

CANADA FUND PROJECT BRIEF

1. Project Title : Education and Legal Assistance Program to Sugar Workers in Negros Occidental
2. Location : Negros Occidental
3. Project Sector : Legal and judicial development
Strengthening civil society
Human rights
4. Budget : Php 2,127,500.00
5. Implementing Organization : Negros Labor Center, Inc.

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6. Duration : October 23, 2007 - May 15, 2009

7. Project Description :

The project is about institutional building, in depth research on the current socio-economic situation of sugar workers, curricula and manual development, training of pool of facilitators and grass roots education, human rights advocacy and good governance.

The project shall be implemented in Negros Occidental within the period of eighteen (18) months. The first twelve months, which is the first phase of the project, shall focus on research, data gathering and collation on social and economic conditions of the sugar and agricultural workers, workshops, curricula/manual development, seminar and training of pool of facilitators, alliance building, linkage and coordination with rural workers associations, organization and communities. The last six months, which is the second phase, shall focus on grassroots and community education.

Since the province of Negros Occidental is too big, it will be very difficult for the NLCI to cover all its areas in a span of 18 months, the duration of this project. Thus, the project will cover some of the areas in the southern tip of Negros Occidental which include the cities of Himamaylan, Sipalay and Kabankalan and the municipalities of Hinobaan, Candoni, Cauayan and Ilog. In the near southern part are the cities of La Carlota and Bago and the municipalities of Isabelala, Binalbagan, La Castellana, Moises Padilla, Hinigaran, Pontevedra, San Enrique, Valladolid and Pulupandan and Murcia. In the near northern part, meanwhile, are the cities of Talisay, Silay and Victorias and the municipality of EB Magalona. In the center is the highly urbanized City of Bacolod.

The primary focus of the project is on legal and social education, training of sugar workers to inform, orient, educate and equip them with knowledge on their rights, duties, benefits and welfare as provided by law and related social legislation and international labor instruments. To facilitate effective and efficient education, the project will devise and develop curricula for educating the sugar workers. It shall also include, as one of its important and indispensable components, orientation of sugar workers on the importance of negotiation, mediation and conciliation as preferred/alternative mode of labor dispute

resolution. The project shall conduct training of pool of instructors and facilitators for workers' education and facilitation of seminars, fora, symposia and the like.

One particular aspect of the legal component of the project is the established of a small legal fund. The legal fund will be managed by the Executive Committee under the supervision of the NLCI Executive Director. Since there are many lawyers handling labor cases of NLCI, the fund will be released upon written request from the concerned lawyers and after approval by the Executive Committee. The requesting lawyer is responsible in collecting the amount from the beneficiary and for thereafter remitting the same to the NLCI so that the legal fund may not be depleted. Only indigent workers are qualified beneficiaries.

While the focus of this project are the sugar workers, land / hacienda owners and their management officers will be provided with the opportunities to participate. The proponent believes that this project will have greater likelihood for success if the latter becomes a willing participant and stakeholder in the project.

8. Beneficiaries : 20,000 men and women

9. Expected Results :

- Curriculum for educating the sugar workers on labor and related laws devised and developed.
- At the end of the project, sugar workers have adequate working knowledge on labor laws and related social legislations.
- At least 20 potential candidates are trained and are ready to assume roles as local education facilitators in their respective barangays.
- At least one para-legal service provider is developed in each covered barangay.
- The Project Management Team developed training modules based on the current, specific and concrete condition of the agricultural and sugar workers.
- At least 60 seminars on various labor and human rights issues are conducted for and with the sugar workers.
- The sugar workers have adopted non-confrontational approaches on dispute resolution without necessarily disregarding strikes and similar activities as last resorts of action.

10. Midterm Results :

This assessment covers the first quarter of project implementation. The following are the accomplishment per objective based on the project implementation plan:

Objective # 1. To devise and develop modules and other educational materials on human rights for sugar workers.

In a span of three and one half months, NLCI gathered data and information on the actual and real plight and situation of the sugar workers in 38 haciendas covering five municipalities, seven component cities and one independent city. The data and information gathered were collated, and analyzed. The gathered data are used in devising and developing modules and other educational materials to educate the sugar workers.

Two sessions of discussions and workshops and five non-formal discussions were hosted by the Project Management Team (PMT) and participated in, on separate occasions, by four lawyers, one religious leader and 30 representatives and leaders of communities, workers' organizations and people's organizations. The activities were aimed at developing the human rights education modules for sugar workers.

An outline of the first module, concerning Labor Standards Laws and Related Social Legislation, has already been drafted but still to be finalized. A module for Human Rights Orientation course is already finalized.

A power point presentation for Human Rights Orientation Course had been developed. While that for International and Domestic Labor Standards Laws, Labor Relations Law and Social Legislation is now being developed. Meanwhile, the primer on the rights of workers on the International Covenant on Economic and Socio-Cultural Rights, Labor Standards Law, Social Security Law, Agrarian Reform Law and related Social Legislation are now being drafted.

A total of 30 leaders coming from the communities, the Social Action Center, the Diocese of Bacolod and organizations of sugar workers, signified interest and enthusiasm to participate in the seminars and training to be conducted by this project.

A documentary film on the situation of sugar workers in Negros Occidental is now being developed.

Objective # 2. To educate sugar workers on domestic and international labor and human rights laws and instruments.

Four separate seminars have already been scheduled starting February 2008. At present, a total of 40 participants have already registered as participants. The number of participants is increasing considering that the Social Action Center, Diocese of Bacolod, Young Christian Workers (YCW), 10 parishes, and six workers' organizations are actively coordinating with the Negros Labor Center for the said seminars. Moreover, 38 communities signified to send participants for the activities. Meanwhile, five lawyers and one religious leader were already tapped to become speakers.

Objective # 3. To train a pool of instructors and facilitators for labor and human rights education.

Consultations, linkages and networking were conducted for the selection of participants who have potential to become educators and instructors for and of community based human rights education activities. Consequently, 40 participants have already registered to participate. The number is also increasing because of the active and enthusiastic support of the workers' organizations, communities of sugar workers, parishes and the church.

Objective # 4. To train and organize a pool of para-legals out of the potential instructors and facilitators.

During the integration of the PMT in the 38 communities/haciendas, it has oriented the local leaders about the criteria in selecting participants for the seminars. The criteria for selection state that the participants must be able to read and write or must at least finished a secondary education. The reason for the careful selection is that they will be selected either as para-legal or instructors in community based seminars or education activities. Some of the local leaders who attended the orientation are now acting as para-legal service providers even without formal training and education from Negros Labor Center.

Objective # 5. To conduct in-depth research on the current situation of sugar workers in Negros Occidental with special focus on the effects to sugar workers of pakyaw system or work contracting.

The PMT is already collating the data while a narrative form on the research is almost finished. A module on Human Rights Orientation Course has been developed based on the research. A module on International Covenant on Economic Socio-Cultural Rights, Labor Standards Law and related social legislation were also drafted based on the data. The module will be finalized before the first seminar.

The partial research covered 38 haciendas located in the municipalities of E.B. Magalona, Murcia, La Castellana, and Toboso and the cities of Victorias, Silay, Bago, Cadiz, Escalante, Sagay, Kabankalan, and Bacolod.

Secondary data were also gathered from the Department of Labor and Employment, Sugar Regulatory Administration, Provincial Government of Negros Occidental and National Census and Statistics Office.

Other data came from the six workers' organizations. (e.g. National Federation Of Sugar Workers and their locals, Young Christian Workers).

The gathering of information and data pertaining to the socio-economic situation of sugar workers especially on the effects of pakyaw system is not a walk in the park. In spite of difficulties posed by strict hacienda administrators, the PMT was able to conduct video interviews and take pictures of sugar workers. In areas where the employers or their administrators were strictly monitoring the activities of sugar workers including persons or groups dealing with them, clandestine interviews were conducted.

The narrative output of the research is now being drafted.

Objective # 6. To ensure active participation of sugar workers organizations (associations, unions, etc.) in the advocacy and promotion of human rights through consultation, linkage, and alliances.

The conduct of community research and the training of local facilitators of seminars and human rights education activities were done to ensure that the beneficiaries are able to participate and to own the project. It also ensures that the education courses are developed based on the actual situation and aspirations of the beneficiaries.

Others:

Legal Assistance. A total of 50 cases of alleged human rights violations were already brought to the attention of the NLCI. These cases involved illegal dismissal from work, and general violations of labor standards and social security laws. Four lawyers handling labor cases for sugar workers have already tapped the small fund for legal assistance.

Problems encountered and actions taken:

Problems	Actions taken
<p>In the gathering of data from the field, sugar workers were hesitant and apprehensive to give information regarding their conditions for fear of harassment from landowners.</p> <p>In group discussions for module making, participants from the community are timid while their leaders dominate the group discussions.</p>	<p>The sugar workers were assured that the data and other information gathered will be used for their own benefit and that the project does not aim to put them in a precarious situation. Interviews were conducted clandestinely and usually during night time.</p> <p>The participants were divided into groups and in each group a facilitator was assigned to facilitate the discussions.</p>
<p>The research team has encountered several problems in its data gathering specifically on the data from government agencies. Bureaucratic red tape is still prevalent among government agencies.</p> <p>During field interviews, workers are apprehensive and hesitant to give information regarding their situation especially on the employment of child laborers in sugarcane plantations. At times, hacienda administrators were observing and listening during interviews.</p>	<p>To avoid further delays in gathering data from government agencies, formal letters were sent to the head officers so their employees will entertain the staff and facilitate easy access to documents.</p> <p>As to the field surveys and interviews, assurances were made to the sugar workers who were interviewed that the giving of information is part of their right to free expression and the data will be used for their own benefit.</p>

Beneficiaries

This particular project has targeted 20,000 beneficiaries or families of sugar workers which include women. So far, the research has reached 2, 779 workers, 651 of these are women sugar workers.

Impact on Women

The women are bolder and more active in cooperating with the PMT during the conduct of community activities such as research and interviews. In fact, this project has moved so far largely because of the women in the communities.

Impact on the environment

At this stage of implementation, no significant impact on environment has been noted so far.

Finance

The proponent had already utilized Php 337,813.36 of the first tranche of grant amounting to Php 1,063,750.00. On the other hand, the cash counterpart reached Php 127,598.00 or 14% of the annual combined cash and in-kind contribution worth Php 896,000.00. The utilization appears to be appropriate for the purpose for which the funds were made available.