Voluntary Code of Good Practices in the Construction Industry

Aries Janaban
Overview: Construction industry

Fastest growing industry in the country

- PSA Data 2014: Up by 20.8% New Construction Project with approved Building Permit compared to 2013

- 24,000 (2013)
- 29,468 (2014)
Causes

- Sustained growth of Tourism
- Business Processing Outsourcing
- Other public-private partnerships to construct more high-rise buildings, offices, roads and bridges and other facilities.
Overview: Construction industry

- BLES Data: increasing trend in the Construction sector's share to the country's total employment.
- 48,000 more construction workers were hired in 2013 compared to 2012.
Impact:

- In 2011 different agencies from our local government namely, DOLE, DPWH, DTI and PRC signed a Memorandum of Agreement and Joint Administrative Order stating Guidelines Governing Occupational Safety and Health in the Construction Industry.
- Aims to intensify the holistic & extensive execution of policies & programs set forth in DO 13.
INDUSTRIAL TRIPARTITE COUNCIL Labor Day Event
ITC for CONSTRUCTION

ITC for Construction Strategic planning together with other Gov’t Agencies

World Day for Safety and Health at Work Press conference
Voluntary Code of Good Practices
“This Code works on the premise that knowledge of Occupational Safety and Health Standard (OSHS) will lead to harmonizing the relation between the workers and the employers.”
OBJECTIVES

- Advance the concept of social partnership... that ensure job creation, employment preservation, productivity improvement, employment security, employee welfare and corporate social responsibility;
OBJECTIVES

- Provide a set of guiding principles and standard that will govern the operation of the Construction Industry Tripartite Council (CITC);
OBJECTIVES

- Promulgate good practice guidelines in the construction industry and

- Strengthen collaboration and partnership with DOLE and other government agencies for unified strategies, approaches, and programs in the advancement of the construction industry.
DOLE ASSESSMENT
General Principles

• 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;
Organized 2nd EHS Summit to strengthen MDC, Subcons and Government agencies collaboration

*2ND EHS Summit was held last June 25, 2014 at the Occupational Safety and Health Center Auditorium in Quezon City. A total of eighty six (86) MDC Subcontractors attended the 2014 EHS Summit.
General Principles

- Value the impact of strengthening tripartite collaboration that marks the depth of a more harmonious relations,
INDUSTRIAL TRIPARTITE COUNCIL OATH CERTIFICATE

Republic of the Philippines
Department of Labor and Employment
Regional Office No. VII

TRIPARTITE INDUSTRIAL PEACE COUNCIL, CEBU CITY
OATH OF OFFICE

1. LEVI NOEL T. LAS MARIAS
of MAKATI DEVELOPMENT CORP. (MDC)

having been elected as Member of Board of Trustees, to the Cebu- City tripartite Industrial peace Council, do solemnly swear that I will discharge to the best of my ability, the duties and responsibilities to which I have been elected/appointed and to uphold the Constitution and by-Laws of the Council without mental reservation or purpose of evasion.

SO HELP ME GOD.

LEVI NOEL T. LAS MARIAS
(Name & Signature)

SUBSCRIBED AND SWORN to before me this 1st day of May 2014 at SM Cinema 7, SM City- Cebu, North reclamation Area, Cebu City, Philippines.

CHONA M. MANTILLA, CEO IV
Regional Director, DOLE RO VII

---

INDUSTRY TRIPARTITE COUNCIL - CONSTRUCTION
OATH OF OFFICE

1. LEVI NOEL T. LAS MARIAS
of MAKATI DEVELOPMENT CORP. (MDC)

having been elected as Member of the Board of Trustees/Vice Chairperson for Management, to the Industry Tripartite Council - Construction, do solemnly swear that I will discharge to the best of my ability, the duties and responsibilities to which I have been elected/appointed and to uphold the Constitution and By-Laws of the COUNCIL without mental reservation or purpose of evasion.

SO HELP ME GOD.

LEVI NOEL T. LAS MARIAS
(Name & Signature)

SUBSCRIBED AND SWORN to before me this 1st day of May 2014 at SM Cinema 7, SM City - Cebu, North Reclamation Area, Cebu City, Philippines.

CHONA M. MANTILLA, CEO IV
Regional Director, DOLE RO VII
General Principles

- 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 through efforts of expanding the domain for social dialogue.
Voluntary Code of Good Practice

1. Labor Standards

1.1 We shall promote a culture of voluntary compliance with basic labor standards among key players in the industry.
“Good Hygiene is Cleanliness whose aim is to preserve health and prevent the spread of disease. Hygienic conditions should also be essential at construction sites.”
1. Labor Standards

1.2 We recognize and value Philippine Labor Laws.

1.3 We shall provide equal employment opportunities.
2. Occupational Safety & Health Standards

2.1 We shall recognize occupational safety and health as a critical factor in worker’s productivity and company competitiveness.
2. Occupational Safety & Health Standards

2.2 We commit to perform our obligations under the Social Security System, PAG-IBIG, ECC and PhilHealth to enable our employees to avail of their benefits in the event of contingency.
Voluntary Code of Good Practice

2. Occupational Safety and Health Standards

2.3 We shall ascertain that only contractors, including subcontractors and specialty contractors, licensed in terms of RA 4566 by the Philippine Contractors Accreditation Board (PCAB) shall be allowed to engage in any construction/project.
2. Occupational Safety and Health Standards

2.4 We shall ascertain that only qualified professionals with valid licenses, certificates of registration and/or special permits issued by the Professional Regulation Commission (PRC) shall be allowed to undertake the full time inspection and supervision of the construction work as required by Section 308 of P.D. 1096.
3. Labor-Management Relations

3.1  We respect the workers’ constitutional rights to self-organization.

3.2  We will adopt the voluntary modes of dispute settlement.
3. Labor-Management Relations

3.3 We consider labor education as critical to a better understanding of effective labor-management relations.
3. Labor-Management Relations

3.4 We shall dedicate ourselves to the principles of tripartism and social dialogue

3.5 We view Labor-Management Cooperation as essential to the success in advancing industrial relations
Voluntary Code of Good Practice

3. Labor-Management Relations

3.6 We shall organize and strengthen Labor and Management Council for documentation of emerging good practices in labor management relations, human resource development, occupational safety and health, and related fields.
Voluntary Code of Good Practice

3. Labor-Management Relations

3.7 We shall implement transparency on work rules and regulations in the industry through regular orientations, distribution of personnel manuals and published guidelines.
Voluntary Code of Good Practice

3. Labor-Management Relations

3.8 We shall exhaust all possible mechanisms, remedies and strategies in settling disputes and shall adopt the alternative modes of dispute settlement.
3. Labor-Management Relations

3.9 We shall observe proper venue to ventilate personal grievances against colleagues or officials, and endeavor to discuss the same before the Labor-Management Council (LMC) or Grievance Machinery.
3. Labor-Management Relations

3.10 We shall cooperate in advancing a culture of voluntary compliance with labor laws together with members of the supply chain through the Incentivizing Compliance Program.
4. Employment Security

4.1 That the workers’ security of tenure is guaranteed by the Constitution and the Labor Code. Under the security of tenure guarantee, our employees will only be terminated from his/her employment for substantial cause and after due process.
4. Employment Security

.4.2. In termination proceedings of employees, due process consists of the twin requirements of notice and hearing. The employees will be furnished with two written notices before the termination of employment can be effected.
4. Employment Security

4.3 In the case of probationary employees, we abide by the law that a probationary employee who is allowed to work beyond his probationary period of employment of at least six (6) months shall be considered a regular employee.
5. Social Protection

5.1. We shall collaborate with national and local government in improving the supply and quality of our skilled workers, involve ourselves actively in any government program and initiative aimed at making the labor market more efficient.
5. Social Protection

5.2 We shall collaborate with government training authorities in implementation of training programs to promote employment and improve the quality of the labor pool.
Voluntary Code of Good Practice

5. Social Protection

5.3 Encourage income augmentation programs and skills training but not limited to retirement planning, budget management and thrift-savings mobilizations
6. Social Dialogue

6.1. We recognize the imperative of labor law reforms and the need to identify unique industry practices which should find their way into the statute books, and we commit to use the mechanism of the ITC to introduce and disseminate labor law reforms and proposed labor legislation to address various economic, social and labor issues affecting the industry as a whole.
Voluntary Code of Good Practice

7. Productivity Incentives Programs

7.1 We shall initiate productivity incentive and performance-based schemes where both management and employees
7. Productivity Incentives Programs

7.2 We shall cooperate and coordinate with the Regional Tripartite Wages and Productivity Board’s (RTWPB) policies and programs towards enhancing the productivity and quality of our services.
8. Anti-graft and corruption practices
   • In support of DOLE reforms and in ensuring openness, transparency and adherence to the principle of good governance, we are committed to ethically abide by the provisions of RA 3019 otherwise known as the “Anti Graft and Corrupt Practices Act”.
Voluntary Code of Good Practice

- Anti-graft and corruption practices --- corroborate to the provisions of Republic Act No. 6713 or the “Code of Conduct and Ethical Standards for Public Officials and Employees” which imparts similar mandates on:
  1. Commitment to public interest
  2. Professionalism
  3. Justness and Sincerity
  4. Political Neutrality
Voluntary Code of Good Practice

8. Anti-graft and corruption practices

5. Responsiveness to the public
6. Nationalism and patriotism
7. Commitment to democracy
8. Simple living
9. Prohibited acts and
10. Solicitation or acceptance of gifts
11. Declaration and disclosure
• WE agree to adopt a monitoring mechanism that would document our compliance to the salient provisions of this Code...
Monitoring and Implementation

We agree to adopt a monitoring scheme...

1. Checklist indicating compliance with
   ✓ core labor standards,
   ✓ productivity,
   ✓ additional non-wage benefits but not limited to incentives,
   ✓ Rewards & Recognition
Thank you!

Aries Janaban