


UP CIDS DISCUSSION PAPER • 2022-08

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ISSN 2619-7448 (PRINT)

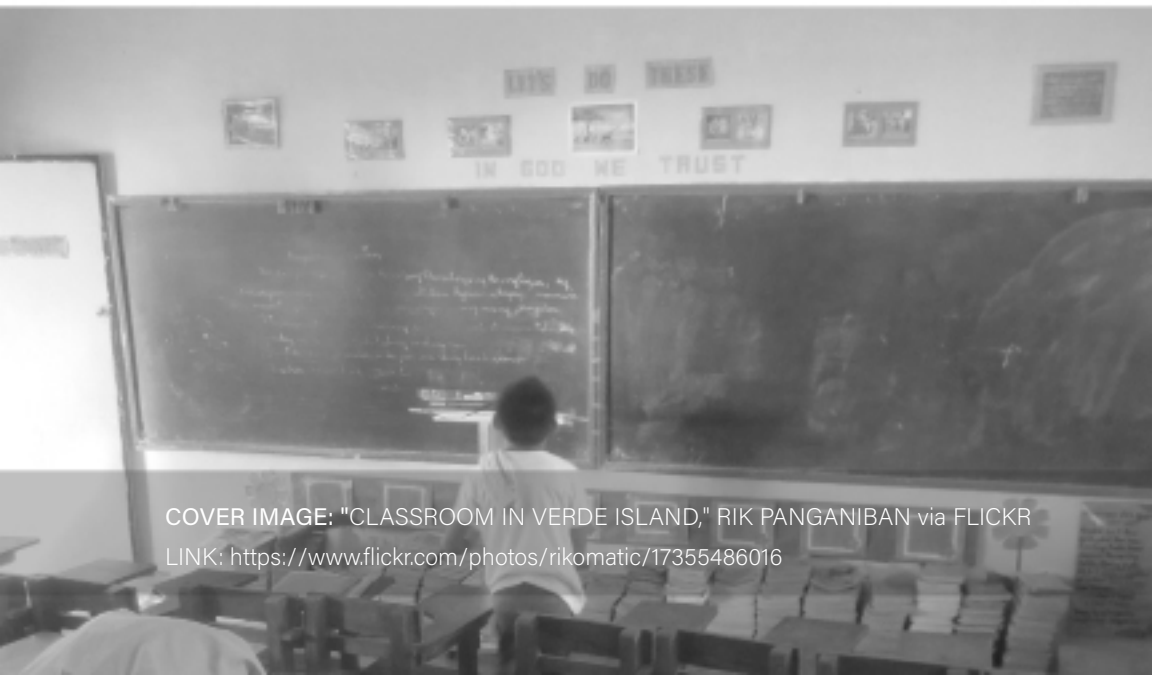
ISSN 2619-7456 (ONLINE)

UNIVERSITY OF THE PHILIPPINES
CENTER FOR INTEGRATIVE AND DEVELOPMENT STUDIES
PROGRAM ON ALTERNATIVE DEVELOPMENT

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Impact of COVID-19 on Education Workers and Union Responses

Josephine E. Prudente¹ and Benjamin B. Velasco²

Introduction

For more than two years, the COVID-19 pandemic, which started with a new strain of infectious coronavirus detected in Wuhan, China, has undoubtedly overturned the world of work and the universe of learning. In the Philippines, the first known case was of a 38-year-old female Chinese national on 30 January 2020. More than a month later, local transmission had already transpired. Numerous times in 2020 and 2021, the Philippines had the highest number of cases in the Southeast Asian region (Tadem et al. 2021, 2022). At the time of this paper's finalization, the COVID-19 Tracker of the Department of Health (DOH) reported 3,982,965 total cases and 26,003 active ones as of 17 October 2022 (DOH 2022). On the same day, the global tracker of CNN (2022) placed the Philippines low in the number of cases per 100,000 people, but still second to Indonesia in terms of total deaths in Southeast Asia.

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The large number of cases is due to a lack of government programs on contact tracing, the weaknesses of national health care programs and facilities, and finally the delay in availability of vaccines. With the country being under one of the longest quarantines in the world since 16 March 2020, such protocols led to a severe economic meltdown, resulting in high unemployment and underemployment (Chui 2021b; See 2021).

The economic and social disruptions brought about by the pandemic affected millions of workers in the Philippines. The Department of Labor and Employment (DOLE) reported 191,117 displaced workers from 6,602 establishments between January and May 2021 (Chiu 2021a). Some 86.5 percent of firms reduced their workforce while 13.5 percent permanently shut down (Chiu 2021a). The DOLE report dovetailed with the employment situation presented by Philippine Statistics Authority (PSA). PSA (2021) reported a 7.7 percent unemployment rate in June 2021, equivalent to 3.76 million Filipinos aged 15 years old and over. The high number of displaced workers was a result of the various mobility restrictions imposed by the Inter-Agency Task Force (IATF), the adoption of flexible work arrangements allowed in several labor advisories from the DOLE, and the permanent and temporary closures of establishments.

The establishments affected by shutdowns included schools and colleges. The closure of private schools resulted in the displacement of thousands of teachers. Aside from job losses, the dire situation of academic workers was characterized by mass furloughs, delays in salaries, and reduced benefits (Iñigo 2020; Mateo 2020; Malipot 2020). This affected the well-being of many education workers not just in the country but also around the world (UN 2020).

The COVID-19 crisis “has exposed the many inadequacies and inequities in education systems” (Schleicher 2020, 4). These issues included “access to the broadband and computers needed for online

education, and the supportive environments needed to focus on learning, up to the misalignment between resources and needs” (4) and most especially, employment opportunities.

The rapid spread of COVID-19 cases in the country led the government to implement mandatory lockdowns and extreme measures to prevent further infections. These had a tremendous impact on the livelihood of workers, and it was also revealed in the dire plight of employees in schools and universities. A well-rounded analysis of the situation also necessitates looking at the workers’ exercise of rights, particularly with regards to the issues surrounding employment relations in response to the impact of policies by the government and also by schools.

Research question and framework

The research seeks to determine the impact of COVID-19 on education workers in the private sector and the significant responses from faculty and staff unions/associations. In particular, this research is carried out with the following objectives:

- (1) Identify the COVID-19-related school and government policies;
- (2) Determine the impact of the COVID-19 pandemic on academic workers; and
- (3) Assess the responses of unions to the adverse impact of the pandemic in the workplace.

The research is guided by the hypothesis that the COVID-19 pandemic had a detrimental impact on the working conditions of workers in the private education sector, and that they were further exacerbated by the discriminatory policies implemented by school administrations and the national government. Consequently, such a negative impact prompted unions to respond accordingly to mitigate the effects on their members and constituencies.

The relevant theories that the study utilizes in order to answer the research questions are the human-rights-based approach (HRBA) and the power resources approach (PRA).

The evolution of individual freedoms gave birth to the categories of universal human rights. In *Indicators for Human Rights Based Approaches to Development in UNDP Programming: A User's Guide*, the United Nations Development Program (UNDP) declared:

Rights are rooted in a long tradition in history and theory, but human rights are a modern set of individual and collective rights that have been formally promoted and protected through international and domestic laws since the Universal Declaration of Human Rights in 1948. (UNDP 2006, 4)

These include civil, political, economic, social, and cultural rights (UNDP 2006). The UNDP identifies two “broad categories of human rights” (4) that take their roots from “[t]he normative evolution of rights” (4). First, civil and political rights aim to “uphold the sanctity of the individual before the law and guarantee his or her ability to participate freely” in decisions of elected officials and government instrumentalities. Second, economic, social, and cultural rights “promote individual flourishing, social and economic development, self-esteem, and identity” (4). The realization of these rights relates to a deeper understanding of “duty-bearers” and “rights-holders.” In this case, school administrations and government agencies are duty-bearers with legal and moral obligations. Meanwhile, education workers are the “rights-holders” that have claims over their freedoms.

Policies of institutions such as the government and schools can be evaluated on the basis of the parameters of the HRBA structural, process, and outcome indicators. These indicators are necessary “to assess [the school’s capacity] for fulfilling their human rights obligations” (UNDP 2006, 13) and “the capacities of [teachers] and [staff] to claim their rights” (13). By applying the HRBA, the policies of duty bearers can be evaluated and help determine to what degree

their programs and activities “reflect an overall commitment to human rights standards and principles” (14).

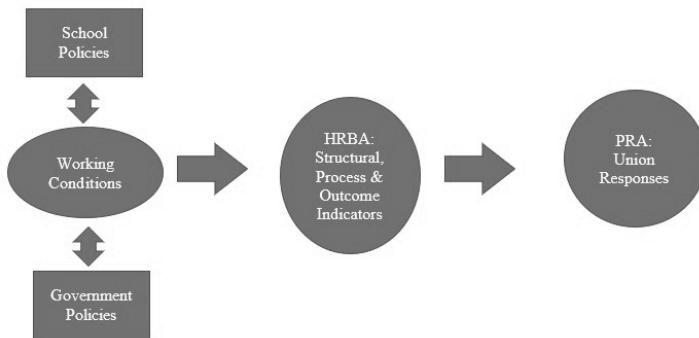
Human rights conventions are legally binding “mechanisms for rights protection” in many areas of the world (UNDP 2006, 4). The Australian Human Rights Commission (AHRC) stresses that approaches vary depending on the nature of the organization concerned and the issues it deals with. Furthermore, AHRC emphasizes the need for effective monitoring of compliance that translates into accountability, which can be represented by laws, policies, procedures, and mechanisms. The HRBA indicators are perceived as a useful starting point in understanding the impact of policies enforced by duty-bearers (AHRC n.d.).

The HRBA framework of indicators is useful for monitoring the fulfillment of civil, political, economic, social, and cultural rights. It is possible to assess the steps taken by the duty-bearers—primarily States but also private actors such as corporations and other employers—in complying with their responsibilities. These range “from commitments and acceptance of international human rights standards (structural indicators) to efforts being made to meet the obligations that flow from the standards (process indicators) and on to the results of those efforts (outcome indicators)” (OHCHR n.d.).

Furthermore, the responses of the workers to the actions of the government and schools in addressing the impact of the pandemic can be gauged using the power resources approach (PRA). This approach “is founded on the basic premise that organised labour can successfully” (Schmalz et al. 2018, 133) advance its class interests by the utilization and application of what is called “power resources.”

The research hypothesis and the interplay of the relevant concepts can be illustrated by the following operational framework:

FIGURE 1. Operational Framework



Source: Illustrations by the authors based on Schmalz et al. (2018, 133) and UNDP (2006).

A *public policy* is any action taken by the government (Dye 2017). By extension, a policy in general is anything that an organization or institution consciously decides to do. Institutions have reasons for making definite actions or policies. In addition, decision-makers create policies under particular contexts. Alternative courses of action are weighed, but one definite policy is taken (Dye 2017). Thus, there is a gamut of dimensions to the question of policy-making.

Relating this to the academic world of work amid a pandemic, policies are actions taken by the government and schools. They affect the working conditions of employees in schools and as a whole, their lives. It is critical to assess the impact on education workers of COVID-19-related policies implemented by government agencies and school administrations. In the diagram above, this relationship is denoted by the double-sided arrow between working conditions, school policies, and government regulations.

The structural, process, and outcome indicators in the HRBA can be used in examining the actions taken by the school administrations and government agencies in responding to the pandemic. These indicators serve to measure the impact of the policies of duty-bearers

on the groups of people they serve and protect. The HRBA indicators are based on a commitment to upholding human rights standards and principles.

Complementary to this, union responses can be understood as strategic choices by organized workers in advancing their interests. Unions utilize power resources to further their aims of better work conditions, benefits, and protection for their members. Such union responses can be framed using the lens of PRA.

Given the challenges created by the pandemic to organized groups, labor unions acted by innovating their strategies to new forms of participation and campaigning. To understand union responses, the industrial relations theory of strategic choice is a useful lens (Kochan, McKersie, Cappelli 1983). Unions, as much as employers, can make strategic decisions in response to environmental shifts, such as what happened during the pandemic. Various union choices and responses range from inaction to accommodation and to resistance. The variety of union responses depends on the resources from which they can draw as organizations. The basic tenets of PRA are anchored on mobilizing people and organizing collective actions. As such, “the main objective of the PRA is to analyse the spaces of action of trade unions under given circumstances” (Schmalz et al. 2018, 116). The various sources of power of unions include structural, associational, institutional and societal.

Structural power is a primary power resource available even to unorganized workers because it pertains to “the position of wage earners in the economic system” (Schmaltz et al. 2018, 116). The dependency of capital on the labor output of the wage earners arising from the qualifications and skills being demanded by the employer contributes to the successful application of this power.

Associational power takes its root from the ability of workers to come together and create trade unions or organizations that advance their economic and political interests (Brinkmann and Nachtwey 2010, cited in Schmaltz et al. 2018, 118). The participation of members can be ensured if the relationship between the union and its members is defined by well-established thrusts, programs, and outcomes that will strengthen their bonds. Institutional power is

usually the result of struggles and negotiation processes based on structural power and associational power. . . . It comes down to the ability to use institutions through lobbying and by exhausting the legal possibilities available, while at the same time remaining politically autonomous. (Schmaltz et al. 2018, 121)

Finally, societal power refers to the ability of unions to build coalitions with other groups in order to advance their advocacies and agenda, and influence public opinion (Schmaltz et al. 2018).

Methodology

The research utilized a qualitative descriptive design and was conducted from October to November 2021. Thematic content analysis was employed to make sense of the transcribed data from respondents.

The respondents for the research were officers of unions or associations of academic institutions. A total of 18 respondents participated in focus group discussions (FGDs). Among the respondents, 15 were from sectarian/secular colleges and universities, and three were from nonsectarian universities. All were active officers and leaders of their respective workers' associations or labor unions. For convenience, the respondents for the study were selected among members of the alliance called Council of Teachers and Staff of Colleges and Universities of the Philippines (COTESCUP).

Demographic information, such as age and gender, was gathered. The work profile was also taken, such as the position in their respective unions/associations; designation (whether faculty or nonteaching personnel); and department (grade school, high school, college, and graduate school).

Online means of communication were utilized in the face of limitations amidst the pandemic. The FGDs were held in two separate group meetings on 24 October and 13 November 2021 via the Zoom platform. The semi-structured in-depth FGDs were recorded. The recorded data was then transcribed for thematic content analysis.

The FGDs revolved around three key questions:

- (1) What are the COVID-19-related school policies instituted by your school, and how does it affect your employment?
- (2) What are the COVID-19-related government policies that your school is implementing, and how does it affect your employment?
- (3) What are the programs and initiatives of your worker association/union during the pandemic, and what are their outcomes in relation to resolving employment issues?

This study employed the procedures set forth by Noel D. Santander and Josephine E. Prudente in their study on union citizenship and the pursuit of “positive peace.”

The steps in analyzing the data involved condensation process where the texts were divided up into small meaning units while ensuring the core meaning is still retained. The next step . . . was labeling the meaning units through codes that most exactly describe what the condensed meaning units are all about. And then, a category was formed by grouping together those codes that were related to each other through their content or context. Lastly, themes were created based on the

categories made. A theme expresses an underlying meaning . . . found in two or more categories. In the end, the researchers performed a reflective synopsis based on the themes created as part of the discussion [anchoring on the frameworks used in the study]. (Santander and Prudente 2020, 206)

One limitation of the study is that the measurement of the COVID-19 impact is merely indicative, not predictive, due to the purposive selection of respondents. In addition, only unionized workers, which are a minority in the total universe of employees in the education sector, are included in the study.

Education Workers During the Pandemic

The rapid outbreak of COVID-19 cases in the country prompted the imposition of a strict and extended lockdown that, in turn, led to an alarming employment crisis. A large number of workers suffered temporary or permanent job loss, shifted to part-time work, and grappled with challenges to the exercise of labor rights (Velasco 2021).

The COVID-19 pandemic created massive disruptions in the academic sector and the crisis exacerbated the preexisting disparities. For example, school closures led to reduced working hours, which resulted in a lower income among school workers. Likewise, “teachers were immediately tasked with implementing distance learning modalities without sufficient guidance, training, or resources” (UN 2020, 14). The pandemic not only impacted the psychomotor skills of the teachers but also their physical and mental health. The fear of being exposed to the virus intersected with the fear of losing salaries and benefits (UN 2020).

The Job Displacement Monitoring Report of DOLE revealed that “a total of 69,022 workers were displaced nationwide from 2,068 establishments from January to [7 June 2020]” (DOLE 2020,

quoted in Aquino 2020). Among all regions in the Philippines, the highest number of displaced workers came from the National Capital Region, with 36,036. Most came from 315 establishments engaged in administrative and support service activities that shed 25,634 jobs. Further, 45 establishments from the education sector displaced 2,464 workers (DOLE 2020, quoted in Aquino 2020).

In the United States, during the pandemic, the big number of affected workers from the academic sector contributed to rising interest in labor organizing. Wich and Magee (2020) attributed this to the workers' belief that employers have been too slow in protecting labor rights, and to the latter's failure in observing safety protocols, such as social distancing, providing personal protective equipment, emergency sick leaves, and hazard pay, among others. Workers turned to social media and stirred up new organizing strategies. However, employers attempted to stop unionization. The lockdown and social-distancing protocols were capitalized to stall union-organizing campaigns. It should be noted that these acts committed by the employers are contrary to the HRBA structural indicators that relate to the commitment of the duty-bearers to respect the rights of workers to organize. These also violate outcome indicators that relate to the individual and collective attainment that reflect the state of enjoyment of human rights. Despite the adverse effect of being fired and other risks faced by employees when they try to organize (McNicholas et al. 2020; Lafer and Loustaunau 2020), workers' complaints about their conditions during the pandemic persisted and resulted in an increase in union membership (Wich and Magee 2020).

In the Philippines, unions in the education sector responded to the grave impact of the policies enunciated by the government and schools. These responses can be seen through the lens of PRA. During the pandemic, labor unions deployed structural power by disrupting the operations of firms. They did so by staging a protest or strike to push for workers' demands. Labor unions asserted their

rights and acted by invoking collective bargaining deadlocks and by filing notices of strike based on unfair labor practices. In addition, associational power was increased by unions providing financial and nonmonetary assistance for their members (Velasco 2020).

Amidst the pandemic, school administrations disapproved of many union proposals. In the face of such impunity, unions utilized institutional power by asserting their legal status and having recourse to the government's dispute resolution mechanism by filing notices of strike, holding strike vote referenda, submitting to voluntary arbitration, and declaring collective bargaining deadlocks (Rene Luis Tadle³ 2021, personal communication).

Labor unions in schools and universities utilized societal power by cooperating with each other through the Council of Teachers and Staff of Colleges and Universities of the Philippines (COTESCUP) and with other labor groups through broad alliances. COTESCUP issued position papers and press releases at the height of the pandemic (Reyes 2020). The group also called for a safe, just, and healthy opening of classes and back-to-work environment (COTESCUP 2020b). In its advocacy, COTESCUP strongly opposed "the actual and threatened retrenchments of employees, reduction of wages and benefits, denigration of job security and lack of worker voice in the policies being crafted" (COTESCUP 2020a; see also Tadle quoted in Reyes 2020). Solidarity letters from various labor groups were solicited in support of union demands, and were further intensified through the series of labor education webinars among union members (Tadle 2021, personal communication).

Various labor groups lobbied in earnest to express their dissent to DOLE Labor Advisory (LA) 17 (Rene Magtubo⁴ 2021, personal

3 Rene Luis Tadle is lead convener of the Council of Teachers and Staff of Colleges and Universities of the Philippines (COTESCUP) and an Associate Professor at the University of Santo Tomas.

4 Rene Magtubo is the spokesperson of the Nagkaisa Labor Coalition and chair of Partido Manggagawa.

communication). Such use of institutional and societal power led to Labor Secretary Silvestre Bello III acceding to these demands. LA No. 17-B-2020 was released after about four months to amend LA 17. Such repeal is an indication of positive gains resulting from collective actions. As Korpi (2006) puts forward, the efficacy of economic power, as well as of labor power, can be enhanced via collective action. Footnotes 5 and 6 are found in the next page.

Analysis and Findings

The thematic analysis started with identifying the policies imposed on education workers as rights holders by school administrations and government agencies as duty bearers. Such policies were assessed using the five categories of human rights. The details on how those policies caused an adverse impact on the workers and their trade unions were categorized into themes using the HRBA indicators. The HRBA indicators allowed an assessment of the commitment of duty bearers to the rights-holders. Finally, the union responses were classified using the PRA categories of structural, associational, institutional, and societal power.

Table 1 shows the different policies implemented by the government and schools. The data gathered from the responses were appropriately categorized as to the type of human rights and then whether it is a government or school policy.

TABLE 1. Government and School Policies

Meaning Units	Categories of Human Rights	Themes
IATF/DOLE enforced guidelines on work arrangements, quarantines, and lockdowns.	Economic & Social	Government policy

Government financial assistance (DOLE CAMP ⁵ , DSWD SAP ⁶) was given to employees and agency staff.	Economic & Social	Government policy
DepEd/CHED provided guidelines for online classes.	Economic & Social	Government policy
The school advanced the benefits of workers as a means of financial aid, distributed midyear bonuses in full amount, and provided loans for gadget use (e.g., laptops, etc.).	Economic & Social	School policy
Religious administrators offered prayers to the employees.	Cultural	School policy
The school provided shuttle services for those reporting to school, and teachers were assigned to onsite workspaces for online classes.	Economic & Social	School policy
Some teachers were invited to observe and share their suggestions for the classroom design for online classes	Political	School policy
The school required the submission of the daily output of employees as a measure of compensation. Employees were required to attend webinars (meetings, consultations, etc.) and were compensated based on their attendance.	Economic & Social	School policy

5 DOLE's COVID-19 Adjustment Measures Program (CAMP) caters to employees of firms which had to implement flexible working arrangements or had to temporarily halt operations.

6 The Department of Social Welfare and Development (DSWD) provides the Social Amelioration Program (SAP), which assists low-income families.

The school provided internet allowance to their teachers and allowed the use of desktop computers to be brought home for online classes.	Economic & Social	School policy
Safety protocols were observed, such as the use of alcohol, temperature checking, social distancing, and setting up plastic barriers. Offices were put under lockdown once an employee contracted the virus.	Civil	School policy
Negotiations for a collective bargaining agreement (CBA) were held during the pandemic.	Political	School policy
Webinars on mental health wellness were held for employees.	Economic & Social	School policy

Source: Meaning units were derived from the FGDs and compiled accordingly.

Most of the policies that had a major impact on workers and unions in the education sector came from school administrations. Nonetheless, key government policies were at the macrolevel. Thus, they had an overarching impact on the respondents. In comparison, school policies were at the microlevel. The government and school policies covered the gamut of rights: political, social, economic, and cultural. The policies were clearly relevant in terms of their impact on the exercise of rights by the claim-holders.

Table 2 lists the impact of the government and school policies according to the observations of the respondents. These lived experiences were classified according to the HRBA indicators structural, process, and outcome. Finally, the HRBA indicators were contextualized.

TABLE 2. The impact of the COVID-19 pandemic on the academic workers

	School and Government Policies	Impact directed towards HRBA Indicators	HRBA Indicators	Contextualizing HRBA Indicators
Government Policies	<ul style="list-style-type: none"> • IATF/DOLE enforced guidelines on work arrangements, quarantines, and lockdowns. • Government financial assistance (DOLE CAMP, DSWD SAP) was given to employees and agency staff. 	Available leave credits were applied to compensate for loss of income.	Structural	Existence of an institutionalized system as reflected in the DOLE labor advisory

	<ul style="list-style-type: none"> ▪ DepEd/CHED provided guidelines for online classes. 	DOLE was slow to respond to issues surrounding the union/ association issues because of lockdowns.	Process	<p>Evidence that key institutions perform their duty in a superficial manner that lacks due consideration of the long-term effect of the policy to the workers</p>	
		Inconsistencies were present in the implementation of government financial assistance to affected employees.			
		The faculty had fewer work and teaching hours because of flexible work arrangements, quarantines, and lockdowns.	Outcome		<p>Evidence that key institutions perform their duty in a superficial manner that lacks due consideration of the long-term effect of the policy to the workers</p>
		Employees earned reduced income because of the no-work-no-pay policy.			
		Employees resorted to borrowing money or acquiring loans to meet the needs of the family.			
		Employees could not report to work due to the unavailability of transportation.			

<p>School Policies</p>	<ul style="list-style-type: none"> • The school advanced the benefits of workers as a means of financial aid, distributed mid-year bonuses in full amount, and provided loans for gadget use (example: laptops, etc.). 	<ul style="list-style-type: none"> • The shuttle services as a means of transportation helped employees. • Concerned offices with COVID-19 cases were put under lockdown. Quarantine protocols were observed. 	<p>Structural</p>	<p>Evidence that a thorough analysis has been made to identify the rights of duty-bearers and realize their commitments to right-holders</p>
	<ul style="list-style-type: none"> • Some teachers were invited to observe and share their suggestions for the classroom design for online classes. • The school provided internet allowance to their teachers and allowed the use of desktop computers to be brought home for online classes 			
		<p>CBA negotiations were held during the pandemic.</p>	<p>Management delayed or failed to submit required documents (e.g., audited financial statements), which are necessary for the CBA negotiations.</p>	<p>Process</p>

		Management asserted its prerogative by declaring a moratorium on CBA negotiations.		
		Management viewed the pandemic as a nonfortuitous event. It thereby excluded nonteaching personnel from the work-from-home arrangement with compensation.		
		Not all schools provided internet allowances to teachers for online classes.		
		Some schools experienced CBA deadlocks. Thus, unions had to engage in conciliation and mediation processes. Also, unions filed charges of unfair labor practices to the National Labor Relations Commission (NLRC).		

	<ul style="list-style-type: none"> • Webinars on teaching strategies, the use of technology, and mental health wellness for employees were held. • The school required the submission of the daily output of employees as a measure for compensating the worker. Employees were required to attend webinars (meetings, consultations, etc.) and were compensated based on their attendance. • Safety protocols were observed, such as the use of alcohol, temperature checking, social distancing, and setting up plastic barriers. Offices were put under lockdown once an employee contracted the virus. 	<p>Online classes resulted in additional expenses for the employees since they require a faster internet speed, especially with the use of multiple applications (learning management systems [LMS], Zoom, Teams, etc.).</p>	<p style="text-align: center;">Outcome</p>	<p>Evidence that a thorough analysis has been made to identify the rights of duty-bearers and realize their commitments to right-holders.</p>
<p>Teachers expressed their arising frustrations due to the demands of online classes. They were not fully prepared to use different modalities and technology.</p>				
<p>Due to emerging apprehensions about losing jobs, a number of senior employees applied for early retirement. Some moved from teaching to nonteaching positions.</p>				

		<p>The home space, as well as the onsite classroom for online classes, was not conducive to learning because the teachers were assigned to a small room with a slow internet connection.</p>		
		<p>No financial assistance was given to employees once they contracted COVID-19.</p>		
		<p>Employees had to take additional workload by attending to the queries of students 24/7, and in consideration of time-zone differences for students based abroad.</p>		
		<p>Despite safety protocols, some employees tested positive for COVID-19 since nonteaching personnel were reporting to work.</p>		

		Management asserted its "prerogative," resulting in the lack of good governance and ethical practices among employers/management.		
		Union proposals, including provision of nonmonetary benefits, were disapproved, using the pandemic as a justification.		

Source: Data on policies were obtained through the FGDs and compiled accordingly.

The lived experiences of the respondents during the pandemic reveal the impact of the policies instituted by the government and schools. The HRBA indicators specify the acceptance, intent, or commitment to human rights standards and the efforts required to make that commitment a reality. These efforts should result in the increased enjoyment of such rights by the rights-holders. Contextualizing the HRBA indicators substantiate the weaknesses and the lack of prudence among both the government agencies and school administration in accomplishing their commitment to the human rights of education workers. Based on the responses, the duty-bearers failed to prevent the violation of the rights of the claim-holders. Education workers were denied access to entitlements.

Table 3 presents the union responses using the lens of the four PRA categories, namely, structural, associational, institutional, and societal. The results of the union responses were classified under the Outcomes column.

TABLE 3. Union Responses to the Adverse Impact of the Pandemic

Union Responses	PRA	Outcomes
The union submitted a position paper, as well as a CBA proposal, containing items related to internet and electricity allowances for online classes.	Structural	<ul style="list-style-type: none"> ▪ School administration submitted to the actions taken by the union and association. ▪ Management applied tactics to decrease the application of this resource.
The union and association submitted a position paper related to safety because of the skeletal arrangement and physical reporting implemented by the school		
The union presented to the management the issues related to working conditions, benefits, and safety of employees, among others.		
The union brought to the attention of the management the workers' apprehensions regarding threats to job security as experienced by some employees.		
The union filed CBA deadlock, voluntary arbitration, and compulsory arbitration to DOLE–National Conciliation and Mediation Board (NCMB) at National Labor Relations Commission.		
The union appealed to the management for humanitarian reasons		
The union asserted its right to be given financial documents of the school in the CBA negotiations.		
Grievances were taken at the school level.		
Unions filed for a strike-vote referendum.		
The union asserted its right to negotiate for better work conditions, wages, and benefits.		

Association/union provided financial assistance to its members for COVID-19 tests and medication expenses.	Associational	<ul style="list-style-type: none"> ▪ An increase in the number of members was observed. ▪ An increase in enrollment was attributed to the efforts of unions to assist the school in its marketing efforts. ▪ There was higher engagement among the union members in attending general membership meetings. ▪ Union members became aware of what is happening in their organizations.
The union provided internet allowance for membership meetings.		
The union conducted a series of labor education sessions for its members.		
The union forwent the collection of dues and loans to assist the members.		
The union provided emergency loans to its members.		
The association and the union worked together in presenting issues of its members.		
The members supported the actions taken by the union (strike voting, meetings, and position papers).		
The union boosted its membership perks, such as acquiring life insurance.		
The union and management arrived at an agreement related to the work conditions, benefits, and wages in the CBA.	Institutional	Management and the union arrived at an agreement.
In some schools, employees were given salary increases and bonuses, in relation to the conclusion of the CBAs.		
COTESCUP member schools provided a series of webinars on labor education, CBA negotiation, and the management of the financial statements of a school, among others.	Societal	Member schools strengthened their coalition.
Solidarity letters were solicited from the COTESCUP member groups related to the actions taken by the union.		

Some school administrations attempted to disorganize unions. In response, unions empowered their members through labor education seminars, regular meetings, and assemblies. These helped neutralize the apprehensions of the members. During the crisis, unions designed strategies to consolidate their members, diffuse learning, and enable mobilization to handle any threats that may weaken their application of power resources. These are crucial for any union, especially in a pandemic. Labor unions asserted their power resources, specifically structural, associational, and societal, as evident in the cases filed at National Conciliation and Mediation Board (NCMB) and the National Labor Relations Commission (NLRC).

Conclusion and Recommendations

The study identified both favorable and adverse impacts of government and school policies. Some government policies were beneficial to education workers. These included the provision of assistance to displaced workers and policies mandating work-from-home arrangements. Some school administrations, too, voluntarily granted aid by advancing 13th-month pay as enunciated in DOLE rules. They also concluded CBAs with unions. Nonetheless, on the whole, many policies of both the government and schools created harm to workers in the education sector. The government aid to workers affected by temporary layoffs was selective and limited, not universal. It excluded workers in bigger schools and universities. Many school administrations suspended CBA negotiations or offered moratoriums. While government rules mandated consultations with unions or workers affected, most companies unilaterally implemented wage cuts and job retrenchments. The deleterious effects of the policies of duty-bearers on the political, economic, social, and cultural rights of education workers as claim-holders were assessed using the HRBA indicators. These indicators gauged the actions taken by the government agencies and school administrations on their impact on the human rights of education workers. The

results show a need for the duty bearers to understand their role of promoting and protecting human rights. In many instances, school administrations and government agencies instituted discriminatory policies, as illustrated in the HRBA process and outcome indicators.

The research also recognized the collective actions of labor groups in the academe during the pandemic. An analysis of the union responses uncovered the collective actions of education unions and the strong determination of union leaders in exercising their rights. The assertion of such rights by the claim-holders was measured using the categories of PRA. Despite the tactics applied by the management to decrease the application of structural power, labor unions asserted power resources by having recourse to grievances, deadlocks, and strike votes. It is interesting to note that while there are labor groups that upheld their structural power, others were able to come to an agreement with their management. This was manifested in the conclusion of their CBA because management provided justifiable benefits to its employees.

Furthermore, it is noteworthy to emphasize the various individual initiatives of workers, as shown in the analysis of the shared experiences of the respondents. Motivated by the desire to sustain their families, some workers resorted to creating small businesses, such as delivery services and online selling. Others sought to build cohesiveness within the union by helping coworkers and uplifting their morale through assistance in learning new technologies. If these behaviors are sustained, then they will further solidify the relationships within union organizations. This strengthens its associational power, which is crucial to organized labor. The reported increase in membership among the unions is a strong indicator of associational power resulting from the efforts of various labor groups.

The study makes the following recommendations for improving the conditions of academic and nonacademic staff of colleges

and universities amidst the pandemic and for remediating the discrimination suffered in the past two years of COVID-19. These proposals are based on the findings of the study.

To Government and the DOLE:

- (1) *Repeal issuances that are discriminatory and violative of labor and human rights.* These rules can be discriminatory in a direct or indirect way and can be intended or unintended. All of them, nonetheless, derogate from the rights of claim-holders. The repeal of LA 17 is a welcome development that must be followed by thoroughly withdrawing other discriminatory policies.
- (2) *Implement social dialogue and tripartism in enacting policies affecting workers.* The tradition of tripartism was dropped during the pandemic. Labor-related rules, such as LA 17, were enacted without the voice and participation of workers' representatives or were released despite vocal resistance by trade unions. Similarly, at the enterprise level, firms and schools disregarded existing CBAs and unilaterally imposed policies. The absence of social dialogue was justified due to the exigency of the pandemic. However, human rights need to be guaranteed precisely in the context of a crisis.
- (3) *Expand the scope of assistance to affected workers, including those in large enterprises who were put on forced leave or reduced work days.* The targeted assistance programs deployed by the government denied many deserving workers their benefits. This is one example of a discriminatory rule that had a profound impact on the livelihood and lives of millions of workers. Thus, trade unions demanded “ayudang sapat para sa lahat” or sufficient assistance for all.

To Employers and School Administrations:

- (1) *Treat employees fairly, and for sectarian schools, in consonance with Catholic social teachings.* Good faith

bargaining with unions and social dialogue, even with unorganized workers, are a bedrock of enacting and enforcing workplace rules that pass the principle of decent work. These are reflected in the tenets of Catholic social teachings, which put a primacy on the dignity of workers. These are absolutely necessary in the context of a crisis like the COVID-19 pandemic.

- (2) *Show compassion in giving the workers their fair share of revenues.* While there are a few stellar examples of firms that provided generous benefits to their employees, most schools in particular and companies in general, even those which remained profitable during the pandemic or were expanding in the years before COVID-19, feigned losses and inability to provide generous assistance to their workers.
- (3) *Bargain in good faith with unions as stipulated in the Labor Code.* As a sign of bad faith, employers even rejected unions' requests to access audited company financial documents, which are mandated by law. These led to deadlocks in CBAs, and even notices of strikes and labor disputes.

To workers and school unions:

- (1) *Utilize social media and digital tools, such as labor education using apps, in expanding and strengthening union citizenship.* Social media is now the most accessible means of reaching out and influencing Filipinos in general and unionists in particular. This became even more pronounced during the pandemic since mobility was restricted and even teaching shifted online. By now, most unionists in the education sector would be familiar, if not adept with, digital tools. Unions should decisively push to assert their presence in the digital realm as a platform for consolidation and mobilization.
- (2) *Maximize other power resources such as institutional and societal, through advocacy in mass media and alliances with champions in government.* The long-term decline in unionism around the globe and also in the Philippines directly means a reduction in the structural and

associational power resources of unions. However, in the country, favorable institutional power resources remain for unions. In addition, there is space for societal power resources through networking with a vibrant civil society and social movements.

- (3) *Develop linkages like COTESCUP and with unions in other industries and sectors to promote solidarity, enhance advocacy, and disseminate best practices among unions.* While the labor movement in the Philippines is notoriously fragmented, efforts to unite the numerous groups persist despite divisions based on history, ideology, and leadership rivalries. COTESCUP recently formally linked up with Nagkaisa, the most successful labor unity project in the Philippines. These are welcome developments along with other coalition initiatives, which will increase the leverage and power of the labor movement.

References:

- AHRC (Australian Human Rights Commission). n.d. “Human rights based approaches.” Accessed 15 November 2022. <https://humanrights.gov.au/our-work/rights-and-freedoms/human-rights-based-approaches>
- Aquino, Leslie (through @manilabulletin, @MBLeslieAquino). 2020. “READ: DOLE Job Displacement Monitoring Report | via @MBLeslieAquino.” Twitter, 10 June 2020, 2:07 p.m. <https://twitter.com/manilabulletin/status/1270598518600658944?s=20&t=FE-0-oMA1shvPMY2ifyFHg>
- Brinkmann, Ulrich and Oliver Nachtwey. 2010. “Krise und strategische Neuorientierung der Gewerkschaften.” *Aus Politik und Zeitgeschichte* 13–14: 21–29.
- Chiu, Patricia Denise. 2021a. “Dole: Over 191K Workers Displaced from January to May.” *Inquirer.net*, 11 June 2021. <https://newsinfo.inquirer.net/1444664/dole-over-191k-workers-displaced-from-january-to-may>

- . 2021b. “Why the Philippines’ Long Lockdowns Couldn’t Contain Covid-19.” *BMJ* 374: (2063). <https://doi.org/10.1136/bmj.n2063>
- COTESCUP (Coalition of Teachers and Staff of College and Universities of the Philippines). 2020a. “Preserve Jobs, Uphold Integrity in Education.” Press statement, 2 August 2020.
- . 2020b. “On the Opening of Classes & the Plight of Teachers and Staff in Private Schools.” Press Statement, 5 October 2020.
- CNN. 2022. “Tracking Covid-19’s Global Spread.” 17 October 2022. <https://edition.cnn.com/interactive/2020/health/coronavirus-maps-and-cases/>
- DOH (Department of Health). 2022. “COVID-19 Tracker.” Accessed 17 October 2022. <https://www.doh.gov.ph/covid19tracker>
- DOLE (Department of Labor and Employment). 2020. “Regular Job Displacement Report: Briefer as of 08 June 2020.” Printed report, 8 June 2020.
- . 2020. “Labor Advisory No. 17, Series of 2020: Guidelines on Employment Preservation upon the Resumption of Business Operation.” 18 May 2020. https://www.dole.gov.ph/php_assets/uploads/2020/05/Labor-Advisory-No.-17-20.pdf
- . 2020. “Labor Advisory No. 17-B, Series of 2020: Guidelines on Employment Preservation upon the Resumption of Business Operation.” 9 September 2020. https://www.dole.gov.ph/php_assets/uploads/2020/09/Labor-Advisory-No.-17-B-20-Guidelines-on-Employment-Preservation-upon-the-resumption-of-Business-Operations.pdf
- Dye, Thomas R. 2017. *Understanding Public Policy*. Boston: Pearson.
- Iñigo, Liezle Basa. 2020. “25 Private Schools in Region 1 Forced to Close This School Year.” Manila Bulletin, 20 September 2020. <https://mb.com.ph/2020/09/20/25-private-schools-in-region-1-forced-to-close-this-school-year/>

- Kochan, Thomas. A., Robert B. McKersie and Peter Cappelli. 1983. "Strategic Choice and Industrial Relations Theory and Practice." *Industrial Relations: A Journal of Economy and Society* 23 (1): 16–39. <https://doi.org/10.1111/j.1468-232X.1984.tb00872.x>
- Korpi, Walter. 2006. "Power Resources and Employer-Centered Approaches in Explanations of Welfare States and Varieties of Capitalism: Protagonists, Consenters, and Antagonists." *World Politics* 58 (2): 167–206. <https://doi.org/10.1353/wp.2006.0026>
- Lafer, Gordon, and Lola Loustaunau. 2020. "Fear at Work." *Economic Policy Institute*, 23 July 2020. <https://www.epi.org/publication/fear-at-work-how-employers-scare-workers-out-of-unionizing/>
- Magtubo, Rene. 2021. Private communication, November 2021.
- Malipot, Merlina Hernando. 2020. "Who Are the Displaced Teachers?, Private Schools Ask." *Manila Bulletin*, 23 September 2020. <https://mb.com.ph/2020/09/23/who-are-the-displaced-teachers-private-schools-ask/>
- Mateo, Janvic. 2020. "Enrollment Plunges By 7 Million; Some Schools to Close; Limited Face-to-Face Classes Proposed." *One News*, 17 July 2020. <https://www.onenews.ph/enrollment-plunges-by-7-million-some-schools-to-close-limited-face-to-face-classes-proposed>
- McNicholas, Celine, Lynn Rhinehart, Margaret Poydock, Heide Shierholz, and Daniel Perez. 2020. "Why Unions are Good for Workers—Especially in a Crisis Like COVID-19." *Economic Policy Institute*, 25 August 2020. <https://files.epi.org/pdf/204014.pdf>
- OHCHR (Office of the High Commissioner for Human Rights). n.d. "Main Features of OHCHR Conceptual and Methodological Framework." Accessed 16 November 2022. <https://www.ohchr.org/en/issues/indicators/pages/framework.aspx>

- PSA (Philippine Statistics Authority). 2021. "Unemployment Rate in June 2021 is Estimated at 7.7 Percent." 3 August 2021. <https://psa.gov.ph/statistics/survey/labor-and-employment/labor-force-survey/title/Unemployment%20Rate%20in%20June%202021%20is%20Estimated%20at%207.7%20percent>
- Reyes, Ronaldo O. 2020. "Education frontliners call for timeout on layoffs, wage cuts." *SunStar/Tacloban*, 14 August 2020. <https://www.sunstar.com.ph/article/1867011/tacloban/local-news/education-frontliners-call-for-timeout-on-layoffs-wage-cuts>
- Santander, Noel D., and Josephine Prudente. 2020. "Union Citizenship: A Furtive Spirit of Positive Peace Towards Industrial Peace." *Asian Journal of Technology Management* 13 (3): 202–12. <https://doi.org/10.12695/ajtm.2020.13.3.2>
- Schleicher, Andreas. 2020. *The Impact of COVID-19 on Education: Insights from Education at a Glance 2020*. Paris: Organisation for Economic Co-operation and Development. <https://www.oecd.org/education/the-impact-of-COVID-19-on-education-insights-education-at-a-glance-2020.pdf>
- Schmalz, Stefan, Friedrich Schiller, Carmen Ludwig, Justus Liebig and Edward Webster. 2018. "The Power Resources Approach: Developments and Challenges." *Global Labour Journal* 9 (2): 113–34. <https://doi.org/10.15173/glj.v9i2.3569>
- See, Aie Balagtas. 2021. "Rodrigo Duterte Is Using One of the World's Longest COVID-19 Lockdowns to Strengthen His Grip on the Philippines." *Time*, 15 March 2021. <https://time.com/5945616/covid-philippines-pandemic-lockdown/>
- Tadem, Eduardo C., Micah Hanah S. Orlino, Karl Hapal, Ananeza P. Aban, Erlinda Sapiandante, Mina Amata-Justo, Edwardo Roldan, et al. 2021. *Marginalized Societies and the State in the Time of a Pandemic: The Philippine Case*. Public Policy Monograph Series 2021-01. Quezon City: University of the Philippines Center for Integrative and Development Studies.

<https://cids.up.edu.ph/wp-content/uploads/2022/04/UP-CIDS-Public-Policy-Monograph-2021-01.pdf>

Tadem, Eduardo C., Benjamin B. Velasco, Ananeza P. Aban Rafael Vicente V. Dimalanta, Jose Monfred C. Sy, Micah Hanah S. Orino, Ryan Joseph C. Martinez and Honey B. Tabiola. 2022. "Southeast Asian Peoples in Pandemic Times: Challenges and Responses." Public Policy Monograph Series 2022-03, University of the Philippines Center for Integrative and Development Studies. <https://cids.up.edu.ph/wp-content/uploads/2022/10/Southeast-Asian-Peoples-in-Pandemic-Times-Challenges-and-Responses.pdf>

Tadle, Rene. 2021. Private communication, November 2021.

UN (United Nations). 2020. "Policy Brief: Education During COVID-19 and Beyond." https://unsdg.un.org/sites/default/files/2020-08/sg_policy_brief_covid-19_and_education_august_2020.pdf

UNDP (United Nations Development Programme). 2006. "Indicators for Human Rights Based Approaches to Development in UNDP Programming: A User's Guide." <http://www.undp-aciac.org/publications/other/undp/hr/humanrights-indicators-06e.pdf>

Velasco, Benjamin. 2021. "Manggagawa naman: The Labor Movement's COVID Response." *Rappler*, 9 April 2021. <https://www.rappler.com/voices/thought-leaders/opinion-manggagawa-naman-labor-movement-covid-response/>

Wich, Scott, and Sarah Magee. 2020. "COVID-19's Effect on Labor Relations." *Management Report* 43 (8): 2-8. <https://doi.org/10.1002/mare.30627>

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