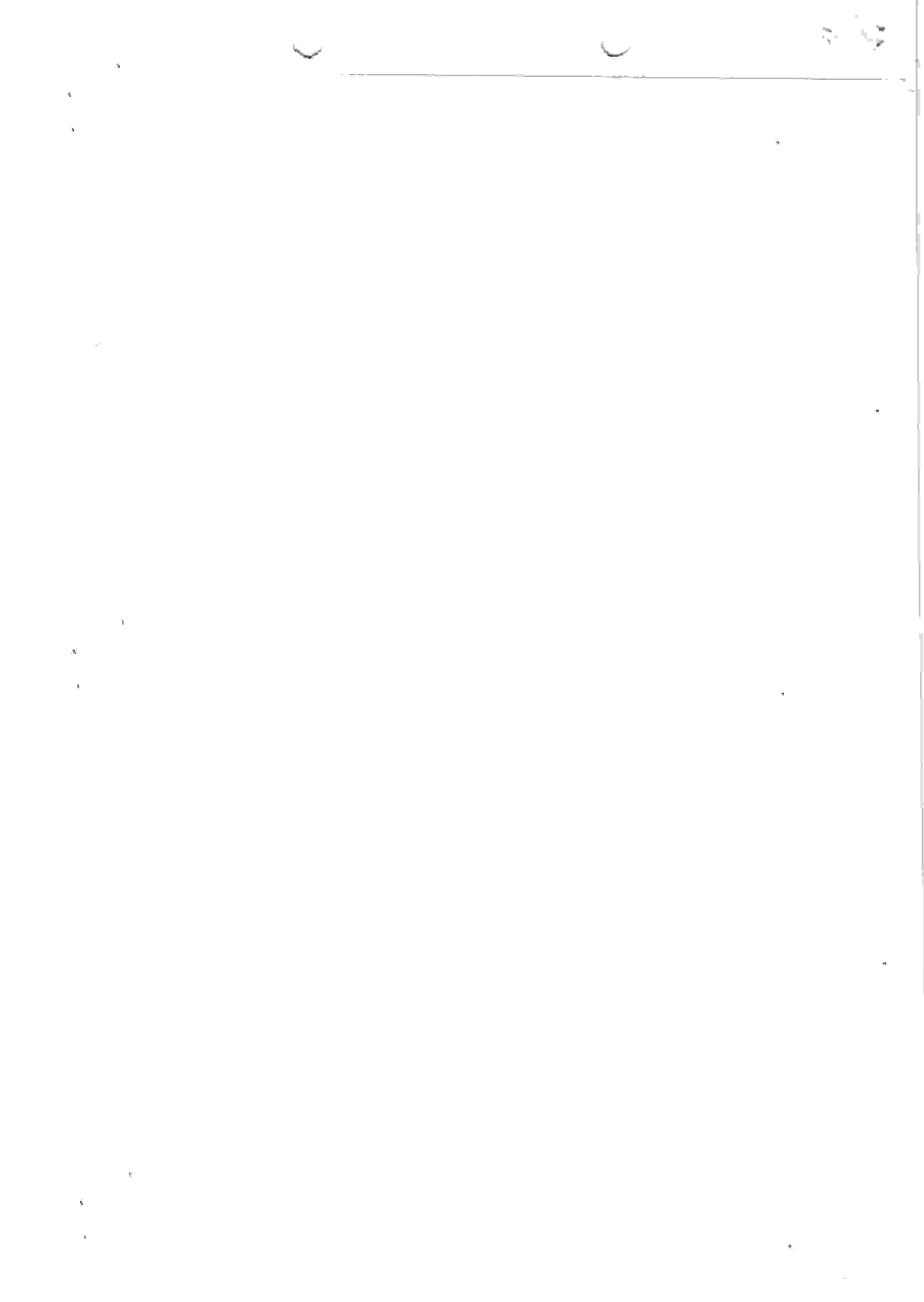


**CONSTRUCTION –
INDUSTRY TRIPARTITE COUNCIL
(CITC)
NATIONAL CAPITAL REGION**

**VOLUNTARY CODE OF GOOD PRACTICES
IN THE CONSTRUCTION INDUSTRY**



Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
National Capital Region



INTRODUCTION

The construction industry, one of fastest-growing in the country, experienced a boom in the first quarter of 2014, generating jobs and enhancing the growth of other industries. The Philippine Statistics Authority (PSA) reported that new construction projects, as indicated by approved building permits, reached 29,468 in the first quarter of 2014, up by 20.8% from 24,000 in same period in 2013. The construction boom was fueled by the sustained growth of tourism and business process outsourcing, strong remittance inflows from overseas Filipinos, and public-private partnership initiatives, resulting in more construction of high-rise buildings, offices, roads and bridges, and facilities for utilities. The construction sector and its allied industries are projected to have a banner year in 2014 as government launched its massive infrastructure development program with nine major projects nationwide costing P62.3 billion. The National Economic and Development Authority (NEDA) said a million homes are set for construction in typhoon-hit areas. Construction products outside of Yolanda-affected areas are also expected to contribute to the growth this year, such as preparations for the Asia-Pacific Economic Cooperation meeting in Manila in 2015 (*Information : Steady Growth of Philippine Construction Industry, Manila Bulletin - June 13, 2014*)

Data from the Bureau of Labor and Employment Statistics show an increasing trend in the construction sector's share to the country's total employment. From 5.6% share in 2011, it rose to 6% in 2013. Numbers revealed that 48,000 more construction workers were hired in 2013 compared to 2012.

In consideration of the emerging working conditions and upsurge of work-related incidents or accidents in the construction sites, the Department of Labor and Employment (DOLE), the Department of Public Works and Highways (DPWH), the Department of Trade and Industry (DTI) and Professional Regulation Commission (PRC) signed the Memorandum of Agreement (MOA) and Joint Administrative Order No. 01 series of 2011. The MOA-JAO includes measures to properly implement DOLE Department Order No. 13 (Guidelines Governing Occupational Safety and Health in the

Construction Industry) and aims to intensify the holistic and extensive execution of the policies and programs set forth in Department Order No. 13 in the construction sites.

The organization of the Construction Industry Tripartite Council (CITC) was a response to the government's call to ensure that relative to policy and decision-making in areas affecting the industry, the government; the management; and the labor sector are altogether engaged. The organization of the ITC is primarily aimed at ensuring harmonious labor management relations while addressing the need to promote gainful and decent employment in the industry including the promotion of safety and health standards.

Recognizing the indispensable role that the Industry Tripartite Council serves in providing a venue for social dialogue, the members have agreed to adopt and formulate a Voluntary Code of Good Practices that shall address the basic need of ensuring occupational safety and health and achieving higher employee productivity. These goals could best be achieved through the adoption of programs that shall focus on equipping the members and their employees basic information on labor relations and labor standards but more importantly on occupational safety and health standards (OSHS).

The Code will work on the premise that knowledge of OSHS and application of the various programs will lead to harmonizing the relationship between the workers and the employers. Hence, in the long run, will ensure voluntary compliance to the set rules and standards.

OBJECTIVES OF THE VOLUNTARY CODE OF GOOD PRACTICES ON DECENT WORK

1. To advance the concept of social partnership as the framework for sustainable labor and management relation in the industry that ensure job creation, employment preservation, productivity improvement, employment security, employee welfare and corporate social responsibility;

2. To provide a set of guiding principles and standard that will govern the operation of the Construction Industry Tripartite Council (CITC) in its pursuit for industrial peace, productivity, competitiveness and compliance with labor and social standards, as well as various professional regulatory laws; and,
3. To promulgate good practice guidelines in the construction industry and its key stakeholders relative to employment creation, conditions of work, and labor and management relations, and
4. Strengthen collaboration and partnership with DOLE and other government agencies for unified strategies, approaches, and programs in the advancement of the construction industry.

GENERAL PRINCIPLES

The members of the Construction ITC, conscious of the above objectives, hereby adopt the following general principles:

1. That as social partners, we will cooperate in putting decent work into practice believing that its four (4) pillars: rights at work, employment creation, social dialogue, and social protection are key elements to achieving a fair globalization, reducing poverty and achieving equitable, inclusive, and sustainable development;
2. That we value the impact of strengthening tripartite collaboration that marks the depth of a more harmonious relations, thereby translating tripartism into a powerful element that brings effective implementation of labor policies on a voluntary basis, among the members of the CITC;
3. That we shall utilize the Industry Tripartite Council as a mechanism that enjoins forces in reviewing and developing regulations more responsive to current employment arrangements in the CITC-NCR through efforts of expanding the domain for social dialogue.

Specifically, we join our hands and bind ourselves to the following specific Voluntary Code of Good Practices;

1. Labor Standards

1.1 We shall promote a culture of voluntary compliance with basic labor standards among key players in the industry;

1.1.1 We shall abide by company policies consistent with statutes, labor laws and other government regulations;

1.1.2 We shall abide by the provisions of Anti-Sexual Harassment Act (RA 7877), Philippine AIDS Prevention and Control Act (RA 8504), Comprehensive Dangerous Drugs Act of 2002 (RA 9165) and Department Order 53-03 or the Guidelines in the Implementation of Drug Free Workplace Policies and Programs for the Private Sector, D.O. 73-05 on Managing Tuberculosis in the Workplace and other appropriate national policies;

1.1.3 We shall strengthen the Committee on Decorum and Investigation (CODI) that will receive complaints on sexual harassment, conduct investigation in accordance with the prescribed procedure and recommend actions to the disciplining authority that shall lead to increased understanding and help prevent incidents of sexual harassment within workplaces.

1.2 We recognize and value Philippine Labor Laws on security of tenure, as well as procedural and substantive due process in the termination or dismissal of employees.

1.3 We shall provide equal employment opportunities in hiring, retention, promotion, ranking, transfer, classification and termination without gender bias and discrimination to civil status, race, creed, marital status, pregnancy or physical appearance or people working with disability, sexual orientation, socio-economic

status, religion, race, cultural beliefs and legitimately registered institution where one graduated without compromising quality service;

For this purpose, we commit to cooperate with the DOLE in the enforcement of labor standards done through the latter's labor standards enforcement machinery, but looking forward, we are also prepared to participate in a tripartite process of self-enforcement where the social partners would jointly assess the compliance of companies in the industry with labor standards, resulting to the issuance of a Certificate of Compliance.

2. Occupational Safety and Health Standards

2.1 We shall recognize occupational safety and health as a critical factor in worker's productivity and company competitiveness. We acknowledge that the occupational safety and health is the joint obligation of both Management and Workers and we agree to fully cooperate in its compliance and execution. For this purpose, we shall:

2.1.1 Formulate and implement occupational safety and health policy and program in pursuit of zero accident in accordance with the Occupational Safety and Health Standards (OSHS), particularly Rule 1410 (Construction Safety) and in compliance with the DOLE Department Order No. 13, series of 1998 (Guidelines Governing Occupational Safety and Health in the Construction Industry) and other related OSH issuances;

2.1.2 Organize safety and health committees in our respective companies and in every project site and recognize the importance of the role of each member in the committee to be as vital as their role in the construction operation;

- 2.1.3 Manage the safe execution of the construction operation and the welfare of the workers thru our Safety Personnel and to monitor compliance with industry's regulatory requirements and the construction safety and health program specific to the project.
- 2.1.4 Ensure attendance of workers to the one-day safety awareness orientation prior to their first day of duty, as per Section 12, D.O. No. 13;
- 2.1.5 Adhere to the OSH training requirements for site management staff and encourage accreditation of safety practitioners and advocates among staff personnel;
- 2.1.6 Establish comprehensive Personal Protective Equipment Program and properly manage the efficient selection, issuance and control, maintenance and disposal in accordance with the Rule 1080 of the Occupational Safety Health Standards. All persons inside the construction site shall be provided with approved and appropriate or specialized PPE stipulated under Personal Protective Equipment Annex of the D.O. No. 13;
- 2.1.7 Control fall hazards by using only tested and approved working platform and methodology. Relative to this, no worker shall be allowed to work at heights with substandard working platform and structure, unsafe access system, without complete fall protection (fall restrain and/or fall arrest system), and without the supervision of a competent person;
- 2.1.8 Provide emergency occupational personnel, welfare facilities, medicines and equipment;