

POSITION STATEMENT ON THE JAPAN PHILIPPINE ECONOMIC PARTNERSHIP AGREEMENT (JPEPA)

WHY OUR NURSES ARE AGAINST JPEPA

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Filipino nurses constitute the biggest group of foreign-educated nurses in the United States. There is also a growing number of nurses in Europe and the Middle East. They are dubbed the best nurses in the world. Global respect for the quality of care and competency that Filipino nurses have displayed has undoubtedly evolved from the level of nursing care that our nurses have acquired under the Philippine Nursing education system, which is regulated by the Philippine Board of Nursing, and the experience and training provided by the Philippine Nursing Practice.

The Philippine government, as mandated by the law of the land and the higher law of moral obligation, is directed to help maintain the pride, dignity and professionalism of Filipino nurses.

It is in this light that the Filipino nurses politely decline the offer of Japan as it is currently embodied in the JPEPA. Our nurses feel strongly that the bilateral agreement shortchanges the professional qualifications of Filipino nurses and exposes to potential abuse and discrimination those who may be unwittingly enticed to seek Japanese employment under its bilateral channel.

Even Japanese Nurses are Aware that Reforms are Needed in the Local Japanese Nursing Industry!

Filipino Nurses are calling for the rejection of the JPEPA with keen regard to and utmost consideration of the official position of the Japanese Nursing Association (JNA) that reforms and improvement in the working conditions, salaries and benefits of local Japanese nurses should first be instituted before Japan allows the entry of Filipino nurses. The Japanese government should first institute improvements in the working conditions of local Japanese nurses before they can ensure that Filipino nurses will have favorable working conditions in Japan.

Discrimination:

Under the bilateral agreement, the odds are unfairly stacked against us. It could be said that with the JPEPA Japan has opened the gate to the yard, but double-bolted the door to the house. Under the present inequitable terms of the JPEPA, a qualified Filipino nurse will not be accorded the equal status of a full-fledged Japanese nurse practicing in Japan.

Indonesian nurses under the Japan-Indonesia Economic Partnership Agreement (JIEPA) undoubtedly got a better deal compared to ours. In the JIEPA, nurses who have only had three years of formal nursing education and only two years of work experience are already allowed entry into Japan. They are not even required to have passed a licensure exam in their country. In stark contrast, Filipino nurses are required to have had four years of formal nursing education plus three years of work experience in addition to having passed the licensure examination in our country. It is clear that Japan has accorded better placement and career opportunities to Indonesian nurses and withheld them from our own.

Nursing Training, Not Nursing Practice

Even with a bachelor's degree earned from four years of higher education in the Philippines, proof of competence by virtue of having passed the Philippine Licensure Examination and three solid years of work experience, the Filipino nurse will go to Japan not to fully practice the nursing profession but to become a **trainee**. Under the JPEPA, the Filipino nurse must pass the Japanese Licensure Examination and train under the supervision of a Japanese nurse for up to three years. If the Filipino nurse is unable to pass the nursing licensure examination in Japanese after three years, the he or she would have to be deported.

Filipino nurses in Japan are not protected: Allowances instead of salaries, neither employees nor workers.

As trainees who have not yet passed the Japanese Licensure Examination, the Filipino nurses risk receiving a mere **trainee allowance** and not a **salary** for the professional practice of nursing. They also risk having virtually zero employment rights in Japan as they are considered neither employees nor workers under Japan's Immigration Control Act. Specific provisions committing Japan to international core labor standards and the protection of the rights of migrant health workers are also absent in the agreement.

Also, Japan's failure to ratify ILO Convention no. 111, otherwise known as the Discrimination (Employment and Occupation) Convention, is an indication that the Japanese government is not keen on addressing the persistent problem of discrimination on the basis of race, gender, language and social status in Japan.

Better opportunities in other countries

Given the generally unfavorable working conditions in Japan, the Filipino nurse would be spending three years of his or her life hoping for real work when he or she could have a rewarding professional career in other countries abroad with better remuneration than what Japan currently offers even to its local Japanese nurses.

Unrealistic Demand for Filipinos to Speak Nihonggo, a suspicious agenda of cheap labor

Filipino nurses acknowledge that communication skills form an integral part of health care service delivery and that a working facility with the Japanese language is a valid requirement for nursing practice in Japan. **However, the language skills**

required by the JPEPA are so high as to constitute an almost impregnable barrier to our entry. Filipino nurses, given the unnecessarily stringent requirements, will most likely end up providing **cheap labor and quality nursing care** as nursing trainees in Japanese health care facilities.

Philippine Situation not worse than Japan Situation

If only Filipino nurses were aware of the plight of Japanese nurses, they would realize that we have a similar situation here in the Philippines. Even with the promulgation of RA 7305 or the Magna Carta of Public Health Workers, the Philippine government ignores the greater benefits and increased remuneration for nurses mandated by that law. This is a major factor for why Filipino nurses decide to look for foreign employment. As the Philippine situation is not ideal for Filipino nurses, the JPEPA offers a blurred opportunity that discriminates against Filipino nurses, and in effect attracts Filipino nurses to serve Japanese nationals instead of Filipinos for a future which in the end will not belong to them. Nurses should instead see the value of staying in the Philippines to serve Filipinos and be given professional accord and protection by the government than to be “exported” and discriminated against without a clear career path and job security.

A Nurse is Not a Commodity!

The economics of the JPEPA should exclude nurses because the issue is beyond just the influx of economic variables. The issue at stake is the **dignity of professionals** that have consistently made the Philippines proud of in the global arena. Filipino professional nurses, reduced to being trainees with allowances and given neither protection nor assurance of tenure and a career path in Japan may indeed bring in economic productivity; however, this kind of treatment shall certainly hurt the self-esteem and diminish the pride of professional nurses in particular and of Filipinos in general.

It is often said that beggars can't be choosers, and this adage has often been raised as an argument against the poor protections and working conditions that the Philippine negotiators obtained for our nurses. We, however, assert that our Filipino nurses are not beggars. They are the best in the world and the global demand for their services is proof of that. If the Philippine government truly believes that we are the best, then it must do its job and give us the working conditions and protections that we truly deserve.

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