



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



DEPARTMENT OF LABOR AND EMPLOYMENT
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CHILD PROTECTION POLICY OF THE DEPARTMENT OF LABOR AND EMPLOYMENT

I. Introduction and Rationale

The Department of Labor and Employment (DOLE) is the national government agency mandated to formulate policies, implement programs, and serves as the policy-coordinating arm of the Executive Branch in the field of labor and employment.

The vision of the DOLE is to ensure that every Filipino worker attains full, decent and productive employment. Its mission is to promote gainful employment opportunities, develop human resources, protect workers and promote their welfare, and maintain industrial peace.

The DOLE serves more than 40 million workers comprising the country's labor force, covering those in the formal and informal economies. The DOLE maintains linkages with workers' organizations, employers' groups, non-government organizations, other government agencies, the academe, international organizations and with the international community particularly countries where overseas Filipino workers are based.

The DOLE is a member of the Board of the Council for the Welfare of Children, the lead inter-agency body for children mandated to formulate and evaluate policies, coordinate and monitor the implementation and enforcement of all laws and programs for children by virtue of Presidential Decree No. 603 (Child and Youth Welfare Code). The Council for the Welfare of Children adopted the framework of *Building a Protective and Caring Environment for Children*, as elucidated in the Comprehensive Program on Child Protection, 2012 to 2016.

As stated in the Comprehensive Program on Child Protection, a protective and caring environment for children must permeate all societal levels and institutional settings, such as family, school, community and workplace. The elements of a protective and caring environment for children, include, among others, the commitment of the government, national and local, in implementing child protection programs and the recognition and response of all those who interact with children to cases of abuse, exploitation and violence.

It is in this context that the DOLE developed this Child Protection Policy, a commitment to safeguard and protect children from harm. This Policy provides a framework of principles, standards, guidelines and procedures in relation to creating a "child-safe and child-friendly" organization; awareness-raising and prevention of

abuse; personnel recruitment and training; management system; guidelines for appropriate and inappropriate behavior; guidelines for communication regarding children; and recognizing, reporting and responding to allegations of abuse.

The DOLE does, in many ways, interact with children. Thus, this Policy is formulated to ensure that the rights of children are protected in DOLE's pursuit of its mandate.

II. Objectives

This Policy aims to promote the safety and protection of children involved in any activity initiated and/or supported by the DOLE. Specifically, this Policy shall:

- a. increase awareness of DOLE personnel on child rights, primarily protection from abuse and exploitation;
- b. protect children from any form of abuse and exploitation through the development and implementation of child-related policies, programs, projects, and activities;
- c. create a safe environment for children while in DOLE premises or facilities;
- d. institute a system for monitoring compliance to child protection measures.

III. Coverage

This Policy shall cover the following:

- a. **DOLE officials and employees**
All DOLE officials and employees at the Central Office, Regional and Field Offices regardless of employment status shall comply with this Policy.
- b. **DOLE interns and trainees**
All DOLE interns and trainees, which include those under the Government Internship Program and on-the-job trainings, shall abide by this Policy for the duration of their stay in any of the DOLE Offices.
- c. **Contractors' Employees**
All contractors' employees deployed at the DOLE such as job orders, project-based, security guards, janitors, and pest exterminators, shall also abide by this Policy.

IV. Definition of Terms

- a. *Child* – refers to a person below eighteen (18) years of age or one over said age but is unable to fully take care of him/herself from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition. (RA 7610)
- b. *Child protection* – refers to all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members. (UN CRC)

Child protection also means the protection of children from all forms of abuse, neglect, cruelty, exploitation or discrimination. (*Comprehensive Program on Child Protection*)

Child protection is also defined as preventing and responding to violence, exploitation and abuse against children – including commercial sexual exploitation, trafficking, child labour and harmful traditional practices. (UNICEF)

- c. *Child abuse* – refers to the infliction of physical or psychological injury, cruelty to, or neglect, sexual abuse or exploitation of the child. (*IRR, RA 7610*)
- d. *Child Labor* – refers to any work or economic activity performed by a child that subjects him/her to any form of exploitation or is harmful to his/her health and safety or physical, mental or psychosocial development. (*IRR, RA 9231*)

V. Declaration of Commitment to Child Protection

The DOLE recognizes that children are among the most vulnerable groups in our society. It is imperative that their rights be upheld and protected at all times.

The DOLE is committed to protect children from abuse, neglect, exploitation and discrimination regardless of gender, ethnicity, socio-economic background, culture, and nationality.

The DOLE is also committed to provide children a safe environment through the implementation of child-safe programs, policies and procedures. It likewise encourages its partners and other stakeholders to create a child-safe and child-friendly environment in the discharge of their mandates, programs and activities.

As a matter of policy, the DOLE reaffirms its commitments to support and promote all measures aimed at addressing child protection issues as stipulated in the following national laws and policies and international instruments on child protection:

- a. 1987 Constitution of the Republic of the Philippines
- b. Presidential Decree No. 603 (Child and Youth Welfare Code)
- c. Republic Act No. 7610 (Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act)
- d. Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003)
- e. Republic Act No. 10364 (Expanded Anti-Trafficking in Persons Act of 2012)
- f. Republic Act No. 9231 (An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, Amending for This Purpose Republic Act No. 7610, as Amended, Otherwise Known as the "Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act")
- g. Republic Act No. 9262 (Anti-Violence Against Women and Their Children Act of 2004)
- h. Republic Act No. 9775 (Anti-Child Pornography Act of 2009)

- i. Republic Act No. 10361 (Domestic Workers Act or *Batas Kasambahay*)
- j. United Nations Convention on the Rights of the Child
- k. ILO Convention No. 138 (Minimum Age Convention)
- l. ILO Convention No. 182 (Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour)

The DOLE also adheres to the following child protection frameworks that support the country's international commitments:

- a. Philippine National Strategic Framework for Plan Development for Children (Child 21)
- b. National Plan of Action for Children
- c. Comprehensive Program on Child Protection
- d. National Framework to End Violence Against Children
- e. Philippine Program Against Child Labor Framework

The DOLE shall address and recognize child protection issues in the formulation and implementation of its policies, programs, projects and activities including training programs, consistent with the provisions of this Policy and relevant issuances by the Council for the Welfare of Children.

The DOLE shall endeavor to prevent child abuse from happening within its premises and ensure that concerns on child protection are reported to relevant office and acted upon through appropriate responses.

VI. Code of Conduct

- a. All DOLE officials and staff, interns and trainees, contractors' employees and stakeholders shall be required to observe proper decorum at all times in the different contexts that children are involved in any DOLE-initiated and supported activities. They shall:
 1. Respect and uphold the guiding principles of the rights of children
 2. Be sensitive to children's needs, taking into account their sex, gender, age, culture, ethnicity, disability, socio-economic background and nationality
 3. Refrain from exhibiting inappropriate behavior in the presence of children
 4. Observe utmost confidentiality in dealing with cases involving children
 5. Refrain from bringing, accessing, downloading and disseminating pornographic or violent images, videos and materials through the internet or other media
 6. Ensure the use of proper language during conduct of activities and during formal conversation with children; refrain from using abusive, obscene and profane language in the presence of children
 7. Advocate for a child-friendly culture in the DOLE and among DOLE personnel

b. For DOLE-organized events for children:

1. The featured talent, costume, props, music and language should be child-appropriate and not in any way offensive, provocative or exploitative.
2. The materials to be used during a DOLE-sponsored activity should be safe and environment-friendly, non-toxic, non-hazardous and not detrimental to the health of participating children.
3. A prior written approval of parents or guardian of child participants, and/or teachers or school administrators during school days shall be secured.
4. An orientation on safety precautions, such as, what to do in case of earthquake, fire or other calamities, and other safety tips and precautionary measures, should be part of the program or activity for children.
5. Relevant trainings shall include topics on child rights, specifically protection from abuse and exploitation.
6. Trainings and other activities must be conducted in a child-friendly environment. Venues for DOLE activities should comply with labor standards, occupational safety and health standards, anti-child labor laws and other pertinent issuances.
7. First-aid kits should always be available and medical attention should be immediately secured if needed. In cases where a child is hurt or injured while attending any DOLE activity, it is the responsibility of the DOLE to provide for the medical needs of the child. The guardian or adult accompanying the child must be notified immediately.
8. In case interview is necessary, no photographs, images or video footages of the face or any distinguishing feature or information of a child shall be taken, published or shown to the public in any manner without prior approval of the child's parents or guardian.

DOLE employees and visitors who bring their children to DOLE premises shall be advised to take care of their children and not to allow them to loiter around the office premises. They should be able to manage their children's behavior in a non-violent and non-humiliating manner.

VII. Policy Implementation, Structure, Monitoring and Evaluation

a. Educating the Organization on Child Protection

1. All staff including interns and trainees, and contractors' employees shall undergo orientation on this Policy.
2. The Human Resource Development Service shall include in its enhanced induction program for newly-hired employees a briefing on this Policy.
3. Contracts or terms of engagement of the DOLE with its contractors and suppliers shall contain stipulation prohibiting child labor.
4. This Policy shall be posted in the Department's website and in conspicuous areas in all DOLE offices.

5. The DOLE shall enhance its internal capacity to handle issues on child protection so that appropriate measures can be taken.
6. Attached agencies of the DOLE may adopt this Policy or develop their own Child Protection Policy.

b. Safety and Well-being

1. DOLE offices shall provide health clinics or stations, first-aid kits and/or other medical facilities to immediately respond to emergencies and other exigencies that require medical intervention.
2. DOLE offices shall also provide lactation station in recognition of the importance of breastfeeding for both mother and baby. The DOLE supports and promotes breastfeeding as provided in Republic Act No. 10028 (Expanded Breastfeeding Promotion Act of 2009).
3. All measures to make the premises and facilities of the DOLE safe and free from all kinds of hazards shall be ensured.
4. A child-friendly environment shall be given to the children including access to toilet.
5. Upon entering the DOLE premises, every child should be provided with an identification card bearing the name and personal mobile number of his/her parent or guardian. This card shall be worn by the child at all times while inside the DOLE premises.
6. The guard on duty should also record in the logbook the names of all children entering the DOLE premises.

c. Structure

A DOLE Child Protection Committee in the Central Office is hereby created. Its composition shall be the heads or representatives of the following offices:

Chairperson: Office of the Assistant Secretary for Social Protection and Internal Affairs
Members : Human Resource Development Service
Administrative Service
Bureau of Workers with Special Concerns
Sole and Exclusive Negotiating Agent (SENA)

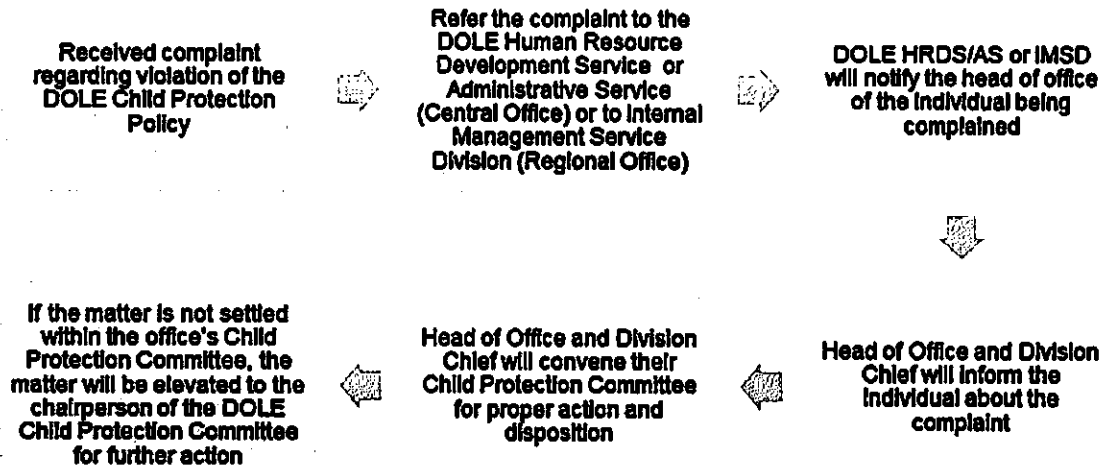
Likewise, all DOLE Regional Offices shall create their respective Child Protection Committee to be headed by the Regional Director, with the Chiefs of the Internal Management and Services Division and the Technical Services and Support Division and a representative of the SENA as members. The attached agencies of the DOLE are also encouraged to create their respective Child Protection Committee.

The DOLE Child Protection Committee:

1. shall be the central policy and coordinating mechanism for the implementation of the DOLE Child Protection Policy

2. shall discuss issues and concerns and provide recommendations relating to the over-all direction/implementation of the DOLE Child Protection Policy.
3. shall handle complaints, grievances and other concerns related to child abuse or any violation of the provisions of this Policy. It shall likewise take necessary action in reporting concerns to the responsible authority.

d. Flowchart for Internal Complaint

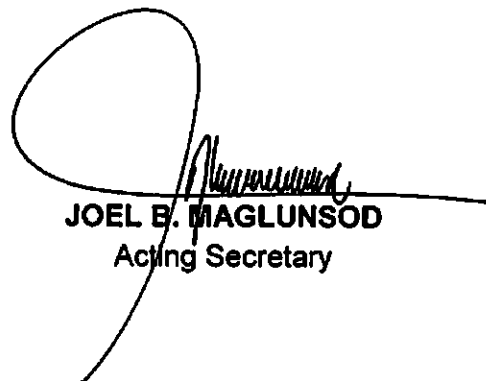


e. Monitoring Compliance

1. Designated Human Resource Management Officers of DOLE offices shall monitor compliance with this Policy at all times.
2. The DOLE shall conduct periodic review and assessment activities to further enhance this Policy.

VIII. Effectivity

This policy shall take effect immediately.


JOEL B. MAGLUNSOD
 Acting Secretary

14 August 2016