

**[DOLE DEPARTMENT ORDER NO. 57-04, January
07, 2004]**

LABOR STANDARDS ENFORCEMENT FRAMEWORK

Pursuant to the Visitorial and Enforcement Powers of the Secretary of Labor and Employment, as provided for under Articles 128 and 129 of the Labor Code of the Philippines, as amended and Administrative Order 296, series of 2002, aimed at ensuring the effective implementation of the Labor Standards Enforcement Framework in order to build a culture of voluntary compliance with labor standards by all establishments and workplaces and expand the reach of the Department of Labor and Employment through partnership with labor and employer's organization as well as with other government agencies and professional organizations that also have a stake on the welfare and protection of our workers, the following guidelines are hereby issued:

SECTION 1. The Labor Standards Enforcement Framework shall ensure compliance with labor standards through the following:

- a. **Self-Assessment** - This voluntary mode shall be encouraged in establishments with at least 200 workers. It shall also apply to unionized establishments with Certified Collective Bargaining Agreement regardless of the number of workers. Employers will be provided with a Checklist for this purpose.
- b. **Inspection** - This approach shall be undertaken in workplaces with 10 to 199 workers and effect restitutions/corrections if there are violations.
- c. **Advisory services** - This approach shall be undertaken in workplaces with less than 10 workers and those registered as Barangay Micro-Business Enterprises (BMBEs).

SECTION 2. Strategy for Implementation - To implement the above approaches, the following shall be undertaken:

- a. **Advocacy and Education Campaign** - Non-compliance with labor standards usually stem from inadequate understanding of the legal obligations by employers. The conduct of education and training services is seen as a means of ensuring voluntary labor standards compliance.
- b. **For Self-Assessment**

b.1 *Distribution of Checklist on Compliance with Labor Standards* - All Regional Offices shall distribute the Checklist to covered establishments in their respective areas of jurisdiction within the first quarter of every year.

b.2 *Conduct of Self-Assessment* - Assessment shall be undertaken by the representatives of the employer and workers at least once a year utilizing the Checklist. The Labor Management Committee, Health and Safety Committee or other similar committees shall undertake the assessment within one (1) month from the receipt of the Checklist.

b.3 *Submission of Checklist* - The accomplished Checklist shall be submitted to the Regional Office not later than five (5) days after the assessment.

b.4 *Spot Check* - This shall be conducted by the Regional Evaluation Team to all covered establishments or workplaces.

c. *Conduct of Inspection*

The conduct of inspection in all workplaces with 10-199 workers shall be undertaken by labor inspectors based on the following inspection priorities:

c.1 Existence of complaints, imminent danger or imminent occurrence of accidents and illnesses/injuries;

c.2 Hazardous workplaces

c.3 Construction sites; and

c.4 Establishments employing women/child workers.

d. *Conduct of Training and Advisory Services*

The Regional Offices of the Department shall conduct training and advisory visits (TAVs) to assist small and micro establishments map out an improvement program geared at increasing productivity to facilitate their eventual compliance with labor standards. TAVs shall be conducted by trained DOLE personnel.

The training to be undertaken in coordination with other government and non-government agencies shall include an orientation on practical work methods and low-cost workplace improvement strategies, which contribute to productivity and enterprise development.

e. *Technical Safety Inspection by Local Government Units (LGUs)*

The Department of Labor and Employment, upon the recommendation of