a serious problem in the country.

Thus, through the years, several legislations were enacted which are designed to protect the rights and welfare of the children. The enacted laws against Child Labor include the following: The Labor Code of the Philippines (P.D. 442), Child and Youth Welfare Code (P.D. 603), Republic Act 7610, Republic Act 7658, Executive Order 275, Memorandum Order 71, and Department of Labor and Employment Order No. 4. The dates of enactment of these laws range from the year 1974 up to the year 1998. Despite the laws which are enacted to combat Child Labor, there was still an increase in the number of child workers which was shown by the Survey on Children by the National Statistics Office (NSO) conducted in the year 1995 and in the year 2001. As of 2001, 4 million of 24.8 million (16.2%) children aged 5-17 years old were economically active which was higher than the proportion (16% or 3.6 million) of economically active children that was reported in 1995.

The Republic Act 9231, which was enacted on December 19, 2003, is the most recent law against Child Labor. It is an amendment to the Republic Act 7610 (Special Protection of Children against Abuse, Exploitation and Discrimination Act) which adds provisions for the elimination of the worst forms of Child Labor and affording stronger protection for the working child. The passage of the said law made the Philippines the first country to come up with a model legislation reflective of the ILO Convention 182 on the Worst Forms of Child Labor which was widely ratified.

The research paper then aims to evaluate the performance of this recently enacted law in reducing the number of child workers in Central Luzon. Central Luzon (Region III) is an administrative division of the Republic of the Philippines which is composed of seven provinces
- Aurora, Bataan, Bulacan, Nueva Ecija, Pampanga, Tarlac, and Zambales. Generally, Central Luzon is an agricultural region. However, as time passes by, it is becoming more and more industrialized. Based on the review conducted by Del Rosario and Bonga, working children in the said region are present in the different industries such as farming, fishing, poultry-raising, etc. Also, some child workers in Central Luzon are involved in more dangerous enterprises such as working in fireworks factories, quarrying, and prostitution. The performance of R.A. 9231 would be evaluated depending on three inputs - the notable features/provisions of the law, the budget allotted and the manpower involved in monitoring the enforcement of the law.

**Objectives**

General:

To evaluate the performance of the Republic Act 9231 in reducing the number of child workers in Central Luzon depending on three inputs - the notable features/provisions of the law, the budget allotted and the manpower involved in monitoring the enforcement of the law.

Specific:

- To find out whether there has been a decrease in the number of child workers in Central Luzon.
- To find out whether an increase in the budget allotted for the enforcement of labor laws leads to a lesser number of child workers in Central Luzon and vice versa.
- To find out whether the number of people involved in monitoring the enforcement of the law affects the number of child workers in Central Luzon.
• To find out whether the changes in the provisions of child labor laws helped in reducing the number of child workers in Central Luzon.

REVIEW OF RELATED LITERATURE

Child Labor in the Philippines

In ILO’s published book entitled *Opening doors: A presentation of laws protecting Filipino child workers*, a backgrounder on the situation of child labor in the Philippines was presented. It was stated that child labor is present in almost every country; however, the incidence of child labor is more prevalent in developing countries, particularly those that belong to the Asian Region.

In the Philippines, which is reputed to have the worst poverty incidence among ASEAN countries, the phenomenon of child labor is prevalent and is still spreading.\(^2\) According to an article entitled *Pact Signed on Protection of Child Labor*, which was written by T. Cruz, the incidence of child labor in the country steadily increased at an average rate of 3.8 percent annually over a ten-year period since 1989. Based on a survey conducted by the NSO in 2001, the trend of child labor incidence remains the same.

It was also stated in the aforementioned publication by the ILO that working children may be found in different sectors of the Philippine economy. Most of the country’s working children are involved in agriculture while the others may be found in sales, production work, and in service trades. The major areas in the formal sector of the economy where children can be found working are the garments industry, wood-based industry and the food industry wherein the

hiring of apprentices in these industries is common.³ The rest of the children are in the metal and mining industry.⁴ However, on the informal sector of the economy, the size of the population of working children is said to be virtually unknown due to the fact that many of the establishments in this sector are not registered with the proper government regulatory agencies.

The book also pointed out that most of these child workers are exposed to very poor working conditions:⁵

“Children in agriculture are exposed to heavy loads, chemical used for fertilizers and pesticides, and to natural elements such as rain, sun, and strong winds. Those in fishing suffer from ruptured eardrums and shark attacks. On board the fishing vessels, they have to endure congested, unsanitary conditions and poor food which often lead to illnesses. Factory child workers risk cuts and other injuries from accidents caused by modern machineries and from the lack of protective mechanisms such as gloves and masks. Children in garment factories and in wood industries suffer from back strain, hand cramps, eye strain, headaches and allergies due to dust. Those in the pyrotechnics manufacturing run the additional risk of injury or death caused by the accidental explosion of their products.

… Of the children in the informal sector who work on their own account, those involved in street trades suffer not only from sickness due to exposure to heat, rain, dust and fumes, but also from the risk of vehicular accidents and from frequent molestation and harassment by peers, adult syndicates and even law enforcers. In addition to these, the child scavengers suffer from tetanus infections, while those engaged in prostitution get constantly exposed to sexually transmitted diseases and maltreatment from sadistic customers.”

The book also mentioned that aside from physical repercussions, child labor also entails psycho-social effects. Some may lead to the distortion of values of children, loss of dignity and self-confidence, and may eventually expose them to anti-social behavior. Also, there is the possibility that the intellectual, emotional, and personal development of these working children would be hampered and that their creative thinking would be limited due to long hours of work.

³ Ibid 1
⁴ Bureau of Women and Young Workers. Philippine national monograph on child labor
⁵ Ibid 1
The Case of Central Luzon

Central Luzon (Region III) is an administrative division of the Republic of the Philippines which is composed of seven provinces - Aurora, Bataan, Bulacan, Nueva Ecija, Pampanga, Tarlac, and Zambales.

The Department of Tourism presented some information on these provinces. In Aurora, the basic economy is agricultural wherein copra and rice are the principal products. On the other hand, Bulacan is shifting from agricultural to industrial. Its proximity to Manila gives it the advantage of being a favored site of industrial establishments, including leather tanning, cement bag making, ceramic textiles, food processing, shoe making, and many others. However, most of the rural areas are still dependent on agriculture for their livelihood. The province of Bataan, in spite of the rapid industrialization for the past years, remained to be an agricultural province. There is an export-processing zone which accounts for heavy industry in the province though. Nueva Ecija is an agricultural province as well. Aside from that, it has been reported that several areas in the province have mineral deposits, thus, the presence of mining industry. Pampanga, on the other hand, is more involved on farming and fishing industries. In Tarlac, the main industries are lumbering, poultry, and sugar milling. Lastly, for Zambales, the main industries are mining and logging. Fishing and cottage industries are also present in the said province. The Olongapo area in Zambales, however, is fast developing into an industrial and tourism zone.

Generally, Central Luzon is an agricultural region. However, as time passes by, it is becoming more and more industrialized. Based on the review conducted by Del Rosario and Bonga, working children are present in the different industries mentioned above. Some child

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workers in Central Luzon are involved in more dangerous enterprises such as working in fireworks factories, quarrying, and prostitution.

The Historical Evolution of Child Labor Laws in the Philippines

Another important exposition presented by the ILO’s publication entitled *Opening doors: A presentation of laws protecting Filipino child workers* is about the evolution of child labor laws in the country.

In the Philippines, the concern for the plight of working children started as early as March 16, 1923, during the American Regime, when Act No. 3071, “An Act to Regulate the Employment of Women and Children in Shops, Factories, Industrial, Agricultural and Mercantile Establishments, and Other Place of Labor in the Philippine Islands, to Provide Penalties for Violations Hereof and for Other Purposes” was enacted into law. Under the said Act, prohibition of the employment of persons below certain ages, depending on the type of work or establishment involved, was laid down. The said Act also set the minimum age of employment at 16 years for several types of work. This does not involve work in bars and the likes. The Act also prescribed the conditions of work for children. The employer must provide proper seats for women and children and that they should have a duly certified copy of the birth certificates of their laborers below 18 years of age. Also, written consent of the parents or guardians of the children is a requirement for their employment. The Act also set the allowed hours of work for children.

In 1932, a codification of the penal laws in the country called the Revised Penal Code (RPC) was enacted into law. This law remains in effect up to now. It includes some provisions prohibiting certain types of child work such as keeping a minor under one’s service against

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Ibid 1
his/her will due to a debt incurred by the minor’s ascendants, as well as the employment of minors under 16 years of age in dangerous exhibitions. Other provisions in the RPC relating to slavery, prostitution, corruption of minors, illegal detention and kidnapping of minors, are equally applicable to child workers depending on their particular situation.8

When the Philippines proclaimed its independence from American Rule in 1946, the country became a Republic and gradually, the existing laws enacted under the previous regime were replaced by Republic Acts (R.A.). Act No. 3071 was repealed by R.A. No. 679, “An Act to Regulate the Employment of Women and Children, to Provide Penalties for Violation Hereof, and for Other Purposes”. Under the said law, children below 14 years of age may only be employed to carry out light work which is not damaging to their health or normal development, and which is not such as to prejudice their attendance in school. Also, children below 14 years of age may not be employed on school days unless they know how to read and write. Nevertheless, these requisites need not be present for children below 14 years old employed in permissible instances which are stated in the said law. The law also retained some of the age limits laid down by Act No. 3071 but there were changes as well. A particular important provision of R.A. 679 is the power of the Secretary of Labor to grant a special work permit for the employment of a child whose employment is otherwise prohibited. Also, with regards to the conditions of work of children, the requirement made by Act No. 3071 was adopted to this new law but with several additions. One of the said additions is the medical examination of children for fitness for employment before actual employment and every 6 months thereafter. The law also prohibits night work, from 10:00 p.m. to 6:00 a.m., of persons between 16 and 18 years of age.

From 1953 to 1960, three international conventions adopted by the ILO relating to child labor were ratified in the Philippines. ILO Convention No. 90, “Night Work of Young Persons

8 Ibid 1
Employed in Industry”, forbids the employment of children in industry during night time. ILO Convention No. 59, “Minimum Age for Admission of Children to Industrial Employment”, fixes the minimum age of employment for industry at 15 years but allows younger children to be employed in undertakings in which only members of the employer’s family are employed, provided that such work are not dangerous to the life, health or morals of the children employed therein.⁹ ILO Convention No. 77, “Medical Examination for Fitness for Employment in Industry of Children and Young Persons”, necessitates the medical examination of children as a requirement for employment and their subsequent examinations. It also provided guidelines in medical examination for the different types of work for children.

On June 18, 1960, R.A. 2714, “An Act to Establish in the Department of Labor a Bureau to be Known as Women and Minors Bureau”, was passed into law.¹⁰ The Bureau replaced the Women and Minors Division of the Bureau of Labor Standards and was tasked to administer and enforce the woman and child labor laws. Later on, the Bureau was renamed as the Bureau of Women and Young Workers (BWYW).

Several Presidential Decrees (P.D.) were issued during the Martial Law era which led to the amendment of child labor laws. R.A. 679 was amended by P.D. 148. The said decree simplified the provisions of R.A. 679 which provided confusing age limits for different types of undertakings. Under P.D. 148, no child below 14 years of age shall be employed by any employer, except where the child works directly under the sole responsibility of his parent or guardian, involving activities which are not hazardous in nature and which do not in any way interfere with his schooling.¹¹ Also, any person between 14 and 18 years of age may be employed in any undertaking which may be considered as non-hazardous. This law rescinded the

⁹ ILO Convention No. 59
¹⁰ Ibid 1
¹¹ P.D. 148, Sec. 1
previous exceptions to the minimum age of employment permitted by R.A. 679. The decree also breached ILO Convention No. 59 which laid down the minimum age of employment in industry at 15 years. The law, however, adopted the conditions of work of children prescribed by R.A. 679.

After a year, P.D. 148 is amended by the enactment of P.D. 442, the Labor Code of the Philippines. It changed the minimum age of employment, from 14 to 15 years, complying with the requirements of ILO Convention No. 59. It also maintained the previous minimum age for hazardous undertakings at 18 years. The Labor Code also added a minimum age requirement for apprentices, which is 14 years. Unfortunately, the terms and conditions of employment of children, provided by R.A. 679, as amended by P.D. 148, were not reproduced in the Labor Code, thus creating a serious gap in the new law.\(^{12}\)

P.D. 603, “Child and Youth Welfare Code”, was enacted into law on December 10, 1974. It is said that this law is a codification of different provisions for the well-being of children. The law allows the employment below 16 years of age for light work which is not detrimental to their safety, health or normal development and which is not prejudicial to their studies. This provision should, however, be read in conjunction with the Labor Code which allows the employment of children below 15 years, only if under the direct and sole responsibility of their parents or guardian. P.D. 603 includes other benefits for child workers like the right of working children to self-organization, welfare programs, etc.

The Marcos government and its predecessors made no serious efforts to resolve the growing problem of child labor despite the existing laws. After the successful People Power Revolution in 1986, the abuses and exploitation suffered by children were exposed. At the same time, demands for reforms in government policies, legislation and programs affecting children

\(^{12}\) Ibid 1
gradually intensified. The response of the new government was the ratification of the United Nations Convention on the Rights of the Child (U.N. CRC). A specific age limit for the employment of children was not provided. The ratifying countries were allowed to set their own policies on the matter. Nevertheless, it directed the ratifying countries to protect the children from economic exploitation and from performing work which is hazardous or which is harmful to the child’s health, education, and development. Ratifying countries were also obliged to “provide for a minimum age of employment of children, for regulation of the hours and conditions of employment of children, and for proper penalties or sanctions against the violators of children’s rights.”

In compliance to the mandate of U.N. CRC, the government enacted R.A. 7610, “An Act Providing for Stronger Deterrence and Special Protection Against Child Abuse, Exploitation and Discrimination, Providing Penalties for Its Violation and for Other Purposes”. Although, R.A. 7610 was lauded for the innovative provisions it introduced for the protection of children in especially difficult circumstances, it was nevertheless severely criticized for its provision on working children which abruptly changed the entire Philippine policy of prohibiting child labor. Under R.A. 7610, children who are below 15 years of age may be employed, provided that the employer would secure a work permit from the Department of Labor and Employment and ensures the protection of the child (Article VIII, Section 12 of R.A.7610).

Upon pressure from the Department of Justice, non-governmental organizations, and international bodies such as the ILO and the UNICEF, the Philippine Congress, realizing that Article VIII, Section 12 of R.A.7610 is a flagrant violation of ILO Convention No.59, enacted a
new law to amend such section after only one year from its passage.\textsuperscript{17} In October 1993, R.A. 7658, “An Act Prohibiting the Employment of Children Below 15 Years of Age in Public and Private Undertakings”, was passed into law. It restored the former prohibition on the employment of children below 15 years of age with only two exceptions: 1) “work directly under the sole responsibility of the child’s parents or legal guardian and where only members of the employer’s family are employed”, and 2) “where a child’s employment in public entertainment or information through cinema, theater, radio or television is essential”.\textsuperscript{18} In both instances, the said employment should not endanger the life, safety, health, morals, and normal development of the child. Also, it should not prejudice the child’s education. It is also mandatory for the employers to first secure for the child a work permit from the Department of Labor and Employment before the child can even begin to work.\textsuperscript{19}

On September 14, 1995, Executive Order (E.O.) No. 275 was enacted. The said law created a special committee for the special protection of children from all forms of neglect, abuse, cruelty, exploitation, discrimination and other conditions prejudicial to their development.

Memorandum Order No. 71, signed by President Gloria Macapagal-Arroyo on September 2, 2002, directed the Labor Secretary to take immediate and effective measures to ensure the prohibition and elimination of the Worst Forms of Child Labor in the spirit of ILO Convention No. 182 (Worst Forms of Child Labor Convention).

The Department of Labor and Employment Order No. 4 was then enacted. It provided a list of prohibited work and activities to persons below 18 years of age, consistent with ILO Convention 182.

\textsuperscript{17} Ibid 1
\textsuperscript{18} R.A. 7658, Sec. 1
\textsuperscript{19} Ibid 17

Republic Act 9231 (R.A. 9231)

Historical Background

In the BataMan Newsletter of the Institute of Labor Studies (ILS), Atty. Tricia Oco recounted how R.A. 9231 was formulated and eventually passed into a law.

As early as 1992, there were already movements from child rights advocates both from government, non-government organizations, employers and workers organizations as well as other groups to promote the plight of child laborers. They were conducting mobilizations and lobbying activities to support the bills providing stiffer penalty on child labor exploitation.

In 1994, the Philippines joined the International Labor Organization-International Programme on the Elimination of Child Labor (ILO-IPEC) with some advocates setting up an alliance with ILO-IPEC. It is said that this served as the first breakthrough. The advocates, known as IPEC partners, implemented programs for the eventual elimination of child labor. On the other hand, IPEC provided the technical support.

The advocates then recognized that in addressing the problem of child labor, there should be an integrated approach to child laborers and not just providing stiffer penalties for the perpetrators. This means creating an environment for children to prevent child labor and to provide for the healing and reintegration in the community of the victims.

21 Ibid 19
It also became apparent to IPEC partners that the Philippine legal system does not have a comprehensive law dealing with child labor protection and that the existence of several child labor provisions scattered in different laws have not abated the persistent abuse and exploitation of child laborers.\textsuperscript{22}

Due to this, the IPEC partners arranged a series of consultations. These consultations were done in different places across the country. It took into account the provisions of ILO Convention No. 138 which was ratified in 1988. As a result of the said consultations, the first comprehensive bill on child labor was created.

In January 1998, Senator Loren Legarda agreed to sponsor the bill. The bill, called S.B. No. 1530, was introduced during the 11\textsuperscript{th} Congress. At that point, the advocates started lobbying in Congress to support the said bill. Also, they went to different places in the country to educate the people on the bill and to get their support for its passage.

On the other hand, the delegates of the International Labor Conference unanimously adopted ILO Convention No. 182 which prohibits the worst forms of child labor on June 17, 1999. The said event led the IPEC partners to lobby not only for S.B. No. 1530 but for the ratification of ILO Convention No. 182 by the Philippines as well.

The Philippines ratified ILO Convention No. 182 on November 28, 2000. However, the successful ratification of the said convention was accompanied by a major setback for S.B. No. 1530. The 11\textsuperscript{th} Congress ended and the bill was never deliberated on in the Senate.

IPEC partners requested Senator Legarda to sponsor the bill once again. The bill was introduced as S.B. No. 750. At that time, there were also other bills on child labor that were introduced by other members of the Congress to both the Lower House and the Senate. The IPEC partners decided to consolidate all the bills, with S.B. No. 750 as the ‘mother bill’, to come

\textsuperscript{22}Ibid 19
up with one comprehensive bill on child labor. This serves as a strategy so that they may get stronger support from both houses and to hasten its passage. Thus six years from the time the comprehensive bill was first drafted, the IPEC partners held regular meetings to redraft and consolidate all the bills knowing for certain that there are no guarantees that the comprehensive bill will ever be passed into law, or even if it would, no one would know exactly how long it will take before it is going to be passed.\textsuperscript{23}

In the year 2002, Senator Ramon Revilla and Senator Ramon Magsaysay, Jr. agreed to co-sponsor the consolidated version of the bill. From 2002 to 2003, IPEC partners became regular mainstays making their presence felt in the Senate and showing their support and interest in the passage of the comprehensive bill while it is being staunchly defended by Senator Magsaysay during interpellations.\textsuperscript{24} After all the debates, interpellations, and amendments given, a bicameral conference was held wherein the Lower House and the Senate convened to reconcile the differences in their versions of the child labor bill.

The final result was said to be unexpected. The bill was intended to be a comprehensive law; rather, it became a bill amending R.A. 7610. The bill was then sent to the President for approval. R.A. 9231 was formally approved by the President on December 19, 2003.

\textit{Features}

In an article written by Peter James Leaño entitled \textit{GMA Signs Anti-Child Labor Law}, he gave an account on the salient features of R.A. 9231.

The law seeks to eliminate the worst forms of child labor such as those involving slavery: such as the sale and trafficking of children, debt bondage, serfdom, including recruitment of

\textsuperscript{23} Ibid 19
\textsuperscript{24} Ibid 19
children for use in armed conflict; prostitution and pornography; use of children for illegal activities, including drug trafficking; and any work that is hazardous and harmful to the health, safety and morals of children.\textsuperscript{25}

R.A. 9231 stipulates that children below 15 years of age, if working in non-hazardous environment, may work for not more than 20 hours a week, 4 hours a day at most. Children who are 15-17 years old may work not more than 8 hours a day or 40 hours a week. Also, work from 8 pm to 6 am is prohibited.

Under the law, children should receive their own wages. The earning of the child shall be set aside for his/her support, education, and skill acquisition. Not more than 20\% of the income of the child may be allotted for the needs of the family as a whole. Parents or the legal guardian are instructed to establish a trust fund from at least 30\% of the earnings of the child whose wages and salaries from work and other income amount to at least ₱200,000.00 annually.\textsuperscript{26} There should be a semi-annual accounting of the fund and this accounting should be submitted to the DOLE for monitoring. When the child reaches the age of majority, he/she shall have full control over the trust fund.

On the other hand, employers are instructed to give the working child access to at least primary and secondary education. Also, the DOLE shall provide alternative and non-formal education courses for working children. The government shall also provide free and immediate legal, medical, and psychological service to child workers.

R.A. 9231 also provides stiffer penalties against acts of child labor, especially those that are considered as worst forms. Penalties against abusers were increased to a maximum of 5

\textsuperscript{26}Ibid 24
million pesos and 20 years of imprisonment. Also, the DOLE was given the authority to close down business establishments found violating anti-child labor provisions.

CONCEPTUAL FRAMEWORK

**Definition of “Child”**

Generally, there is no clear distinction as to what age would define a child. The concept of “childhood” varies from one society to another, from a certain point in time to another, and also, depending on gender and class. Thus, it is culturally defined rather than biologically defined. Due to this, ambiguities in the concept and definition of “child” could not be avoided. According to Virginia del Rosario, author of *Child Labor in the Philippines, Problems and Policy Thrusts*, these ambiguities limit the understanding and the approach to tackling child labor.

In the Philippines, a child is defined as a person below 18 years of age which is the age of emancipation. As soon as a person reaches 18 years of age, he/she is no longer considered a child and becomes automatically entitled to do all acts of civil life, such as contracting marriage or transacting business deals with corresponding legal effects. However, upon the enactment of Republic Act (R.A.) 7610 in 1992, otherwise known as the Child Protection Law, the definition of “child” was expanded. With this new law, the individuals who are considered children are those “persons below eighteen (18) years of age or those over but are unable to fully take care of themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.”

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27 Pursuant to R.A. 6809, *An Act Lowering the Age of Majority from Twenty-One to Eighteen Years*
28 *Opening doors: A presentation of laws protecting Filipino child workers*. International Labor Organization
Child Labor and Child Work

These two terms may seem to have the same meaning, thus, interchangeable. However, this is not the case. Not all types of work that children do are considered child labor. There are those forms of work that are not hazardous to children and do not estrange them away from education. They do not affect the physical, mental, emotional, social, moral, and spiritual development of children unfavorably. Rather, by doing such types of work, children are able to help not only their family but their selves as well. They acquire skills and knowledge which may not be learned in school, thus, they become more prepared for their future. These types of work are not considered as child labor.

On the other hand, there have also been forms which affect their education or even cause them to quit schooling and, moreover, put them at risk or even do them harm or damage physically, mentally, psychologically, socially and/or spiritually. There are even forms which destroy all possibilities for a better future for the children and strip them off their childhood. The term “child labor” is used to indicate these forms.

The International Labour Organization – International Programme on the Elimination of Child Labor (ILO-IPEC) defines child labor as “work situations where children are compelled to work on a regular basis to earn a living for themselves and their families, and as a result are disadvantaged educationally and socially; where children work in conditions that are exploitative and damaging to their health and to their physical and mental development; where children are separated from their families, often deprived of educational and training opportunities; where

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children are forced to lead prematurely adult lives.”\textsuperscript{31} However, what may be considered as economically exploitative depends on the culture of a community.

The State, through the Department of Labor and Employment, defines “child labor” as “the illegal employment of children below the age of fifteen (15), where they are not directly under the sole responsibility of their parents or legal guardian, or the latter employs other workers apart from their children, who are not members of their families, or their work endangers their life, safety, health and morals or impairs their normal development including schooling. It also includes the situation of children below the age of eighteen (18) who are employed in hazardous occupations.”\textsuperscript{32} The employment of children above 15 years of age but below 18 years old in non-hazardous forms of work, as well as the employment of children below 15 years of age in exclusive family work where their safety, health, and overall development are being looked after and are not impaired, are not considered as child labor.

However, there are still those who believe that all forms of child work may be considered as child labor. For Alejandro Apit, author of the book entitled \textit{A beginning in child labor: A worst form of child labor discovered and rescue}, all forms of participation of children in any productive endeavor in agriculture, industry, services, and others, regardless of whether these have bad effects or not upon the doers, are child labor.

\textit{Hazardous Forms of Work}

Hazardous forms of work are those which jeopardize children’s health, safety or morals because of the nature or the number of hours worked.\textsuperscript{33} Under No. 4, Section 12-D of R.A. 9231,

\textsuperscript{31} Datasets on Child Labour in the Philippines (Institute for Labor Studies, DOLE, Intramuros, Manila), 1994
\textsuperscript{32} “Child Labor Program, Questions and Answers”, unpublished reports, Child Labor Project Management Team, Department of Labor and Employment
hazardous forms of work are described as work which, by its nature or the circumstances it is carried out, is hazardous or likely to be harmful to the health, safety or morals of children, such that it:

a) Debases, degrades or demeans the intrinsic worth and dignity of a child as a human being; or
b) Exposes the child to physical, emotional or sexual abuse, or is found to be highly stressful psychologically or may prejudice morals; or
c) Is performed underground, underwater or at dangerous heights; or
d) Involves the use of dangerous machinery, equipment and tools such as power-driven or explosive power-actuated tools; or
e) Exposes the child to physical danger such as, but not limited to the dangerous feats of balancing, physical strength or contortion, or which requires the manual transport of heavy loads; or
f) Is performed in an unhealthy environment exposing the child to hazardous working conditions, elements, substances, co-agents or processes involving ionizing, radiation, fire, flammable substances, noxious components and the like, or to extreme temperatures, noise levels, or vibrations; or
g) Is performed under particularly difficult conditions; or
h) Exposes the child to biological agents such as bacteria, fungi, viruses, protozoans, nematodes and other parasites; or
i) Involves the manufacture or handling of explosives and other pyrotechnic products.

ANALYTICAL FRAMEWORK
In a book entitled *Implementation: The problem of achieving results*, an approach towards evaluating administrative capability in implementation was presented. It was stated that there are innumerable factors which could affect the implementation process. There are influences which are external to the programs and are usually beyond the control of the implementors. On the other hand, some influences or factors are internal to the implementing agencies and their programs. Examples of these influences include the organizational structuring for implementation, the nature and range of authority and responsibility vested to the implementors, etc.

According to this approach, there are certain factors or variables which enhance or increase the capability of administrative organizations to implement programs. These factors or variables are called critical inputs and they are the following:

a) Resources

Resources are essential inputs to the process of implementation. These resources include human (i.e. program personnel) and non-human components (i.e. funding, equipment, materials, etc.)

b) Structure

This kind of input refers to certain stable organizational roles and relationships which are relevant to the program. They are either prescribed legally or informally by convention or both.

c) Technology

This refers broadly to knowledge and behavior essential for the operation of the organization and more specifically to knowledge and practices required by, or essential to
the program itself. Thus, this input could refer both technical and specialized knowledge as well as broad knowledge and behavior essential to organizational life.

d) Support

Support pertains to the whole range of actual possible roles and behavior of persons and entities which tend to advance the attainment of certain organization goals.

In this research, however, only the first two inputs would be considered – resources and structure. The budget allotment for the enforcement of labor laws, and the manpower involved in monitoring the enforcement of the law, fall under the resources input. On the other hand, the provision of the law itself falls under the structure input. For example, if resources are said to be ‘adequate’ and the structure itself is ‘strong’, most probably the policy implementation would be successful and would produce positive effects. If there are improvements in the inputs, most likely there would be improvements in the results.

METHODOLOGY

The first part of the study was the gathering of related materials to the study such as previous studies which were done with regards to child labor, particularly child labor in the Central Luzon region.

The laws that were passed, from the beginning up to the present, pertaining to child labor were gathered. The changes in the provisions of the laws were noted.

Statistics on the number of child workers per region in the year 2001 and 2004-2007 were collected as well. In this particular study, only the figures falling under Region III or Central Luzon were considered.
Luzon region were considered. The said data were retrieved from DOLE’s Bureau of Labor and Employment Statistics or BLES.

From the Department of Budget and Management (DBM), data on budget appropriations for the year 2004 to 2007 were drawn together. From these data, only the budget allotted for the enforcement of labor laws was taken into account.

A directory of Region III’s sub-committee for the welfare of children was gathered from DOLE’s Bureau of Women and Young Workers or BWYW. The names listed in the directory are the focal persons with regards to programs on children’s welfare.

After all the data has been gathered, the following were observed and noted: trends in the number of child workers, changes in the allotted budget, and the changes in the number of people involved in monitoring the enforcement of child labor laws.

Key informant interviews were also conducted. Mrs. Lani Reynoso, Senior Labor Employment Officer in the regional office of the DOLE in Bulacan and an active organizer/participant of anti-child labor programs in Central Luzon, was interviewed regarding the implementation of the child labor law as well as the problems that they encounter in its implementation. Interviews with Mrs. Baby Santos and Ms. Rica of BWYW were also conducted. The said interviews were about the budget allotted for enforcing child labor laws as well as anti-child labor programs and the roles of the focal persons in the implementation of the child labor law.

**DATA PRESENTATION**

*Working Children aged 5-17 years old in Central Luzon*

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Region</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
Table 1 shows the number of working children aged 5-17 years old in the Philippines, divided per region, for the years 2001 and 2004-2007. In Central Luzon, the following could be observed regarding the number of child workers:

<table>
<thead>
<tr>
<th>Region</th>
<th>Ilocos Region</th>
<th>Central Luzon</th>
<th>Calabarzon</th>
<th>Mimaropa</th>
<th>Bicol Region</th>
<th>Western Visayas</th>
<th>Central Visayas</th>
<th>Eastern Visayas</th>
<th>Zamboanga Peninsula</th>
<th>Northern Mindanao</th>
<th>Davao Region</th>
<th>SOCCSKSARGEN</th>
<th>Sulu</th>
<th>Cotabato</th>
<th>Basilan</th>
<th>Maguindanao</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>168</td>
<td>116</td>
<td>202</td>
<td>461</td>
<td>344</td>
<td>327</td>
<td>388</td>
<td>349</td>
<td>166</td>
<td>294</td>
<td>342</td>
<td>232</td>
<td>176</td>
<td>162</td>
<td>85</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>75</td>
<td>74</td>
<td>127</td>
<td>102</td>
<td>191</td>
<td>229</td>
<td>143</td>
<td>219</td>
<td>128</td>
<td>301</td>
<td>142</td>
<td>144</td>
<td>99</td>
<td>146</td>
<td>81</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>74</td>
<td>76</td>
<td>110</td>
<td>110</td>
<td>207</td>
<td>196</td>
<td>154</td>
<td>217</td>
<td>116</td>
<td>299</td>
<td>129</td>
<td>130</td>
<td>105</td>
<td>124</td>
<td>77</td>
<td>105</td>
</tr>
<tr>
<td></td>
<td>26</td>
<td>54</td>
<td>73</td>
<td>64</td>
<td>129</td>
<td>123</td>
<td>94</td>
<td>145</td>
<td>89</td>
<td>163</td>
<td>83</td>
<td>86</td>
<td>72</td>
<td>83</td>
<td>56</td>
<td>72</td>
</tr>
<tr>
<td></td>
<td>70</td>
<td>77</td>
<td>113</td>
<td>102</td>
<td>203</td>
<td>200</td>
<td>176</td>
<td>196</td>
<td>123</td>
<td>254</td>
<td>116</td>
<td>127</td>
<td>116</td>
<td>116</td>
<td>104</td>
<td>108</td>
</tr>
</tbody>
</table>

Table 1
• from 2001 to 2004, there was a decrease by 55.34%;
• from 2004 to 2005, a decrease by 1.71%;
• from 2005 to 2006, a decrease by 33.91%; and
• from 2006 to 2007, an increase by 45.71%

From the data presented by Table 1 and illustrated by Figure 1, it could be observed that there was a decrease in the number of working children aged 5-17 years old in Central Luzon from 2001 to 2004. Their number continued to decrease until the year 2006 but eventually increased in the year 2007. However, there are still lesser child workers in the year 2007 as compared to that of 2001.

**Child Labor Laws in the Philippines**

<table>
<thead>
<tr>
<th>Title of Law</th>
<th>Notable Features</th>
<th>Date of Enactment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Act No. 3071</td>
<td>prohibition of the employment of persons below certain ages, depending on the type of work or establishment involved; prescribed the conditions of work for children</td>
<td>16 March 1923</td>
</tr>
<tr>
<td>Republic Act No. 679</td>
<td>children below 14 years of age may only be employed to carry out light work; may not be employed on school days unless they know how to read and write; power of the Secretary of Labor to grant a special work permit for the employment of a child whose employment is otherwise prohibited</td>
<td>1946</td>
</tr>
<tr>
<td>Presidential Decree No. 148</td>
<td>no child below 14 years of age shall be employed by any employer, except where the child works directly under the sole responsibility of his parent or guardian, involving activities which are not hazardous in nature and which do not in any way interfere with his schooling; any person between 14 and 18 years of age may be employed in any undertaking which may be considered as non-hazardous; rescinded the previous exceptions to the minimum age of employment permitted by R.A. 679</td>
<td></td>
</tr>
<tr>
<td>The Labor Code of the Philippines</td>
<td>Sets the minimum age of employment at 15 years and prohibits the employment of persons below 18 years in hazardous undertakings.</td>
<td>1 May 1974</td>
</tr>
<tr>
<td>(Presidential Decree No. 442)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child and Youth Welfare Code</td>
<td>Allows employment of children below 16 years of age only if they perform light work, which is not harmful to their safety, health or normal development, and which is not prejudicial to their studies. Strict guidelines were laid down on their rates of pay, hours of work and other conditions of employment. An employment permit also</td>
<td>10 December 1974</td>
</tr>
<tr>
<td>(Presidential Decree No. 603)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Table 2 shows the different child labor laws that have been enacted in the Philippines through the years. It also shows the notable features of each law. It could be observed that as time passed by, there were changes when it comes to the provisions of the laws. They become more comprehensive and stricter.

**Budget Allotted for the Enforcement of Labor Laws, Regulations, and Standards**

<table>
<thead>
<tr>
<th>Region</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Capital Region</td>
<td>19,328,000</td>
<td>21,525,000</td>
<td>21,525,000</td>
<td>23,351,000</td>
</tr>
<tr>
<td>Cordillera Administrative Region</td>
<td>2,391,000</td>
<td>2,559,000</td>
<td>2,559,000</td>
<td>2,360,000</td>
</tr>
<tr>
<td>Region I</td>
<td>3,108,000</td>
<td>2,973,000</td>
<td>2,973,000</td>
<td>3,241,000</td>
</tr>
<tr>
<td>Region II</td>
<td>2,574,000</td>
<td>2,513,000</td>
<td>2,513,000</td>
<td>2,949,000</td>
</tr>
<tr>
<td>Region III</td>
<td>4,326,000</td>
<td>4,587,000</td>
<td>4,587,000</td>
<td>5,023,000</td>
</tr>
<tr>
<td>Region IV-A</td>
<td>5,630,000</td>
<td>5,580,000</td>
<td>5,580,000</td>
<td>5,952,000</td>
</tr>
</tbody>
</table>

Table 3 shows the budget appropriation for the enforcement of labor laws, regulations, and standards. These figures were derived from the National Budget Appropriations from 2004 to 2007. The budget for 2004 was a re-enactment of the budget for 2003 and the budget for 2006 was a re-enactment of the budget for 2005. Re-enactment in budgets happen when the Congress fails to approve the budget proposal for the incoming year before the present year ends.

In Central Luzon, the following could be observed regarding the budget appropriation for the enforcement of labor laws, regulations, and standards:

<table>
<thead>
<tr>
<th>Region</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Region IV-B</td>
<td>830,000</td>
<td>830,000</td>
<td>1,126,000</td>
<td></td>
</tr>
<tr>
<td>Region V</td>
<td>4,178,000</td>
<td>4,402,000</td>
<td>4,402,000</td>
<td>3,869,000</td>
</tr>
<tr>
<td>Region VI</td>
<td>3,218,000</td>
<td>3,836,000</td>
<td>3,836,000</td>
<td>4,306,000</td>
</tr>
<tr>
<td>Region VII</td>
<td>5,086,000</td>
<td>5,421,000</td>
<td>5,421,000</td>
<td>5,051,000</td>
</tr>
<tr>
<td>Region VIII</td>
<td>2,440,000</td>
<td>3,192,000</td>
<td>3,192,000</td>
<td>3,070,000</td>
</tr>
<tr>
<td>Region IX</td>
<td>2,854,000</td>
<td>3,120,000</td>
<td>3,120,000</td>
<td>3,079,000</td>
</tr>
<tr>
<td>Region X</td>
<td>4,330,000</td>
<td>4,530,000</td>
<td>4,530,000</td>
<td>4,968,000</td>
</tr>
<tr>
<td>Region XI</td>
<td>5,744,000</td>
<td>6,195,000</td>
<td>6,195,000</td>
<td>6,614,000</td>
</tr>
<tr>
<td>Region XII</td>
<td>2,922,000</td>
<td>3,178,000</td>
<td>3,178,000</td>
<td>3,363,000</td>
</tr>
<tr>
<td>Caraga</td>
<td>1,703,000</td>
<td>1,922,000</td>
<td>1,922,000</td>
<td>2,013,000</td>
</tr>
<tr>
<td>Autonomous Region in Muslim Mindanao</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>69,832,000</td>
<td>76,363,000</td>
<td>76,363,000</td>
<td>80,325,000</td>
</tr>
<tr>
<td>National Budget</td>
<td>1,038,235,000</td>
<td>1,252,886,000</td>
<td>1,252,886,000</td>
<td>1,550,771,000</td>
</tr>
</tbody>
</table>

Table 3
from 2004 to 2005, there has been an increase in budget by 5.69%;
from 2005 to 2006, there was no change in budget because of the re-enactment of the national budget appropriations of the previous year
from 2006 to 2007, there has been an increase in budget by 8.68%

From the data presented by Table 3 and illustrated by Figure 2, it could be observed that there has been a continuous increase when it comes to the budget allotted for the enforcement of labor laws, regulations, and standards from 2004 to 2007 (except for the period between 2005 and 2006 wherein there has been no change in the budget).

On the other hand, it could also be observed that:

• in the year 2004, 0.42% of the entire national budget was allotted for the enforcement of child labor laws, regulations, and standards
• in the year 2005, 0.37% of the entire national budget was allotted for the enforcement of child labor laws, regulations, and standards
• in the year 2006, 0.37% of the entire national budget was allotted for the enforcement of child labor laws, regulations, and standards
in the year 2007, 0.32% of the entire national budget was allotted for the enforcement of child labor laws, regulations, and standards

**Manpower Involved in the Implementation of Child Labor Laws**

Regional Sub-Committee for the Welfare of Children (Region III)

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>REGIONAL DIRECTOR</th>
<th>PERMANENT REPRESENTATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Social Welfare and Development</td>
<td>Dir. Minda B. Brigoli, DRD RSCW Chairperson</td>
<td>Ms. Melanie M. Barnachea</td>
</tr>
<tr>
<td>National Nutritional Council</td>
<td>Ms. Ma. Vicente C. Magpantay Nutritional Officer IV</td>
<td>Ms. Angelita Pasos</td>
</tr>
<tr>
<td>National Economic and Development Authority</td>
<td>Dir. Remigio Mercado</td>
<td>Ms. Anita D. Timbol</td>
</tr>
<tr>
<td>Department of Agriculture</td>
<td>Dir. Redentor Gatus, Ph.D. OIC, Regional Executive</td>
<td>Ms. Lerma S. Ocampo</td>
</tr>
<tr>
<td>Department of Health</td>
<td>Dr. Rio L. Magpantay Director IV</td>
<td>Dr. Gloria Punzalan</td>
</tr>
<tr>
<td>Philippine Information Agency</td>
<td>Ms. Riza S. Balduria Asst. Director General</td>
<td>Ms. Emma Tabalanza</td>
</tr>
<tr>
<td>Department of Education</td>
<td>Dir. Mario Ramirez</td>
<td>Ms. Lailanie Samson</td>
</tr>
<tr>
<td>Commission on Human Rights</td>
<td>Atty. Jasmin Regino</td>
<td>Ms. Remedios Valeria</td>
</tr>
<tr>
<td>Department of Justice</td>
<td>Dir. Jesus Simbulan</td>
<td>Mr. Gilbert Gonzales</td>
</tr>
<tr>
<td>NCIP</td>
<td>Dir. Salong Sunggod</td>
<td>Dr. Evelyn Donesa</td>
</tr>
<tr>
<td>Philippine National Police</td>
<td>Atty. Verulo Mapanao</td>
<td>PO2 Ma. Concepcion Viovicente</td>
</tr>
<tr>
<td>Commission on Higher Education</td>
<td>Dir. Felizardo Francisco</td>
<td>Dr. Gregorio Laxamana</td>
</tr>
<tr>
<td>Department of Interior and Local Government</td>
<td>Dir. Josefinha Castilla-Go</td>
<td>Ms. Yvette Cosio</td>
</tr>
<tr>
<td>Department of Labor and Employment</td>
<td>Dir. Nathaniel Lacambrla</td>
<td>Ms. Ma. Regina Agustin</td>
</tr>
<tr>
<td>National Statistics Office</td>
<td>Dir. Alberto Miranda</td>
<td>Mr. Alejandro Manapsal</td>
</tr>
<tr>
<td>National Bureau of Investigation</td>
<td>Atty. Rustico Vigilia Father Shay Cullen</td>
<td>Mr. Christopher Paz Mr. Alex Hermoso</td>
</tr>
<tr>
<td>PREDA Foundation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LUZNET</td>
<td>Ms. Rosemarie Herrera</td>
<td></td>
</tr>
<tr>
<td>NAPC-CBS</td>
<td>Ms. Shane Manapol</td>
<td></td>
</tr>
<tr>
<td>NAPC-CBS</td>
<td>Michelle Alay-Ay</td>
<td></td>
</tr>
<tr>
<td>READLANI</td>
<td>Amalia Tuquero President</td>
<td></td>
</tr>
</tbody>
</table>
Table 4 shows the list of persons involved in monitoring the welfare of children, which includes the implementation of child labor laws, in Region III. This sub-committee was formed five years ago (2004) and is still functioning nowadays.

**Key Informant Interviews**

<table>
<thead>
<tr>
<th>INTERVIEWEE</th>
<th>AGENCY</th>
<th>RELEVANT INFORMATION GIVEN</th>
</tr>
</thead>
</table>
| Ms. Leilani Reynoso          | DOLE RO III       | • R.A. 9231 gives stronger and more extensive protection to child laborers/workers  
 • Provisions on child labor is just a section of the previous law, R.A. 7610; R.A. 9231 to strengthen the law  
 • Strengthen the implementation of the law; campaign against child labor thru information drives, orientation, etc.; rescue and raids  
 • Increased penalties for violators  
 • Budget is important; limited budget for raids, rescue, and post-rescue operations  
 • There really should be persons assigned for child labor concerns  
 • Enough budget and manpower, more successful programs |
| Senior Labor Employment Officer | Bulacan Extension Office |                                                                                                                                                                                                                           |
| Mrs. Baby Santos             | DOLE – BWYW       | • One Fund Concept- DOLE releases budget to the regional offices based on national budget appropriations; project proposals are submitted to regional directors; budget will then be released for the proposed project  
 • No specific budget for child labor  
 • Focal persons should be active in advocating and promoting programs  
 • Regional directors also have biases and favorites |
| Ms. Rica Bernardez           | DOLE - BWYW       | • Enforcement of labor laws: raids, Inspections, issuance of work permits, etc.  
 • Focal persons: no specific roles; no guidelines as to what their functions really are; basically, they just coordinate and support programs concerning child labor |

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DATA ANALYSIS

Using the approach in evaluating administrative capability in implementation, the critical inputs are the changes in the provisions of child labor laws, the budget allotted for the enforcement of child labor laws, and the manpower involved in monitoring the implementation of child labor laws. According to the said approach, each input has effects on the output. In this particular case, the output would be the increase or decrease in the number of working children in Central Luzon.

The number of child workers in 2004 is considerably lower than to that in 2001. Looking at Table 2 which shows the child labor laws in the Philippines and their respective date of enactment, it could be observed that R.A. 9231 was just enacted during the last quarter of 2003. The particular law is not yet present during the year 2001. The remarkable decrease in the number of child workers in Central Luzon may be credited to the enactment of R.A. 9231 which is a more comprehensive child labor law than the previous laws that were enacted. As what Ms. Leilani Reynoso said, R.A. 9231 gives stronger and more extensive protection to child workers. Also, the increased penalties for those who would be caught violating the law may have discouraged employers in hiring children as workers. If they would wish to hire child workers, they should make sure that they provide the necessities (i.e. child’s working permit, condition of workplace for children, etc.) which are stated in the law. This makes hiring child workers more risky and somewhat costly for employers.

When it comes to the enforcement of the law, Ms. Reynoso said that there is a strengthening in the implementation of the law through campaigns, information drives,
orientations, and the likes. They also conduct inspections, raids, and rescue operations. These activities also help in reducing the number of child workers. The more campaigns, information drives, and orientations that they conduct, the more people becomes aware of the rights of the child when it comes to employment matters. Also, the more inspections, raids, and rescue operations that they conduct, the more employers are urged to follow the law.

From 2004 to 2006, there was a continuous decline in the number of child workers in Central Luzon. With that, it could be said that R.A. 9231 is indeed performing well. However, in the year 2007, there was an increase in the number of child workers. Looking only at R.A. 9231 itself, the said increase was unexpected because there were no changes with the provisions of the law, making it a constant variable. If it has managed to decrease the number of child workers in the previous years, it should have continued to do so or at least maintain the lower number. However, in evaluating the performance of a policy, one should also consider the other factors that are involved and not the policy itself alone. R.A. 9231, in itself, may really be considered as an effective law. Nevertheless, it would not be that effective without budget and manpower, which both play a crucial role in the implementation of the law.

In Figure 2, it could be observed from 2004 to 2007, there was a continuous increase in the budget appropriated for the enforcement of labor laws, regulations, and standards in Central Luzon. Usually, it is assumed that an increase in budget leads to a more successful implementation of a program or policy. Based on this assumption, the increase in the number of child workers in Central Luzon in the year 2007, again, is unanticipated considering that the budget allotted in that particular year is the largest as compared to the previous years.

However, if the data given in Table 3 is analyzed deeper, it could be observed that although the actual amount of budget appropriated is increasing, the proportion of the said
appropriation to the actual national budget becomes smaller. From 2004 to 2007, prices of materials, commodities, and services were rising and the value of the Philippine peso was decreasing.\(^\text{36}\) Thus, it could be expected that the implementation of the law becomes more costly than before. As the implementation becomes more costly, an increase in budget is needed in order to sustain the implementation of the law. Indeed, the amount appropriated for the enforcement of labor laws increased, however, although the face value is increasing, the same could not be said with regards to its actual value. With the decreasing actual value of the Philippine peso, a larger portion of the national budget should be appropriated for the enforcement of labor laws so that the implementation of the laws may be maintained. However, this was not the case. Instead of a larger portion of the national budget, the enforcement of labor laws got smaller portions as years passed by. This may explain the increase in number of child workers in Central Luzon in the year 2007. Nevertheless, this could not explain why despite the lower proportion of the national budget allotted in the years 2005 and 2006, decrease in the number of child workers was recorded.

Based on the interview with Mrs. Baby Santos of the DOLE-BWYW, from the budget appropriated for the enforcement of labor laws per region, there is no specific budget for the enforcement of child labor laws. According to Mrs. Santos, the One Fund Concept applies to the budget appropriations in the local level. Under the said concept, proposals should be made ahead of time and if the proposals were approved, then the budget for that program would be released. For example, if they wish to conduct inspections or raids, they should gain the approval of the regional director. If the regional director approved the said plan, budget for that particular inspection or raid would be allotted. Thus, the focal persons in charge of the children’s welfare should be active in advocating and promoting programs that would help strengthen the

\(^{36}\) based on constant news reports throughout the years
implementation of the law. However, according to Mrs. Santos, regional directors have their own priority programs and biases as well. Due to that, there may be instances wherein the enforcement of child labor laws is not a top priority when it comes to budget allocation. This may also help in explaining the unpredictable movements in the data.

Another input to be considered is the manpower involved, or the human resources, in monitoring the implementation of the law. Some assumes that when there are more people involved in monitoring the implementation of the law, most probably a better output would be achieved. Table 4 shows the list of persons involved in monitoring the welfare of children, which includes the implementation of child labor laws, in Central Luzon. For the past five years up to the present, their number neither increased nor decreased. Though their number was constant through the years, it could be said that the human resources input still affected the increase or decrease in the number of child workers in Central Luzon, however, the data could not show how. Nevertheless, based on the interview with Mrs. Santos, if the focal persons would be active in promoting the implementation of the law, it would help a lot in achieving a better output in reducing the number of child workers in Central Luzon as well as in the other parts of the country.

However, according to the interview with Ms. Rica Bernardez of the DOLE-BWYW, these focal persons have no specific roles. There are no written guidelines as to what their function should be. They are just there to coordinate and support the programs concerning child labor. Also, looking at Table 4, it could be observed that these persons have their own main jobs and that their focus is not on child labor alone. Thus, their participation and performance is somehow unpredictable.
CONCLUSION AND RECOMMENDATIONS

R.A. 9231, in itself, may be considered as an effective law. With its provisions, it really has the potential in performing well in reducing the number of child workers in Central Luzon. Sterner provisions helps reduce the number of child workers. However, budget allocation and the human resources involved also affect the performance of the said law. If there are more financial resources that could be utilized in the enforcement of R.A. 9231, then the law would probably perform much better. When it comes to the human resources input, the more active the focal persons are in promoting the implementation of the law, the better.

In order to improve the performance of R.A. 9231, the researcher recommends the following:

- A larger portion of the national budget should be allocated for the enforcement of labor laws. If a larger portion of the national budget would be allocated for the enforcement of labor laws, there would be more financial resources that could be utilized in the enforcement of the law.

- Allocation of specific budget for the enforcement of child labor laws. Having a specific budget for the enforcement of child labor laws would ensure the continuity and regularity of programs which aids in the implementation of the law (i.e. raids, inspections, orientations, etc.)

- Have a committee wherein the focus of all the members involved would only be the monitoring of the implementation of the law. Having a committee which is focused only on the implementation of the law would be very helpful since the attention of the members of the committee would be undivided. Thus, they would be able to monitor well.
• Have a specific guideline as to what the functions of the members of the committee would be. Members would be properly guided as to what their duties and responsibilities are. This would also help in ensuring the participation of the members of the said committee.

Reference List:


Bureau of Women and Young Workers. *Philippine national monograph on child labor*


