

DOLE ADJUSTMENT MEASURES PROGRAM FOR THE PREVENTION OF JOB LOSSES AND ASSISTANCE TO DISPLACED WORKERS

DOLE DEPARTMENT ORDER NO. 85, S. OF 2007, September 12, 2007

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In the interest of the service and pursuant to the 2004 Social Accord for Industrial Peace and Stability, the DOLE-AMP's coverage and package of interventions is hereby expanded to include addressing the demand to increase the employability of Filipino workers, particularly in key employment generators (KEGs) and assisting companies, particularly the distressed, towards responsible workforce management and/or restructuring.

For this purpose, the following guidelines are adopted to ensure the effective and efficient implementation of the program.

PROGRAM DESCRIPTION

The DOLE-AMP is a safety net program that provides a package of assistance and other forms of interventions as a means of helping individuals/workers and companies in coping with economic and social disruptions.

The DOLE-AMP services are classified into three (3) major components and interventions, namely:

a. Direct Services to be Provided by the DOLE-QRT

- a.1 Establishing an Early Warning Network Monitoring System;
- a.2 Advocacy and Assistance Mechanism

b. DOLE services that can be tapped by Proponents

- b.1 Facilitation of Overseas Employment
- b.2 Facilitation of Entrepreneurship and Enterprise Development
- b.3 Facilitation of Employability Enhancement of Workers in Key Employment Generators (KEGs)
- b.4 Facilitation of Labor-Management Education
- b.5 Facilitation of Responsible Workforce Restructuring.

c. DOLE Institutional Capability Building

PROGRAM OBJECTIVE

The expanded DOLE-AMP is aimed at mobilizing, augmenting and complementing the efforts, as well as building capacities and capabilities of covered workers, company

It must be emphasized that as a safety net program, the DOLE-AMP shall give priority to interventions and initiatives that would enhance the competitiveness and employability of workers and assist companies, particularly the distressed ones in adopting socially responsible workforce restructuring policies and positive workforce adjustment measures geared at preventing and/or minimizing job losses.

PROGRAM COVERAGE

The program shall be implemented nationwide and shall cover any or a combination of the following:

1 Threatened or displaced workers due to the following economic reasons:

- Rightsizing;
- Redundancy;
- Import competition;
- Introduction of technological change and labor-saving devices; and
- Other analogous causes directly or indirectly caused by trade liberalization.

2. At risk companies, particularly those who desire to implement responsible workforce restructuring; and

3. Communities with large-scale displacement of the local workforce.

PROGRAM COMPONENTS AND INTERVENTIONS

Component I: Direct Services to be Provided by the DOLE-ORT -

Shall make available services that will assist workers who are about to lose or have lost their jobs to help them cope with the social and economic disruptions, as well as assist companies towards socially responsible workforce restructuring, through the reconstitution and/or strengthening of the Quick Response Team (QRT) mechanism, both at the national and regional levels.

The Quick Response Team shall serve as the Workers Action Group within DOLE that will provide the immediate assistance as may be warranted.

Initiatives under this program component include:

a. Establishment of an "Early Warning Network Monitoring System",

Shall provide the early warning indicator at the onset of socio-economic disruption/s through the creation of a "functional network" with partners, companies/enterprises and community leaders to be able to;

- i. Obtain accurate and up-to-date information on companies/enterprises;
- ii. Use all available data/information and contacts to spot troubled companies/enterprises; and
- iii. Monitor, developments in spotted companies/enterprises to establish the appropriate action to mobilize.

b. Advocacy and Assistance Mechanism

Shall immediately activate, based on report and action required generated from the early warning network monitoring system, the appropriate advocacy initiatives and on-site assistance to save jobs, and/or facilitate employment/re-employment, whenever possible through the following:

b.1 Legal Assistance

- i. Remedies pertaining to preventive mediation, conciliation-mediation, med-arbitration, voluntary and compulsory arbitration under the law;
- ii. Responses outlined for various levels of alertness under the Special Action Group for Industrial Peace (SAGIP); and
- iii. Assistance in claiming unpaid salaries and benefits and other money claims;

b.2 Job Search Assistance Services

- On -Site Assistance

- i) Registration and needs assessment;
- ii) Profiling of workers to determine the nature and extent of assistance to be provided;
- iii) Employment guidance and counseling;

- Local Employment Facilitation

Shall provide access to available job opportunities suitable to the skills and qualifications of the displaced workers through job matching, referral and placement services.

Component II: DOLE Services that can be tapped by Proponents

Shall extend the necessary technical and/or financial assistance to qualified proponents through the following interventions

Worker's Level

a.) Facilitation of Overseas Employment

Shall provide financial assistance to displaced workers wishing to work overseas to defray expenses for placement fee equivalent to one (1) month salary and miscellaneous expenses in the amount of five thousand pesos (P5,000.00).

This component shall be made available for prospective OFWs with valid employment contracts only and shall be strictly limited to the unskilled category.

b.) Facilitation of Entrepreneurship and Enterprise Development

Shall provide assistance to groups of displaced workers who wish to engage in livelihood/self-employment projects through the following:

i. Training-cum-Production

Combining the production aspect with entrepreneurship development training whereby trainees realize a tangible product, which becomes the anchor of a future self-employment type of business

ii. Enterprise/Small Business Development

Extending appropriate assistance or support services towards the establishment of viable enterprises/small businesses through the provision of capital assistance, common facility services, marketing, support and training grants.

c. Facilitation of Employability Enhancement of Workers in Key Employment Generators (KEGs) for Global Competitiveness

Shall make available education and training and/or re-training services to equip workers with the necessary skills and/or upgrade existing skills to make them more competitive in the labor market thereby enhancing their employability.

Initiatives under this program component include:

a) Customized Training Programs

Shall provide training programs for a higher qualification (specialized) in the previously practiced occupation that are individual specific and designed to suit the specific needs of affected workers, as well as meet the requirements of the labor market demand for a specific skill.

b) Intensive Skills Development and Enhancement

Shall provide training programs for workers who wish for a complete reorientation in a new field.

Training programs offered by TESDA shall be tapped for this initiative. For other courses not offered by TESDA,

workers can attend courses at established training institutions.

Company/Enterprise Level

a. Facilitation of Labor-Management Education

Shall provide labor, human relations and productivity seminars that shall inculcate observance of labor laws, harmonize work relations and provide tools for increased productivity and competitiveness.

b. Facilitation of Responsible Workforce Restructuring

Shall provide assistance to at risk/distressed companies/firms in the form of training and learning sessions on:

- developing an internal adjustment plan that will provide alternative/options to dismissals/lay-offs such as, but not limited to the following:

- training linked to periods of workforce redundancies
- leave schemes
- working time/work organization changes
- short-time work
- temporary lay-offs

- developing a displacement plan, in cases that displacement is inevitable, which will provide strategies and options for workers in coping with life after displacement such as, but not limited to the following depending on capability of the:

- conversion training measures
- enterprise creation
- early retirement
- financial incentives

Component III: DOLE Institutional Capability Building

Shall provide continuing education and capability building and upgrading to program implementers and partners, i.e., DOLE, PESO, RCC and the Tripartite Bodies, who are directly involved in policy making and managing and implementing DOLE-AMP program interventions.

Priority under this component are training programs in the areas of:

- Management of Large Scale Displacement
- Development and Management of Appropriate Program Responses/Measures to Address Displacement
- Employment Counseling
- Career Guidance
- Project Development and Management
- Business Counseling
- Networking and Resource Mobilization

PROGRAM MANAGEMENT

A. Central Office

Program Management Team

A Program Management Team (PMT), to be chaired by the Undersecretary for Labor Relations and composed of the following as members.

1. Bureau of Labor Relations (BLR)
2. Bureau of Rural Workers (BRW)
3. Bureau of Local Employment (BLE)
4. National Conciliation and Mediation Board (NCMB)
5. Technical Education and Skills Development Authority (TESDA)
6. Finance and Management Service (FMS)
7. Planning Service (PS)

The PMT shall serve as the oversight body responsible for the DOLE-AMP and specifically, it shall:

1. Formulate policies and guidelines pertaining to the improved implementation of the project;
2. Evaluate and approve project proposals costing more than P200,000.00 but not less than 1M; and
3. Evaluate and recommend to the Secretary the approval of project proposals costing P1 million and above.

Program Secretariat

The Bureau of Labor Relations (BLR), under the direct supervision of the Undersecretary for Labor Relations, shall be the Program Secretariat for the DOLE-AMP. As such, it shall oversee the effective and efficient implementation of the program and administer the fund for the purpose, in coordination with the Finance and Management Service (FMS).

Specifically, the BOR shall be responsible for the:

1. Provide the necessary technical and administrative support services to the PMT to ensure the efficient and effective implementation of the project;
2. Initially screen and evaluate project proposals, including but not limited to:
 - Checking and ensuring the completeness of documentary requirements;
 - Preparing project briefs and other pertinent documents for the DOLE-AMP PMT; and
 - Farming out project proposals to concerned agencies for evaluation.
3. Conduct monitoring of industry closures and retrenchments due to the adverse effects of socio-economic disruptions;
4. Conduct monitoring, evaluation and analysis of the status of the implementation of all projects funded out of the DOLE AMP;
5. Oversee the planning and implementation of Component III, which is the DOLE institution Capacity Building;
6. Submission of quarterly reports, including status of funds, to the Undersecretary of Labor Relations;
7. Set up adequate internal monitoring and control mechanism at all levels of operation of the program and
8. Develop and maintain a database of all DOLE-AMP project documents/records; and
9. Conduct spot audits.

B. Regional Office

At the regional level, the Regional Offices' Regional Coordinating Council (RCC) or Regional Program Management Team (RPMT), with the RD as Chairperson shall:

1. Clear all project proposals emanating from areas within their jurisdiction;
2. Evaluate and deliberate on project proposals submitted to the region;

3. Approve project proposals to be funded out of the emergency bridging fund and recommend to the PMT, thru the BLR, the approval of project proposals with project cost of P200,000.00 and above;
4. Ensure completeness, as well as validity of claims and ascertain authenticity and completeness of documents submitted by the proponent;
5. Monitor and evaluate project implementation at the regional level; and
6. Recommend policies to the PMT to further improve the program;

The Technical Services and Support Division (TSSD)/Labor Relations Division (LHD)/Workers Amelioration and Welfare Division (WAWD), to be assisted by the Planning Officer, shall act as the Regional Technical Working Group (RTWG) for the region, with the following tasks and responsibilities:

1. Receive project proposals duly evaluated by Field Offices (FOs), and check/validate accreditation requirements and prepares brief reports thereof;
2. Undertake evaluation of project proposals and recommend appropriate action to the RPMT;
3. Coordinate meetings of the RCC/RPMT and prepare required documents;
4. Coordinate with the proponent thru the FOs for proposed revisions/additional requirements, as may be necessary;
5. Provide technical assistance to the FOs/project partners/implementers that would include networking for the conduct of entrepreneurship development training and other appropriate organizational and project management training as part of developmental interventions; and
6. Monitor, inspect and validate project implementation and prepare reports of project progress and accomplishment.

PROGRAM MECHANICS

A. For Component I: Direct Services to be Provided by the DOLE-QRT

All Regional Offices shall be provided with an "Emergency Bridging Fund" of up to a maximum of P200,000.00 for mobilization, coordination and firming up of activities/ initiatives to be undertaken at the onset of displacement. The bridging fund allocation per region shall be pro-rated using actual displacement figures.

For purposes of coordination and control, expenditures to be financed by the emergency-bridging fund shall be covered by a project proposal duly approved by the RCC/ RPMT.

B. For Component II: DOLE Services that can be tapped by Proponents

b.1 Workers' Level

Documentary Requirements

1. Project Proposal/Feasibility Study (for entrepreneurship development and training assistance)
2. POEA approved job contracts (for partner recruitment agency)
3. Endorsement of DOLE Regional Director
4. Certification of Displacement

- Establishment, if still existing, for workers from the formal sector (In case business establishment is already shut down, the DOLE Regional Director, in cases of reported closure, retrenchment, redundancy, rightsizing, or analogous causes).

5. Valid employment contracts (for those opting for overseas employment)

Project Approval

1. Applicants/proponents shall submit the required documentary requirements to the concerned DOLE Regional Office (RO)/Field Office (FO) for evaluation/ recommendation and endorsement to the CO.
2. Upon approval of the project proposal, the appropriate Memorandum of Agreement (MOA) or contract between DOLE and the proponent shall be executed accordingly. All MOAs or contracts shall include a Certificate of Funds Availability by the Chief Accountant concerned duly approved by the RD/ Undersecretary for Labor Relations/Secretary, as the case may be.
3. The approving authority for projects shall be as follows:

Amount Official

Below P200,000.00 RCC/RPMT

P200,000.00 and above but below P1M

DOLE Undersecretary for Labor Relations, upon endorsement of the DOLE-AMP Program Management Team

P1M and above

Secretary of Labor and Employment, upon recommendation of the DOLE-AMP Program Management Team and duly noted by the Undersecretary

b.2 Company/Firm Level

Companies/firms shall submit the following to the respective Regional Office:

- letter of intent to participate
- plan of action, including a company/firm level implementation plan

C. For Component III

The BLR shall:

- Develop and implement a training and development plan to develop/enhance the DOLE and program partners' capability in handling displacement
- Conduct continuing review and upgrading of the Labor Relations, Human Relations and Productivity Module

PROGRAM FUNDS

Approved projects shall be funded under the budget allocation for Prevention of Job Losses and Assistance to Displaced Workers, which is managed by the DOLE-Central Office (CO).

The CO shall provide funding for the administrative requirements of the ROs for the implementation and monitoring of the AMP.

PROGRAM MONITORING AND REPORTING

Project Profile

All Regional Offices implementing DOLE-AMP Projects shall prepare and submit to the DOLE-AMP Secretariat (BLR) a project profile for each DOLE-AMP project/intervention implemented in their respective regions, using the following format:

DOLE-AMP PROJECT PROFILE

Dole Regional Office No. _____

DOLE-AMP

Component: Indicate which component and intervention

Proponent: Name:

Contact Person:

Contact Number:

Location:

Staff: RO personnel directly involved with the implementation and monitoring of the project

Description:

Give a brief description of the project, including major activities

Duration: Project Start:

Completion Date:

Cost:

Objectives:

Quarterly Progress Report (for Component II.b only)

1. At the end of each quarter, the Regional project managers shall submit a progress report to the DOLE-AMP Secretariat within ten (10) days after the reference period, using the following reporting format:

DOLE-AMP QUARTERLY PROGRESS REPORT

Project Name:

Progress in

Current Quarter

Describe progress/results in relation to original/revised activities/objectives and the milestone achievements identified in the proposal/work plan?

Deviations:

Give details of any change/s to activities/objectives per the approved proposal and MOA and reasons for the changes.

2. The BLR as Program Secretariat shall be responsible for consolidating the regional reports and submitting a summary of the same to the DOLE-AMP Program Management Team.

- With the information contained in the quarterly progress report, regional project staff should be able to identify "trouble spots" needing closer supervision, and hence, immediately act on the matter; and, provide satisfactory explanations for deviations and/or variances between the targets as planned and the accomplishments as reported.

Annual or Terminal Report

At the end of the year or at the end of project implementation, whichever is applicable, all regional project staff shall report the achievements of their respective DOLE-AMP projects/interventions using the quarterly progress report form, with the addition of the following:

DOLE-AMP ANNUAL/TERMINAL REPORT

Extent of Impact/Relevance

State how the project was able to assist worker beneficiaries and/or improve the lives or worker beneficiaries

Fund Utilization

Describe usage against original activities and approved budget.

PROGRAM FUND LIQUIDATION

DOLE-AMP Fund liquidation shall be in accordance with the provisions of COA Circular 96-03, subject to the usual accounting and auditing rules and regulations.

MISCELLANEOUS PROVISIONS

1. If any provision of this Department Order or the application thereof to any person or circumstance is held invalid by the Courts, the remaining valid provisions of this Department Order shall not be affected.
2. This partially amends DOs 3-99, 36-02 and 7-01.
3. These Rules shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation. The Records Officer of this Department is hereby directed to file three (3) copies thereof with the University of the Philippines Law Center pursuant to Section 3, Chapter 2, Book VII of the Administrative Code of 1987.

Adopted: 12 Sept. 2007

(SGD.) ARTURO D. BRION
Secretary

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