



**CIAP BOARD RESOLUTION NO. 7
Series of 2017**

**REQUESTING THE DEPARTMENT OF EMPLOYMENT AND LABOR (DOLE) TO
INSTITUTE MEASURE TO ENSURE THE EFFECTIVE AND STRICT
IMPLEMENTATION OF ARTICLE 40 OF THE LABOR CODE AND THE DOLE
DEPARTMENT ORDER NO. 146-15 ON REVISED RULES FOR THE ISSUANCE OF
EMPLOYMENT PERMITS TO FOREIGN NATIONAL**

WHEREAS, the Construction Industry Authority of the Philippines (CIAP), an attached agency of the Department of Trade and Industry (DTI), under Section 2 (a) of PD 1746 is mandated to promote, accelerate and regulate the growth and development of the construction industry in conformity with national goals;

WHEREAS, pursuant thereto, CIAP is tasked, among others, to identify construction industry needs, problems and opportunities and recommend/implement policies vital to the growth of construction;

WHEREAS, Article 40 of the Labor Code of the Philippines, as amended, provides that any foreign national seeking admission to the Philippines for employment purposes and any domestic or foreign employer who desires to engage a foreign national for employment in the Philippines shall obtain an Alien Employment Permit (AEP) from issued by the Department of Labor and Employment (DOLE);

WHEREAS, the AEP is a permit issued to a non-resident alien or foreign national seeking admission to the Philippines for work after it has been determined that a competent and able Filipino citizen is unavailable or unwilling at the time of application to perform the services for which the alien is desired;

WHEREAS, during the Construction Industry Authority of the Philippines (CIAP) 73rd Regular Board Meeting held on 12 January 2017, discussions ensued on the presence of foreign nationals like Chinese and Koreans, among others, in the country undertaking construction works/activities within the capability of local workers or professionals without first securing AEP from the DOLE;

WHEREAS, since construction industry generates great source of local employment, the CIAP Board believes that there is a need for DOLE to strictly apply its laws on the issuance of AEP in order to safeguard the Filipino professionals and workers in the construction industry from undue competitions with foreign professionals and workers for local job opportunities particularly related to construction without the required permits.

Enabling Business, Empowering Consumers

Construction Industry Authority of the Philippines

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NOW, THEREFORE, after due deliberations in the 73rd CIAP Regular Board Meeting held on 12 January 2017, the Construction Industry Authority of the Philippines, **RESOLVES**, as it is **HEREBY RESOLVED**, to request the Department of Labor and Employment to institute measure to ensure the effective and *strict* implementation of Article 40 of the Labor Code and the DOLE Department Order No. 146-15 on Revised Rules for the Issuance of Employment Permits to Foreign National issued on 20 August 2015.

UNANIMOUSLY APPROVED.
12 January 2017


FOR THE CIAP BOARD

ATTY. RUTH B. CASTELO
Undersecretary for CIAP *JK*
(Representing DTI Secretary and
CIAP Chairman Ramon M. Lopez)


Attested by:


MA. ESTRELLA C. GODIA
Acting Board Secretary

Republic of the Philippines)
City of Makati)ss.

Subscribed and sworn to before me, this 23 MAR 2017 day of _____ affiant Atty. Ruth B. Castelo
of the Construction Industry Authority of the Philippines exhibiting his DTI ID No. 05-248 issued on
_____.

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ATTY. VIRGILIO R. BATALLA
NOTARY PUBLIC FOR MAKATI CITY
APPT. NO. M-88
UNTIL DEC. 31, 2018
ROLL OF ATTY. NO. 48348
MCLE COMPLIANCE NO. IV-0016333-4/10/13
I.B.P.O.R No. 706762, LIFETIME MEMBER JAN 29, 2007
PTR No. 590-90-82 JAN. 3, 2017
EXECUTIVE BLDG. CENTER
MAKATI AVE. COR., JUPITER ST. MAKATI CITY

NOTARY PUBLIC