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DEPARTMENT OF LABOR AND EMPLOYMENT
Manila

DEPARTMENT ORDER NO. 38-03
Series of 2002

Pursuant to its mandate to safeguard the health and welfare of the Filipino worker, the Department of Labor and Employment, in February 1996, launched a Project to reduce the incidence and transmission of STD/HIV/AIDS at the workplace. This was undertaken in collaboration with the Department of Health and with the Philippine National AIDS Council with support from the European Union.

In August 1996, an Inter-Agency Committee (IAC) was formed, through Administrative Order No. 236, to advise the Project with the Occupational Safety and Health Center (OSHC) assigned as overall coordinator and implementor. The Committee was composed of agencies under or attached to the Department of Labor and Employment.

Through the IAC, a comprehensive workplace policy on STD/HIV/AIDS prevention at the workplace was formulated, and became the basis of the workplace preventive efforts of the RA 8504 or the National AIDS Law. Signed in 1998, the Law prescribes that all workers be given core information on STD/HIV/AIDS; it prohibits discriminatory behavior towards suspected or actual HIV positive persons.

The HIV/AIDS epidemic has been affecting the young adult population often through unprotected sexual transmission. To strengthen the workplace response in implementing the provisions of RA 8504 and in strengthening the prevention and action against HIV/AIDS in the Workplace, the membership of the Inter-Agency Committee on STD/HIV/AIDS in the Workplace and the role of the Committee are hereby expanded.

The Committee shall be composed of the following:

Members :

1. DOLE Agencies – Office of the Assistant Secretary for Policy and International Affairs, Office of the Assistant Secretary for Regional Operations, Bureau of Labor Relations (BLR), Bureau of Local Employment (BLE), Bureau of Rural Workers (BRW), Bureau of Women and Young Workers (BWYW), Bureau of Working Conditions (BWC), Finance and Management Service (FMS), International Labor Affairs Service (ILAS), Employees Compensation Commission (ECC), Institute for Labor Studies (ILS), Maritime Training Council (MTC), National Maritime Polytechnic (NMP), Occupational Safety and Health Center (OSHC), Overseas Workers Welfare Administration (OWWA), Philippine Overseas Employment Administration (POEA), Technical Education and Skills Development Authority (TESDA)
2. Other Government Agencies – The National AIDS/STD Prevention and Control Program of the Department of Health (DOH – NASPCP), the Civil Service Commission (CSC), the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP)
3. Employers and Management Groups – Employers Confederation of the Philippines (ECOP), Personnel Management Association of the Philippines (PMAP)
4. Labor Organizations – Trade Union Congress of the Philippines (TUCP), Federation of Free Workers (FFW)
5. Professional Organizations – Philippine College of Occupational Medicine (PCOM), Occupational Health Nurses Association of the Philippines (OHNAP)
6. Non-Government Organizations active in STD/HIV/AIDS work – Philippine HIV/AIDS NGO Support Group (PHANSuP), HIV/AIDS Network Philippines
7. NGO's representing those persons with HIV/AIDS – Pinoy Plus Association, Inc., Positive Action Foundation of the Phils., Inc. (PAFPI)

8. Other Agencies that may collaborate and support the Program
The Inter-Agency Committee shall be tasked with the following:

- a. To serve as an advisory body in the formulation of a strategic plan for the prevention of STD/HIV/AIDS at the workplace.
- b. To monitor the implementation of workplace education and observance of non-discriminatory practices based on actual or perceived HIV status of workers in all workplaces.
- c. To act as consultative and advisory body to the Department of Labor on policies and programs on the prevention of STD/HIV/AIDS in the Workplace.
- d. To act as network for fund sourcing for HIV/AIDS prevention programs, in particular, for the Global Fund on AIDS.

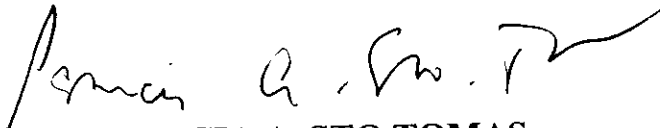

Per Implementing Rules and Regulations of Republic Act 8504, the Occupational Safety and Health Center (OSHC) shall act as Chair of the IAC.

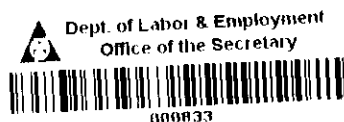
IAC meetings are to be held at least quarterly.

A quarterly report or when necessary should be submitted to the Secretary thru the Undersecretary for Workers Welfare and Protection Cluster.

This Order takes effect immediately.

For strict compliance.


HON. PATRICIA A. STO TOMAS
Secretary 



07 February 2003