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**AN EVALUATION OF THE SOCIAL AMELIORATION PROGRAMME IN THE
PHILIPPINE SUGAR INDUSTRY: ISSUES OF PARTICIPATION AND
EFFECTIVENESS.**

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ABSTRACT

This study evaluates the implementation of the Social Amelioration Programme (SAP) of the sugar industry in the Philippines. This programme endeavours to ensure the participation of both the sugar employers and workers sector representatives, along with the government sector, in the established government-sponsored tripartite councils (the DTCs) as regards decision and policy-making on the effective implementation of SAP.

The SAP is a production sharing scheme instituted in the Philippine sugar industry pursuant to R.A. 6982, intended to supplement the inadequate income of sugar workers and to finance socio-economic programmes to improve their livelihood and well-being. The distribution of cash bonuses to covered workers is an important element of the programme. The other aspects of the new SAP are the enforcement of R.A. 809, the death benefit programme, maternity benefit programme, and the livelihood and income-generating projects financed by funds derived from related liens and interest earnings thereof. The so-called tripartite advisory programme which ensures the participation of the employer and worker sector representatives in the DTCs, along with the government sector, are also part of the new SAP. These programmes are implemented by the BRW-DOLE (Bureau of Rural Workers - Department of Labour and Employment) with the assistance of the DOLE Regional Offices.

The sugar industry has been present in the Philippines since the turn of the century, and to the present day has been characterized by periods of growth, dependency, turbulence and uncertainties in terms of employment, production, land area utilization and the market, both domestic and foreign. Several factors may further affect the overall viability of the industry such as the unfair pricing of sugar in the world market and indiscriminate liberalization as a result of the forthcoming GATT, inadequate rural infrastructure, imposition of additional taxes on milling facilities and the value-added tax, uncertainties associated with the implementation of CARP, unpredictable drought or calamities, diversification programme and government support in terms of research and development.

To evaluate the effectiveness of the new SAP and the tripartite advisory programme, two principal sources of information were utilized; status reports prepared by BRW-DOLE and the results of two surveys of representatives from the government, employer and worker sector, members of the DTCs, vested with responsibilities for decision and policy-making on the effective implementation of such programmes.

The results of the first survey indicated a positive assessment. The assessment of the employer and worker sector representatives in the past 3 years (1991-1993) was generally positive. The assessment of the efficiency and effectiveness of their DTCs was also positive. In the second survey, the results also indicated a positive assessment of the performance and effectiveness of the DTC in meeting its functions and responsibilities pursuant to R.A. 6982. This thesis concludes with a number of recommended changes that might be made in dealing with issues and problems relating to the effective implementation of SAP.

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CHAPTER I - INTRODUCTION

1. BACKGROUND OF THE STUDY

In the sugar industry, the enactment of Republic Act 6982 or otherwise known as the Social Amelioration Act of 1991, furthered the Philippine Government's thrust to strengthen the rights of sugar workers to a just share in the fruits of their production, as well as the right of employers (planters and millers) to a reasonable return on their investments, and an expectation of expansion and growth.

The Act saw the creation of tripartite councils in the sugar industry both at the national level and in every sugar milling district throughout the country. The Act has, as one of its objects, the greater participation of sugar plantation and mill workers, as well as the employers (planters and millers) in the determination and implementation of the Social Amelioration Programme. To date, there is one tripartite council created at the national level, and thirty-nine) district tripartite councils have been created in every sugar milling district throughout the country.

Given the participation of the sugar workers and the employers, it is worthwhile to examine both the issues raised by, and the extent of their empowerment in the tripartite bodies, insofar as the policy determination and implementation of the Social Amelioration Programme in the sugar industry is concerned.

"Empowerment" is understood to be giving power to people who operate at a disadvantage. On the other hand, "participation" is understood to be a process in which two or more parties influence each other in making certain plans, policies and decisions.

To help build up a theoretical and factual basis for consideration of this issue, I have undertaken to examine the effectiveness of the Social Amelioration Programme of the sugar industry in the Philippines, which endeavours to provide and ensure the participation and empowerment of sugar workers, particularly plantation or field workers.

Although the present Philippine government policies and programmes on participation of sugar workers are significant, there are as yet no written studies about their actual empowerment in the tripartite councils. A report from the Bureau of Rural Workers, a government agency tasked with the implementation, monitoring and evaluation of the Social Amelioration Programme, indicated levels of participation by sugar workers, but the real facts and situation of their participation and empowerment in the tripartite councils throughout the country has not yet been documented.

It is hoped that one of the outcomes of this study will be to shed new light on the concept and genuine practice of participation and empowerment of the sugar workers (particularly the plantation or field workers) insofar as the Social Amelioration Programme is concerned.

2. OBJECTIVE OF THE STUDY

This study aims to, assess the nature and extent to which the Social Amelioration Programme of the sugar industry in the Philippine provides for the participation and empowerment of sugar workers, particularly plantation workers insofar as policy determination and implementation of social and economic programmes is concerned.

1. This study has the following specific objectives: To identify and report the perceptions of sugar workers and employers' representatives regarding their participation and empowerment in the tripartite councils insofar as the policy determination of social and economic programmes of the Social Amelioration Programme is concerned.
2. To identify, evaluate and explain the kinds and levels of participation and empowerment of sugar workers and employers in the established tripartite councils of the sugar industry.
3. To evaluate and explain the extent to which sugar workers and employers have participated and been empowered insofar as the policy determination of the social and economic programmes of the Social Amelioration Programme is concerned, as well as the impact of their participation and empowerment in the implementation of these programmes.
4. To describe and explain the factors affecting the participation and empowerment of sugar workers and employers in the policy determination and implementation of the Social Amelioration Programme.
5. To assess and discuss the lessons and insights gained in relation to participation and empowerment of sugar workers and employers in the established tripartite councils of the sugar industry.

3. ANTICIPATED VALUE OF THE STUDY

It is hoped that the findings of this study will be significant to all sectors participating in the SAP.

Results will be firstly, to the Government with the Bureau of Rural Workers being the implementing agency for the Social Amelioration Programme, and to the International Labour Organization being the proponent of tripartism, and other policy formulators.

This research may serve as a basis for understanding and assessing the success or failure of participation and empowerment for other existing and future programmes of this nature. This would also assist in the review and modification of

existing policy and programmes regarding participation and empowerment of sugar workers and employers in the established tripartite bodies.

Secondly, results will be of significant to the participants of the tripartite councils: the plantation and mill workers; the sugar planters and millers; and the government representatives.

This research has the potential to provide an increased awareness and further improvement of their role in the tripartite councils insofar as policy determination of the social and economic programmes of the Social Amelioration Programme is concerned.

Finally, for the nation as a whole, the successful implementation of the Social Amelioration Programme which endeavours to provide participation and empowerment for the sugar workers and employers will result in promoting social justice in the country. This means further strengthening of the right of workers to a just share in the fruits of sugar production, and the right of employers to a reasonable return on investment and to expansion or growth of the sugar industry. Furthermore, the result of this would lead to the stability of the sugar industry which is vital to the country's economic growth and development. It is hoped that this research will assist this process.

4. RESEARCHER'S STANCE

It is the belief of the author that his present qualification such as academic preparation, training, and work experiences have been sufficient to successfully complete this study.

His knowledge about the Social Amelioration Programme of the sugar industry in the Philippines has helped him in the assessment of this programme. He has been an employee of the Bureau of Rural Workers, the implementing agency of the programme, and has also been directly involved in the drafting of the policy implementing rules and regulations of Republic Act 6982. In researching this thesis every care has been taken to ensure that objectivity has not been the victim of an association with this programme.

5. METHODOLOGY

5.1. Research Design

An evaluation research design was adopted in this study. This employed primarily to determine and measure the quantifiable impact of the participation and/or empowerment of the sugar workers and employers in the established tripartite councils of the sugar industry, to appropriately describe and explain the nature and extent of participation of sugar workers and employers insofar as policy determination and implementation of the programme is concerned.

The information obtained through evaluation research design was collected mainly through: the structured survey questionnaire method; unstructured interview with some selected sugar workers and employers representative to the established tripartite councils, as well as programme implementors from the implementing agency in the national and regional level; and also from secondary data such as existing research studies and status reports from the implementing agency.

5.2. Selection Of Respondents

There are forty (40) tripartite councils created and existing throughout the country. One (1) Sugar Tripartite Council (STC) is created for the national level, and 39 District Tripartite Councils (DTCs) are created for the district level corresponding to 39 sugar milling districts throughout the country.

A sample representative of twenty (20) tripartite councils covering a total number of one hundred twenty-two (122) workers' and employers' representatives throughout the country was drawn to consist the following sample respondents:

- (1) Eight (8) workers' and employers' representatives were drawn to consist the sample respondents for the STC; and
- (2). One hundred and fourteen (114) workers' and employers' representatives were drawn to consist the sample respondents for the 19 DTCs throughout the country's twelve regions (except NCR and Region 9 due to absence of sugar milling district).

These 19 DTCs have been chosen on a random basis with the sample stratified by region, and by volume of sugar production. A list of these 19 DTCs covered in the study is shown in Appendix _____.

5.3 Data Collection Method Instrument

Two sets of survey questionnaire (one for the STC and the other for the DTCs) were devise in consultation with my thesis supervisor and others, and based from my pretested questionnaire to some selected workers and employers representatives of the DTCs in 6 regions of the Philippines.

The questionnaires included both fixed alternative and open-ended questions, aimed at determining the respondents' background information such as age, gender, educational attainment, occupation and sector/organization; their method of selection/appointment, the length of their involvement and percentage of attendance in meetings to the tripartite councils; consultation over the passage of R.A. 6982 and its implementing rules and regulations, issue of procedure (how decisions are typically arrived at), their veto power, issue of government sector

neutrality, and their quorum; about their communication, issue of DTC autonomy; implementation of R.A. 809; and about the STC/DTC effectiveness (obligations pursuant to R.A. 6982), automatic increase in the SAP levy, issues/problems dealt with by the STC/DTC over the past 3 years, and tripartism versus collective bargaining.

The survey questionnaires were distributed through mail to the respondents in co-ordination with my BRW office in Manila and the assistance of DOLE Regional Offices based in the regions. We sent the questionnaires in printed forms from New Zealand beginning October 20, 1994 and it took a longer time for the accomplished questionnaires to come back to us here in New Zealand since the respondents have taken much time in answering the questionnaires and considering also the far distance of the regions from and to my BRW office in Manila, who would collect the answered questionnaires and sent them back to us has compounded the delayed arrival of the accomplished questionnaires.

5.4. Data Encoding and Summarization

The primary information gathered using the questionnaires underwent two important processes before they were use in the analysis. The first process was the data encoding which was done by assigning a code to all information in a given question or category. These codes were in the form of letters and/or numbers that could aid in easy identification of responses. After assigning an exclusive code to all information form the questionnaire, the responses to all questions were entered in a matric using a computer programme (SPSS). The summary of codes used in data encoding and summarization is shown in Appendix _____.

Responses were then summarized under different categories and headings such as: background information of the workers and employers representatives to the STC/DTCs; their method of appointment/selection; their length of involvement; percentage of attendance in meetings; consultation over the passage of R.A. 6982 and implementing rules and regulations; issue of procedure (how decisions are typically arrived at); their veto power; issue of government sector neutrality; issue of quorum; their communication; issue of DTC autonomy; implementation of R.A. 809; STC/DTC effectiveness (obligations pursuant to R.A. 6982); automatic increase in the SAP levy; issues/problems dealt with by the STC/DTC over the past 3 years; and tripartism versus collective bargaining.

5.5. Statistical Tools

The statistical tools used in the analysis include descriptive statistics such as mean, mode and percentages, chi-square test of independence and Spearman rank-order coefficient using a five percent level of significance.

The mean was used to measure demographic information; the mode was used to measure demographic characteristics as a basis of comparing the similarities or differences by age, gender, educational attainment, occupation and sector/organization represented between sugar plantation and mill workers, between sugar millers and planters, between sugar plantation workers and sugar millers, between sugar plantation workers and planters, between sugar mill workers and millers, and between sugar mill workers and planters.

The chi-square test of independence and Spearman rank-order correlation was used to test the research hypotheses. The chi-square test of independence was used to determine whether significant differences exist between categories such as workers' and employers' sectors/groups, age, gender, educational attainment, occupation, and sector/organization represented. The Spearman rank-order-coefficient was used to determine whether relationship between variables exist. A positive correlation exists if increase in one variable corresponds to decrease in the other variable. A negative correlation exists if increase in one variable corresponds to decrease in the other.

6. LIMITATION OF STUDY/UNANTICIPATED CONSEQUENCES

This study assesses the nature and extent to which the Social Amelioration Programme of the sugar industry in the Philippines provides participation and/or empowerment of the sugar workers, particularly the plantation workers, insofar as policy determination and implementation of social and economic programmes of the Social Amelioration Programme is concerned.

It also discusses the kinds and levels of participation and/or empowerment of the sugar workers and employers in the established tripartite councils of the sugar industry.

This study, however, has some limitations. First is the secondary data on some theoretical/conceptual framework on participation and/or empowerment of workers in decision making were limited to the area of industrial relations solely in foreign setting.

Second, there is also an absence or unavailability of secondary data on advantages/disadvantages or strengths/weaknesses of tripartism in the area of agricultural labour relations in the Philippine setting, and beforehand there is no updated data on the real situation of the workers industry, including an updated statistical data on sugar workers union and millers association and their affiliations.

Third, the findings and conclusions of this study on the real nature and extent of participation and/or empowerment is based solely on the performance assessment reports of my office and the perceptions/feelings of the workers' and employers' respondents based from the result of the survey questionnaires. In this sense, the

actual measurement of participation and/or empowerment might be a problem and questionable.

CHAPTER II - LITERATURE REVIEW ON PARTICIPATION IN DEVELOPMENT, WORKER'S PARTICIPATION, AND TRIPARTISM

This chapter is a review of the literature in relation to the participation of workers and employers in decision and policy-making.

The discussion in this chapter is divided into three parts: the first part examines the general concept of participation in development, power, control and influence, and the role of the State and corporatism, the second part examines the concept of worker's participation and arguments for and against the collective bargaining and worker's participation, and the third part examines the general concept of tripartism.

PART 1 - PARTICIPATION IN DEVELOPMENT

THE CONCEPT OF PARTICIPATION

There is no agreement on the exact way in which participation should be defined. Oakley (1980), suggests that the various concepts of participation lies in "the fundamental differences in the perception of development" (p. 10). Midgley et al. (1986) claim that many writers use the United Nations Economic and Social Council Resolution 1929, when discussing participation. The resolution provides three main criteria for participation: "that participation requires voluntary and democratic involvement of people in contributing to the development effort; sharing equitably in the benefits derived therefrom; and decision-making in respect of setting goals, formulating policies and planning and implementing economic and social programmes." (p. 25). Likewise, Goulet (1989) shares the same view that the highly useful concept of participation in the vocabulary of development, is the working definition used by Marshall Wolfe and the United Nations Research Institute for Social Development (UNRISD). They view participation as "an organized effort to increase control over resources and regulative institutions in given social institutions, on the part of groups and movements hitherto excluded from such control" (p. 165).

PARTICIPATION AS EMPOWERMENT

According to Midgley et al. (1986), the concept of participation as empowerment denotes "profound social structural change" and a "massive redistribution of power"

(p. 38). Likewise, Oakley and Marsden (1984 and 1994) share the same view that the concept of participation suggests a redistribution of power for social change. They view participation as "a power which enables a group to determine which needs and whose needs would be met through the distribution of resources within a society" (pp. 25-26).

PERSPECTIVES ON PARTICIPATION

The concept of participation can be categorised into two perspectives. Hain (1980) explains the "liberal" perspective and the "radical" perspective. The "liberal" perspective seeks "to improve the quality of democracy by making the structure more responsive to the individual citizen and removing the bureaucratic obstacles to participation, and encourage less secrecy in government and more information to people so they could express their preferences before decisions are taken." On the other hand, the "radical" perspective seeks "to confront and replace representative or participatory democracy with the "community control" which involves a complete redistribution of power at the community level" (p. 18).

Hain (1980) also explains the models of change envisioned by these two perspectives of participation. The liberal perspective proposes a "consensus" model of change at the community level, which involves "constructive integration within the processes of law and government, and individual participation is seen as an advantage of educating the citizen, creating an informed and involved electorate." On the other hand, the radical perspective proposes a "conflict" model, which promote "direct action" with the aim "to involve deprived groups, initially through solving the problems besetting them, and then broadening these out into a wider struggle for community control and against capitalist system" (p. 20).

SITUATIONS AND LEVELS OF PARTICIPATION

Munro-Clark (1992), views the issue of power as often significant when evaluating participation since it involves power-sharing, or sharing or taking some part in actual decision-making by ordinary citizens (p. 23).

Hain (1980) and Elliott (1975) suggest one useful approach to analyze and evaluate participation is that adopted by Pateman who distinguishes three types of participatory situation: "pseudo," "partial," and "full" participation. The "pseudo" participation is a situation where those in authority go through the motions of consultation to give the impression of being reasonable and responsive, but in fact the decision has already been taken. The "partial" participation is a situation where two or more parties influence each other in a participatory decision-making process, but where the final power to decide rests with one party alone. The "full" participation implies a situation where an individual or group in a decision-making process has equal influence over the final decision or has equal power to determine the outcome of decision (p. 21 and p. 17).

Given Pateman's approach is based on a situation where influence may be exerted, but final power rests with an authority-holder, Munro-Clark (1992) and Hain (1980) explain other similar but more elaborate approaches to analyze and evaluate participation based on the conception of power. This is found in - Arnstein's so called "ladder of participation" with its eight "rungs" ascending from: "manipulation and "therapy" at the bottom, "informing," "consultation" and "placation" at the middle; and "partnership," "delegated power" and "citizen control" at the top. The bottom rungs are

considered non-participation, while the middle rungs are degrees of tokenism, and the top rungs are considered degrees of citizen power (p. 23 and p. 21).

Hain (1980) further states that in applying the aforementioned liberal and radical perspectives of participation to this typology, it would appear that the former tends to fall into the "lower rung" levels of Arnstein or the "partial" concept of Pateman. On the other hand, the latter conforms more to "higher rung" levels or to "full participation" (p. 21).

THE ROLE OF THE STATE AND "CORPORATISM"

Munro-Clark (1992) reviews one body of theory known as "corporatist," which views the State as exercising a considerable amount of autonomy while, at the same time, needing to gain the cooperation of major interest groupings, particularly labour and capital. Based on this theory, one strategy open to the State is "incorporation, that is drawing into centres of State power the leaders of top organizations of major interest groups (the producer-groups like business organizations, unions and professional organizations), where problems are resolved by negotiation among the parties" (pp. 27-28).

COERCED, INDUCED AND SPONTANEOUS PARTICIPATION

Autonomy and self-reliance are other elements emphasized in many concepts of participation. According to Midgley et al. (1986), the United Nations has made distinctions between spontaneous, induced and coerced participation. "Coerced participation is condemned; induced participation is considered as second best; and spontaneous participation is closest to an ideal mode of community participation since it reflects a voluntary and autonomous action on the part of the people to organize and deal with their problems unaided by government or other external agents (p.27)." This means that any State sponsorship of community participation programmes is considered inferior to spontaneous participation.

INVOLVEMENT OF THE STATE IN COMMUNITY PARTICIPATION

It has been suggested that there are four modes of State involvement in community participation the anti-participatory, manipulative, incremental, and participative, with the latter considered the ideal mode. According to Midgley et al. (1986), a participative mode is encouraged by various social and political theories, including populism, since it involves a real devolution of power. The State fully allows community participation and it responds by creating mechanisms for the effective involvement of local communities in all aspects of development. There is a concerted effort to enfranchise the poorest sections of the community and provide recognition and support to voluntary associations of all kinds. The local decision-making bodies are given specific rights and functions and real control over budgets (p. 44).

CRITERION TO ASSESS THE EFFECTIVENESS OF PARTICIPATION IN THE DEVELOPMENT PROCESS

According to Lisk (1985), the main criterion used to evaluate the effectiveness of popular participation in the development process, is whether that popular influence on decision-making would result in the adoption or development of policy options and programmes that could bring a fairer distribution of the benefits of development, especially to the disadvantaged group in society (who have been bypassed by previous development efforts due to their non-participation or inadequate representation in decision-making bodies) (p. 8).

Lisk (1985) also cites some important conditions necessary to promote and sustain effective popular participation in the development process as regards the need for formal planning systems. These include decentralization of decision-making powers and resources to local-level planning authorities, two-way flow of information between central and local level authorities; adequate representation of diverse interests in local and higher level decision-making bodies, and the creation of institutions responsive to broad based participation in decision-making (p. 10).

PART 2 - WORKER'S PARTICIPATION

CONCEPT OF WORKER'S PARTICIPATION

According to Brannen (1983), the concept of worker's participation is about the distribution and exercise of power or control, in all its manifestations between the owners or managers of organizations and those employed by them. It refers to the direct involvement of individuals in decisions relating to their immediate work organization and to indirect involvement in decision-making through representatives in the wider socio-technical and political structures of the firm. It includes a variety of institutional structures such as collective bargaining, joint consultation, workers' councils, autonomous work groups, and their operation as well as less formal practices (p. 16).

Elliott (1975) and Balfour (1973) also consider the concept of worker's participation as useful to indicate a process of sharing, not only in economic benefits of the enterprise, but also in the process of decision-taking about the means of achieving such benefits (p. 19 and p. 139).

MANIFEST POWER, LATENT POWER, AND VALUES AND IDEOLOGIES

Poole (1975), states that the concept of worker's participation and control can be more fully understood by studying the three main dimensions of power manifest power, latent power, and values and ideologies as principal components of the legitimation of power distributions in particular communities and organizations. The manifest power is measured in terms of the "distribution of income, wealth and property, social origins of members of key elites, formal positions within particular societies and organizations, scope and range of issues controlled or influenced by

particular parties and success in a given power conflict" (pp. 16, 28, and 45). The latent power of particular classes, parties or groups is measured in terms of "numbers, organization, and resources as basis to their underlying power and potential for achieving given ends, if necessary at the expense of those conflicting groups." The view of latent theorists is that the actual exercise of force should never be confused with the concept of power. The values and ideologies, are measured in terms of "their effects in legitimizing the authority of a dominant group or class or in allowing any subordinate group to challenge successfully the dominant grouping" (pp. 17-19).

While participation and control is consequent upon the growth of worker's latent power, it remains to develop both the main independent and dependent variables. According to Poole (1975) the values on worker's participation and control are function of the existing levels of participation, latent power, government action and ideologies. This means specific values may be influenced by ideological considerations (like religious, managerialist, socialist, democratic, libertarian and humanitarian ideals), by existing levels and development of the elements of latent power (like educational resources and the levels of "needs" already fulfilled by subordinate classes, parties and groups as a result of this power, and finally by government action which may be conducive to participation experiments and their acceptance in a given society (pp. 46-47).

FACTORS AFFECTING THE DEVELOPMENT AND PRACTICE OF WORKER'S PARTICIPATION

Brannen (1983) identifies some factors affecting the development and practice of workers' participation. These are structural factors, which include the economic and technical conditions; cultural factors which include the orientations and ideologies of management, labour and the State; and institutional factors which include the arrangements for organizing the interaction between labour and management. These factors provide the basis within which the potential for participation by the actors, their inclination or propensity to participate and the processes of such participation may be understood (p. 148).

CONCEPT OF PARTICIPATION BASED ON "CONTROL"

Not all commentators have been satisfied with the concept of participation based on "influence." According to Hebden and Shaw (1977), critique the concept of "influence" as lacking precision and being difficult to quantify and suggest that the concept of participation based on "control" is the most useful in an attempt to study participation meaningfully.

Hebden and Shaw (1977) further state that treating these two terms "influence and control" as synonymous would create ambiguity since "control refers to any process in which a person or group of persons or organization of persons determines, that is intentionally affects, the behaviour of another person, group or organization." "The distinction between "control" and "influence" is that the former permits unilateral

action by one party, the latter occurs in a social setting in which several parties may participate" (pp. 12-14).

RATIONALE FOR TRADE UNIONS, AND MANAGEMENT'S INTEREST IN PARTICIPATION

Guest and Knight (1979) state that while collective bargaining remains the major form of participation, an alternative is necessary to exert influence at the board level. Some unions are likely to oppose certain forms of participation, such as job enrichment or works councils, which while potentially attractive to both individual workers and management may be seen as a threat to an extension of existing union power (pp. 14-15).

Guest and Knight (1979) suggest that there are four reasons for management's interest in participation. The first and the most controversial reason is that it could lead to a significant increase in efficiency and a major improvement in the quality of decision-making; second, it may help to facilitate the process of change; third, it may improve industrial relations. The fourth possible reason is that it may lead to an increase in job satisfaction and well-being. A further possibility which cannot be denied is that an interest in participation could help the image of an organization by indicating a concern for the workforce and a sense of social responsibility (pp. 1-13).

INSTITUTIONAL STRUCTURES: SOME FORMS OF INDIRECT OR REPRESENTATIVE PARTICIPATION

The indirect or representative forms of worker's participation include all processes and structures whereby workers representatives influence decision-making at higher organizational levels, on behalf of the worker's. According to the Organization for Economic Cooperation and Development (1976), this form of participation is predominantly aimed at taking decisions at higher organizational levels which have more of a policy character. The function is not so much to motivate workers but to safeguard and look after the worker's interest (pp. 35-36).

Guest and Knight (1979) cite collective bargaining, joint consultation, works council, worker directors, and others of similar types as the different institutional structures falling within the category of the representative forms of worker's participation (p. 23).

According to Deeks et al. (1994), collective bargaining, which is a regular process of arriving at wage and condition agreements between management and labour, is a powerful form of worker's participation. It has been the trade union-preferred method of achieving greater industrial democracy (p. 215).

Joint consultation is a formal system of communication and discussion between management and worker representatives. According to Guest and Knight (1979), the aim of consultation is to provide a channel of two-way communication and, in particular, to inform workers about plans and policies of management and seek worker

opinions on those related matters. One attraction of this approach for management is that it involves no loss of control because whatever the outcome of the discussions, management retains the right to take the decisions about the topics under discussion. This is not to deny that worker representatives may influence management decisions. Another attraction is that the management provides a potentially powerful source of control in communicating information (p. 143).

There are two kinds of consultation: the informal consultation and formal consultation. The informal consultation is distinguished from the formal consultation (the process by which workers' representatives are invited to its joint worker-management committees). According to Clarke et al. (1972), there are two conditions in the establishment of formal joint consultation which has led to a decline in joint consultative committees. These two conditions are no encroachment of managerial rights and no discussion of those subjects that are within the traditional areas of negotiation (p. 46).

FUNCTIONS AND DYSFUNCTIONS OF INDIRECT PARTICIPATION

According to Lammers and Szell (1989), to further understand the interpretation of the policies and structures of indirect participation, it is useful to examine the views of the employer, worker, union and the macro-social institutions on functions or the consequences which help to realize the goals of indirect participation and its dysfunctions or the consequences which disturb its functioning.

For the employer, the functions of indirect participation are "improvement of social relations, integration of the union into the enterprise, social peace and its economic benefits, and negotiation of organizational or technological changes." The dysfunctions are "challenge to managerial authority and to property privileges, cost (time and energy), mistrust by foreign investors, social tension, and bureaucratization."

For the worker, the functions of indirect participation are "collective recognition and promotion, and protection of material (financial) and non-material (statutory and sociological interests)." The only possible dysfunction is "exclusion of the worker for the (game played by the employer's and union's representatives), and a growing feeling of double alienation."

To the union, the functions of indirect participation are the "possibility of acting as a counter-power, of fighting the employer's arbitrary decision to move towards another socio-economic system, to fight excessive economic rationality, to defend purchasing power, to prevent unfair dismissal, to negotiate technological and organizational changes, to reinforce union power, and to force necessary compromises. The dysfunctions for the union are the risk of integration into the capitalist system, the cost (time and energy), and the possible gaps between leaders and the rank and file."

For the macro-social institutions, the functions of indirect participation are the same with the direct participation such as "social justice, industrial democracy, socio-

economic transformation, an answer to social struggle, social peace, improvement of industrial relations. The only possible dysfunction is the risk of corporatism or agreement of particular interests against the common good" (p. 15).

Lammers and Szell (1989) concludes further that unions would be interested in giving priority to indirect participation compared to direct participation because the former has many important dysfunctions (manipulation of individuals, atomization of claims, exclusion of the union) while the latter has many important functions (reinforcement of its counter-power, bargaining of technological and organizational changes, etc.). On the other hand, for opposite reasons, employers would favour direct participation. The worker would be more interested also in direct participation, but would not ignore the advantages of indirect participation (p. 20).

FACTORS INFLUENCING THE DECISION TO EXTEND PARTICIPATION

Guest and Knight (1979) suggest that there are three main factors influencing the decision to extend participation depending on the circumstances: the nature of the organization, including its size, structure and market; the individuals who constitute the potential participants; and certain legal influences.

Under organizational factors, there are four sets of influences. First, the size of the organization could affect the introduction of new forms of participation. A large organization is more likely to employ indirect participation through representatives for a wide range of important decisions. Second, linked to size, is the nature of the technology. Technical knowledge or the lack of it may facilitate or restrict the opportunity for many people, at all levels to participate. Third, the nature of the product and the product market. A stable product market and a conventional bureaucratic structure is well equipped to deal with issues requiring immediate solution, but with the unstable and changing market a formal bureaucracy may not work well. Fourth are a range of social factors such as goals and values of the various interest groups (the shareholders, managers and various unions) within an organization and the external interest groups (customers and government) must be considered. Fifth are cultural factors. The history of the organization and its image in the eyes of its employees and the public at large, traditions of paternalism or conflict and the current industrial relations climate may influence the amount of participation.

Under individual factors, the influences are associated with the capacity of individuals to participate and their inclination or motivation to participate. There are workers, who because of their personality, attitude or motivation may not want to participate. The evidence suggests that those who prefer strong leadership and clear authority and those who lacked self-confidence may be less willing to participate at any level in the organization. The evidence also indicates that, for whatever reason, interest in participation has in the past been lower among women and among the less well-educated.

Under legal influences, the existing and potential legislation may require participation to develop in certain ways (pp. 31-36).

PRESSURES FOR THE EXTENSION OF PARTICIPATION AND THE NEED FOR A FLEXIBLE APPROACH TO PARTICIPATION

According to Guest and Knight (1979) the main pressures for an extension of participation are "the possibility of legislation, development of union power, growing awareness among all levels of workers to the potential benefits of participation, need to obtain consent to effect change and innovation, and the belief in the value of participation among chief executives." The society has to consider the reality of some problems such as limited economic growth, high unemployment and a growth of protectionism, the increased acceptance of the need for a balance between efficiency and satisfaction and between the needs of the worker and the economy, and the growing emphasis on the wishes and aspirations of individuals as a counter to the corporatist tendencies of trade unions and companies (pp. 311-312 and 314).

Given these aforementioned pressures, Guest and Knight (1979) conclude that a flexible approach is necessary. Managers should welcome participation as an opportunity rather than as a threat to be opposed. The approach needs to be a flexible one because of differences in organizational culture and history, the differing perceptions of those involved and change in technology and markets. The flexible middle path, which could accommodate established approaches like collective bargaining and less autonomous groups is the most likely way ahead. Sometimes these approaches would be combined, one or the other would dominate, while at other times these would co-exist (p. 312 and 314).

OPPOSITION TO PARTICIPATION

The most influential and sustained theoretical critique of worker's participation in the literature to date which has gone unchallenged by subsequent supporters of industrial democracy was advanced by Clegg in opposition to participation. According to Kerans, et al. (1988), Clegg claims that industrial democracy is desirable and is best achieved through the trade unions acting in opposition to management rather than taking over management functions. He views the traditional freedoms and economic rights as better achieved if trade unions engage in collective bargaining rather than participation. Clegg further maintains that the participation of workers in management may be harmful to the interests of the workers and to the extension of democratic social relationships in industry considering the problems of role conflict experienced by workers in decision-making bodies. The position of Clegg is that democracy can be best developed by assuring that people are free to oppose government and be effectively involved in voluntary associations. For trade unionism, this means that unions must be independent of the State and management to represent the interests of the workers (pp. 47-49).

SHORTCOMINGS OF COLLECTIVE BARGAINING FROM THE PERSPECTIVE OF WORKER'S PARTICIPATION

While collective bargaining has been proven to be effective and adaptable instrument which may serve both management and workers interests, it is not

integrated into the larger organizational structure. According to Hebden and Shaw (1977), collective bargaining is seen as not adequately equipped to deal with all the pressures for more workers participation. It is predominantly concerned with wages and conditions of employment. The idea that it could be a vehicle for greater participation within individual companies and plants is difficult to accept. Bargaining is conducted both from the union and the management and the legitimate role of bargaining is extremely narrow (pp. 74-75).

Furthermore, the organization for Economic Cooperation and Development (1976) states that collective bargaining cannot be a substitute for active workers participation at the place of work. Direct forms of workers participation are a necessary supplement to collective bargaining under all circumstances. Only in certain circumstances can collective bargaining be the sole system of indirect workers participation (pp. 58-59).

PART 3 - TRIPARTISM

TRIPARTISM

According to Kerans, et al. (1988) the normal machinery for participation at a policy level includes some form of bipartite or tripartite council. Bipartite councils involve representation from employers and employees, frequently on an equal footing. On the other hand, tripartite councils involve the representation from government, labour and management. There are some countries who integrate labour and management chambers into the parliamentary process. Others rely upon formal agreements, like in the Netherlands, where bipartite and tripartite organizations influence a great deal of public policy formulation. Many developed countries have created economic advisory councils composed of representatives from labour, management and other sectors of society (pp. 50 and 57-58).

AIMS AND CHARACTERISTICS OF TRIPARTITE BODIES

Kerans, et al. (1988) explains that the aims for which national participatory bodies have been established vary, but generally fall into three key areas: economic; political; and social. At the economic level, the major concern is focus on growth and income. The assumption behind joint planning at the economic level is that, by creating a dialogue among various sectors of society, it is possible to develop a reasonable consensus about the direction and pace of economic growth. At the political level, the objective seems to be a search for ways of improving decision-making in economic and social matters so the workplace organizations can have a direct influence on matters of national interest. Finally, at the social programme level, the objectives may be less clear but one aim seems to be the development of some degree of consensus about the range and costs of social services to reduce social conflict by addressing the needs of minorities and to ensure the greater number of citizens as possible are informed about plans and policies (pp. 58-59).

ADVANTAGES/STRENGTH OF TRIPARTITE CONSULTATION

According to the International Labour Office (1975), the national tripartite consultative meetings held in several countries, have been found to be an effective means of stimulating the participation of the relevant government services and organizations in the examination of ILO standards, especially if such meetings are organized on a reasonably regular basis. A majority of the countries have established tripartite procedures for consultation on various economic and social matters through which consultation takes place on matters relating to ILO standards. The tripartite bodies on labour and employment matters (usually labour advisory council or board) have been set up to deal with ILO affairs, specifically ILO Conventions.

Convention No. 144 and Recommendation 152 gives the government a very wide measure of discretion as to the nature and forms of the procedures for consultation to be established to these ends. The consultations may be undertaken through a committee specifically constituted for such purposes, through a number of bodies with special responsibility for particular subject areas, or through communications where those involved agree that this is appropriate and sufficient (pp. 12 and 23).

EXPERIENCES WITH TRIPARTITE CONSULTATION

According to Lisk (1985), despite widespread agreement on the importance of industrial democracy in various parts of the world, much resistance has been met trying to implement its more radical aspects. Industrial participation seems to have gone furthest in European countries which have suffered economic devastation from war or undergone radical changes in the ownership of the means of production. Industrial cooperatives were a common feature of the former socialist economies of Eastern Europe. These cooperatives were usually organized according to the main industrial groups or sectors and were combined in a national central union which was responsible for economic planning and the provision of managerial, development and research services to members. The profits from their production and marketing services were split between members accounts and reserves for reinvestment. In theory, these industrial cooperatives and their central unions were democratically controlled by a hierarchy of elected committee members, which allows for indirect participation of the membership in decision-making and management. But, in practice, its overall powers and activities were subject to rigid State control. On the other hand, several Third World countries have experimented with worker's participation in decision-making and management within the industrial sector. India, despite its democratic political record, has not taken to industrial participation in a big way. The employers strongly resisted such innovations on the establishment of joint industrial councils, and trade unions clashed over who should represent the workforce. The indications are that the councils tend to limit their activities to wage bargaining. In the United Republic of Tanzania, workers' councils were introduced by government in 1970 for all enterprises employing more than ten persons. But, due to a relatively weak trade union organization, this innovation has been considered more as an attempt to regulate the workforce and increase production than a statement of

ideological solidarity with the wage earners. The workers' councils form the additional layer of bureaucracy within and they have been criticized for being tools of government and management. The management dominates the councils, especially in investment and planning areas (pp. 79-82).

SUMMARY/CONCLUSION

While there is no agreement on the exact way in which participation should be defined or conceptualised, there are some authors who share the same view that the concept of participation is a redistribution of power for social change. They view participation as "an organized efforts to increase control over resources and regulative institutions in given social institutions, on the part of groups and movements hitherto excluded from such control" (Goulet, 1989, p. 165).

The concept of participation can be understood by reference to two perspectives: the "liberal" perspective and the "radical" perspective. The "liberal" perspective envisions a "consensus" model of change at the community level which seeks constructive integration within the processes of law and government and individual participation. On the other hand, the "radical" perspective envisioned a "conflict" model of change which promote "direct action" with the aim to involve deprived groups, initially through solving the problems besetting them.

The issue of power is often significant when evaluating participation since participation involves power-sharing, or sharing or taking some part in actual decision-making by ordinary citizens. One useful approach to analyze and evaluate participation is suggested by Pateman who distinguishes three types of participatory situation: "pseudo," "partial," and "full" participation. But, given Pateman's approach is based on a situation where influence may be exerted, but final power rests with an authority-holder, there is another similar but more elaborate approach to analyze and evaluate participation based on the conception of power. This is found in the so-called Amstein's "ladder of participation" with its eight "rungs" ascending from: "manipulation and "therapy" at the bottom, "informing," "consultation" and "placation" at the middle; and "partnership," "delegated power" and "citizen control" at the top. The bottom rungs are considered non-participation, while the middle rungs are degrees of tokenism, and the top rungs are considered degrees of citizen power.

Furthermore, in applying the aforementioned liberal and radical perspectives of participation to this typology, it would appear that the former tends to fall into the "lower rung" levels of Amstein or the "partial" concept of Pateman. On the other hand, the latter conforms more to "higher rung" levels or to "full participation".

There is a body of theory known as "corporatist," which view the State as exercising a considerable amount of autonomy while, at the same time, needing to gain the cooperation of major interest groupings, particularly labour and capital. One strategy open to the State is "incorporation, that is drawing into centres of State power

the leaders of top organizations of major interest groups where problems are resolved by negotiation among the parties" (Munro-Clark, 1992, pp. 27-28).

"Coerced participation is condemned; induced participation is considered as second best; and spontaneous participation is closest to an ideal mode of community participation since it reflects a voluntary and autonomous action on the part of the people to organize and deal with their problems unaided by government or other external agents" (Midgley et al., 1986, p. 27).

Of the four modes of State involvement in community participation; the anti-participatory, manipulative, incremental, and participative, the latter is considered the ideal mode.

The main criterion used to evaluate the effectiveness of popular participation in the development process, is whether that popular influence on decision-making results in the adoption or development of policy options and programmes that could bring a fairer distribution of the benefits of development, especially to the disadvantaged group in society (who have been bypassed by previous development efforts due to their non-participation or inadequate representation in decision-making bodies).

Decentralization of decision-making powers and resources to local-level planning authorities, two-way flow of information between central and local level authorities; adequate representation of diverse interests in local and higher level decision-making bodies, and the creation of institutions responsive to broad based participation in decision-making are important conditions necessary to promote and sustain effective popular participation in the development process as regard for the need for formal planning system.

The concept of worker's participation is about distribution and exercise of power or control, in all its manifestations between the owners or managers of organizations and those employed by them.

The concept of worker's participation and control would be fully understood by studying the three main dimensions of power such as manifest power, latent power and values and ideologies as principal components of the legitimation of power distributions in particular communities and organizations.

There are some factors affecting the development and practice of workers' participation. These are the structural factors which include the economic and technical conditions, the cultural factors which include the orientations and ideologies of management, labour and the State, and the institutional factors which include the arrangements for organizing the interaction between labour and management.

The concept of participation based on "control" but not on "influence" is the most useful in an attempt to study participation meaningfully. Treating these two terms "influence and control" as synonymous would create ambiguity since "control refers to any process in which a person or group of persons or organization of persons

determines, that is intentionally affects, the behaviour of another person, group or organization."

While collective bargaining remains the major form of participation, an alternative is necessary for workers to exert influence at board level. There are four reasons for management's interest in participation, because it could lead to a significant increase in efficiency and a major improvement in the quality of decision-making; it may help to facilitate the process of change; it may improve industrial relations; it may lead to an increase in job satisfaction and well-being; and a further possibility is that it could help the image of an organization by indicating a concern for the workforce and a sense of social responsibility.

Collective bargaining, joint consultation, works council, worker directors, and others of similar types are the different institutional structures falling within the category of the representative forms of worker's participation. Collective bargaining, which is a regular process of arriving at wage and condition agreements between management and labour, is a powerful form of worker's participation. On the other hand, joint consultation is a formal system of communication and discussion between management and worker representatives. The aim of the consultation is to provide a channel of two-way communication and, in particular, to inform workers about plans and policies of management and to seek worker opinions on those related matters.

It appears that unions may be more interested in indirect participation compared to direct participation because the former has many important dysfunctions (manipulation of individuals, atomization of claims, exclusion of the union) while the latter has many important functions (reinforcement of its counter-power, bargaining of technological and organizational changes, etc.). On the other hand, for opposite reasons, employers would favour direct participation. The worker would be more interested also in direct participation, but would not ignore the advantages of indirect participation.

There are three main factors influencing the decision to extend participation depending on the circumstances: the nature of the organization, including its size, structure and market; the individuals who constitute the potential participants; and certain legal influences.

The pressures for an extension of participation are likely to continue. The main pressures are, "the possibility of legislation, development of union power, growing awareness among all levels of workers to the potential benefits of participation, need to obtain consent to effect change and innovation, and the belief in the value of participation among chief executives" (Guest and Knight, 1979, p. 311-312).

Given these aforementioned pressures, a flexible approach which could accommodate established approaches like collective bargaining and less autonomous groups is necessary.

The most influential and sustained theoretical critique of worker's participation in the literature to date which has gone unchallenged by subsequent supporters of industrial democracy was advanced by Clegg. He views the traditional freedoms and the economic rights as better achieved if trade unions would engage in collective bargaining rather than participation. He further maintains that the participation of workers in management may be harmful to the interests of the workers and to the extension of democratic social relationships in industry considering the problems of role conflict experienced by workers in decision-making bodies.

While collective bargaining has been proven to be effective and adaptable instrument which may serve both management and workers interests, it is not integrated into the larger organizational structure. It is seen as not adequately equipped to deal with all the pressures for more workers participation since it is predominantly concerned with wages and conditions of employment.

The normal machinery for participation at a policy level includes some form of bipartite or tripartite council. Bipartite councils involve the representation from employers and employees, frequently on an equal footing. On the other hand, tripartite councils involve the representation from government, labour and management. Many developed countries have created economic advisory councils composed of representatives from labour, management and other sectors of society.

The aims for which national participatory bodies have been established varies but generally fall into three key areas such as economic, political, and social.

The national tripartite consultative meetings held in several countries, have been found to be an effective means of stimulating the participation of the relevant government services and organizations in the examination of ILO standards, especially if such meetings are organized on a reasonably regular basis. A majority of the countries have established tripartite procedures for consultation on various economic and social matters through which consultation takes place on matters relating to ILO standards.

Despite widespread agreement on the importance of industrial democracy in various parts of the world, much resistance has been met trying to implement its more radical aspects. Industrial participation seems to have gone furthest in European countries which have suffered economic devastation from war or undergone radical changes in the ownership of the means of production. On the other hand, in several Third World countries have experimented with worker's participation in decision-making and management within the industrial sector. India, despite its democratic political record, has not taken to industrial participation in a big way. Likewise, in the United Republic of Tanzania, workers' councils were introduced by government in 1970 for all enterprises employing more than ten persons. But, due to relatively weak trade union organization, this innovation has been considered more as an attempt to regulate the workforce and increase production than a statement of ideological solidarity with the wage earners. The workers' councils form the additional layer of bureaucracy within and they have been criticized for being tools of government and

management. The management dominates the councils, especially in investment and planning areas.

CHAPTER III - OVERVIEW OF THE PHILIPPINE SUGAR INDUSTRY

This chapter provides a general overview of the Philippine sugar industry and its development with particular emphasis on its historical background; contribution to national economy; the profile, geographical distribution, problems and prospect of the industry; the labour force and their employment conditions in the industry; and the rights of Filipino workers under labour standards, social security and labour relations laws.

HISTORICAL BACKGROUND OF THE INDUSTRY

Sugar production is a long established industry in the Philippines. According to historical records, sugarcane was already growing and crude sugar was produced on the island when Magellan discovered the archipelago in 1521 (Tacke, et al.: 1963: 241).

Sugar was grown as a subsistence crop in the country long before it was grown for export (Coote: 1987: 30). The sugarcane plant, including the methods for farming and processing was introduced by the early Chinese traders. From being a subsistence crop, sugar emerged to be an industry and became the traditional backbone of Philippine economy.

Founded in the 19th century, the Philippine sugar industry was based on the large-scale production of sugarcane in plantations known by the Spanish term "hacienda", and it was export-oriented. An example of this large scale production can be found in the Visayas group of islands, particularly Negros island which remains the country's major sugar producing area today (De Boer: 1978: 120).

Since the last century, the history of the Philippine sugar industry can be divided into three distinctive stage.

FIRST STAGE (1850s)

The first stage began in the 1850s when the Philippines entered the world market in response to the Industrial Revolution in European countries. Due to the increasing demand for sugar, new modes of sugar production developed in the country. The size of production units ranged from small farms where milling was done by means of working animals to big haciendas where mills were powered by British-made steam engines. (National Federation of Sugar Workers: 3).

During this period, the Philippines was still under Spanish colonial rule, but it had already begun to export sugar to America. The principal market has traditionally been the United States which has increased or decreased imports according to its own market requirements. The fortunes of the industry have rested almost entirely on the American market, which has controlled the flow of Philippine sugar imports through a series of trade agreements (Coote: 1987: 30).

At first the sugarcane plantations were concentrated in Central Luzon but later those in Negros developed considerably. While the sugar planters did not have enough resources to raise much needed capital for fast expansion, the British and American sources extended crop loans to them (National Federation of Sugar Workers: 3).

Following the Spanish-American War in 1898, America colonized the Philippines. The development of the modern milling sector started in the late 1800's. The American influence began to be felt in the milling sector and particularly in market orientation (De Boer: 1978: 120). America lifted all restrictions on trade between the two countries, and encouraged increased sugar production to meet a steadily growing consumer demand (Coote: 1978: 30).

The Laurel-Langley Act, which provides for free trade between the Philippines and America, gave Philippine sugar exports unlimited free access into the American market (De Boer: 1978: 120).

SECOND STAGE (1912)

The second stage started in 1912 whereby the modernization of the industry was pursued mainly through the efforts of American capital. The Philippines was included as one element of America's "sugar empire" which encompassed Hawaii, Puerto Rico, Virgin Islands, Cuba, and the United States mainland.

In 1916, the Philippine National Bank (PNB) was established by the American colonial administration to finance the new industrial requirements and maintain its American market. Through PNB, enormous loans were extended to groups of planters to enable them to put up their own sugar mills or centrals. Thus, in a period of twenty years until 1930, forty seven mills were constructed, eighteen of which were in Negros Occidental. The four biggest mills were American-owned.

Between 1935 and 1974, the Philippine sugar industry suffered a major trade crisis that ended its gains made in the past. The passage of the Jones-Costigan Act of 1935¹ reduced to an annual fixed quota of 850,000 metric tons sugar exports to the American market. As a result, the country's sugar production was also reduced. This was followed by the Sugar Limitation Law passed by the Philippine Legislature in 1937 which limited sugar production to the existing quota of 980,000 short tons for domestic consumption.

Following the destruction to many mills, brought by the Second World War the industry was gradually reconstructed. Twenty-five of the forty seven mills were rehabilitated within the next ten years to produce the sugar requirements for local needs and export to America. Again, the industry recovered because of the large quotas allocated to the Philippines (Asian Productivity Organization: 1980: 124).

¹Jones Costigan Act established a quota system in an attempt by the American to protect its own sugar growers.

Another further motivation to Philippine sugar exports was due to the closure of the Cuban sugar trade with America as a result of the Cuban revolution in 1959 (De Boer: 1978: 120). America stopped importing sugar from Cuba which has been one of its main suppliers, and the Philippines was asked to fill the Cuban sugar quota. As a result, the Philippines expanded its sugarlands and intensified its sugar production (Coote: 1987: 30).

THIRD STAGE (1974)

It was argued that after seventy years of American domination, the Philippines was not yet ready for competition in the world (National Federation of Sugar Workers: 7). The country was left without a stable market since the expiration of Laurel-Langley Agreement on July 1, 1974.

Since then, Philippine sugar has been exported to the world market where prices fluctuate widely (Asian Productivity Organization: 1980: 124). The sugar exports have generally been negotiated at free market prices, and the export market has been diversified with a larger proportion of exports going to Asian countries (De Boer: 1978: 120).

Due to American protectionist policy and the inability of the industry to cope with the new international market conditions since the termination of the American Sugar Act or the reduction of sugar quota in the American preferred market, the Philippines established diplomatic ties with the socialist countries and nationalized its sugar trading in 1974. While on this policy, the country was able to garner some export earnings, the export value earned was still not enough to compensate for the big loss from the American market (Bureau of Rural Workers: 1988: 6).

By 1987, four sugar mills had stopped operations to prevent financial losses due to decline in foreign demand. The depressed prices of sugar in the world market, over expansion of sugar mills, and unsecured risks in international trading of sugar also contributed to the decision to stop operations.

CONTRIBUTION TO NATIONAL ECONOMY

Despite the policy to place greater emphasis on non-traditional exports, sugar remained the country's main export and a major dollar earner. Between 1969 and 1978, the average annual export earnings of sugar was US\$200 million representing 20 to 25 percent of the country's annual foreign exchange (Asian Productivity Organization: 1980: 124). In 1975 alone, the sugar sales totalled \$580.7 million or nearly one-fourth of the country's entire export earnings, making the Philippines the world's ninth largest sugar producer and the fourth sugar exporter, next to Cuba, Brazil and Australia² (Institute of Labour and Manpower Studies: 167).

²"Sugar Industry: Prime Dollar-Earner," NEDA Development
1978, p. 1.

In some quarters it was argued that, while sugar workers made significant contributions to the industry's economic growth, they have not received a fair share from the amassed wealth of the industry (National Federation of Sugar Workers: 1 and 3).

The sugar industry in Filipino society has created conflicting impressions. It has been viewed by some as a system of injustice, and a reflection of labour exploitation symbolized by the migratory workers called "sacadas" as ignorant, unaware and passive people. It is also viewed as an institution of paternalism, where the planter takes care of their workers "from womb to tomb," and as a bloc of power that commands heavy influence over policy-makers who protect their own interests (Institute of Labour and Manpower Studies: 169).

POLICY AND EFFORT OF THE GOVERNMENT TOWARDS THE INDUSTRY

Recognizing the vital role of sugar in the national economy, the government has taken steps to sustain the continued growth and development of the sugar industry, both in the production and marketing aspects.

The marketing and trade of sugar was originally in the hands of the private sector. But in February 1974, through Presidential Decree 388, the Philippine Sugar Commission (PhilSuCom) was created to integrate the various marketing, research, development, and financing activities previously carried out by separate agencies such as: the Philippine Sugar Institute (PhilSugIn), a semi-governmental corporation created in 1951 for research and development of the industry; the Sugar Quota Administration (SQA), an agency charged with the setting of quotas for sugar mills or centrals to avoid overproduction of sugar relative to domestic and American market requirements, and also responsible for ensuring that adequate sugar is made available for domestic consumption so the fixed prices for sugar can be maintained; and the Philippine Exchange Commission (PhilEx Commission), an entity involved in the buying and selling of sugar. (Asian Productivity Organization: 1978: 121 and National Federation of Sugar Workers: 19-20).

On May 28 1986, through Executive Order No. 18, the PhilSucom was abolished and replaced by the Sugar Regulatory Administration (SRA) to pursue the government's objective of rehabilitating the industry and enhancing its growth and development.

INDUSTRY PROFILE AND CURRENT STATUS

1. SUGAR PRODUCTION PROCESS

Sugarcane is a perennial giant grass belonging to the group of maize and sorghum and it thrives in a tropical or semi-tropical climate as it needs both strong sunlight and abundant water.

The mature plant is twelve to fifteen feet high with soft, sweet, juicy stalks that grow to a thickness of about two inches. It is propagated from cuttings of the stem which, once planted, mature quickly. The seed cane is ready to harvest in eleven to eighteen months. After cutting, the remaining stubble sprouts again for the following year (Coote: 1987: iv).

The production of sugarcane is traditionally a mono-crop system in the large commercial farms or haciendas. This means as a rule, new cane points are planted soon after harvest of the preceding crop climate and soil conditions permitting. The entire plantation has to be plowed and otherwise prepared for the new crop. Such land preparation entails a major expense in the production system.

The harvesting of most canes is still carried out manually with the use of a cane knife. The use of mechanical harvesters was viewed with much expectation but met with a meager response because of the concomitant social problems, huge capital investments and technical difficulties in agricultural practices associated with the introduction of the harvester. The harvesting operation is influenced by several factors; cane burning, the harvesting schedule, and the climate.

Burning the cane field in preparation for cutting, either manually or mechanically, has become a tolerable if not a standard practice in sugarcane areas of Luzon. Burning is usually practised when the harvesting season has progressed half-way and the canes are beginning to dry up (Asian Productivity Organization: 1980: 162).

The harvesting of canes is contingent upon the milling schedules set by individual sugar mills. Normally the duration of milling falls between 160 and 180 days. Where the weather permits and the supply of cane is assured, sugar mills usually extend their milling days. The delays in harvesting are caused most often by unfavourable weather patterns, lack of labour supply and transportation facilities.

The climate in the Philippines is marked by dry and wet seasons. When the wet season extends through December or early January, sugarcane fields become impassable to vehicular transportation, thereby delaying harvest of canes. Typhoons also visit the country frequently and cause damage to sugarlands. These factors influence adversely the harvesting and milling schedules for canes.

During the harvest season, the available labour force in sugarcane farms is not adequate to cut and load the canes to trucks or railway cars. Necessarily, a good number are recruited from nearby areas. These migrant labourers are locally known as "sacadas." A critical situation arises when harvesting of sugarcane coincides with that of rice, coconut, tobacco, banana or any other cash crops. When this is the case, those crops compete with sugar for available labour and the latter suffers considering that cutting and loading of sugarcane is attractive to many labourers (Asian Productivity Organization: 1980: 165).

When the cane has been cut, it deteriorates quickly and needs to be processed as soon as possible. Processing involves washing, shredding and crushing

the cane. The cane extract is then soaked in water which is heated until the water evaporates and the sucrose becomes concentrated. As it cools, it crystallizes and emerges as raw sugar. The by-products are molasses and bagasse, the residual fibre of the cane. The molasses is converted into rum, bakers' yeast and cattle feed. The bagasse is used mainly as fuel for the sugar factories. The raw sugar still has to be refined before it becomes the product familiar to consumers (Coote: 1987: iv).

2. SUGAR MILLING DISTRICTS

To process sugar for export as well as for domestic consumption, thirty nine mills were in operation throughout the country in Crop Year 1991-1992. The largest concentration of nineteen mills is in Region 6 (Western Visayas). There are no sugar mills in the National Capital Region (Metro-Manila), Cordillera Autonomous Region and Region 9 (Zamboanga), (see Appendix 1).

In Crop Year 1985-1986, the daily milling capacity for Negros in Western Visayas alone was 95,800 tons per day representing 57% of the total daily capacity of 180,736 tons.

However, in Crop Year 1992-1993, the number of mills operational nationwide was reduced to thirty eight due to the closure of one sugar mill in Region 6. Originally, there were forty two operating sugar mills during the world market boom of sugar in the seventies. The highest mill capacity of 188,872 tons was reached in Crop Year 1979-1980 from a low rate of 144,670 tons in Crop Year 1970-1971.

3. GEOGRAPHICAL DISTRIBUTION OF SUGARCANE AREAS

Sugarcane is grown on a commercial scale on the islands of Negros, Luzon, Panay, Cebu, Leyte and Mindanao.

In Crop Year 1988-1989, the main producers were Negros and Luzon with 174,048 and 82,450 hectares, respectively, planted to sugarcane.

4. SUGAR PLANTERS AND SIZE OF CANE FARM HOLDINGS

The Philippine sugar industry is generally described as privately owned. Many small farmers grow sugar as a cash crop on as little as half an acre of land, but most of the sugar grown throughout the country is owned or controlled by a small number of wealthy land-owners (Coote: 1987: 11-12).

Based on regional reports in Crop Year 1992-1993, there are about 75,000 to 80,000 registered sugar planters in thirty nine mill districts throughout the country. About 40% of them are in Region 6, and 60% are scattered in the other twenty one mill districts.

In Crop Year 1988-1989, there were about 24,611 planters cultivating 25,835 sugarcane farms with a total area planted at about 300,242 hectares throughout the country.

More than half (63%) of the total 25,835 farms are below five hectares in size, 32% are between five and fifty hectares, three percent are between 50 and 100 hectares, and two percent are above 100 hectares.

The efforts of the owners or operators of small-sized farms to increase yield are hindered by their inability to employ the necessary input. The larger size farms of fifty hectares or more, besides having more adequate resources, are in a better position to avail of technology such as farm mechanization and adequate inputs, particularly fertilizer and chemicals.

But, in the smaller farms of three hectares, sugarcane is intercropped with rice, mungbean, sweet potato or other vegetables. There are about fifty percent of the total planters practice intercropping to optimize the use of available family labour (Asian Productivity Organization: 1980: 132-133).

It was reported in the Luzon area, where farms are comparatively smaller in size, that there are no grave malnutrition problems for workers in the area. By contrast, in Negros, serious malnutrition of workers and their families have attracted the attention of international relief organizations and other private organizations.³ Because almost the whole island (68% of the country's sugar industry)⁴ is planted with sugarcane, other staple foods on the island are scarce and more expensive (National Federation of Sugar Workers: 37).

5. PLANTERS' ASSOCIATIONS AND AFFILIATION

Based on SRA list in Crop Year 1991-1992, there are about ninety eight planters associations throughout the country: Twenty six are in Luzon; forty three are in Negros; sixteen are in Panay; and thirteen are in Eastern Visayas and Mindanao.

Of this total of ninety eight planters association, about forty-two percent (42%) are affiliated with the Confederation of Sugar Producers Associations, Inc. (CONFED); 29% with the National Federation of Sugarcane Planters (NFSP); 3% have dual affiliation both with the CONFED and the NFSP; and 26% have no affiliation.

In Luzon and Negros, the planters associations are affiliated mostly with the CONFED (62%) and (42%), respectively. By contrast, in Panay, and Eastern Visayas and Mindanao, they are affiliated mostly with the NFSP (50%) and (69%) respectively.

³Bureau of Rural Workers, DOLE, Report on the National Tripartite Conference in the Sugar Industry (February 9-10, 1988, Manila).

⁴Coote, 1987, p. 11.

The NFSP is a confederation of planters association representing primarily the larger sugarcane producers in matters influencing government action on sugarcane production and pricing, negotiation with mills, and plantation labour contracts (Asian Productivity Organization: 1978: 121).

6. SUGAR PRODUCTION

Sugar production showed an annual average decline of 7.42% from its peak of 2,456,742 metric tons in Crop Year 1981-1982 to a low of 1,336,987 metric tons in Crop Year 1986-1987. Correspondingly, the total sugar area milled consistently declined over the period from 418,029 hectares in Crop Year 1981-1982 to 269,958 hectares in Crop Year 1986-1987, or an annual decrease of 5.80%.

It was argued that the decline in production was due to reduction in the American sugar quota, low domestic demand, increasing cost of production for high yielding varieties and decreasing sugar land cultivated.

On a regional basis, in Crop Year 1986-1987, Negros and Luzon had an average productivity of 5.28 metric tons per hectare and 5.14 metric tons per hectares, respectively. Panay had an average of 3.71 metric tons per hectare while Eastern Visayas (Cebu and Leyte) and Mindanao had average yields of 4.66 metric tons per hectare.

On a national scale, it was observed that sugar cane production decreases with the size of the farms. When farms are small and fragmented, productivity in farm production also decline because small planters cannot afford costly production loans, equipment and outlays.

7. SUGAR WITHDRAWAL

Sugar withdrawals in Crop Year 1992-1993 were relatively slow compared to previous crop year trends. In June 1993, it was reported that only 56% of the total production for the period had been withdrawn. This was a decline of 4% on the last crop years withdrawals of 60% for the same period.

It was reported also that the slow sugar withdrawals were due to the issuance of sugar policy order by the SRA controlling the withdrawals of certain classifications of sugar for a period of time.

The SRA is a government institution vested with the following functions; it recommends the establishment of a sugar production coefficient and a production quota which are attached to the land of each farmer; institutes regulations for implementing, controlling and monitoring the production quotas; establishes domestic, export and reserve allocations; explores and expands the domestic and foreign markets for sugar and by-products to assure mutual benefits to consumers and producers, and promotes and maintains a proper balance of production of sugar and its by-products; institutes, implements and regulates an orderly system of que-danning,

disposition and withdrawals of various forms of sugar from warehouses; issues permits and licenses and collects corresponding fees and levies on the processing and manufacture of sugar and its by-products (SRA: 1986: 3).

8. SUGAR DEMAND

The consumption of sugar has been increasing considerably in the Philippines since before the Second World War.

Domestic sugar consumption ranged from a low of 1,049,238.10 metric tons in 1982 to a high of 1,360,977.25 metric tons in 1985. The average consumption was placed at 1,193,240.07 metric tons.

In Crop Year 1985-1986, domestic sugar consumption was at 1,076,253.33 metric tons but rose to 1,335,000.43 metric tons in Crop Year 1986-1987, or a 24% improvement.

In October 1986, local demand for sugar rose to 112,554.18 metric tons from 59,640.95 metric tons during the same month in 1987 or an increase of 88.72%.

It was argued that the increase in domestic sugar consumption was attributed to the country's growing population, increasing industrial based sugar products and income growth.

9. PROSPECT FOR THE SUGAR INDUSTRY

Prospects for the industry will depend on favourable trends both in the world and domestic markets in the coming years with the progressive removal of preferential trading.

The Philippine government may consider two options for the industry: first, produce sugar for domestic market (98%) and maintain reserve sugar (2%); or second, production of three classes of sugar, export (8%), domestic (90%), and reserve (2%).

Under the first option, the production of sugar may be regulated approximately between 1.3 to 1.4 million metric tons to meet the estimated 1.19 million metric tons annual local consumption. To prevent any domestic fluctuation in prices, a reserve of 210,000 metric tons may be utilized to offset the gap in 150,000 metric tons registered during peak months. The 2% sugar reserve may be utilized to tap other non-traditional sugar buyers such as Japan and China.

Under the second option, the country may produce between 1.4 to 1.5 million metric tons in anticipation for the unfavourable fluctuation of sugar prices in the world market.

The price of sugar follows a cyclical pattern behaviour. High market price is maintained during relatively shorter periods of about three-four years as a result of worldwide supply shortages and followed by long periods of about five-ten years price slump due to over-expansion in production. The uptrend was seen during the period of 1963-1967 and 1974-1978. It was argued that these cyclical imbalances of supply and demand were due to variations in production over the period. Likewise, prices may be affected by government intervention or policies as in the case of sugar importation and production regulations (Bureau of Rural Workers: 1988: 8-9).

It has been reported that in the period 1976 to 1992, the sugar farms dropped from 38,697 to 38,512 hectares. Only the mills poured in huge amounts of money to modernize their farms and improve their efficiency in preparation for a more competitive world market as a result of the General Agreement on Tariff and Trade (GATT).

The industry has following concerns:

1. Unfair pricing of sugar in the world market. Sugar is sold at dumping rates which do not reflect the cost of production and the domestic price in the countries of origin,
2. Indiscriminate trade liberalization. The sugar produced in some countries is heavily subsidized and protected, so the producers enjoy undue advantage over those producers from countries which do not subsidize their production. Thus, trade liberalization, without equalizing subsidies and protection may result in unfair competition,
3. Inadequate rural infrastructure (roads, bridges, and port facilities) hamper productivity and increase the cost of transportation of sugar from the farms to the consumers,
4. Additional taxes imposed on milling facilities and institutional consumers of sugar by local government units in the implementation of the Local Government Code,
5. Imposition of value-added-tax. The sugar is taxed by as much 39% of value added or about four times the uniform rate of 10%,
6. Uncertainties associated with the implementation of Comprehensive Agrarian Reform Programme (CARP). The sugarland owners who no longer wish to continue cane farming, and who like to sell their land to investors are prevented from doing so due to prohibition on land sale by law. Thus, these lands are left idle, contributing to the reduction in land planted to cane. The banks, on the other hand, refuse to accept lands covered by agrarian reform as collateral for sugar farm development, equipment and production loans. They fear that when government buys the land, the valuation will be lower than the amount of loan being extended, and it will not be enough guaranty for repayment (Manila Chronicle: May 8, 1994: 12).

Given the proposed GATT, it has been suggested that the Philippine Government, in deciding whether or not to ratify it, should consider the

point that the local sugar industry may be imperilled if sugar imports provided for by the GATT enter the country. It was reported that the country is still not competitive compared to other sugar producing countries. The SRA studies revealed that the Philippines produce sugar at an average yield of only forty piculs per hectare compared to ASEAN countries which produce sugar at an average yield of eighty five piculs per hectare (Aldaba: 1994: 28).

On the other hand, it has been suggested that the brighter prospect for the Philippine sugar industry may be influenced by the proposed package of reforms to rehabilitate the industry. At present, there is a proposed bill whereby the Philippine government will be extending support and protection to safeguard the industry from the adverse effects of unfair competition and other unfair international practices.

It was further reported, at present, that there is an oversupply of sugar in the domestic market, depressing the prices of sugar to the detriment of the local producers. The industry is also facing stiff competition in the world market from other sugar-exporting countries, whose prices are subsidized by their respective governments. The world sugar price is now quoted at \$0.09 per pound while the local production cost is already equivalent to \$0.15 (Sunday Chronicle: May 22, 1994: 13).

10. SUGAR LABOUR FORCE AND CONDITIONS OF EMPLOYMENT

The history of sugar production is mixed with that of colonization and slavery. The work involved in the cultivation has always been dirty, hard, repetitious and labour intensive whilst processing involves long hours in high temperature and humidity as the liquids are boiled and cooled (Coote: 1987: 21).

In the Philippines, sugar production is one of the most laborious occupations, covering two phases of production: the agricultural phase which includes land preparation, planting, growing and harvesting of sugarcanes; and the industrial phase which includes all the operations and processes to manufacture sugar as a finished product ready for marketing.

The production of sugar in general is a seasonal type, which lasts for about six to seven months, usually from the middle of October until the end of May, or from November to July (Institute of Labour and Manpower Studies, p. 170).

There are two types of workers in the Philippine sugar industry: the plantation and the mill workers. The plantation workers are further classified depending on their tenure of status as: the "dumaan" (old-timer or permanent); and the "sacadas" (seasonal or temporary).

The sacadas or seasonal workers are considered the mainstay of the industry since they are crucial for harvesting the crop. During harvest time and the peak of the milling season when additional labour is often needed, it is provided by the sacadas or

seasonal migrant workers from other islands (Coote: 1987: 12). They are mostly hired by contractors on temporary basis depending on the volume of available work dictated by seasons such as milling, harvesting and planting seasons. They may be hired perennially or taken temporarily for 6 to 7 months work in one plantation then transported to nearby towns or provinces to cut canes, gather and load them in railroad cars or cargo trucks, and to cane tops once again. They are paid usually on a piece-rate basis (Asian Productivity Organization: 1980: 135 and BRW Conference Paper No. 22: 1984: 4).

The *sacadas* are the most numerous in number and are known to be the most exploited. It has been argued that as their number increases, there are no signs that the progress attained by the industry trickled down to their level whose only contribution to the industry is physical labour (Center for Policy and Development Studies, Institute of Labour and Manpower Studies, and the Bureau of Rural Workers: 1983: 2).

By contrast, the *dumaan* or permanent workers are those who usually descend from the immobile workers whose work in the plantations has been handed down from previous generations. These workers are usually paid on regular or fixed basis and enjoy the privileges and benefits provided for by the Philippine Labour Code, such as living allowances, social security benefits and others. They usually reside in the vicinity of the haciendas planted to sugar.

In the National Tripartite Conference on the Improvement of Working Conditions and Environment held in Manila in January 1984, it was reported that due to certain special wage orders, the standard minimum wages of the sugar plantation workers (numbering about 528,703 in Crop Year 1978-1979) were higher than those found in other agricultural industries such as coconut, banana, pineapple, rice, corn, and others. However, only the large and medium-sized farms were found capable of complying with such wage orders.

In the same conference, it was also reported that the workers in the sugar plantation were the most unionized, with 62% of the trade unions in the agricultural industry and with 122 reported collective bargaining agreements attained within the industry.

Despite the collective bargaining attained within the industry, it was argued that the wages earned by the plantation workers were generally considered inadequate to acquire and maintain a truly dignified existence for the workers and their dependents (BRW Conference Paper No. 22: 1984: 4).

In a photo-essay entitled "Social Volcano", it was reported that the *sacadas* were the worst hit from the impact of the farm mechanization in the late seventies. During this period, an estimated one-third of the industry's 500,000 plantation workers were displaced. Many had their work week cut to two or three days while the others starved without wages for months (Social Volcano: 33).

2. TOTAL NUMBER OF SUGAR LABOUR FORCE

It was reported that in Crop Year 1982-1983, out of the estimated total number of 500,000 sugar workers, 61% were permanent or regular workers and 39% were temporary or seasonal workers engaged in the plantation or farm operation. On the other hand, 52% were permanent or regular workers and 48% were temporary or seasonal workers engaged in the sugar mill.

In Crop Year 1991-1992, it was reported that the total number of sugar labour force throughout the country was estimated at about 400,000 to 500,000 (of which 5% were employed with the mills and 95% as plantation workers).

RIGHTS OF FILIPINO WORKERS UNDER LABOUR STANDARDS, SOCIAL SECURITY AND LABOUR RELATIONS LAWS

The 1987 Philippine Constitution provides the basis for the protection of the rights of Filipino workers and promotion of their welfare. Specifically, the Filipino workers have the following constitutional rights:

1. Right to full protection whether organized or unorganized.
2. Right to full employment, and equality of employment opportunities.
3. Right to security of tenure, humane conditions of work and a living wage. A wage is a living wage if it is adequate to sustain a worker and his/her family in dignity.
4. Right to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law.
In these labour relations rights, the government promote the principle of shared responsibility between workers and employers, the preferential use of voluntary modes in settling disputes, including conciliation, and enforces its mutual compliance in order to foster industrial peace.
5. In regulating the relations between workers and employers, the government recognizes the right of Filipino workers to its just share in the fruits of production and the right of enterprises to reasonable returns on investments, and to expansion and growth (Philippine Constitution, Article XIII, Section 3).

It was claimed that the term "just share in the fruits of production" does not only include basic salaries and other employment benefits but may also cover profit-sharing (Nolledo: 1987: 241).

FORMULATION OF THE LABOUR CODE OF 1974

In 1973, President Marcos created a committee from the Labour Department that was tasked to codify for the first time all existing labour laws of the country. During

this period, labour laws in the country were scattered in several legislations of the Philippine Congress and the Commonwealth government. The committee created by President Marcos was instructed to gear the Labour Code towards the development thrust of the government, which was for the expansion of exports and the creation of labour-intensive industries for export.

On January 1974, the first draft of the Labour Code was submitted to Malacanang. On April 30, 1974, a tripartite conference, attended by the government, management and worker representatives was held for discussion of this draft Code. Then the final enactment of the Code was done on May 1, 1974 by President Marcos who proclaimed that a new Labour Code, superseding the old Industrial Act has been won by the Filipino working class (Villegas: 1988: 59-61).

After the EDSA Revolution, President Aquino promulgated Executive Order No. 180 to further strengthen the rights of Filipino workers (both in private and public sector) to self-organization and collective bargaining.

Later on, the Republic Act 6715 was passed by the Philippine Congress. This Act being an amendment to the previous labour relations law became the New Labour Relations Law.

RIGHTS OF FILIPINO WORKERS UNDER THE LABOUR CODE

The constitutional mandates on labour are implemented by the present Labour Code by recognition and guarantee of many rights of workers. The rights of Filipino workers could be given the following summary presentation:

1. Rights under Labour Standards Laws

1.1. On Wages

The right to a statutory minimum wage or minimum wage duly fixed administratively by wage orders, payment of fair and reasonable wage rates when payment is by results, and cost-of-living allowance (Bacungan: 1990: 87).

1.2. On Safe and Healthy Working Conditions

The right to certain emergency medical and dental services; and certain occupational safety and health standards as established by the DOLE Secretary.

1.3. On Equal Opportunity

The right to be promoted in an employment to an appropriate higher level, subject to no consideration other than those of seniority and competence (Bacungan: 1990: 7).

1.4. On Rest, Working Hours and Holidays

The right to rest, leisure and reasonable limitation of working hours, and periodic holidays, as well as remuneration for public holidays (Bacungan: 1990: 8).

1.5. On Women

The right to maternity leave benefits; right of a woman employee against discrimination on account of pregnancy; right against discrimination with respect to terms and conditions of employment on account of her sex or merely by reason of marriage; right against certain night work; and the right to certain facilities and standards the DOLE Secretary may establish to ensure the safety and health of women.

1.6. On Minors

As regards the employment of minors, the right to certain protection like minimum employable age, certain standards as regards the number of hours and periods of the day they may be employed, and the prohibition against their employment in an undertaking which is hazardous or deleterious in nature (Bacungan: 1990: 9).

2. Rights under Social Security Laws

The right to an income security and/or medical care for contingencies such as sickness, maternity, invalidity, old age, death of a breadwinner, unemployment, emergency expenses, and employment injuries (Bacungan: 1990: 152).

3. Rights under Labour Relations Laws

The right to free collective bargaining and negotiations, including voluntary arbitration, mediation and conciliation, as modes of settling labour or industrial disputes; free and voluntary organization of a strong and united labour movement; enlightenment of workers concerning rights and obligations as union members and as employees; adequate machinery for the expeditious settlement of labour or industrial disputes; stable but dynamic and just industrial peace; and participation of workers in decision and policy-making processes affecting their rights, duties and welfare.

To encourage a truly democratic method of regulating the relations between the employers and employees by means of agreements freely entered into through collective bargaining, no court or administrative agency or officials have the power to set or fix wages, rates of pay, hours of work or other terms and conditions of employment, except as otherwise provided under the Code (Labour Code, Article 211).

¹¹ (Bacungan: 1990: 247-248).

¹¹ Article 275 (a) and (b) Labour Code

The Philippine government also has a declared policy on tripartism in labour relations, whereby workers and employers are represented in the decision and policy-making bodies of the government. From time to time, the DOLE Secretary or his/her duly authorized representatives call a national, regional, or industrial tripartite conference of representatives of government, accredited workers and employers and consult with them for the consideration and adoption of voluntary codes of principles designed to promote industrial peace based on social justice or to align labour movement relations with the established priorities in economic and social development

4. Other Rights

4.1. General

The right to have the Labour Code and its Rules and Regulations interpreted liberally in favour of labour.

4.2. On Agricultural Workers

The right of agricultural workers to enjoy all the rights and benefits under labour and social legislation granted to non-agricultural workers and vice-versa except as may otherwise provided (Bacungan: 1990: 10).

4.3. On Security of Tenure

The right against termination except for a just cause or when authorized by law (Bacungan: 1990: 11). The employer is prohibited from terminating the services of a regular or permanent worker except when authorized by law. A regular or permanent employee who is unjustly dismissed from work is entitled to reinstatement without loss of seniority rights and other privileges and to his/her full backwages, including allowances, and his/her other benefits or their monetary equivalent computed from the time his/her compensation is withheld from him up to the time of his/her actual reinstatement (Bacungan, 1990, p. 371).

CONCLUSION

Summing up this chapter, the Philippine sugar industry since the turn of the century to the present has been characterized by a period of growth, dependency, turbulence and uncertainties in terms of employment, production, land area utilization and the market, both domestic and foreign. The prevailing pessimism, uncertainty and hardships within the of the industry is due to the depressed sugar prices in the world market and compounded by the rising trend in production costs.

Historically, sugar is one of the oldest Philippine industries founded by the Spanish and American colonial administration. From being a subsistence crop, sugar emerged to be a very important traditional export dollar-earner for the country's growing economy, and provide a major means of employment and a source of income for workers, including those in the ancillary sugar-based industries.

The prosperity of the Philippine sugar industry has been its quota and dependence with the high-priced American market. The sugar export trade to America has been of vital importance to the country's growing economy.

After long years of both Spanish and American domination, the Philippines competition in the world market place. The country was left without a stable market with the expiration of Laurel-Langley Agreement on 1974. Since then, the Philippine sugar has been exported to the world market where prices fluctuate widely. The Philippine sugar industry has faced difficulties coping with the international market conditions since the termination of American Sugar Act and with the continuous reduction to total elimination of sugar quota in the American market.

Several factors may further affect the overall viability of the sugar industry (in terms of employment, production, land area utilization and the market, both domestic and foreign.) Among them are: unfair pricing of sugar in the world market and indiscriminate liberalization as a result of the forthcoming GATT; inadequate rural infrastructure; imposition of additional taxes on milling facilities and the value-added tax; uncertainties associated with the implementation of CARP; unpredictable drought or calamities; diversification programme; and government support, particularly in research and development.

Simultaneous with the government's effort to sustain the sugar industry's growth both in the production and marketing aspects, a number of problems have been identified. Among these are:

1. High cost of production. It was argued that the industry has low productivity per unit area because of the historic disinclination of small sugar planters to invest in high cost of improvements to their lands, in fertilizers, in research to develop new varieties or in mechanization.
2. Decline in export prices. The export prices of sugar have been fluctuating due to world economic instability.
3. Disadvantageous geographical location of foreign markets. The Philippines has less geographical access to the sugar importing countries compared to its competitors.

It is argued that while sugar workers have significant contributions to the industry's economic growth, they do not get a fair share from the amassed wealth of the industry.

In recognition of the extensive poverty that exists among sugar workers, particularly the sacadas or plantation workers the Philippine Constitution, Labour Code and other related laws provide a fair labour standards, social security and labour relations in the workers terms and conditions of employment. If they are to be effective, the government must be possible to monitor the labour standards and impose sanctions against employers who abuse workers' rights.

CHAPTER IV - THE SOCIAL AMELIORATION PROGRAMME (SAP) IN THE PHILIPPINE SUGAR INDUSTRY

This chapter discusses the nature, objectives and the historical background of the SAP from its early inception to the present; the features and the socio-economic programme components of the new SAP under Republic Act 6982 (R.A. 6982); and the established participative mechanisms or tripartite advisory bodies as regards policy development to effective implementation of the social and economic programmes for workers in the sugar industry.

NATURE AND OBJECTIVES OF SAP

The SAP is a production sharing scheme instituted in the Philippine sugar industry by virtue of Republic Act 6982, signed into law on May 1 1991 which aimed to:

1. augment the inadequate income of sugar workers and
2. finance socio-economic programmes in order to improve the livelihood and their well-being.

In the previous chapter, it was stated that the wages earned by the sugar workers, especially the plantation workers, were generally considered inadequate to acquire and maintain a truly dignified existence for themselves and their dependents. This holds true as in the rural sector, where most of the sugar workers are, widespread poverty still prevails. The rural poor population, with per capita income below the poverty line, constitutes about 73.3% of families engaged in agriculture (Bureau of Rural Workers: 1989: 5).

It is argued that economic development in the Philippines has not been broadly based. The inequalities in income generation and distribution are demonstrated in the fact that more than half of the country's income is controlled by the richest 20% of the population. The bottom half accounted for only about one-fifth of the total income generated between 1985 and 1988.

Even though the national poverty incidence in the country was brought down from 58.9% in 1985 to 55.2% in 1988, there were about 17,000 more families falling below the poverty line as national income grew too slow to cope with the pace of population growth. Despite the reduction in the incidence of poverty, more than half of households in the country continue to be poor. The country's rapid population growth continues to be a constraint to raising the living standard of the average Filipino. At its present rate of growth, the population is expected to double in about thirty years (National Economic and Development Authority: 1992: 1).

The underlying philosophy on the implementation of SAP is that it proceeds from the fact that it is in keeping with the social justice and provisions to labour mandates of the Philippine Constitution.

In keeping with these mandates, the declared policy of the Philippine government is to affirm labour as a primary social and economic force. The recognition of this is, however, not enough. It is imperative that the rights of workers be actually protected and their welfare promoted (Organista: 1990: 61).

The principle of social justice receives a favoured treatment in a declared policy of the Philippine government to relieve the poor and the underprivileged "those who have less in life should have more in law."

In a decided case of Guido versus Rural Progress Administration, the mandate of social justice is advocated as one which does not champion diversion of property equally, nor equality of economic status. What the Philippine Constitution does guarantee is equality of opportunity, equality of political rights, equality before the law, equality between values given and received, and equitable sharing of the social and material goods on the basis of efforts exerted in their production (Organista: 1990: 53).

Furthermore, in a decided case of Calalang versus Williams, social justice is understood as, "neither communism, nor despotism, nor anarchy but the humanization of laws and the equalization of the social and economic forces by the State so that justice in its rational and objectively secular conception may at least be approximated. Social justice means the promotion of the welfare of the people, the adoption by the government of measures calculated to ensure economic stability of all component elements of society, through the maintenance of proper economic and social equilibrium in the interrelation of the members of the community, constitutionally, through adoption of measures legally justifiable or extra-constitutionally, through the exercise of power underlying the existence of all governments on the time-honoured principle of welfare of the people is the supreme law" (Organista: 1990: 52).

The underlying philosophy of SAP is, therefore, not only a premium given by the industry to the sugar workers, nor a form of gratuity from the planter and the miller, but rather the share of the sugar workers in the fruits of their production in keeping with the constitutional mandate of social justice and of affording protection to labour.

However, in the preface statement of R.A. 6982, it was argued that although the SAP goes further with the expanded social security benefits such as maternity and death benefits, the programme is as yet insufficient to remove the sense of social and economic insecurity of the sugar workers (Bureau of Rural Workers: 1992: 3).

HISTORICAL BACKGROUND: HOW DID THE SAP START?

The SAP started in the Philippine sugar industry, initially as a voluntary programme by the millers and planters in the early 1970's.

In 1974, by virtue of Presidential Decree No. 621 (P.D. 621), the programme was formally created providing the mandatory payment of a stabilization fee of one-peso (P1.00) per picul, otherwise known as the social amelioration bonus, and for the socio-economic projects of sugar workers.

P.D. 621 also provided a mandate to the Department of Labour and Employment (DOLE) the overall supervision and control in the implementation of SAP. This P.D. also created the Rural Workers Office (now the Bureau of Rural Workers [BRW]) to assist the DOLE Secretary in the implementation of this programme.

Before the SAP became a mandatory programme by virtue of P.D. 621, reflecting the plight of the common sugar workers who had not been enjoying the benefits of the sugar boom, some measures were adopted by the government and 'social-conscious' sugar employers

The passage of Sugar Act of 1952, on June 22, 1952, otherwise known as Republic Act 809, (R.A. 809) initiated the early amelioration activities. Under this Act, the benefits of sugar produced (including all by-products and derivatives thereof) are divided between the planter and miller in the following proportion: 60% for the planter and 40% for the miller if the maximum actual sugar produced is not more than 400,000 piculs but not below 150,000 piculs; 62.5% for the planter and 37.5% for the miller if the maximum actual sugar produced exceeds 400,000 piculs but does not exceed 600,000 piculs; 65% for the planter and 35% for the miller if the maximum actual sugar produced exceeds 600,000 piculs but does not exceed 900,000 piculs; 67.5% for the planter and 32.5% for the miller if the maximum actual sugar produced exceeds 900,000 piculs but does not exceed 1,200,000 piculs; and 70% for the planter and 30% for the miller if the maximum sugar produced exceeds 1,200,000 piculs.

In addition to the benefits granted by the Minimum Wage Law, the proceeds of any increase in production granted to the planters under the Act and above their present shares are divided between the planters and their workers in the plantation in the following proportion: 60% of the increased participation for the workers and 40% for the planters. The distribution of these shares corresponding to the workers are made under the supervision of DOLE (Sugar Act of 1952: Section 1 and 9).

During this period, there were sugar employers who had already taken the initiative of providing better living and working conditions for their workers. They had provided benefits such as medical, educational, insurance and other forms of compensation. There were living and community facilities, including residential houses, recreational and spiritual facilities which were constructed for their workers. Although, there is no law expressly obliging the sugar employers to provide housing benefits for their workers, there had been a tradition among larger and more progressive sugar plantations to provide housing for their workers. A case study carried out in 1976 revealed that the Victoria Milling Company had been providing housing for most of its workers. There was also pressure from the relevant labour union. This was evidenced by the collective bargaining agreement which the milling company had entered into with the Philippine Agricultural Industrial Cooperative Labour Union, whereby permanent workers in the sugar plantation were able to get a monthly allowance ranging from fifteen to thirty-five pesos depending on the amount of their basic wage, if they were not housed by their employer or if they had to share accommodation with another worker¹ (International Labour Organization: 1980: 42).

It was further argued the living and working condition of the sacadas or hired labourers on the plantation were bad compared to those sugar workers already enjoying permanent status. It was reported that the sacadas were allegedly badly housed and underpaid, and not provided with sufficient amenities available to permanent plantation workers. They worked only for six months in a year during the cane cutting season, in transporting the cane to the mill, and in processing sugar in the mill. They work hard during the season and return to homes with small savings, once it is over. It was argued that while there had been some improvement in the employment conditions of these workers, much still remained to be done. The seasonal nature of work on the plantations complicates action for improving their conditions (International Labour Organization: 1980: 37).

The wages paid by most of the sugar mills are on the same basis as industrial workers, and are relatively higher than the wages given to plantation workers in the sugar industry. In view of this situation the SAP has been conceived in order to supplement the inadequate income of the sugar workers.

Before Martial Law, during President Marcos administration, and with the encouragement and support of the recognized sugar leaders, a series of presidential directives were issued intended to improve the socio-economic conditions of sugar workers. These orders required sugar planters and millers to share with their workers the benefits of the increase in the price of sugar produced in the form of amelioration bonus.

The first directive was made in 1968, resulting in P30 million of social amelioration bonuses being distributed to sugar workers. In the following year, it was ordered that P3.00 be collected for every picul of sugar produced and that this also be distributed to sugar workers in the form of a social amelioration bonus.

In 1970, Philippine Sugar Order No. 3 (series of 1970-1971) was issued by the Sugar Quota Administration (SQA), which was earlier ordered by a presidential directive to collect a stabilization fee of P1.00 per picul of sugar produced from January 1 to December 31, 1971. 50% of the proceeds accrued to the social amelioration fund and were distributed as cash bonuses, and the other 50% accrued to a trust fund to finance social and economic development programmes for the sugar industry.

In the following year, Philippine Sugar Order No. 4 was issued by the SQA which modified the distribution of the earlier order. It ordered the proceeds of P1.00 stabilization fee be distributed as follows: 90% accrued to the social amelioration fund as cash bonuses to sugar workers and the remaining 10% to the trust fund to finance the social and economic development programmes of the industry.

¹Housing, Medical and Welfare Facilities and Occupational Safety and Health Plantations: Report III Committee on Work Plantations, Seventh Session, Geneva, 1976, p. 8.

Philippine Sugar Order No. 3 (series of 1971-72) ordered the continuation of the collection of P1.00 stabilization fee for the more effective implementation of the development programmes of the industry as provided in the previous orders.

December 21, 1974 marked a milestone for workers in the sugar industry as President Marcos issued P.D. 621, legalizing the SAP. This Presidential Decree vested upon the DOLE Secretary the general supervision and control over the programme.

P.D. 621 levied a stabilization fee of P1.00 per picul on all sugar produced, 90% of which is distributed as social amelioration bonuses and of which 10% constitutes the working fund of the Sugar Industry Foundation, Inc. (SIFI), a non government organization.

On August 30, 1975, Presidential Decree No. 788 (P.D. 788) was issued, which increased the stabilization fee for the SAP from P1.00 per picul produced to P1.10, the ten-centavo providing for the working fund of the Rural Workers Office (now the Bureau of Rural Workers). This office was mandated to implement P.D. 621 and P.D. 788.

Both P.D. 621 and P.D. 788 allocated 70% of the social amelioration fund for distribution as cash bonuses, and 30% for the funding socio-economic projects of sugar workers who are organized. For unorganized workers, 100% of the amelioration fund were given to them as cash bonus. The covered workers were those who earn wages in plantation farms not exceeding six hundred pesos, and one thousand five hundred pesos for workers with milling functions. Organized workers are those workers with a union and collective bargaining agreement with their sugar employers while unorganized workers are those without a union or collective bargaining agreement.

Letter of Instruction 1209 (L.O.I. 1209) increased the stabilization fee to P2.00 per picul of sugar, which formed part of the social amelioration fund.

Letter of Instruction 1232 (L.O.I. 1232) provides that a portion of the social amelioration fund be constituted as the Sugar Workers Death Benefit Fund. The fund was exclusively used for payment of death benefits in the amount of two thousand pesos to the legal heirs of sugar workers.

The remaining amount of the additional ninety-centavo social amelioration fund levied under L.O.I 1209 was determined by the BRW for other benefits to be given to the sugar workers and their families (Center for Policy and Development Studies, Institute of Labour and Manpower Studies, and the Bureau of Rural Workers: 1983: 5-8).

PROGRAMME COMPONENTS OF SAP UNDER R.A. 6982

Following the policy objective of SAP under R.A. 6982: "to further strengthen the rights of workers in the sugar industry to their just share in the fruits of production by augmenting their income and institutionalizing the mechanism among the partners in the industry to enable the workers and their families to enjoy a decent living," the programme operates under the following six programme components:

1. Cash bonus distribution programme
2. Sugar workers maternity benefit programme
3. Sugar workers death benefit programme
4. Socio-economic projects for sugar workers
5. Enforcement of Republic Act 809 and
6. Tripartite advisory on such programmes.

CASH BONUS DISTRIBUTION PROGRAMME

This programme aims to provide the cash bonus share to every covered sugar workers based on the level of sugar production. It is designed to augment the inadequate income of the sugar workers because it is given as an additional income on top of other wage benefits.

SUGAR WORKERS MATERNITY BENEFIT PROGRAMME

This programme aims to provide a one thousand pesos cash allowance for every complete delivery, abortion, or miscarriage of a covered woman sugar worker without prejudice to enjoyment of her other maternity benefits granted under existing laws or collective bargaining agreements. These maternity benefits can be enjoyed only for the first four (4) deliveries. (Bureau of Rural Workers: 1992: 24).

SUGAR WORKERS DEATH BENEFIT PROGRAMME (SWDBP)

This programme aims to provide three thousand pesos financial assistance to defray the cost of funeral and related expenses payable to the beneficiaries of the deceased covered sugar worker (Bureau of Rural Workers: 1992: 25).

SOCIO-ECONOMIC PROJECTS

This programme aims to provide financial assistance for the socio-economic projects of sugar workers, which include livelihood, income and employment generation and other projects like skills training, organizational development, and other necessary inputs intended to further enhance their living and working conditions and their families (Bureau of Rural Workers: 1992: 27).

ENFORCEMENT OF REPUBLIC ACT 809 (R.A. 809)

This programme aims to regulate the relationship between the planter and miller and between the planter and his/her worker as regards their sugar production sharing of benefits. Under this Act, the benefits of sugar produced (including all by-products and derivatives) are divided between the planter and miller in the following proportion: 60% for the planter and 40% for the miller if the maximum actual sugar produced is not more than 400,000 piculs but not below 150,000 piculs; 62.5% for the planter and 37.5% for the miller if the maximum actual sugar produced exceeds 400,000 piculs but does not exceed 600,000 piculs; 65% for the planter and 35% for the miller if the maximum actual sugar produced exceeds 600,000 piculs but does not exceed 900,000 piculs; 67.5% for the planter and 32.5% for the miller if the maximum actual sugar produced exceeds 900,000 piculs but does not exceed 1,200,000 piculs; and 70% for the planter and 30% for the miller if the maximum sugar produced exceeds 1,200,000 piculs.

In addition to the benefits granted by the Minimum Wage Law, the proceeds of any increase in participation granted to the planter under the Act and above their present shares are divided between the planters and their workers in the plantation in the following proportion: 60% of the increased participation for the workers and 40% for the planters. The distribution of these shares corresponding to the workers are made under the supervision of DOLE (Sugar Act of 1952: Section 1 and 9).

TRIPARTITE ADVISORY PROGRAMME

This programme aims to bestow upon the workers and employers sectors the capacity to be a more active participant, from policy development to the effective implementation of SAP. This programme institutionalizes the two participative mechanisms; the Sugar Tripartite Council (STC) at the national level, and the District Tripartite Council (DTC) at the district level.

On September 3 1991, the STC was formally created to serve as an advisory body to the Department of Labour and Employment (DOLE) as regards policy-making and the effective implementation of social and economic programmes for workers in the sugar industry. The newly-installed official members of the STC took their oath of office on September 3 1991.

Thereafter the STC, along with the Bureau of Rural Workers, took part in drafting the implementing rules and regulations of R.A. 6982, and its promulgation on November 24 1991.

The STC has likewise delegated to the DOLE Secretary the creation of forty DTCs in all sugar mills throughout the country. The 40 DTCs were formally created in the National Tripartite Congress held in Bacolod on January 30-31, 1992.

STC UNDER R.A. 6982

The STC serves as an advisory body to the DOLE as regards policy-making and effective implementation of SAP and other social and economic programmes for workers in the sugar industry (Bureau of Rural Workers: 1992: 4).

REPRESENTATION

The representation in the STC is sectoral in nature with the members coming from the nominees of the sectors entitled to representation under the Act. In order that their sectoral representation be recognized by the STC, their organizations must be duly registered with the appropriate government agencies as corporate entities, such as the DOLE for unions and rural workers organizations the Securities and Exchange Commission for corporations and the Cooperative Development Authority for cooperatives (STC Guidelines).

COMPOSITION, NOMINATION AND APPOINTMENT OF REPRESENTATIVES

The Council is composed of ten members: the DOLE Secretary or his/her duly authorized representative as an ex-officio Chairman; one representative from the Sugar Regulatory Administration (SRA) who sits in an ex-officio capacity; two representatives each from the planters and field workers sectors; and two representatives each from the millers and mill workers sectors as members.

All the sectoral nominees are properly endorsed by their organizations to merit their appointment to the STC. In case, the number of nominees exceed the required number of sectoral positions in the STC, the sector should decide as its final nominee/s. All the sectoral representatives are appointed by the DOLE Secretary (Bureau of Rural Workers: 1992: 5 and STC Guidelines).

TERM OF OFFICE

The representatives from the planters, millers and workers sector serve a term of three years from the date of their appointment unless sooner recalled by the nominating sectoral organization.

In the case of a recall, the nominating organization notifies the DOLE Secretary at least fifteen days prior to the effectivity of the recall and may endorse a substitute with the concurrence of the other sectoral organizations. The substitute serves the unexpired portion of the term of his/her predecessor.

Where a member of the STC resigns from the sectoral organization for any reason including culpable violation of the Constitution and by-laws thereof, he/she ceases to be a representative of the sector, and the nominating organization has the right to endorse a substitute with the concurrence of the other sectoral organizations

within fifteen days after the acceptance of the resignation. The successor serves the unexpired portion of the predecessor.

In the case of the death or permanent disability of a council member, the nominating organization informs the DOLE Secretary of the death or permanent disability of the said member, and may endorse a replacement who serves the unexpired portion of the deceased or incapacitated member.

A sectoral member who has no justifiable reason and incurs four successive absences in regular meetings may be dropped from the rolls after due notice is given to the nominating organization. A replacement who serves the unexpired portion of the predecessor is endorsed by the sector (Bureau of Rural Workers: 1992: 5 and STC Guidelines).

RULES AND PROCEDURES

The following govern the conduct of meetings of the STC:

1. Meetings of the STC are either regular or special meetings. The regular meetings are held every second Friday of the first month of the calendar quarter to discuss issues and concerns relative to the implementation of the Act and such plans of the Council for the sugar industry pursuant to its advisory function. On the other hand, the special meetings are held at anytime upon notification by the Chairperson, or upon written request of at least two members with the concurrence of a sectoral Vice-Chairperson. The special meetings are not to exceed four in a year.

2. Meetings of committees created by the STC to resolve special concerns or pressing matters of the sugar industry are allowed, subject to the availability of funds and the usual government accounting and auditing procedures. The creation of committees are upon concurrence of all members of the STC.

3. Notice and agenda of meetings. No meeting shall be held without notice and agenda thereof sent to all members at least five days prior to the scheduled date. Any request for the inclusion of an item in the agenda must be communicated to the Chairperson who decides on the agenda.

4. Quorum. For the purpose of conducting business, the presence of the majority of sectoral representatives is required. To ensure the capability of the Council to conduct continuing business, a permanent alternate is designated by the nominating sectoral organization who, in the absence of the regular member, assume the post with full power to negotiate and bind his/her sector to a Council decision.

5. Deliberation. The meetings of the STC are conducted along strict parliamentary procedures in order to obtain the needed results or output. The STC is chaired by the DOLE Secretary or his/her authorized representative. In his/her absence, the Vice-Chairpersons for the workers and employers alternately assume the post.

6. Resolutions. Any decision of the STC is preferably by consensus and decisions are stated as resolutions providing specific advice or recommended action to be taken by the DOLE and other concerned entities/agencies. All resolutions passed are signed by the Chairperson and the two Vice-Chairpersons.

7. Action on Proposal. Any proposal sent to the Council for decision is discussed in a regular or special meeting.

8. Secretariat. The Bureau of Rural Workers act as the Secretariat providing technical assistance and support to all STC meetings. It takes records of proceedings and keep permanent records thereof (Bureau of Rural Workers: 1992: 5 and STC Guidelines).

TRAVELLING EXPENSES AND PER DIEMS

The Chairperson or his/her authorized representative and the members of the STC are entitled to reimbursement of reasonable travelling expenses. The representatives from the planters, millers and workers sectors are, in addition, entitled to per diems for meetings attended by them based on rates duly approved by the Department of Budget and Management.

The travelling expenses and per diems herein mentioned are paid out of the STC share in the 3% administrative expenses fund portion of the lien pursuant to Section 10 (d) of the Act (Bureau of Rural Workers: 1992: 5).

FUNCTIONS, DUTIES AND RESPONSIBILITIES

The STC as an advisory body to the Department of Labour and Employment relative to the effective implementation of social and economic programmes for sugar workers, has the following functions, duties and responsibilities:

1. Recommend to the DOLE Secretary, the following: creation of DTC in each milling district throughout the country; suspension or reduction of the amount of the automatic additional lien; the manner of implementing the utilization of the twenty percent (20%) share of the lien allocated for socio-economic programs and all incomes or interests thereon; promulgation of implementing rules and regulations, including schemes for the efficient collection, monitoring and equitable distribution of the lien and such benefits as provided or allowed therein; and the manner of utilization of the forfeited amount, including interest earnings thereof, for the development of projects or programmes in favour of the sugar workers;
2. Adopt rules of its own proceedings;
3. Perform such other functions necessary in pursuance of R.A. 6982 and the implementing rules and regulations (Bureau of Rural Workers: 1992: 14).

STC OPERATION ON SUSPENSION OR REDUCTION OF AUTOMATIC ADDITIONAL AMOUNT OF SAP LIEN

Starting sugar crop year 1991-1992, a lien on Five Pesos (P5.00) per picul of sugar is imposed on the gross production of sugar to primarily augment the income of sugar workers, and to finance social and economic programmes to improve their livelihood and well-being.

There is an automatic additional SAP lien of One Peso (P1.00) for every two years for the succeeding ten years from the effectivity of R.A. 6982. However, on the recommendation of the STC, the DOLE Secretary may suspend or reduce the amount of the automatic additional lien whenever circumstances occur adversely affecting or causing undue increases in the cost of producing sugar, taking into consideration the declared policy of R.A. 6982 (Bureau of Rural Workers: 1992: 6).

In pursuance of the declared policy to further strengthen the rights of workers in the sugar industry to their just share in the fruits of production by augmenting their income and institutionalizing the mechanism among the partners in the sugar industry, the Philippine government is encouraged to consider the demand for living wages, the needs of the workers and their families, improvement in their standards of living, the seasonal nature of the work in the sugar industry, incentives for productivity, the interest of the consumers, the viability of the sugar industry, the fair return of the capital invested, and the equitable distribution of income and wealth along the imperatives of economic and social development (Bureau of Rural Workers: 1992: 4).

STC OPERATION ON SOCIO-ECONOMIC PLANS AND PROGRAMMES

On the recommendation of the STC, the DOLE Secretary could use the 20% share allocated for socio-economic programmes, and all incomes or interests thereon, for the following purposes: 5% for Sugar Workers Death Benefit Programme; 9% for Socio-Economic Projects for sugar workers undertaken by the Bureau of Rural Workers, planters/millers organizations, workers organizations and/or the Sugar Industry Foundation, Inc.; 3% for maternity benefits for women sugar workers in addition to existing benefits granted by law or collective bargaining agreements and 3% for administrative expenses of the STC, DTCs and the Bureau of Rural Workers (BRW) in the implementation of R.A. 6982 (BRW: 1992: 8).

DTC UNDER R.A. 6982

CREATION OF DTCs

The DOLE Secretary, on the recommendation of the STC, creates the DTC in every sugar mill or central throughout the country to ensure greater participation by the planters, millers and workers in the policy determination of the social and economic programmes of the SAP in the sugar industry (Bureau of Rural Workers: 1992: 15).

COMPOSITION

The DTC is composed of seven members: the DOLE Regional Director or his/her duly authorized representative as ex-officio Chairperson; two representatives each from the planters and field workers sectors; and one representative each from the millers and mill workers sectors. Two Vice-Chairpersons are chosen representing the workers and employers. The duly authorized mill district regulation officer of the SRA also sits in as an observer (Bureau of Rural Workers: 1992: 16 and DTC Guidelines).

NOMINATION/REPRESENTATION AND APPOINTMENT OF SECTORAL MEMBERS

1. Field and Mill Workers

- a. A legitimate organization or union seeks representation either for the mill or field worker sector.
- b. In sugar districts where there are no legitimate labour organizations, legitimate rural workers organizations can nominate or endorse members as sectoral representatives.
- c. In mill districts where there are more than two labour unions, the nominees shall come from the union with the biggest membership and the most number of collective bargaining agreements registered with the DOLE, unless a consensus from the sector is obtained on who should be nominated.
- d. A field worker who is nominated to represent his/her sector is required to be a bonafide employee in the mill district at the time of his/her nomination.

2. Planters

In mill districts where there are more than two planters associations/cooperatives, no two nominations shall come from the same association/cooperative, unless there are waivers from the other planters associations/cooperatives. Moreover, the two nominees are taken based on the consensus of the sector.

A nominee other than the mill owner is assumed to represent the latter, and in case of corporations, shall represent the corporate identity of the mill owners and the sector itself.

All sectoral nominations are submitted to the DOLE Regional Director having jurisdiction over the district. The Regional Director then submits to the DOLE Secretary a certified list of nominees and his/her recommendation to the positions of sectoral members in the DTC within his/her region.

The DOLE Secretary appoints the sectoral members based on sectoral nominations (Bureau of Rural Workers: 1992: 16 and DTC Guidelines).

TERM OF OFFICE

Representatives from the planters, millers and workers sectors serve a term of three years, subject to the following:

- a. In case a member resigns, dies or is permanently disabled before the expiration of his/her term of office, a formal notice is submitted to the DOLE Secretary, through the DTC Chairperson, at least fifteen days prior to the effectivity of resignation and within fifteen days after the death or permanent disability for appropriate action. The nominating organization confirms the resignation and endorses a substitute.
- b. A sectoral representative who either resigned, retired or was dislodged from the organization/union where he/she is a member is dropped from the rolls of the Council, unless the sectoral organizations confirm his/her continuance as DTC member.
- c. In both cases above, priority for appointment are given to the nominees of the sector. The appointed successor serves the unexpired portion of the term of the predecessor.
- d. A sectoral member who incurs three successive absences in regular meetings without any valid reason is dropped from the rolls based on the consensus decision of the members.

At least one month before the end of the three year term of office of sectoral members, the sectors submit their nominations for the succeeding term to the DOLE Secretary through the DOLE Regional Director having jurisdiction over the district (Bureau of Rural Workers: 1992: 16 and DTC Guidelines).

RULES AND PROCEDURES

1. Meetings. The meetings of the DTC are categorized as regular and special meetings. The regular meetings are held every three months at a place, time and place to be designated by the DTC. On the other hand, the special meetings are held at any time upon call by the Chairperson, or upon written request of at least two members with the concurrence of the Sectoral Vice-Chairpersons.
2. Notice of Meetings. No regular meeting shall be held without a notice and agenda thereof sent to all members at least five days prior to schedule, and two days ahead of the schedule for a special meeting. Any request for inclusion of an item in the agenda is communicated to the Chairperson, who decides on the final agenda.

3. Chairmanship. Where a DOLE Regional Office has more than two mill districts, the Regional Director assigns official representatives to chair the other DTCs.
4. Quorum. The presence of at least a majority of the sectoral members is required in the conduct of business. Alternates or proxies of the sectoral members are allowed with no capacity for decision making unless specified in writing and during a particular meeting only.
5. Deliberation. The DTC Chairperson leads in the deliberations of the Council. In his/her absence, the Vice-Chairpersons of the workers and employers sectors alternately assume the post.

The Council directly takes up and decides problems or issues in the agenda, or decide to secure the assistance of a technical working group when necessary. In any case, the final action remains the responsibility of the Council. All matters deliberated upon and all decisions taken by the DTC are transmitted to the STC within seven working days after the meeting for appropriate action.

6. Resolutions. The decisions of the Council are by consensus or unanimous approval of all members, and are stated as resolutions providing specific advice or recommendation to members, the STC, other sectors, entities and agencies. The resolutions are signed by the Chairperson and two Vice-Chairpersons.
7. Secretariat. The Workers Amelioration and Welfare Division of the DOLE Regional Office acts as DTC Secretariat. It takes down the minutes/proceedings of meetings of the Council, provides technical support and maintains all records (DTC Guidelines).

TRAVELLING EXPENSES AND PER DIEMS

All sectoral members are entitled to per diems, including travelling expenses for all meetings attended, based on rates duly approved by the Department of Budget and Management.

The per diems mentioned are paid out of the 3% administrative expense fund portion of the mandatory lien (Bureau of Rural Workers: 1992: 17 and DTC Guidelines).

FUNCTIONS, DUTIES, AND RESPONSIBILITIES

As an advisory body to the DOLE Regional Office as regards the effective implementation of the cash bonus distribution programme and other social and economic programmes for sugar workers in the milling district, the DTC has the following functions, duties, and responsibilities:

1. Hold regular meetings once every three months at a place, date and time fixed by the Council. It may conduct special meetings upon a call by the Chairperson or

upon written request of at least two of its members at a place, date and time designated in the notice of meeting.

2. Advise the DOLE Regional Office on the adoption of measures towards effective implementation of the R.A. 6982 and its implementing rules and regulations.

3. Adopt rules of its own proceedings.

4. Perform such other functions as may be necessary in accordance with the R.A. 6982 and its implementing rules and regulations (Bureau of Rural Workers: 1992: 15-16).

ROLE OF THE BUREAU OF RURAL WORKERS AND THE TWELVE DOLE REGIONAL OFFICES THROUGHOUT THE COUNTRY

The Bureau of Rural Workers assists the DOLE Secretary in carrying out the provisions of the R.A. 6982 and its implementing rules and regulations, including the necessary policies, guidelines and procedures issued pursuant thereto; coordinating the social and economic programmes, projects and activities undertaken pursuant to R.A. 6982 and its implementing rules and regulations; and formulating, implementing, evaluating or reviewing policies, strategies and schemes towards strengthening the SAP in the sugar industry.

The twelve DOLE Regional Offices throughout the country assist and support the Bureau of Rural Workers in the effective implementation of the provisions of R.A. 6982 and its implementing rules and regulations, including the necessary policies, guidelines and procedures issued pursuant thereto (Bureau of Rural Workers: 1992: 17).

ACCOMPLISHMENT OF THE STC

As an advisory body to the DOLE as regards policy-making and the effective implementation of SAP and social and economic programmes for workers in the sugar industry, in 1993 the STC made recommendations to the DOLE Secretary on four policy guidelines relative to the effective implementation of SAP and passed seven resolutions. In 1992 recommendations on seven policy guidelines were made, and seven resolutions passed.

The STC was also instrumental in initiating a request for a lot donation from the Provincial Government of Negros Occidental as a site of the Sugar Workers Livelihood Center. On November 24 1991, the Deed of Donation was executed between the DOLE and the Provincial Government of Negros Occidental (Report of the Bureau of Rural Workers).

ACCOMPLISHMENT OF THE DTCs

The DTC serves an advisory body to the DOLE Regional Office as regards the effective implementation of the cash bonus distribution programme and other social and economic programmes for sugar workers in the milling district.

The DTCs have been in complete agreement on many issues, and particularly on ways to improve the efficient implementation of the SAP under R.A. 6982. In seeking to remedy issues and problems they see at the local level, the DTCs recommended amendments on coverage under the SAP; collection, turnover and distribution of the 80% cash bonus fund; requirements in claiming maternity and death benefit claims; application of SAP in tenanted farms; and the cash bonus fund share of the employees of planters associations/cooperatives.

The following were resolved at the level of the DTC: supporting the study for the adoption of paternity benefits for sugar workers, and those recommended in the National Tripartite Congress in Bacolod City; disposition of the forty-five centavo or 9% socio-economic project fund (SEPF) based on the recommended scheme that the BRW take custody and management of the fund and that SIFI allocate to all DTCs the fund remitted to it (Crop Year 1991-1992 SEPF); implementation of R.A. 6982 provision on the P1.00 automatic additional lien for the succeeding ten years taking into consideration the prevailing circumstances in the district; and coordinating with the other government and private institutions through the STC, to inquire into the viability of their employment and benefits they are entitled to (Asset Privatization Trust, Bureau of Internal Revenue, Social Security System, etc.)

CONCLUSION

The SAP is a production sharing scheme instituted in the Philippine sugar industry pursuant to R.A. 6982, intended to supplement the inadequate income of sugar workers, and finance socio-economic programmes in order to improve the livelihood and their well-being.

Following the policy objective of R.A. 6982, the SAP operate under six programme components: the Cash bonus distribution programme; the Sugar workers maternity benefit programme; the Sugar workers death benefit programme; the Socio-economic projects for sugar workers and the Enforcement of R.A. 809; and Tripartite advisory programmes.

The social amelioration fund is not a premium given by the industry to the sugar workers, nor a form of gratuity from the planter and the miller, but rather the share of the sugar workers in the fruits of their production in keeping with the constitutional mandate of social justice and of affording protection to labour.

However, that although the SAP under R.A. 6982 goes further with the expanded social security benefits, the programme is as yet insufficient to remove the sense of social and economic insecurity of the sugar workers.

The SAP started in the Philippine sugar industry, initially as a voluntary programme by the millers and planters in the early 1970's. The early amelioration activities were mostly efforts of the government and socially conscious employers. Although, prodded by the government policies such as the Sugar Act of 1952 and presidential decrees in which subsequent sugar orders were made, were implemented by the sugar planters and millers.

In December 21, 1974, by virtue of P.D. 621, the SAP was formally created providing the mandatory payment of a stabilization fee of one-peso (P1.00), otherwise known as the social amelioration bonus and the socio-economic projects of sugar workers. This decree also vested upon the DOLE Secretary the general supervision and control over the programme.

The tripartite mechanism (STC and DTCs) instituted under the SAP is seen as a proactive and dynamic advocate for worker's welfare in the sugar industry. The STC and the DTCs serves as advisory bodies to the DOLE Secretary and the DOLE Regional Offices, respectively as regards policy-making and the effective implementation of SAP and other social and economic programmes for workers in the sugar industry.

Appendix Two

STC RECOMMENDED GUIDELINES IN 1993

1. Department Order Number 8 - Adoption of the Metric System of Reporting Data and Information for the SAP in the sugar industry.
2. Department Order Number 18 - Policy on the Distribution of the Remaining P0.25 Portion of the P0.45 Socio-Economic Project Fund (SEPF) under R.A 6982 covering Crop Year 1991-1992.
3. Department Order Number 20 - Operational Guidelines of the DTC in the Sugar Industry.
4. Operational Guidelines of the STC.

RESOLUTIONS PASSED IN 1993

1. Resolution Number 1 - Recommending the Conduct of a Special Study on "Blanco Directo" and Washed Sugar by a Technical Committee Composed in the SRA and Defraying the Cost of said Study
2. Resolution Number 2 - Recommending to the DOLE Secretary the Approval for the Release of P0.25 Balance of the P.045 (9%) SEPF for Crop Year 1991-1992 to the SIFI
3. Resolution Number 3 - Recommending the Grant of Honorarium to Architects and Engineers of the DPWH-RO No. 6 and Private Architectural Draftsmen for Services Rendered in the Preparation of Plans and Design for the Construction of the SWLC in Bacolod City
4. Resolution Number 4 - Creating an AD-HOC Budget Committee in the STC for the Purpose of Preparing the Budget for the AEF
5. Resolution Number 5 - Recommending the Amendment of MO Number 95, issued by the President on August 27, 1993 Directing the Central Bank and the Bureau of Customs to Implement Section 23 (10) of R.A. 7607 (Magna Carta For Small Farmers)
6. Resolution Number 6 - Indorsing the Passage of Congressional Bills Calling for a Rationalization in the Importation of Sugar

7. Resolution Number 7 - On the Release/Disbursement of P40,000 Out of the P0.45 SEPF Share of the SIFI for Crop Year 1991-1992 as its Contribution to the Unity Movement in the Sugar Industry.

STC RECOMMENDED GUIDELINES IN 1992

1. Department Order Number 2 - Policy on the Current Crop Year Implementation of Republic Act 809 relative to Section 12 and 14 of Republic Act 6982
2. Department Order Number 6 - Promoting Full Sectoral Involvement in the Information Dissemination Drive on Republic Act 6982
3. Department Order Number 8 - Policy on the Extension of the P0.20 Interim Cash Outlay of the P0.4 (9%) Socio-Economic Projects Funds under Republic Act 6982 to the Sugar Industry Foundation, Inc. (SIFI)
4. Department Order Number 17 - Prescribing the Guidelines on the Collection and Remittance of the Twenty Percent (20%) Portion of the Mandatory Lien provided under Republic Act 6982
5. Department Order Number 18 - Prescribing the Implementing Guidelines on the Collection, Turnover, Distribution and Monitoring of the Eighty Percent (80%) Portion of the Mandatory Lien
6. Department Order Number 23 - Operating Guidelines for the Sugar Workers Maternity Benefit Programme
7. Department Order Number 24 - Operating Guidelines for the Sugar Workers Death Benefit Programme.

RESOLUTIONS PASSED IN 1992

1. Resolution Number 1 - Extending Deepest Sympathy to the Bereaved Family of the late STC member and CAILO President, Mr. Vicente Convite
2. Resolution Number 2 - Granting of Per Diems and/or Fixed Allowance to STC Sectoral Members on all Council Activities
3. Resolution Number 3 - Recommending the Use of the Forfeited/Unclaimed/Undistributed Social Amelioration Bonus (under Presidential Decree 621, as amended) to Pay Outstanding Death Benefit Claims, and for other purposes

4. Resolution Number 4 - Adopting Resolution Number 3 of the National Tripartite Congress on Republic Act 6982 re: on the Proposal of Labour that the SIFI be entrusted with the management of the 9% or P0.45 SEPF
5. Resolution Number 5 - Recommending the Secretary of Labour and Employment the Approval of the Proposed Program Proposal/Budget of the SIFI for Crop year 1991-1992
6. Resolution Number 6 - Recommending the Utilization of the Interest Earnings of the Unclaimed/Forfeited TASIMICO R.A. 809 Workers Share for the Construction of the Sugar Workers Livelihood Center
7. Resolution Number 7 - Opposition to the Liberalization of Sugar Importation.

CHAPTER V - OVERVIEW OF THE IMPLEMENTATION OF THE PREVIOUS SAP UNDER P.D. 621 AND THE NEW SAP UNDER R.A. 6982

This chapter provides an overview of the status reports of the Bureau of Rural Workers (BRW) and the DOLE Regional Offices regarding the implementation of the SAP in the sugar industry.

There are two main sections to this chapter; the first reviewing the status of the programme implementation of the previous SAP under P.D. 621 as of 1979-1987 and the second that of the new SAP under R.A. 6982 as of 1991-1994.

I. PROGRAMME IMPLEMENTATION OF THE SAP (P.D. 621)

Under P.D. 621, the SAP operated under four programme components: Cash bonus distribution, Sugar workers death benefit, Socio-economic and livelihood projects, and the enforcement of R.A. 809.

BACKGROUND ON THE SOCIAL AMELIORATION FUND (SAF) COLLECTION, RELEASE AND DISTRIBUTION UNDER THE SAP (P.D. 621)

The system of SAF was based on the automatic retention and centralized collection of the stabilization fee (two-peso (P2.00) for every picul of sugar produced). This was possible because the trading for both export and domestic sugar was controlled by one agency, the National Sugar Trading Corporation (NASUTRA) which operated as the marketing arm of the sugar industry. NASUTRA undertook the collection and remittance of the lien to the Republic Planters Bank (RPB) for trust management until the end of the milling season during the Crop Year 1984-1985. See (Exhibit II.1).

Due to the strong clamour from sugar producers to engage in free sugar trading, Presidential Decree 1905 was issued in 1984, dismantling the trading monopoly for domestic sugar.

The system of centralized collection and release of SAF was adversely affected by the new trading system as there were a large number of sugar traders to deal with. The system of centralized collection had to be changed. Thus, Memorandum Circular No. 5 (Series of 1984) was issued providing new guidelines for the collection and remittance of the P2.00 lien on domestic sugar quedans to conform with the new trading system. The Circular provided, among other things for the collection of the lien by the mill upon withdrawal of sugar stocks from the mill's warehouse, and the turn-over of the lien collected to the DOLE Regional Offices and then to the BRW for deposit with the RPB.

traders and producers speculated and waited for a better price for sugar. As a result, stabilization fees were collected late causing delays in the release and distribution of SAF to the workers concerned.

To canvass possible changes in the system of collection, remittance and release of the SAF, consultations with sugar producers and workers were held on June 4 and November 11 1986 in Manila and Bacolod City, respectively. As a result of these meetings, interim guidelines were issued on January 19 1987, to govern the implementation of the SAP until such time as a National Tripartite Conference was convened.

The guidelines had the following essential features; they superseded Memorandum Circular No. 5 (series of 1984) which was found to be cumbersome and bureaucratic the collection of levy was to be made upon issuance of quedans to producers the management of collections for the SAF decentralized at the level of the DOLE Regional Offices whereby collections were deposited at the local bank prior to release, the management of the SAF intended for workers of affiliated planters was released directly to the planter's associations, unlike before where the SAF intended for the whole milling district (mill, affiliated and unaffiliated planters) was released to the mill representative.

The reactions of millers and planters were the following:

1. The producers complained that they could not advance payment of stabilization fees as per requirement by the interim guidelines due to financial reasons.
2. In the case of quedans issued to bank-financed producers, advance payment of stabilization fees could not be imposed because bank-financed producers did not take hold of their quedans but instead, these were turned over to assignee banks as collateral of loans or for safekeeping. In general, bank policies did not advance payment of liens for the account of their producer-borrowers.
3. The producers found the system circuitous and time consuming and viewed it as a cause of delay in paying the labourers with their cash bonuses. The workers demanded that the SAF be paid to them immediately at the end of the milling season.

SOCIAL AMELIORATION FUND (SAF) UNDER P.D. 621

The SAF constitutes the stabilization fee levied for every picul of sugar produced and which is intended for distribution as cash bonuses or utilized to finance socio-economic projects of the workers. If there is a duly certified collective bargaining agreement, 70% of the amount collected is distributed as cash bonuses to the workers without any deduction of whatever kind or nature, and the remaining 30% may be utilized to finance socio-economic projects of the workers. If there is no duly certified

collective bargaining agreement, 100% of the amount collected is distributed as cash bonuses to the workers without any deduction of whatever kind or nature.

The amount of the SAF levied per picul of sugar produced pursuant to P.D. 621 (as amended by P.D. 1365 and L.O.I. 1209, was: ninety-centavo (P0.90), from Crop Year 1974-1975 to Crop year 1981-1982 (January 1982); one-peso and seventy-centavo (P1.70), from Crop Year 1981-1982 (February 1982 to end of milling); one-peso and seventy-five centavo (P1.75), from Crop Year 1982-1983 to 1989-1990.

STATUS OF SAF COLLECTION AND REMITTANCE UNDER P.D. 621

From Crop Year 1979-1980 to Crop Year 1986-1987, P300,159,807.75 were collected on 258,881,295.92 piculs of sugar produced. Based on the actual liquidated production, the SAF collection should have totalled P377,855,372.28. Hence, there was an estimated total under-collection of P81,527,757.43 for the said crop years.

The magnitude of under-collected SAF had increased beginning Crop Year 1983-1984. Since then, it has grown significantly.

The amount of under-collections consists of the following:

1. Non-remittance of the SAF pertaining to the production of the Victoria's Planters Committee to RPB. Based on DOLE Regional Office No. 6 status reports on SAF distribution, beginning Crop Year 1979-1980 to Crop Year 1985-1986, the Victoria's Planters Committee had collected directly from the trading agency and traders some P18,465,266.27 as SAF for distribution. This amount represents 59% of the total under-collected SAF.
2. Collections retained and released by the DOLE-Regional Offices relating to Crop-Year 1984-1985 to Crop Year 1986-1987. The reports on collections are for submission by the DOLE Regional Offices.
3. Incomplete remittance by NASUTRA of SAF pertaining to Crop Year 1984-1985 production. The exact amount for remittance by the trader was verified by DOLE Regional Offices. The actual remittance made by NASUTRA for the Crop Year amounted to P23,900,991.46.

STATUS OF SAF RELEASES UNDER P.D. 621

Out of the total collection of P300,159,807.75 for Crop year 1979-1980 to Crop Year 1986-1987, the BRW released a total of P299,296,519.20 for cash bonus distribution and P2,625,576.613 for socio-economic projects.

1. IMPLEMENTATION CASH BONUS DISTRIBUTION PROGRAMME UNDER P.D. 621

The distribution of cash bonuses are evidenced by the special payrolls where signatures of recipient sugar workers are shown. The amount for distribution is

determined by the amount received by the mill for distribution to its workers and the amount turned over by the planters association to its planter members. Based on the status reports of DOLE Regional Offices, from Crop Year 1979-1980 to Crop Year 1985-1986, some P218,571,213.82 were distributed out of the total SAF for distribution amounting to P277,973,036.38, benefitting a total of 3,589,048 mill and farm workers. See (Table II.4).

An analysis of the status of cash bonus distribution indicates the total average rate of compliance on submission of payrolls for Crop year 1979-1980 to Crop Year 1985-1986, was 78% (94% for mills and 69% for planters). It was noted that the compliance rate of planters had been declining.

UNREMITTED/UNCLAIMED SOCIAL AMELIORATION BONUS (SAB)

The accounting of all unremitted and unclaimed social amelioration bonus balances covering Crop Years 1985-1986 to 1990-1992 was undertaken by the DOLE Regional Offices. This was in compliance with the Memorandum Circular No. 1 (series of 1993) issued by the DOLE Secretary to account for and collect all unremitted SAB balances for the covered period.

Based on the previous crop years SAP quarterly reports, only an estimated P41 million SAB (or 17% of total) covering Crop Year 1985-1986 to 1990-1991 were still to be properly accounted and validated by the regional implementors, from the total of P232 million distributed during the six-year period.

COMPUTATION OF THE SOCIAL AMELIORATION BONUS (SAB) UNDER THE PREVIOUS SAP (P.D. 621)

The formula for computing the bonus of each worker is based on his/her salary as shown below:

Step 1

Total social amelioration fund of the employer as cash bonuses for his workers		=	X	(factor)
<hr/>				
Total annual payroll of covered workers (on a crop year basis)				

Step 2

Total annual (by crop year) Factor X earnings of the individual		=	(share of the covered workers)
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This has been questioned, the argument being that salary is not an indicator of one's contribution to sugar production, but labour participation. One should bear in

mind the two essential points of SAB; it is meant to ameliorate or augment income and it is considered as a form of gain-sharing.

2. IMPLEMENTATION OF SUGAR WORKERS DEATH BENEFIT PROGRAMME (SWDBP) UNDER P.D. 621

The SWDBP was created by virtue of Letter of Instruction No. 1232 issued on May 1 1982. This programme provides for the payment of a cash benefit to legal heirs of deceased sugar workers in the amount of P2,000.000 which was later increased to P2,500.00 under Ministry Order No. 9 (dated May 30 1983). It is financed out of a portion of the additional P0.90 levy per picul of sugar produced as provided by L.O.I 1209.

For crop year 1981-1982 (starting February 1982 to end of crop year), a ten centavo levy (P0.10) out of the additional ninety-centavos (P0.90) was set aside to finance the programme. This amount, however, was reduced to five-centavos (P0.05) per picul beginning crop year 1982-1983.

On July 1 1985, a Memorandum Circular was issued providing for the decentralization of the review, processing, approval and payment of death benefit claims to the level of the DOLE Regional Offices. This Circular took effect starting January 1986.

In December 1986, another circular was issued directing and authorizing the DOLE Regional Office No. 6 to retain collections for the programme in order to expedite payment of death benefit claims estimated at more than a million pesos.

STATUS OF SWDBP IMPLEMENTATION UNDER P.D. 621

The total collection to BRW for the programme beginning February 1982 to December 1987 amounted to P8,843,940.03.

The total amount released by BRW to the DOLE Regional Offices for the same period amounted to P7,621,500.00. While the total disbursements made by the DOLE Regional Offices also for the same period amounted to P8,349,520.00, benefitting 3,447 families of deceased sugar workers.

The difference of P728,020.00 between the amount released to DOLE Regional Offices and the amount they disbursed for payment of death benefit claims represents their collections not forwarded to BRW and withheld at their level for payment of claims. Hence, the fund balance as of December 30, 1987 was P80,899.09. The balance of P35,000.00 was being processed by BRW for fund transfer to DOLE Regional Offices.

During the period 1982-1985 there was an increase in the number of claims paid each year. The highest figure was registered in 1985 (1,239 claims released and 1,202 disbursed) which is 57% higher than the total registered for 1984 (785 claims).

However, the payment of claims declined in 1986 and 1987 largely as result of insufficiency of the programme funds. The number of claims had been increasing while the Death Benefit Fund collection drastically declined in 1986 and 1987. About 719 approved death benefit claims remained unpaid. The amount involved was estimated at P1,977,500.

Contributing to the already problematic situation of the fund was the downward trend in sugar production. From a peak figure of 2.456 million metric tons in Crop Year 1982-1983, the level of production declined in the succeeding crop years registering a low of 1.260 million metric tons in Crop Year 1987-1988. As the amount of collection is dependent on the quantity of sugar produced, fund resource were expected to drop further.

The sluggish remittance or non-remittance of funds aggravated the drop in collection. This can be traced as result of free sugar trading the BRW has to wait for the remittance of several traders.

3. IMPLEMENTATION OF SOCIO-ECONOMIC/LIVELIHOOD PROJECTS UNDER P.D. 621

Under P.D. 621, if the sugar workers were unorganized or where there was no duly certified collective bargaining agent, 100% of the SAF could be distributed as cash bonus. On the other hand, if the sugar workers were organized or where there was duly certified collective bargaining agent, 70% of the SAF could be distributed to them as a social amelioration bonus, and the remaining 30% of the SAF utilized for socio-economic projects.

The socio-economic projects are intended to increase the income and productivity of sugar workers as well as to improve their standard of living. (Under this programme, the projects that were prioritized were geared mostly on services, employment, skills training, and facilities.) The BRW (formerly the Rural Workers Office) supervises, monitors and evaluates the projects proposed and implemented by the sugar worker's organizations.

From 1974 to 1981, the programme generated 115 projects costing P3.7 million (Bureau of Rural Workers, Conference Paper: 1984: 28).

4. ENFORCEMENT OF REPUBLIC ACT NO. 809 (R.A. 809) UNDER P.D. 621

BACKGROUND

R.A. 809 (otherwise known as the Sugar Act of 1952) was passed by the Philippine Congress on June 22 1952. The Act was intended to regulate the

relationship between the planter and miller and between the planter and his/her worker as regards their sugar production sharing of benefits. Under this programme, the benefits of sugar produced (including all by-products and derivatives) were divided between the planter and miller in the following proportion: 60% for the planter and 40% for the miller if the maximum actual sugar produced is not more than 400,000 but not below 150,000 piculs; 62.5% for the planter and 37.5% for the miller if the maximum actual sugar produced exceeds 400,000 piculs but does not exceed 600,000 piculs; 65% for the planter and 35% for the miller if the maximum actual sugar produced exceeds 600,000 piculs but does not exceed 900,000 piculs; 67.5% for the planter and 32.5% for the miller if the maximum actual sugar produced exceeds 900,000 piculs but does not exceed 1,200,000 piculs and 70% for the planter and 30% for the miller if the maximum sugar produced exceeds 1,200,000 piculs.

In addition to the benefits granted by the Minimum Wage Law, the proceeds of any increase in participation granted to the planter under the Act and above their present shares were to be divided in the following proportion: 60% of the increased participation for the workers and 40% for the planters. The distribution of these shares corresponding to the workers were to be made under the supervision of DOLE (Sugar Act of 1952: Section 1 and 9).

In 1979, the Supreme Court upheld the constitutionality of the Act in one case filed in 1954. The Supreme Court categorically ruled that R.A. 809 applies whether there is an absence of majority of planters with milling contracts or not, provided there is an increase in participation. Hence, the worker's right to share is guaranteed even in the absence of a written contract as stipulated under Section 9. Hence, the implementation of R.A. 809 became executory in all covered milling districts.

However, in view of the twenty five deferment in the implementation of R.A. 809, its enforceability posed formidable difficulties not only to implementors, but also to all parties concerned.

STATUS OF THE ENFORCEMENT OF R.A. 809 UNDER P.D. 621

Following the Supreme Court judgement and compromise agreement, three milling districts were covered under R.A. 809 covering specified crop years:

Talisay-Silay Mill District (Crop Year 1954-55 to Crop Year 1966-67). The Supreme Court awarded some P23 million to the workers. The distribution of worker's shares were completed in 1983.

1. San Carlos Mill District (Crop Year 1951-52 to Crop Year 1984-85). The Supreme Court came up with a ruling that emergency and non-district non-quota or accommodation planters are to be included in determining whether or not a written milling agreement exists between the majority of planters and the mill. Based on a compromise agreement approved by the Supreme Court, a total of three million pesos (P3.5 Million) was required to be paid to the workers in six annual installments

commencing Crop Year 1984-85. The distribution of funds has been on-going.

2. Bais Mill District (Crop Year 1966-61 to 1968-69). Sugar workers (members of Allied Workers Association) filed thirty two separate cases against the respective planters and owners of each hacienda for the recovery of the farmer's accrued shares arising out of the increase in sharing participation granted to the planters under the written milling agreement. These cases were consolidated into a single action before the National Labour Relations Commission in Region 7, and a decision was rendered on June 9 1984 for the payment of some P1.5 Million to the complainants. The parties entered into a compromise agreement stipulating for a payment in five annual instalments of benefits to commence not later than August 21 1984. The distribution of funds has been on-going.

R.A 809 was also implemented in the following eight mill districts covering specified crop years based on the increase of planter's share in the new milling agreements:

1. San Carlos Mill District (Crop Year 1980-1981). The implementation of the Act was an offshoot of a 1% increase in the milling participation granted to sugar planters in the district.
2. Binalbagan-Isabela Mill District (Crop Year 1983-1984). The worker's share, 2.8% of total production in addition to the 1.2%, which they had already enjoying in the form of welfare and livelihood project or a total of 3% of total production. Beginning Crop Year 1984-85 when the 1% intended to finance the educational assistance programme for the workers and their dependents was completed, all of the 3% worker's shares were distributed in cash.
3. SONEDCO Mill District (Crop Year 1986-1987). The initial implementation started last crop year as a result of the increase in sharing participation granted to planters under the new milling contract.
4. Victoria's, San Carlos-Lopez, Pilar, La Carlota and Sagay Mill Districts (Crop Year 1987-1988). As a result of the review of sharing participation conducted by the DOLE Regional Office, these sugar centrals were found to have granted to planters an increase in their sharing participation in the mills production for the past crop years.

Based on a study by Carlos Valdez and Company in 1977 and a review of production data and sharing agreements using available secondary sources, some twenty-seven sugar centrals granted an increase in the production share of planters during the past thirty-six years (from 1952 to 1984) since the effectivity of the R.A. 809. The amount involved or the amount due to farm labourers was estimated at about P1.4 Billion from sugar alone, excluding the amount due from molasses and other sugar by-products

and derivatives. But, out of the twenty-seven milling districts, only the above mentioned three districts have implemented the Act covering specified crop years.

II. PROGRAMME IMPLEMENTATION OF THE NEW SAP (R.A. 6982)

Under R.A. 6982, the SAP operates in the following programme components: the cash bonus distribution; sugar workers maternity benefit; sugar workers death benefit; socio-economic/livelihood projects; and enforcement of R.A. 809.

COLLECTION OF MANDATORY FIVE-PESO (P5.00) SAP LIEN

The five-peso (P5.00) mandatory SAP lien is collected by the sugar mill upon withdrawal of the sugar stocks from the mill warehouse but in no case beyond 180 days from the date of the issuance of the corresponding quedans or warehouse receipts. If after 180 days, the miller shall advance whatever amount necessary to pay the lien and charge the holder of sugar quedans or warehouse receipts the amount paid and such reasonable rates of interest prevailing in the banking community.

It is the duty of every sugar mill to remit the lien collected within one month from the date of collection otherwise a penalty of 10% per month on the unremitted collection is imposed upon the violator.

The cash bonus portion of the lien is distributed to the sugar workers concerned within one month from the date of remittance, otherwise, a penalty of 10% per month of the undistributed cash bonus is imposed.

All penalties for non-remittance of lien collected accrue to the social and economic programs for the sugar workers. The penalties for non-distribution of the cash bonus accrue to the sugar workers concerned (BRW: 1992: 7).

1. IMPLEMENTATION OF CASH BONUS DISTRIBUTION PROGRAMME (CBDP UNDER THE NEW SAP (R.A. 6982))

The CBDP is funded out of the 80% or P4.00 portion of the P5.00 mandatory lien. It is designed primarily to augment the inadequate income of the sugar workers.

PROCEDURE IN COLLECTING THE CBDP FUND

The 80% cash bonus fund (CBF) or four-peso (P4.00) portion of the P5.00 lien is deposited by the mill in an authorized depository bank in the mill district under the joint DOLE-Mill Account (for the CBF share of the mill and field workers of the unaffiliated planters) and DOLE-PA Account (for the share of the field workers of the affiliated planters), prior to its disposition to the planters for distribution as cash bonuses to the qualified sugar workers.

The qualified sugar workers entitled to the CBF are the mill and field employees and workers except managerial employees, and employees of planters' associations of sugar producers (provided the cash bonuses of the employees are derived from association or organization dues paid in the form of quedan (Bureau of Rural Workers: 1992: p. 20).

The 20% socio-economic program-related funds (SEPRF) or the one-peso (P1.00) portion of the P5.00 lien are remitted to the DOLE-Regional Office.

FREQUENCY/PERIOD OF CASH BONUS DISTRIBUTION

The cash bonuses are distributed directly to mill and field workers not more than twice: in June and December of the fiscal year following the crop year, or at the period usually practiced in the mill district and upon approval by the DOLE Regional Director.

For workers of affiliated planters (members of planters associations [PA]), the CBF is distributed by the planters or through their authorized representatives within thirty days from the date of turnover by the PA to the member planter to the workers.

For workers of unaffiliated planters (independent or free planters, not members of a PA), the CBF is distributed by the planters or through their authorized representatives within thirty days from the date of turnover by the mill of the planters.

For mill workers. The CBF is distributed directly by mill management to the covered mill workers within 30 days from the date of approval of the DOLE-Regional Director of the mills written notice to distribute.

All claimants sign the special payroll prepared by their employers (miller, planter, tenant, planters association, etc.) to evidence receipt of their bonuses.

FORMULA USED FOR COMPUTING THE WORKERS' CASH BONUS SHARES

The following is the formula used for computing the share of individual workers in every mill or plantation:

STEP 1: DETERMINE FACTOR

$$\frac{\text{Total Cash Bonus Fund for Covered Workers}}{\text{Total Basic Annual Payroll of Covered Workers}} = \text{FACTOR}$$

STEP 2: DETERMINE SHARE OF THE WORKER

Total Basic Annual Salary
Factor X of the Individual Covered = WORKERS SHARE

EXPLANATION

Covered workers represent all the workers during covered the crop year. Total Cash Bonus Fund (CBF) for the covered crop year is equal to the total share in the production (in piculs) of the employer (miller, planter, tenant planters association, etc.) multiplied by P4.00.

Total annual payroll covered workers represents the total maximum salary credits and the wages below the maximum salary credit paid to the workers during the crop year.

Regardless of the total basic salary of the individual covered worker, the following are the maximum credits:

- For Mill Workers - P2,000.00 per month
- For Field Workers - P1,000.00 per month

In case a worker earns less than the maximum salary credit indicated above, his/her actual earnings are the basis for computation.

CBF COLLECTIBLES ON SUGAR PRODUCTION FOR CROP YEARS 1991-1992 TO 1993-1994

Sugar production covering these three crop years was registered at 92.94 million piculs (or 117.57 million LKG) with corresponding 80% SAP-CBF lien amounting to P394.644 million.

Of this amount, 65% or P256.87 million represents the field workers share and 35% or P137.77 million the mill workers share.

STATUS OF THE SAP-CBF COLLECTION FOR CROP YEARS 1991-1992 TO 1993-1994

Of the total CBF collectible of P394.644 million covering the three crop years, regional reports show that 89.11% or P351.703 million had been accounted by the mills to have already been collected. The unaccounted balance is attributed to the fact that mill and SRA reports on sugar production do not correspond. These reports are the DOLE-Regional Offices basis for determining fund collection. The DOLE Regional Offices are currently reconciling the data to determine actual accountabilities for the mills.

STATUS OF RELEASES OF THE FIELD WORKERS' SHARES

Some P21.91 million CBF, representing field workers' shares had been collected by the mills during the period. Of this 8.8% or P194.427 million had already been accounted by the DOLE-Regional Offices to have been released to the planters' associations and unaffiliated planters. The fund covers 86,749 planters for Crop Year 1991-1992, 77,587 for Crop Year 1992-1993 and 42,349 for Crop Year 1993-1994 (with releases still on-going).

The DOLE-Regional Offices are currently conducting a field audit in all sugar mills to determine the unaccounted balance which, based on statistical data, would amount to approximately P24 million. With the coming of Bacolod District Office report, the figure had been reduced significantly.

TURN-OVER OF THE FIELD WORKERS' SHARES FROM PLANTERS' ASSOCIATIONS/COOPERATIVES TO AFFILIATED PLANTERS

Some P160.583 million (of the P194.427 million CBF releases) had been accounted by the DOLE-Regional Offices to have been actually turned over to covered planters for these three crop years.

The consolidated DOLE-Regional Offices reports show that out of the 86,749 and 77,587 covered planters in crop year 1991-1992 and 1992-1993, respectively, 56,508 for 1991-1992 and 48,160 for 1992-1993, were able to claim their workers' shares. This is a compliance rate of 88.5% on the average.

UNCLAIMED CASH BONUS FUND (UCBF).

Regional reports show that some P33 million field workers' shares for crop years 1991-1992 and 1992-1993 remain unclaimed by the workers' planter-employers.

The BRW is now preparing a directive to all SAP covered regions for the full remittance of all UCBF (covering Crop Year 1991-1992) in the custody of the planters' associations/cooperatives following the expiration by 1995 of the three year prescriptive period provided for late claimants on the CBF covering Crop Year 1991-1992.

The initial programme assessment conducted by the BRW in Regions 4, 5, 7, 8 and 10 disclosed that there were unclaimed cash bonus funds with the planters' associations/cooperatives as a result of; the undistributed CBF of the field workers of the SAMAKABA in the CADP mill district which amount to P4 million (Crop Year 1991-1992); the planters' associations/cooperatives practice of "no payroll-no release" policy, marginal planters who constitute a majority of the total sugar producers disregarding claiming their workers CBF because of its small amount, and the whereabouts of the so-called "new" or "accommodated" planters of planters' associations not located by the association.

STATUS OF THE CASH BONUS DISTRIBUTION AS OF THE FOURTH QUARTER OF 1994

The total CBF distributed to the covered sugar workers, based on payrolls submitted covering the three crop years, is posted at P220.206 million. This represents 62.4% of the total CBF collectibles based on sugar production as reported by the SRA.

In the three year implementation of the SAP under R.A. 6982, payroll compliance is posted at 80% and 64% of the total collectibles for crop year 1991-1992 and 1992-1993, respectively. The higher compliance rates have been reported for mills rather than plantations due to the fact that the majority of the marginal planters have not been submitting the required CBF payrolls.

The factors affecting the performance of the distribution of the CBF are the following; the depressed sugar prices in the domestic market in 1993 which resulted in the late liquidation of sugar quedans as sugar stocks remained unsold for a period of time. (Since planters waited both for the favourable prices and full collection of the lien upon their quedans, the distribution was delayed); the non-submission of the previous crop year payrolls (1991-1992) by producers, especially the marginal planters, affected the release and eventually the distribution of the CBF because planters' associations/cooperatives practice the "no payrolls no release" policy; and the cases of "pole vaulting" and "standing cane" purchases, especially in Region 6, also adversely affected the performance of the cash bonus distribution for Crop Year 1992- 1993.

COMPOSITION OF SOCIO-ECONOMIC PROGRAM RELATED FUNDS (SEPRF)

The 20% portion of the mandatory lien, including any and all incomes or interests derived therefrom constitute the SEPRF, and it is allocated as follows: 3% as a Sugar Workers Maternity Benefit Fund; 5% as Sugar Workers Death Benefit Fund; 9% as Socio-Economic Project Fund; and 3% as an Administrative Expense Fund. Their utilization is governed by the provisions of R.A. 6982 and its Implementing Rules and Regulations.

SEPRF: SUMMARY OF COLLECTIONS AND UNDERCOLLECTIONS

The total SEPRF collection for the period from April 1992 to February 28 1995 is P91,693,583.04, broken down on a per crop year basis as: P30,279,403.23 for Crop Year 1991-1992; P31,881,510.93 for 1992-1993; P28,751,251.98 for Crop Year 1993-1994; and P781,416.90 for Crop Year 1994-1995.

For the four crop years based on gross production, the average collection rate is 70.49%. For the same period, based on total withdrawals, the average collection is 72.76%.

2. IMPLEMENTATION OF SUGAR WORKERS MATERNITY BENEFIT PROGRAMME

(SWMBP) UNDER THE NEW SAP (R.A. 6982)

The SWMBP is a new programme established under RA 6982. It is funded out of the 3% or fifteen-centavo (P0.15) portion of the five-peso (P5.00) mandatory lien. This programme covers all women sugar workers regardless of their employment status. Since July 3 1991, when R.A. 6982 took effect, the benefit of P1,000.00 has been paid for the first four complete deliveries, miscarriages or abortions without prejudice to enjoyment of other maternity benefits granted under any law or collective bargaining agreement.

The payment of the benefit started on September 1 1992, based on agreement with the STC pending the collection of funds. In August 1992, the DOLE Regional Offices were given their sugar workers maternity benefit reserve fund allocation based on the masterlist of initial claims. Subsequent releases were then made on a replenishment basis.

STATUS OF SWMBP FUND COLLECTION FOR CROP YEAR 1991-1993

A total of P4,442,937.91 was collected for Crop Year 1991-1992 (95.54%), while P1,834,428.19 was collected for Crop Year 1992-93 (57.82%).

STATUS OF SWMBP FUND RELEASES TO REGIONAL OFFICES

Of the total P4,442,937.91 collected for Crop Year 1991-1992, P1,055,000.00 was released to Regional Offices from August 1992 to August 31 1993 based on a request for 1,055 claims. There were no releases made from the collection for Crop Year 1992-1993. The overall expenses of the fund amounted to 30%.

STATUS OF SWMBP PAYMENT

Of the amount released to DOLE Regional Offices, P545,000.00 was initially paid for a rate of 52%.

3. IMPLEMENTATION OF SUGAR WORKERS DEATH BENEFIT PROGRAMME(SWDBP) UNDER THE NEW SAP (R.A. 6982)

The programme provides for death benefits to be paid legal heirs of deceased sugar workers. The P2,500 death benefit was increase to P3,000.00 with the passage of R.A. 6982, starting July 3, 1991. It is financed out of the twenty-five centavo (P0.25) or 5% of the P5.00 mandatory lien.

The payment of P3,000.00 started on September 1 1992 based on an agreement with the STC pending the collection of funds.

In August 1992, the DOLE Regional Offices were given their sugar workers death benefit reserve fund allocation based on the average claims filed prior to R.A. 6982. Subsequent releases were also made on a replenishment basis. Since the effectivity of the Act was on July 3 1991, were claims previously filed under L.O.I. 1232, were paid from the collection under R.A. 6982.

STATUS OF SWDBP FUND COLLECTION FOR CROP YEAR 1991-1993

A total of P7,404,896.52 was collected for Crop Year 1991-1992 (95.54%), while P3,057,380.65 was collected for Crop Year 1992-1993 (57.82%).

STATUS OF RELEASES TO DOLE REGIONAL OFFICES

As of August 31 1993, P3,872,000 was released to DOLE Regional Offices representing 1,470 claims. No releases were made from the collection for Crop Year 1992-1993. The overall expenses of the fund amounted to 52.29%.

PAYMENT TO BENEFICIARIES

Of the amount released to DOLE Regional Offices, P1,838,000.00 was initially paid for a rate of 47.47%.

4. IMPLEMENTATION OF SOCIO-ECONOMIC/LIVELIHOOD PROJECTS UNDER THE NEW SAP (R.A. 6982)

Upon the recommendation of the STC, the DOLE Secretary may utilize the 9% or forty-five-centavo (P.45) allocation for socio-economic projects for sugar workers undertaken by the BRW, planters and millers organizations, workers organizations and the Sugar Foundation, Inc.

The extent of the socio-economic projects include the livelihood, income and employment generation and other projects, such as skills training, organizational development, and other necessary inputs intended to further enhance the socio-economic or living and working conditions of the sugar workers and their families. Also, whenever the need arises, a portion of the fund may be set aside and utilized for calamity assistance to sugar workers (BRW: 1992: 27).

5. ENFORCEMENT OF R.A. 809 UNDER THE NEW SAP (R.A. 6982)

On the recommendation of the STC and pending issuance of a definite ruling from the proper authority regarding substitution of benefits, the following is observed in the implementation of R.A. 809 for Crop Year 1991-1992:

1. The mill districts (SONEDCO, BISCOB and San Carlos) which are implementing R.A. 809 before the effectivity of R.A. 6982 continue to implement R.A. 809.
2. The workers' shares corresponding to 60% of the increase in participation granted by the mill to the planters are quedanned in the name of the DOLE Secretary as trustee for the covered sugar workers.

3. The DOLE Regional Office having jurisdiction of the implementation of R.A. 809 oversee the sale through public bidding of the quedanned workers' shares. The proceeds from the sale of the workers' shares are deposited in interest-bearing account by the DOLE Regional Office in a government depository bank in the name of the DOLE Secretary as trustee of the fund for the covered sugar workers.

STATUS OF THE ENFORCEMENT OF R.A. 809 UNDER THE NEW SAP (R.A. 6982)

BINALBAGAN-ISABELA SUGAR COMPANY (BISCOM)

R.A. 809 at BISCOM mill district was implemented continuously pursuant to Department Order No. 2 (series of 1992). During Crop Year 1991-1992, the 3% workers' shares amounting to P30.5 million were distributed despite the civil case filed by the Planters Association of Southern Negros (PASON) at the Regional Trial Court, Branch 42, Bacolod City, asking for a declaratory relief on R.A. 6982, with the DOLE and BISCOM as respondents. However, PASON finally decided to voluntarily implement the law as a result of consultative meetings initiated by DOLE.

The DOLE, through the BISCOM-DTC, created a Bidding Committee in-charge of disposing of the sugar quedans and molasses certificate representing the 3% workers' shares under the programme. For Crop Year 1992-1993, a total of P25.08 million was distributed.

SAN CARLOS MILLING COMPANY

As in the BISCOM district, the 6% workers share under R.A. 809 were also implemented in San Carlos District pursuant to Department Order No. 2. During the last quarter of 1992 and first quarter of 1993, the DOLE Bacolod District Office initiated the release of P3.5 million under the programme covering Crop Years 1958-1959 to 1979-1980. The amount was the proceed out of the amicable settlement approved by the Supreme Court representing the workers' shares under the Act.

The proceeds of the sold quedans and molasses certificates corresponding to Crop Year 1992-1993 has been released last year together with the undistributed portion of the P3.5 million.

SOUTHERN NEGROS DEVELOPMENT CORPORATION (SONEDCO)

Unlike the abovementioned mill districts, SONEDCO did not implement the 3% workers' shares under R.A. 809. The two planter's associations (SONEDPA and KABIOLOGPA) were unanimous in their stand not to implement the programme in view of the conflicting provisions of Sections 12 and 14 of R.A. 6982. (Their interpretation of the law supported a full substitution by R.A. 6982 over R.A. 809.)

The planters demanded that SONEDCO management to issue, in the name of the planters, the corresponding 60% of the unquedanned increase in participation in

the custody of the mill. It was their position to sue and/or boycott SONEDCO should they issue quedans in the name of the DOLE Secretary. The SONEDCO management, being in a very disadvantaged position, was constrained to release the quedans to the planters.

The DOLE-Bacolod District Office is in the process of conducting an audit to account for all released quedans and corresponding proceeds thereto, and to determine if the share of the workers had been distributed as alleged by the concerned planters. If proof of distribution is not ascertained, the DOLE Regional Office 6 might take legal action against the planters who circumvented the law.

CONCLUSION

There are problems and issues that were encountered in the implementation of the previous SAP under P.D. 621.

On the cash bonus distribution programme, the basic problem was on the system of collection of the SAP lien or stabilization fee (P2.00 per picul of sugar produced).

The system of centralized collection and the release of the social amelioration fund undertaken by NASUTRA, the marketing arm of the sugar industry for both export and domestic trading, was affected by the country's trading system as there are large numbers of sugar traders to deal with.

There are problems of sluggish collection both in the collection of the SAP lien upon withdrawal of sugar stock from the mill warehouse (under Memorandum Circular No. 5, series of 1984) and that of the collection of levy upon the issuance/release of quedans to producers (under the 1987 Interim Guidelines) because, most often, sugar stocks were withdrawn from the mill long after the end of the milling season. As a result, the liens were collected late, causing delays in the release and distribution of SAF to the sugar workers who were demanding that they should be paid immediately at the end of the milling season.

The formula used for computing the social amelioration bonus under the previous SAP (P.D. 621) has been questioned because salary is not an indicator of one's contribution to sugar production, but labour participation. One should bear in mind the two essential points of the social amelioration bonus, it is meant to ameliorate or augment the income, and it is considered as a form of gain-sharing.

Also, in the implementation of the cash bonus distribution programme under the previous SAP (P.D. 621), it was noted that the compliance rate of planters in the submission of payrolls has been declining. The submission of payrolls to the DOLE is important because the receipt by the worker of the social amelioration bonus is evidenced by the payroll where his/her signature and the amount actually received is shown.

On the implementation of the Sugar Workers Death Benefit Programme under P.D. 621, two main problems have been encountered; the depletion of the death benefit funds, and the immediate settlement of unpaid death benefit claims amounting to P1,977,500.00. These problems were marked by the increase in the number of claims each year coupled with the corresponding decrease of collection due to the downward trend in sugar production, which put in question the validity of the programme. The drop in collection has been aggravated by the sluggish remittance or non-remittance of death benefit funds which can be traced as a result of free sugar trading as the BRW has to wait for the remittance from several traders.

The collection for the programme at five-centavo (P.05) levy per picul was insufficient to meet the fund requirements. Hence, the need to increase the portion of the SAF allotted for the programme from P0.5 to P0.25 per picul became apparent.

On the enforcement of R.A. 809 under the previous SAP (P.D. 621), the basic issues that need to be resolved pertains to the feasibility of implementing R.A. 809 retroactive from the date of its effectivity. The retroactive enforcement of the Act depends firstly on the availability of funds to answer for claims. There was no knowledge of any escrowed funds to pay for obligations with respect to the implementation of the Act. In view of this, millers' and planters' financial positions need to be examined to determine whether or not funds have been reserved and set aside for compliance. Secondly, the determination of who is covered the millers and planters and the extent of their liabilities. The determination of coverage and extent of liabilities was difficult and long because supporting documents may be incomplete or non-existent.

The new SAP under R.A. 6982 is expected to solve those problems and issues encountered before the implementation of the previous SAP under P.D. 621 and is also intended to improve the performance of programme implementation.

Compared to the previous SAP under P.D. 621, the new SAP under R.A. 6982 provides better measures in ensuring the immediate collection of levies, timely release of the social amelioration bonus, effective monitoring of fund status, and the efficient and management of funds.

Thus, in general, the programme implementation of the new SAP under R.A. 6982 is more efficient compared to that of the previous SAP under P.D. 621.

On the implementation of the cash bonus distribution programme, the SAP-CBF collection showed a higher rate of collection, 89.11% out of the total CBF collectible of P394.644 million for Crop Years 1991-1992 to 1992-1993. The total CBF that had been distributed to the covered sugar workers, based on payrolls submitted for the said three crop years is quite high also at P220.206 million (representing 62.4% of the total CBF collectibles).

There are factors also affecting the performance of the distribution of the CBF; the depressed sugar prices in the domestic market in 1993 which resulted in the late liquidation of sugar quedans as sugar stocks remained unsold for a period of time.

(Since planters waited both for the favourable prices and full collection of the lien upon their quedans, the distribution was delayed); the non-submission of the previous crop year payrolls (1991-1992) by producers, especially the marginal planters, affected the release and eventually the distribution of CBF because of planters' associations/cooperatives practice the "no payrolls no release" policy; and the cases of "pole vaulting" and "standing cane" purchases, especially in Region 6, also adversely affected the performance of the cash bonus distribution for Crop Year 1992-1993.

CHAPTER VI - 1994 SURVEY RESULTS

This chapter is a discussion of the results of a survey carried out by the author with the use of a structured questionnaire (with both close and open-ended type questions). The author, with the assistance of the DOLE-WAWD personnel carried out face-to-face interviews with selected members of the DTC from seven regions throughout the country (in Regions 4, 5, 6, 7, 8, 10 and 11). A total sample of thirty-four respondents (eight from the government sector, seven from the plantation workers, six from the mill workers, seven from the employer-planter and six from the employer-miller) were covered in the interviews. The interviews were conducted over February to March 1994.

The survey questionnaire was designed to determine from the DTC respondents to the following key issues; the perceived basic role of the government; their approval of the present policies and efforts of the government providing rights of representation and participation and the reasons; reasons for representation and participation other than reasons stated in R.A. 6982; whether the employer and worker sector representatives to the DTC could exercise the power to bargain, negotiate, decide and the reasons whether the representation and participation of the three sectoral representatives in the DTC as regards decision and policy-making on the SAP implementation are successful and the rate of success; the contributing and hindering factors for such success, and the suggestions for further improvement or in overcoming those hindering factors; the benefits obtained through their representation and participation in the DTC; the impact of their representation and participation in the DTC, if there would be hope in the year 2000 to further strengthen the SAP in the country's sugar industry and the reasons; acceptability of the other two sectors in the DTC by one's sector and the reasons; the acceptability of one's sector in the DTC by the other two sectors and the reasons; and the efficiency and effectiveness of the DTC where the three sectors have their representation and participation, the rate of efficiency and effectiveness, and the reasons.

The discussion of this chapter is divided into two parts: the respondent's assessment of their representation and participation in the DTC as regards decision and policy-making on SAP implementation for the past three years (1991-1993); and their suggestions on changes or improvements of their representation and participation.

PART I

RESPONDENT'S ASSESSMENT
OF THEIR PARTICIPATION IN THE DISTRICT COUNCIL
(DTC) FOR 1991-1993

A. CHARACTERISTICS OF THE RESPONDENTS: JOB - POSITION AND YEARS
OF INVOLVEMENT IN THE SAP

JOB - POSITION OF THE RESPONDENT FOR THE GOVERNMENT SECTOR	FREQUENCY	PERCENT
REGIONAL DIRECTOR	4	50
DIVISION CHIEF	3	37.5
SECTION CHIEF	1	12.5
TOTAL	8	100%

JOB - POSITION OF THE RESPONDENT FOR THE EMPLOYER'S SECTOR	FREQUENCY	PERCENT
PLANTER	3	23
MANAGERIAL EMPLOYEE OF THE MILLER	6	46
MANAGERIAL EMPLOYEE OF THE PLANTER	4	31
TOTAL	13	100%

JOB/POSITION OF THE RESPONDENT FOR THE WORKER'S SECTOR	FREQUENCY	PERCENT
MILL WORKER	6	46
PLANTATION WORKER	7	54
TOTAL	13	100%

The thirty-four sample respondents covered in the survey were selected members of the DTCs from seven regions (Regions 4, 5, 6, 7, 8, 10 and 11) throughout the country.

For the government sector, four respondents (50%) were Regional Directors, three respondents (37.5%) were Division Chiefs and one respondent (12.5%) was a Section Chief from DOLE Regional Offices of the said regions.

The Regional Director is the head of the Regional Office of the Department of Labour and Employment (DOLE) and serves as the Chairperson of the DTC. During his/her absence in the DTC meeting, his/her task may be delegated to a Division Chief or Section Chief who is in charge of the implementation of SAP within the region.

For the employer's sector, six respondents (46%) were managerial employees of the miller, four respondents (31%) were managerial employees of the planter, and three respondents (23%) were planters.

A managerial employee of the miller is the one vested by the miller with powers or prerogatives to lay down and execute his/her management policies. A miller refers to any person, firm, corporation, or combination thereof, owning or operating a sugar mill or central. On the other hand, a planter refers to any person owning or operating a sugar plantation.

For the worker's sector, seven respondents (54%) were plantation workers and six respondents (46%) were mill workers. A plantation worker refers to one who is employed in any manner by a sugar plantation or farm. He is also called a farm or field worker. On the other hand, a mill worker refers to one who is employed in any manner by a sugar mill or central.

NUMBER OF YEARS OF INVOLVEMENT IN SAP	FREQUENCY			PERCENT		
	G	E	W	G	E	W
LESS THAN 1 YEAR	0	0	0			
1-2 YEARS	1	2	1	12.5	15.4	7.7
3-4 YEARS	1	2	0	12.5	15.4	
5-6 YEARS	1	1	3	12.5	7.7	23.1
7-8 YEARS	1	2	1	12.5	15.4	7.7
9-10 YEARS	1	0	0		12.5	
11-12 YEARS	0	2	0		15.4	
13-14 YEARS	1	1	0	12.5	7.7	
ABOVE 14 YEARS	2	3	8	25	23	61.5
TOTAL	8	13	13	100%	100%	100%

When asked about the length of involvement since the SAP was instituted, these thirty-four respondents had varying years of involvement.

No one from the thirty-four respondents had been involved for less than one year in the SAP.

Those involved for one to two years were; one respondent (12.5%) from the government sector, two respondents (15.4%) from the employer's sector, and one respondent (7.7%) from the worker's sector.

Those involved for three to four years were; one respondent (12.5%) from the government sector, two respondents (15.4%) from the employer's sector; and none from the worker's sector.

Those involved five to six years were, one respondent (12.5%) from the government sector, one respondent (7.7%) from the employer's sector; and three respondents (23.1%) from the worker's sector.

Those involved for seven to eight years respondents were; one respondent (12.5%) from the government sector, two respondents (15.4%) from the employer's sector, and one respondent (7.7%) from the worker's sector.

Those involved for nine to ten years were; one respondent (12.5%) from the government sector and none from both the employer's and worker's sector.

Those involved for eleven to twelve years were: two respondents (15.4%) from the employer's sector and none from both the government and worker's sector.

Those involved for thirteen to fourteen years were; one respondent (12.5%) from the government sector, one respondent (7.7%) from the employer's sector and none from the worker's sector.

Finally, those involved for above fourteen years were, two respondents (25%) from the government sector three respondents (23%) from the employer's sector and eight respondents (61.5%) from the worker's sector.

As stated in Chapter III, the SAP started as a voluntary programme in the early 1970's and by virtue of P.D. 621, the programme was formally created in 1974.

B. PERCEIVED BASIC ROLE OF THE GOVERNMENT

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
MEDIATE/ARBITRATE BETWEEN THE INTEREST OF THE SUGAR WORKERS AND EMPLOYERS.	3	12	8	37.5	92.3	61.5
ACTS TO FURTHER THE INTEREST OF THE GOVERNMENT AND SUBORDINATING THE SUGAR WORKERS AND THE EMPLOYERS TO ITS OWN INTEREST.	0	0	1			7.7
ACTS ON BEHALF OF THE POWERLESS AND THE POORER SECTOR.	5	0	4	62.5		30.8
NO ANSWER	0	1	0		7.7	
TOTAL	8	13	13	100%	100%	100%

When asked what the respondents thought would be the basic role of the government in decision and policy-making in the DTC as regard the implementation of SAP, the answer of the respondents from the government sector was different from the respondents of both the employer's and worker's sector.

Most of the five respondents (62.5%) from the government sector think their basic role is to act on behalf of the powerless and the poorer sector. On the other hand, only four respondents (30.8%) from the worker's sector, and none from the employer's sector think this as the basic role of the government.

Twelve respondents (92.3%) from the employer's sector and eight respondents (61.5%) from the worker's sector think the basic role of the government would be to mediate or arbitrate between the interest of the sugar workers and employers. On the other hand, only three respondents (37.5%) from the government sector view this as their basic role.

Only one respondent (7.7%) from the worker's sector and none from both the government and employer's sector view as the basic role of the government as one of subordinating workers and employers to its own interest.

C. RESPONDENT'S REPRESENTATION AND PARTICIPATION IN THE DTC:
AN ASSESSMENT

1. REASONS FOR REPRESENTATION AND PARTICIPATION OTHER THAN STATED IN R.A. 6982

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
LEAD TO BETTER DECISIONS/POLICY-MAKING ON THE ISSUES.	1	5	4	12.5	38.46	30.8
IMPROVE QUALITY OF PLANNING AND EFFECTIVE IMPLEMENTATION OF SAP.	2	1	3	25	7.7	23
MAKE THE GOVERNMENT POLICIES AND PROGRAMMES RESPONSIVE TO THE DESIRES AND PREFERENCES OF THE SUGAR WORKERS AND EMPLOYERS.	4	7	5	50	53.84	38.5
ENHANCE THE POWER OF THE POWERLESS AND POORER SECTOR.	1	0	0	12.5		
IMPROVE THE COMMUNICATION AND THE RELATIONSHIP AMONG THE SUGAR WORKERS, EMPLOYERS AND THE GOVERNMENT.	0	0	1			7.7
TOTAL	8	13	13	100%	100%	100%

When asked about the main and least reason behind the representation and participation of the respondents in decision and policy-making in the DTC as regard implementation of the SAP (aside from the reasons stated in R.A. 6982), the respondents from the three sectors identified the following main and least (other) reasons:

Making the government policies and programmes responsive to the desires and preferences of the workers and employers was identified as main reason for representation and participation by four respondents (50%) from the government

sector, seven respondents (53.84%) from the employer's sector and five respondents (38.5%) from the worker's sector.

For the respondents from the government sector, other reasons were because it improved the quality of planning and effective implementation of SAP (25%), it lead to better decisions and policy making on the issues (12.5%), and enhanced the power of the powerless and poorer sector (12.5%).

For the respondents from the employer's sector, other reasons were because it leads to better decisions/policy-making on the issues (38.46%), and improve the quality of planning/effective implementation of SAP (7.7%).

For the respondents from the worker's sector, other reasons were because it lead to better decisions and policy-making on the issues (30.8%), it improved quality of planning and effective implementation of SAP (23%), and improves the communications and relationship among the three sectors (7.7%).

It appears that the main reasons identified by some respondents from the three sectors were the same and their least (other) reasons were different from each other.

2. APPROVAL OF THE PRESENT POLICIES AND EFFORTS OF THE GOVERNMENT PROVIDING A RIGHT OF REPRESENTATION

RESPONSES	FREQUENCY		PERCENT	
	E	W	E	W
YES	13	12	100%	92.31
NO	0	1		7.69
TOTAL	13	13	100%	100%

When asked if the respondents approve or like the present policies and efforts of the government providing a right of representation and participation in the DTC as regarding implementation of the SAP, all of the thirteen respondents (100%) from the employer's sector approve or like such policies and efforts of the government. On the other hand, twelve respondents (92.3%) from the worker's sector approve or like such policies and efforts of the government.

REASONS FOR THE APPROVAL OF SUCH PRESENT POLICIES AND
EFFORTS OF THE GOVERNMENT

RESPONSES	FREQUENCY		PERCENT	
	E	W	E	W
ENHANCE DEMOCRACY THERE IS CHECKS AND BALANCES	1	0	7.7	
RECOGNITION OF THE RIGHT TO BE HEARD/ PARTICIPATE IN DECISION/POLICY- MAKING.	1	2	7.7	15.4
MEETINGS OR DIALOGUES TO SOLVE PROBLEMS AND ISSUES BASED ON THE ABILITY OF THE PARTICIPANTS RATHER THAN FOR GOVERNMENT TO DICTATE.	3	0	23	
PROMOTE AND STRENGTHEN LOSER HARMONIOUS RELATIONSHIP.	1	1	7.7	7.7
NOT LEFT OUT IN PROVIDING INPUTS FOR SOUND AND RESPONSIVE PLANNING, DECISION AND POLICY-MAKING FOR THE EFFECTIVE SAP IMPLEMENTATION.	5	1	38.5	7.7
WORKER'S REPRESENTATION WERE PLACED IN THE DISADVANTAGED POSITION.	0	1		7.7
CHANCE TO VOICE OUT AND EXPRESS SENTIMENTS AND CONCERNS WHICH ARE PROPERLY HEARD BY THE GOVERNMENT.	1	3	7.7	23
ENHANCE THE POWER OF	0	1		7.7

THE POWERLESS AND POOREST OF THE POOR.				
CLEAR IMPLEMENTATION OF GOVERNMENT POLICIES AND PROGRAMMES THAT ARE RESPONSIVE TO THE WORKER'S AND EMPLOYERS' DESIRES.	0	2		15.4
SUGAR WORKERS' MONIES ARE NOW USED FOR THEIR BENEFIT.	1	1	7.7	7.7
NO ANSWER	0	1		7.7
TOTAL	13	13	100%	100%

The main reasons for the approval by the respondents from the employer's and worker's sectors on such present policies and efforts of the government granting them a right of representation and participation in the decision and policy-making in the DTC as regards implementation of SAP were different from each other.

For some of the respondents from the employer's sector, their two main reasons were because they were not left out in providing inputs for sound and responsive planning, decision and policy-making for the effective implementation of the SAP (38.5%) and meetings or dialogues to solve problems and issues based on the ability of the participants rather than for the government to dictate (23%). Their least reasons for approval of such policies and efforts of the government were because it enhances democracy since there are checks and balances (7.7%), recognition of the right to be heard and to participate in decision and policy-making (7.7%), to promote and strengthen a closer and harmonious relationship (7.7%), chance to voice out and express their sentiments and concerns which are properly heard by the government (7.7%), and sugar worker's monies are used for their benefit (7.7%).

For some of the respondents from the worker's sector, their three main reasons were different from that of the employer's sector. These were the chance to voice out and express their sentiments and concerns which are properly heard by the government (23%), recognition of the right to be heard and to participate in decision and policy-making (15.4%), and clear implementation of government policies and programmes that are responsive to the desires of the workers and employers (15.4%). Their least reasons for approval of such policies and efforts of the government were also similar with that of the employer's sector. These were because: it promote and strengthens closer and more harmonious relationship between them (7.7%), not left out in providing inputs for sound and responsive planning, decision and policy-making for the effective implementation of SAP (7.7%), enhancing the power of the powerless and poorest sector of the poor (7.7%) and sugar workers' monies are now used for their benefit (7.7%).

It appears that the respondents from the employer's sector do not have these two reasons, enhancing the power of the powerless and the poorest of the poor, and the clear implementation of government policies and programmes that are responsive to the desires of the workers and employers. However, the worker's sector had these two reasons. Alternatively, the worker's sector do not have these two reasons: to enhance democracy, there are checks and balances and meetings or dialogues to solve problems and issues based on the ability of the participants rather than for the government to dictate.

Furthermore, the only reason given by one respondent (7.7%) from the worker's sector who disapproved of such present policies and efforts of the government was because the workers representation are placed in the disadvantaged position.

3. EMPLOYERS AND WORKERS POWER TO BARGAIN/NEGOTIATE/DECIDE

RESPONSES	FREQUENCY		PERCENT	
	E	W	E	W
YES	10	12	76.9	92.3
NO	3	1	23.1	7.7
TOTAL	13	13	100%	100%

When asked if the respondents from the employer's and worker's sectors could exercise their power to bargain, negotiate and decide in the DTC through voting of issues affecting their welfare and interests, more than a majority of the ten respondents (76.9%) from both the employer's and twelve respondents (92.3%) from the worker's sector said yes. On the other hand, only three respondents (23.1%) from the employer's sector and only one respondent (7.7%) from the worker's sector said no.

3.1. REASONS FOR THE POWER TO BARGAIN/NEGOTIATE/DECIDE

RESPONSES	FREQUENCY		PERCENT	
	E	W	E	W
ISSUES ARE THOROUGHLY DISCUSSED AND PUT TO VOTE AND DECISIONS ARE REACHED BY APPROVAL OF THE MAJORITY OR CONSENSUS.	3	1	23	7.7
EQUALITY IN THE REPRESENTATION OF EQUAL	0	1		7.7

RIGHTS IN THE EXCHANGE OF IDEAS.				
DTC RESOLUTIONS ARE MERE RECOMMENDATORY WHICH CAN BE DISREGARDED BY THE STC.	2	0	15.4	
DTC IS COMPOSED OF MEMBERS BIASED ONLY TO SIFI.	1	0	7.7	
NO CONCRETE COMMUNICATION FROM DOLE HAD BEEN MADE ABOUT WORKER'S BARGAINING POWER AND NEGOTIATION IN THE DTC.	0	1		7.7
IN MOST CASES, THE POSITION OF LABOUR WERE OUTVOTED.	0	1		7.7
MORE DEMOCRATIC, THERE IS ABSOLUTE FREEDOM TO EXPRESS ONE'S VIEWS AND CONCERNS AND COULD BE HEARD.	2	3	15.4	23.1
DUE TO R.A. 6982, THE REPRESENTATIVES HAVE POWER TO RECOMMEND AND PRESENT WHAT IS BEST FOR THEIR INTERESTWELFARE TO THE STC.	2	3	15.4	23.1
THE VERY ESSENCE OF UNIONISM	0	1		7.7
ACHIEVE HARMONIOUS RELATIONSHIP	1	0	7.7	
GIVEN OPPORTUNITY TO BECOME PART OF THE GOVERNMENT-SPONSORED TRIPARTITE COUNCIL	1	0	7.7	
NO ANSWER	1	2	7.7	15.3
TOTAL	13	13	100%	100%

The main reasons given by the respondents from the employer's and worker's sectors why they could exercise their power to bargain, negotiate or decide in the DTC through voting on issues affecting their interest and welfare were different from each other.

For some of the respondents from the employer's sector, their three main reasons were because issues are thoroughly discussed and put to the vote and decisions are reached by approval of the majority or consensus (23%), more democracy - /there is absolute freedom to express one's views and concerns and could be heard (15.4%) and due to R.A. 6982, the representatives have power to recommend and present what is best for their interest and welfare to the STC (15.4%).

Their two least popular reasons were to achieve an harmonious relationship (7.7%) and given the opportunity to become part of the government-sponsored tripartite council (7.7%).

For some of the respondents from the worker's sector, their two main reasons were also similar with that of the employer's sector. These were more democratic and there is absolute freedom to express one's views and concerns and could be heard (15.4%) and due to R.A. 6982, the representatives have power to recommend and present what is best for their interest and welfare to the STC (15.4%). Their three least popular reasons were different from that of the employer's sector. These were because issues are thoroughly discussed and put to vote and decisions are reached by approval of the majority or consensus (7.7%), equality in the representation and equal rights in the exchange of ideas (7.7%), and the very essence of unionism (7.7%). These were not given as least reasons by the employer's sector.

On the other hand, the reasons given by the respondents from the said two sectors why they believed they could not exercise such power to bargain, negotiate and decide were also different from each other.

For the respondents from the employer's sector, their reasons were because DTC resolutions are mere recommendatory which can be disregarded by the STC (7.7%), and DTC is composed of members who are biased to SIFI (7.7%). These reasons were not given by the worker's sector.

For the respondents from the worker's sector, their reasons were because no concrete communication from DOLE had been made about worker's bargaining power and negotiation in the DTC (7.7%), in most cases, the position of labour were outvoted (7.7%), and the very essence of unionism (7.7%). Likewise, these reasons were not given by the employer's sector.

4. SUCCESS OF REPRESENTATION AND PARTICIPATION IN THE DTC

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
YES	7	9	12	87.5	69.2	92.3
NO	1	1	1	12.5	7.7	7.7
PARTLY	0	1	0		7.7	
NO ANSWER	0	2	0		15.4	
TOTAL	8	13	13	100%	100%	100%

When asked if the respondents think their representation and participation in decision and policy-making within the DTC, successful, more than majority of the seven respondents (87.5%) from the government sector, nine respondents (69.2%) from the employer's sector, and twelve respondents (92.3%) from the worker's sector

said yes. Only one respondent from each of the three sectors said no. Likewise, only one respondent (7.7%) from the employer's sector said partly successful, and two of them (15.4%) never gave answer.

4.1. RATE OF SUCCESS OF ONE'S SECTOR REPRESENTATION AND PARTICIPATION IN THE DTC

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
VERY SUCCESSFUL	5	1	2	62.5	7.7	15.4
SUCCESSFUL	2	7	8	25	53.8	61.5
NOT SO SUCCESSFUL	0	3	2		23.1	15.4
NO ANSWER	1	2	1	12.5	15.4	7.7
TOTAL	8	13	13	100%	100%	100%

When asked about the rate of success of the representation and participation of the respondent in the decisions and policy-making in the DTC as regard implementation of the SAP, the answer of the respondents from the government sector was different from both the employer's and worker's sector.

For the government sector, more than majority of their five respondents (62.5%) gave a rate of very successful to their representation and participation in the DTC. No one from this sector gave a rate of not so successful. Only two respondents (25%) gave a rate of successful and only one of them (12.5%) gave no answer.

For the other two sectors, more than majority of the seven respondents (53.8%) from the employer's sector and eight respondents (61.5%) from the worker's sector gave a rate of successful to their representation and participation in the DTC. Only two respondents (15.4%) from the worker's sector and one respondent (7.7%) from the employer's sector gave a rate of very successful.

4.2. CONTRIBUTING FACTORS FOR THE SUCCESS OF ONE'S
SECTOR REPRESENTATION AND PARTICIPATION IN THE DTC

RESPONSES	FREQUENCY			PERCENT			
	G	E	W	G	E	W	
HIGH MOTIVATION AND COMMITMENT OF THE REPRESENTATIVES.	3	6	5	37.5	46.1	38.4	
HIGH LEVEL OF SUPPORT AND COOPERATION AMONG THE REPRESENTATIVES.	0	0	2			15.4	
BRW ACTIVE SUPPORT AND ASSISTANCE TO THE STC AND MEMBERS.	1	3	1	12.5	23.1	7.7	
REPRESENTATION OF PEOPLE WITH HIGHER LEVEL OF AWARENESS AND CONCERN ON ISSUES AFFECTING THEIR INTERESTS AND WELFARE	0	0	1			7.7	
UNDERSTANDING OF ROLE OF IDENTITY AND RESPONSIBILITY	3	1	2	37.5	7.7	15.4	
ORGANIZATIONAL AND MANAGEMENT EXPERTISE WITH COMMUNICATION SKILL' ARTICULATION AND PROBLEM-SOLVING SKILLS	0	0	1			7.7	
NO ANSWER	1	3	1	12.5	23.1	7.7	
	TOTAL	8	13	13	100%	100%	100%

When asked about the contributing factors for the success of the representation and participation of the respondents in decision and policy-making within the DTC, the respondents from the three sectors identified the following main and least contributing factors:

For the government sector, the two main contributing factors identified by some respondents were high motivation and commitment of the representatives (37.5%), and understanding of the roles identities and responsibilities (37.5%). There was only one unpopular contributing factor identified by one respondent which was BRW active support and assistance to the STC and members (12.5%). There was only one respondent (7.7) who gave no answer.

For the employer's sector, the two main contributing factors identified by some respondents were high motivation and commitment of the representatives (46.1% and BRW active support and assistance to the STC members (23.1%). Also, there was only one unpopular contributing factor identified by one respondent which was understanding of the role identity and responsibility (7.7%). There were three respondents (23.1%) who gave no answer.

Finally, for the worker's sector, the three main contributing factors identified by some respondents were high motivation and commitment of the representatives (38.4%) a high level of support and cooperation among the representatives (15.4%) and understanding of the role, identity and responsibility (15.4%). There were 3 least contributing factor identified by the respondents; BRW active support and assistance to the STC and members (7.7%), the representation of people with higher level of awareness and concern on issues affecting their interests and welfare (7.7%). There was only one respondent (7.7%) who gave no answer.

Given these responses, the significant differences that can be drawn were the following:

High motivation and commitment of the representatives, was identified as the common main contributing factor by some respondents from the three sectors.

Understanding of the role, identity and responsibility, was the common main contributing factor for some respondents from both the government and worker's sector, but not for the employer's sector. This was identified as an unpopular contributing factor by one respondent from the employer's sector.

BRW active support and assistance to the STC and members, was identified as main contributing factor by some respondents from the employer's sector, but not by the respondents from both the government and worker's sector. This was identified as an unpopular contributing factor by respondents from both the government and worker's sector.

High level of support and cooperation among the representatives, was identified also as a main contributing factor by the respondents from worker's sector, but not by the respondents from both the government and employer's sector.

Finally, representation of people with higher level of awareness and /concern on issues affecting their interests and welfare, was identified as an unpopular contributing factor by the respondent from the worker's sector, but not by the respondents from both the government and employer's sector.

4.2. HINDERING FACTORS FOR THE SUCCESS OF THE THREE SECTORS REPRESENTATION AND PARTICIPATION IN THE DTC

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
COMMUNICATION GAP	1	5	5	12.5	38.5	38.5
POOR ATTENDANCE ON MEETINGS	0	0	1			7.7
INADEQUATE SUPPORT AND ASSISTANCE OF BRW	1	1	0	12.5	7.7	
REPRESENTATION OF PEOPLE WITH LOWER ECONOMIC STATUS	1	1	0	12.5	7.7	
REPRESENTATION OF PEOPLE WITH LOWER LEVEL OF AWARENESS AND CONCERN ON ISSUES AFFECTING THEIR INTERESTS AND WELFARE	0	0	1			7.7
LACK NO ORGANIZATIONAL, MANAGEMENT EXPERTISE AND COMMUNICATION NOR PROBLEM SOLVING SKILLS	0	1	0		7.7	
INADEQUATE MATERIAL/NON-MATERIAL BENEFITS	0	1	1		7.7	7.7
NO ANSWER	5	4	5	62.5	30.7	38.5
TOTAL	8	13	13	100%	100%	100%

When asked about the hindering factors for the success of the representation and participation of the respondents in decision and policy-making within the DTC, the respondents from the three sectors identified the following hindering factors a Communication gap, was identified by one respondent (12.5%) from the government sector, five respondents (38.5%) from the employer's sector and another five respondents (38.5%) from the worker's sector.

Inadequate support and assistance of BRW, was identified by only one respondent (7.7) from the worker's sector, but none from the government nor employer's sector.

Representation of people with lower economic status, was identified by one respondent (12.5%) from the government sector and another one respondent (7.7%) from the employer's sector, but none from the worker's sector.

Representation of people with lower level of awareness and concern on issues affecting their interests and welfare, was identified by only one respondent (7.7%) from the worker's sector, but none from the government nor employer's sector.

Lack of no organizational and management expertise and communication as well as problem solving skills, was identified by one respondent (7.7%) from the employer's sector, but none from the government nor worker's sector.

Inadequate material/non-material benefits, was identified by one respondent (7.7%) from the employer's sector and another one respondent from the worker's sector, but none from the government sector.

Those respondents who gave no answer were five respondents (62.5%) from the government sector, four respondents (30.7%) from the employer's sector and another five respondents (38.5%) from the worker's sector.

It appears that a communication gap was the main hindering factor for some respondents from both the employer's and worker's sector, but none from the government sector.

The respondents from the government sector seems to have had no main hindering factor except these small hindering factors: inadequate support and assistance of BRW and representation of people with lower economic status.

PART II -

4.3. SUGGESTIONS FOR FURTHER IMPROVEMENT IN OVERCOMING THOSE HINDERING FACTORS AND PROBLEMS

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
DTC SHOULD NOT BE MADE AS FORUM FOR THE ENHANCEMENT OF ONE'S SELF-INTEREST	0	2	0		15.4	
MASSIVE INFORMATION CAMPAIGN ON THE PROGRAM AMONG THE SAP BENEFICIARIES	0	0	2			15.4
IMPROVE COMPULSORY ATENDANCE OF PLANTERS AND MILLERS IN COUNCIL MEETINGS	0	0	3			23
PROVIDE ADDITIONAL FUNDS FOR TRAINING SEMINARS OF THE REPRESENTATIVES	1	0	0	12.5		
THERE MUST BE PRIOR CONSULTATION WITHIN THE DTC LEVEL ON ISSUANCES OF RULES AND REGULATIONS AFFECTING THE SUGAR INDUSTRY	1	0	0	12.5		
ALLOCATION OF FUNDS SHOULD BE EQUITABLE	0	1	0		7.7	
IMPLEMENT THE RE-DISTRICTING OF MILLING DISTRICTS	0	0	1			7.7
GUIDELINES MUST BE CLEAR AND AVOID SOME PROCEDURAL STEPS	1	0	0	12.5		
STRENGTHEN THE REPRESENTATION OF THOSE WITH LOWER LEVEL OF AWARENESS AND	1	0	0	12.5		

CONCERN FOR ISSUES AFFECTING THEIR INTEREST/WELFARE						
IMMEDIATE ACTION ON RESOLUTIONS FORWARDED TO THE STC AND IMMEDIATE INFORMATION DISSEMINATION BY THE DOLE ON SUCH ACTION	0	1	0		7.7	
REGULAR MONTHLY MEETING INSTEAD OF QUARTERLY MEETING SO IMMEDIATE PROBLEMS CAN BE SOLVED OR DECIDED FOR THE REGION	0	1	1		7.7	7.7
GRANT AUTONOMY TO THE DTC SINCE CONDITIONS IN THE DISTRICT VARY FROM PLACE TO PLACE	0	1	0		7.7	
THE GOVERNMENT MUST INTENSIFY ITS INVOLVEMENT IN THE SUGAR INDUSTRY	0	1	0		7.7	
INCREASE THE BRW PERSONNEL TO CLOSELY MONITOR AND SUPERVISE THE CASH BONUS DISTRIBUTION TO PLANTATION WORKERS	0	0	1			7.7
EXPAND THE DTC POWERS AND FUNCTIONS TO RESPOND TO ALL ISSUES AND PROBLEMS AFFECTING THE MILLERS, PLANTERS AND WORKERS	1	0	0	12.5		
.. DIRECT DISTRIBUTION OF SAF TO THE WORKERS FOR USED IN SOME PROJECTS THAT WILL DIRECTLY BENEFIT THEM	0	1	0		7.7	
MORE STRICT ENFORCEMENT ON THE BENEFITS OF THE	0	0	1			7.7

WORKERS						
THERE SHOULD BE AT LEAST A SIFI BRANCH IN MINDANAO CONSIDERING THE PRESENCE OF TWO SUGAR CENTRALS	0	1	0		7.7	
DISCOURAGE PROXY SYSTEM IN COUNCIL MEETINGS	0	0	1			7.7
INCREASE OTHER MATERIAL BENEFITS	0	0	1			7.7
NO ANSWER	3	4	2	37.5	30.7	15.4
TOTAL	8	13	13	100%	100%	100%

When asked about suggestions for further improvement in overcoming those hindering factors and problems affecting the representation and participation of the three sectors in the DTC, the respondents from the three sectors identified many suggestions.

The respondents from the government sector identified five suggestions for improvement in overcoming those hindering factors, to provide additional funds for training and seminars of the representatives (12.5%) there must be prior consultation within the DTC level on issuances of rules and regulations affecting the sugar industry (12.5%), guidelines must be clear and avoid some procedural steps (12.5%); strengthening the representation of those with lower level of awareness and concern for issues affecting their interest and welfare (12.5%) and expand the DTC powers and functions to respond to all issues and problems affecting the millers, planters and workers (12.5%). These suggestions were not identified by the respondents from the employer's nor worker's sector. There were three respondents (37.5%) who gave no answer.

For the employer's sector, the respondents identified nine suggestions for improvement and overcoming those hindering factors: the DTC should not be made as forum for the enhancement of one's self-interest (15.4%); allocation of funds should be equitable (7.7%), regular monthly meetings instead of quarterly meetings so immediate problems can be resolved and decided within the region (7.7%), immediate action on resolutions forwarded to the STC and immediate information dissemination by the DOLE on such action (7.7%), to grant autonomy to the DTC since conditions in the districts vary from place to place (7.7%), the government must intensify its involvement in the sugar industry (7.7%), direct distribution of SAF to the workers for use in some projects that will directly benefit (7.7%) and there should be at least a SIFI Branch in Mindanao considering the presence of two sugar centrals (7.7%). These suggestions were not identified by the respondents from the government nor worker's sector. There were four respondents (30.7%) who gave no answer.

Finally, for the worker's sector, the respondents identified eight suggestions for improvement and overcoming those hindering factors: a massive information campaign (15.4%); improving compulsory attendance of planters and millers in council meetings (23%); implementing the redistricting of milling districts (7.7%), regular monthly meeting instead of quarterly meetings so immediate problems can be resolved and decided within the region (7.7%), increase the BRW personnel to closely monitor and supervise the cash bonus distribution to plantation workers (7.7%), and more strict enforcement on the benefits of the workers (7.7%), discourage proxy system in the council meetings (7.7%), and increasing other material benefits (7.7%). These suggestions were not identified by the respondents from the government nor employer's sector. There were two respondents (15.4%) who gave no answer.

It appears that all these suggestions identified by the respondents from the three sectors were not the same from each other. The only suggestion common and similar to the respondents from the employer's and worker's sector was to have regular monthly meetings instead of quarterly meetings so immediate problems can be resolved and decided within the region. This suggestion was not identified by the respondent from the government sector.

5. BENEFITS DERIVED FROM REPRESENTATION AND PARTICIPATION IN THE DTC

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
YES	7	12	12	87.5	92.3	92.3
NO	1	1	1	12.5	7.7	7.7
TOTAL	8	13	13	100%	100%	100%

When asked if through the representation and participation of the respondents to the DTC, their sectors derived any benefits, more than majority of the respondents from the government sector (87.5%), employer's sector (92.3%) and worker's sector (92.3%) said yes. Only one respondent from the government sector (12.5%), employer's sector (7.7%) and worker's sector (7.7%) said no.

5.1. BENEFITS DERIVED BY THE THREE SECTORS FROM THE REPRESENTATION AND PARTICIPATION IN THE DTC

RESPONSES	FREQUENCY			PERCENT		
THE SUGAR WORKERS AND EMPLOYERS COULD EXPRESS THEIR VIEWS OUT THEIR INTERESTS ON ISSUES BEFORE A DECISION OR POLICY IS ADOPTED	1	10	9	12.5	76.9	69.2
THE POORER SECTOR OBTAINS THE MAJORITY OF THE DECISION GAINING SEATS TO INFLUENCE THE POLICY-MAKING	1	0	1	12.5		7.7
WORKERS COULD SHARE EQUITABLY IN THE BENEFITS DERIVED IN THE SUGAR PRODUCTION WHILE EMPLOYERS COULD HAVE REASONABLE RETURNS ON INVESTMENT AND EXPANSION THROUGH GROWTH OF THE BUSINESS	0	0	1			7.7
INCREASED RIGHTS AND FREEDOM OF WORKERS AND EMPLOYERS TO CONTROL THEIR OWN AFFAIRS, PROMOTE THEIR WELFARE AND INTERESTS	0	1	0		7.7	
THE GOVERNMENT MEDIATES AND ARBITRATE IN WAYS FAVOURABLE TO THE WORKERS AND /EMPLOYERS	0	1	0		7.7	
STRENGTHEN THE GOOD EMPLOYEE-EMPLOYER RELATIONSHIPS AND MAINTAIN INDUSTRIAL PEACE IN THE SUGAR INDUSTRY	2	0	0	25		
FOSTER MUTUAL TRUST/ CONFIDENCE AMONG SUGAR	3	0	1	37.5	0	7.7

WORKERS, EMPLOYERS AND THE GOVERNMENT.						
NO ANSWER	1	1	1	12.5	7.7	7.7
TOTAL	8	13	13	100%	100%	100%

When asked about the benefits derived by their sector through the representation and participation by the respondents in the DTC, the respondents identified the following benefits derived by their sector.

For the government sector, the respondents identified four benefits derived through their representation and participation in the DTC: the sugar workers and employers could express their views out their interests on issues before a decision or policy is adopted (12.5%); the poorer sector obtain the majority of the decision-making seats to influence the policy-making (12.5%); strengthen the good employee-employer relationships and maintain industrial peace in the sugar industry (25%); and foster mutual trust and confidence among the three sectors (37.5%). There was one respondent (12.5%) who gave no answer.

For the employer's sector, the respondents identified three benefits derived through their representation and participation in the DTC: sugar workers and employers could express their views out their interests on issues before a decision or policy is adopted (76.9%); increased rights and freedom of workers and employers to control their own affairs' to promote their welfare and interests (7.7%), and the government will mediate and arbitrate in ways favourable to the workers and employers (7.7%). There was one respondent (7.7%) who gave no answer.

Finally, for the worker's sector, the respondents identified also four benefits derived through their representation and participation in the DTC, the sugar workers could express their views and their interests on issues before a decision or policy is adopted (69.2%), the poorer sector will obtain the majority of the decision-making seats and influence the policy-making (7.7%), workers could share equitably in the benefits derived in the sugar production while employers could have reasonable returns on their investment, expansion and growth of the business (7.7%) and foster mutual trust and confidence among the three sectors (7.7%). There was also one respondent (7.7%) who gave no answer.

Given these responses, it appears that through the representation and participation of the respondents, there were main and minor benefits derived by their sector.

For the government sector, it appears the two main benefits derived were foster mutual trust and confidence among the three sectors, and strengthen the good employee-employer relationships and maintain industrial peace in the sugar industry. The two minor benefits derived were the sugar workers and employers could express their views about their interests on issues before a decision or policy is adopted and the poorer sector obtain the majority of the decision-making seats and influence the policy-making.

For both the employer's and worker's sector, it appears the only main benefit derived was that the sugar workers and employers could express their views out their interests on issues before a decision or policy is adopted.

The only least benefit derived by the employer's sector was to increase rights and freedom of workers and employers to control their own affairs to promote their welfare and interests.

Finally, the two minor benefits derived by the worker's sector were; the poorer sector obtain the majority of the decision-making seats to influence the policy-making and workers could share equitably in the benefits derived in the sugar production while employers could have reasonable returns on their investment and expansion and growth of the business.

5.2. HOPE TO FURTHER STRENGTHEN THE SAP IN THE SUGAR INDUSTRY
IN THE YEAR 2000: IMPACT OF THE THREE SECTORS
REPRESENTATION AND PARTICIPATION IN THE DTC

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
YES	8	11	12	100	84.6	92.3
NO	0	1	1		7.7	7.7
NO ANSWER	0	1	0		7.7	
TOTAL	8	13	13	100%	100%	100%

When asked about the impact of the representation and participation of the respondents in the DTC, if there would be hope to further strengthen the SAP in the sugar industry in the year 2000, all respondents (100%) from the government sector and more than majority from the employer's sector (84.6%) and workers sector (92.3%) said yes. Only one respondent from the employer's sector (7.7%) and worker's sector (7.7%) said no. There was one respondent (7.7%) from the employer's sector who gave no answer.

5.3. REASONS FOR THE HOPE TO FURTHER STRENGTHEN THE SAP IN THE SUGAR INDUSTRY IN THE YEAR 2000

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
APPARENT DYNAMISM OF THE GOVERNMENT TO UPLIFT THE LIVING CONDITIONS OF THE WORKERS	0	3	0		23	
ACTIVE PARTICIPATION AND EFFORTS IN TRIPARTITE COUNCILS	0	0	1			7.7
GREAT IMPROVEMENT IN THE POLICIES	1	0	0	12.5		
GIVEN THE SOCIAL AWARENESS OF ALL THE SECTORS	0	1	0		7.7	
THE COUNCILS' POLICY RECOMMENDATIONS ARE BIASED TOWARDS ONE GROUP	0	1	0		7.7	
MUTUAL AND COMMON CONCERN BY THE PLANTERS AND MILLERS ON THE PLIGHT OF THE WORKERS	0	1	0		7.7	
ECONOMIC STABILITY OF THE SUGAR INDUSTRY IS UNPREDICTABLE	0	0	1			7.7
THE SAP ONLY BENEFIT A LIMITED NUMBER OF WORKERS. ONLY THOSE HEADED BY INFLUENTIAL LEADERS BENEFIT FROM SOCIO-ECONOMIC BENEFITS PROVIDED BY R.A. 6982	0	0	1			7.7
THE DTCs THROUGH THE STC CAN RECOMMEND AMENDMENTS TO THE SAP LAW TO BE MORE EFFECTIVE AND RESPONSIVE TO THE WORKERS	0	0	1			7.7

BENEFITS ARE BECOMING APPARENT AND CONCRETE AND SHALL SEE COMPETITIVE EFFORTS THAT GENERATE EMPLOYMENT AND CAPITAL FOR MORE GROWTH AND EXPANSION	1	0	0	12.5		
MUTUAL TRUST AND CONFIDENCE AMONG THE THREE SECTORS	1	0	0	12.5		
REALLY DEPEND ON HOW MUCH CONTINUED SUPPORT THE INDUSTRY GETS FROM THE GOVERNMENT. IT IS THE ONLY INDUSTRY GIVING SOCIAL AMELIORATION	0	1	2		7.7	15.4
THE PRESENT MECHANISM ALLOWS FEEDBACK FROM THE VARIOUS SECTORS WHO FORMULATE THE ESSENCE OF SUGAR INDUSTRY	0	1	0		7.7	
IF THE PRESENT ECONOMIC TRENDS AND INDICATORS CONTINUE	0	1	1		7.7	7.7
DUE TO TRIPARTITE COUNCIL PROGRAMMES OF R.A. 6982	0	0	3			23
THE EMPLOYERS AND WORKERS COULD EXPRESS THEIR VIEWS AND COULD DECIDE THE BEST FOR THEM	0	1	0		7.7	
DUE TO MANY YEARS OF EXPERIENCE AND ADJUSTMENTS OF POLICIES, IT COULD REACH A WORKABLE POLICIES BENEFICIAL TO ALL SECTORS	0	1	0		7.7	
UNDERSTANDING THE PROPER IMPLEMENTATION OF SAP POLICIES AND PROGRAMMES TO ALLEVIATE THE POOR	1	0	1	7.7		7.7
.....R.A. 6982 BEING A SOCIAL LEGISLATION, IT DEPENDS	1	0	0	7.7		

ONLY FROM THE PLANTERS THEIR HEART TO GIVE. THROUGH REGULAR MEETINGS AND EXCHANGE OF MINDS, IT COULD DEVELOP THE HABIT OF BEING CHARITABLE						
THE SAP INVOLVES ALSO SCHOLARSHIP AND EDUCATIONAL GRANT TO THE CHILDREN OF SUGAR WORKERS WHICH IN EFFECT CONTRIBUTE TO A BETTER STANDARD OF LIVING	0	1	0		7.7	
NO ANSWER	3	1	2	37.5	7.7	15.4
TOTAL	8	13	13	100%	100%	100%

When asked about the reasons why there would be hope/no hope to further strengthen the SAP in the sugar industry in the year 2000, the respondents from the three sectors gave many reasons.

For the respondents from the government sector, their reasons why there would be hope were great improvement in the policies (12.5%), benefits becoming apparent and shall see competitive efforts that generate employment and capital for more growth and expansion (12.5%), mutual trust and confidence among the three sectors (12.5%), understanding the proper implementation of SAP policies and programmes to alleviate the poor (7.7%) and through regular meetings, it could develop the habit of being charitable, and R.A. 6982 being a social legislation, it depends only from the planters, their heart to give (7.7%). There were three respondents (37.5%) who gave no answer.

For the respondents from the employer's sector, their reasons why there would be hope were the apparent dynamism of the government to uplift the living conditions of the workers (23%), great improvement in the policies (12.5%), the present mechanism allowing feedback from the various sectors who formulate the essence of sugar industry (7.7%), if the present economic trends and indicators continued (7.7%), the employers and workers could express their views and could decide the best for them (7.7%), due to many years of experience and adjustments of policies, it could reach a workable policies beneficial to all sectors (7.7%), and the SAP involves also scholarship and educational grant to the children of sugar workers which in effect contribute to a better standard of living. There was only one respondent (7.7%) who gave no answer.

On the other hand, the reasons they had given why there would be no hope were because economic stability of the sugar industry is unpredictable (7.7%), the SAP only benefit a limited number of workers only those headed by influential leaders benefit from socio-economic benefits provided by R.A. 6982 (7.7%) and really depend on how

much continued support the industry gets from the government as it is the only industry giving social amelioration (7.7%).

the council's policy recommendations are biased towards one group (7.7%), and really depend on how much continued support the industry gets from the government/it is the only industry giving social amelioration (7.7%)

For the respondents from the worker's sector, their reasons why there would be hope were: active participation and efforts in tripartite councils (7.7%), the DTCs through the STC can recommend amendments to the SAP Law to be more effective and responsive to the workers (7.7%), if the present economic trends and indicators continue (7.7%), due to tripartite council programmes of R.A. 6982 (23%), and understanding proper implementation of SAP policies and programmes to alleviate the poor (7.7%). There were two respondents (15.4%) who gave no answer.

On the other hand, the reasons they had given why there would be no hope were because economic stability of the sugar industry is unpredictable (7.7%) the SAP only benefit a limited number of workers only those headed by influential leaders benefit from socio-economic benefits provided by R.A. 6982 (7.7%) and really depend on how much continued support the industry gets from the government as it is the only industry giving social amelioration (7.7%).

It appears that there were some respondents (37.5%) from the government sector who gave no answer.

Apparent dynamism of the government to uplift the living conditions of the workers appears to be the main reason for the hope to further strengthen the SAP in the sugar industry. This was identified by some respondents (23%) of the employer's sector.

Another two main reasons for the hope to further strengthen the SAP in the sugar industry were due to tripartite council programmes of R.A. 6982 (23%) and really depend on how much continued support the industry gets from the government as it is the only industry giving social amelioration programme (15.4%). This was the main reasons identified by some respondents of the worker's sector.

6. ACCEPTABILITY OF THE REPRESENTATION AND PARTICIPATION OF THE OTHER 2 SECTORS IN THE DTC

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
YES	7	13	13	87.5	100	100
NO	1			12.5		
TOTAL	8	13	13	100%	100%	100%

When asked about the acceptability of the representation and participation of the other two sectors in the DTC as regard decision and policy-making on SAP implementation by one's sector, all respondents (100%) from both the employer's and worker's sector and more than majority of the respondents (87.5%) from the government sector said yes. Only one respondent (12.5%) from the government sector said no.

6.1. REASONS FOR THE ACCEPTABILITY OF THE REPRESENTATION AND PARTICIPATION OF THE OTHER TWO SECTORS IN DTC BY ONE'S SECTOR

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
. MORE DEMOCRACY THERE IS EQUAL RIGHTS AND OPPORTUNITY TO COMMUNICATE/DISCUSS ISSUES OF MUTUAL INTEREST	0	3	2		23	15.4
THERE IS COORDINATION, COOPERATION AND /LINKAGE	0	1	0		7.7	
SAF BEING THE MONEY OF THE WORKERS SHOULD BE DECIDED BY THE WORKERS THEMSELVES	0	0	1			7.7
TO ACHIEVE THE OBJECTIVE OF THE LAW AND TRIPARTISM IS NEEDED IN DECISION AND POLICY MAKING BY REACHING A CONSENSUS	1	1	1	12.5	7.7	7.7
BALANCE THE SECTORAL INTEREST SO THAT ONE WOULD NOT OPPRESS THE OTHERS	1	0	1	12.5		7.7
THEY ARE SUPPORTIVE ON ISSUES AFFECTING ONE'S INTEREST AND WELFARE	1	0	0	12.5		
THEY SHARE THE SAME BENEFITS	0	1	0		7.7	
THE RECOGNITION OF THE PRESENCE OF ONE'S SECTOR BY THE OTHERS IN THE COUNCIL IS ENOUGH TO ACCEPT THEM	0	0	1			7.7

ALL THE SECTORS ARE A FAILURE BECAUSE POVERTY IS THE REAL ISSUE IN THE SUGAR INDUSTRY. IT IS VERY GLARING. SUGAR WORKERS ARE LEFT OUT IN TERMS OF THEIR BASIC RIGHTS, BENEFITS AND WELFARE. THEY ARE EXPLOITED.	1	0	0	12.5		
OTHER SECTORS ARE MUCH INTERESTED TO PARTICIPATE IN A LEGAL MOVE	0	0	1			7.7
RESULTS TO EFFECTIVE IMPLEMENTATION OF SAP BECAUSE TWO HEADS ARE BETTER THAN ONE	0	1	1		7.7	7.7
DISCUSSION, SHARING, BARGAINING AND NEGOTIATION FOR THE BEST OF THE WELFARE OF THE INDUSTRY WORKERS, AND FEEDBACK USUALLY RESOLVE CONFLICT	1	2	0	12.5	15.4	
INVOLVEMENT OF OTHER ..SECTORS IS INDISPENSABLE	1	2	2	12.5	15.4	15.4
NO ANSWER	2	2	3	25	15.4	23
TOTAL	8	13	13	100%	100%	100%

When asked about the reasons for the acceptability of the representation and participation of the other two sectors in the DTC as regards decision and policy-making on SAP implementation, the respondents from the three sectors identified many reasons.

For the government sector, the respondents identified six reasons, to achieve the objective of R.A. 6982 that tripartism is needed in decision and policy-making by reaching a consensus (12.5%), balancing the sectoral interest so that one would not oppress the others (12.5%), they are supportive on issues affecting one's interest and welfare (12.5%), discussion/, sharing, bargaining and negotiation for the best of the welfare of the industry and its /workers, and feedback usually resolves conflict (12.5%), and involvement of other sector is indispensable (12.5%). There were two respondents (25%) who gave no answer.

For the employer's sector, the respondents identified seven reasons: more democracy there is equal rights and opportunities to communicate and discuss issues of mutual interest (23%), there is coordination, linkage and cooperation (7.7%), to achieve the objective of R.A. 6982 tripartism is needed in decision and policy-making by reaching a consensus (7.7%), they share the same benefits (7.7%), results represent effective implementation of SAP because two heads are better than one (7.7%), discussion, sharing, bargaining and negotiation for the best of the welfare of the industry and workers, and feedback usually resolve conflict (15.4), and involvement of other sector is indispensable (15.4%). There were two respondents (15.4%) who gave no answer.

For the worker's sector, the respondents identified eight reasons: more democracy there is equal rights and opportunities to communicate and discuss issues of mutual interest (15.4%), SAF being the money of the workers should be decided by the workers themselves (7.7%), achieve the objective of the law tripartism is needed in decision and policy-making by reaching a consensus (7.7%), balance the sectoral interest so that one would not oppress the others (12.5%), the recognition of the presence of one's sector by the others in the council is enough to accept them (7.7%), other sectors are much interested to participate in a legal move (7.7%), results to effective implementation of SAP because two heads are better than one (7.7%), and involvement of other sector is indispensable (15.4%). There were three respondents (23%) who gave no answer.

It appears that there were reasons identified by some respondents from the government, employer's and worker's sector which were common to each sector. The reasons were to achieve the objective of R.A. 6982 tripartism is needed in decision and policy-making by reaching a consensus, and involvement of other sector is indispensable.

The two reasons common to employer's and worker's sector were more democratic/there is equal right/opportunity to communicate and discuss issues of mutual interest, and results to effective implementation of SAP because two heads are better than one.

The only reason common to the government and employer's sector was the discussion, sharing, bargaining and negotiation for the best of the welfare of the industry and workers, and feedback in view of resolving conflict.

Finally, the only reason common to government and worker's sector was balance the sectoral interest so that one would not oppress the others.

6.2. ACCEPTABILITY OF THE REPRESENTATION AND PARTICIPATION OF ONE'S SECTOR IN THE DTC BY THE OTHER TWO SECTORS

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
YES	8	13	12	100	100	92.3
NO						
NO ANSWER			1			7.7
TOTAL	8	13	13	100%	100%	100%

When asked about the acceptability of the representation and participation of one's sector in the DTC by the other two sectors, all respondents (100%) from both the government and employer's sector and more than majority of the respondents (92.3%) from the worker's sector said yes. Only one respondent (7.7%) from the worker's sector who gave no answer. None from the three sectors who said no.

6.3

REASONS FOR THE ACCEPTABILITY OF THE REPRESENTATION AND PARTICIPATION OF ONE'S SECTOR IN THE DTC BY THE OTHER TWO SECTORS

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
THERE IS EQUAL RIGHT/ OPPORTUNITY TO DISCUSS ISSUES OF MUTUAL CONCERN	0	1	0		7.7	
THERE IS COOPERATION AND CONSENSUS OF COMMON CONCERN	0	1	1		7.7	7.7
SINCERITY, MUTUAL TRUST AND CONFIDENCE AMONG THE THREE SECTORS	2	1	0	25	7.7	
THE EMPLOYERS BEING THE SOURCE OF SAP MUST BE HEARD AND THAT THEY ARE RESPONSIBLE IN THEIR POSITION	0	1	0		7.7	
THE COUNCIL WOULD NOT FUNCTION EFFECTIVELY WITHOUT THE PRESENTATION OF THE WORKER'S SECTOR	0	1	1		7.7	7.7

DUE TO THE LEGAL MANDATE OF R.A. 6982, THE OTHER TWO SECTORS WANT THE GOVERNMENT TO MEDIATE TO BALANCE THE SECTORAL INTEREST SO THAT ONE WOULD NOT BE OVERLY OPPRESSIVE OF THE OTHERS, BUT FOR THE GOOD OF ALL.	2	0	1	25		7.7
DUE TO THE NEEDS OF THE WORKERS TO IMPROVE THEIR STANDARD OF LIVING	0	1	0		7.7	
THE MILLERS IN MOST CASES IMPLEMENT THE DECISIONS AND POLICY FORMULATED BY THE STC	0	1	0		7.7	
THE ONE PROVIDING THE FUNDS HAVE THE RIGHT TO BE HEARD ON HOW THE FUNDS WOULD BE USED	0	1	0		7.7	
THE CONCERN OF THE OTHER TWO SECTORS FOR THE PARTICIPATION OF EVERYBODY CAN NOW HAVE DIALOGUE ANYTIME THEY WANT	0	1	1		7.7	7.7
BEING THE SUGAR PRODUCERS/MANUFACTURER WITHOUT THEM THERE WOULD BE NO SUGAR INDUSTRY, OR THE WHOLE WOULD BE INCOMPLETE	0	2	0		15.3	
ACTIVE PARTICIPATION IN A LEGAL MOVE TOWARDS GOVERNMENT POLICIES	0	0	1			7.7
NO DISAGREEMENT NOR CONFLICT ON THE PROPOSAL FOR THE IMPLEMENTATION OF SAP IS CONSIDERED. QUESTIONS WERE ENTERTAINED AND HAVE DIFFERENT SOLUTIONS DURING OPEN FORUM	0	1	2		7.7	15.4

AS PROGRAMME IMPLEMENTOR THEY HOLD THE RED AND BLUE LIGHTS OF THE PROGRAMME	1	0	0	12.5		
THE BURDEN OF ONE'S SECTOR MUST BE EQUALLY SHARED	0	0	1			7.7
DURING THE DISCUSSION AND DELIBERATION, THE EMPLOYERS AND GOVERNMENT SECTOR LISTENED TO THE WORKER'S REPRESENTATIVES WHO HAVE A CHANCE TO EXPRESS THEIR VIEWS AND CONCERNS	0	0	1			7.7
NO ANSWER	3	2	4	37.5	15.4	30.7
TOTAL	8	13	13	100%	100%	100%

When asked about the reasons for the acceptability of the representation and participation of one's sector in the DTC by the other two sectors, the respondents from the three sectors mentioned the following reasons.

There are equal rights and opportunities to discuss issues of mutual concern, was mentioned by one respondent (7.7%) from the employer's sector, but none from the government nor worker's sector.

There is equal cooperation and consensus of common concern, was mentioned by one respondent (7.7%) from the employer's sector and one respondent (7.7%) from the worker's sector, but none from the government sector.

Sincerity, mutual trust and confidence among the three sectors, was mentioned by two respondents (25%) from the government sector and one respondent (7.7%) from the employer's sector, but none from the worker's sector.

The employers being the source of SAP must be heard and that they are responsible in their position, was mentioned by one respondent only from the employer's sector, but none from the government nor worker's sector.

The council would not function effectively without the representation of the worker's sector, was mentioned by one respondent (7.7%) from the employer's sector and one respondent (7.7%) from the worker's sector, but none from the government sector.

Due to the legal mandate of R.A. 6982, the other two sectors want the government to mediate to balance that sectoral interest so that one would not be

overly, oppressive of the others, but for the good of all, was mentioned by two respondents (25%) from the government sector and one respondent (7.7%) from the worker's sector, but none from the employer's sector.

Due to the needs of the workers to improve their standard of living, was mentioned by one respondent (7.7%) only from the employer's sector, but none from the government nor worker's sector.

The millers in most cases implement the decisions and policies formulated by the STC, was mentioned by one respondent (7.7%) only from the employer's sector.

The one providing the funds have the right to be heard on how the funds would be used, was mentioned also by one respondent (7.7%) from the employer's sector.

The concern of the other two sectors for the participation of everybody can now have dialogue anytime they want, was mentioned by one respondent (7.7%) from the employer's sector and one respondent (7.7%) from the worker's sector, but none from the government sector.

Being the sugar producers and manufacturers, without them there would be no sugar industry, or the whole be incomplete, was mentioned by two respondents only from the employer's sector, but none from the government nor worker's sector.

Active participation in a legal move towards government policies, was mentioned by one respondent only from the worker's sector, but none from the government nor employer's sector.

No disagreement nor conflict on the proposal for the implementation of SAP is considered and questions were entertained and have different solutions during open forum, was mentioned by one respondent (7.7%) from the employer's sector and two respondents (15.4%) from the worker's sector, but none from the government sector.

As programme implementor, they hold the red and blue lights of the programme, was mentioned by one respondent (12.5%) only from the government sector, but none from the employer's nor worker's sector.

The burden of one's sector must be equally shared, was mentioned also by one respondent (7.7%) from the worker's sector, but none from the government nor worker's sector.

During the discussion and deliberation, the employer and government sector listened to the worker's representatives who have a chance to express their views and concerns, was mentioned by one respondent (7.7%) also from the worker's sector, but none from the government nor employer's sector.

There were three respondents (37.5%) from the government sector, two respondents (15.4%) from the employer's sector and four respondents (30.7%) from the worker's sector who gave no answer.

It appears that there were no reasons identified by the respondents from the government sector which were common and similar to the reasons mentioned by the respondents from the employer's and worker's sector.

The only reason mentioned by the respondents from the government sector which was common and similar to the reason identified by the employer's was sincerity, mutual trust and confidence among the three sectors. On the other hand, the only reason mentioned by the respondents from the government sector which was common and similar to the reason identified by the worker's sector was due to the legal mandate of R.A. 6982, the other two sectors want the government to mediate to balance the sectoral interest so that one would not be overly oppressive of the others, but for the good of all.

There were also four reasons mentioned by the respondents from both the employer's and worker's sector which were common and similar to each other. These reasons were the cooperation and consensus of common concern, the DTC would not function effectively without the representation of the worker's sector, the concern of the other two sectors for the participation of everybody can now have dialogue anytime they want, and no disagreement nor conflict on the proposal for the implementation of SAP is considered, questions were entertained and have different solutions during open forum.

7. EFFICIENCY AND EFFECTIVENESS OF THE DTC WHERE THE THREE SECTORS HAD THEIR REPRESENTATION AND PARTICIPATION AS REGARDS DECISION AND POLICY-MAKING ON SAP IMPLEMENTATION

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
YES	5	10	12	62.5	76.9	92.3
NO	1	0	1	12.5		7.7
PARTLY	2	1	0	25	7.7	
NO ANSWER	0	2	0		15.4	
TOTAL	8	13	13	100%	100%	100%

When asked if there is efficiency and effectiveness in the DTC where the respondents had representation and participation in the decision and policy-making as regards implementation of SAP, more than majority of the respondents from the government sector (62.5%), the employer's sector (76.9%), and the worker's sector (92.3%) said yes, and only one respondent from both the government and worker's sector, but none from the government sector who said no.

There were two respondents (25%) from the government sector and one respondent (7.7%) from the employer's sector, but none from the worker's sector who said partly efficient and effective. There were also two respondents (15.4%) from the employer's sector, but none from the government nor worker's sector who gave no answer.

7.1 RATE OF EFFICIENCY AND EFFECTIVENESS OF THE DTC WHERE THE THREE SECTORS HAD REPRESENTATION AND PARTICIPATION IN THE DECISION AND POLICY-MAKING ON THE IMPLEMENTATION OF SAP

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
VERY EFFICIENT AND EFFECTIVE	5	2	4	62.5	15.4	30.8
EFFICIENT AND EFFECTIVE	2	7	8	25	53.8	61.5
NOT SO EFFICIENT NOR EFFECTIVE	0	2	0		15.4	
NO ANSWER	1	2	1	12.5	15.4	7.7
TOTAL	8	13	13	100%	100%	100%

When asked about the rate of the efficiency effectiveness of the DTC where the respondents from the three sectors had representation and participation in the decision and policy-making as regard implementation of SAP, more than majority of the respondents (62.5%) from the government sector said very efficient and effective, and more than the majority of the respondents from the employer's sector (53.8%) and worker's sector (61.5%) said efficient and effective.

There were two respondents (15.4%) from the employer's sector, but none from the government nor worker's sector who said not so efficient nor effective. There were also two respondents (15.4%) from the employer's sector, one respondent (12.5%) from the government sector and another one respondent (7.7%) from the worker's sector who gave no answer.

7.2. REASONS FOR THE EFFICIENCY AND EFFECTIVENESS OF THE DTC WHERE THE THREE SECTORS HAD REPRESENTATION AND PARTICIPATION IN THE DECISION AND POLICY-MAKING ON THE IMPLEMENTATION OF SAP

RESPONSES	FREQUENCY			PERCENT		
	G	E	W	G	E	W
THE PROGRAMME AS PLANNED IS BEING IMPLEMENTED	0	1	0		7.7	
HAD A GOOD SECRETARIAT FOR THE DTC COMPOSED OF DOLE-REGIONAL OFFICE STAFF WHO ARE	1	0	0	12.5		

WELL-VERSED ABOUT EXISTING POLICY, AND THEY ARE COMMITTED TO THE SUCCESSFUL IMPLEMENTATION OF THE SAP						
LACK OF SECRETARIAT IN THE DTC	1	0	0	12.5		
INDICATED IN THE IMPROVEMENT OF COLLECTION AND DISTRIBUTION OF SAF TO THE WORKER-BENEFICIARIES	0	1	0		7.7	
PROBLEMS ON WORKING CONDITIONS COULD NOW READILY BE ADDRESSED	0	0	1			7.7
DELAY ON THE PART OF THE STC IN SOLVING THE PROBLEMS AT THE DTC	0	1	0		7.7	
THE DTC HAS NO AUTONOMY	0	1	0		7.7	
PARTICIPATION, SHARING, AND UNDERSTANDING OF PROBLEMS AND DIFFERENT SOLUTIONS ARISING FROM THE SUGAR INDUSTRY	0	1	2		7.7	15.4
SOLVE ISSUES AND PROBLEMS AT HAND WITH THE LEAST DELAY AT THE DTC LEVEL	0	1	1		7.7	7.7
HELP RESOLVED ISSUES AND PROBLEMS BETWEEN TWO SECTORS THROUGH MEDIATION OF THE GOVERNMENT AT THE TRIPARTITE COUNCIL	1	1	0	12.5	7.7	
COMMUNICATION GAP IS ERADICATED THROUGH REGULAR MEETINGS AND LOT OF ISSUES AND PROBLEMS OF THE TWO	0	0	2			15.4

SECTORS IN THE SUGAR INDUSTRY ARE KNOWN						
EVERY REPRESENTATIVES COULD EXPRESS THEIR OWN OPINIONS AND CONCERNS FREELY AND INDEPENDENTLY, AND HAVE THE RIGHT TO BE HEARD AND BE ACTED UPON	0	1	1		7.7	7.7
THE DISCUSSION DECISION AND POLICY-MAKING IN THE COUNCIL DO NOT SOLVE THE REAL ISSUE OF POVERTY IN THE SUGAR INDUSTRY	1	0	0	12.5		
HAVE NEW AWARENESS AND UNDERSTANDING OF ONE'S RIGHT TO THE STATUS TO CONTRIBUTE FOR THE GOOD OF ALL, AND COULD SHARE IN THE BARGAINING/POLICY-MAKING	1	1	2	12.5	7.7	15.3
THE THREE SECTORS ARE ACTIVE WITH COOPERATIVE IN THE COUNCIL. REALLY EAGER AND READY TO DISCUSS WITH AN OPEN MIND	0	1	1		7.7	7.7
HAVE SERIES OF MEETINGS AND ABLE TO PASS A RESOLUTION ON ALLOCATION OF FUNDS FOR THE INFORMATION CAMPAIGN ON R.A. 6982	0	0	1			7.7
EFFECTIVE BECAUSE THE SOCIAL BENEFITS COULD BE IMPLEMENTED WITHOUT HASSLE, AND HAVE AN IMPACT UPON BOTH WORKERS AND EMPLOYERS. FOR EXAMPLE, FOR MILLERS/PLANTERS (PRODUCTIVITY), AND	1	0	0	12.5		

FOR WORKERS (ADDITIONAL INCOME). EFFICIENT BECAUSE PROGRAMME IMPLEMENTORS HAVE DELIVERED THE REAL MESSAGE OF R.A. 6982						
THERE IS EFFICIENCY AND EFFECTIVENESS IN TERMS OF COMMUNICATION DISCUSSION AND DIALOGUE, BUT IN TERMS OF SAP IMPLEMENTATION, BRW AND DOLE-REGIONAL OFFICES HAVE SHORTCOMINGS DUE TO LACK OF PERSONNEL IN MINDANAO AREAS	0	1	0		7.7	
THERE IS UNITY AND HARMONY IN THE RELATIONSHIP IN THE COUNCIL BECAUSE THE OTHER TWO SECTORS LISTENED TO THE WORKER'S SECTOR AND VICE-VERSA	0	0	1			7.7
NO ANSWER	2	2	1	25	.15.3	7.7
TOTAL	8	13	13	100%	100%	100%

When asked about the reasons for the efficiency and effectiveness of the DTC where the respondents had representation and participation in the decision and policy-making on the implementation of SAP, the respondents from the three sectors mentioned the following reasons.

For those respondents from the government sector who said there was efficiency and effectiveness of the DTC, the reasons they identified were because the DTC had a good secretariat which is composed of the DOLE-Regional Office staff who are well-versed about the existing policy and they are committed to the success of the SAP (12.5%), help resolved issues and problems between two sectors through mediation of the government in the DTC (12.5%), have now awareness and understanding of one's rights and the status to contribute for the good of all and could share in the bargaining and policy-making (12.5%), and effective because the social benefits could be implemented without hassle and have an impact upon both workers and employers for example, productivity - for millers/planters, and additional income - for workers. Efficient because programme implementors have delivered the real message of R.A. 6982 (12.5%). On the other hand, the two reasons identified by the

respondent who said no to the efficiency and effectiveness of the DTC were: lack of secretariat in the DTC (12.5%); the discussion/decision and policy-making in the council do not solve the real issue of poverty in the sugar industry (12.5%). There were two respondents (25%) who gave no answer.

For those respondents from the employer's sector who said there was efficiency and effectiveness of the DTC, the reasons they identified were because: the programme as planned is being implemented (7.7%), indicated in the improvement of collection and distribution of social amelioration fund to the worker-beneficiaries (7.7%), participatory of problems and different solutions arising from the sugar industry; solve issues and problems at hand with the least delay at the DTC level (7.7%), help resolved issues and problems between two sectors through mediation of the government at the tripartite council (7.7%), every representative could express their own opinions and concerns freely and independently and have the right to be heard and be acted upon (7.7%), have now had the awareness and understanding of one's right to contribute for the good of all and could share in the bargaining and policy-making (7.7%), and the three sectors are active in the council and ready to discuss with an open mind (7.7%). On the other hand, the three reasons identified by the respondent who said partly the efficiency and effectiveness of the DTC were: delay on the part of the STC in solving the problems at the DTC (7.7%), the DTC has no autonomy (7.7%), and in terms of communication, there is efficiency and effectiveness but in terms of implementation of SAP, BRW and DOLE Regional Offices have shortcomings due to lack of personnel in Mindanao areas (7.7%). There were also two respondents (15.3%) who gave no answer.

For those respondents from the worker's sector who said there was efficiency and effectiveness of the DTC, the reasons they identified were that problems on working conditions could now be readily assessed (7.7%). The greater understanding of problems arising from the sugar industry (15.4%), solving issues at hand with the least delay at the DTC level (7.7%), the communication gap is eradicated through regular meetings and lots of issues in the two sectors in the sugar industry are known (15.4%) every representative could express their own opinions and concerns freely and independently, and have the right to be heard and acted upon (7.7%), have now the awareness of one's rights to contribute for the good of all, and could share in the bargaining and policy-making (12.5%), the three sectors are active in the council and ready to discuss with an open mind (7.7%), and there is unity in the council because the other two sectors listened to the worker's sector and vice-versa. There was one respondent (7.7%) who gave no answer.

It appears that there was only one reason for the efficiency and effectiveness of the DTC as mentioned by some respondents from the three sectors which were common and similar to each other. The reason was because they have now an awareness of one's rights to contribute for the good of all and could share in the bargaining and policy-making in the DTC.

There was only one reason for the efficiency and effectiveness of the DTC as mentioned by the respondents from the government and employer's sector which was common and similar to each other. The reason was because it help resolved issues between two sectors through the mediation of the government at the DTC.

Finally, there were four reasons for the efficiency and effectiveness of the DTC as mentioned by the employer's and worker's sector which were common and similar to each other. These reasons were so that every representative could express their own opinions and have the right to be heard, the three sectors are active and cooperative in the council and ready to discuss with an open mind the understanding of problems and different solutions arising from the sugar industry; and solve issues and problems at hand with the least delay at the DTC level.

It is also interesting to note that there were reasons for efficiency and effectiveness of the DTC as mentioned by only one sector.

For some respondents from the government sector, their reasons were because the DTC had a good secretariat composed of DOLE-Regional Office personnel who are well-versed about the existing policy, and they are committed to the successful implementation of the SAP; efficient because programme implementors have delivered the real message of R.A. 6982, and effective because the social benefits could be implemented without hassle, and have an impact upon both workers and employers (for example, productivity - for the millers and planters gain additional income - for the workers) the discussion and policy-making in the council do not solve the real issue of poverty in the sugar industry; and now have the awareness and understanding of one's right the status to contribute for the good of all, and could share in the bargaining and policy-making. On the other hand, the reason for inefficiency and ineffectiveness of the DTC as mentioned by one respondent was due to lacked of secretariat in the DTC.

For some respondents from the employer's sector, their reasons for the efficiency and effectiveness of the DTC were because the programme as planned was being implemented; as indicated in the improvement of collection and distribution of social amelioration fund to the worker-beneficiaries, and in terms of communication there is efficiency and effectiveness but in terms of the implementation of SAP, the BRW and DOLE Regional Offices had shortcomings due to lack of personnel in Mindanao areas. On the other hand, the reasons for inefficiency and ineffectiveness of the DTC as mentioned by the respondents were due to the delay on the part of the STC in solving the problems at the DTC and the DTC has no autonomy.

For some respondents from the worker's sector, their reasons for the efficiency and effectiveness of the DTC were that problems on working conditions could now readily be addressed, the communication gap is eradicated through regular meetings and lot of issues of the two sectors in the sugar industry are known and there is unity in the council because the other two sectors listened to the worker's sector and vice-versa.

SUMMARY/CONCLUSION

The results of the pre-test survey indicated the assessment of the representation and participation of the thirty four sample respondents, and their suggestions on changes and improvements of their representation and participation

in the DTC as regards to decision and policy-making on the implementation of SAP for the past three years (1991-1993).

More than the majority of the respondents from the government sector (87.5%), employer's sector (69.2%) and worker's sector (92.3%) think their representation in the decision and policy-making in the DTC was successful.

When asked about the rate of success of their representation, more than the majority of the respondents (62.5%) from the government sector gave a rating of very successful to their representation in the DTC. There were only two respondents who gave a rate of successful and no one gave a rate of not so successful.

For the other two sectors, more than the majority of the respondents both from the employer's sector (53.8%) and the worker's sector (61.5%) gave a rate of successful to their representation in the DTC. Only two respondents from the worker's sector and one respondent from the employer's sector gave a rate of very successful.

The high motivation of the representatives, was identified as a common main contributing factor by some respondents from the three sectors. For some respondents from both the government and worker's sector, they identified the understanding of their role and responsibility as the common main contributing factor. This was identified as a minor contributing factors by one respondent from the employer's sector. For the respondents from the employer's sector alone, they identified BRW active support to the STC and members, as main contributing factors. This was identified as a minor contributing factor by respondents from both the government and worker's sector. For the respondents from the worker's sector alone, they identified a high level of support among the representatives, as a main contributing factor.

When asked about the hindering factors for the success of the representation of the respondents in the DTC, a communication gap was mentioned to be the main hindering factor for some respondents from both the employer's and worker's sector. For the government sector, the respondents mentioned no main hindering factor except these two minor hindering factors inadequate support and assistance of BRW and representation of people with lower economic status.

When asked about suggestions for further improvement in overcoming those hindering factors affecting their representation in the DTC, the respondents from the three sectors identified many suggestions. There were five suggestions identified by the respondents from the government sector, to provide additional funds for training seminars of the representatives (12.5%); there must be prior consultation within the DTC level on issuances of rules and regulations affecting the sugar industry (12.5%); guidelines must be clear to avoid some procedural steps (12.5%); to strengthen the representation of those with a lower level of awareness and concern for issues affecting their interests (12.5%); and expand the DTC powers to respond to all issues affecting the millers, planters and workers (12.5%). These suggestions were not identified by the respondents from the employer's nor worker's sector. There were three respondents (37.5%) who gave no answer.

For the employer's sector, the respondents identified nine suggestions for overcoming those hindering factors, DTC should not be made as a forum for the enhancement of one's self-interest (15.4%); allocation of funds should be equitable (7.7%), regular monthly meeting instead of quarterly meeting so immediate problems can be resolved within the region (7.7%), immediate action on resolutions forwarded to the STC and immediate information dissemination by the DOLE on such action (7.7%), grant autonomy to the DTC since conditions in the districts vary from place to place (7.7%), the government must intensify its involvement in the sugar industry (7.7%), direct distribution of SAF to the workers for used in some projects that will directly benefit (7.7%), and there should be at least a SIFI Branch in Mindanao considering the presence of two sugar centrals (7.7%). These suggestions were not identified by the respondents from the government nor worker's sector. There were four respondents (30.7%) who gave no answer.

Finally, for the worker's sector, the respondents identified eight suggestions for overcoming those hindering factors, a massive information campaign (15.4%); improving attendance of planters and millers in council meetings (23%); implementing the redistricting of milling districts (7.7%), regular monthly meetings instead of quarterly meetings so immediate problems can be resolved within the region (7.7%), increasing the BRW personnel to closely monitor the cash bonus distribution to plantation workers (7.7%), more strict enforcement on the benefits of the workers (7.7%), to discourage a proxy system in the council meetings (7.7%), and increase other material benefits (7.7%). These suggestions were not identified by the respondents from the government nor employer's sector. There were two respondents (15.4%) who gave no answer.

It appears that the only suggestion common to the respondents from both the employer's and worker's sector, but not from the government sector was to have regular monthly meetings instead of quarterly meeting so immediate problems can be resolved within the region.

When asked if through the representation of the respondents to the DTC their sectors derived any benefits, more than the majority of the respondents from the government sector (87.5%), employer's sector (92.3%) and worker's sector (92.3%) said yes. Only one respondent from the government sector (12.5%), employer's sector (7.7%) and worker's sector (7.7%) said no.

When asked about the benefits derived by their sector through the representation by the respondents in the DTC, it appears that through the participation of the respondents, there were both important and minor benefits derived by their sectors. The respondents from the government sector think the two main benefits derived were to foster mutual trust among the three sectors and to strengthen the good employee-employer relationships maintaining industrial peace in the sugar industry. The two minor benefits derived were that the sugar workers and employers could express their views and their interests on issues before a decision or policy is adopted; and the poorer sector obtain the majority of the decision-making seats to influence the policy-making.

CHAPTER VII - CONCLUSION

In Chapter VI the results of the 1994 survey indicated a positive assessment on the representation of thirty-four representatives in the DTC as regards to decision and policy-making on the implementation of SAP for the past three years (1991-1993). The assessment of their representation and participation in the DTC was generally positive.

The main contributing factor for the success of representation was the high motivation and commitment of the representatives while the communication gap was identified as the main hindering factor.

There were suggestions for further improvement in overcoming this hindering factor and other problems affecting their representation in the DTC. For the respondents from the government sector, there were five suggestions: to provide additional funds for the training of the representatives; there must be prior consultation within the DTC level on issuances of rules and regulations affecting the sugar industry; guidelines must be clear and avoid some procedural steps; to strengthen the representation of those with a lower level of awareness and concern for issues affecting their welfare and to expand the DTC powers to respond to all issues affecting the millers, planters and workers. For the respondents from the employer's sector, there were nine suggestions: the DTC should not be made a forum for the enhancement of one's self-interest; the allocation of funds should be equitable; a regular monthly meeting instead of quarterly meeting so immediate problems could be resolved within the region; immediate action on resolutions forwarded to the STC and immediate information dissemination by the DOLE on such action; granting autonomy to the DTC since conditions in the milling districts vary from place to place; the government should intensify its involvement in the sugar industry; direct distribution of the social amelioration fund to the workers be used in some projects that will directly benefit them, and there should be at least a SIFI Branch in Mindanao considering the presence of two sugar centrals. Finally, for the respondents from the worker's sector, there were eight suggestions: a massive information campaign; improving attendance of planters and millers in council meetings; implement the redistricting of milling districts; regular monthly meetings instead of quarterly meetings so immediate problems could be resolved within the DTC; increasing the BRW personnel to closely monitor the cash bonus distribution to plantation workers; more strict enforcement on the benefits of the workers; discourage a proxy system in the council meetings; and increase other material benefits.

There was also a positive assessment on the efficiency and effectiveness of the DTC where the respondents had representation in the decision and policy-making on the implementation of the SAP. The only reason for such efficiency and effectiveness of the DTC as mentioned by some respondents from the three sectors which were common and similar to each other, was because they had developed an awareness of their right to contribute for the good of all and could share in the policy-making in the DTC. For the respondents from both the government and employer's sector, their only reason was because it helped resolve issues between two sectors through the mediation of the government at the DTC. For the respondents from both the employers' and workers' sector, there were four reasons: every representative

sectors were active in the DTC and ready to discuss issues with an open mind and there was a sharing of problems at hand with the minimum delay at the DTC level.

On the other hand, there were reasons for the inefficiency and ineffectiveness of the DTC. For some respondents from the government sector, they had two reasons: because the discussion and policy-making in the DTC did not solve the real issue of poverty in the sugar industry and due to the lack of a secretariat in the DTC. For some respondents from the employer's sector, they also had two reasons: because in the implementation of the SAP, the BRW and the DOLE Regional Office had shortcomings due to the lack of personnel in Mindanao areas and delay on the part of the STC in solving the problems at the DTC and because the DTC has no autonomy.

In this concluding chapter, the author will present the indicative and preliminary results from the second survey, which was carried out in 1994/1995. This second survey was also carried out with the use of a survey questionnaire structured in both close and open-ended type of questions.

Two sets of questionnaires were distributed to a total of 122 sample respondents consisting of workers' and employers' representatives from the twenty tripartite councils (1 STC and 19 DTCs). These respondents were selected on a random basis with the sample stratified by region and by volume of sugar production to provide a representative sample of thirty nine milling districts throughout the Philippines.

Beginning October 20 1994, these survey questionnaires were delivered to the BRW-DOLE (the main office of the author in Manila), and these were then distributed to the respondents through the DOLE Regional Offices. However, due to a low rate of response from the respondents and a delay on the arrival of the answered questionnaires, the author received only thirty seven completed questionnaires from the respondents (two from the STC and thirty five from the DTC).

The discussion of the results of the second survey will focus on the following: the agreement or disagreement of the autonomy of the DTC; the effectiveness or ineffectiveness of the DTC in meeting its functions and responsibilities pursuant to R.A. 6982; the degree of influence on decisions taken in the DTC; the performance of the DTC in dealing with issues relating to the SAP and the merits of tripartism versus collective bargaining.

1. RESPONDENTS

RESPONDENTS	FREQUENCY	PERCENT
MILLER	9	25
PLANTER	11	30.5
MILL WORKER	6	16.7
FIELD WORKER	10	27.8

TOTAL **36** **100%**

The total sample thirty six respondents covered in the second survey were employers' and workers' representatives of the DTCs from different regions throughout the country.

For the employers' sector, eleven respondents (30.5%) were planters and nine respondents (25%) were miller. As stated in the previous chapter, a planter is a person who owns or operates a sugar plantation. On the other hand, a miller is a person, firm, corporation, or combination thereof, who owns or operates a sugar mill or central.

For the worker's sector, ten respondents (27.8%) were field workers and six respondents (16.7%) were mill workers. As stated in the previous chapter, a field worker is one who is employed in any manner by sugar plantation or farm. On the other hand, a mill worker is one who is employed in any manner by a sugar mill or a central.

2. STRENGTH OF AGREEMENT OR DISAGREEMENT ON AUTONOMY OF THE DTC

RESPONSES	FREQUENCY	PERCENT
STRONGLY AGREE	19	52.8
AGREE	16	44.4
DISAGREE	0	
STRONGLY DISAGREE	0	
UNDECIDED	1	2.8

TOTAL **36** **100%**

When asked whether the respondents from the employer's and worker's sector agree or disagree that the DTC should have greater autonomy as regards to the decision and policy-making on the implementation of SAP, a majority of the nineteen

respondents (52.8%) strongly agree, and some sixteen respondents (44.4%) agree. But there was one respondent (2.8%) who was undecided.

3. DTC EFFECTIVENESS OR INEFFECTIVENESS IN MEETING ITS FUNCTIONS AND RESPONSIBILITIES UNDER R.A. 6982

RECOMMENDING THE EFFECTIVE IMPLEMENTATION OF THE CASH BONUS DISTRIBUTION PROGRAMME AND OTHER SOCIAL AND ECONOMIC PROGRAMMES FOR SUGAR WORKERS	FREQUENCY	PERCENT
VERY EFFECTIVE	17	47.2
SOMEWHAT EFFECTIVE	14	38.9
NEITHER EFFECTIVE NOR INEFFECTIVE	1	2.8
SOMEWHAT INEFFECTIVE	1	2.8
VERY INEFFECTIVE	0	
NO ANSWER	3	8.3
TOTAL	36	100%

When the respondents were asked about the effectiveness of their DTC in recommending the effective implementation of the cash bonus distribution programme and other social and economic programmes for sugar workers, seventeen respondents (47.2%) said very effective, fourteen respondents (38.9%) said effective, one respondent (2.8%) said neither effective nor ineffective, and also one respondent (2.8%) said somewhat ineffective.

ADVISING THE ADOPTION OF MEASURES TOWARDS THE EFFECTIVE IMPLEMENTATION OF R.A. 6982 AND ITS IMPLEMENTING RULES AND REGULATIONS	FREQUENCY	PERCENT
VERY EFFECTIVE	18	50
SOMEWHAT EFFECTIVE	13	36.1
NEITHER EFFECTIVE NOR INEFFECTIVE	1	2.8
SOMEWHAT INEFFECTIVE	1	2.8
VERY INEFFECTIVE	0	
NO ANSWER	3	8.3
TOTAL	36	100%

When the respondents were asked also about the effectiveness of the DTC in advising the adoption of measures towards the effective implementation of R.A. 6982 and its implementing rules and regulations, eighteen respondents (50%) said very effective, thirteen respondents (36.1%) said somewhat effective, one respondent (2.8%) said neither effective nor ineffective, and also one respondent (2.8%) said somewhat ineffective. No one said very ineffective, but three respondents (8.3%) gave no answer.

4. DEGREE OF INFLUENCE HAD ON DECISIONS TAKEN IN THE DTC

ON SUSPENSION, REDUCTION, OR OTHERWISE IMPLEMENTATION OF THE AUTOMATIC ADDITIONAL INCREASE IN THE LIEN	FREQUENCY	PERCENT
VERY GREAT DEAL	7	19.4
GOOD DEAL	18	50
QUITE A BIT	5	13.9
SOME	2	5.6
LITTLE OR NONE	3	8.3
NO ANSWER	1	2.8
TOTAL	36	100%

When asked about the degree of influence the respondents had on decisions taken in their DTC on the suspension, reduction, or otherwise implementations of the automatic additional increase in the lien, eighteen respondents (50%) said it was a good deal, seven respondents (19.4%) said it was a very great deal, five respondents (13.9%) said quite a bit and two respondents (5.6%) said some. There were three respondents (8.3%) who said little or none and one respondent (2.8%) who gave no answer.

ON DEPARTMENT ORDER NO. 8, RE: POLICY ON THE EXTENSION OF THE 20-CENTAVO INTERIM CASH OUTLAY OUT OF THE 45-CENTAVO (9%) FOR SOCIO-ECONOMIC PROJECTS FUND TO THE SUGAR FOUNDATION, INC.	FREQUENCY	PERCENT
VERY GREAT DEAL	3	8.3
GOOD DEAL	14	38.9
QUITE A BIT	12	33.3
SOME	2	5.6
LITTLE OR NONE	3	8.3
NO ANSWER	2	5.6
TOTAL	36	100%

When asked also about the degree of influence the respondents had on decisions taken in their DTC on Department Order No. 8, Regarding the policy on the extension of the 20-centavo interim cash outlay out of the 45-centavo (9%) for the socio-economic projects fund to the Sugar Foundation, Inc., fourteen respondents (38.9%) said it was a good deal, twelve respondents (33.3%) said quite a bit, and three respondents (8.3%) said very great deal. There were three respondents (8.3%) who said little or none and two respondents (5.6%) who gave no answer.

ON THE MANNER OF UTILIZATION OF THE FORFEITED AMOUNT, INCLUDING THE INTEREST EARNINGS FOR THE DEVELOPMENT OF PROJECTS AND PROGRAMMES IN FAVOUR OF THE SUGAR WORKERS	FREQUENCY	PERCENT
VERY GREAT DEAL	6	16.7
GOOD DEAL	12	33.3
QUITE A BIT	13	36.1
SOME	0	
LITTLE OR NONE	3	8.3
NO ANSWER	2	5.6
TOTAL	36	100%

On the degree of influence the respondents have had on decisions taken in their DTC on the manner of the utilization of the forfeited amount, including the interest earnings for the development of projects/programmes in favour of the sugar workers thirteen respondents (36.1%) said quite a bit, twelve respondents (33.3%) said it was a good deal, and six respondents (16.7%) said it was a very great deal. There were three respondents (8.3%) who said little or none and two respondents (5.6%) who gave no answer.

5. PERFORMANCE OF THE DTC IN DEALING WITH ISSUES RELATING TO SAP

RELATING TO COLLECTION OF SAP LIEN AND PAYMENT OF CASH BONUSES	FREQUENCY	PERCENT
VERY EFFECTIVE	13	36.1
SOMEWHAT EFFECTIVE	20	55.5
NEITHER EFFECTIVE NOR INEFFECTIVE	0	
SOMEWHAT INEFFECTIVE	1	2.8
VERY INEFFECTIVE	1	2.8
NO ANSWER	1	2.8
TOTAL	36	100%

When the respondents were asked about the performance of their DTC in dealing with the issues relating to the collection of SAP lien and the payment of cash bonuses, twenty respondents (55.5%) said it was somewhat effective, and thirteen respondents (36.1%) said it was very effective. There was one respondent (2.8%) who said it was very ineffective and also one respondent (2.8%) who gave no answer.

There were five suggestions on what their DTC could have been done to deal with the issues on collection and distribution of the social amelioration fund: a continuous information campaign on the importance of the programme; a design strategy for the cash bonuses to reach the sugar workers without passing through the hands of the big planters; the system of collection of the social amelioration fund should be decided by a district to district basis since the problems are not common to all milling districts; the WAWD should follow-up every sugar employer in order to have prompt distribution of the cash bonuses and assign a labour sector representative during cash bonus distribution so that the actual beneficiary can receive their shares.

RELATING TO FORMULA FOR COMPUTING SOCIAL AMELIORATION BONUS	FREQUENCY	PERCENT
VERY EFFECTIVE	18	50
SOMEWHAT EFFECTIVE	15	41.6
NEITHER EFFECTIVE NOR INEFFECTIVE	1	2.8
SOMEWHAT INEFFECTIVE	1	2.8
VERY INEFFECTIVE	0	
NO ANSWER	1	2.8
TOTAL	36	100%

On the performance of their DTC in dealing with the issues relating to the formula for computing the social amelioration bonus, eighteen respondents (50%) said it was very effective, fifteen respondents (41.6%) said it was somewhat effective, one respondent (2.8%) said it was neither effective nor ineffective and also one respondent (2.8%) who said somewhat ineffective.

The only suggestion on what their DTC could have been done to deal with the issues relating to formula for computing Social Amelioration Bonus was to conduct a study and recommend improved measures.

RELATING TO PAYMENT OF DEATH BENEFITS	FREQUENCY	PERCENT
VERY EFFECTIVE	10	27.7
SOMEWHAT EFFECTIVE	19	52.8
NEITHER EFFECTIVE NOR INEFFECTIVE	3	8.3
SOMEWHAT INEFFECTIVE	2	5.6
VERY INEFFECTIVE	0	
NO ANSWER	2	5.6
TOTAL	36	100%

On the performance of their DTC in dealing with the issues relating to the payment of death benefits, nineteen respondents (52.8%) said it was somewhat effective, ten respondents (27.7%) said it was very effective, three respondents (8.3%) said it was neither effective nor ineffective and two respondents (5.6%) said somewhat ineffective.

There were three suggestions on what the DTC could have been done to deal with the issues relating to the payment of death benefits: the recommendation to avoid red tape and request the DOLE to always expedite the release of funds upon

completion of the required documents because it is not actually a death benefit but it is for burial assistance; conduct a study for further improvement of its delivery of services; and provide a more effective information campaign on the programme to the member beneficiaries.

RELATING TO PAYMENT OF MATERNITY BENEFITS	FREQUENCY	PERCENT
VERY EFFECTIVE	11	30.6
SOMEWHAT EFFECTIVE	16	44.4
NEITHER EFFECTIVE NOR INEFFECTIVE	5	13.9
SOMEWHAT INEFFECTIVE	2	5.5
VERY INEFFECTIVE	1	2.8
NO ANSWER	1	2.8
TOTAL	36	100%

On the performance of their DTC in dealing with the issues relating to the payment of maternity benefits, sixteen respondents (44.4%) said it was somewhat effective, eleven respondents (30.6%) said it was very effective, and five respondents (13.9%) said it was neither effective nor ineffective. There were two respondents (5.5%) who said it was somewhat ineffective, one respondent (2.8%) said very ineffective, and also one respondent (2.8%) who gave no answer.

There were four suggestions on what the DTC could have been done to deal with the issues relating to payment of maternity benefits: recommending the increase of such benefits because it is quite small; simplify the requirements in the processing of applications for such benefits; and the promotion of a more effective information campaign on the programme to the member beneficiaries.

RELATING TO IMPLEMENTATION OF LIVELIHOOD PROJECTS/PROGRAMMES	FREQUENCY	PERCENT
VERY EFFECTIVE	2	5.6
SOMEWHAT EFFECTIVE	12	33.3
NEITHER EFFECTIVE NOR INEFFECTIVE	8	22.2
SOMEWHAT INEFFECTIVE	6	16.7
VERY INEFFECTIVE	7	19.4
NO ANSWER	1	2.8
TOTAL	36	100%

On the performance of their DTC in dealing with the issue relating to the implementation of livelihood projects, twelve respondents (33.3%) said "somewhat effective", eight respondents (22.2%) said "neither effective nor ineffective" and two respondents (5.6%) said "very effective". There were seven respondents (19.4%) who said very ineffective, six respondents (16.7) who said somewhat ineffective and one respondent (2.8%) who gave no answer.

There were seven suggestions on what the DTC could have been done to deal with the issues relating to the implementation of livelihood projects: start realigning more funds for this purpose in order to begin the implementation of this programme in the districts; recommend that BRW/WAWD-DOLE should handle this programme for Mindanao instead of SIFI since livelihood projects do not trickle down in Mindanao because the SIFI is only found in Negros; there must be clear information dissemination, sufficient technical assistance and commitment for the implementation of this programme; relax the many requirements and paper work (such as project study, groupings, etc.) before the release of project funds; there should be a policy that individual workers can also avail programme benefits and not only the group; to issue the necessary guidelines on how to avail the projects/programmes administered by SIFI; and a more effective information campaign on the programme to the worker-beneficiaries.

6. EXTENT OF AGREEMENT OR DISAGREEMENT ON BENEFITS OR OTHERWISE OF SECTOR GROUP PARTICIPATION AND OF THE SAP

SAP HAS CONTRIBUTED TO A POSITIVE EMPLOYER-EMPLOYEE RELATIONS CLIMATE IN THE SUGAR INDUSTRY	FREQUENCY	PERCENT
STRONGLY AGREE	10	27.8
AGREE	22	61.1
DISAGREE	3	8.3
STRONGLY DISAGREE	0	
UNDECIDED	1	2.8
TOTAL	36	100%

When the respondents were asked about the extent of their agreement or disagreement on whether SAP has contributed to a positive employer-employee relations climate in the sugar industry, twenty-two respondents (61.1%) agree, ten respondents (27.8%) strongly agree, and three respondents (8.3%) disagree.

SAP HAS IMPROVED THE BENEFITS OF THE SECTOR THAT I REPRESENT	FREQUENCY	PERCENT
STRONGLY AGREE	12	33.3
AGREE	21	58.3
DISAGREE	3	8.3
STRONGLY DISAGREE	0	
UNDECIDED	0	

TOTAL 36 100%

On the extent of their agreement or disagreement on whether SAP has improved the benefits of the sector that they represent, twenty-one respondents (58.3%) agree, twelve respondents (33.3%) strongly disagree, and three respondents (8.3%) disagree.

SAP HAS CONTRIBUTED TO IMPROVED LEVELS OF PROFITABILITY WITHIN THE SUGAR INDUSTRY	FREQUENCY	PERCENT
STRONGLY AGREE	4	11.1
AGREE	22	61.1
DISAGREE	7	19.4
STRONGLY DISAGREE	2	5.6
UNDECIDED	1	2.8

TOTAL 36 100%

On the extent of their agreement or disagreement on whether SAP has contributed to improved levels of profitability within the sugar industry, twenty-two respondents (61.1%) agree, seven respondents (19.4%) disagree, and four respondents (11.1%) strongly agree. There were two respondents (5.6%) who strongly disagreed and one respondent (2.8%) who was undecided.

SAP HAS CONTRIBUTED TO IMPROVED INCOMES FOR WORKERS WITHIN THE SUGAR INDUSTRY	FREQUENCY	PERCENT
STRONGLY AGREE	15	41.6
AGREE	19	52.8
DISAGREE	1	2.8
STRONGLY DISAGREE	0	
UNDECIDED	1	2.8

TOTAL 36 100%

On the extent of their agreement or disagreement on whether SAP has contributed to improved incomes for workers within the sugar industry, nineteen respondents (52.8%) agree, and fifteen respondents (41.6%) strongly agree. There was one respondent (2.8%) who disagreed, and one respondent (2.8%) was undecided.

SAP HAS INCREASED THE AMOUNT AND QUALITY OF COMMUNICATION BETWEEN THE VARIOUS SECTORS IN THE SUGAR INDUSTRY	FREQUENCY	PERCENT
STRONGLY AGREE	8	22.2
AGREE	27	75
DISAGREE	1	2.8
STRONGLY DISAGREE	0	
UNDECIDED	0	
TOTAL	36	100%

On the extent of their agreement or disagreement on whether SAP has increased the amount and quality of communication between the various sectors in the sugar industry, twenty-seven respondents (75%) agree and eight respondents (22.2%) strongly agree. There was one respondent (2.8%) who disagreed.

SAP HAS REDUCED THE FEELING OF POWERLESSNESS AMONG THE FIELD WORKERS IN THE SUGAR INDUSTRY	FREQUENCY	PERCENT
STRONGLY AGREE	8	22.2
AGREE	24	66.6
DISAGREE	2	5.6
STRONGLY DISAGREE	0	
UNDECIDED	2	5.6
TOTAL	36	100%

On the extent of their agreement or disagreement on whether SAP reduced the feeling of powerlessness among the field workers in the sugar industry, twenty-four respondents (66.6%) agree and eight respondents (22.2%) strongly agree. There were two respondents (5.6%) who disagreed, and another two respondents (5.6%) who were undecided.

7. RELATIVE MERITS OF TRIPARTITE REPRESENTATION AND COLLECTIVE BARGAINING

RESPONSES	FREQUENCY	PERCENT
INTERESTS OF MY SECTOR WOULD BE BETTER SERVED THROUGH PARTICIPATION IN THE TRIPARTITE PROCESSES PROVIDED UNDER SAP THAN THROUGH A COLLECTIVE BARGAINING AGREEMENT	14	38.9
INTERESTS OF MY SECTOR WOULD BE BETTER SERVED THROUGH A COLLECTIVE BARGAINING AGREEMENT THAN THROUGH PARTICIPATION IN THE TRIPARTITE PROCESSES PROVIDED UNDER SAP	3	8.3
MY SECTOR WOULD BE BEST SERVED BY A MIX OF COLLECTIVE BARGAINING AND PARTICIPATION IN THE TRIPARTITE STRUCTURES PROVIDED UNDER SAP	16	44.4
UNDECIDED	3	8.3
TOTAL	36	100%

When the respondents were asked what best reflects the position of their sector on the relative merits of tripartite representation and collective bargaining, sixteen respondents (44.4%) said the interests of their sector would be best served by a mix of collective bargaining and participation in the the tripartite structures provided under SAP and fourteen (14) respondents (38.9%) said the interests of their sector would be better served through participation in the tripartite processes provided under SAP than through a collective bargaining agreement. There were three respondents (8.3%) who said the interests of their sector would be better served through a collective bargaining agreement than through participation in the tripartite processes provided under SAP and another three respondents (8.3%) were undecided.

8. COMMENTS/OPINIONS ON THE EFFECTIVENESS OF THE SAP, PARTICULARLY THE INVOLVEMENT OF THE RESPONDENTS IN THE DTC

The following were the comments on the effectiveness of the SAP and in particular the involvement of the sectoral representatives in the DTC:

1. DTCs should be given more leeway , priveleges and/or rights under the law in dealing with issues and concerns of local application by regions because each region has peculiarities of its own;

2. Actual checking of recipient of farmworkers should be maintained because sometimes the planters have the tendency to falsify recipients but in reality only fictitious people are listed;
3. If only a certain provision of R.A. 6982 can be amended to shorten the 180 days given to the mill wherein to advance the SAF after issuance of the quedan to only 90 days, it would be more beneficial to our workers because they can receive it at an earlier time;
4. Funds for socio-economic projects should be remitted to the DTC for it to decide about the project to pursue;
5. The Tripartite congress should be held regularly;
6. The DTCs throughout the country should be given more autonomy in dealing with issues of regional concerns. Each region has its own peculiarities, traditions and customs which can not be done away by legislation or executive fiat;
7. The 9% allocated for the socio-economic projects for the sugar workers should be reduced into 4% and the remaining 5% will be added to 80% of the cash bonuses in order to make a total of 85%;
8. The SAP is very helpful, if it is properly implemented by each sector. And beside, how can extend more benefits to the workers if the sugar industry itself does not have a bright future. It is the government support to the sugar industry that should count since we in the sugar industry make any steps in order to elevate the sugar industry;
9. The labour sector must be represented by true farm workers;
10. Monthly meetings of DTC should be required with. Quarterly meeting for provincial DTC.
11. A federational of the DTC should be formed.

The conditions for effective participation are: participants must have access to a free flow of relevant information and knowledge to be able to participate meaningfully and they must also have the will and the willingness to give their time and energy. Where participation is difficult because the structures and organizations are large and unwieldy, the decentralization of structures is desirable as they bring the decision-makers closer to the people.

While power has to be considered in the analysis of participation, it is not necessary or useful to incorporate a power dimension in a definition of participation. The term relates only to taking part, or sharing in something, not to what occurs in taking part, nor to the outcome.

The assessment of the power of participants in any setting or arena is a matter requiring its own tools of analysis and forms of evidence, the object being to assess the effects of participation. Thus, to suggest that only sharing in a decision-making stage is to be deemed "full" participation while ignoring the possible gains from a mere consultative process is to prejudge the outcome. Because through consultation important information can be shared, needs can be pinpointed, the range of options to meet any particular purpose can be narrowed, the need for evaluation or review of policies or programs could be assessed and there could be identification of requirements for action.

There are four arguments for greater participation for workers: as a means of promoting the satisfaction and personal development of the individual worker; on the ground that workers should have a greater say in decision-making at work, as a means of extending democracy from the political to the industrial sphere; as a means of improving industrial relations; and as a means of increasing efficiency.

With the involvement of workers in the formulation of public policy beyond collective bargaining at the national economic and social planning, it is at this level of participation that the risk of "corporatism" is perhaps greatest, it is also at this level where the benefits of industrial democracy may be realized or offset.

While collective bargaining provides the mechanism for mutual problem solving, there is no question that managers and trade unions meet to bargain in a largely adversarial, if not conflictual setting. Opposed to the bargaining relationship is consultation, cooperation and communication which is of common interest to management, workers and trade union representatives.

Participation is based on the premise of consensus, of the agreement of objectives and a technical discussion of means. It occurs in a situation which is essentially problem-solving, and in which all parties gain. While collective bargaining is based on the premise of pluralism, of conflicting objectives and disagreement over means. It is a zero sum situation which means a victory of one party involves a defeat of the other. Hence, any approach based exclusively on an employer or trade union dominated perspective is likely to succeed in extending worker's rights and union control over various kinds of decisions.

The Philippine sugar industry since the turn of the century to the present has been characterized by a period of growth, dependency, turbulence and uncertainties in terms of employment, production, land area utilization and the market, both domestic and foreign. The prevailing pessimism, uncertainty and hardships within the rank and file of the industry are due to the depressed sugar prices in the world market and compounded by the rising trend in production costs.

Several factors may further affect the overall viability of the sugar industry (in terms of employment, production, land area utilization and the market, both domestic and foreign). Among them are unfair pricing of sugar in the world market and indiscriminate liberalization as a result of the forthcoming GATT, inadequate rural infrastructure, imposition of additional taxes on milling facilities and the value-added tax,

uncertainties associated with the implementation of CARP, unpredictable drought or calamities the diversification programme and government support, particularly in research and development.

The SAP is a production sharing scheme instituted in the Philippine sugar industry pursuant to R.A. 6982, intended to supplement the inadequate income of sugar workers, and finance socio-economic programmes in order to improve the livelihood and their well-being.

Following the policy objective of R.A. 6982, the SAP operate under six programme components: the Cash bonus distribution programme; the Sugar workers maternity benefit programme; the Sugar workers death benefit programme; the Socio-economic projects for sugar workers; the Enforcement of R.A. 809 and the Tripartite advisory programmes.

The tripartite mechanism (STC and DTCs) instituted under the SAP is seen as a proactive and dynamic advocate for worker's welfare in the sugar industry. The STC and the DTCs serves as an advisory body to the DOLE Secretary and the DOLE Regional Office, respectively, as regards policy-making and the effective implementation of SAP and other social and economic programmes for workers in the sugar industry.

There were some issues and problems that were encountered in the implementation of the previous SAP under P.D. 621.

With the cash bonus distribution programme, the basic problem was sluggish collection both in the collection of SAP lien upon withdrawal of sugar stock from the mill warehouse and the collection of levies upon the issuance of quedans to producers. Most often, sugar stocks were withdrawn from the mill long after the end of the milling season. As a result, the liens were collected late causing delays in the release and distribution of the social amelioration bonus to the sugar workers who are demanding that they should be paid immediately at the end of the milling season.

The formula used for computing the social amelioration bonus under the previous SAP (P.D. 621), has been questioned because salary is not an indicator of one's contribution to sugar production, but labour participation. There are two essential points regarding the social amelioration bonus it is meant to ameliorate or augment the income, and is considered as a form of gain-sharing.

Also, in the implementation of the cash bonus distribution programme under the previous SAP (P.D. 621), it was noted that the compliance rate of planters on the submission of payroll has been declining. The submission of payroll to the DOLE is important because the receipt by the worker of the social amelioration bonus is evidenced by the payroll where his/her signature and the amount actually received is shown.

On the implementation of the Sugar Workers Death Benefit Programme under P.D. 621, there were two main problems encountered, the depletion of the death

benefit funds, and the immediate settlement of unpaid death benefit claims. These problems were marked by the increase in the number of claims each year coupled with the corresponding decrease of collection due to downward trend in sugar production, which put to question the validity of the programme.

On the enforcement of R.A. 809 under the previous SAP (P.D. 621), the basic issue which needs to be resolved pertains to the feasibility of implementing R.A. 809 retroactive from the date of its effectivity. The retroactive enforcement of the Act depends on: (1) The availability of funds to answer for claims. (2) The determination of who are the covered millers and planters and extent of their liabilities.

The new SAP under R.A. 6982 is expected to solve these issues and problems encountered before in the implementation of the previous SAP under P.D. 621 and intended to improve the performance of programme implementation.

Compared to the previous SAP under P.D. 621, the new SAP under R.A. 6982 provides better measures in ensuring the immediate collection of levies, the timely release of the social amelioration bonus, effective monitoring of fund status and the efficient and management of funds.

In general, the implementation of the new SAP under R.A. 6982 would be better compared to that of the previous SAP under P.D. 621. On the implementation of cash bonus distribution programme, the SAP-CBF collection showed a higher rate of collection which is 89.11% out of the total CBF collectible of P394.644 million for Crop Years 1991-1992 to 1992-1993. The total CBF that had been distributed to the covered sugar workers, based on payrolls submitted for the said three crop years is quite high.

There are some factors affecting the performance of the distribution of the CBF, such as the depressed sugar prices in the domestic market in 1993 which resulted to the late liquidation of sugar quedans as sugar stocks remained unsold for a period of time. Since planters waited both for the favourable prices and full collection of the lien upon their quedans, the distribution was delayed; the non-submission of the previous crop year payrolls (1991-1992) by producers, especially the marginal planters, affect the release and eventually the distribution of CBF because planter's associations practice the "no payrolls no release" policy and the cases of "pole vaulting" and "standing cane" purchases, especially in Region 6, also adversely affected the performance of the cash bonus distribution for Crop Year 1992-1993.

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