



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

MEMORANDUM

FOR : ALL REGIONAL DIRECTORS

FROM : *Brenda L. Villafuerte*
BRENDA L. VILLAFUERTE
Director IV

**SUBJECT : JOINT ADMINISTRATIVE ORDER (JAO) NO. 01 series
of 2011 IMPLEMENTING INTER-AGENCY
MEMORANDUM OF AGREEMENT (MOA) BETWEEN
DOLE, DPWH, DTI, DILG AND PRC**

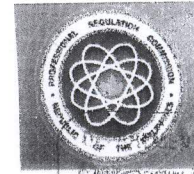
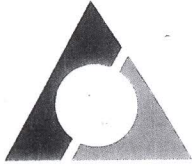
DATE : May 16, 2011

Relative to the Inter-Agency MOA (DOLE, DPWH, DTI, DILG and PRC) signed on April 7, 2011 which aims to strengthen coordination and linkages among concerned agencies as well as enhance the implementation of D.O. 13 series of 1998, specifically monitoring of construction activities in the country, a Joint Administrative Order (JAO) was signed last April 29, 2011.

In this regard, we are providing you copy of the Joint Administrative Order (JAO) and other related issuances such as DPWH-NBC Memorandum Circular No. 02 series of 2011 and DOLE Administrative Order No. 152 series of 2011 for your reference and appropriate action.

Likewise, you are hereby required to submit a report/update on ROs actions/activities on the implementation of the provisions of the MOA/JAO.

Thank you for your usual support and cooperation to the programs of this Office.



DEPARTMENT OF LABOR AND EMPLOYMENT
Administrative Services Central Facility Section-35

JOINT ADMINISTRATIVE ORDER NO. 01

Series of 2011

DATE : 11 MAY 2011
TIME : 5:35 pm
RECEIVED BY: Joan

Pursuant to Memorandum of Agreement (MOA) dated April 7, 2011 by and among the Department of Labor and Employment (DOLE), Department of Public Works and Highways (DPWH), Department of Trade and Industry-Construction Manpower Development Foundation-Philippine Contractors Accreditation Board (DTI-CMDF,PCAB), Department of the Interior and Local Government (DILG), and Professional Regulation Commission (PRC), this Joint Administrative Order is hereby issued for strict implementation.

Section 1: Purpose and Scope

This order shall cover the commitments, agreements and responsibilities among the collaborating agencies as specified in the aforementioned MOA to include other related programs and activities with the end in view of ensuring proper coordination and harmonization of policies and programs to ensure safety and health of workers in the construction industry.

Section 2: Guiding Principles

The programs and activities covered by this Joint Administrative Order shall complement the relevant provisions of the following policy guidelines of the collaborating agencies:

2.1 DOLE-Labor Standards Enforcement (LSE) Program, Department Order No. 13 series of 1998 (Guidelines Governing OSH in the Construction Industry) and other related policies, rules and regulations on construction safety and health. The DOLE enforcement procedures shall be followed in coordination with the concerned agencies to ensure the efficient monitoring of contractors' compliance with labor standards including OSH Standards and D.O. No. 13 series of 1998.

2.2 DPWH- Department Order No. 56 s 2005. (Guidelines for the Implementation of D.O. No. 13 series of 1998,) and Constructor's Performance Evaluation System-Implementing Unit (CPES-IU)

2.3 DILG – Memorandum Circulars: 2004-65, 2004-65A and 2008-113 on Civil Applications Systems, requiring Local Government Units to ensure that all contractors, sub-contractors and specialty contractors are to secure first a license from PCAB prior to the granting of business permit to engage in construction business.

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2.4 DTI-CMDF-PCAB – Republic Act No. 4566 (Contractor's Licensing Law), Presidential Decree No. 1746 (Construction Industry Authority of the Philippines, CIAP Law) and other applicable trade and industry laws rules and regulations

2.5 PRC – Republic Act No. 8981-PRC Modernization Act of 2000, specifically on strengthening PRC's enforcement power.

2.6 Anti-Red Tape Act of 2007 (RA 9485) and its Implementing Rules and Regulations to effectively eliminate bureaucratic red tape and improve efficiency in the delivery of government services. For this purpose, the requirements being implemented by the concerned agencies shall not be duplicated but shall be strengthened with a harmonized issuance of permit/license.

Section 3: Agency Agreements and Responsibilities

3.1 The DPWH shall issue a Memorandum Circular instructing all local Building Officials to require the submission of a DOLE-approved Construction Safety and Health Program (CSHP) prior to the issuance of all building permit.

3.2 The DOLE shall issue an Administrative Order decentralizing the approval of the CSHP from the Bureau of Working Conditions (BWC) to the DOLE Regional Offices. The Regional Offices concerned upon receipt of the complete requirements of CSHP submitted by the contractor/subcontractor shall approve/disapprove the same within five (5) days. The approval of the said program shall be governed by the procedures as provided for in the procedural guidelines of D.O. 13, s. 1998.

After the approval of CSHP, the DOLE Regional Offices through its labor inspectorate shall undertake the necessary inspection and verification. The BWC shall maintain a data base of all on-going constructions projects and shall prepare a consolidated monthly report of all inspection activities regarding the matter.

In cases where there are violations of labor standards, rules and regulations, the DOLE shall refer the matter to the Philippine Contractors Accreditation Board (PCAB) for blacklisting when the violation constitutes prima facie case of a construction malperformance of grave consequence as defined in R. A. 4566 (Contractors' Licensing Law) as amended and its implementing rules.

In cases where imminent danger situation/s or where an order of work stoppage has been issued by the DOLE Regional Director, all concerned offices shall be notified within 48 hours of the said issuance.

3.3 The DILG shall issue a corresponding directive to the Local Government Units (LGUs) reiterating the requirements of DOLE-D.O. 13, s. 1998, D.O. 18 and Rule 1020 of the OSHS and the licensing requirements of the DTI-PCAB pursuant to DILG Memorandum Circulars 2004-65 and 65A requiring all contractors, sub-contractors and specialty contractors to secure first a license from PCAB before engaging in any construction activity in the country.

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3.4 The DTI through the Philippine Contractors Accreditation Board (PCAB) shall enhance the program of instilling a culture of safety among contractor/subcontractors. All Authorized Managing Officers (AMOs) of the contractors shall undergo a safety and health orientation course as a requirement for the issuance of a contractor's license.

3.5 The DTI through the Construction Manpower Development Foundation (CMDf) which oversees the development of human resources in the construction industry shall assist the BWC and the Occupational Safety and Health Center (OSHC) in the development of a comprehensive safety and health training course for construction. CMDf shall offer a safety and health orientation course for AMOs. Likewise, it shall conduct a one-day safety orientation seminar for construction workers.

As basis for continuing policy formulation and program development, CMDf shall develop and institutionalize data management system of all construction workers and contractors that have undergone construction safety orientation seminar.

3.6 The Professional Regulation Commission (PRC) through its Regulatory Boards, in coordination with the Local Building Officials and DOLE Regional Offices shall provide technical assistance in the conduct of safety monitoring at the worksite.

Section 4: Inter-Agency Task Force

An inter-Agency Task Force shall be established, with members composed of DOLE, DTI-CMDf-PCAB, DPWH, DILG and PRC. The concerned agencies shall designate at least two (2) representatives as members of the said task force. It shall formulate and recommend policies and measures for the effective implementation of D.O. 13 and the Occupational Safety and Health Standards (OSHS). Likewise, it shall assist in the monitoring and inspection of worksites.

Section 5: Inter-Agency Action Plan

The DOLE through the Bureau of Working Conditions (BWC), in coordination with the concerned agencies, shall be responsible for the development of an inter-agency action plan and shall act as the coordinating office relative to the inter-agency activities.

The BWC shall likewise provide administrative support as may be needed to ensure the implementation of the inter-agency programs and activities.

Likewise, monitoring and evaluation scheme shall be developed for the integration of agency outputs and activities.

There shall be a periodic review of the action plan to conform to the developments in the construction industry.

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Section 6: Funding Requirement

In order to ensure the implementation of the inter-agency activities and programs, a cost-sharing scheme among agencies shall be applied. Inter-agency meetings shall be sponsored by each agency by rotation.

Section 7: Effectivity

This Joint Administrative Order signed on this 29th day April 2011 shall take effect immediately.

Dept. of Labor & Employment
Office of the Secretary



Rosalinda Dimapilis Baldoz
ROSALINDA DIMAPILIS-BALDOZ
DOLE-Secretary †



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Rogelio L. Singson
ROGELIO L. SINGSON
DPWH -Secretary

GREGORY L. DOMINGO
DTI-Secretary

For the Secretary:

Zenaida C. Maglaya
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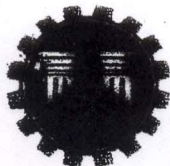
Jesse M. Robredo
JESSE M. ROBREDO
DILG -Secretary

Teresito R. Manzano
TERESITA R. MANZANA
PRC- Chairperson



Republic of the Philippines
DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT
IN REPLYING, PLS CITE:
SILG11-003878





Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
NATIONAL BUILDING CODE DEVELOPMENT OFFICE
Bonifacio Drive, Port Area, Manila

B97-13 DPWH
03-14-2011

MAR 10 2011

NBC MEMORANDUM)

Circular No.)

02)

Series of 2011)

03-14-11)

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**TO : ALL CITY/MUNICIPAL BUILDING OFFICIALS
AND OTHER CONCERNED**

**SUBJECT : REQUIRING A CONSTRUCTION SAFETY AND
HEALTH PROGRAM IN BUILDING PERMIT
APPLICATION**

In order to ensure the safety of our construction workers during the construction of buildings and related structures and pursuant to Sections 104 and 203 of the National Building Code (PD 1096), all Local Building Officials shall require the submission of a Construction Safety Health Program as provided for in DOLE Department Order No. 13 series of 1998 (Guidelines Governing Occupational Safety and Health in the Construction Industry) prior to the issuance of a building permit and other ancillary permits.

This Memorandum shall take effect after its publication once a week for three consecutive weeks in a newspaper of general circulation.

For strict compliance.


ROGELIO L. SINGSON
Secretary



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