

WORKERS FIRST: The Nagkaisa Labor Coalition's COVID-19 Response in the Philippines

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This paper is part of the series "Lessons learned from Covid-19: Transforming a global crisis to global solidarity?"

Under the banner of the common struggle against military dictatorships and authoritarian populists, Nagkaisa was able to forge unity not just among local groups but also with international organizations. In this, the defense of civil liberties and democratic rights is bound up with the protection of labor rights and workers' interests.



Members of labor groups affiliated to Nagkaisa raise the three-finger salute in a solidarity action for the people of Burma/Myanmar. 11 February 2021. (Photo: Yuen Abana of Partido Manggagawa)

This paper examines the demands, activities, tactics, and alliances forged by the Nagkaisa (United) Labor Coalition as Duterte's authoritarian COVID-19 response led to an unprecedented economic crisis in the Philippines. The work of Nagkaisa has been among the most successful efforts to unite organized labor in the last decade. The coalition pushed for a response that prioritized workers' rights and campaigned to forward the narrative that economic recovery is dependent on the protection of the labor sector. Nagkaisa's advocacy met only marginal success in terms of overturning government policies however, and the real test is in organizing the revival of workers' activism. Nagkaisa's efforts demonstrate the importance of forging working-class unity in the fight for labor rights and welfare in exceedingly difficult circumstances and, furthermore, reveal the imperative for international solidarity in the fight against the global turn to authoritarianism.



Introduction

In 2020, in a bid to control the spread of the coronavirus disease (COVID-19) in the Philippines, the government of President Rodrigo Duterte imposed one of the longest and strictest lockdowns globally. While it may have helped curtail community transmission, the closure of businesses and restrictions on mobility shut down a large section of the economy, including the informal sector. The inevitable result was a massive rise in unemployment and severe economic hardship. While everyone was affected by the COVID-19 lockdowns, the impact was felt disproportionately by workers, the poor, the working class, and women working in both formal and informal economies.

Prior to the pandemic and even amid a decade and a half of economic growth and a rise in labor productivity, the working class was already being squeezed by wage stagnation. The spread of precarious employment, especially in the formal economy, was a key factor in depressing wages and benefits for workers. Deficits in decent work pushed a segment of the working class who had enough skills and savings to migrate in search of work. Thus, the hardships brought about by the lockdown were keenly felt in working class areas and poor communities.

Still, the COVID-19 pandemic by itself is not to blame for immiserating a large swathe of the population. Similarly-positioned countries in Southeast Asia, such as Vietnam, successfully managed to control the pandemic without their economies taking a severe hit from state-imposed lockdowns.¹ Thus, specific policy responses to the pandemic are a key factor in the divergent outcomes for societies and economies in Southeast Asia and elsewhere.

For example, the scale of infections and deaths in the Philippines and Indonesia are comparable and both countries suffered from economic recession due to lockdowns.² A particularly authoritarian response to the pandemic in the Philippines was the direct cause of the economic hardship of the working class. The prestigious Lancet medical journal described the response in the Philippines and elsewhere as “medical populism” for forgoing a scientific public health response to the COVID-19 pandemic and instead prioritizing a law and order response which led to serious cases of abuse of power and the repression of civil liberties.³

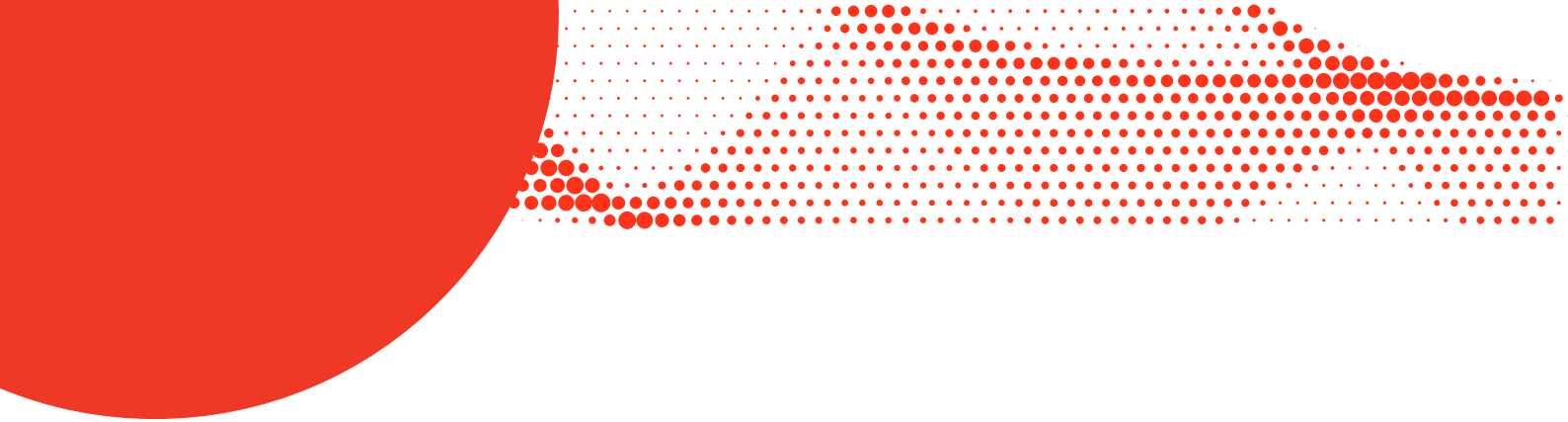
In the face of what amounts to an economic crisis, social movements in the Philippines—and the labor movement in particular—advocated for an adequate response that takes as its starting point the rights and welfare of the vulnerable in society. The Nagkaisa Labor Coalition created campaigns that centered on a ‘workers first’ agenda for responding to and recovering from the impacts of the pandemic.

Nagkaisa is arguably the most successful labor alliance project in recent Philippine history. Formed in 2012, it unites some 40 labor groups and institutions including the major labor organizations. In the last five years, Nagkaisa was primarily active in pushing for restrictions on non-standard employment among workers. In his 2016 campaign for the presidency, Duterte infamously promised to abolish contractualization or endo, the local term for non-standard employment. The Nagkaisa Labor Coalition’s profile was raised by challenging the administration on its promise to end endo. The experience strengthened the coalition, preparing it for developing its advocacy in

¹Y. N. Lee, “This is Asia’s top-performing economy in the Covid pandemic — it’s not China”, CNBC, 27 January 2021, available at: <https://www.cnbc.com/2021/01/28/vietnam-is-asias-top-performing-economy-in-2020-amid-covid-pandemic.html>.

²C. Gonzales, “PH had highest new COVID-19 cases in Southeast Asia during surge — ex DOH chief” Inquirer.net, 8 May 2021, available at: <https://newsinfo.inquirer.net/1429072/ph-had-highest-new-covid-19-cases-in-southeast-asia-during-surge-ex-doh-chief>

³G. K. Cabico, “‘Medical populism’ puts Philippines at 66th of 91 nations in COVID-19 suppression”, Philstar, 23 September 2020, available at: <https://www.philstar.com/headlines/2020/09/23/2044587/medical-populism-puts-philippines-66th-91-nations-covid-19-suppression>.



the time of COVID-19.

Still, Nagkaisa faced different and difficult terrain when organizing advocacy and resistance in the midst of a protracted lockdown and rising authoritarianism. Thus, in addition to the demands and agenda that Nagkaisa proposed, it is worthwhile to interrogate the alliances and tactics that the coalition engaged in while navigating the changing landscape of politics during the pandemic. Finally, given the global turn to authoritarianism, it is relevant to study the role played by international solidarity in Nagkaisa's response.

Framework and Methodology

To understand the dynamics of Nagkaisa's advocacy for a 'workers first' response to the COVID-19 pandemic, the concepts of social movement unionism and the power resources approach will be used as investigative lenses. These two contemporary frameworks have proven useful in understanding and conceptualizing union renewal. While the two concepts are distinct, there are overlaps in the ideas and actions proposed by advocates of social movement unionism and the power resources approach.

Social movement unionism starts from an analysis of the predicaments facing unions. It is generally accepted that participation in unions and other workers' organizations has declined, as they face difficulties due to workplace changes and economic shifts under neoliberal globalization. Therefore, union decline has been attributed to both the external challenge of globalization and an internal inability to adapt to such changes. In order for the revitalization of unions to take place, it is posited that they need to generate strategic leverage against external challenges and to remodel organizational capacity to better respond to internal weaknesses.⁴

A union's strategic leverage is described as the degree of its influence outside of its own structure and organization. Factors affecting a union's strategic leverage include: the structure of industries, employers' attitudes towards unions, labor markets, the nature of technology and work organization, labor law and social legislation, and the state of regulation of labor policy and availability of networks.⁵

Meanwhile, organizational capacity concerns a union's ability to transform intention into organizational action. Among the important aspects that are relevant to organizational capacity are union structure, elected officers, staff, volunteer positions, and a human resources system.⁶

These propositions of social movement unionism correspond with a SWOT (strengths, weaknesses, opportunities, and threats) analysis of unions. An examination of a union's strategic leverage reveals opportunities that must be maximized and threats that must be mitigated. A study of a union's organizational capacity exposes the strengths which should be maximized and the weaknesses that should be remedied as soon as possible.

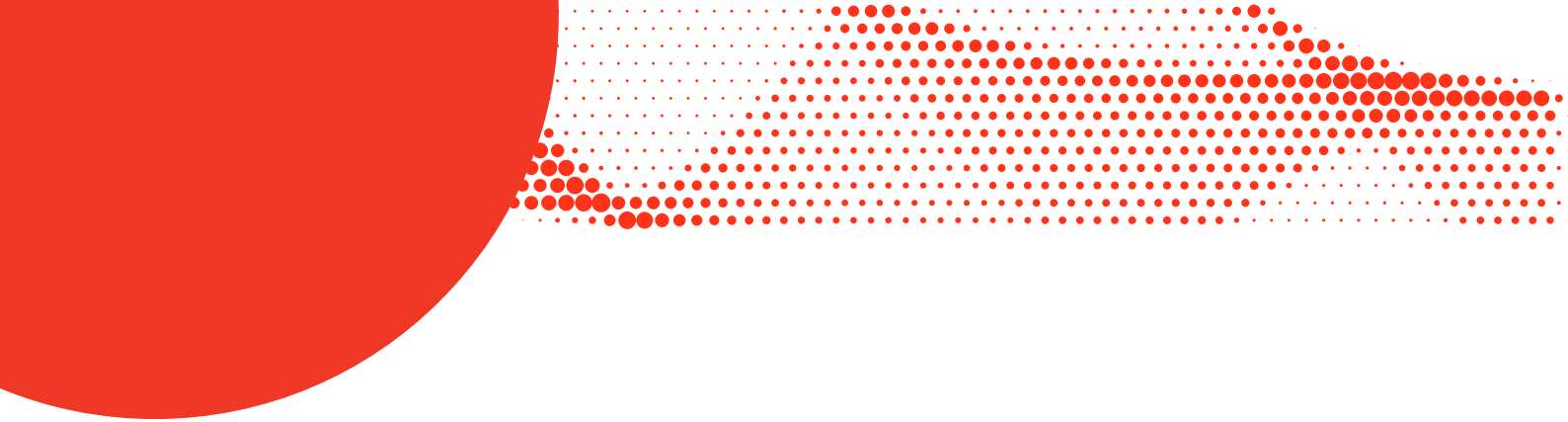
According to advocates of social movement unionism, there are two models of unionism: servicing and organizing.⁷ A servicing union is focused on delivering services to its existing members. This type of union is criticized as being

⁴M. E. Aganon et al., *Revitalizing Philippine Unions: Potentials and Constraints to Social Movement Unionism* (Friedrich Ebert Stiftung and UP SOLAIR, 2008).

⁵Ibid.

⁶Ibid.

⁷Ibid.



too narrow in scope as it limits union activities to the provision of benefits to members. A narrow servicing union leads to passive members who remain beneficiaries of their union without agency.

In contrast, an organizing union emphasizes membership participation in all aspects of union life and because of this, members become active within it. They are empowered and exercise agency as unionists. Furthermore, the perspective of an organizing union is expansive as it seeks to recruit and expand its membership, even as it seeks community allies outside of its ranks.

Social movement unionism asserts that unions which remain servicing ones fail at confronting the challenges of globalization and thus must transform into organizing unions to aggressively overcome the constraints of globalization. While a combative union can be both a servicing and organizing union, it cannot be solely a servicing one.

An organizing union is able to fully exploit both its strategic leverage and organizational capacity. Proponents of social movement unionism insist that this can be done in a variety of ways. Some important ways include: increasing membership involvement and activism; developing union democracy; instilling an organizing orientation, both within the workplace and beyond; forging networks with groups inside and outside of the union movement; fostering the spirit of solidarity and internationalism among workers; and defining an expansive union identity and purpose.

Revitalizing the union starts with refining the identity and purpose of the organization. The membership and leadership must be motivated by the ideal and vision of being part of a social movement, not just a local union. The narrowness of local unions comes from a business union approach. In business unionism, the union identity and purpose are limited to job control within a particular workplace. In contrast, the social movement union's identity and purpose extends to concerns about the whole working class, including its different sections.

The power resources approach comes from the realization that unions are not simply victims of external forces like globalization or the shift from manufacturing to services. Instead, unions have the opportunity to make strategic choices. According to Stefan Schmalz, Carmen Ludwig, and Edward Webster, a union can "defend its interests by collective mobilization of power resources".⁸ The definition of power is based upon Max Weber's assertion that power is "the probability that one actor within a social relationship will be in a position to carry out his own will despite resistance".⁹

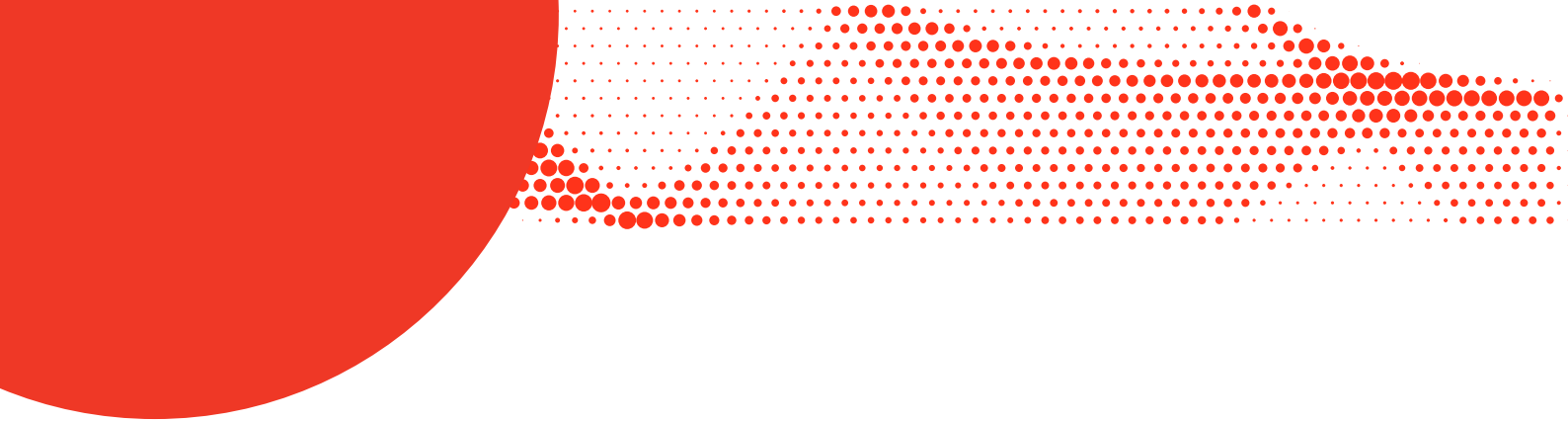
The key question, then, is clear. What are the power resources available for unions with the goal of renewal? Four kinds of power resources for unions are posited: structural power, associational power, institutional power, and societal power.

Structural power refers to the leverage created by the workers' position in the production process, or in the supply chain. Workers can have structural power even without collective representation such as a union or a formal organization. Workers can also create workplace bargaining power by disrupting work at the point of production.¹⁰

⁸S. Schmalz, C. Ludwig, and E. Webster, "The Power Resources Approach: Developments and Challenges", *Global Labour Journal*, vol. 9, no. 2, 2018, p. 113, available at <https://mulpress.mcmaster.ca/globallabour/article/view/3569/3157>.

⁹M. Weber, *Economy and Society: An Outline of Interpretive Sociology* (New York: Bedminster Press, 1968), p. 53.

¹⁰Schmalz, Ludwig, and Webster, "The Power Resources Approach".



Associational power arises from the ability of workers to organize collective representation through trade unions, workers' associations, workers' councils, and labor parties. The key indicator of associational power is union membership and union density. However, associational power is not just contingent on quantity but also on quality, such as the union's material and human resources, organizational efficiency, member participation, and internal cohesion. These categories are reminiscent of the organizational capacity proposed in social movement unionism.¹¹

Meanwhile, institutional power is a result of previous victorious struggles on the basis of strong structural and associational power.¹² This is expressed in institutional protection, rules, and processes. Institutional power has a two-fold nature: it gives workers their rights but also restricts their power to act. Still, rights and protections that are institutionalized have a long-term and lasting impact. Thus, despite employers' sharp turn to both union avoidance and union busting since the advent of globalization, freedom of association is recognized nationally and internationally as a legacy of institutional power.

Finally, societal power arises from coalitions and alliances by workers with other sectors and can come from coalitional power or the ability to build networks with others.¹³ Thus the union movement can forge connections with other social movements like environmental groups, women's networks, NGOs, student groups, and churches. Another source of societal power is discursive power. This refers to the ability of unions to favorably influence public opinion. Hegemony is a term that is synonymous with discursive power.

This paper argues that the activities, advocacies, and campaigns of Nagkaisa during the COVID-19 pandemic show elements of both social movement unionism and the power resources approach.

The data for this study was gathered from an analysis of documents, interviews with key informants, and participant observation. The documents examined include internal sources from Nagkaisa, such as minutes, statements, papers, and press releases. Other documents include external sources such as news stories about Nagkaisa's activities. Four key sources were interviewed for this project: Josua Mata, Rene Magtubo, Wilson Fortaleza, and Judy Miranda. All of them are convenors of Nagkaisa. The author assisted Nagkaisa and some of its constituent groups in a personal but limited capacity during the period covered by the study. Thus, the author was able to observe first-hand the activities of Nagkaisa as it responded to the challenges posed by the pandemic and subsequent lockdowns. The analysis of documents, interviews with key sources, and participant observation provided a direction for the data and findings of the study.

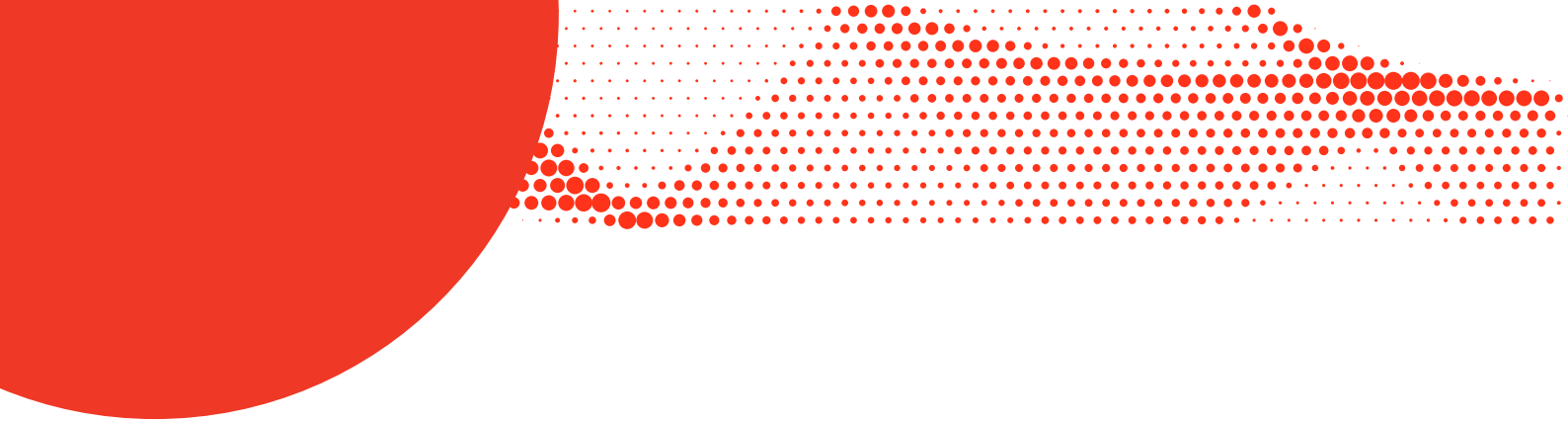
Movement against Duterte's Authoritarian Response to COVID-19

Even before he assumed office in 2016, critics of Duterte had already warned of the threat to liberal democratic governance posed by his authoritarian bent. In fact, Duterte was particularly open that under his administration the war on drugs would be waged through violent means. Indeed, a wave of killings of alleged addicts started as soon as the 2016 elections were concluded, before Duterte formally assumed office.

¹¹ibid.

¹²ibid.

¹³Schmalz, Ludwig, and Webster, "The Power Resources Approach".



Concurrently, Duterte made populist promises, the most prominent of which was his pledge to the labor sector to abolish contractualization. Early in his administration, he declared himself a socialist, appointed five nominees from the outlawed Communist Party of the Philippines (CPP) to his cabinet, and maintained friendly relations with leftist parliamentary deputies from the Makabayan bloc of party-list groups.

However, as Duterte's rule unfolded, his authoritarian tendencies clearly dominated and his alleged populism was exposed once challenged. He vetoed the proposed Security of Tenure Act that would have restricted employers' ability to engage in non-standard employment. The veto was at the behest of united capitalist groups. Peace talks with the CPP later collapsed. Duterte ruled with an iron fist, silencing his vocal critics such as Senator Leila de Lima and Supreme Court chief Maria Lourdes Sereno. On the southern island of Mindanao, martial law was imposed for a year and a half. A slew of repressive legislative proposals like re-imposing the death penalty and lowering the age of criminal liability were tabled, however they did not find success in parliament. While more than 12,000 deaths have been documented as a result of the war on drugs, Human Rights Watch believes the number of deaths is significantly higher.¹⁴

The Duterte administration's perspective that the war on drugs is a question of law and order instead of a public health concern was visible in the government's response to COVID-19. However, despite early calls to ban flights from China once the first case was detected in the country, the state response was delayed by a month. One week after the first case of confirmed local transmission, the government went into overdrive and ordered the first national lockdown, which was imposed on 15 March 2020. The police and the military were widely deployed to implement severe restrictions on mobility and impose the 'stay at home' protocol. The COVID-19 task force appointed by Duterte was headed and populated by retired generals and did not include a single epidemiologist.

People who were found violating quarantine rules were arrested. However, in a glaring double standard in the application of the lockdown rules, so-called VIPs who flagrantly transgressed quarantine rules, an incumbent senator, the presidential spokesperson, and a pro-administration social media influencer all escaped punishment. The contrast was so outrageous that a group of prominent business owners wrote a public letter condemning the double standard.

It was during the height of the lockdown—with civil liberties effectively suspended and the right to peaceful assembly on the streets banned on the pretext of social distancing—that the Duterte administration clamped down harder on political rivals. The media network ABS-CBN was shut down by the non-renewal of its operating license. Vocal government critic Maria Ressa from the online news outlet Rappler was arrested for cyber libel and then released on bail. Several protests were dispersed, protesters were arrested, and a new more draconian anti-terrorism law was enacted.

All of these incidents made obvious Duterte's authoritarian governance both in general and in response to the pandemic in particular. It was precisely the law and order framework of the response that led to the severe and extended lockdown and, indirectly, to the failure to contain the pandemic. The cost of the governments' inept response was a deep economic recession and the consequent impoverishment of the working class. In contrast, neighboring countries such as Vietnam, whose initial response to COVID-19 was founded on a public health paradigm, escaped the worst economic impacts of the pandemic.

¹⁴"Philippines: Duterte's 'Drug War' Claims 12,000+ Lives", Human Rights Watch, 18 January 2018, available at: <https://www.hrw.org/news/2018/01/18/philippines-dutertes-drug-war-claims-12000-lives>.



Sufficient Aid for All

The strict lockdown, initially affecting Metro Manila, then the rest of the main island of Luzon, and finally the whole of the country, led to losses of paid formal and informal work for a significant proportion of the working class. Essential workers in the healthcare sector and food industries continued to go to their workplaces. A section of workers transitioned to working at home. The levers of government bureaucracy remained operational either in frontline services or working from home. The official number of unemployed at the height of the lockdown during the second quarter of 2020 was 7.3 million.¹⁵ This is clearly an underestimation given the limited definition of who is officially unemployed. However, this figure shows the grave situation of the labor market at that time.

Immediately after the government declared the first lockdown in the middle of March, Nagkaisa proposed that aid must be provided to affected workers by both employers and the government. Nagkaisa asked that employers provide paid leave to workers who were furloughed due to mobility restrictions. Concurrently, the group called on the government to provide a PHP 10,000 monthly subsidy or the prevailing minimum wage—whichever was higher—to workers who lost their jobs for the duration of the lockdown.

Nagkaisa launched a high-profile campaign around these demands, summarized by the phrase “ayudang sapat para sa lahat” or “sufficient assistance for all”. The group issued statements to the media and sought out representatives in Congress who could be allies to Nagkaisa’s demands. Nagkaisa held dialogues with Senator Risa Hontiveros and Representative Stella Quimbo. While several solons¹⁶ had proposed bills in the House of Representatives for a host of fiscal measures in response to the pandemic, Quimbo was the only one who openly discussed Nagkaisa’s proposals.

The government turned a deaf ear to calls by Nagkaisa and other progressive groups. Instead of mandating employers to aid their workers who were temporarily out of work, the Department of Labor and Employment (DOLE) merely encouraged them to grant assistance. However, most employers simply left their workers to fend for themselves because of their ‘no work, no pay’ principle. A number of employers advanced bonuses owed to workers, such as the ‘thirteenth month pay’,¹⁷ which is usually paid out in December in time for Christmas. Some employers provided aid in cash or kind to their employees. Examples of participating companies are big conglomerates like Ayala Corporation, Jollibee, Megaworld, and Phinma.¹⁸ Employers also allowed workers to utilize paid leave which quickly ran out as the original two-week lockdown was repeatedly extended. Very few employers provided paid leave for their workers, among the exceptions was Philip Morris Fortune Tobacco Corporation, which is a large profitable company with a strong union.

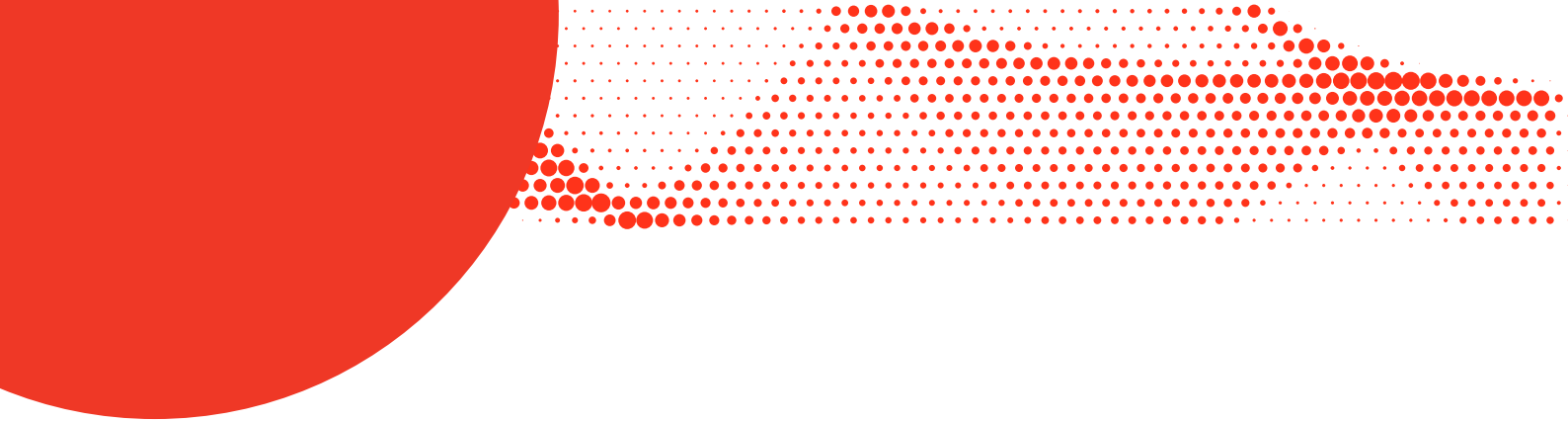
DOLE and later the Social Security System (SSS) implemented a targeted aid distribution program for formally employed workers displaced by the lockdown. The beneficiaries were supposed to be workers in micro, small, and medium enterprises (MSMEs) who were on forced leave. DOLE’s COVID-19 Adjustment Measures Program (CAMP) provided a one-time PHP 5,000 grant to beneficiaries. The number of beneficiaries was limited to 1.4

¹⁵R. Rivas, “PH unemployment at all-time high with 7.3 million jobless in April 2020”, Rappler, 5 June 2020, available at: <https://www.rappler.com/business/unemployment-rate-philippines-april-2020>.

¹⁶The term commonly used for lawmakers in the Philippines.

¹⁷This is a legally mandated benefit for workers, regardless of status, who have completed at least one month of work in a year.

¹⁸“LIST: Aid from Philippine companies during coronavirus pandemic”, Rappler, 23 March 2020, available at: <https://www.rappler.com/business/255591-aid-philippine-companies-coronavirus-pandemic/>.



million formally-employed workers.¹⁹ The program generated a lot of complaints as only a minority of furloughed workers received assistance. The system was also open to abuse and arbitrariness as employers were given the right to apply on behalf of their workers and DOLE had the discretion to approve beneficiaries. According to Rene Magtubo, in at least one instance, the owner of a restaurant in the industrial area of Cavite forced his workers to fork over the CAMP benefits that they received. When some of them filed complaints with the help of the Labor Party, or Partido Manggagawa (PM), the employer promptly fired them. A case for illegal dismissal is pending against the employer.

In response to widespread complaints of a lack of assistance, the government arranged a second round of aid for formally-employed workers called the Small Business Wage Subsidy (SBWS). This time, the beneficiaries were identified through the list of employees registered with the SSS. With a bigger budget of PHP 16.4 billion, more workers were supposed to benefit, however it still fell short of reaching all the workers who had been placed on forced leave. Additionally,, the amount given to each worker was larger than PHP 5,000 but in no case exceeded the limit of PHP 8,000. Some 2.1 million SBWS beneficiaries were given two months' salary worth of subsidies.²⁰

Similarly, the government rolled out an aid program for the informal sector called the Special Amelioration Program (SAP) which was designed to provide a PHP 5,000 cash grant to 16 million families. The program was supposed to target the poorest of the poor. Payment was made in two tranches, distributed through a list provided by the Department of Social Welfare and Development in coordination with local governments.

The distribution of SAP was marred by bureaucratic inefficiency and widespread abuse. The list of beneficiaries was subject to political discretion. Local government organizations were stretched to breaking point through having to provide services for a large number of beneficiaries. Long lines of people waiting in the sweltering heat of summer became commonplace. In a number of incidents, distribution was so inept that health protocols, such as social distancing, were not observed.

Nagkaisa had foreseen such an issue and had called for a PHP 10,000 universal subsidy to be granted to all workers, formal and informal, who were affected by the lockdown. The group argued that a universal, rather than a targeted system of aid provision would eliminate discretion, abuse, and gridlock.

However, the government's finance managers were so concerned with a ballooning deficit that they would not approve universal aid. The government's misguided frugality resulted in mass suffering. As the lockdown continued, the number of people experiencing hunger ballooned from 4.2 million people reporting hunger in the second quarter of 2020²¹ to 7.6 million by the end of the year.²² Ironically, this was despite a decrease in the number of officially unemployed workers from 7.3 million at the height of the lockdown to 4.5 million by the end of the year.²³ A number of factors can explain this ominous trend, one being that the recovery in documented employment

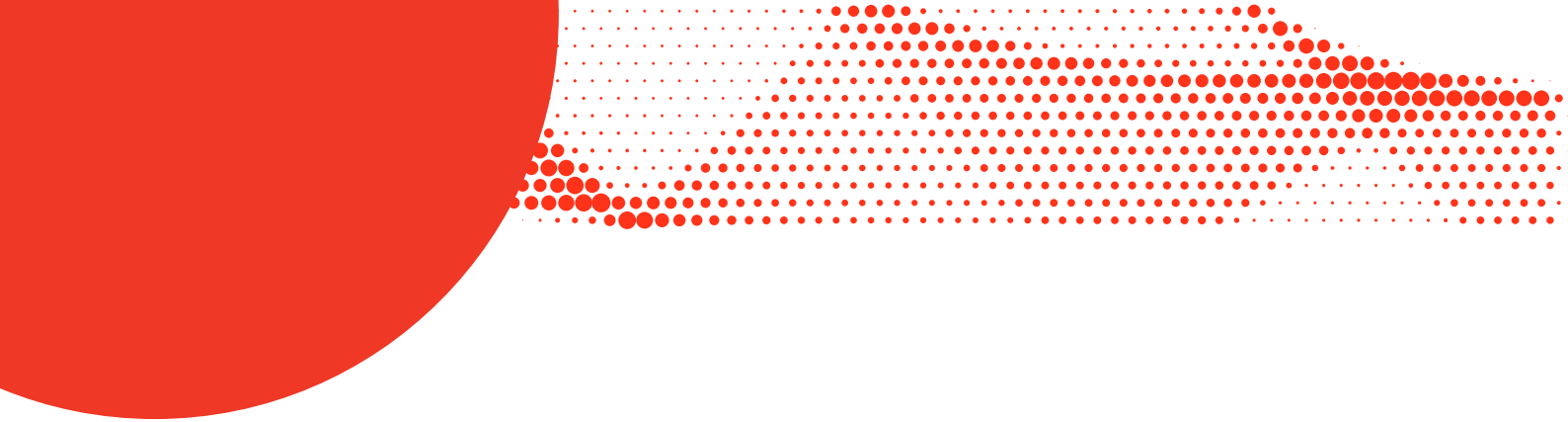
¹⁹"Formal workers have until December 11 to apply for govt. assistance — DOLE", CNN Philippines, 10 December 2020, available at: <https://www.cnn.ph/news/2020/12/10/dole-camp-application-deadline.html>.

²⁰Department of Finance, Republic of the Philippines, "DOF releases P16.4-B subsidies to 2.1-M SBWS beneficiary-workers", 17 May 2020, available at: <https://www.dof.gov.ph/dof-releases-p16-4-b-subsidies-to-2-1-m-sbws-beneficiary-workers/>.

²¹"SWS survey reveals 4.2 million families suffered involuntary hunger amid COVID-19 pandemic", CNN Philippines, 22 May 2020, available at: <https://cnnphilippines.com/news/2020/5/22/sws-survey-four-million-families-involuntary-hunger-covid-pandemic.html>.

²²K. Aguilar, "7.6 million families hungry in past 3 months, highest hunger rate since 2014 — SWS", Inquirer.net, 27 September 2020, available at: <https://newsinfo.inquirer.net/1340772/7-6-million-families-hungry-sets-phs-highest-hunger-incidence-since-2014-sws>.

²³B. O. de Vera, "4.5 million Pinoy jobless in 2020", Inquirer.net, 4 December 2020, available at: <https://newsinfo.inquirer.net/1367928/4-5m-pinoy-jobless-in-2020>.



was on the basis of people shifting from formal to more vulnerable informal employment. After months of forced leave, a large number of people also dropped out of the workforce entirely. Inflation also worsened as supply chains were disrupted by mobility restrictions and by a series of strong typhoons in the latter half of 2020. Finally, the increase in hunger was also an outcome of insufficient and unimaginative aid provision by the government. Nagkaisa's demand for sufficient universal aid could have resulted in a different outcome.

A Safe Return to Work

Complementing Nagkaisa's demand for sufficient aid for all was the call for a safe return to work. By the second half of 2020, employers' demands for the recovery of the economy and the re-opening of businesses became stronger. No doubt they were concerned that the risk of financial loss was greater than the risk of a surge in COVID-19 infections.

In a statement released for May Day in 2020, the PM argued that "Workers returning to their jobs [is] key to restarting the economy. But the government and capitalists are more concerned with a return on investments and less about the safety of workers. Unfortunately, even workers are tempted to risk their health and safety rather than face hunger due to joblessness".²⁴

The earliest establishments to be allowed to operate were factories in export-processing zones, call centers, and other companies providing outsourced services. It was obvious that the government and employers wanted these lucrative sectors of the economy to resume operations as soon as possible.

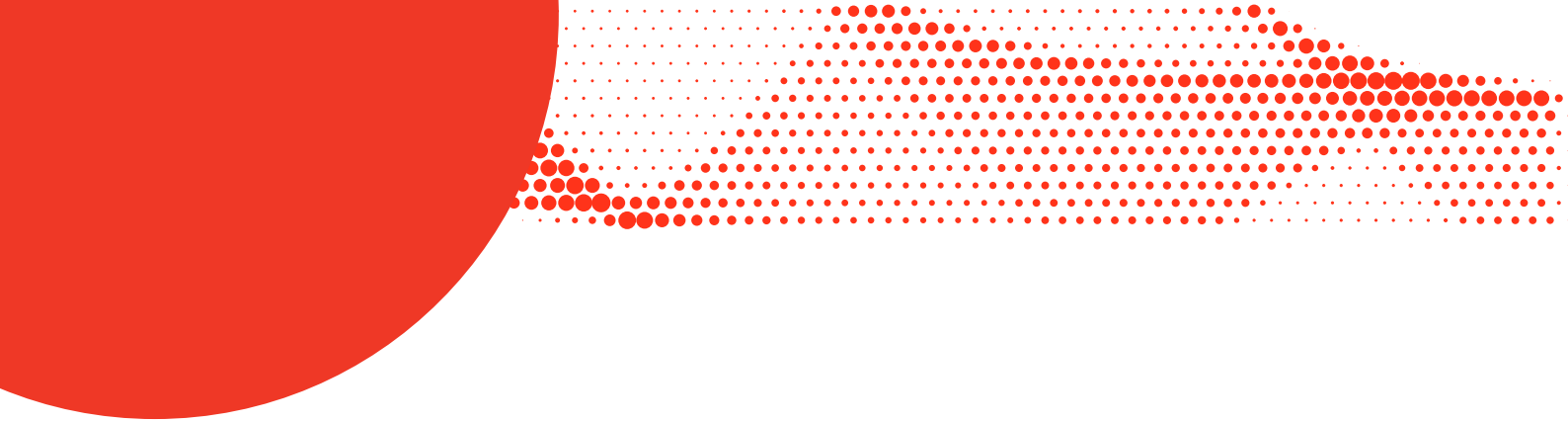
Early in the lockdown, the government issued two sets of guidelines for the implementation of mandatory occupational health and safety protocols for establishments that were continuing to operate. The guidelines were rudimentary, providing rules for the observance of minimum health protocols such as social distancing within factories and offices, provision of health checks and disinfectants, formation of safety committees, and mandating that the cost of swab tests be shouldered by employers.

In practice, the implementation of these basic safety rules and guidelines was lacking, as it was obviously costly for employers who were already facing losses due to the lockdown. For example, unethical employers forced workers to get tested out of their own pockets. Furthermore, workers could not complain as the complaint and dispute resolution mechanisms were suspended according to the guidelines set out in DOLE Department Order 213.²⁵

Aside from the problem of unethical employers, the guidelines were discriminatory. To cite one example, the guidelines merely encouraged, rather than forced employers to provide shuttle services for employees who were commuting to work on location. In the absence of public transportation—which was banned at the start of the lockdown and was only gradually reintroduced—workers had to fend for themselves. In order for them to have a job and an income, workers would walk or cycle to and from their workplaces. This put women workers in export processing zones and call centers—who work in night shifts—in vulnerable situations. Judy Miranda told stories

²⁴"Workers First in the New Normal", Partido Manggagawa, 2 May 2020, available at: <https://partidomanggagawa2001.blogspot.com/2020/05/workers-first-in-new-normal.html>

²⁵DOLE, "Prescribing Guidelines in the Prescription of Actions and the Suspension of Reglementary Periods to File Pleadings, Motions and Other Documents", 5 May 2020, available at: https://www.dole.gov.ph/php_assets/uploads/2020/05/DO-No.-213-20-_prescribing.pdf.



of women workers walking home in groups to lessen the risk of gender-based violence and attacks in the street.

Nagkaisa proposed that employers who ask their employees to work on location should be mandated to provide transportation services. To facilitate this, the group asked that *jeepneys*²⁶ and buses, which had been prevented from operating as part of the lockdown, be contracted to ferry workers to and from work. This call provided a solution to demands for the safe return of workers to work and the call for assistance for displaced public transport workers, specifically hundreds of thousands of jeepney drivers. The National Confederation of Transport Workers' Union (NCTU), an affiliate of Sentro ng mga Nagkakaisa at Progresibong Manggagawa (SENTRO), successfully campaigned for this demand on the basis of 'just transition' and won two rounds of funding from the government's budget for 2020 and 2021 to pay for service contractors. The NCTU's alliance with the transport advocacy group Move As One Coalition and partnership with champions like Senator Hontiveros proved crucial in securing this victory.

The call for mandatory shuttle services and service contracts for jeepneys and buses was part of Nagkaisa's demands package under the rubric of a safe return to work. The package of demands included mass testing, free personal protective equipment (PPE), hazard pay, and full insurance coverage for workers who contract COVID-19. The group insisted that the more reliable Reverse Transcription Polymerase Chain Reaction (PCR) test be utilized in testing and not the antigen tests preferred by the government and employers. Finally, Nagkaisa insisted workers must have the right to refuse to work without fear of being penalized in cases where health and safety is compromised.

Nagkaisa looked for allies to amplify its demand for a safe return to work. It found a champion in Senator Hontiveros who sponsored a bill in the Senate entitled "Balik Trabahong Ligtas", which translates to "A Safe Return to Work".²⁷ The salient provisions of the bill mandate health insurance coverage for all workers, regardless of employment status, who are required to physically report for work. It also grants flexible sick leave for employees who are infected. The additional sick leave will be on top of any existing leave benefits workers may have. The bill was filed before 1 May 2020 when the large numbers of workers in qualified industries under the less restrictive 'general community quarantine' were due to return to work. As of the end of 2021, the bill remains pending and has little chance of being enacted due to the start of the election campaign period in 2022.

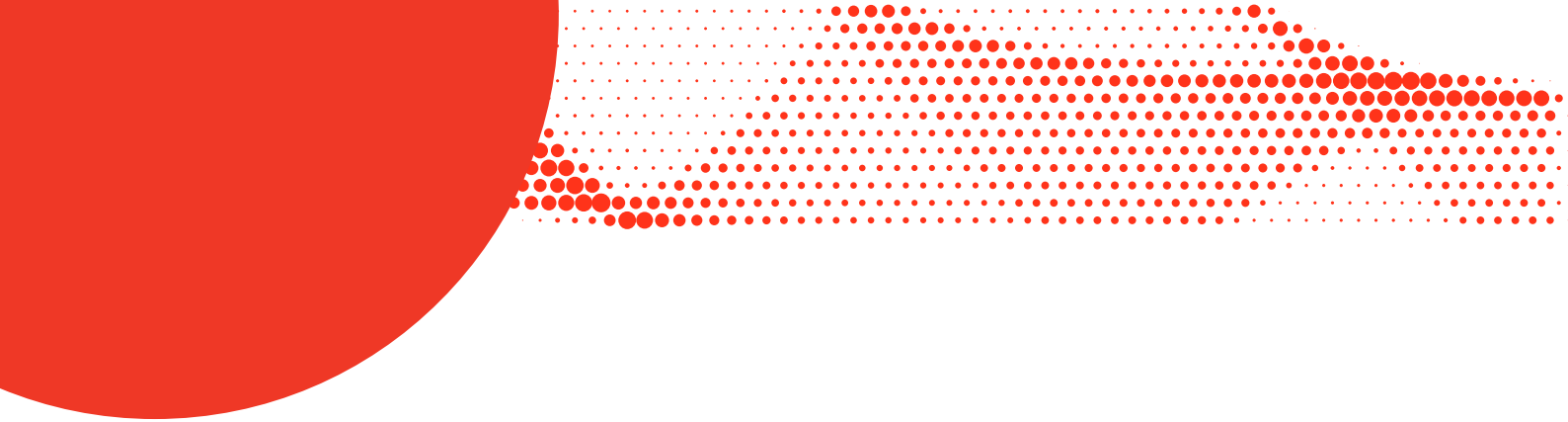
A Humane Instead of Militarized Response

A third pillar of Nagkaisa's COVID-19 response was advocacy for a humane instead of a militarized implementation of mobility restrictions and 'stay at home' orders. From the early days of the lockdown, Nagkaisa warned the government against treating the pandemic as an issue of individual discipline. Nagkaisa called for a COVID-19 response that was predicated on it being considered a public health concern. This was of course part of an overall narrative that put workers' welfare and rights at the front and center.

This forewarning was a result of the group's analysis of the authoritarian bent of the Duterte administration. Similar to how Duterte framed drug addiction as a problem of law and order instead of a public health issue, the COVID-19 response was also constructed on a militarized basis. The first day of the lockdown saw checkpoints

²⁶A popular form of Philippine bus transport, usually converted from jeeps.

²⁷Senate of the Philippines, "Hontiveros bats for mandatory life and add'l health insurance for all workers during health emergencies", 30 April 2020, available at: http://legacy.senate.gov.ph/press_release/2020/0430_hontiveros1.asp.



established throughout Metro Manila. Essential workers commuting to work were held in bottlenecks as they ran the gamut of police and military barriers just to get to their workplaces. There were arrests of ordinary Filipinos who were trying to eke out a living during the lockdown. The repression of poor Filipinos who ran afoul of the COVID-19 restrictions was immediate but the militarized pandemic response later proved to be useful against political rivals of the administration.

Suppression of mass protests and critiques of the administration grew as the pandemic raged on and the lockdown continued. Two weeks into the lockdown, dozens of residents of informal settlements living in the center of Quezon City staged a protest along the EDSA, the main thoroughfare traversing Metro Manila. Police immediately dispersed the rally and arrested 21 impoverished residents who were demanding assistance.²⁸ The government immediately provided aid to the depressed community but the Inter-Agency Task Force (IATF), which was in charge of the COVID-19 response, opposed the early release of the arrested residents. No doubt, these actions were motivated by the desire to nip any possible mass unrest in the bud.

With mass protests effectively prohibited, a new anti-terror law was pushed through in Congress. Among other shortcomings, the new law allows the warrantless arrest of suspected terrorists, which are vaguely defined, and extends the period of detention to 24 days.²⁹ The new law repealed the previously enacted Human Security Act and removed important safeguards and oversights in the old legislation.

The political opposition, human rights groups, and various social movements and groups, including Nagkaisa, expressed their outrage at this new law. Nagkaisa held pocket rallies and motorcades with other groups near the ABS-CBN compound. On 16 July 2020, Nagkaisa filed the ninth petition against the Anti-Terrorism Act before the Supreme Court.³⁰ Two days after the filing, the Anti-Terrorism Act took effect. In December 2021, the Supreme Court ruled that except for two parts, the Anti-Terrorism Act was constitutional.³¹

The cancellation of the franchise agreement of the media giant ABS-CBN was also pushed through Congress at the height of the pandemic and at a time when protests were difficult to organize. The media network had angered Duterte by declining to air his political ads during the 2016 elections and airing negative ads against him. Duterte had threatened to shut down ABS-CBN before the pandemic but apparently, the lockdown presented the perfect opportunity.

Nagkaisa stood firmly against the shutdown of ABS-CBN even as it called for a pro-worker franchise renewal agreement.³² Senator Hontiveros again was the lone ally of Nagkaisa as she reiterated the demand for a pro-worker franchise in Senate deliberations on the issue. The union representing ABS-CBN employees was an affiliate of SENTRO. For years, ABS-CBN was hounded by labor cases over contractualization and complaints that workers were being misclassified as talent or independent contractors, which was rampant in the broadcasting industry.³³

²⁸R. Talabong, "Quezon City residents demanding help amid lockdown arrested by police", Rappler, 1 April 2020, available at: <https://www.rappler.com/nation/residents-quezon-city-protesting-help-coronavirus-lockdown-arrested-by-police-april-1-2020>.

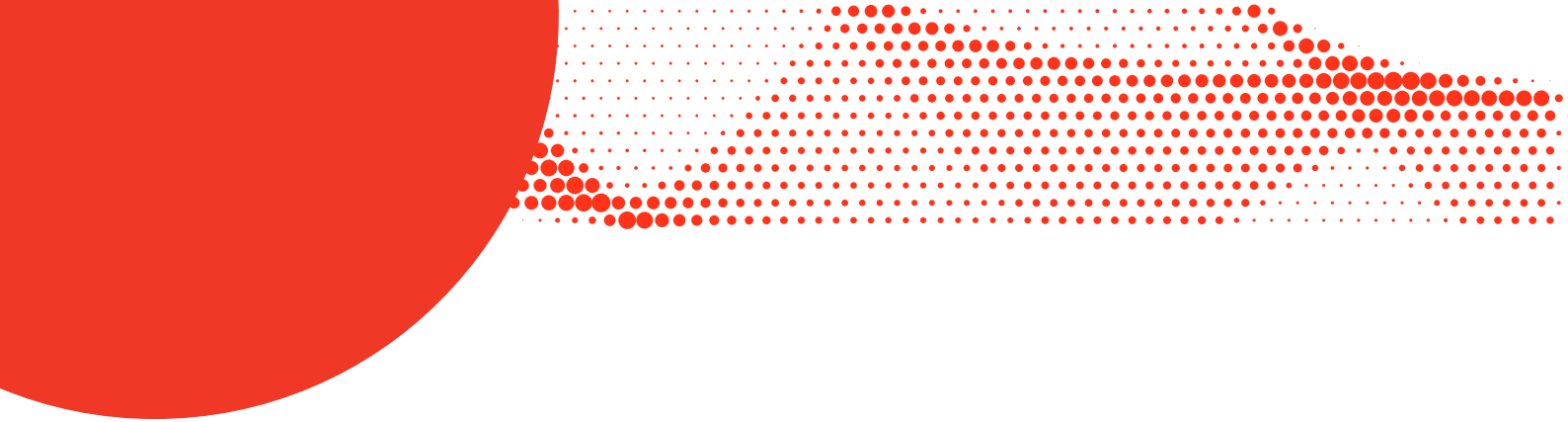
²⁹L. Buan, "EXPLAINER: Anti-terror law's IRR on delisting, warrantless arrests", Rappler, 17 October 2020, available at: <https://www.rappler.com/newsbreak/explainers/anti-terror-law-irr-delisting-added-condition-warrantless-arrest-no-house-arrest-bailable-crimes>.

³⁰L. Buan, "Labor groups file 9th petition vs anti-terror law, slam 'guilt by association'", Rappler, 16 July 2020, available at: <https://www.rappler.com/nation/labor-groups-file-petition-vs-anti-terror-law-july-2020>.

³¹"Supreme Court strikes down two parts of Anti-Terrorism Act", CNN Philippines, 9 December 2021, available at: <https://www.cnn.ph/news/2021/12/9/anti-terrorism-act-unconstitutional-supreme-court.html>.

³²F. Luna, "ABS-CBN shutdown will worsen state of unemployment — labor group", Philstar, 25 February 2020, available at: <https://www.philstar.com/headlines/2020/02/25/1995939/abs-cbn-shutdown-will-worsen-state-unemployment-labor-group>.

³³J. R. M. Antiquerra, "ABS-CBN labor dispute leads to mass termination", Center for Media Freedom and Responsibility, 2 August 2010, available at: <https://cmfr-phil.org/media-watch/abs-cbn-labor-dispute-leads-to-mass-termination/>.



The pro-worker provisions in the proposed renewal of ABS-CBN's franchise agreement would have mandated the regularization of its workforce.

On 5 May 2020, ABS-CBN ceased operations as its franchise agreement had expired a day before following its non-renewal by the House of Representatives which was dominated by administration legislators. The shutdown of ABS-CBN precipitated an internal conflict within Nagkaisa. The coalition publicly criticized the Trade Union Congress of the Philippines (TUCP) Party-list representative Raymond Mendoza for voting against the renewal of the franchise agreement, a reversal of his earlier stance for a pro-worker franchise agreement, which was the position of Nagkaisa and also of the TUCP labor center.³⁴ However, the public disagreement did not lead to an organization crisis for Nagkaisa. The maturity and consolidation reached by Nagkaisa was evident in this incident.

Fighting Union Repression

Nagkaisa construed the shutdown of ABS-CBN and the enactment of the Anti-Terrorism Act not just as attacks on the civil liberties of Filipinos but also as transgressions against the fundamental rights of workers. Thus, while it was obvious that state repression was targeted at the political opposition, it could also be deployed against a restive working class. Moreover, not only were workers threatened by the iron fist policies of the government but also by the capitalist class which was weaponizing the pandemic to erode labor standards and rights.

The Nagkaisa convenors were united in stating that a pandemic of rights violations was inflicted upon workers by employers. Workers were put on forced leave for months on end without pay or any assistance. Salaries were delayed. Benefits were not paid. Establishments shut down without paying separation benefits and social security contributions. Unions were busted. Employers refused to negotiate contracts. Collective bargaining agreements were not implemented. Unionists were red-tagged.³⁵

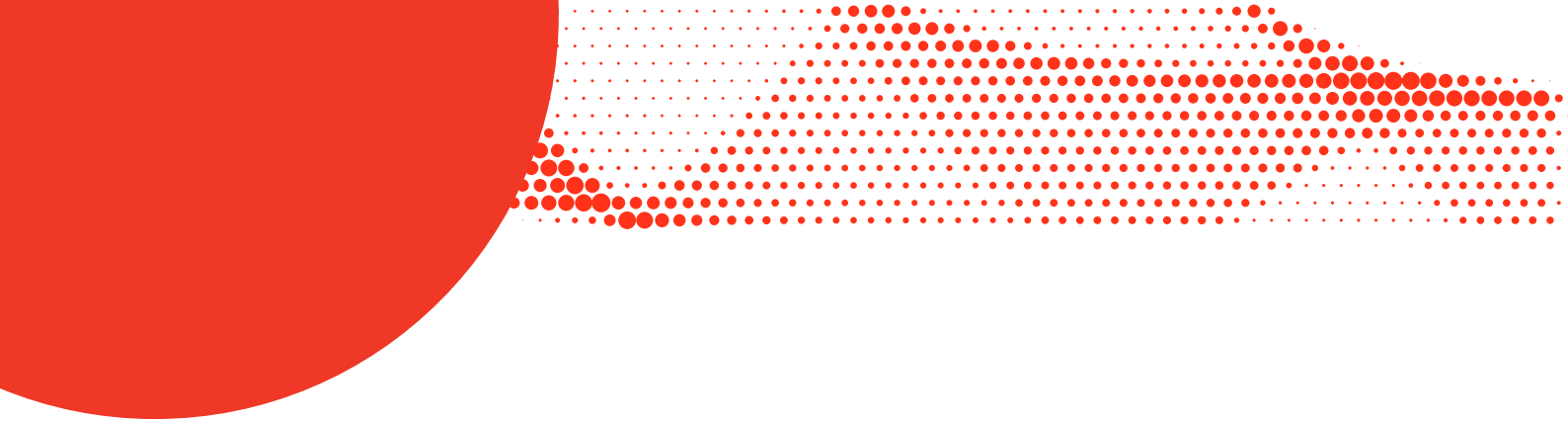
Within three weeks of the lockdown, the picket line of the workers of Sejung Apparel, a garment exporter located in the First Cavite Industrial Estate, was dispersed by a joint force of local police, barangay tanods,³⁶ and security guards. The strikers were threatened with arrest for allegedly violating quarantine protocols. The dispersal transpired on the night of Black Friday when legal assistance and labor solidarity would be very difficult to organize. The factory was unceremoniously shut down in December 2019, before the onset of the pandemic, without granting workers their last salary, thirteenth month pay, severance, or other benefits. In fact, the closure was a union-busting maneuver as, months before, the workers had voted for union representation and the union had already proposed to engage in collective bargaining negotiations.

Union busting by employers and union repression by the government was rampant. In the Mactan Export Processing Zone in Cebu, commonly called MEPZ by workers, grievances over the lack of employer assistance, extended forced leave, and mass layoffs, on top of the traditional issues of low pay and excessive production quotas, led to a surge in unionization and the explosive growth of the MEPZ Workers Association. In the latter half of 2020, SENTRO was able to form five unions in the largest garment factories in the MEPZ.

³⁴"Rage grows over 'painful stab at press freedom' with ABS-CBN franchise denial", Inquirer.net, 12 July 2020, available at: <https://newsinfo.inquirer.net/1305624/rage-grows-over-painful-stab-at-press-freedom>.

³⁵Also known as red-baiting, it is the practice of accusing leftist leaders and activists of being members or sympathizers of the Communist Party of the Philippines.

³⁶Village watchmen, considered to be police auxiliary units who work for the police, and who are armed with batons or knives rather than guns.



However, the management of First Glory, a garments factory in the MEPZ, immediately moved to bust one of the unions by firing 300 workers, including almost all of the union officers and most of the union members. This led to an impromptu protest by the terminated workers. On 30 November, the First Glory union commemorated Bonifacio Day³⁷ by marching to the gates of the MEPZ. Five leaders of the labor rally were arrested, including the union's president. They were charged with violating the city ordinance about quarantine protocols.

Police acted with impunity on critics and protesters. In Metro Manila on 17 November 2020, a protest by Foodpanda delivery riders against arbitrary changes in the ratings used by the app was harassed by police. One protester was arrested but was immediately released.³⁸ Months later, on 4 March, women export processing zone workers staged a rally at DOLE's national office to complain about the mass dismissals, illegal shutdown, and non-payment of salaries and benefits. Despite the presence of a DOLE official, police tried to confiscate tarpaulins and sound systems brought by the women workers for the protest. The same modus operandi of harassment and dispersal was implemented by the police at Nagkaisa's commemoration of International Women's Day in Plaza Miranda, a public square in Manila that is frequently used for protests.

The red-tagging of unionists worsened as the lockdown wore on. A campaign for hazard pay, COVID-19 assistance, and other pandemic related issues by the SENTRO affiliated Coke union in Pampanga, led to the firing of three union leaders. When members held a protest en masse against the union busting move, they were arrested and detained by the police. Furthermore, they were red-tagged.³⁹

According to Nagkaisa convenors, in the face of workers' unrest over employers' unethical actions and police impunity, DOLE exercised social distancing with the labor movement. Throughout the pandemic, the coalition had repeatedly asked for dialogues and meetings with DOLE to resolve worker grievances and discuss labor demands. DOLE officials declined physical meetings citing health concerns. However, they postponed online dialogues as well.

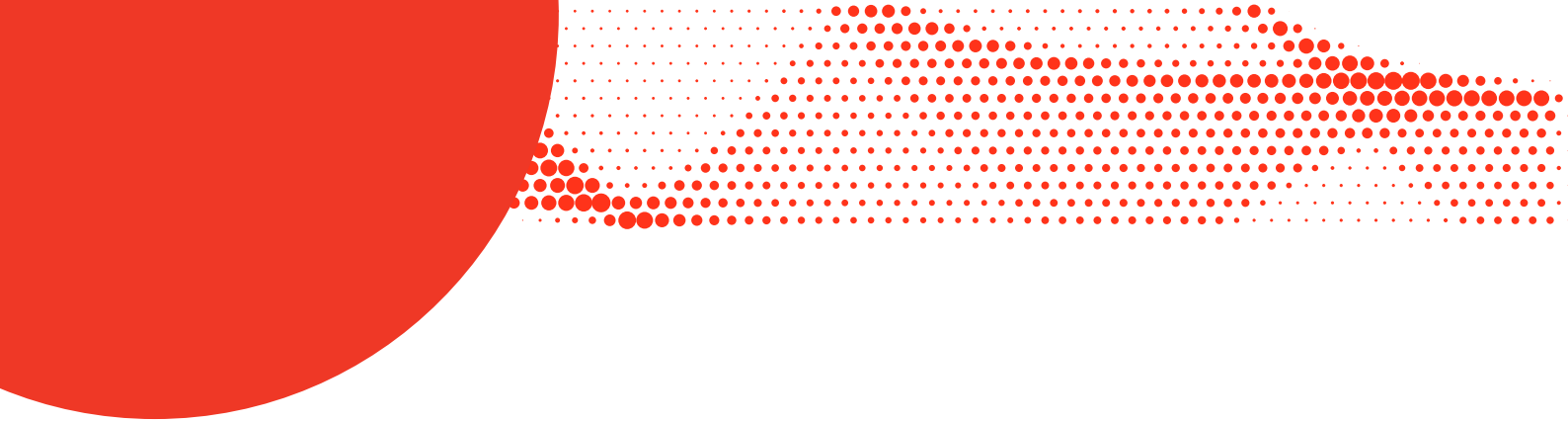
Without consulting representatives from the labor force, DOLE released a series of controversial advisories and orders during the pandemic that opened loopholes for employers to circumvent labor standards. For example, Labor Advisory (LA) 17 allowed employers to reduce wages and benefits due to the COVID-19 pandemic. The advisory stipulated that any diminution must be the result of mutual agreement. In reality, many employers implemented this unilaterally and as most establishments were unorganized, workers had no power. Furthermore, even in organized workplaces, the LA 17 gave capitalists the confidence to rebuff unions and refuse contract negotiations.

Another contentious rule was the DOLE Department Order (DO) 213, issued on 6 May 2020, which suspended the dispute resolution mechanism and the filing of complaints for the duration of the lockdown. The DO 213 left workers defenseless as the pandemic of rights violations surged. At a time when capitalists were using

³⁷A national holiday commemorating the birth of Andrés Bonifacio, a working-class leader of the independence struggle.

³⁸J. Santos and T. Cordero, "Foodpanda riders protest alleged unfair labor practices in front of DOLE office", GMA News Online, 18 November 2020, available at: <https://www.gmanetwork.com/news/news/metro/764627/foodpanda-riders-protest-alleged-unfair-labor-practices-in-front-of-dole-office/story/>.

³⁹"Philippines: Unions accuse Coca-Cola of using COVID-19 as pretext to target & dismiss union leaders; Company denies allegations", Business and Human Rights Resource Centre, 7 July 2020, available at: <https://www.business-humanrights.org/en/latest-news/philippines-unions-accuse-coca-cola-of-using-covid-19-as-pretext-to-target-dismiss-union-leaders-company-denies-allegations/>.



the COVID-19 pandemic as an excuse to run away from their obligations to their employees, the government implemented social distancing rather than social dialogue. The labor movement loudly objected to DO 213 and LA 17. Three months after the promulgation of DO 213 and as a result of determined lobbying by the labor movement, it was finally repealed and replaced by the DOLE Department Order (DO) 214 which reinstated the dispute resolution system, acceptance of complaints, and also union petitions for certification elections.

The rescinding of DO 213 was among the few victories achieved by Nagkaisa specifically and the labor movement in general. Another successful demand was the withdrawal by DOLE of an initial proposal to defer the grant of thirteenth month pay for 2020. Josua Mata added nuance to this victory suggesting it was only partly due to Nagkaisa's effort and more aptly, the result of the widespread outrage of workers as expressed on both mass media and social media.

Evidently, Nagkaisa's ability to translate most of its demands into victories was encumbered by the effective prohibition of mass actions during the pandemic. On the one hand, this was enforced by the police who repeatedly used COVID-19 protocols as an alibi to crack down on dissent. On the other hand, workers found it difficult to mobilize in mass protests due to mobility restrictions and health concerns.

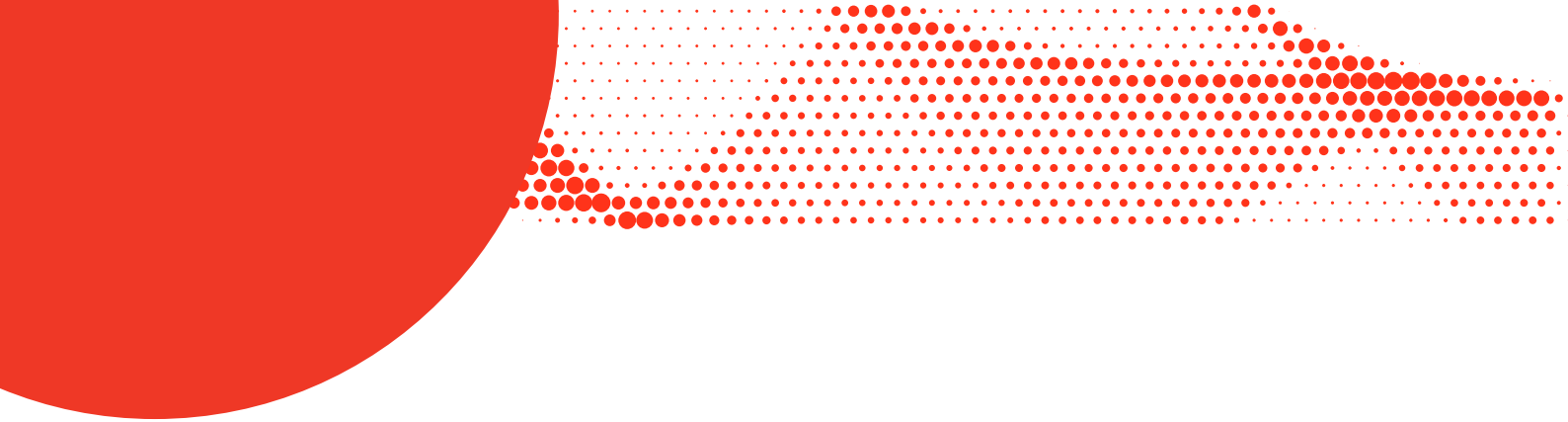
Local struggles did break out, as shown by the mass protests at First Glory and Coke. However, the police, aiming to prevent the spread of an epidemic of resistance, were quick to suppress workers' militancy. Nagkaisa also launched pocket protests. The first physical mass action it conducted was at the 12 June celebration commemorating Independence Day held in the grounds of the Commission on Human Rights. This was followed by a joint protest with other labor groups and social movements on the occasion of President Duterte's annual State of the Nation Address. The scale of these protests was small compared to the traditional pre-pandemic mass actions.

Industry Organizing and Struggles

Still, despite all the difficulties presented by the COVID-19 pandemic and the state's authoritarian response, the situation also offered opportunities for Nagkaisa. The unresolved grievances of workers became the basis for organizing and educating a new generation of class-conscious unionists. A key tactic utilized by Nagkaisa was organizing industry alliances and mobilizing around common struggles.

One of the sectors most affected by the lockdown was the education sector as teaching shifted to online interaction and instruction. Public education workers were only marginally impacted as the government paid wages and benefits in full during the pandemic. Even so, working conditions radically changed due to the abrupt transition to the new learning modality. In contrast, staff and faculty in private educational institutions bore the brunt of both the financial and academic fallout of the pandemic. They were forced to work-from-home and as they were not deemed to be engaged in full-time work, suffered pay cuts. Regular faculty could still teach full-time but they faced larger class sizes online. These were among the major challenges confronting employees in private education.

A coalition of unions in private schools called the Council of Teachers and Staff of Colleges and Universities in the Philippines (COTESCUP) raised demands for the sector. Formed during the campaign against the K-12 basic education reform implemented in the previous administration of President Benigno Aquino, COTESCUP became the voice of private education workers during the pandemic. The group called for a stop to mass layoffs and pay



cuts and called for respecting workers' voices in setting academic standards in online education.⁴⁰

Nagkaisa members, PM, and the Alliance of General Unions, Institutions and Labor Associations (AGUILA) started networking with COTESCUP for joint advocacy on education demands during the pandemic. AGUILA's affiliate unions in the De La Salle schools became active in COTESCUP, which strengthened the organization and amplified its advocacy. During the pandemic, the Coalition of La Salle Unions and Associations became formalized, although it also worked within COTESCUP.

COTESCUP started regularly meeting online. It launched a successful webinar to propagate its demands among its membership. The group also forged relationships with legislators who could champion their demands. Through Nagkaisa, Senator Hontiveros became acquainted with COTESCUP and an alliance was formed. Senator Hontiveros was instrumental in inserting a pro-worker provision into the Bayanihan 2 Law that appropriated additional funds for the COVID-19 response. The provision mandated that schools which received government subsidies could not retrench employees for a period of three months. The successful lobby was a concrete outcome of cooperation between Nagkaisa and COTESCUP and it served as a model for Nagkaisa's direct industry organizing.

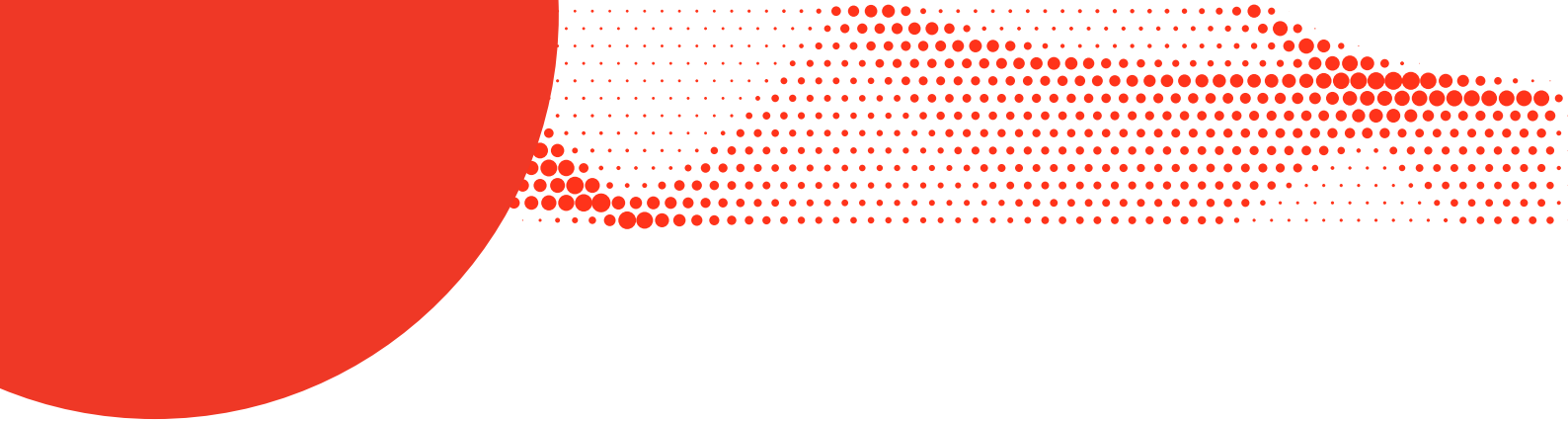
One of the industry alliances formed was among health workers. With frontline workers as members, hospital unions had their own share of workplace issues to resolve such as hazard pay, provision of PPE, and insurance coverage. For months, individual unions faced these challenges on their own but with the model of COTESCUP as a concrete example, Nagkaisa forged ahead in uniting the hospital unions within its different members. In the latter half of 2020, unions of the Alliance of Filipino Workers-SENTRO, United Filipino Service Workers, and the Federation of Free Workers (FFW) started organizing an industry alliance. A social media group chat facilitated the formation. A laundry list of common demands was formulated. One of the common actions taken was calling for a dialogue with DOLE to discuss the hospital workers' demands.

Another industry alliance formed by Nagkaisa was among pharmaceutical unions. As they were not frontline workers, medical representatives had to transition to a work-from-home setup during the pandemic. The shift created changes in their working conditions. Med reps complained of sales quotas that were difficult to achieve in the new landscape of online interaction with their doctor clients. The threat and reality of layoffs also caused stress to med reps.

The core group for the alliance came from local unions in the pharmaceutical industry which were already organized by PM and FFW. It expanded to other unions in the network of IndustriALL Philippines. Similar to COTESUP and the hospital union alliance, a group chat facilitated its formation and zoom meetings became normal means of interaction. A common set of COVID-19-related demands was drafted. After which, the pharmaceutical union alliance started lobbying for an audience with DOLE to negotiate its demands.

Even before the pandemic, Nagkaisa was actively advocating for freedom of association and decent work for workers in export processing zones. During the pandemic, workers in export processing zones suffered COVID-19-related discrimination and rights violations. In 2020 and 2021, union busting, mass layoffs, red-tagging, arrests, and dispersals hounded export processing zone workers. While Nagkaisa did not see the need to form an alliance among export processing zone workers, it sought DOLE's remediation of their complaints.

⁴⁰R. O. Reyes, "Education frontliners call for timeout on layoffs, wage cuts", Sunstar, 14 August 2020, available at: <https://www.sunstar.com.ph/article/1867011/Tacloban/Local-News/Education-frontliners-call-for-timeout-on-layoffs-wage-cuts>.



One of the pre-pandemic initiatives of Nagkaisa was a review of the guidelines for the conduct of security personnel during labor disputes. In 2019, a technical working group was supposed to discuss revisions proposed by Nagkaisa to strengthen these rules of conduct. The onset of the pandemic effectively put this on hold.

Another urgent demand of Nagkaisa was the ending of the Joint Industrial Peace Concerns Office (JIPCO). The not-so-secret agenda of JIPCO was the militarization of export processing zones and the criminalization of unionism. Police precincts were to be setup within export processing zones for the alleged purpose of industrial peace. JIPCO was the joint project of the police and the Philippine Economic Zone Authority (PEZA) and was launched in central Luzon a few weeks before the lockdown began.⁴¹ Lobbying by Nagkaisa led to Labor Secretary Silvestre Bello III cautioning the police and PEZA on the dangers of JIPCO violating freedom of association. However, Bello's letter did not stop the police and PEZA from proceeding with JIPCO. Instead, the pandemic provided the perfect alibi for the police to militarize export processing zones. Police forces distributed aid to furloughed export processing zone workers during the pandemic while lecturing them on the alleged evils of unionism. In early 2021, JIPCO's rules and regulations of implementation were drafted.⁴² Sometime later, PEZA renamed JIPCO, calling it the Alliance for Industrial Peace and Program Office, no doubt a maneuver to mitigate criticism by Nagkaisa and even DOLE.⁴³

The threat of JIPCO, the red-tagging of unionists, and labor standards violations in the export processing zones animated Nagkaisa's campaign to protect export processing workers. DOLE has, however, been inconsistent in responding to Nagkaisa's demand for action on these issues.

Women and a Gender-based Perspective

Cognizant of male dominance in existing union structures and the challenge to mainstream gender in the labor movement, Nagkaisa has an internal policy to ensure that women are both represented in its leadership bodies and are participating in its activities. Integral to this effort is the formation of the Nagkaisa Women's Committee. The committee has the power to plan and decide on actions relating to women's concerns and implement parallel campaigns and activities.

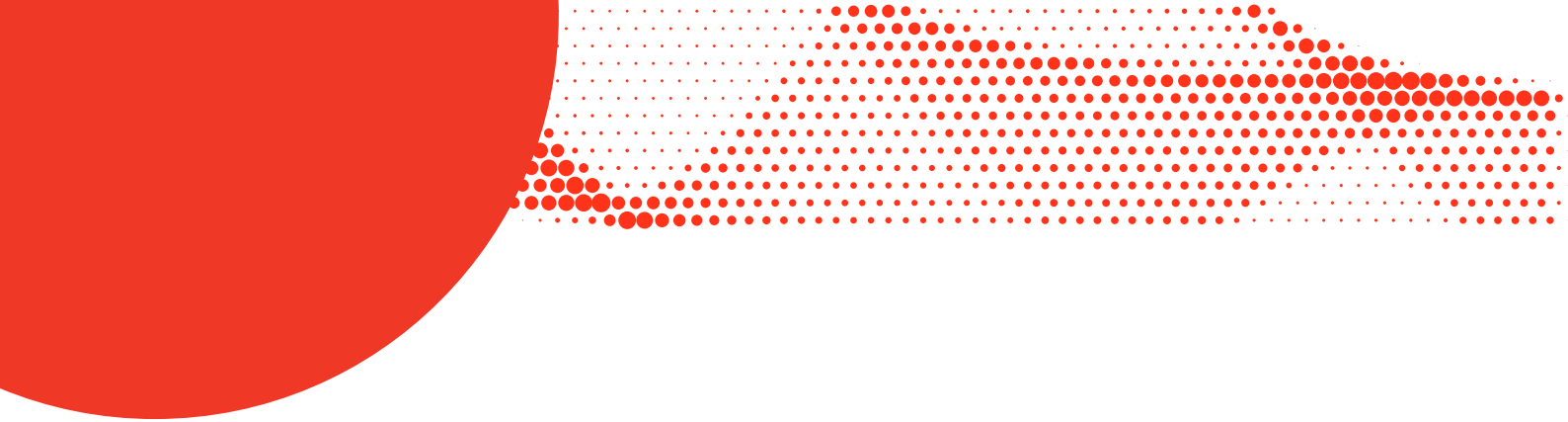
The convenors of Nagkaisa, which is its leading body, includes Annie Enriquez-Geron from the Public Services Labor Independent Confederation (PSLINK), Judy Miranda of PM, and Nice Coronacion of SENTRO who represents young women. Through their participation in the convenors group, women's concerns are integrated into Nagkaisa's plans and activities.

This same setup continued in the pandemic. Through the women convenors and the Nagkaisa Women's Committee, gender concerns were mainstreamed in the group's COVID-19 response. Women leaders from the national, regional, and local level participated in webinars, conferences, and workshops to develop the labor sector's COVID-19 agenda. In the run up to International Women's Day 2021, the Nagkaisa Women's Committee

⁴¹M. Balbin, "Police launches program to strengthen industrial peace in Bulacan", Philippine News Agency, 27 February 2020, available at: <https://www.pna.gov.ph/articles/1095007>.

⁴²Philippine Economic Zone Authority, "PEZA, PNP sign Implementing Rules and Regulations of Joint Industrial Peace and Concern Office (JIPCO) at Camp Crame for safe ecozones, industrial peace", 16 February 2021, available at: <http://www.peza.gov.ph/index.php/press-release/169-peza-pnp-sign-implementing-rules-and-regulations-of-joint-industrial-peace-and-concern-office-jipco-at-camp-crame-for-safe-ecozones-industrial-peace>.

⁴³S. P. Medenilla, "DOLE keeping jurisdiction over ecozone labor disputes", Business Mirror, 20 September 2021, available at: <https://businessmirror.com.ph/2021/09/20/dole-keeping-jurisdiction-over-ecozone-labor-disputes/>.



led a delegation for a dialogue with DOLE on women workers demands for jobs, aid, and rights in the time of COVID-19.

The Women's Committee ensured that a gender-based approach was incorporated in the campaigns and advocacies that Nagkaisa launched during the pandemic. In articulating the demand for sufficient aid for all, the inclusion of working women, solo mothers, women with disabilities, and pregnant women was front and center. In the call for a safe return to work, non-discrimination with respect to gender was a priority. Thus, safeguarding working women without access to transportation and protection for pregnant women were complementary demands. In mobilizations that Nagkaisa led or participated in, women spokespersons highlighted the economic violence against women during the pandemic and the disproportionate burden placed on women.

The majority of healthcare workers are women. Thus, in the industry workers alliance built by Nagkaisa, gender issues were a particular focus. The long working hours of women health workers took a toll on their families as domestic care was also their main responsibility. Nagkaisa demanded special protection such as paid leave for pregnant workers, mothers with babies, or workers with conditions like gynecological diseases which compromised their immunity.

Nagkaisa vigorously campaigned for the ratification of Convention 190 (C190) which focusses on gender-based violence in the workplace. There was internal education for workers on the topic and dialogues with the government that, given that the pandemic escalated incidences of workplace and gender-based violence, asked for its immediate adoption. Nagkaisa created a core group that launched consultations and fora, drafted a unity paper, and lobbied government agencies. Once more Senator Hontiveros was an ally in the C190 campaign as she pledged to shepherd its adoption by the Senate. Nagkaisa also coordinated with global groups like the International Trade Union Confederation (ITUC).

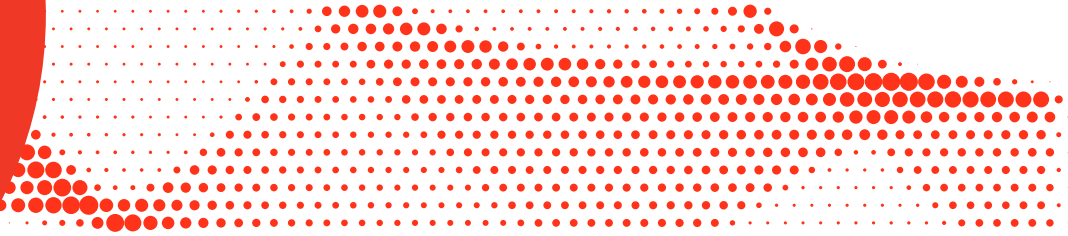
On 25 November 2020, Nagkaisa participated in the International Day for the Elimination of Violence Against Women. There were protest dances, poetry readings, and rousing speeches on violence brought about by the economic crisis combined with the violence inflicted on communities by anti-worker policies and the government's militarized COVID-19 response.

Forging Alliances

Nagkaisa entered into several alliances in pursuit of its aims and activities during the pandemic. These were alliances within and outside of the labor movement. Almost all of the alliances involved broadening the networks in defense of civic spaces and democratic rights.

Within the labor movement, Nagkaisa, Kilusang Mayo Uno (KMU), and Pagkakaisa ng Uring Manggagawa formed the United Workers in time for a mobilization during the State of the Nation Address (SONA). The common demands of the United Workers for the demonstration included calls to scrap the DO 213, the LA 17, and the Anti-Terrorism Act.⁴⁴ The three groups had already joined together in 2019 but the pandemic revived the United Workers as a formation. United Workers also led a joint mobilization a month after the SONA. Rene Magtubo cited the revival of United Workers as among the key alliances entered into by Nagkaisa during the pandemic.

⁴⁴L. A. Aquino, "Labor groups to join SONAgkaisa protests", Manila Bulletin, 24 July 2020, available at: <https://mb.com.ph/2020/07/24/labor-groups-to-join-sonagkaisa-protests/>.



Meanwhile, Josua Mata mentioned the formation of the Council of Global Unions-Pilipinas (CGU-Pilipinas) as a major achievement of this period. CGU-Pilipinas united the four local affiliates of the ITUC—FFW, SENTRO, TUCP and KMU—in a campaign to defend civil liberties and labor rights in the country. FFW, SENTRO, and TUCP are all part of Nagkaisa. On an international level, CGU coordinates with the ITUC and different global union federations in the solidarity movement on behalf of the Philippine labor movement. The passage of the Anti-Terrorism Act and its threat to workers’ rights motivated the action by the CGU and CGU-Pilipinas. Josua Mata stated that the strategic agenda of the CGU-Pilipinas would be an important pillar in extending the reach of Nagkaisa in the campaign against political repression.

Not only did Nagkaisa receive international support, it also showed solidarity with workers abroad. The labor coalition was the first group in the country to hold a solidarity action in support of the resistance of the people of Burma/Myanmar against the military coup. Ten days after the junta took control of Burma, Nagkaisa staged a noise barrage in Metro Manila in response to a call for international solidarity by trade unions. In a news report on the activity, Josua Mata was quoted as saying that “What happened in Myanmar can happen anywhere and we don't want that”.⁴⁶ This expressed the key idea that the solidarity action was motivated by a common working-class struggle against rising authoritarianism that threatens labor rights everywhere.

The action spurred on the revival of a Philippine solidarity group for Burma and Nagkaisa’s participation in a webinar in support of the resistance in Myanmar. While the protest for Myanmar was a coalition activity, Nagkaisa’s member organizations also undertook separate international actions for various causes. For example, SENTRO was active in supporting the call to free a jailed Hong Kong labor leader and PM had its worker-members expressing solidarity with the unionization of Amazon warehouse workers in Bessemer, Alabama.

To advance the aim of defending democratic rights and opposing the Anti-Terrorism Act of 2020, Nagkaisa led the establishment of the issue-based Movement Against the Terror Act (MATA). MATA united sectoral grassroots organizations of workers, farmers, women, and youth groups together with political and environmental groups in the call to scrap the new Anti-Terrorism Act. With MATA, Nagkaisa’s advocacy against the law and political repression expanded beyond the labor movement. MATA joined Nagkaisa in common mass actions and online fora.

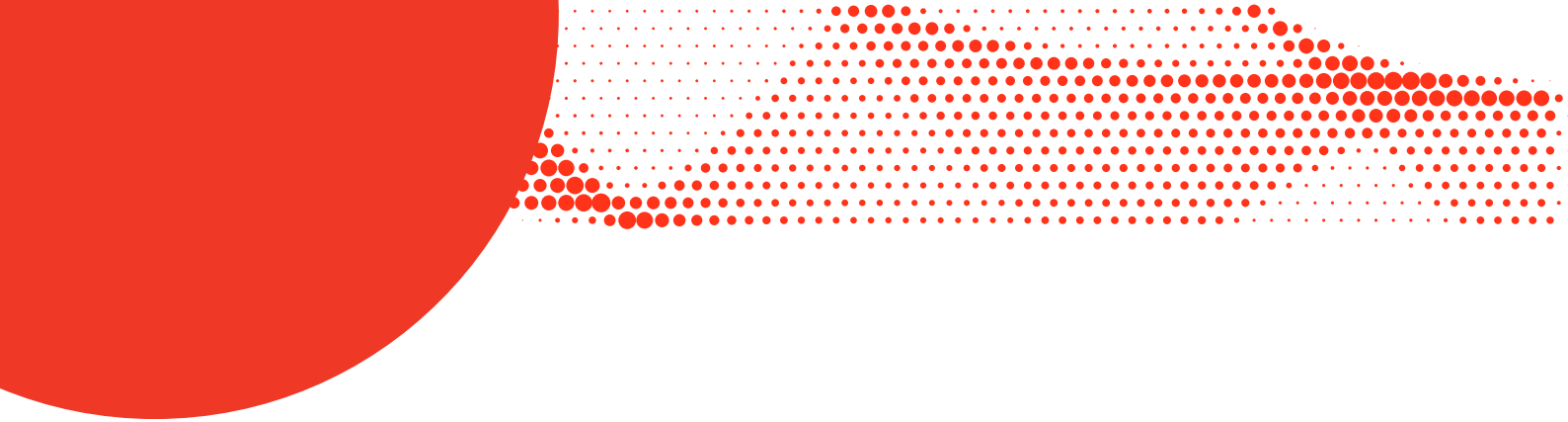
The Labor Sector’s COVID-19 Agenda

By the end of 2020, as the impact of the economic crisis and political repression worsened, Nagkaisa unveiled its policy recommendations for economic recovery. Termed State of Labor and its Agenda on Recovery or SOLAR, it consolidated the labor coalition’s COVID-19 response in terms of concrete policy agenda. The drafting of SOLAR formalized programmatically the various advocacies and activities that Nagkaisa had conducted over the course of the pandemic. However, Judy Miranda averred that looking back, it would have been better if an all-women assembly was also held to affirm SOLAR.

The main argument advanced in SOLAR is that an economic recovery necessitates protection for workers. In

⁴⁵International Trade Union Confederation, “Council of Global Unions Statement on the Suppression of Democratic Rights in the Philippines”, 21 July 2020, available at: <https://www.ituc-csi.org/council-of-global-unions-statement-philippines>.

⁴⁶This quote references the 1 February 2021 coup in Myanmar/Burma. See: Aika Rey, “PH labor groups condemn Myanmar coup: ‘The people will not accept military rule’”, Rappler, 11 February 2021, available at: <https://www.rappler.com/nation/ph-labor-groups-condemn-myanmar-coup-february-2021>.



contrast to the denigration of labor rights as part of the government's COVID-19 response, Nagkaisa argued that labor rights must be respected. Likewise, an economic recovery cannot be predicated on just restoring the jobs lost during the pandemic but also on creating new green jobs. This demand links the call for advancing public health during the pandemic with protecting the environment for a sustainable future. Furthermore, recovery must be achieved through the advancement of human rights. Finally, SOLAR propounded that workers' interests must take precedence over business interests.

SOLAR proposed concrete policy measures in the areas of industrial policy, support for MSMEs, income and employment guarantees, a universal public health system, just transition into a safe transport system, and the financing of economic recovery. Two particularly innovative policy recommendations in SOLAR are an Unemployment Support and Work Assistance Guarantee (USWAG) and a wealth tax on the richest Filipinos.

Under USWAG, Nagkaisa proposed that the government create jobs, including green jobs, ranging from 100 days to 9 months, and provide at least PHP 10,000 in monthly subsidies to the unemployed, including overseas Filipino workers. Nagkaisa submitted the proposal to DOLE in September 2020 as part of a serious effort to lobby and win. Later the group also had a dialogue with the Department of Finance to address concerns with financing the proposal. Nagkaisa also discussed their proposal with the DOLE Institute for Labor Studies which at that time was conducting its own study on income and job guarantees. Similar to the earlier demand for sufficient aid at the start of the lockdown, Nagkaisa sought allies who would integrate the USWAG into proposed new legislative approaches to the government's COVID-19 response.

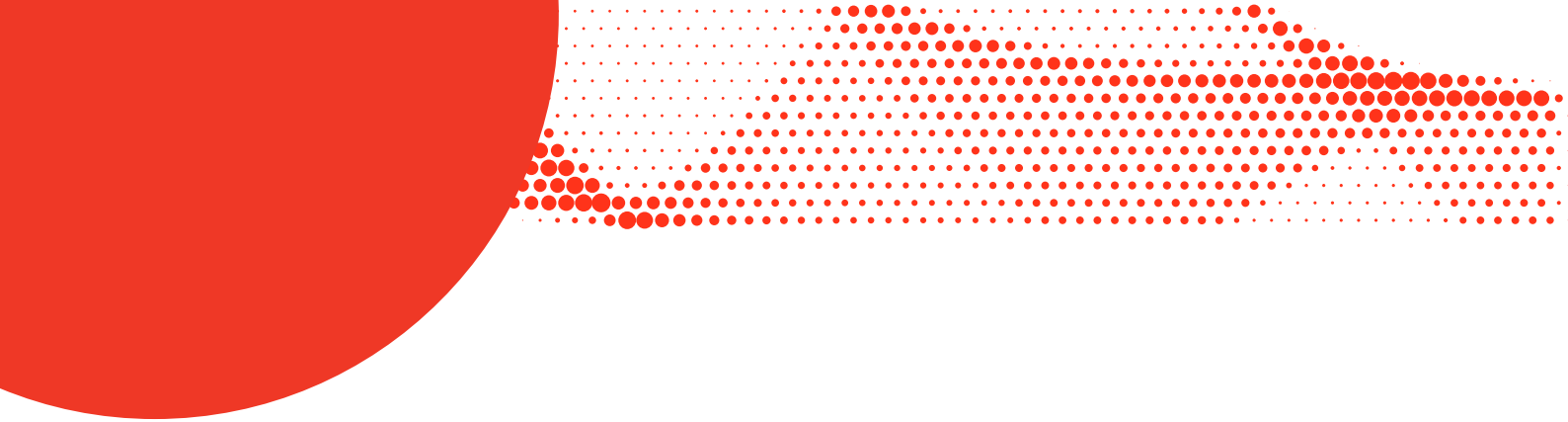
Nagkaisa's policy recommendations in SOLAR entail the mobilization of finances to subsidize income guarantees and support sectors like MSMEs. Admittedly, SOLAR is costly but it is necessary for a recovery that puts workers front and center. Therefore, Nagkaisa proposed the imposition of a wealth tax on the richest Filipinos to generate funds for economic recovery. Instead of incurring new loans that later have to be paid off by Filipino people, a tax on the obscene wealth of the richest Filipinos is a better option. According to Nagkaisa, a one percent wealth tax will yield some PHP 316 billion in funds for economic recovery. Moreover, Nagkaisa framed its proposed wealth tax as part of a real war on the oligarchy.

Conclusion

The Duterte administration's authoritarian and militarized response to the pandemic led to an unprecedented economic crisis which has disproportionately affected the working class and women workers in particular. Business interests were prioritized by the government, as can be seen in both the anti-worker rules enacted by the IATF and DOLE and in the premature reopening of the economy. The pandemic was weaponized by the Duterte government against its political rivals and by the capitalist class against the working class.

In the face of these challenges, Nagkaisa pushed for a response that put workers' rights and welfare first. The earliest expression of this was the group's call for sufficient aid for all, a safe return to work, and a humane response to the crisis. Later, Nagkaisa's programmatic response took the form of its proposal for SOLAR and USWAG which were concrete policy recommendations for an economic recovery on the basis of the protection of labor rights.

Viewed from the lens of social movement unionism, Nagkaisa's response reveals elements of an expansive union identity and purpose, as it advocated for interests of the whole working class, both formal and informally



employed, and not just particular sections or even merely its organized section. Considerations of gender were integral to Nagkaisa's demands and activities. Key concepts pertaining to climate and sustainability were also incorporated in SOLAR through demands for a just transition for transport workers. Informal workers' concerns were included in the early advocacy for sufficient aid and later in SOLAR.

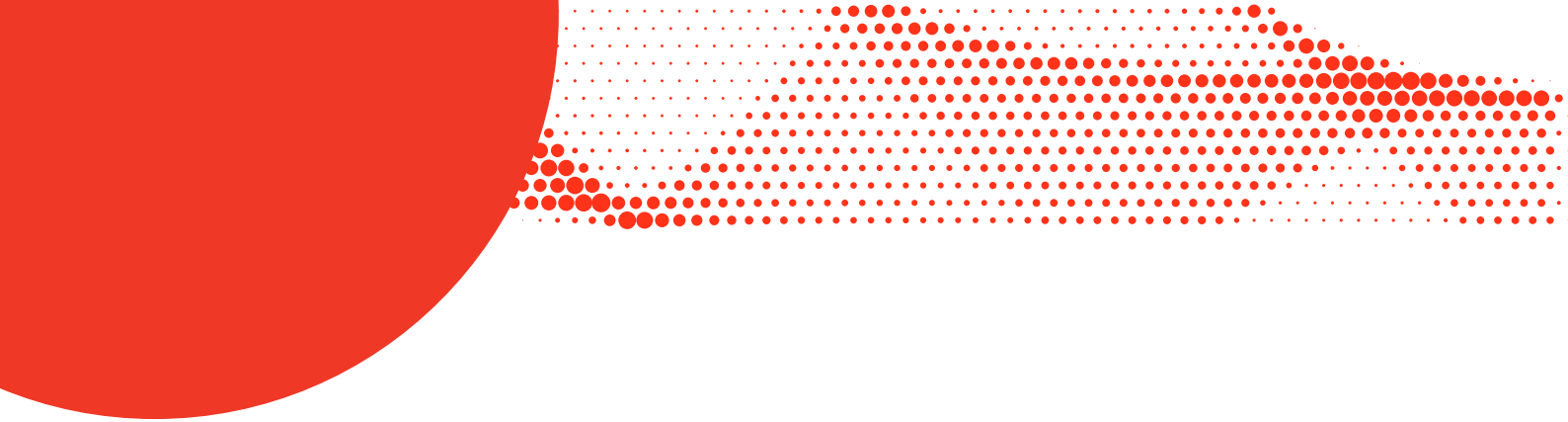
Nagkaisa faced difficulties in harnessing sources of workers' power in pursuit of its aims and advocacies during the pandemic. The union movement in the Philippines has been on a decline since the 1990's, leading to a great weakening of associational power in the labor sector. The ability to deploy structural power has been limited as workers' militancy receded and restrictive rules took effect. The terrain for utilizing structural and associational power became even further reduced in the context of the pandemic and the lockdown. Union members became dispersed as work-from-home orders became prevalent. Fear became normalized as infections raged and police impunity went unchecked. Thus, there were hardly any local struggles or mass actions in the early period of the lockdown. Nagkaisa's ability to mobilize was radically reduced. This accounts for the inability of Nagkaisa to make a forceful effort for its demands and for the state's increased indifference to the demands of the labor sector.

Even institutional sources of power proved difficult to access, as DOLE exercised social distancing with respect to the labor movement. The mechanisms for tripartism were side-lined as DOLE enacted rules without consultation. Tripartite meetings were not convened. All this was rationalized as a necessary consequence of the pandemic. Without the capacity to mobilize even token actions, DOLE was impermeable to pressure from Nagkaisa and other labor organizations.

Instead of physical actions, Nagkaisa's activities shifted to online interaction. Even then, labor organizers, activists, and leaders had to negotiate a steep learning curve because of new modes of communication, coordination, and advocacy. Still, Nagkaisa was able to transition from offline to online in the early part of the lockdown and then back to offline as the restrictions relaxed and outrage at the government's failed response to COVID-19 began to rise.

The more effective source of power that Nagkaisa was able to tap into was societal power in the context of the power resources approach. First, Nagkaisa forged crucial alliances within and outside of the labor movement, extending its reach for its advocacies and activities. Practically the whole labor movement was included in formations such as United Workers and CGU-Pilipinas. International labor solidarity in support of labor rights and against repression was fashioned through CGU and in the campaign against the Anti-Terrorism Act. The fight against the new terror law was facilitated by coalitions like the Nagkaisa-led MATA and by joint actions like the SONA protest. NCTU's demand for service contracting for informal jeepney workers was amplified through the support of the Move As One advocacy coalition. COTESCUP's call for a stop to layoffs in the education sector was partially achieved by inserting a provision in the Bayanihan 2 law on the strength of an alliance with Senator Hontiveros.

Second, Nagkaisa was able to utilize the mass media and social media to shape public opinion and, through this, compel government to heed its demands. It was basically the noisy appeals of the united labor movement and its echo in the popular consciousness of workers that finally led to the repeal of the DO 213 and the withdrawal of the proposal to defer the thirteenth month pay. It was these two issues that were the clear victories of Nagkaisa and the labor movement during the pandemic.



However, these are marginal victories given the scale of the economic crisis and the political repression affecting the working class. In this regard, the challenges facing Nagkaisa are enormous. Transforming the present conjuncture and the grave impact of the historic crisis into a surge in workers' militancy and a breakthrough in labor activism is not yet imaginable. Thus, Nagkaisa's consistency in advocating for a workers' first COVID-19 response must be matched by appropriate slogans and tactics to raise workers' consciousness.

Two key lessons can be understood from Nagkaisa's experience. First, the importance of forging working-class unity in the struggle for labor demands and against rising authoritarianism in the Philippines. Being a coalition project in itself, Nagkaisa was able to join hands with other labor organizations in overcoming historical fragmentation and building larger united fronts for a more coherent response to the economic crisis and authoritarian governance.

Second, the imperative for global solidarity in the fight against the worldwide turn to authoritarianism. Under the banner of a common struggle against military dictatorships and authoritarian populists, Nagkaisa was able to forge unity not just among local groups but also with international organizations. In this, the defense of civil liberties and democratic rights is bound up with the protection of labor rights and workers' interests. This adds another layer of meaning to Nagkaisa's 'workers first' demands.

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