**Disability:IN Global Directory**

**The Philippines**

**Disability Definition**

Disabled Persons are those suffering from restriction or different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being; b) Impairment is any loss, diminution or aberration of psychological, physiological, or anatomical structure or function; c) Disability shall mean 1) a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function of an individual or activities of such individual; 2) a record of such an impairment; or 3) being regarded as having such an impairment; d) Handicap refers to a disadvantage for a given individual, resulting from an impairment of a disability, that limits or prevents the function or activity, that is considered normal given the age and sex of the individual.

Reference: Philippines – [Magna Carta for Disabled Persons](https://dredf.org/legal-advocacy/international-disability-rights/international-laws/philippines-magna-carta-for-disabled/)

**Disability Legislation**

Magna Carta for Disabled Persons, 1992, Republic Act No. 7277: This Act provides for the rehabilitation, self-development and self-reliance of disabled persons and their integration into the mainstream of society. Title Two, centers on employment, education, health care, social services, telecommunications, buildings and transportation, and political and civil rights. Title Three prohibits discrimination against disabled persons in employment, transportation, and in public accommodation and services.

Republic Act No. 10524 – An Act Expanding the Positions Reserved for Persons with Disability, Amending for the Purpose Republic Act No. 7277, as Amended, Otherwise Known as the Magna Carta for Persons with Disability. Approved on April 23, 2013, this Act adds the 1% Quota as follows:

“At least 1% of all positions in all government agencies, offices or corporations shall be reserved for persons with disability. Private corporations with more than 100 employees are encouraged to reserve at least 1% of all positions for persons with disability.”

Private entities that improve or modify their physical facilities in order to provide reasonable accommodation for disabled persons shall also be entitled to an additional deduction from their net taxable income, equivalent to fifty percent (50%) of the direct costs of the improvements or modifications. This Section, however, does not apply to improvements or modifications of facilities required under Batas Pambansa Bilang 344 – An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Public Utilities to install Facilities and Other Devices.

Barrier-Free Environment. — The State shall ensure the attainment of a barrier-free environment that will enable disabled persons to have access in public and private buildings and establishments and such other places mentioned in Batas Pambansa Bilang 344, otherwise known as the “Accessibility Law.”

Information on an individual’s health is classified as sensitive personal information under Philippine data privacy laws.

Disability Laws in The Philippines

Manila Accessible Information and Communications Technologies (ICT) Design Recommendations

**Employer Requirements**

For companies with over 100 employees, there is a quota for 1% (without a penalty system in place).

At the end of the year, employers must submit to the Department of Labor and Employment (DOLE) the following:

Employment Report (TI-Form 2) containing (1) the name, address and telephone number of the establishment; (2) name of the person who prepared the form (TI-2); (3) names of persons with disabilities, age, type of disability, address, skills/ qualifications, position, status of employment, period of employment, Tax Identification Number (TIN); and (4) signature of Owner/Manager.

Payroll or evidence of actual payment of salaries, benefits, or withheld tax

No penalties imposed, but incentives are given:

An additional deduction from gross income equivalent to twenty-five percent (25%) of the total amount paid as salaries and wages to disabled persons for private entities that employ disabled persons either as regular employee, apprentice, or learner, provided (1) proof as certified by the Department of Labor and Employment that disabled person are under their employ is presented; (2) the disabled employee is accredited with the Department of Labor and Employment and the Department of Health as to his disability, skills and qualifications.

an additional deduction from net taxable income, equivalent to fifty percent (50%) of the direct costs of the improvements or modifications for private entities that improved or modify their physical facilities in order to provide reasonable accommodation for disabled persons.

Can disabillity status be asked during the Application stage, After offer has been made and After employment commences?

Yes, provided that:

Consent is given by the prospective employee/employee prior to the processing of the sensitive personal information or privileged information, which shall be undertaken pursuant to a declared, specified, and legitimate purpose and which consent must be time-bound in relation to the declared, specified and legitimate purpose and may be withdrawn;

the prospective employee/employee must be provided specific information regarding the purpose and extent of processing, including, where applicable, the automated processing of his or her personal data for profiling, or processing for direct marketing, and data sharing. Purpose should be determined and declared before.

**Accessibility Requirements**

Manila Accessible Information and Communications Technologies (ICT) Design Recommendations

Manila Declaration on Accessible Information and Communications Technology (ICT)

Reasonable Accommodation include 1) improvement of existing facilities used by employees in order to render these readily accessible to and usable by disabled persons; and 2) modification of work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustments or modifications of examinations, training materials or company policies, rules and regulations, the provision of auxiliary aids and services, and other similar accommodations for disabled persons;

**Cultural Norms**

Legal requirements exist for employment yet implementation and oversight of the laws remain challenged like other laws in The Philippines.

Systematic data gathering remains one of the country’s great challenge considering the fact how fragmented the Philippine’s 7,100 islands are and how severe the economic problems loom over its people. This prevents / hinders the Philippine Government from developing the right programs for the disabled sector.

Sheltered workshops remain in place and are common employment options for people with disabilities.

**Insights**

The Philippine Statistics Authority recorded a total of 1.443 million people in The Philippines (1.57% of the total population of 92.1 million people) had disability as of 2010.

The World Health Organization (WHO) estimates that 10M or 10% percent of the total population of The Philippines is comprised of persons with physical, sensory, or mental impairment.

**Supplier Diversity**

Although employers operating in The Philippines have supplier diversity programs, we do not have any partners with international supplier certifications programs in The Philippines at this time.

Identified for expansion phase of the Out and Equal Global Network

**Talent Sourcing Resources**

Leonard Cheshire Disability Philippines Foundation, Inc. (LCDPFI)

Negosyo Center Provides businesses with sensitivity workshops and hosts career fairs for people with disabilities seeking employment

SME Roving Academy (SMERA) is a continuous learning program for the development of micro, small and medium enterprises (MSMEs) to become competitive in the domestic and international markets.

**Additional Resources**

The National Council on Disability Affairs (NCDA) is the the lead agency tasked to steer the course of program development for persons with disabilities and the delivery of services to the sector.

The NCDA is tasked to monitor the implementation of several laws to ensure the protection of PWDs’ civil and political rights. These laws include Republic Act No 7277 (Magna Carta for Disabled Persons), Batas Pambansa Blg. 344 (Accessibility Law), Republic Act 6759 (White Cane Act) and ILO Convention No. 159 (Vocational Rehabilitation of Persons With Disability). It has also been tasked, through Proclamation No. 125, to coordinate activities and to monitor the observance of the Asian and Pacific Decade of Disabled Persons (1993-2002) in the Philippines. Proclamation No. 125 was issued by the President on January 15, 1993, to enjoin both the government and the private entities to organize projects based on the policy categories mentioned in the agenda for action of the decade.

ASEAN Disability Forum (ASEAN-DF) is a network composed by DPOs of the ASEAN countries of Southeast Asia. It is a platform where DPOs coordinate actions to advocate for disability inclusive policy formulation and implementation.

Tahanang Walang Hagdan, Inc., an NGO in Cainta, Rizal –non-profit and non-government organization that aims to uplift the lives of the “Orthopedically handicapped persons.” It has rehabilitation and skills training center with sheltered workshops where the people with disabilities are trained to be productive and self-reliant member of the society. They employ disabled workers for the manufacture of wheelchairs, school desks and educational aids.

Cross Foundation Agency for the Rehabilitation of the Disabled (CFARD) – non-profit, non-government organization committed to hold persons with disability to be productive, and self-reliant members of the society through various community based projects.

St. Joseph the Worker Parish, through its Livelihood and Training Center – it has been one of the many church-based responses to the call of equal opportunities for the persons with disabilities. During the graduation of the first batch of the Food Processing Seminar, one graduate, a polio victim walked in his crutches to receive his diploma.

Directory of Disability Service Organizations and Disabled Persons Organizations in The Philippines.

**References**

[A Glimpse of the Employment Status of Persons with Disabilities in the Philippines from a Cebuano Perspective](https://www.dinf.ne.jp/doc/english/asia/resource/z00ap/vol5no1/glimpse.html)

[Rapid assessment of disability in the Philippines: understanding prevalence, well-being, and access to the community for people with disabilities to inform the W-DARE project](https://pophealthmetrics.biomedcentral.com/articles/10.1186/s12963-016-0096-y)

Department of Trade Disability Employment Framework

[Philippines – Magna Carta for Disabled Persons](https://dredf.org/legal-advocacy/international-disability-rights/international-laws/philippines-magna-carta-for-disabled/)

**NGOs**

[Unilab Foundation](https://www.unilabfoundation.org/) – Create the enabling environment for inclusive development through social innovations and impactful programs that will improve the mental health and well-being of young Filipinos