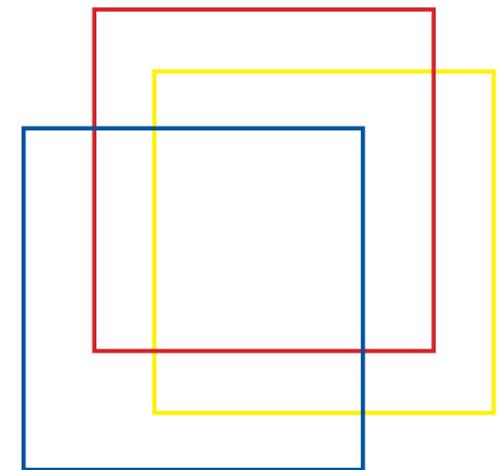


Implementation of the Labour Standards Enforcement Framework in the Philippines

Kenichi Hirose
Benjamin C. Vitasa



ILO Subregional Office for South-East Asia and the Pacific Working Paper

The ILO Subregional Office for South-East Asia and the Pacific, located in Manila, serves twelve ILO member states: Australia, Fiji, Indonesia, Kiribati, the Marshall Islands, New Zealand, Papua New Guinea, the Philippines, Samoa, Solomon Islands, Timor Leste and Vanuatu. It also works with other countries in the Pacific on their road to the ILO Membership.

The Subregional Office promotes Decent Work in the above countries to provide opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity. The Decent Work integrates ILO's four strategic objectives – rights at work, employment, social protection, and social dialogue. The Office works closely with its tripartite constituents in the subregion through Decent Work Country Programmes, which define national social development priorities within the overall framework of the Decent Work agenda. The ILO's tripartite constituents have designated the decade 2006-2015 as an Asian Decent Work Decade to make a concerted and sustained effort to realize Decent Work in Asia.

The working paper series aims at sharing research outcomes in the current labour issues, identifying emerging issues of concern, and stimulating discussion on policy, thereby contributing to the fulfillment of the Decent Work for all.

The views expressed in the working papers are entirely those of the authors and do not necessarily reflect the views of the ILO or the organizations with which the authors are affiliated. Comments and suggestions on the working papers are welcome.

For more information, please contact us at:

ILO Subregional Office for South-East Asia and the Pacific
19th Floor, Yuchengco Tower, RCBC Plaza
6819 Ayala Ave., 1229 Makati City
PO Box 4959 Makati City, Philippines
Tel. No. (632) 580 9900
Fax No. (632) 580 9999
Email: manila@ilomnl.org.ph
Website: www.ilo.org/manila

| ILO Sub-Regional Office for South-East Asia and the Pacific LIST OF WORKING PAPERS | | | |
|---|--|---|--|
| No. | Title | Author(s) | Year published ISBN No. |
| 1 | The impact of the Asian crisis on Filipino employment prospects abroad | W. R. Bohning (with the assistance of Robert Stryk) | 1998 ISBN 92-2-111058-3 |
| 2 | Managing the Papua New Guinean Labour Market for the 21 st Century | Don Fraser | 1998 ISBN 92-2-111567-4 |
| 3 | Protecting Indonesian migrant workers, with special reference to private agencies and complaints procedures | W. R. Bohning Carmelo Noriel | 1998 ISBN 92-2-111568-2 |
| 4 | Indonesia: A gender review of globalization, legislation, policies and institutional frameworks | Medelina K. Hendytio Vidhyandika Moelyarto Arya B. Gaduh Tubagus Feridhanusetyawan | 1999 ISBN 92-2-111917-3 |
| 5 | Gender Dimensions of Globalization and Modern Sector Employment in Indonesia | Haryo Aswicahyono Raymond Atje Tubagus Feridhanusetyawan | 1999 ISBN 92-2-111863-0 |
| 6 | Gender Dimensions of the Economic Crisis and Employment in Urban Informal and Rural Sectors in Indonesia | Sri Moertiningsih Adioetomo Dwini Handayani Nurhadi Wiyono Sri Harijati Hatmadji (with the assistance of Naoko Otobe) | 2000 ISBN 92-2-112090-2 |
| 7 | Providing information to outgoing Indonesian migrant workers | Graeme Hugo W. R. Bohning | 2000 ISBN 92-2-112234-4 |
| 8 | Globalization, gender and employment in the informal economy: The case of the Philippines | Leopoldo J. Dejillas | 2000 ISBN 92-2-112233-6 |
| 9 | Occupational Safety and Health in Indonesia | Pia K. Markkanen | 2004 ISBN 92-2-015760-8 |
| 10 | The Challenge of Informal Work in the Philippines | Edited by Sandra Yu | 2004 ISBN 92-2-113456-3 |
| 11 | Extension of Social Security Coverage for the Informal Economy in Indonesia: Surveys in the Urban and Rural Informal Economy | John Angelini Kenichi Hirose | 2004 ISBN 92-2-016862-6 |
| 12 | Equality at Work: Philippines | Gert A. Gust | 2006 ISBN 92-2-117278-3 |
| 13 | Lifelong Learning in the Philippines | Federico M. Macaranas | 2007 978-92-2-120523-4 (print) 978-92-2-120524-1 (web pdf) |
| 14 | Implementation of the Labor Standards Enforcement Framework in the Philippines | Kenichi Hirose Benjamin C. Vitasa | 2007 978-92-2-120541-8 (print) 978-92-2-120543-2 (web pdf) |

Working Paper 14

Implementation of the Labour Standards Enforcement Framework in the Philippines

**Kenichi Hirose
Benjamin C. Vitasa**

ILO Subregional Office for South-East Asia and the Pacific
Manila, Philippines
November 2007

Copyright © International Labour Organization 2007
First published 2007

Publications of the International Labour Office enjoy copyright under Protocol 2 of the Universal Copyright Convention. Nevertheless, short excerpts from them may be reproduced without authorization, on condition that the source is indicated. For rights of reproduction or translation, application should be made to the ILO Publications (Rights and Permissions), International Labour Office, CH-1211 Geneva 22, Switzerland, or by email: pubdroit@ilo.org. The International Labour Office welcomes such applications.

Libraries, institutions and other users registered in the United Kingdom with the Copyright Licensing Agency, 90 Tottenham Court Road, London W1T 4LP [Fax: (+44) (0)20 7631 5500; email: cla@cla.co.uk], in the United States with the Copyright Clearance Center, 222 Rosewood Drive, Danvers, MA 01923 [Fax: (+1) (978) 750 4470; email: info@copyright.com] or in other countries with associated Reproduction Rights Organizations, may make photocopies in accordance with the licences issued to them for this purpose.

Kenichi Hirose / Benjamin C. Vitasa

Implementation of the Labour Standards Enforcement Framework in the Philippines

ISBN: 978-92-2-120541-8 (print)
ISBN: 978-92-2-120543-2 (web pdf)

ILO pub, labour standards, labour law, labour inspection, social dialogue, Philippines.

ILO Cataloguing in Publication Data

The designations employed in ILO publications, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers.

The responsibility for opinions expressed in signed articles, studies and other contributions rests solely with their authors, and publication does not constitute an endorsement by the International Labour Office of the opinions expressed in them.

Reference to names of firms and commercial products and processes does not imply their endorsement by the International Labour Office, and any failure to mention a particular firm, commercial product or process is not a sign of disapproval.

ILO publications can be obtained through major booksellers or ILO local offices in many countries, or direct from ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland. Catalogues or lists of new publications are available free of charge from the above address, or by email: pubvente@ilo.org

Visit our website: www.ilo.org/publns

Printed in the Philippines

Foreword

Labour standards, as embodied in labour laws, are important instruments to ensure that fundamental rights and principles are respected and that workplaces are kept safe and healthy. However, without effective enforcement of labour standards, these goals cannot be achieved completely.

Whilst there has been a growing recognition of the increased importance of labour standards enforcement, there has been inadequate recognition of the increasing complexity of labour standards enforcement and the problems experienced in responding effectively to the increasing demands it encounters.

Faced with the challenges of the limited resources of its labour inspectorate and emerging changes in today's global economy, the Department of Labour and Employment (DOLE) of the Philippines has recently taken a step to implement a new Labour Standards Enforcement Framework (LSEF). The objective is to enhance the institutional capacity of the labour inspectorate through partnership and collaboration with employers and workers as well as other social partners. It encourages self-regulation and voluntary compliance with Philippine labour standards.

Within the framework of the Decent Work Country Programme for the Philippines, the ILO has been assisting the tripartite constituents in the implementation of the new labour standards enforcement framework through technical cooperation.

This Working Paper provides a mid-term review of the progress of the implementation of the Labour Standard Enforcement Framework. This study has been prepared by Kenichi Hirose, Social Protection Specialist of the ILO Manila Office, and Prof. Benjamin C. Vitasa, College of Public Health, University of the Philippines.

We are grateful for the contributions provided by our tripartite partners. Special thanks are due to Atty. Ma. Brenda L. Villafuerte, Director, Bureau of Conditions of DOLE, and her staff for the assistance in providing basic information on the LSEF. We also wish to thank the specialists and programme assistants in the Social Protection and Labour Market Governance Cluster in our Office. We would like to acknowledge the support from the ILO Regional Office for Asia and the Pacific (ROAP) and Social Dialogue, Labour Law and Labour Administration Department (DIALOGUE) in ILO Headquarters.

We hope that this Working Paper will contribute to a better understanding of the Labour Standards Enforcement Framework by ILO's tripartite partners in the Philippines and other countries, as well as stimulate discussion on practical ways of improving protection of workers in developing countries.

November 2007

Linda Wirth
Director
ILO Subregional Office for
South-East Asia and the Pacific
Manila, Philippines

The Philippines by region

CAR

Abra
Apayao
Benguet
Ifugao
Kalinga
Mountain
Province

NCR

Caloocan City
Las Piñas City
Makati City
Malabon City
Mandaluyong
City
Manila City
Marikina City
Muntinlupa City
Parañaque City
Pasay City
Pasig City
Quezon City
Valenzuela City
Navotas
San Juan
Pateros
Taguig

Region VII

Bohol
Cebu
Negros Oriental
Siquijor

Region IX

Zamboanga del
Norte
Zamboanga del
Sur
Zamboanga
Sibugay
City of Isabela

Region I

Ilocos Norte
Ilocos Sur
La Union
Pangasinan

Region II

Batanes
Cagayan
Isabela
Quirino
Nueva Vizcaya

Region III

Aurora
Bataan
Bulacan
Nueva Ecija
Pampanga
Tarlac
Zambales

Region IV-A

CALABARZON
Batangas
Cavite
Laguna
Quezon
Rizal

Region IV-B

MIMAROPA
Marinduque
Occidental Mindoro
Oriental Mindoro
Palawan
Romblon

Region V

Albay
Camarines Norte
Camarines Sur
Catanduanes
Masbate
Sorsogon

Region VI

Aklan
Antique
Capiz
Guimaras
Iloilo
Negros Occidental

Region VIII

Biliran
Eastern Samar
Leyte
Northern Samar
Southern Leyte
Western Samar



Region XI

Davao
Davao Oriental
Davao del Sur
Compostela Valley

Region XII

North Cotabato
Sarangani
South Cotabato
Sultan Kudarat
Cotabato City
Tacurong City

CARAGA

Koronadal City
Kidapawan City,
General Santos City
Agusan del Norte
Agusan del Sur
Surigao del Sur
Surigao del Norte

Contents

| | Page |
|---|-----------|
| Foreword | Iii |
| Summary | viii |
| 1. Introduction and national context | 1 |
| 1.1 Labour laws in the Philippines | 1 |
| 1.1.1 Labour Code | 1 |
| 1.1.2 ILO Conventions | 2 |
| 1.1.3 Other related legislations | 2 |
| 1.2 Labour inspection in the Philippines | 3 |
| 1.3 Occupational hazards and work accidents in the Philippines | 5 |
| 2. The Labour Standards Enforcement Framework | 7 |
| 2.1 Rationale of the LSEF | 7 |
| 2.2 Key features of the LSEF | 8 |
| 2.2.1 Scope | 8 |
| 2.2.2 Three approaches | 8 |
| 2.2.3 Distribution of establishments by three approaches | 10 |
| 2.3 Issues in the implementation of the LSEF | 11 |
| 2.4 Roles and vies of the social partners | 13 |
| 2.4.1 Workers | 13 |
| 2.4.2 Employers | 14 |
| 2.4.3 Other social partners | 14 |
| 3. Implementation of the LSEF from 2004 to 2006 | 15 |
| 3.1 Monitoring system | 15 |
| 3.2 Implementation of self-assessment | 17 |
| 3.2.1. Overall performance at the national level | 17 |
| 3.2.2. Performance by regions | 18 |
| 3.3 Implementation of inspection | 18 |
| 3.3.1 Overall performance at the national level | 18 |
| 3.3.2 Performance by regions | 20 |
| 3.4 Implementation of Training and Advisory Visits | 21 |
| 3.4.1 Overall performance at national level | 21 |
| 3.4.2 Performance by regions | 22 |
| 3.5 Challenges in the implementation of the LSEF from 2004 to 2006 | 22 |
| 3.5.1 Low coverage of the LSEF | 22 |
| 3.5.2 Problems with self-assessment | 23 |
| 3.5.3 Problems with inspection | 24 |
| 3.5.4 Problems with training and advisory visits | 24 |
| 4. Programmes for enhancing the LSEF implementation | 27 |
| 4.1 Follow-up meetings with tripartite partners | 27 |
| 4.2 Technical cooperation project with ILO | 27 |
| 4.3 LSEF Inspection Blitz | 28 |
| 4.3.1 Rationale | 28 |
| 4.3.2 Methodology | 28 |
| 4.3.3 Remarks | 29 |
| 4.4 Private sector partnership project for small and medium enterprises (KAPATIRAN) ... | 29 |
| 4.4.1 Rationale | 29 |
| 4.4.2 Methodology | 30 |
| 4.4.3 Remarks | 30 |
| 5. Conclusion: the way forward | 31 |
| Annex. Basic documents on the LSEF | 33 |
| Statistical Annex | 41 |
| References | 48 |

List of Tables

| | | |
|-----------|--|----|
| Table 1.1 | Number of inspections conducted, 1996-2006 | 5 |
| Table 1.2 | Summary of reported occupational hazards, 1996-2005 | 5 |
| Table 1.3 | Summary of reported work accidents, 1996-2005 | 6 |
| Table 2.1 | Establishments by mode of enforcement, 2003 | 10 |
| Table 3.1 | Key indicators on SA, 2004-2006 | 17 |
| Table 3.2 | Key indicators on inspection, 2004-2006 | 19 |
| Table 3.3 | Key indicators on TAV, 2004-2006 | 21 |
| Table 3.4 | Establishments covered by the LSEF, 2004-2006 | 23 |
| | | |
| Table A.1 | Key indicators on self-assessment by region, 2004 | 41 |
| Table A.2 | Key indicators on self-assessment by region, 2005 | 41 |
| Table A.3 | Key indicators on self-assessment by region, 2006 | 42 |
| Table A.4 | Key indicators on inspection by region, 2004 | 43 |
| Table A.5 | Key indicators on inspection by region, 2005 | 44 |
| Table A.6 | Key indicators on inspection by region, 2006 | 45 |
| Table A.7 | Key indicators on training and advisory visits by region, 2004 | 46 |
| Table A.8 | Key indicators on training and advisory visits by region, 2005 | 46 |
| Table A.9 | Key indicators on training and advisory visits by region, 2006 | 47 |

List of Boxes

| | | |
|---------|--|----|
| Box 3.1 | Key performance indicators on SA | 15 |
| Box 3.2 | Key performance indicators on inspection (GLS) | 16 |
| Box 3.3 | Key performance indicators on TAV | 16 |

List of Figures

| | | |
|------------|--|----|
| Figure 3.1 | Key indicators on SA, 2004-2006 | 17 |
| Figure 3.2 | Key indicators on inspection of GLS, 2004-2006 | 19 |
| Figure 3.3 | Key indicators on inspection of TSS, 2004-2006 | 20 |

Acronyms

| | |
|-------|--|
| BMBE | Barangay Micro Business Enterprises |
| BWC | Bureau of Working Conditions |
| BWCIS | Bureau of Working Conditions Integrated System |
| CSR | Corporate Social Responsibility |
| DOLE | Department of Labour and Employment |
| ECOP | Employers Confederation of the Philippines |
| GLS | General Labour Standards |
| IEC | Information, Education, Advocacy |
| ILO | International Labour Organization |
| LGUs | Local Governments Units |
| LSEF | Labour Standards Enforcement Framework |
| NGOs | Non Government Organisations |
| NSO | National Statistics Office |
| ORLLI | Other Related Labour Laws and Issuances |
| OSH | Occupational Safety and Health |
| PCCI | Philippine Chamber of Commerce and Industry |
| ROs | Regional Offices |
| SA | Self Assessment |
| SCA | Social Compliance Assessment |
| SME | Small and Micro enterprises |
| SPRS | Statistical Performance and Reporting System |
| TAV | Training and Advisory Visits |
| TSS | Technical Safety Standards |
| TUCP | Trade Union Congress of the Philippines |

Summary

In the Philippines, the Department of Labour and Employment (DOLE) has been perpetually challenged by the limited technical capacity and disproportionately low number of staff comprising its labour inspectorate as compared to the ever increasing number of inspectionable establishments situated across the archipelago.

The latest survey carried out in 2003, estimated the number of establishments in the Philippines at 810,362. However, in 2006 there were only 198 labour inspectors nationwide who were conducting field inspections. With the current number of inspectors, the average number of inspections per year is estimated to be 48,000, which covers only 6 per cent of all establishments. Although ILO Convention No. 81 on Labour Inspection requires that inspection of all establishments should be conducted as often as possible, the current capacity and the human and financial resources allocated to the labour inspectorate are insufficient to enable such inspections to be carried out properly.

Consequently, inspections of workplaces for promoting compliance with the extant national labour legislations have been both infrequent and ineffective, as reflected by the high incidence of accidents and injuries in the workplace. In addition, the rise of globalization, attendant technological changes, new work patterns and employment relationships have had considerable impact on the traditional concept of labour protection.

In order to address these challenges adequately and effectively, DOLE conceptualized an innovative Labour Standards Enforcement Framework (LSEF) in 2004. This framework seeks to introduce an alternative mechanism for carrying out the process of labour inspection, bearing in mind the limited number of labour inspectors and the increasing number of inspectionable establishments.

The LSEF defines the strategies to be pursued by the regional implementers to ensure better compliance with the labour laws. As provided by Department Order 57-04, the LSEF also encourages proactive participation of establishments in complying with labour standards by adopting any one of the following three methods:

- **Self-Assessment (SA)** for establishments with more than 200 workers and those with certified collective bargaining agreements regardless of employment size;
- **Regular Inspection** for establishments employing 10-199 workers; and,
- **Training and Advisory Visits (TAV)** for establishments employing 1-9 workers and those registered as Barangay Micro Business Enterprises (BMBEs) regardless of employment size.

In the long-term, the LSEF aims to create a culture of safety, health and welfare in the workplace and an ethic of self-regulation and voluntary compliance with labour standards. It also emphasizes the institution of corrective measures to eliminate and reduce the adverse effects of workplace risks and hazards.

Out of 810,362 establishments, 743,628 or 91.8 per cent are small and micro enterprises that would be covered by training and advisory visits. Only 5,393 or 0.7 per cent of all establishments are expected to be covered by self-assessment. The number of establishments liable to regular inspection is estimated at 61,341 or 7.6 per cent.

For proper implementation of the LSEF, it is important to incorporate various strategies such as decentralization, capacity building, tripartism and social dialogue, networking and partnerships, advocacy and awareness-raising.

However, the record of implementation of the LSEF during 2004-2006 has remained low, as only around 11 per cent of the total number of establishments in the country was covered by the new LSEF system. In 2006, regular inspection covered 43.1 per cent of the inspectionable establishments; self-assessment covered 19.8 per cent of the large unionized companies; and training and advisory visits covered only 1.0 per cent of the small and micro enterprises.

During this period, DOLE launched several programmes to accelerate the implementation of the LSEF, including intensive inspections, public-private partnership, as well as technical cooperation with the ILO. Though it is premature to evaluate the full impact of these initiatives, the analysis in this study concludes that the government, together with its social partners, should develop more effective strategies for further enhancing the implementation of the LSEF.

Notwithstanding the tight government budget constraint, the required strategy should address the need for allocating sufficient resources for recruitment and retention of competent and motivated personnel in the labour inspectorate. The government should also provide adequate financial resources so that inspections and orientation activities can be conducted more thoroughly and with greater frequency. Unless adequate resources are secured for implementation of the LSEF, the coverage of establishments and their compliance with labour standards will not improve significantly.

For more efficient utilization of the limited human and financial resources, the Bureau of Working Conditions (BWC) should take the lead in organizing adequate training of the regional implementers, coordination between the BWC and the Regional Offices of DOLE, regular monitoring of the LSEF implementation, collaboration and consultation with employers' and workers' organizations, partnerships with professional organizations, etc.

There is also a need for more intensified information campaigns and advocacy to fill the significant gaps in knowledge and awareness of the LSEF. Both employers and workers and their organizations should be properly informed of their responsibilities and the potential benefits of the LSEF, so that they may play important roles in connection with information, education and communication activities.

The DOLE must develop a complete and updated list of establishments in coordination with other key departments and agencies of the government. Such a list would be crucial for target setting, preparation of communications and sending of questionnaires to the establishments and aid in monitoring and follow-up activities.

An effective labour standards enforcement system, carried out by professionally trained and adequately resourced inspectors, with the active participation of employers and workers, would result in better occupational safety and health of workers, prevent and reduce the incidence of workplace accidents and diseases. Furthermore, it would lead to lower absenteeism and higher productivity, with benefits for both employers and workers.

The Philippines experience also offers lessons for other countries. It has demonstrated the usefulness of inspection for ensuring labour standards and the importance of involvement of employers and employees in the labour standards enforcement system.

Achieving full compliance with the protective labour laws, improving safety and health conditions and reducing accidents and illnesses at the workplace constitute the core of the ILO's Decent Work agenda. The ILO should continue its support to the government and social partners in accomplishing wider coverage and ensuring better compliance with internationally recognized labour standards and national legislations.

1. Introduction and national context

The aim of this study is to review the experiences and lessons learned from the implementation of the LSEF in the Philippines¹.

This report is organized as follows. The remainder of Chapter 1 summarizes information on the legal basis and system of labour inspection and presents data on occupational risks in workplaces in the Philippines. Chapter 2 presents key features of the LSEF and discusses the role of the social partners in its formulation and implementation. Chapter 3 reviews the performance in implementation of the LSEF from 2004 to 2006 and analyzes the problems encountered during the initial implementation phase. Chapter 4 summarizes various activities undertaken by the government and the social partners in support of the LSEF implementation. Chapter 5 concludes and summarizes some lessons from the Philippines experience for other countries. Annex reproduces key documents on the LSEF. Statistical Annex supplements the report with regional data on key indicators of the LSEF implementation.

1.1 Labour laws in the Philippines

1.1.1 Labour Code

The Department of Labour and Employment is mandated to protect the rights of workers and promote their welfare, as enshrined in the 1987 Constitution and in the 1974 Labour Code of the Philippines. Books III and IV of the Labour Code establish the minimum standards with regard to (i) wages and other monetary benefits, working conditions such as hours of work, rest periods, holidays, service incentive leave as well as working conditions for special groups of employees; (ii) medical and dental benefits; and, (iii) occupational safety and health.

The Labour Code also establishes measures to administer its provisions and to enforce the rights created thereby in an equitable and expeditious manner. The enforcement system will provide workers immediate access to their rights and benefits without being inconvenienced by arbitration or litigious processes.

Labour standards are administered and enforced by the Secretary of Labour and Employment through authorized representatives such as the Regional Directors and Labour Employment Officers – formerly called labour inspectors – in the Labour Standards Enforcement Division. The Bureau of Working Conditions (BWC) of DOLE provides support in policy formulation as well as technical supervision and assistance to the Regional Offices of DOLE.

Under Articles 128 and 129 of the Labour Code, the complementary visitorial and enforcement powers are conferred on the Secretary of Labour or his/her duly authorized representatives, including labour inspectors. The visitorial power grants the authorized officials access to employers' premises and records as well as the right to question employees and investigate any conditions in the workplace to determine violations or non-compliance with the law. The enforcement power refers to the power to order and secure compliance with the labour standards as provided in the Labour Code.

Article 162 in Book IV of the Labour Code stipulates that the occupational safety and health standards are mandatory rules. The standards provide the legal framework for all safety and health programmes of DOLE, imposing responsibilities on the employers and corresponding duties on all workers to observe safety and health measures at the enterprise level.

¹ The authors are grateful for valuable comments provided by Abhik Ghosh, Michihiro Ishibashi, Melba Sacro, Temesgen Samuel, Brenda L. Villafuerte, and Sukanya Wignaraja.

1.1.2 ILO Conventions

As of November 2007, the Philippines has ratified the following ILO Conventions:

- C17 Workmen's Compensation (Accidents) Convention, 1925
- C19 Equality of Treatment (Accident Compensation) Convention, 1925
- C23 Repatriation of Seamen Convention, 1926
- C29 Forced Labour Convention, 1930
- C53 Officers' Competency Certificates Convention, 1936
- C77 Medical Examination of Young Persons (Industry) Convention, 1946
- C87 Freedom of Association and Protection of the Right to Organise Convention, 1948
- C88 Employment Service Convention, 1948
- C89 Night Work (Women) Convention (Revised), 1948
- C90 Night Work of Young Persons (Industry) Convention (Revised), 1948
- C93 Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949
- C94 Labour Clauses (Public Contracts) Convention, 1949
- C95 Protection of Wages Convention, 1949
- C98 Right to Organise and Collective Bargaining Convention, 1949
- C99 Minimum Wage Fixing Machinery (Agriculture) Convention, 1951
- C100 Equal Remuneration Convention, 1951
- C105 Abolition of Forced Labour Convention, 1957
- C110 Plantations Convention, 1958
- C111 Discrimination (Employment and Occupation) Convention, 1958
- C118 Equality of Treatment (Social Security) Convention, 1962
- C122 Employment Policy Convention, 1964
- C138 Minimum Age Convention, 1973
- C141 Rural Workers' Organisations Convention, 1975
- C143 Migrant Workers (Supplementary Provisions) Convention, 1975
- C144 Tripartite Consultation (International Labour Standards) Convention, 1976
- C149 Nursing Personnel Convention, 1977
- C157 Maintenance of Social Security Rights Convention, 1982
- C159 Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983
- C165 Social Security (Seafarers) Convention (Revised), 1987
- C176 Safety and Health in Mines Convention, 1995
- C179 Recruitment and Placement of Seafarers Convention, 1996
- C182 Worst Forms of Child Labour Convention, 1999

The Philippines has not ratified C81 Labour Inspection Convention, 1947 nor C129 Labour Inspection (Agriculture) Convention, 1969. Compliance with pertinent labour standards at the national level, in law and practice, is essential in lending meaning to the ratification of the relevant international conventions.

1.1.3 Other related legislations

Recently, several policies have been adopted in the Philippines to rationalize the enforcement of labour standards related to working conditions and occupational safety and health. These are as follows:

- Section 303 of the National Building Code (PD 1096) requires that environmental health, mechanical and electrical safety standards be met prior to the issuance of building permits by the Department of Public Works and Highways (DPWH).
- In 1980, by virtue of a memorandum of agreement between DOLE and DPWH, DOLE was charged with enforcing technical safety in industrial establishments. When the Local Government Code was promulgated, DPWH inspection functions were devolved to the

local government units (LGUs), in particular, the technical safety inspection of commercial and industrial establishments. According to the terms of the memorandum of agreement, DOLE retained the authority to conduct technical safety inspections of industrial establishments. However, DOLE can delegate these particular functions to the chartered cities.

- The National Building Code on building construction safety was incorporated in the Occupational Safety and Health (OSH) Standards, specifically Rules 1061 and 1940 on General Safety. The same Rules require approval and examination of plans (including safety provisions) by building officials for new constructions, alterations, or repair of buildings. DOLE's requirement on construction safety, however, provides more comprehensive construction safety measures.
- The Fire Code has been adapted under the OSH Standards Rule 1940 (Fire Protection and Control). DOLE will verify compliance with the requirements of the Fire Code and issue Certificate of Fire Safety Inspection (CFSI,) as required by the Bureau of Fire of each local government unit.
- The Sanitation Code of the Philippines, specifically the section on Industrial Hygiene, has adopted requirements of Rules 1080 and 1070 of the OSH Standards. Similarly, Section 11 of the Coal Mining Development Act of 1976 (PD 972) states that "the operator shall be subject to provisions of laws of general application relating to labour, health, safety and ecology".
- In the latest issuance of DOLE, specifically the Guidelines Governing Occupational Safety and Health in the Construction Industry (Department Order 13), violations of OSH also constitute violation of the Licensing Law (RA 4566) and its Implementing Rules and Regulations.
- The Social Economic Zone Act of 1995 (RA 7916) requires, under Rule VII, that the Philippine Economic Zone Authority (PEZA), in coordination with DOLE, shall conduct periodic inspection of plants within the Eco-zone to check on health, medical, occupational and safety standards of the buildings, structures and electro-mechanical equipment and machineries and Eco-zone enterprises shall correct any deficiency or violation of pertinent regulations noted in such inspections within a reasonable period to be determined by the PEZA.

1.2 Labour inspection in the Philippines

In the Philippines, inspection has traditionally been the major regulatory instrument for the enforcement of the labour laws. The Labour Inspectorate System of DOLE is mandated to protect the interest of the workers and promote their welfare with a view to realizing social justice and maintaining industrial peace through the enforcement of labour standards.

There are two types of inspection – unprogrammed and programmed inspection. Unprogrammed inspections arise from complaints of violation of labour standards, work accidents and imminent dangers to life and property. Inspection of the complaint is conducted promptly and given priority over routine inspections. Programmed inspections consist of routine or annual inspections conducted by the DOLE inspectorate, which requires the preparation of an annual programme of inspection.

Priority is given to inspecting firms with a high record of violation of the laws and unhealthy working conditions. These can be identified by industry, location, size and occupational group.

Attention should be given to vital industries where labour standards violations could have greater impacts on the public and those which may entail heavy penalties. The following workplaces are given priority for inspection:

- Existence of complaints, or imminent occurrence of accidents, injuries and illness;
- Establishments with hazardous working conditions such as:
 - o Petrochemical works and refineries
 - o Chemical works and chemical production plants
 - o LPG storage and supplies depot
 - o Stores and distribution centres for toxic/ hazardous chemicals
 - o Large fertilizer stores
 - o Explosive factories
 - o Workplaces using chlorine in bulk
 - o Workplaces with high concentration of potential hazards;
- Construction sites;
- Establishments employing significant numbers of women, youth and child workers; and,
- Other establishments as may be prioritized by the Regional Offices.

The DOLE, upon the recommendation of the Regional Offices, may delegate the conduct of technical safety inspections to the LGUs pursuant to Article 165 of the Labour Code, Rule 1980 of the Occupational Safety and Health Standards, Administrative Order No.165 series 2003 and the Memorandum of Agreement between DOLE and appropriate LGUs.

Prior to 1982, the labour inspectorate held 285 positions. Since then, the number has decreased to 253 positions of which 16 are division chiefs, 31 are supervising inspectors and the remaining 206 are the actual field inspectors. The number has decreased further due to retirement and promotion to other positions, while the number of establishments continues to increase. In 2006, there were 236 labour inspectors nationwide with 198 field inspectors and 38 occupying chief and supervising positions that were not involved in field inspections. Decentralization and rationalization of DOLE's organizational structure have created greater difficulties in augmenting the number of labour inspectors. Although the government is facing a tight budget constraint, the meagre resources allocated to the labour inspectorate are insufficient to enable the labour inspection function to be discharged properly.

Data from the National Statistics Office (NSO) show that the number of establishments stood at 810,362 in 2003. A simple division of the number of establishments by the number of inspectors shows that in order for all these establishments to be inspected each inspector should conduct more than 4,000 inspections per year. On the other hand, the present work standard requires that each labour inspector should inspect at least 1.5 establishments a day in four days of inspection each week and in 10.5 months of inspection per year (about 240 establishments per year). With the current number of inspectors, this minimum requirement is equivalent to about 48,000 inspections per year. However, it should be noted from Table 1.1 that the actual number of inspections has been less than this minimum level since 2000. The under-reporting of work related accidents and illnesses can also be attributed to the limited number of labour inspectors.

In the face of these problems and challenges, DOLE conceptualized the new Labour Standards Enforcement Framework (LSEF) in 2004. This framework seeks an alternative mechanism to carry out the labour inspection function, given the limited number of labour inspectors and the increasing number of inspectionable establishments.

Table 1.1. Number of inspections conducted, 1996-2006

| Year | No. of inspected establishments |
|------|---------------------------------|
| 1996 | 82,237 |
| 1997 | 69,303 |
| 1998 | 45,062 |
| 1999 | 57,909 |
| 2000 | 42,952 |
| 2001 | 42,746 |
| 2002 | 39,815 |
| 2003 | 35,285 |
| 2004 | 29,865 |
| 2005 | 34,320 |
| 2006 | 35,266 |

Source: Bureau of Working Conditions.

1.3 Occupational hazards and work accidents in the Philippines

Tables 1.2 and 1.3 present occupational hazards and work accidents in the Philippines based on data from Work Accident Injuries Reports and Annual Medical Reports compiled by the BWC for 1996-2005.

It should be noted that there are some inconsistencies in the data between years 1996-2000 and 2001-05. This is due to the change in the reporting system since the introduction of the Bureau of Working Conditions Integrated System (BWCIS) in 2001.

Table 1.2. Summary of reported occupational hazards, 1996-2005

| Year | No. of Workers Exposed to Occupational Hazards | | | | No. of Reporting Establishments |
|--------------|--|----------------|----------------|----------------|---------------------------------|
| | Biological | Ergonomic | Physical | Chemical | |
| 1996 | 1,898 | 10,987 | 7,867 | 10,690 | 1,048 |
| 1997 | 6,494 | 7,525 | 9,117 | 13,538 | 2,068 |
| 1998 | 1,600 | 33,426 | 17,155 | 2,923 | 1,929 |
| 1999 | 5,055 | 67,454 | 18,680 | 10,390 | 3,028 |
| 2000 | 2,884 | 3,541 | 6,786 | 6,383 | 2,097 |
| 2001 | 3,979 | 20,181 | 12,109 | 20,404 | 2,324 |
| 2002 | 7,063 | 18,363 | 10,661 | 11,361 | 1,692 |
| 2003 | 3,971 | 10,676 | 9,715 | 28,262 | 1,876 |
| 2004 | 1,254 | 27,956 | 9,475 | 15,659 | 1,018 |
| 2005 | 1,949 | 47,837 | 24,086 | 27,756 | 2,363 |
| TOTAL | 36,147 | 247,946 | 125,651 | 147,365 | 19,443 |

Source: Annual Medical Report, 1996-2005, Bureau of Working Conditions.

Table 1.3. Summary of reported work accidents, 1996-2005

| Year | Total Cases | Total Days Lost | Total Economic Losses (Php.) | No. of Reporting Establishments |
|--------------|---------------|------------------|------------------------------|---------------------------------|
| 1996 | 5,800 | 77,585 | 8,561,840 | 204 |
| 1997 | 5,121 | 128,405 | 13,270,708 | 289 |
| 1998 | 5,298 | 144,600 | 10,750,389 | 294 |
| 1999 | 6,233 | 522,613 | 11,077,691 | 455 |
| 2000 | 4,605 | 362,085 | 12,185,376 | 485 |
| 2001 | 2,680 | 121,974 | 2,558,476 | 215 |
| 2002 | 3,702 | 201,129 | 5,437,450 | 231 |
| 2003 | 2,982 | 100,953 | 3,854,753 | 229 |
| 2004 | 2,056 | 90,554 | 4,561,580 | 217 |
| 2005 | 2,606 | 122,084 | 6,048,806 | 283 |
| TOTAL | 41,083 | 1,871,982 | 78,307,069 | 2,901 |

Source: Work Accident/ Illness Report, 1996- 2005, Bureau of Working Conditions.

There is likely to be considerable under-reporting. During the surveyed period, only a total of 19,443 establishments submitted their Annual Medical Reports and a total of 2,901 establishments submitted their Work Accident/Illness Reports in compliance with Rules 1050 and 1960 of the Occupational Safety and Health Standards respectively. However, work accident data are a significant indicator of the safety and health status of workplaces. The reported data in Table 1.2 show that ergonomic hazards were the most commonly reported occupational hazard, followed by chemical and physical hazards.

2. The Labour Standards Enforcement Framework

The new Labour Standards Enforcement Framework (LSEF) came into effect on 31 January 2004 by virtue of Department Order 57-04 series 2004², pursuant to the visitorial and enforcement powers of the Secretary of Labour and Employment under Articles 128 and 129 of the Labour Code of the Philippines.

The LSEF defines the approaches and strategies that are to be pursued by the regional implementers to ensure voluntary compliance with the labour laws. As provided by Department Order 57-04, the LSEF encourages the proactive participation of establishments in labour standards enforcement through any one of the following three methods:

- **Self-Assessment (SA)** for establishments with more than 200 workers and those with certified collective bargaining agreements regardless of employment size;
- **Regular Inspection** for establishments employing 10-199 workers; and,
- **Training and Advisory Visits (TAV)** for establishments employing 1-9 workers and those registered as Barangay Micro Business Enterprises (BMBEs) regardless of employment size.

In the longer term, the LSEF aims to create a culture of safety, health and welfare in the workplace and an ethic of self-regulation and voluntary compliance with labour standards. It also emphasizes the institution of corrective measures to eliminate and reduce the adverse effects of risks and hazards at the workplace.

2.1 Rationale of the LSEF

Before the LSEF was introduced, regular inspections were the only means for DOLE to monitor compliance with labour standards and laws. However, changes in the socio-economic and political landscape and the emergence of new issues and trends on labour and employment necessitated a policy shift by the government to address these realities. The LSEF was thus conceptualized as a response to the following needs:

(i) Need to enhance institutional capacity

As analyzed in Section 1.3, there is a disproportionate number of labour inspectors vis-à-vis the number of inspectionable establishments nationwide. Currently, there are only 193 labour inspectors as against 810,362 establishments. In fact, less than 10 per cent of these establishments are inspected every year. In addition, there is no immediate prospect of significant increase in the number of inspectors.

(ii) Changes in the world of work

As in all countries worldwide, the Philippines is faced with the challenges posed by globalization, which is characterized by the increasing economic, financial and technological integration of national economies. Globalization has brought about various changes in the world of work. These include new modes of subcontracting and outsourcing, increasing use of temporary and part-time work and other non-regular work patterns. Furthermore, there are technological innovations including new chemical substances, continuing changes in employment relationships, wages and working hours as well as changing characteristics of the workforce, such as increasing number of workers in the informal economy, female workers and migrant workers. These changes

² This Department Order is reproduced in Annex of this report.

necessitate a paradigm shift in terms of making labour inspection more responsive to the challenges of the times.

(iii) Prevention of work-related accidents and diseases

Preventing occupational accidents and diseases is a continuing challenge. New risks and hazards at the workplace are emerging and practical measures to control them should be spelt out. An additional challenge is to educate workers, employers and the general public on potential hazards, their ill effects and how to deal with them. Hence, labour standards enforcement should harness both preventive and promotional modes of action.

(iv) Reduction of labour disputes

Failure to meet labour standards is a source of labour disputes. Inability to enforce labour standards lays the ground for exploitation and abuse by unscrupulous employers, consequently sowing the seeds of discontent among workers. Industrial strife then ensues. Such a scenario has been commonly observed in the Philippines in the past and has created an unfriendly environment for investments, economic growth and productivity. Effective enforcement of labour laws is expected to contribute to reducing such problems.

It should be noted that the LSEF should not be regarded as a permanent arrangement which replaces proper inspection. Regular inspection is an indispensable instrument for ensuring the compliance of labour laws. Under the scarcity of resources in the labour inspectorate, the LSEF is seen as a measure to cope with such conditions through involvement of employers and workers in the labour standards enforcement system.

2.2 Key features of the LSEF

2.2.1 Scope

The scope of the LSEF covers general labour standards, including occupational safety and health, and technical safety standards.

(i) General labour standards (GLS)

General labour standards include wages and hours of work, other welfare and social security benefits and general safety and health which refer to the work environment such as lighting, ventilation and other conditions. They also include compliance with the Anti Sexual Harassment Law and policies and programmes for HIV/AIDS prevention and drug-free workplaces.

(ii) Technical safety standards (TSS)

Technical safety standards refer to the safety determination of boilers, pressure vessels, internal combustion engines, electrical wiring installations and other mechanical equipment. Professional electrical engineers and mechanical engineers conduct technical safety inspections.

2.2.2 Three approaches

Under the LSEF, the establishments are classified into three categories. The LSEF applies the following approaches for different categories of establishments.

(i) Self-assessment (SA)

The SA approach aims to institute voluntary compliance with labour laws and self-regulation among establishments with 200 or more workers as well as those that are unionized with certified collective bargaining agreements (CBAs) regardless of employment size. This approach is premised on the assumption that large enterprises have sufficient capacity and resources to ensure compliance with labour laws.

The representatives of the employers and workers are expected undertake the self-assessment of the establishment at least once a year. The Regional Offices of DOLE distribute the SA checklists to all eligible establishments in the first quarter of each year. The Labour Management Committee, Health and Safety Committee or a similar committee within the establishment should undertake the assessment within one month from the date the checklist is received. The employer is responsible for completing the checklist. Checklists should be filled out in triplicate and one copy each should be submitted to the Regional Office, the workers' representative and the employer within five days of completing the self-assessment. Employers should submit supporting documents to prove that the SA checklists have been completed correctly.

The self-assessment includes verification of employment records and assessment of work premises. The Regional Offices will conduct orientation seminars for employers and workers on how to complete the checklists, the procedure for conducting the SA and the deadline for the submission of the checklist. Those establishments whose owners fail to submit the checklist shall be liable to regular inspection.

If a complaint is filed against an employer covered by the SA prior to the deadline for submission of the checklist, the SA will be allowed to continue. The complaint shall be the basis of an immediate spot check after submission of the checklist, unless the complaint refers to a condition in the place of employment that falls within the category of imminent danger investigation.

The Regional Monitoring and Evaluation Team in the Regional Offices shall validate the authenticity of the documents submitted, authority of the owner's and the workers' representatives, and the completeness and accuracy of the documentation. Spot checks shall be conducted by the labour inspectors in accordance with the Revised Inspection Manual. Priority in the conduct of spot checks is given to the following cases:

- Inaccurate findings, incomplete documentation, correction/restitution not specified;
- SA conducted by unauthorized personnel;
- Documentations submitted not authentic; and,
- Where there is partial compliance of restitution or partial correction of indicators or standards of health and safety that refer to physical hazards and the covered establishment is classified as hazardous.

Any violation of labour standards discovered during the SA, but which failed to be corrected within the correction/restitution period, and any violation of labour standards discovered at the spot check shall be handled in accordance with the Revised Guidelines in the Disposition of Labour Standards Violations/ Labour Standards Cases.

(ii) Regular Inspection

This is the traditional system of labour standards enforcement. Section 1.2 outlines the mechanism of labour inspection in the Philippines.

Under the LSEF, the primary target of inspection is establishments which employ between 10 and 199 workers. However, it should be noted that all establishments are still subject to inspection.

(iii) Training and advisory visit (TAV)

Training and advisory visit (TAV) is the main modality of action for small firms employing less than 10 workers as well as establishments registered as Barangay Micro Business Enterprises (BMBEs) regardless of employment size. These establishments comprise 91.8 per cent of the total number of establishments in the country and are mostly sweatshops needing assistance to improve conditions of work and environment which in turn affect their productivity and viability. By region, Regions II, V, VIII, IX, CAR and CARAGA have large numbers of these types of establishments.

In view of the limited capacity of the small and micro enterprises, the main approach applied to them is advisory in nature and geared toward building their capacity to comply with labour standards in the long-term. The Regional Offices, through trained DOLE personnel, shall conduct training and advisory visits to assist small and micro enterprises in developing an action plan to comply with labour standards as well as enhancing their productivity. Enterprises covered by the TAV shall be given a maximum of one year to comply with the labour standards.

The training shall include an orientation on practical work methods and low-cost workplace improvement strategies which contribute to productivity enhancement and working conditions improvement, thereby facilitating compliance with labour standards.

The training module consists of the following:

- Orientation on practical work methods and low-cost workplace improvement strategies contributing to productivity enhancement and enterprise development;
- Assessment workshop for participants to identify improvement potentials present in their establishments;
- Action planning workshop for participants to commit to their own work improvement strategies within a specific time frame.

Follow-up visits will be conducted shortly after the specified period indicated in the action plans. The follow-up visits shall monitor progress, evaluate documents related to TAV activities and provide technical assistance to sustain continuous improvements among participating enterprises. Enterprises that continually fail to act on their commitments shall be subjected to inspection.

In order to apply this approach effectively, at least 30 establishments should be covered in each TAV training course.

2.2.3 Distribution of establishments by three approaches

Table 2.1 shows the number of establishments according to the three modes of enforcement. The number of establishments is derived from the National Statistics Office and the Department of Trade and Industry's 1999-2003 list of establishments. Out of 810,362 establishments, 743,628 or 91.8 per cent are small and micro enterprises that would be covered by training and advisory visits. Only 5,393 establishments are expected to be covered by self-assessment. The number of establishments liable to regular inspection is estimated at 61,341.

It should be noted that the labour standards enforcement applies to only a portion of workers with formal employment relations, while workers in agriculture and in the informal economy, who are in greater need of protection, remain outside its scope. In the Philippines, majority of the labour force are working in the informal economy where living and working conditions are much worse than in the formal sector. From the point of view of realizing decent work for all, developing countries such as the Philippines are facing an enormous challenge to extend the labour administration functions to all workers, in particular to those without formal employer-employee relations.

Table 2.1. Establishments by mode of enforcement, 2003

| Mode of Enforcement | Number of establishments | Percentage |
|------------------------------------|---------------------------------|-------------------|
| Self-assessment (SA) | 5,393 ^(*) | 0.67% |
| Inspection | 61,341 | 7.57% |
| Training and advisory visits (TAV) | 743,628 | 91.76% |
| Total | 810,362 | 100.00% |

Note (*): Of these, 2,363 are unionised with less than 200 workers³.

Source: NSO Survey 2003

2.3 Issues in the implementation of the LSEF

To develop effective strategies for the implementation of the LSEF, the following issues should be taken into account:

(i) Decentralization

The Local Government Code provides for the devolution of governance functions. Article 165 of the Labour Code provides for the decentralization of inspectorate functions to the LGUs. Although inspection of wages and hours of work should rest with DOLE, it can compensate for the shortage of manpower in its labour inspectorate as well as the limitations of technical capacity by delegating LGUs to perform specific advocacy and inspection functions.

In accordance with Department Order No. 3 series 1975 which is now supplanted by Rule 1980 of the OSH Standards, the following 12 cities have been authorized to conduct their own technical safety inspections: Bacolod, Batangas, Caloocan, Cagayan de Oro, Cebu, Davao, Iloilo, Mandaue, Manila, Pasay, Quezon, and Zamboanga,. Other LGUs can likewise be authorized, subject to appropriate orientation and training.

(ii) Capacity building

Capacity building of the labour inspectorate as well as the social partners is a major strategy that would serve the different approaches adopted under the LSEF. The DOLE could organize technical workshops, seminars and provide technical expertise to build the capacities of local government officers who are involved in inspection. The DOLE could also catalyze capacity building of workers and employers through training of trainers, provision of training materials and technical advice in developing training curricula and resource persons.

(iii) Social dialogue and tripartism

Tripartism is the guiding principle of the LSEF. Consultations and collaboration with the representatives of workers and employers should be undertaken whenever appropriate through the use of various mechanisms such as labour management committees, safety and health committees and the like.

At the enterprise level, social partners should be engaged in the review and discussion of policy initiatives and their commitments can be obtained in implementing the policies. Likewise, tripartite social dialogue could be undertaken at the sectoral level to promote wider awareness of

³ In the data verification made in 2007, the number of establishments with certified collective bargaining agreement was about 1,500. As a result, in Table 2.1, about 800 establishments should be transferred from SA to inspection.

risks and hazards in the workplace and the appropriate corrective measures required.

(iv) Networking and partnerships

Because of the limitations in capacity and human resources, the importance of networking and partnerships becomes crucial in assisting the government in information dissemination and workers' and employers' education. At the same time, the partnerships can intensify existing education and information efforts that encourage adherence to the values of safety and health at work. Partnerships with professional and training organizations should be forged to assist in advocacy and educational efforts as well as in capacity building activities.

Networking could be arranged with:

- trade unions as well as workers' representatives in labour-management councils, safety and health committees, welfare committees and other informal workers' associations;
- employers' organizations such as the Employers Confederation of the Philippines (ECOP) and the Philippines Chamber of Commerce and Industry (PCCI), industry tripartite councils, safety organizations, and professional management associations;
- sectoral councils and associations that work for the improvement of productivity, working conditions and environment; and,
- other government bodies and leagues that may aid in the enforcement of labour regulations including police, judiciary, provincial, municipal authorities and village chiefs.

The local government units, in particular the engineering units, could form a vital link in effective labour enforcement as they could assume the responsibility for technical safety inspection and, possibly to a limited extent, enforcement of general labour standards. For the latter, the extent and the limits of their authority would need to be defined by DOLE.

(v) Advocacy and education

Advocacy and public education are vital tools in creating a culture of safety and health as well as an ethic of self-regulation and voluntary compliance. Public information, education and advocacy would be instructive for new enterprises and small enterprises who may not be well acquainted with the existing labour standards. Employers should be made aware of their legal obligations with respect to labour standards compliance. Workers should be informed of their rights and obligations and should be motivated to keep a watch over compliance of labour standards in their establishment. Local and national media could be tapped in the campaign and advocacy for the enforcement of labour standards.

A tripartite approach on advocacy, information and education programmes should be pursued. Workers' and employers' organizations should be tasked to undertake information and education campaigns for their members. The DOLE could assist the organized workers' and employers' groups in their information and education programmes.

For the workers in the informal economy, DOLE could assume the responsibility of informing and educating them about existing labour standards.

(vi) Development of standard tools

For the implementation of the LSEF, the BWC has developed the following manuals and checklists⁴.

- **LSEF manuals** – A set of manuals have been developed, such as:
 - Revised Labour Inspection Manual;

⁴ Downloadable at: <http://www.bwc.dole.gov.ph>

- Revised Technical Safety Inspection Manual;
- Manual on Labour Standards;
- Manual on the Disposition and Settlement of Labour Standard Cases; and,
- Manual of Instructions on the Conduct of Training and Advisory Visits for Regional Offices.

These manuals contain the procedural guidelines for implementing the various approaches of the LSEF and shall be used by the regional implementers as the frame of reference to ensure proper and effective implementation of the policies and directives of the government with regard to the LSEF.

- **Checklists for inspection, TAV and SA** – These checklists contain information on the establishment profile; indicators on general labour standards including occupational safety and health, assessment findings, recommended corrections including committed date of compliance and signatures of authorized representatives of the employer and workers (See Annex).

(vii) Incentives and sanctions

Incentives such as awards can be instituted to encourage employers and workers to deliver on their commitments regarding compliance with labour standards.

The LSEF allows for strategic use of sanctions, punitive and coercive actions, especially in cases of flagrant contravention of labour standards. Sanctions shall be applied only after prior persuasions have failed to achieve the desired results. The failure to enforce labour standards may lead to a labour dispute. The resolution of such disputes falls within the ambit of DOLE's labour dispute settlement system.

2.4 Roles and views of the social partners

2.4.1 Workers

Workers have high stakes in working conditions and environment. Their involvement in planning, implementation, monitoring and evaluation of workplace programmes is crucial. This can be achieved through collaboration with trade unions and workers' representatives. Workers' involvement and feedback enable them to develop and express their commitment to safety and health policies in the workplace. The labour inspectorate must bring about effective joint actions in detecting risks and hazards at the workplace and in instituting improvement programmes by harnessing safety committees and other plant level workers' groups.

Trade unions play a key role in workers' rights and welfare advocacy by organizing workers and engaging them in collective bargaining and by monitoring the implementation and verification of core labour standards compliance. Leaders of trade unions in establishments under the SA should collaborate with employers to complete the checklist and verify the information.

In the development phase of the LSEF, the main concern of the labour sector was that the primary responsibility of the government to implement the labour standards should not get neglected. During the Tripartite Forum in 2007, the Trade Union Congress of the Philippines (TUCP) expressed the view that a deregulated state may ensue if the government passes on its responsibility of inspection and enforcement of labour standards to the mere goodwill of establishments, especially those covered by the SA. It pointed out that the government should encourage and reinforce proactive participation of establishments rather than voluntary compliance of labour standards enforcement.

Furthermore, the labour sector articulated the need to strengthen linkages with corporate social

responsibility (CSR), where the LSEF should be anchored. Trade unions agreed that CSR will provide the venue for social dialogue and multi-stakeholders' participation in adopting socially responsible practices, primarily the core labour standards which also complement the ILO's fundamental Conventions and other labour rights and principles.

2.4.2 Employers

Employers have a major responsibility in complying with the labour standards and effective application of the laws. At the enterprise level, the safety officers and other technical staff, as well as the personnel and human resource development managers and legal officers, play key roles in enforcing the labour standards.

The Employers' Confederation of the Philippines (ECOP) safeguards the interests of business in all areas related to labour-management relations, including social and economic policy matters affecting such relationships, and the promotion of industrial harmony, social and national growth. ECOP has been involved in several activities aimed at promoting labour standards enforcement through information dissemination among its members, stakeholders' analysis, programmed communication, firm level assistance and education of employers through orientation and familiarization courses on self-assessment checklists.

One of the major activities of ECOP is to promote labour standards compliance among its member establishments through the Social Compliance Assessment (SCA). The SCA is a voluntary evaluation of a company's compliance with the labour standards, OSH and management systems. For periods between 3 and 6 months, the SCA conducts gap assessments, makes recommendations and action plans and conducts workshops for establishing a reliable monitoring and reporting system.

The primary concern of the employers is that non-inspection may lead to non-compliance with the labour standards. Some employers pointed out that poor compliance was already a problem when enforcement of labour standards was mandatory; the problem will not be resolved and might get aggravated if compliance is made voluntary.

In addition to ECOP, the Philippine Chamber of Commerce and Industry (PCCI) and other trade associations could conduct training and seminars, advocate for more intensive labour standards enforcement, and promote the LSEF among its membership.

2.4.3 Other social partners

Tripartism continues to be a key tool for labour standards enforcement, but it needs to be reinforced with more intensive and extensive social dialogue. Recently, DOLE has adopted its "3+ Programme" which mobilizes non-governmental organizations (NGOs), LGUs, academic institutions and other professional organizations as partners to enhance the implementation of the LSEF.

Linkages with professional organizations such as Association of Safety Practitioners of the Philippines Inc. (ASPPPI) and Industrial Hygienist Association of the Philippines (IHAP) is important. As of October 2006, a total of 1,680 safety practitioners, 204 safety consultants, 19 safety training organizations were accredited by DOLE. The BWC has proposed amendments to Department Order 16 on Procedural Guidelines in the Accreditation of OSH Personnel in order to provide a systematic procedure for the evaluation of applications for accreditation of OSH practitioners, consultants, consultancy organisations and OSH training organizations.

As provisions concerning social security and health insurance are some of the key areas for labour standards, coordination and collaboration should be sought with the Social Security System (SSS), PhilHealth and Pag-Ibig in the mandatory enrolment of workers and the collection of social security contributions from employers and workers.

3. Implementation of the LSEF from 2004 to 2006

This chapter reviews the implementation of the LSEF during the period 2004 to 2006.

3.1 Monitoring system

Section 3 of Department Order 57-04 stipulates that monitoring and evaluation of the implementation of the LSEF are functions assigned to the Regional Offices and the BWC.

Monitoring is done through the BWC's Statistical Performance and Reporting System (SPRS), which organizes the collection, integration, utilization and reporting of all administrative data within DOLE. Data are collected from 16 Regional Offices on the key result areas and indicators of performance on employment enhancement and enforcement of labour standards.

The following Boxes 3.1 to 3.3 summarize the key performance indicators for each approach with the formulas to compute them.

There are problems due to delays in reporting and inconsistencies in the data. These inconsistencies are partly due to manual encoding of data and computation of indicators in the absence of computers and applicable software at the regional level. Lack of technical knowledge on information requirements among regional implementers and employers may also be a contributing factor.

Box 3.1. Key performance indicators on SA

| | |
|--------------------------|---|
| Coverage rate (%) = | $\frac{\text{No. of establishments given checklists}}{\text{No. of establishments to be covered by SA}} \times 100$ |
| Participation rate (%) = | $\frac{\text{No. of establishments that submitted checklist}}{\text{No. of establishments given checklists}} \times 100$ |
| Compliance rate (%) = | $\frac{\text{No. of establishments covered by SA that submitted checklists} - \text{No. of establishments with deficiencies}}{\text{No. of establishments covered by SA that submitted checklists}} \times 100$ |
| Performance rate (%) = | $\frac{\text{No. of establishments given checklist}}{\text{No. of target establishments for SA}} \times 100$ |

Box 3.2. Key performance indicators on regular inspection (GLS)

| | | |
|--|---|--|
| Coverage rate (%)* | = | $\frac{\text{No. of establishments inspected}}{\text{No. of establishments to be covered by inspection}} \times 100$ |
| Compliance rate (%)* | = | $\frac{\text{No. of establishments complying upon inspection}}{\text{No. of establishments inspected}} \times 100$ |
| Correction rate (%)* | = | $\frac{\text{No. of establishments with violations corrected at plant level}}{\text{No. of establishments with violations}} \times 100$ |
| Total compliance rate* (%) | = | $\frac{\text{No. of establishments complying upon inspection} + \text{No. of establishments complying within plant level}}{\text{No. of establishments inspected}} \times 100$ |
| Performance rate (%)** | = | $\frac{\text{No. of establishments inspected}}{\text{No. of target establishments for inspection}} \times 100$ |
| <p>* For Technical Safety Standards (TSS), the number of UNITS inspected is used instead of number of establishments. Units refer to the number of boilers, pressure vessels, internal combustion engines, electrical wiring installations and other mechanical equipments.</p> <p>** For TSS, the same formula will be applied.</p> | | |

Box 3.3. Key performance indicators on TAV

| | |
|-----------------------------|---|
| Coverage rate (%) = | $\frac{\text{No. of establishments participated in orientation}}{\text{No. of establishments to be covered by TAV}} \times 100$ |
| Compliance rate (%) = | $\frac{\text{No. of establishments participated in orientation} - \text{No. of establishments with deficiencies}}{\text{No. of establishments participated in orientation}} \times 100$ |
| Correction rate (%) = | $\frac{\text{No. of establishments which complied with labour standards upon follow-up}}{\text{No. of establishments with noted deficiencies on previous and current years}} \times 100$ |
| Total compliance rate (%) = | $\frac{\text{No. of establishments complying upon orientation on previous and current year} + \text{No. of establishments which complied upon follow-up}}{\text{No. of participating establishments on previous and current years}} \times 100$ |
| Performance rate (%) = | $\frac{\text{No. of orientations conducted}}{\text{Target number of orientations}} \times 100$ |

3.2 Implementation of self-assessment

3.2.1 Overall performance at the national level

The following Table 3.1 and Figure 3.1 show key indicators for SA from 2004 to 2006.

Table 3.1 Key indicators on SA, 2004-2006

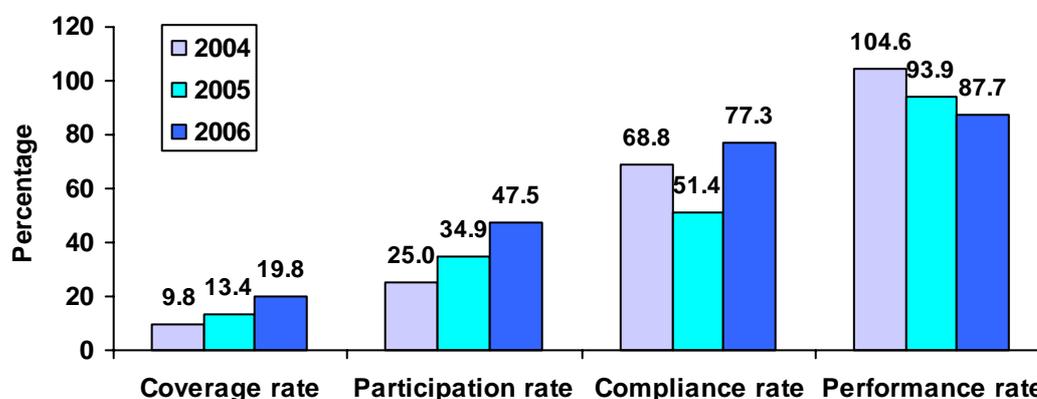
| Indicators | Year | | |
|---|-------|-------|-------|
| | 2004 | 2005 | 2006 |
| (A) Establishments to be covered by SA* | 5,393 | 5,393 | 5,393 |
| (B) Target establishments for SA | 2,431 | 2,417 | 2,907 |
| (C) Establishments given checklist | 2,542 | 2,270 | 2,548 |
| (D) Establishments which submitted checklist** | 636 | 792 | 1,210 |
| (E) Of which: Establishments covered by SA** | 528 | 725 | 1,069 |
| (F) Establishments with deficiencies/violations | 165 | 352 | 243 |
| (G) Spot checks conducted | 28 | 23 | 0 |
| (1) Coverage rate (%) (C)/(A) | 9.8 | 13.4 | 19.8 |
| (2) Participation rate (%) (D)/(C) | 25.0 | 34.9 | 47.5 |
| (3) Compliance rate (%) 1 – (F)/(E) | 68.8 | 51.4 | 77.3 |
| (4) Performance rate (%) (C)/(B) | 104.6 | 93.9 | 87.7 |

Notes:

* NSO and the Department of Trade and Industry (DTI), 2003

** While (D) includes all establishments which returned an SA checklist regardless of employment size, (E) includes only those establishments which returned an SA checklist and have 200 workers or more, or with collective bargaining agreements regardless of employment size.

Figure 3.1. Key indicators on SA, 2004-2006



The number of establishments covered by the SA increased from 528 in 2004 to 725 in 2005 (increased by 37 per cent) and 1,069 in 2006 (increased by 47 per cent). The coverage rate increased from 9.8 per cent in 2004 to 13.4 per cent in 2005 and to 19.8 per cent in 2006. Despite the increases in number and coverage rates, the figure represents less than 20 per cent of the potential number of establishments to be covered by the SA.

There was a steady increase in the participation rate from 25.0 per cent to 47.5 per cent. Although the participation rate doubled from 2004 to 2006, its level remained at less than 50 per cent.

The compliance rate decreased from 68.8 per cent in 2004 to 51.4 per cent in 2005, but increased to 77.3 per cent in 2006. Disaggregated compliance rates in 2006 are: 98 per cent for General Labour Standards (GLS), 79 per cent for Occupational Safety and Health Standards (OSHS), 87

per cent for Other Related Labour Laws and Issuances (ORLLI) and 99.8 per cent for minimum wage. The relatively high and steadily increasing compliance rates may be due to the fact that establishments covered by the SA are large and unionized and thus they comply with the labour standards better than others. However, caution should be taken in interpreting these results, as spot checks to validate the information submitted through the checklists are rarely conducted.

The performance rate remained consistently more than 85 per cent, although it declined from 104.6 per cent in 2004 to 93.9 per cent in 2005 and 87.7 per cent in 2006. The exceptionally high performance rate in 2004 and 2005 may be attributed to low target setting of the SA by the Regional Offices.

3.2.2 Performance by regions

In 2004, Region III had the highest participation rate (102 per cent) followed by Regions V (68.6 per cent) and VIII (65.5 per cent), while NCR had the lowest performance rate (13 per cent) that year. Leaders in compliance were Regions II (100 per cent), III (91.8 per cent) and IV-A (90.4 per cent). All regions achieved their target (i.e., performance rate in excess of 100 per cent) except Region IV-B (52.9 per cent). (See Table A.1 in Statistical Annex).

In 2005, Regions IV-B (100 per cent), XII (92 per cent), II (90 per cent) and V (90 per cent) had the highest participation rates, while Region I had the lowest (23 per cent). NCR had a higher participation rate (27 per cent) compared to the previous year. CAR and Regions III, IV-B, V and XI reported 100 per cent compliance. Regions with performance rate higher than 100 per cent were NCR, CAR, Regions I, II, III, IV-B, VI, VIII, X, XII and CARAGA. Among the poor performers were Regions XI (36 per cent), V (40 per cent) and VII (46.55 per cent). (See Table A.2 in Statistical Annex).

In 2006, Regions V (100 per cent), XI (100 per cent) and II (95 per cent) had the highest participation rates, while Region VII had lowest. NCR increased its participation rate to 42.7 per cent compared to the previous two years. Nine regions reported 100 per cent compliance for GLS, five each for OSHS and ORLLI and all regions for minimum wages, except Region VII (98 per cent). The NCR, CAR, Regions I, II, V, XII and CARAGA achieved performance rates higher than 100 per cent, while Region X (24.3 per cent) performed poorly. Regions V and VII improved their performance rates compared to the previous year. (See Table A.3 in Statistical Annex).

3.3 Implementation of regular inspection

3.3.1 Overall performance at the national level

The following Table 3.2 and Figures 3.2 and 3.3 show key indicators for regular inspection from 2004 to 2006. These data show that there was no significant change in the compliance, correction and total compliance rates in GLS and TSS in 2004-2006.

The total number of establishments inspected on either GLS or TSS increased by 13 per cent from 23,979 in 2004 to 26,998 in 2005, but slightly decreased by 2 per cent to 26,462 in 2006. In terms of coverage rates, this is still less than 50 per cent of the total inspectionable establishments under the LSEF.

All indicators for GLS showed a slight increase during this period. However, some Regional Offices still set lower targets for regular inspection.

Table 3.2 Key indicators on inspection, 2004-2006

| Indicators | Year | | |
|--|--------|--------|--------|
| | 2004 | 2005 | 2006 |
| (A) Establishments to be covered by inspection | 61,341 | 61,341 | 61,341 |
| (B) Establishments inspected (GLS+TSS) (D)+(F) | 23,979 | 26,998 | 26,462 |
| (1) Coverage rate (GLS+TSS) (%) (B)/(A) | 39.1 | 44.0 | 43.1 |
| Inspection on GLS including OSH | | | |
| (C) Target establishments for inspection | 21 438 | 18 196 | 18 663 |
| (D) Establishments inspected | 16,319 | 19,539 | 19,256 |
| (2) Coverage rate (%) (D)/(A) | 26.6 | 31.9 | 31.4 |
| (3) Compliance rate (%) | 44.9 | 46.1 | 49.2 |
| (4) Correction rate (%) | 22.2 | 22.7 | 23.0 |
| (5) Total compliance rate (%) | 57.1 | 58.3 | 60.9 |
| (6) Performance rate (%) (D)/(C) | 76.1 | 107.4 | 103.2 |
| Inspection on TSS | | | |
| (E) Target establishments for inspection | 8,194 | 8,391 | 8,207 |
| (F) Establishments inspected | 7,660 | 7,459 | 7,206 |
| (G) Units inspected* | 17,484 | 18,479 | 16,786 |
| (7) Coverage rate (%) (F)/(A) | 12.5 | 12.1 | 11.7 |
| (8) Compliance rate (%) | 86.9 | 85.3 | 81.4 |
| (9) Correction rate (%) | 49.0 | 43.2 | 18.7 |
| (10) Total compliance rate (%) | 93.3 | 91.7 | 84.8 |
| (11) Performance rate (%) (F)/(E) | 93.5 | 88.9 | 87.8 |

Note: * Units refer to the number of boilers, pressure vessels, internal combustion engines, electrical wiring installations and other mechanical equipment.

Figure 3.2 Key indicators on inspection of GLS, 2004-2006

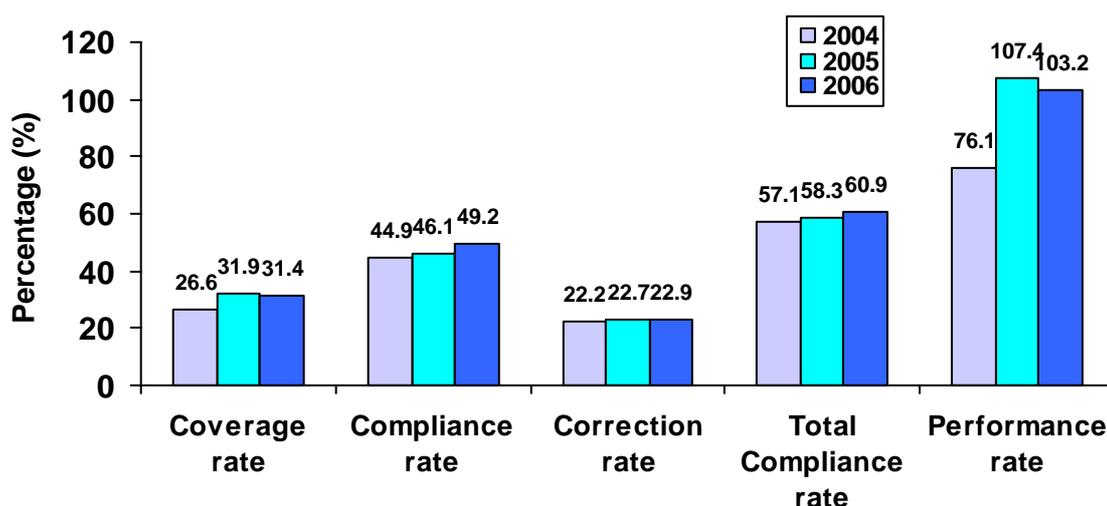
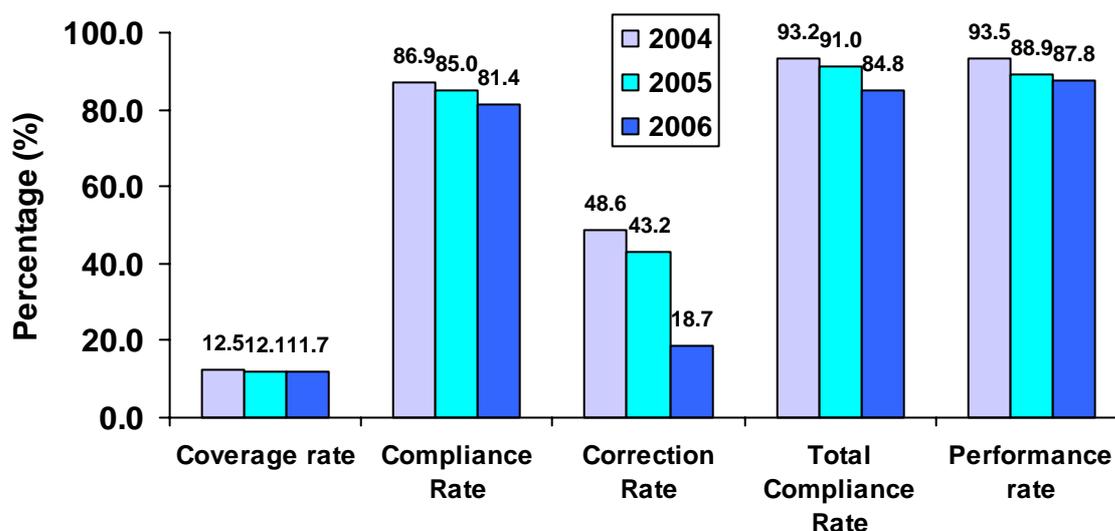


Figure 3.3. Key indicators on inspection of TSS, 2004-2006



On the other hand, key indicators for TSS decreased throughout the period covered. However, it should be noted that the data presented above do not include the inspections conducted by the LGUs. The authority to conduct inspections has already been delegated to cities and municipalities which have the equipment and technical knowledge to perform inspection on TSS, but there is no obligation for these LGUs to submit annual reports to the Regional Offices. To rectify this defect, a mandatory reporting should be requested from the LGUs which are authorized to conduct TSS inspections.

3.3.2 Performance by regions

In 2004, the lead regions for GLS were: Regions V (84 per cent), III (78 per cent) and IX (66 per cent) in terms of compliance rate; Regions V (72 per cent) and IV-B (71 per cent) for correction rate and Regions V (95 per cent), III (85 per cent) and IV-B (83 per cent) for total compliance rate. The top performing regions with performance rates greater than 100 per cent were Regions IV-A, IV-B, V, VI, VII, VIII, XI and XII. (See Table A.4 in Statistical Annex).

In respect of TSS, full compliance rate was reported in CAR and Region XI, while there were low compliance rates in Regions XII (63 per cent), VII (66.5 per cent) and X (72 per cent). Correction rate was highest in Region III (100 per cent) and lowest in CAR, Regions V and XI. CAR, Regions III, VIII and XI had 100 per cent total compliance rate. Regions I, II, IV-A, V, VI, XI, XII and CARAGA had performance rates exceeding 100 per cent. (See Table A.4 in Statistical Annex).

In 2005, the lead regions for GLS were: Regions III (86 per cent), IX (73.45 per cent) and VII (71 per cent) for compliance rate; Regions VI (63 per cent), V (66 per cent) and VIII (70 per cent) for correction rate; Regions III (91.5 per cent), IX (88 per cent) and V (86 per cent) for total compliance rate. All Regions had performance rates of at least 100 per cent, except NCR (88 per cent). (See Table A.5 in Statistical Annex).

In respect of TSS, 7,459 establishments were inspected. They were primarily located in NCR and Region I. Full compliance rates were reported by CAR and Region XI, while low compliance rates were reported by Regions VII (34%) and XII (65%). Correction rate was highest in Regions VI (215 per cent) and III (100 per cent) and lowest in CAR, Regions V, VIII and XI. Regions III, VIII XI and CAR had 100 per cent total compliance rate. Regions I, II, III, IV-A, V, VII, VIII, XI, and XII had performance rates exceeding 100 per cent. (See Table A.5 in Statistical Annex).

In 2006, the lead regions for GLS were: Regions III (81 per cent), VII (73 per cent) and IX (66 per cent) for compliance rate; Regions IV-B (98.5 per cent), I (60 per cent) and VIII (58 per cent) for correction rate and Regions IV-B (99 per cent), III (87 per cent), and VII (75 per cent) for total compliance rate. NCR had the lowest performance rate (73 per cent). (See Table A.6 in Statistical Annex).

In respect of TSS, 7,206 establishments were inspected. These were primarily located in NCR, Regions I and IV-A. CAR and Region XI achieved had full compliance, while there were low compliance rates in Regions VII (26 per cent), IV-B (43 per cent), and XII (61.5 per cent). Correction rates were highest in Regions III and IV-B (100 per cent) and lowest in Regions V, VIII, IX, X, XI and CAR. Regions III, IV-B, XI and CAR had 100 per cent total compliance rates. Regions I, II, VI, VII, and X had compliance rates greater than 100 per cent. (See Table A.6 in Statistical Annex).

It should be noted that NCR remained one of the lowest performers from 2004 to 2006. Some Regional Offices have no engineers to conduct technical safety inspection, such as Region IV-B which did not conduct inspection on TSS in 2004 and 2005.

3.4 Implementation of training and advisory visits

3.4.1 Overall performance at national level

The following Table 3.3 shows key indicators for training and advisory visits from 2004 to 2006.

Table 3.3 Key indicators on TAV, 2004-2006

| Indicators | Year | | |
|--|---------|---------|---------|
| | 2004 | 2005 | 2006 |
| (A) Establishments to be covered by TAV | 743,628 | 743,628 | 743,628 |
| (B) Target orientation courses | 194 | 198 | 303 |
| (C) Orientation courses conducted | 179 | 201 | 263 |
| (D) Establishments participated in orientation | 5,358 | 6,597 | 7,735 |
| (1) Coverage rate (%) (D)/(A) | 0.72 | 0.89 | 1.04 |
| (2) Performance rate (%) (C)/(B) | 92.3 | 101.5 | 86.8 |
| (3) Compliance rate upon orientation (%) | 62.8 | 59.5 | |
| On General Labour Standards | | | 65.1 |
| On Occupational Safety and Health Standards | | | 63.7 |
| On Other Related Labour Laws and Issuances | | | 87.8 |
| On Minimum Wage | | | 91.6 |
| (E) Establishments subjected to follow-up visits | 1,311 | 2,281 | 1,784 |
| (F) Establishments complying upon follow-up visits | 737 | 1,377 | --- |
| On General Labour Standards | | | 1,514 |
| On Occupational Safety and Health Standards | | | 1,846 |
| On Other Related Labour Laws and Issuances | | | 411 |
| On Minimum Wage | | | 402 |
| (4) Correction rate (%) | 56.2 | 60.4 | ---* |
| (5) Total compliance rate (%) | 76.6 | 67.2 | ---* |

The number of establishments covered by TAV increased by almost one thousand annually, from 5,358 in 2004 to 6,597 in 2005 and 7,735 in 2006. A large majority of these establishments were non-BMBEs. While there were efforts to increase the number of orientations and number of establishments covered by TAV, the actual number of covered establishments is still low at only 1 per cent of the total number of establishments under TAV. Hence, in comparison to the other

modes of the LSEF, the implementation of TAV is facing a huge challenge of reaching out to the large number of small and micro enterprises in the Philippines.

The correction rate measures the impact of the orientations conducted. The correction rate was 56.2 per cent in 2004 and 60.4 per cent in 2005. The total compliance rate was 76.6 per cent in 2004 and 67.2 per cent in 2005. As a result of the revision in 2006, compliance rate was disaggregated into General Labour Standards (GLS), Occupational Safety and Health Standards (OSHS), other related labour laws and issuances (ORLLI) and minimum wages. Individual compliance rates were 65 per cent for GLS, 64 per cent for OSHS, 88 per cent for ORLLI and 92 per cent for minimum wages. It should be noted that the compliance rates are based on the response of the participants at the orientations. After verification, it was found out that the actual compliance of minimum wages in 2006 was only 13 per cent as opposed to 92 per cent reported at the orientation. This again raises the need for proper guidance at the TAV orientation and the verification of reported data by regional implementers.

3.4.2 Performance by regions

There is wide inter-regional disparities in performance rates of TAV. For instance, Regions III and IV-B in 2004 and Region V in 2006 had performance rates lower than 50 per cent.

In 2004, the top performers for TAV were Regions V (300 per cent), X (137.5 per cent), IX (103 per cent), and VII (118 per cent). Region III failed to report on its activities, but admitted that it conducted only 3 orientation courses with about 25 participants per orientation. Regions XI (100 per cent), I (90 per cent) and V (85 per cent) had the highest compliance rates for orientation courses. Regions I (100 per cent), II (100 per cent) and VI (98.9 per cent) had the highest correction rates. Regions I, II and XI had 100 per cent total compliance rates. (See Table A.7 in Statistical Annex).

In 2005, the top performers were Regions X (275 per cent), V (243 per cent) and VI (140 per cent). Regions IV-B (92.8 per cent), VI (76.5 per cent), I (69 per cent) and CARAGA (69 per cent) had the highest compliance rates for orientations. Regions VI (75 per cent) and I (67 per cent) had the highest correction rates. No region was able to achieve 100 per cent compliance rate. (See Table A.8 in Statistical Annex).

In 2006, the top performers were Regions VI (107.14 per cent) and VII (103.12 per cent). Compliance rates of orientation with GLS were the highest in Regions I (96.8 per cent), IV-A (93.4 per cent), and VII (92.3 per cent). For compliance rates of orientation with OSHS, CAR (89 per cent), Regions III (99 per cent) and IV-A (100 per cent) had the highest compliance rates. For compliance rates of orientation with ORLLI, CAR (100 per cent), Regions IV-A (100 per cent) and V (99 per cent) achieved the highest rates. For compliance rates of orientation with minimum wages, Regions I (99 per cent), III (100 per cent) and IV-A (100 per cent) performed the best. (See Table A.9 in Statistical Annex).

3.5 Challenges in implementing the LSEF from 2004 to 2006

3.5.1 Low coverage of the LSEF

Despite DOLE's vigorous efforts to implement the LSEF, the number of establishments effectively covered by the LSEF remains low. As shown in Table 3.4, the number of establishments covered by the three LSEF modes has been increasing steadily since 2004 but it is still less than 5 per cent of the total number of establishments in the country. By approach, regular inspection covers the highest proportion of medium-sized establishments, but it is still lower than 50 per cent. This means that on average one establishment is likely to be inspected at intervals of two years or more. Self-assessment covers less than 20 per cent of the total number of establishments. Considering that self-assessment covers only large and unionized establishments,

this result suggests that there is still room for expansion. The coverage of training and advisory visits was only 1 per cent or less.

Table 3.4 Establishments covered by the LSEF, 2004-2006

| LSEF Approach | Number of establishments | Establishments covered | | | Percentage | | |
|------------------------------|--------------------------|------------------------|--------|--------|------------|--------|--------|
| | | 2004 | 2005 | 2006 | 2004 | 2005 | 2006 |
| | 2003 NSO Survey | | | | | | |
| Self-assessment | 5,393 | 528 | 725 | 1,069 | 9.79% | 13.44% | 19.82% |
| Inspection (GLS+TSS) | 61,341 | 23,979 | 26,998 | 26,462 | 39.09% | 44.01% | 43.14% |
| Training and advisory visits | 743,628 | 5,358 | 6,597 | 7,735 | 0.72% | 0.89% | 1.04% |
| Total | 810,362 | 29,865 | 34,320 | 35,266 | 3.68% | 4.23% | 4.35% |

The following are major reasons for the low coverage and participation rates of the LSEF.

- First and foremost, inadequate financial and human resources are the major constraints to the full implementation of the LSEF. In particular, the lack of funds, vehicles and personnel contributed to low performance at the regional level. No specific allocation was made for this task from DOLE’s budget. Some regions failed to send the SA checklists to the establishments due to the pressure to reduce mailing costs and other related expenditures. There is a shortage of permanently assigned vehicles for inspection of agricultural establishments and inadequate funds for fuel, lubricants, etc. for the office vehicles. Insufficient number of inspectors resulted in those available having to multitask. This affected their ability to fully implement the different LSEF modes, as they are required to attend to administrative work and other tasks. There is also a lack of capacity building and training courses for better implementation of the LSEF.
- Second, there is low awareness among employers and workers about the LSEF. This is due to insufficient dissemination of information, education and advocacy on the LSEF, in particular on SA and TAV. A survey conducted by ECOP regarding LSEF promotion and enforcement revealed that the majority of establishments included in the study were not aware that the LSEF guidelines and SA checklists are available on the DOLE website. The survey also established that 61 per cent, 45 per cent, and 46 per cent of employers did not know about TAV, regular inspection and the SA, respectively. There were employers who commented that the LSEF will not work because it is not properly communicated to them. The study concluded that “there is a need for more intensive information campaign about LSEF among employers”.
- Third, there was lack of a complete and updated list of establishments which includes the names, addresses, nature of establishments, contact numbers and numbers of employees by size and type of contract. This resulted in loss of time and resources of the regional implementers. The incomplete list of establishments may also explain the low participation rates of SA and TAV.
- Fourth, in the absence of a standard for target setting, different regions apply different methods. The BWC should develop a standard target setting formula, which can be adjusted by taking into account geographical (e.g., one region composed of several islands) and accessibility factors (e.g., conditions of roads, availability of public transport).

3.5.2 Problems with self-assessment

The following problems have been observed regarding the implementation of self-assessment.

- First, many inspectors and employers still prefer regular inspection as they are more familiar with the procedure. For the inspectors, sending out and following up on the checklists take time and resources; on the other hand, the establishments do not want to go through the process of filling up complicated forms and submitting supporting documents. Many establishments did not submit the checklists to the regional offices, as no sanction is imposed for non-submission.
- Second, proper orientation was not provided for employers and workers by the Regional Offices for completion of the checklists. As a result, the information in the checklists was often incomplete or supporting documents were missing. This also contributed to the inconsistencies in the reported data.
- Third, the follow-up visits by the Regional Offices are inadequate. Despite the requirement to conduct spot checks to verify the SA checklists in at least two establishments per day, in fact only 51 spot checks were conducted in 2004 and 2005, and no spot check was conducted in 2006. Only five Regional Offices (CAR, I, VI, XI, and XII) have conducted spot checks since 2004.

3.5.3 Problems with regular inspection

The following problems have been identified with regard to inspection. Many of them are inherent problems that existed before the implementation of the LSEF.

- First, the target setting of inspections does not take into consideration key factors such as the nature and type of establishments per region, as well as the availability of resources. The lack of an updated master list of establishments is also an obstacle for developing an effective target setting strategy. In addition, there is an exemption of inspection for small and micro enterprises. Under the BMBE law (RA 9178), the enterprises registered as Barangay Micro Business Enterprises are not covered by inspection unless there are complaints but they are covered by TAV.
- Second, labour inspectors continue to be denied access to employment records, which is a critical problem in inspections. Many establishments allegedly do not report the correct number of workers in order to avoid inspections. Moreover, the reports submitted are not validated and therefore no action can be taken against establishments that have allegedly denied access to the inspectors.
- Third, there is lack of awareness among the LGUs of the Department Order on the delegation of powers for technical safety inspections and lack of qualified technical personnel and equipment at the LGU level.
- Fourth, the lack of specific penalty provisions for OSH violations result in poor compliance concerning OSH.

3.5.4 Problems with training and advisory visits (TAV)

As anticipated, this approach has had more problems than the other two approaches. The poor performance of TAV was mainly due to the lack of resources for the conduct of orientation courses. Although the Employees' Compensation Commission (ECC)⁵ provided financial assistance to cover meeting costs, the Regional Offices were able to conduct only a limited number of TAV orientation courses.

⁵ The ECC allocated Php. 1.3 million in support of conducting TAV orientation with a maximum amount of Php. 8,000 per orientation. This is equivalent to more than 160 orientation courses.

Another problem with TAV is the absence of a targeting strategy. The Manual of Instruction on the Conduct of Technical Advisory Services for Regional Offices does not consider the number of inspectors assigned per region or suggest a formula for reasonably targeting the number of orientation courses to be accomplished per year. A complete, updated list of establishments is not available because some cities and municipalities do not furnish the Regional Offices with the list of registered BMBEs. There are also difficulties in identifying establishments with less than 10 workers, since no actual verification of employment records is done.

The organization of TAV orientation courses needs improvement. First, in the absence of a standard module, each Regional Office has developed its own programme. Second, too many tasks are required to be performed for a one day orientation course. As a result, the orientations failed to provide in-depth understanding of important topics. In some cases, not enough time was given for the action planning workshop. One of the lessons learned is the need to develop standard training modules and manuals for TAV and SA. In the framework of BWC-ILO technical cooperation project, such standard TAV and SA training modules and manuals have been developed and will be used as basic materials for the conduct of TAV and SA.

Insufficient follow-up visits is also a problem. Despite the requirement to undertake follow-up visits at least once after the orientation course, less than 10 per cent of the establishments covered by the orientations were actually followed up. Many Regional Offices failed to conduct advisory visits due to limited human and financial resources.

Owners are reluctant to participate in the orientation courses and few owners actually attended. In many cases, the owners send their representatives who are not competent to deal with labour standards. The reluctance may be due to the fear of discovery of violations of labour standards, additional expenses for orientation course fees and other income losses due to attending the orientation courses.

In some establishments, the owners failed to comply with labour standards even after signing and submitting their action plans. The main reasons for this are: (i) the owners were not aware of the commitments made in the action plans they signed since the representative assigned to attend the orientation courses prepared the action plan; (ii) regular follow-up and monitoring were not carried out; and (iii) some establishments preferred regular inspection to several training and advisory visits.

4. Programmes for enhancing LSEF implementation

The analysis of the LSEF implementation in 2004-2006 has identified a number of problems. This chapter describes the current major efforts by the BWC to further enhance the implementation of the LSEF.

4.1 Follow-up meetings and tripartite consultations

A National Conference on the LSEF was held in Cagayan de Oro City in February 2006 bringing together the regional implementers and technical staff to discuss the gaps, issues and concerns about the implementation of the LSEF. The objective of the conference was to strengthen programme implementation and enlist the commitment of the participants in arriving at a consensus in resolving issues on specific areas of concern.

A major outcome of the conference was the adoption of the National Programme which identified the following four components critical to LSEF implementation:

- Project for capacity building of implementers and partners;
- Project for promoting awareness about the LSEF through information, education, communication and advocacy;
- Project for creating a system of linkages and networking; and
- Project for designing an efficient monitoring and evaluation system.

A Tripartite Forum on Partnership and Collaboration on the LSEF was held in Manila in March 2007 to identify critical areas of cooperation with employers' and workers' organizations and other stakeholders for effective implementation of the LSEF.

4.2 Technical cooperation project with the ILO

Since 2006, the ILO has been supporting the LSEF within the framework of the BWC-ILO technical cooperation project "*Developing a National Programme to Enhance the Implementation of the LSEF*".

Phase 1 of the project resulted in the development of training and information tools:

- **Standardized training modules for TAV and SA** – These training modules have been developed to assist regional implementers and the social partners in conducting orientation courses for the covered enterprises in a more systematic way.
- **Trainers' manuals for TAV and SA** – These are accompanying manuals for the TAV and SA training modules. They provide users' guides for more effective delivery of the training programmes.
- **Information, Education, Advocacy (IEC) materials on LSEF** – These are tools for disseminating information and increasing awareness about the LSEF in the form of posters, brochures and OSH primers.

The TAV orientation course consists of the following four modules:

1. Course Introduction and Overview
2. Providing Just Compensation and Related Benefits
3. Establishing a Safe and Healthy Workplace
4. Promoting a Child Labour-Free Workplace.

The SA orientation course consists of the following six modules:

1. LSEF Overview
2. Conduct and Procedures of Self-Assessment
3. Required Checklist-Workshop Guides
4. General Labour Standards (including Core Labour Standards)
5. Occupational Safety and Health Standards
6. Other Related Labour Laws/Issuances (including Family Welfare Program, Drug-Free Workplace, Anti-Sexual Harassment, HIV/AIDS Programme, Promoting a Child Labour-Free Workplace).

These training and information materials have been disseminated among the Regional Offices. In developing these training materials, the BWC conducted consultation workshops with the regional implementers and tripartite partners as well as carrying out pilot tests in the National Capital Region, Regions III and IV-A.

Phase 2 of the project focuses on capacity building through the training of trainers (TOT) approach. Using the training modules and manuals, two batches of training of trainers for the regional implementers and social partners nationwide will be conducted by the end of 2007 (50 Regional Office staff and 16 social partners will be trained). The second National Conference on the LSEF is planned for the end of 2007.

4.3 LSEF Inspection Blitz

4.3.1 Rationale

In order to maximize compliance with labour standards and further enhance the implementation of the LSEF, DOLE initiated an intensive inspection programme, called the “LSEF Inspection Blitz”.

This programme consists of three phases. The first phase in July-November 2007 covers inspection of all establishments employing 10-199 workers in specified target areas with a concentration of prioritized establishments such as shopping malls, restaurants, fastfood enterprises, cooperatives, construction sites, manufacturing enterprises and highly hazardous establishments. Other inspectionable establishments shall also be subject to inspection on a non-priority basis. Depending on the outcome of the first phase, the second phase is planned for February-November 2008, and the third phase for February-November 2009.

4.3.2 Methodology

To maximize the number of inspections, the project focuses on only the core labour standards and compliance with social security legislations namely, minimum wages, emergency cost of living allowance (ECOLA), 13th month pay, holiday pay, service incentive leave and social security programmes such as the Social Security System (SSS), Pag-IBIG and PhilHealth.

If an inspected establishment is classified as highly hazardous or under imminent danger, the inspection shall include compliance with OSH rules. In the course of the inspection, the labour inspector shall determine if the subject establishment engages the services of security agencies, manpower agencies or other sub-contractors. In cases where an initial investigation reveals a probable violation of labour standards, the Regional Director will order the immediate inspection of these agencies or sub-contractors.

The inspections shall be conducted on a zonal basis. All Regional Office personnel involved in the project shall conduct the inspections as a team in a specific target zone (city or area)

inspecting all the targeted inspectionable establishments before moving on the next target zone. Each labour inspector shall inspect at least 12 establishments per week.

All Regional Office inspectors, including those who conduct technical safety inspections, shall participate in the project activities. Regional Office personnel who have recently passed the “Basic Training Course for New Labour Inspectors and Non-LSED (Labour Standard Enforcement Division) Personnel” shall also participate when authorized by the Regional Director. The Regional Director shall oversee the actual operation and smooth implementation of the project in every region. A Task Force is set up in the BWC to monitor the progress of the programme implementation and to ensure the the objectives of the project are met.

4.3.3 Remarks

An expected outcome of this intensive inspection campaign is a significant increase in the number of establishments inspected to verify compliance with the core labour standards. In the implementation of the project, it is also important to ensure consistency with the SA and TAV modes of the LSEF.

In June 2007, a total of 2,690 establishments were inspected. The number of workers in these establishments totalled 72,804, of which 65 per cent were males and 35 per cent females.

From July to September 2007, a total of 9,853 establishments were inspected covering 270,669 workers. Of the establishments inspected, 2,254 or 22.8 per cent had violations on minimum wage while 2,014 or 20.4 per cent had violations on social welfare benefits. Compliance rates were estimated at 64.6 per cent for core labour standards, 77.1 per cent for the minimum wage, and 79.6 per cent for social welfare benefits, respectively. The total compliance rate was estimated at 52.8 per cent.

4.4 Private sector partnership project for small and medium enterprises (KAPATIRAN)

4.4.1 Rationale

The DOLE through BWC has taken steps to assist small and micro enterprises (SMEs) to create an enabling environment for improved productivity and better OSH in their workplaces as part of the strategy to raise productivity.

The project is inspired by the Filipino tradition of brotherhood or “KAPATIRAN”⁶, which in this case translates as a large company helping out small companies. Under this project, large companies volunteer to participate as a strategic partner in helping an equally willing SME to improve its safety and health conditions at the workplace following the TAV principles. The large company is referred to as “big brother” while the SME is “small brother”. Each participating big brother is expected to be compliant with DOLE, DTI and LGU regulations and should adopt at least ten SMEs in its community. The assistance will last one year.

The project was launched on 19 July 2007 at the Occupational Safety and Health Summit in Lucena City where all project partners signed a Memorandum of Understanding expressing their commitment to fulfil their respective responsibilities in the implementation of the project.

⁶ From a point of view of gender equality, it should be noted that both men and women workers will benefit from this programme although this term refers only to men.

4.4.2 Methodology

The pilot test of the KAPATIRAN project started in Pagbilao, Quezon Province. Under the auspices of TEAM Energy Corporation Pagbilao⁷, 36 SMEs have participated as small brothers. It is envisioned that this project will be replicated in other parts of the country, thereby increasing the coverage of establishments that will benefit from the LSEF's TAV programme.

A Technical Working Group (TWG) composed of members from agencies of the national government, local government units, private companies and non-government organizations was created to map out plans for the implementation of the project. It was also tasked with firming up the project partners' commitments to implement the KAPATIRAN project.

The project will identify potential candidates of partner companies in the area. The selection criteria adopted by the TWG in selecting the potential SMEs are:

- SMEs which have attended TAV or those willing to undergo TAV orientation;
- SMEs identified by the big brothers;
- SMEs recommended by the LGUs (Pagbilao, Lucena, Tayabas, Mauban and Candelaria); and,
- sub-contractors of big brothers.

The representatives of the selected SMEs will undergo the TAV orientation course. During the TAV orientation, DOLE and the big brother will assess the working conditions, using the TAV checklist. At the end of the session, each participant is asked to submit an action plan for the improvement of his/her workplace. The big brothers will closely monitor and follow up the implementation of the action plans, including the provision of technical assistance for improving the safety and health conditions of the workplaces.

4.4.3 Remarks

The project seeks to mobilize private sector initiatives to promote small and micro enterprise development in combination with the labour standards enforcement framework. Coordination with employers' organizations is important for identifying the participating companies and replicating the pilot project in other areas.

In August 2007, three sessions of the one-day KAPATIRAN WISE-TAV Orientation Course were conducted in Pagbilao, with participation from large companies and 47 small, medium and micro enterprises. On 14 September 2007, TEAM Energy Corporation Pagbilao conducted the first OSH Training course for Small Brothers in Pagbilao, which was attended by 26 participants from 18 small, medium and micro enterprises. Other training courses are scheduled from October 2007 to March 2008. Plant site visits and technical assistance will be provided by the big brothers under the supervision of DOLE Region IV-A in October 2007.

⁷ Other companies which support this programme are: Quezon Power Limited, Philippine Long Distance Telecommunications in Lucena, Meralco in Lucena, and Transmission Corporation in Quezon.

5. Conclusion: the way forward

The new LSEF is a manifestation of DOLE's commitment to protect the workers and uphold their right to a safe and healthy workplace. Although the LSEF is an innovative policy to cope with the new labour market challenges, its impact so far has been rather limited. Approximately 11 per cent of the total number of establishments in the country was covered by the LSEF during 2004-2006. Several programmes have been launched to accelerate the implementation of the LSEF, although it is still premature to evaluate their impact. However, based on the problem analysis made in this study, it is clear that the government – together with its social partners – should develop effective strategies for enhancing LSEF implementation.

Notwithstanding the tight government budget constraint, the required strategy should address the need for sufficient resources for the recruitment, training and retention of competent and motivated personnel. The government should also provide financial resources so that inspections and orientation activities can be conducted thoroughly and with sufficient frequency. Unless adequate resources are secured for implementation of the LSEF, the coverage and compliance with labour standards may not ameliorate significantly.

In order to make the most efficient and optimum use of the limited resources, the BWC should take the lead in organizing training courses for the regional implementers, better coordination with the Regional Offices, regular monitoring of LSEF implementation, consultation and collaboration with employers' and workers' organizations and partnerships with professional organizations.

There is a need for more intensified information campaigns and advocacy to fill the significant gaps in knowledge and awareness of the LSEF. Both employers and workers should be properly informed of their obligations and responsibilities and the potential benefits of the LSEF. Employers' and workers' organizations are expected to play important roles in the information, education and communication activities.

At the same time, DOLE must develop a complete and updated list of establishments in coordination with other key departments. Such a list is crucial for target setting, preparing communications and the sending of questionnaires to establishments and would aid the monitoring and follow-up activities.

An effective labour standards enforcement system, carried out by professionally trained and adequately resourced inspectors with the participation of employers and workers, would result in decent, safe, healthy and more productive workplaces, with benefits for both employers and workers.

The Philippines experience offers several lessons for other countries. These can be summarized as follows:

- i) Inspection is an indispensable instrument for ensuring labour standards. Hence, it is essential to invest in financial and human resources in order to fully implement a labour standards enforcement system.
- ii) Involving tripartite stakeholders – government, employers and workers – in the design, implementation and monitoring process of a labour standards enforcement system is vital to its success. It brings different viewpoints, experience and builds trust.
- iii) Raising awareness amongst employers and workers about the system and its various components is crucial to its ultimate success. This can be achieved through information and education campaigns, advocacy as well as through the electronic

media such as a website.

- iv) It is important to develop and maintain a database of all inspectionable establishments. Such a database would assist in carrying out the inspections efficiently.
- v) Labour standards enforcement systems need to be adapted to individual national circumstances taking into account cultural factors, work ethics, employer-employee relations and regulatory frameworks.

Achieving full compliance with the fundamental labour standards, improving safety and health conditions and reducing accidents and illnesses at the workplace constitute the core of the ILO's Decent Work agenda. The ILO should continue its support to the government and the social partners in extending the coverage and ensuring better compliance with labour standards for realizing decent work for all.

Annex. Basic documents on the LSEF

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila

DEPARTMENT ORDER NO. 57-04

Series of 2004

Pursuant to the Visitorial and Enforcement Powers of the Secretary of Labor and Employment, as provided for under Articles 128 and 129 of the Labor Code of the Philippines, as amended and Administrative Order 296, series of 2002, aimed at ensuring the effective implementation of the Labor Standards Enforcement Framework in order to build a culture of voluntary compliance with labor standards by all establishments and workplaces and expand the reach of the Department of Labor and Employment through partnership with labor and employers' organization as well as with other government agencies and professional organizations that also have a stake on the welfare and protection of our workers, the following guidelines are hereby issued:

Section 1. The labor Standards Enforcement Framework shall ensure compliance with labor standards through the following:

- a. **Self-assessment.** This voluntary mode shall be encouraged in establishments with at least 200 workers. It shall also apply to unionized establishments with Certified Collective Bargaining Agreement regardless of the number of workers. Employers will be provided with a Checklist for this purpose.
- b. **Inspection.** This approach shall be undertaken in workplaces with 10 to 199 workers and effect restitutions/corrections if there are violations.
- c. **Advisory services.** This approach shall be undertaken in workplaces with less than 10 workers and those registered as Barangay Micro-Business Enterprises (BMBEs).

Section 2. **Strategy for Implementation.** To implement the above approaches, the following shall be undertaken.

- a. **Advocacy and Education Campaign.** Non-compliance with labor standards usually stem from inadequate understanding of the legal obligations by employers. The conduct of education and training services is seen as a means of ensuring voluntary labor standards compliance.
- b. **For Self-Assessment.**
 - b.1 Distribution of Checklist on Compliance with Labor Standards. All Regional Offices shall distribute the Checklist to covered establishments in their respective areas of jurisdiction within the first quarter of every year.
 - b.2 Conduct of Self-Assessment. Assessment shall be undertaken by the representatives of the employer and workers at least once a year utilizing the Checklist. The Labor Management Committee, Health and Safety Committee

or other similar committees shall undertake the assessment within one (1) month from the receipt of the Checklist.

- b.3 Submission of Checklist. The accomplished Checklist shall be submitted to the Regional Office not later than five (5) days after the assessment.
- b.4 Spot Check. This shall be conducted by the Regional Evaluation Team to all covered establishments or workplaces.

c. ***Conduct of Inspection.***

The conduct of inspection in all workplaces with 10-199 workers shall be undertaken by labor inspectors based on the following inspection priorities:

- c.1 Existence of complaints, imminent danger or imminent occurrence of accidents and illnesses/injuries;
- c.2 Hazardous workplaces;
- c.3 Construction sites; and
- c.4 Establishments employing women/child workers.

d. ***Conduct of Training and Advisory Services.***

The Regional Offices of the Department shall conduct training and advisory visits (TAVs) to assist small and micro establishments map out an improvement program geared at increasing productivity to facilitate their eventual compliance with labor standards. TAVs shall be conducted by trained DOLE personnel.

The training to be undertaken in coordination with other government and non-government agencies shall include an orientation on practical work methods and low-cost workplace improvement strategies, which contribute to productivity and enterprise development.

e. ***Technical Safety inspection by Local Governments Units (LGUs).***

The Department of Labor and Employment, upon the recommendation of the Regional Offices, shall delegate the conduct of technical safety inspection pursuant to Article 165 of the Labor Code of the Philippines, as amended, Rule 1980 of the Occupational Safety and Health Standards, Administrative Order No. 155, series of 2003 and the Memorandum of Agreement between the Department and appropriate LGUs.

Section 3. *Monitoring and Evaluation.* An Evaluation Team shall be organized in the Regional offices for this purpose to undertake the following:

- a. Determine authenticity of the documents submitted;
- b. Determine compliance with labor standards and recommend spot checking, if necessary;
- c. Recommend corrections or restitutions in cases of violations;
- d. Monitor establishments covered by training and assistance visit (TAV) based on their commitments to comply with labor standards;

- e. Evaluate LGUs' capability and performance to conduct technical safety inspection and recommend appropriate action.

Section 4. *Disposition of Labor Standards Violation/Labor Standards Cases*

Any violation of labor standards unearthed during the conduct of Inspection, Self-Assessment of any case arising there from shall be disposed of in accordance with Articles 128, 129, 162 and 165 of the Labor Code of the Philippines, as amended and its implementing rules and regulations.

Section 5. *Miscellaneous Provisions*

- a. The Bureau of Working Conditions shall develop and issue the Manual on labor Standards including the appropriate Checklist and the Manual on the Conduct of Assistance/Advisory Services which shall form part of this Order and to provide the training and capability building to the personnel who will implement the approaches in this Order.
- b. The Bureau of Working Conditions shall further revise and develop a Labor Inspection Manual in the conduct of inspection as defined herein and a Manual on Technical Safety Inspection to guide personnel in the Local Government Units.
- c. The Bureau of Working Conditions shall take charge of the monitoring and evaluation of the implementation and enforcement of this Order and to submit a quarterly report to the Secretary of Labor and Employment.

Section 6. *Repealing Clause*

All Rules, Orders, Memoranda and other issuances inconsistent with the provisions of this Order are hereby repealed or modified accordingly.

Section 7. *Effectivity*

This Department Order shall take effect within fifteen (15) days upon its publication in two (2) newspapers of general circulation.

(Signed) **PATRICIA A. STO. TOMAS**
Secretary

07 January 2004

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Regional Office No. _____

Checklist For Self-Assessment on Compliance with Labor Standards

This Checklist shall be accomplished jointly by a representative each of the owner/employer and the workers in organized establishments and/or those employing 200 workers and above. Please refer to the Manual on Labor Standards when necessary. Accomplished Checklist shall be submitted to the DOLE Regional Director not later than _____. Failure to submit the Checklist shall mean the establishment will be subjected to regular inspection.

| GENERAL INFORMATION | | | | | | |
|--|--------|------|----------------------------------|--|--|--|
| Name of Establishment | | | | Address | | GEO Code |
| Owner/Manager/President | | | | Kind of Business/Economic Activity/Principal Product | | PSIC Code |
| Employment | | | No. of Apprentices/Learners | Authorized Capitalization (as of date of Audit) | Name of Union | |
| Age Group | Female | Male | Total | No. of aliens Employed | Total Assets (as of date of Audit) | CBA Duration From: _____ To: _____ |
| Below 15 | | | | No. of Shifts | Type of Workplace <input type="checkbox"/> highly hazardous <input type="checkbox"/> hazardous <input type="checkbox"/> non-hazardous | |
| 15 - 17 yrs | | | | | | |
| 18 - 30 yrs | | | | | | |
| Above 30 | | | | | | |
| Total | | | | | | |
| GENERAL LABOR STANDARDS | | | | | | |
| Labor Standards | | | Findings | | Required Correction (state the number of workers affected and amount of required restitutions) | Schedule of Correction (state date necessary corrections/restitutions will be made) |
| | | | (check whether complying or not) | | | |
| | | | Complying | Not Complying | | |
| Wages | | | | | | |
| Minimum Wages <i>(refer to attached list on applicable Minimum Wages)</i> | | | | | | |
| Payment of Wages <i>(see attached Manual)</i> | | | | | | |
| Workers paid by result <i>(see attached Manual)</i> | | | | | | |
| Apprentices/Learners <i>(75% of minimum wage)</i> | | | | | | |
| ECOLA <i>(refer to attached list on applicable ECOLA)</i> | | | | | | |
| 13th Month Pay <i>(not less than 1/12 of total basic salary earned within calendar year. Does not include COLA and other benefits not integrated as part of basic salary. To be paid not later than 24 December of each year.)</i> | | | | | | |
| Overtime Pay <i>(additional 25% of hourly rate for work performed on ordinary day; Additional 30% for rest day, special or regular holiday)</i> | | | | | | |
| Night Shift Differential <i>(not less than 10% of regular wage for each hour of work performed bet 10pm - 6am)</i> | | | | | | |
| Regular Holiday Pay <i>(with pay even if unworked; work on regular holiday shall be paid additional 100% of daily rate; work on regular holiday falling on employee rest day shall be paid 200% plus 30% thereof)</i> | | | | | | |
| Special Day <i>(no work no pay; work on special days shall be paid regular wage plus at least 30%; special day work falling on employee's scheduled rest day shall be paid additional 50% of daily rate)</i> | | | | | | |
| Rest Day Work <i>(additional 30% of daily rate for work performed on rest days; additional 50% for work performed on a rest day which is also a special day; additional 30% of the regular holiday rate of 200%)</i> | | | | | | |
| Service Charges <i>(collected by most hotels, restaurants and similar establishments. 85% shall be distributed equally among the rank-and-file employees and 15% for management to answer for losses and breakages and for distribution to managerial employees at the discretion of management)</i> | | | | | | |
| Meal Period <i>(not less than one hour time-off for regular meals, which is not compensable. Shorter meal period of not less than 20 minutes may be given provided that is credited as compensable hours of work and subject to certain conditions)</i> | | | | | | |

| GENERAL LABOR STANDARDS | | | | | |
|---|--|---------------|--|---|--|
| Labor Standards | Findings (check whether complying or not) | | Required Correction (state the number of workers affected /benefited) | Schedule of Correction (state date necessary corrections will be made) | |
| | Complying | Not Complying | | | |
| Service Incentive Leave (<i>five days with pay per year for those with at least one year of service; commutable to its money equivalent if not used within one year.</i>) | | | | | |
| Weekly Rest Periods (<i>not less than 24 consecutive hours after every six (6) consecutive normal workdays</i>) | | | | | |
| Maternity Leave (<i>60 days for normal delivery/78 days for cesarian section; benefit for first 4 deliveries, abortion/miscarriage</i>) | | | | | |
| Paternity Leave (<i>seven days with pay including allowance for the first 4 deliveries; not convertible to cash</i>) | | | | | |
| Solo Parent Leave (<i>not more than 7 working days every year</i>) | | | | | |
| Social Amelioration Program Bonus (<i>all millers, except refineries and all sugar planters</i>) | | | | | |
| Retirement Pay - RA 7641 (<i>distinct and separate from SSS benefits</i>) | | | | | |
| Payroll/Daily Time Records/Employment Permit (<i>keep at workplace; at least 3 years-period</i>) | | | | | |
| List of Labor Component (<i>list of employees, length one status of employment and salary</i>) | | | | | |
| Compressed Workweek Scheme | | | | | |
| OCCUPATIONAL SAFETY AND HEALTH STANDARDS | | | | | |
| Registration of Establishments (<i>Rule 1020, OSHS</i>) | | | | | |
| Adequate Aisles/Passageways (<i>sufficient width and height and with signs and markings</i>) | | | | | |
| Good Housekeeping (<i>conditions of floors, walls and storage rooms</i>) | | | | | |
| Emergency Exits (<i>2 per floor</i>) | | | | | |
| Materials Handling & Storage (<i>appropriate labels, dotting and storage</i>) | | | | | |
| Waste Disposal System (<i>waste receptacle and its removal; drainage system</i>) | | | | | |
| Adequate Lighting (<i>in Work Areas/in aisles, passageway</i>) | | | | | |
| Noise Pollution Control (<i>provide appropriate PPE or isolation of work area</i>) | | | | | |
| Proper Ventillation (<i>provision of natural or artificial air supply</i>) | | | | | |
| Radiation Exposure Control (<i>provide PPE, Examination of work area</i>) | | | | | |
| Airborne Contaminant Control (<i>provide PPE, improve technical process, Improve ventilation</i>) | | | | | |
| Personal Protective Equipment (<i>provision and appropriate training</i>) | | | | | |
| Fire Protecting Equipment/Facilities (<i>water tank, fire extinguisher, conduct of fire drill</i>) | | | | | |
| Provide Machine Guarding (<i>railing or casing on moving parts</i>) | | | | | |
| Proper Office Spacing (<i>between workers & machines</i>) | | | | | |
| No Imminent Danger Situation (<i>condition that could cause death or serious physical harm</i>) | | | | | |
| Personal Facilities (<i>separate toilet, supply of potable water, washing facilities, etc.</i>) | | | | | |
| Safety Officer/Accredited Safety Practitioner (<i>number depends on number of workers employed</i>) | | | | | |
| Health and Safety Organization (<i>according to number of employees</i>) | | | | | |
| Health Personnel (<i>First-Aider, nurse, physician, dentist</i>) | | | | | |
| Medical Facilities (<i>Treatment room, clinic</i>) | | | | | |
| Emergency Medicines | | | | | |
| Continuing Training related to occupational health and safety | | | | | |

| OCCUPATIONAL SAFETY AND HEALTH STANDARDS | | | | | |
|--|--|---------------|---|---|--|
| Labor Standards | Findings (check whether complying or not) | | Required Correction (state the number of workers affected /benefited) | Schedule of Correction (state date necessary corrections will be made) | |
| | Complying | Not Complying | | | |
| Administrative Reports on Health and Safety | | | | | |
| a. Minutes of Meeting of HSC | | | | | |
| b. Employee's Work Accident/Illness Exposure Data (for every accident) | | | | | |
| c Annual Work Accident/Illness Exposure Data (whether or not there are accidents) | | | | | |
| d. Annual Medical Report (health record of program and activities) | | | | | |
| DOLE Approved Construction Safety and Health Program | | | | | |
| Construction Safety Signages | | | | | |
| Construction Heavy Equipment (CHE) | | | | | |
| Construction Heavy Equipment Operators | | | | | |
| Construction Worker's Skills Certificate | | | | | |
| Other related labor laws/issuances | | | | | |
| Anti-Sexual Harrassment Law | | | | | |
| Posting/dissemination of RA 7877 | | | | | |
| Create Committee on decorum | | | | | |
| Company Policy | | | | | |
| Alien Employment Permit | | | | | |
| Apprenticeship/Learnership Program (duly approved by TESDA) | | | | | |
| Work Permit (Child Labor) | | | | | |
| Registration with SSS | | | | | |
| Certificate of Remittance to SSS | | | | | |
| Registration with Pag-ibig | | | | | |
| Certificate of Remittance to Pag-ibig | | | | | |
| Coverage/Remittance with PHILHEALTH | | | | | |
| Family Welfare Program (FWP) | | | | | |
| Family Welfare Committee (FWC) | | | | | |
| Company initiated capability building activities | | | | | |
| Registration of Contractor/Subcontractor (Dept. Order 18.02) | | | | | |
| HIV/AIDS Program (education and information) | | | | | |
| Drug-Free Workplace Policy/Program (D.O. 53-03) | | | | | |
| SELF- ASSESSMENT CONDUCTED BY: 1. _____ Name & Signature of Owner's Representative 2. _____ Name & Signature of Workers/Union's Representative Date: _____ | | | OWNER'S STATEMENT: <input type="checkbox"/> will correct all noted violations. Report on corrections/restitutions shall be submitted to Regional Office not later than _____ <input type="checkbox"/> requests guidance from the DOLE Regional Office in accomplishing Checklist <input type="checkbox"/> request training in the following areas: _____ _____ <input type="checkbox"/> others: _____ _____ _____ Owner/Manager _____ Date _____ | | |
| FOR REGIONAL OFFICE USE ONLY | | | | | |
| Self-Assessment Report Evaluated by: _____ Section Chief _____ Date _____ Findings/Recommendations: | | | Noted by: _____ Chief, Labor Standards Division _____ Date _____ Findings/Recommendations: | | |

Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
 Regional Office No. _____

CHECKLIST ON GLS/OSH
 (TAV Program)

| Name of Enterprise: Address: | Kind of Business: | Employment | | |
|--|-------------------------------------|------------|------|--------|
| | | Total | Male | Female |
| | | below 15 | | |
| | Main Products/Services: | | | |
| Tel. No.: | | 15-17 yrs. | | |
| E-mail: | | | | |
| | Affiliation with Bus. Organization: | 18-30 yrs. | | |
| Name of Owner: | | | | |
| Name of Participant: | | Above 30 | | |
| Date of Orientation: | BMBE Registration No.: | TOTAL | | |
| Description of Workplace: (Type of building and exact location, exapmle: concrete single story building situated next to the Barangay Center) | | | | |
| Direction: In the following checklist, please tick (/) the items which best describe the type of implementation/ condition in your enterprise, or write NA across those not applicable in your workplace. Please expound your answer under "REMARKS" for purposes of illustration/ clarification. | | | | |
| | (/) | REMARKS | | |
| 1. Regular Working Hours/day | | | | |
| - less than eight (8) hours | | | | |
| - eight (8) hours | | | | |
| - ranging from 9-12 hours | | | | |
| - Others (pls. specify) | | | | |
| 2. a) Meal Period | | | | |
| - less than 1 hour | | | | |
| - 1 hour | | | | |
| - Others (pls. specify) | | | | |
| b) Rest Periods/day | | | | |
| - 5-10 mins. AM/PM | | | | |
| - 10-15 mins. AM/PM | | | | |
| - Others (pls. specify) | | | | |
| 3. Rest Day/s | | | | |
| - 1 day after 6 days of work | | | | |
| - 2 days after 5 days of work | | | | |
| - Others (pls. specify) | | | | |
| 4. Worker's Wage/day | | | | |
| - P100 to P150 | | | | |
| - P151 to P200 | | | | |
| - P201 to P250 | | | | |
| - P251 to P300 | | | | |
| - Others (pls. specify) | | | | |
| 5. Frequency of Payment | | | | |
| - Daily | | | | |
| - Weekly | | | | |
| - Monthly | | | | |
| - Piece-rate | | | | |
| - Others (pls. specify) | | | | |
| 6. Additional Benefits | | | | |
| - 13th month pay | | | | |
| - overtime pay | | | | |
| - night shift differential | | | | |
| - regular holiday pay | | | | |
| - special day | | | | |
| - service charges | | | | |
| - board/lodging | | | | |
| - service incentive leave | | | | |
| - Others (pls. specify) | | | | |

Note: holiday pay - retail and service establishments with 1-9 workers are exempted
 night shift differential - retail and service establishments with 5 or less workers are exempted
 service incentive leave - establishments with 1-9 workers are exempted

CHECKLIST ON GLS/OSH
(TAV Program)

| Direction: In the following checklist, please tick (/) the items which best describe the type of implementation/ condition in your enterprise, or write NA across those not applicable in your workplace. Please expound your answer under "REMARKS" for purposes of illustration/ clarification. | | |
|--|-----|---------|
| | (/) | REMARKS |
| 7. Employment Records | | |
| - Payroll | | |
| - Daily Time Record | | |
| - Production Record (piece-raters) | | |
| - SSS Remittance Certificate | | |
| - Pag-ibig Remittance Certificate | | |
| - Phil Health | | |
| - Others (pls. specify) | | |
| 8. Company Policies | | |
| - Discipline and Termination Policy | | |
| - Health and Safety Policy | | |
| - Others (pls. specify) | | |
| 9. Occupational Safety and Health | | |
| - Premises | | |
| - Adequate Aisles/Passageways | | |
| - Adequate Spacing | | |
| - Emergency Exits | | |
| - Good Housekeeping | | |
| - Proper Materials Handling/Storage | | |
| - Electrical Safety | | |
| - Fire Protecting Equipment/Facilities | | |
| - Machine Guarding | | |
| - Safety Signages | | |
| - Waste Disposal System | | |
| - Physical Environment | | |
| - Adequate Lighting | | |
| - Proper Ventilation | | |
| - Noise Pollution Control | | |
| - Management of Airborne Contaminants | | |
| - Imminent Danger Situation | | |
| - Welfare Facilities | | |
| - Personal Protective Equipment | | |
| - Qualified First Aider | | |
| - First Aid Medicine/Equipment | | |
| - Sanitary Facilities | | |
| 10. Administrative Requirements | | |
| - Registration of Establishments | | |
| - Health and Safety Committee | | |
| - Drug-Free Workplace Program | | |
| - Posting of Anti-Sexual Harassment Policy | | |
| - Accident/Illness Exposure Data Report | | |
| - Annual Medical Report | | |
| | | |
| | | |

Prepared By: _____
Owner/Manager

Date: _____

Statistical Annex

Table A.1. Key indicators on self-assessment by region, 2004

| Region | Target | Estabs. Given Checklist | Estabs. Submitted Checklist | Estabs. Covered | Estabs. with Deficiencies / Violations | Spot Checks Conducted | Participation Rate (%) | Compliance Rate (%) | Performance Rate (%) |
|---------------|--------------|-------------------------|-----------------------------|-----------------|--|-----------------------|------------------------|---------------------|----------------------|
| PHILS. | 2,431 | 2,542 | 636 | 528 | 165 | 28 | 25.0 | 68.8 | 104.57 |
| NCR | 1,488 | 1,574 | 199 | 150 | 71 | 0 | 12.6 | 52.7 | 108.78 |
| CAR | 20 | 20 | 9 | 9 | 1 | 3 | 45.0 | 88.9 | 100.00 |
| I | 30 | 30 | 14 | 5 | 3 | 2 | 46.7 | 40.0 | 100.00 |
| II | 20 | 20 | 4 | 2 | 0 | 0 | 20.0 | 100.0 | 100.00 |
| III | 50 | 50 | 51 | 49 | 4 | 0 | 102.0 | 91.8 | 100.00 |
| IV-A | 150 | 150 | 95 | 83 | 8 | 0 | 63.3 | 90.4 | 100.00 |
| IV-B | 17 | 9 | 3 | 3 | 1 | 0 | 33.3 | 66.7 | 52.94 |
| V | 35 | 35 | 24 | 20 | 5 | 0 | 68.6 | 75.0 | 100.00 |
| VI | 115 | 129 | 40 | 40 | 7 | 2 | 31.0 | 82.5 | 112.17 |
| VII | 232 | 232 | 59 | 45 | 26 | 0 | 25.4 | 42.2 | 100.00 |
| VIII | 29 | 29 | 19 | 19 | 8 | 0 | 65.5 | 57.9 | 100.00 |
| IX | 40 | 40 | 21 | 18 | 2 | 0 | 52.5 | 88.9 | 100.00 |
| X | 40 | 47 | 21 | 14 | 2 | 2 | 44.7 | 85.7 | 117.50 |
| XI | 120 | 129 | 48 | 48 | 15 | 0 | 37.2 | 68.8 | 107.50 |
| XII | 20 | 23 | 13 | 9 | 5 | 19 | 56.5 | 44.4 | 115.00 |
| CARAGA | 25 | 25 | 16 | 14 | 7 | 0 | 64.0 | 50.0 | 100.00 |

Source: Bureau of Working Conditions, DOLE

Table A.2. Key indicators on self-assessment by region, 2005

| Region | Target | Estabs. Given Checklist | Estabs. Submitted Checklist | Estabs. Covered | Estabs. with Deficiencies/ Violations | Spot Checks Conducted | Participation Rate (%) | Compliance Rate (%) | Performance Rate (%) |
|---------------|--------------|-------------------------|-----------------------------|-----------------|---------------------------------------|-----------------------|------------------------|---------------------|----------------------|
| PHILS. | 2,417 | 2,270 | 792 | 725 | 352 | 23 | 34.9 | 51.4 | 93.92 |
| NCR | 1,500 | 1,550 | 413 | 346 | 239 | 0 | 26.6 | 30.9 | 103.33 |
| CAR | 19 | 19 | 10 | 10 | 0 | 10 | 52.6 | 100.0 | 100.00 |
| I | 30 | 30 | 7 | 7 | 2 | 2 | 23.3 | 71.4 | 100.00 |
| II | 20 | 20 | 18 | 18 | 4 | 0 | 90.0 | 77.8 | 100.00 |
| III | 50 | 59 | 28 | 28 | 0 | 0 | 47.5 | 100.0 | 118.00 |
| IV-A | 150 | 130 | 91 | 91 | 32 | 0 | 70.0 | 64.8 | 86.67 |
| IV-B | 2 | 2 | 2 | 2 | 0 | 0 | 100.0 | 100.0 | 100.00 |
| V | 25 | 10 | 9 | 9 | 0 | 0 | 90.0 | 100.0 | 40.00 |
| VI | 115 | 123 | 51 | 51 | 10 | 0 | 41.5 | 80.4 | 106.96 |
| VII* | 232 | 108 | 21 | 21 | 8 | 0 | 19.4 | 61.9 | 46.55 |
| VIII | 29 | 30 | 23 | 23 | 17 | 0 | 76.7 | 26.1 | 103.45 |
| IX | 40 | 35 | 30 | 30 | 5 | 0 | 85.7 | 83.3 | 87.50 |
| X | 40 | 62 | 31 | 31 | 11 | 0 | 50.0 | 64.5 | 155.00 |
| XI | 120 | 43 | 19 | 19 | 0 | 2 | 44.2 | 100.0 | 35.83 |
| XII | 20 | 24 | 22 | 22 | 20 | 9 | 91.7 | 9.1 | 120.00 |
| CARAGA | 25 | 25 | 17 | 17 | 4 | 0 | 68.0 | 76.5 | 100.00 |

Source: Bureau of Working Conditions, DOLE

Table A.3. Key indicators on self-assessment by region, 2006

| Region | Target | Estabs. Given Checklist | Estabs. Submitted Checklist | Estabs. Covered | Establishments with Deficiencies/Violations | | | | Participati on Rate (%) | Compliance Rate (%) | | | | Perform ance Rate (%) |
|---------------|--------------|-------------------------|-----------------------------|-----------------|---|------------|------------|----------|-------------------------|---------------------|--------------|--------------|--------------|-----------------------|
| | | | | | GLS | OSH | ORLLI | MW | | GLS | OSH | ORLLI | MW | |
| PHILS. | 2,907 | 2,548 | 1,210 | 1,069 | 21 | 219 | 140 | 2 | 47.49 | 98.04 | 79.51 | 86.90 | 99.81 | 87.65 |
| NCR | 1,650 | 1,650 | 704 | 589 | 8 | 183 | 92 | 1 | 42.67 | 98.64 | 68.93 | 84.38 | 99.83 | 100.00 |
| CAR | 19 | 19 | 7 | 7 | 0 | 0 | 0 | 0 | 36.84 | 100.0 | 100.0 | 100.0 | 100.0 | 100.00 |
| I | 50 | 50 | 25 | 25 | 0 | 0 | 1 | 0 | 50.00 | 100.0 | 100.0 | 96.00 | 100.0 | 100.00 |
| II | 21 | 21 | 20 | 20 | 0 | 2 | 0 | 0 | 95.24 | 100.0 | 90.00 | 100.0 | 100.0 | 100.00 |
| III | 144 | 74 | 62 | 47 | 0 | 0 | 0 | 0 | 83.78 | 100.0 | 100.0 | 100.0 | 100.0 | 51.39 |
| IV-A | 234 | 232 | 102 | 102 | 1 | 3 | 3 | 0 | 43.97 | 99.02 | 97.06 | 97.06 | 100.0 | 99.14 |
| IV-B | 8 | 5 | 3 | 2 | 0 | 0 | 0 | 0 | 60.00 | 100.0 | 100.0 | 100.0 | 100.0 | 62.50 |
| V | 25 | 25 | 25 | 24 | 0 | 2 | 3 | 0 | 100.00 | 100.0 | 91.67 | 87.50 | 100.0 | 100.00 |
| VI | 123 | 79 | 74 | 73 | 6 | 7 | 3 | 0 | 93.67 | 91.78 | 90.41 | 95.89 | 100.0 | 64.23 |
| VII | 277 | 187 | 46 | 46 | 1 | 7 | 21 | 1 | 24.60 | 97.83 | 84.78 | 54.35 | 97.83 | 67.51 |
| VIII | 30 | 26 | 5 | 5 | 0 | 0 | 2 | 0 | 19.23 | 100.0 | 100.0 | 60.00 | 100.0 | 86.67 |
| IX | 30 | 21 | 17 | 17 | 3 | 1 | 2 | 0 | 80.95 | 82.35 | 94.12 | 88.24 | 100.0 | 70.00 |
| X | 80 | 48 | 44 | 37 | 0 | 6 | 9 | 0 | 91.67 | 100.0 | 83.78 | 75.68 | 100.0 | 60.00 |
| XI | 152 | 37 | 37 | 36 | 0 | 2 | 0 | 0 | 100.00 | 100.0 | 94.44 | 100.0 | 100.0 | 24.34 |
| XII | 40 | 50 | 24 | 24 | 1 | 1 | 2 | 0 | 48.00 | 95.83 | 95.83 | 91.67 | 100.0 | 125.00 |
| CARAGA | 24 | 24 | 15 | 15 | 1 | 5 | 2 | 0 | 62.50 | 93.33 | 66.67 | 86.67 | 100.0 | 100.00 |

Source: Bureau of Working Conditions, DOLE

Table A.4. Key indicators on inspection by region, 2004

| <i>Inspection on GLS including OSH</i> | | | | | | | | | | |
|--|---------------|-------------------|-----------------------------|-----------------------------------|--------------------------------------|----------------------------------|---------------------|---------------------------|---------------------------|----------------------|
| Region | Target | Estabs. Inspected | Estabs. Found w/ Violations | Estabs. Complying Upon Correction | Estabs. Complying within Plant Level | Compliance Rate (%) | Correction Rate (%) | Total Compliance Rate (%) | Performance Rate (%) | |
| PHILS. | 21,438 | 16,319 | 8,985 | 9,326 | 1,992 | 44.94 | 22.17 | 57.1 | 76.12 | |
| NCR | 8,772 | 3,180 | 2,378 | 861 | 59 | 25.22 | 2.48 | 27.1 | 36.25 | |
| CAR | 1,740 | 538 | 244 | 362 | 68 | 54.65 | 27.87 | 67.3 | 30.92 | |
| I | 970 | 531 | 406 | 334 | 209 | 23.54 | 51.48 | 62.9 | 54.74 | |
| II | 810 | 493 | 456 | 110 | 73 | 7.51 | 16.01 | 22.3 | 60.86 | |
| III | 2,625 | 2,273 | 487 | 1935 | 149 | 78.57 | 30.60 | 85.1 | 86.59 | |
| IV-A | 508 | 588 | 552 | 215 | 179 | 6.12 | 32.43 | 36.6 | 115.75 | |
| IV-B | 50 | 88 | 51 | 73 | 36 | 42.05 | 70.59 | 83.0 | 176.00 | |
| V | 350 | 653 | 107 | 623 | 77 | 83.61 | 71.96 | 95.4 | 186.57 | |
| VI | 950 | 1,202 | 630 | 865 | 293 | 47.59 | 46.51 | 72.0 | 126.53 | |
| VII | 700 | 1,147 | 499 | 702 | 54 | 56.50 | 10.82 | 61.2 | 163.86 | |
| VIII | 1,150 | 1,260 | 618 | 1005 | 363 | 50.95 | 58.74 | 79.8 | 109.57 | |
| IX | 850 | 829 | 285 | 686 | 142 | 65.62 | 49.82 | 82.8 | 97.53 | |
| X | 1,740 | 1,181 | 924 | 421 | 164 | 21.76 | 17.75 | 35.6 | 67.87 | |
| XI | 970 | 1,098 | 745 | 425 | 72 | 32.15 | 9.66 | 38.7 | 113.19 | |
| XII | 810 | 1,037 | 476 | 600 | 39 | 54.10 | 8.19 | 57.9 | 128.02 | |
| CARAGA | 230 | 221 | 127 | 109 | 15 | 42.53 | 11.81 | 49.3 | 96.09 | |
| <i>Inspection on TSS</i> | | | | | | | | | | |
| Region | Target | Estabs. Inspected | Units Inspected | Units with Violations | Units Complying Upon Inspection | Units Corrected After Inspection | Compliance Rate (%) | Correction Rate (%) | Total Compliance Rate (%) | Performance Rate (%) |
| PHILS. | 8,194 | 7,660 | 17,484 | 2,293 | 15,191 | 1,123 | 86.9 | 49.0 | 93.3 | 93.48 |
| NCR | 2,360 | 1,393 | 2,671 | 256 | 2,415 | 13 | 90.4 | 5.1 | 90.9 | 59.02 |
| CAR | 560 | 60 | 900 | 0 | 900 | 0 | 100.0 | 0.0 | 100.0 | 10.71 |
| I | 162 | 1,400 | 1,919 | 330 | 1,589 | 240 | 82.8 | 72.7 | 95.3 | 864.20 |
| II | 150 | 274 | 394 | 60 | 334 | 20 | 84.8 | 33.3 | 89.8 | 182.67 |
| III | 680 | 614 | 2,269 | 166 | 2,103 | 166 | 92.7 | 100.0 | 100.0 | 90.29 |
| IV-A | 736 | 910 | 2,910 | 570 | 2,340 | 418 | 80.4 | 73.3 | 94.8 | 123.64 |
| IV-B | 0 | 0 | 0 | 0 | 0 | 0 | NA | NA | NA | 0 |
| V | 250 | 613 | 665 | 34 | 631 | 0 | 94.9 | 0.0 | 94.9 | 245.20 |
| VI | 300 | 347 | 1,372 | 14 | 1,358 | 9 | 99.0 | 64.3 | 99.6 | 115.67 |
| VII | 288 | 208 | 493 | 165 | 328 | 17 | 66.5 | 10.3 | 70.0 | 72.22 |
| VIII | 280 | 274 | 641 | 24 | 617 | 24 | 96.3 | 0.0 | 100.0 | 97.86 |
| IX | 546 | 455 | 554 | 60 | 494 | 1 | 89.2 | 1.7 | 89.4 | 83.33 |
| X | 560 | 523 | 1,392 | 395 | 997 | 32 | 71.6 | 8.1 | 73.9 | 93.39 |
| XI | 162 | 164 | 206 | 0 | 206 | 0 | 100.0 | 0.0 | 100.0 | 101.23 |
| XII | 150 | 167 | 507 | 188 | 319 | 153 | 62.9 | 81.4 | 93.1 | 111.33 |
| CARAGA | 230 | 258 | 591 | 31 | 560 | 30 | 94.8 | 96.8 | 99.8 | 112.17 |

Source: Bureau of Working Conditions, DOLE

Table A.5. Key indicators on inspection by region, 2005

| <i>Inspection on GLS including OSH</i> | | | | | | | | | | |
|--|---------------|-------------------|--------------------------|--------------------------------------|--------------------------------------|----------------------------------|---------------------|---------------------------|---------------------------|----------------------|
| Region | Target | Estabs. Inspected | Estabs. Found Violations | Estabs. w/ Complying Upon Correction | Estabs. Complying within Plant Level | Compliance Rate (%) | Correction Rate (%) | Total Compliance Rate (%) | Performance Rate (%) | |
| PHILS. | 18,196 | 19,539 | 10,535 | 11,397 | 2,393 | 46.08 | 22.71 | 58.3 | 107.38 | |
| NCR | 6,380 | 5,622 | 4,079 | 1,739 | 196 | 27.45 | 4.81 | 30.9 | 88.12 | |
| CAR | 540 | 540 | 260 | 364 | 84 | 51.85 | 32.31 | 67.4 | 100.00 | |
| I | 816 | 866 | 668 | 604 | 406 | 22.86 | 60.78 | 69.7 | 106.13 | |
| II | 500 | 626 | 488 | 208 | 70 | 22.04 | 14.34 | 33.2 | 125.20 | |
| III | 2,625 | 2,625 | 365 | 2,402 | 142 | 86.10 | 38.90 | 91.5 | 100.00 | |
| IV-A | 588 | 759 | 710 | 307 | 258 | 6.46 | 36.34 | 40.4 | 129.08 | |
| IV-B | 150 | 178 | 150 | 84 | 56 | 15.73 | 37.33 | 47.2 | 118.67 | |
| V | 359 | 379 | 158 | 326 | 105 | 58.31 | 66.46 | 86.0 | 105.57 | |
| VI | 950 | 1,138 | 530 | 941 | 333 | 53.43 | 62.83 | 82.7 | 119.79 | |
| VII | 988 | 1,778 | 516 | 1,298 | 36 | 70.98 | 6.98 | 73.0 | 179.96 | |
| VIII | 720 | 1,025 | 497 | 874 | 346 | 51.51 | 69.62 | 85.3 | 142.36 | |
| IX | 620 | 644 | 171 | 566 | 93 | 73.45 | 54.39 | 87.9 | 103.87 | |
| X | 950 | 966 | 674 | 395 | 103 | 30.23 | 15.28 | 40.9 | 101.68 | |
| XI | 970 | 1,254 | 773 | 571 | 90 | 38.36 | 11.64 | 45.5 | 129.28 | |
| XII | 810 | 904 | 357 | 598 | 51 | 60.51 | 14.29 | 66.2 | 111.60 | |
| CARAGA | 230 | 235 | 139 | 120 | 24 | 40.85 | 17.27 | 51.1 | 102.17 | |
| <i>Inspection on TSS</i> | | | | | | | | | | |
| Region | Target | Estabs. Inspected | Units Inspected | Units with Violation | Units Complying Upon Inspection | Units Corrected After Inspection | Compliance Rate (%) | Correction Rate (%) | Total Compliance Rate (%) | Performance Rate (%) |
| PHILS. | 8,391 | 7,459 | 18,479 | 2,713 | 15,766 | 1,172 | 85.3 | 43.2 | 91.7 | 88.89 |
| NCR | 2,684 | 1,332 | 2,419 | 185 | 2,234 | 21 | 92.4 | 11.4 | 93.2 | 49.63 |
| CAR | 62 | 59 | 2,106 | 1 | 2,105 | 1 | 100.0 | 0.0 | 100.0 | 95.16 |
| I | 1,322 | 1,402 | 1,896 | 379 | 1,517 | 290 | 80.0 | 76.5 | 95.3 | 106.05 |
| II | 270 | 273 | 386 | 9 | 377 | 4 | 97.7 | 44.4 | 98.7 | 101.11 |
| III | 680 | 713 | 2,198 | 263 | 1,935 | 263 | 88.0 | 100.0 | 100.0 | 104.85 |
| IV-A | 661 | 875 | 2,937 | 713 | 2,224 | 139 | 75.7 | 19.5 | 80.5 | 132.37 |
| IV-B | 0 | 0 | 0 | 0 | 0 | 0 | NA | NA | NA | NA |
| V | 262 | 442 | 957 | 43 | 914 | 0 | 95.5 | 0.0 | 95.5 | 168.70 |
| VI | 300 | 236 | 864 | 19 | 845 | 41 | 97.8 | 215.8 | 102.5 | 78.67 |
| VII | 288 | 408 | 833 | 549 | 284 | 145 | 34.1 | 26.4 | 51.5 | 141.67 |
| VIII | 280 | 281 | 646 | 2 | 644 | 2 | 99.7 | 0.0 | 100.0 | 100.35 |
| IX | 480 | 346 | 423 | 55 | 368 | 1 | 87.0 | 1.8 | 87.2 | 72.08 |
| X | 560 | 491 | 1,501 | 289 | 1,212 | 157 | 80.7 | 54.3 | 91.2 | 87.68 |
| XI | 162 | 168 | 226 | 0 | 226 | 0 | 100.0 | 0.0 | 100.0 | 103.70 |
| XII | 150 | 162 | 500 | 173 | 327 | 95 | 65.4 | 54.9 | 84.4 | 108.00 |
| CARAGA | 230 | 271 | 587 | 33 | 554 | 13 | 94.4 | 39.4 | 96.6 | 117.82 |

NA - No data available
Source: Bureau of Working Conditions, DOLE

Table A.6. Key indicators on inspection by region, 2006

| <i>Inspection on GLS including OSH</i> | | | | | | | | | | |
|--|---------------|-------------------|-----------------------------|-----------------------------------|--------------------------------------|----------------------------------|---------------------|---------------------------|---------------------------|----------------------|
| Region | Target | Estabs. Inspected | Estabs. Found w/ Violations | Estabs. Complying Upon Correction | Estabs. Complying within Plant Level | Compliance Rate (%) | Correction Rate (%) | Total Compliance Rate (%) | Performance Rate (%) | |
| PHILS. | 18,663 | 19,256 | 9,777 | 11,729 | 2,250 | 49.23 | 23.01 | 60.9 | 103.2 | |
| NCR | 5,788 | 4,208 | 2,850 | 1,508 | 150 | 32.27 | 5.26 | 35.8 | 72.7 | |
| CAR | 500 | 472 | 308 | 252 | 88 | 34.75 | 28.57 | 53.4 | 94.4 | |
| I | 1,008 | 1,039 | 616 | 795 | 372 | 40.71 | 60.39 | 76.5 | 103.1 | |
| II | 600 | 701 | 444 | 399 | 142 | 36.66 | 31.98 | 56.9 | 116.8 | |
| III | 2,887 | 4,019 | 755 | 3,513 | 249 | 81.21 | 32.98 | 87.4 | 139.2 | |
| IV-A | 290 | 651 | 626 | 123 | 98 | 3.84 | 15.65 | 18.9 | 224.5 | |
| IV-B | 120 | 150 | 135 | 148 | 133 | 10.00 | 98.52 | 98.7 | 125.0 | |
| V | 680 | 816 | 437 | 482 | 103 | 46.45 | 23.57 | 59.1 | 120.0 | |
| VI | 1,160 | 1,382 | 767 | 946 | 331 | 44.50 | 43.16 | 68.5 | 119.1 | |
| VII | 1,200 | 1,631 | 442 | 1,223 | 34 | 72.90 | 7.69 | 75.0 | 135.9 | |
| VIII | 720 | 728 | 475 | 530 | 277 | 34.75 | 58.32 | 72.8 | 101.1 | |
| IX | 675 | 705 | 239 | 575 | 109 | 66.10 | 45.61 | 81.6 | 104.4 | |
| X | 800 | 665 | 544 | 175 | 54 | 18.20 | 9.93 | 26.3 | 83.1 | |
| XI | 1,105 | 1,073 | 521 | 599 | 47 | 51.44 | 9.02 | 55.8 | 97.1 | |
| XII | 900 | 829 | 539 | 346 | 56 | 34.98 | 10.39 | 41.7 | 92.1 | |
| CARAGA | 230 | 187 | 79 | 115 | 7 | 57.75 | 8.86 | 61.5 | 81.3 | |
| <i>Inspection on TSS</i> | | | | | | | | | | |
| Region | Target | Estabs. Inspected | Units Inspected | Units with Violations | Units Complying Upon Inspection | Units Corrected After Inspection | Compliance Rate (%) | Correction Rate (%) | Total Compliance Rate (%) | Performance Rate (%) |
| PHILS. | 8,207 | 7,206 | 16,786 | 3,128 | 13,658 | 584 | 81.4 | 18.7 | 84.8 | 87.8 |
| NCR | 1,764 | 1,167 | 2,654 | 486 | 2,168 | 7 | 81.7 | 1.4 | 82.0 | 66.2 |
| CAR | 63 | 44 | 667 | 0 | 667 | 0 | 100.0 | 0.0 | 100.0 | 69.8 |
| I | 1,320 | 1,376 | 2,229 | 233 | 1,996 | 163 | 89.5 | 70.0 | 96.9 | 104.2 |
| II | 270 | 288 | 418 | 41 | 377 | 17 | 90.2 | 41.5 | 94.3 | 106.7 |
| III | 713 | 494 | 1,289 | 128 | 1,161 | 128 | 90.1 | 100.0 | 100.0 | 69.3 |
| IV-A | 1,176 | 1,051 | 2,529 | 807 | 1,722 | 121 | 68.1 | 15.0 | 72.9 | 89.4 |
| IV-B | 4 | 3 | 7 | 4 | 3 | 4 | 42.9 | 100.0 | 100.0 | 75.0 |
| V | 686 | 590 | 1,162 | 97 | 1,065 | 0 | 91.7 | 0.0 | 91.7 | 86.0 |
| VI | 300 | 311 | 1,103 | 36 | 1,067 | 25 | 96.7 | 69.4 | 99.0 | 103.7 |
| VII | 395 | 409 | | 566 | 202 | 57 | 26.3 | 10.1 | 33.7 | 103.5 |
| VIII | 280 | 210 | 527 | 3 | 524 | 0 | 99.4 | 0.0 | 99.4 | 75.0 |
| IX | 480 | 338 | 473 | 40 | 433 | 0 | 91.5 | 0.0 | 91.5 | 70.4 |
| X | 176 | 395 | 1,603 | 418 | 1,185 | 0 | 73.9 | 0.0 | 73.9 | 224.4 |
| XI | 200 | 171 | 217 | 0 | 217 | 0 | 100.0 | 0.0 | 100.0 | 85.5 |
| XII | 150 | 137 | 620 | 239 | 381 | 50 | 61.5 | 20.9 | 69.5 | 91.3 |
| CARAGA | 230 | 222 | 520 | 30 | 490 | 12 | 94.2 | 40.0 | 96.5 | 96.5 |

Source: Bureau of Working Conditions, DOLE

Table A.7. Key indicators on training and advisory visits by region, 2004

| Region | Target No. of Orientation Courses | Orientation Course Conducted | Establishments Covered | | | Estabs. Complying with Labour Standards upon Orientation | Estabs. Subjected to follow-up Visits | Estabs. which Complied with Labour Standards upon/during follow-up Visits | Compliance Rate upon Orientation (%) | Correction Rate (%) | Total Compliance Rate (%) | Performance Rate (%) |
|---------------|-----------------------------------|------------------------------|------------------------|--------------|-----------|--|---------------------------------------|---|--------------------------------------|---------------------|---------------------------|----------------------|
| | | | Total | Non-BMBE | BMBE | | | | | | | |
| PHILS. | 194 | 179 | 5,358 | 5,300 | 58 | 3,365 | 1,311 | 737 | 62.8 | 37.0 | 76.6 | 92.27 |
| NCR | 18 | 9 | 356 | 354 | 2 | 212 | 0 | 0 | 59.6 | NA | 59.6 | 50.00 |
| CAR | 10 | 9 | 194 | 194 | 0 | 159 | 95 | 24 | 82.0 | 68.6 | 94.3 | 90.00 |
| I | 7 | 7 | 157 | 157 | 0 | 142 | 23 | 15 | 90.4 | 100.0 | 100.0 | 100.00 |
| II | 9 | 9 | 349 | 349 | 0 | 197 | 216 | 152 | 56.4 | 100.0 | 100.0 | 100.00 |
| III | 14 | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | 0.00 |
| IV-A | 10 | 8 | 274 | 274 | 0 | 63 | NA | NA | 23.0 | NA | 23.0 | 80.00 |
| IV-B | 8 | 3 | 104 | 101 | 3 | 57 | 34 | 22 | 54.8 | 46.8 | 76.0 | 37.50 |
| V | 6 | 18 | 283 | 279 | 4 | 241 | NA | NA | 85.2 | NA | 85.2 | 300.00 |
| VI | 10 | 12 | 502 | 500 | 2 | 409 | 247 | 92 | 81.5 | 98.9 | 99.8 | 120.00 |
| VII | 28 | 33 | 1,001 | 976 | 25 | 799 | 389 | 169 | 79.8 | 83.7 | 96.7 | 117.86 |
| VIII | 10 | 9 | 154 | 152 | 2 | 120 | NA | NA | 77.9 | NA | 77.9 | 90.00 |
| IX | 28 | 29 | 939 | 923 | 16 | 396 | NA | NA | 42.2 | NA | 42.2 | 103.57 |
| X | 8 | 11 | 434 | 432 | 2 | 222 | 164 | 127 | 51.2 | 59.9 | 80.4 | 137.50 |
| XI | 12 | 6 | 117 | 117 | 0 | 117 | NA | NA | 100 | NA | 100.0 | 50.00 |
| XII | 6 | 6 | 141 | 141 | 0 | 59 | 56 | 52 | 41.8 | 63.4 | 78.7 | 100.00 |
| CARAGA | 10 | 10 | 353 | 351 | 2 | 172 | 87 | 84 | 48.7 | 46.4 | 72.5 | 100.00 |

NA – No data available
Source: Bureau of Working Conditions, DOLE

Table A.8. Key indicators on training and advisory visits by region, 2005

| Region | Target No. of Orientation Courses | Orientation Course Conducted | Establishments Covered | | | Estabs. Complying with Labour Standards upon Orientation | Estabs. Subjected to follow-up Visits | Estabs. which Complied with Labour Standards upon/during follow-up Visits | Compliance Rate upon Orientation (%) | Correction Rate (%) | Total Compliance Rate (%) | Performance Rate (%) |
|---------------|-----------------------------------|------------------------------|------------------------|--------------|-----------|--|---------------------------------------|---|--------------------------------------|---------------------|---------------------------|----------------------|
| | | | Total | Non-BMBE | BMBE | | | | | | | |
| PHILS. | 198 | 201 | 6,597 | 6,519 | 78 | 3,294 | 2,281 | 1,377 | 59.5 | 29.5 | 67.2 | 101.51 |
| NCR | 18 | 13 | 606 | 605 | 1 | 331 | 28 | 19 | 54.6 | 4.5 | 58.4 | 72.22 |
| CAR | 6 | 7 | 127 | 125 | 2 | 77 | 96 | 31 | 60.6 | 36.5 | 83.2 | 116.67 |
| I | 7 | 7 | 170 | 170 | 0 | 118 | 85 | 45 | 69.4 | 67.2 | 93.3 | 100.00 |
| II | 10 | 10 | 323 | 323 | 0 | 116 | 173 | 155 | 35.9 | 43.2 | 69.6 | 100.00 |
| III | 14 | 8 | 116 | 116 | 0 | 62 | 52 | 0 | 53.4 | NA | NA | 57.14 |
| IV-A | 10 | 8 | 251 | 251 | 0 | 68 | 81 | 75 | 27.1 | 19.0 | 39.2 | 80.00 |
| IV-B | 12 | 10 | 387 | 382 | 5 | 359 | 0 | 0 | 92.8 | NA | NA | 83.33 |
| V | 7 | 17 | 434 | 431 | 3 | 184 | 26 | 21 | 42.4 | 7.2 | 62.2 | 242.86 |
| VI | 10 | 14 | 486 | 482 | 4 | 372 | 181 | 155 | 76.5 | 74.9 | 94.7 | 140.00 |
| VII | 28 | 16 | 629 | 594 | 35 | 0 | 304 | 173 | NA | NA | NA | 57.14 |
| VIII | 10 | 11 | 231 | 231 | 0 | 53 | 107 | 87 | 22.9 | 41.0 | 67.5 | 110.00 |
| IX | 28 | 28 | 771 | 752 | 19 | 473 | 205 | 63 | 61.3 | 7.5 | 54.5 | 100.00 |
| X | 8 | 22 | 1,226 | 1,220 | 6 | 566 | 556 | 387 | 46.2 | 44.4 | 70.8 | 275.00 |
| XI | 12 | 12 | 261 | 261 | 0 | 146 | 212 | 27 | 55.9 | NA | NA | 100.00 |
| XII | 8 | 7 | 143 | 143 | 0 | 66 | 41 | 27 | 46.2 | 17.0 | 53.5 | 87.50 |
| CARAGA | 10 | 11 | 436 | 433 | 3 | 303 | 134 | 112 | 69.5 | 35.7 | 74.4 | 110.00 |

NA – No data available
Source: Bureau of Working Conditions, DOLE

Table A.9. Key indicators on training and advisory visits by region, 2006

| Region | Target No. of Orientation Courses | Orientation Course Conducted | Establishments Covered | | | Establishments with deficiencies/violations | | | | Compliance Rate upon Orientation | | | | Performance Rate (%) |
|---------------|-----------------------------------|------------------------------|------------------------|--------------|-----------|---|--------------|------------|------------|----------------------------------|-------------|-------------|-------------|----------------------|
| | | | Total | Non-BMBE | BMBE | GLS | OSH | ORLLI | MW | GLS | OSH | ORLLI | MW | |
| PHILS. | 303 | 263 | 7,735 | 7,698 | 37 | 2,700 | 2,808 | 941 | 650 | 65.1 | 63.7 | 87.8 | 91.6 | 86.80 |
| NCR | 22 | 20 | 750 | 750 | 0 | 193 | 252 | 147 | 22 | 74.3 | 66.4 | 80.4 | 97.1 | 90.91 |
| CAR | 15 | 12 | 200 | 198 | 2 | 40 | 22 | 0 | 20 | 80.0 | 89.0 | 100.0 | 90.0 | 80 |
| I | 14 | 14 | 376 | 375 | 1 | 12 | 75 | 6 | 3 | 96.8 | 80.1 | 98.4 | 99.2 | 100 |
| II | 20 | 20 | 664 | 664 | 0 | 366 | 412 | 164 | 61 | 44.9 | 38.0 | 75.3 | 90.8 | 100 |
| III | 20 | 16 | 314 | 314 | 0 | 90 | 3 | 20 | 0 | 71.3 | 99.0 | 93.6 | 100.0 | 80 |
| IV-A | 20 | 17 | 286 | 286 | 0 | 19 | 0 | 0 | 0 | 93.4 | 100.0 | 100.0 | 100.0 | 85 |
| IV-B | 16 | 16 | 502 | 502 | 0 | 313 | 300 | 40 | 20 | 37.6 | 40.2 | 92.0 | 96.0 | 100 |
| V | 20 | 7 | 151 | 151 | 0 | 47 | 82 | 1 | 9 | 68.9 | 45.7 | 99.3 | 94.0 | 35 |
| VI | 14 | 15 | 596 | 596 | 0 | 109 | 178 | 149 | 19 | 81.7 | 70.1 | 75.0 | 96.8 | 107.14 |
| VII | 32 | 33 | 1,063 | 1,043 | 20 | 82 | 73 | 13 | 14 | 92.3 | 93.1 | 98.8 | 98.7 | 103.12 |
| VIII | 14 | 7 | 150 | 150 | 0 | 97 | 87 | 21 | 44 | 35.3 | 42.0 | 86.0 | 70.7 | 50 |
| IX | 20 | 16 | 398 | 394 | 4 | 183 | 168 | 51 | 66 | 54.0 | 57.8 | 87.2 | 83.4 | 80 |
| X | 22 | 22 | 753 | 745 | 8 | 584 | 621 | 47 | 112 | 22.4 | 17.5 | 93.8 | 85.1 | 100 |
| XI | 16 | 16 | 454 | 453 | 1 | 438 | 416 | 247 | 223 | 3.5 | 8.4 | 45.6 | 50.9 | 100 |
| XII | 20 | 12 | 366 | 366 | 0 | 127 | 119 | 35 | 37 | 65.3 | 67.5 | 90.4 | 89.9 | 60 |
| CARAG A | 18 | 20 | 712 | 711 | 1 | NA | NA | NA | NA | NA | NA | NA | NA | 111 |

NA – No data available

Source: Bureau of Working Conditions, DOLE

References

Bureau of Working Conditions, Department of Labour and Employment:

- Revised Labour Inspection Manual (2004).
- Revised Technical Safety Inspection Manual (2004).
- Manual on Labour Standards (2004).
- Manual on the Disposition and Settlement of Labour Standard Cases (2004).
- Manual of Instructions on the Conduct of Training and Advisory Visits for Regional Offices (2004).
- Procedural Guidelines on Accreditation and Performance Audit of Testing Organization for Construction Heavy Equipment.
- Procedural Guidelines for Accreditation of Practitioners, Consultants and Organizations on Occupational Safety and Health (2003).
- Guidelines Governing OSH in the Construction Industry.
- Guidelines for Construction Safety and Health Course for Site Safety Officers.
- Annual Medical Report, 1996-2005.
- Concept Paper on National Labour Enforcement Framework.
- Update: Labour Standards Enforcement Framework 1996-2003.
- National Conference/ Workshop on Labour Standards Enforcement Framework (2006).
- A Report on the Highlights of Accomplishments of the Bureau of Working Conditions (2006).
- Proceedings of the Tripartite Forum on Partnership and Collaboration on Labour Standards Enforcement Framework, (March 2007).
- Project Proposal: BWC and ILO-SRO Manila Partnership Project on Developing a National Programme to Enhance Implementation of the Labour Standards Enforcement Framework (2006).
- Handbook on Workers' Statutory Monetary Benefits (2007)
- Occupational Safety and Health Standards (1989)

Some materials in the above are available at : <http://www.bwc.dole.gov.ph>

Employers Confederation of the Philippines (ECOP): Promotion and Enforcement of Labour Standards: Defining ECOP's Role in the New Framework (February 2006).

International Labour Organization (ILO):

- Labour inspection (International Labour Conference, 95th Session) (2006)
<http://www.ilo.org/public/english/standards/relm/ilc/ilc95/pdf/rep-iii-1b.pdf>
- Labour Legislation Guidelines.
<http://www.ilo.org/public/english/dialogue/ifpdial/lhg/main.htm>
- Labour inspection website of Programme on Safety and Health at Work and the Environment (SafeWork)
<http://www.ilo.org/public/english/protection/safework/labinsp/index.htm>

Richthofen, von Wolfgang: Labour inspection : A guide to the profession, ILO (2002)

Vitasa, Benjamin: Assessment Study on the Status of Labour Standards Enforcement Framework of the Department of Labour and Employment, ILO-SRO Manila, Philippines (December 2005).