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REVISED GUIDELINES ON THE PROFILING OF CHILD LABORERS AND PROVISION OF SERVICES TO REMOVE THEM FROM CHILD LABOR

In the interest of the service and in line with the target in the Philippine Development Plan (PDP) 2017-2022 to reduce cases of child labor by 30 percent, the following Guidelines is hereby issued:

I. BACKGROUND

Republic Act No. 9231 entitled *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"* (R.A. 9231) prohibits the worst forms of child labor, namely: (a) all forms of slavery, as defined under the "Anti-trafficking in Persons Act of 2003"; (b) the use, procuring, offering or exposing of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for illegal or illicit activities; and (d) work which, by its nature or the circumstances in which it is carried out, is hazardous or likely to be harmful to the health, safety or morals of children.

Under DOLE Department Order No. 65, Series of 2004 or the Rules and Regulations Implementing R.A. 9231 Amending R.A. 7610, as amended, child labor refers to any work or economic activity performed by a child under 18 years of age that subjects him/her to any form of exploitation or is harmful to his/her health and safety or physical, mental or psychosocial development.

In the Philippines, there is an estimated 2.1 million children 5 to 17 years of age who are engaged in child labor according to the results of the 2011 Survey on Children conducted by the Philippine Statistics Authority, 97.7% of whom are in hazardous child labor. More than half or 58.4% of the 2.1 million children engaged in child labor are in agriculture, 34.6 % in the services sector and 7% in the industry group.

Child labor incidence is highest in Region III (Central Luzon) at 10.5%, Region V (Bicol Region) at 10.4%, Region X (Northern Mindanao) at 8.5%, Region IV-A (CALABARZON) at 8.3% and Region VI (Western Visayas) at 8.2% (Annex A).

Under the PDP 2017-2022, the target is *"Reduce cases of child labor by 30 percent"*. Thirty percent (30%) of the 2.1 million children engaged in child labor based on the 2011 Survey on Children is about 630,000 children. This target is distributed to each region based on the results of the 2011 Survey on Children (Annex B). Below is the annual breakdown under the Results Matrix of the PDP 2017-2022:

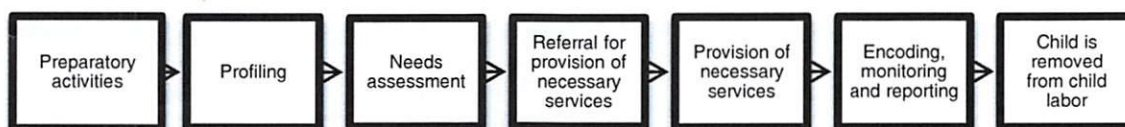| Annual Plan Targets						End of Plan Target
2017	2018	2019	2020	2021	2022	
15,000	100,000	150,000	175,000	120,000	70,000	630,000

Likewise, during the IV Global Conference on the Sustained Eradication of Child Labour held on 14-16 November 2017 in Argentina, the participants were invited to make public, voluntary pledges describing concrete actions that they will undertake to advance the achievement of Target 8.7 of the Sustainable Development Goals. Target 8.7 is *"Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms"*. The Philippine delegation led by the DOLE pledged *"Within the years 2017-2021, the Philippines should have removed more than half a million (560,000) children from child labor, with the following annual targets: 15,000 for 2017; 100,000 for 2018; 150,000 for 2019; 175,000 for 2020; and 120,000 for 2021. These targets represent commitments of stakeholders as indicated in the Philippine Development Plan 2017-2022"*.

To achieve this target, there is a need to conduct profiling activity to locate and identify the children to be removed from child labor. The data gathered during the profiling activity shall serve as basis for the assessment of the needs of the child laborers and their families, referral to appropriate agencies and organizations, and provision of necessary services. The progress of the child laborers and their families shall be constantly tracked until they are removed from child labor.

The DOLE, as the lead agency in the implementation of the Philippine Program Against Child Labor and as chair of the National Council Against Child Labor created by virtue of Executive Order No. 92 signed by President Rodrigo Roa Duterte on 17 September 2019, shall spearhead the profiling of child laborers. Likewise, the DOLE shall be responsible for consolidating data from its social partners on the progress towards achieving the PDP target which shall be submitted annually to the National Economic and Development Authority. The report shall include data on the following three (3) indicators under the Results Matrix of the PDP 2017-2022: (a) number of children aged 5-17 years removed in child labor increased; (b) number of child laborers assisted; and (c) number of families with child laborers provided with livelihood assistance.

II. PROCESS FLOW

The following process shall be undertaken by the DOLE Regional and Field Offices to withdraw children from child labor:

Preparatory activities	→	Profiling	→	Needs assessment	→	Referral for provision of necessary services	→	Provision of necessary services	→	Encoding, monitoring and reporting	→	Child is removed from child labor

A. Preparatory Activities (Distribution of Target, Identification of Priority Areas, and Coordination with Local Partners and Stakeholders)

Prior to the conduct of profiling activity, the DOLE Regional and Field Offices shall discuss the distribution of the regional target and identify the priority areas. The identification of priority areas can be based on the incidence of child labor, industry where child labor is prevalent, geographical location and political support. The DOLE Regional and Field Offices may also utilize the following as possible sources of data:

1. *National Household Targeting System for Poverty Reduction (NHTS-PR)*

   The NHTS-PR, also known as *Listahanan*, is an information management system developed by the Department of Social Welfare and Development (DSWD) that identifies who and where the poor households are nationwide. It serves as repository of data on poor households which is being updated every four (4) years. Among the data it captures is on working children – the child's name, address, sex, age, attendance to school, primary occupation, nature of employment and class of worker, among others. The NHTS-PR data on working children, however, needs to be validated to determine who among them are in child labor situations.

   The NHTS-PR data can be accessed through a Memorandum of Agreement between the DOLE and DSWD at the national and/or regional levels.

2. *Community Based Monitoring System (CBMS)*

   The CBMS refers to an organized technology-based system of collecting, processing and validating necessary disaggregated data that may be used for planning, program implementation and impact monitoring at the local level while empowering communities to participate in the process. It is a tool that enables local government units (LGUs) to accurately map out the socio-economic profile of a household.

Since the LGUs fund the implementation of the CBMS, ownership of the data belongs to them. Those who want to access the CBMS data of LGUs will need to coordinate with the LGUs to get their consent.

The DOLE Regional and Field Offices may also prioritize the following for the profiling activity:

1. Children of DOLE Integrated Livelihood and Emergency Employment Program (DILEEP) beneficiaries who are engaged in child labor
2. Child laborers rescued through the *Sagip Batang Manggagawa* mechanism
3. Child laborers identified through labor inspection
4. Child laborers profiled under the Profiling of Vulnerable Workers conducted by the DOLE Regional Offices in 2014 (Annex C)
5. Child laborers and children at high risk who have been assisted through the ABK3 LEAP Project implemented in seven (7) regions (Annex D)
6. *Pantawid Pamilya Pilipino Program* children beneficiaries who are not attending school because they need to work
7. Children engaged in child labor based on reports from social partners and other stakeholders

The provinces which are top producers of goods listed in the biennial United States Department of Labor Report on List of Goods Produced by Child Labor or Forced Labor (Annex E) may also be included among the priority areas for the profiling activity.

The DOLE Regional and Field Offices shall meet with regional and local partners and stakeholders to inform them of the profiling activity to be conducted, the target number of child laborers to be profiled, and the priority areas to be covered. This meeting shall also serve as venue to solicit their support and explore assistance they can provide.

B. Profiling

The DOLE Regional Offices shall tap the Government Internship Program (GIP) beneficiaries as enumerators for the profiling activity as provided under DOLE Department Order No. 204, Series of 2019 (Annex F). The number of GIP enumerators for each DOLE Regional Office shall be proportionate to the target number of child laborers to be profiled in their region.

The Profiling Tool (Annex G) to be used shall be the same tool used in 2019 which is also being used by the Department of Social Welfare of Development in the profiling of child laborers in areas under its SHIELD Against Child Labor Project. The content of the Profiling Tool shall not be modified unless done in consultation and with approval of the SHIELD

Against Child Labor Technical Working Group, of which the DOLE is a member. The Regional Offices, however, may modify the layout of the Profiling Tool to enable the enumerators to capture the needed data properly. The Profiling Tool must be accomplished legibly and all required fields must be filled out.

C. Needs Assessment

The needs of the child laborers and their families shall be assessed using the data gathered during the profiling activity. The needs assessment shall be done by the DOLE Regional or Field Office child labor program focal person using the Needs Assessment Tool (Annex H). The DOLE Regional Offices may also develop another tool for assessing the needs of the child laborers and their families to facilitate the needs assessment process.

The DOLE Regional Offices may also hire project-based community facilitators with background in social work or community development to assist in the conduct of needs assessment, subject to the availability of funds.

The local social welfare and development offices may also be tapped by the DOLE Field Offices for assistance in assessing the needs of the profiled child laborers. The DOLE Regional and Field Offices shall enter into a data sharing agreement with the LGUs before sharing the personal information of the child laborers and their families.

D. Referral for Provision of Necessary Services

Based on the assessment of needs of the profiled child laborers and their families, the DOLE Regional or Field Offices shall refer the child laborers and their families to appropriate agencies and organizations for the provision of necessary services. The DOLE Regional or Field Offices may refer the child laborers individually or as a group. Only the personal information necessary to facilitate the provision of services shall be shared during referrals using the template for Referral Letter (Annex I).

The DOLE Regional or Field Offices shall gather feedback on the status of referrals using the Feedback Form (Annex J) within two (2) weeks after referral. Feedback may also be gathered by making follow-up calls or through inter-agency meetings.

The local social welfare and development offices who conducted the needs assessment may also refer the child laborers and their families directly to the service providers; however, the DOLE Regional or Field Offices should be able to track the referrals and their status.

E. Provision of Necessary Services

The DOLE Regional or Field Offices shall facilitate the provision of services to the profiled child laborers and their families. The DOLE may also provide assistance directly to the parents of child laborers such as the livelihood assistance under the DOLE Integrated Livelihood and Emergency Employment Program.

F. Encoding

Data on the profiled child laborers and their families shall be encoded in the official database provided by the Bureau of Workers with Special Concerns. The DOLE Regional or Field Offices shall assign GIP beneficiaries who will serve as encoders. The GIP enumerators may also be tapped as encoders after conducting field work.

The DOLE Regional Offices may also hire project-based encoders who shall serve as lead encoders and supervise the encoding of data by the GIP beneficiaries, subject to the availability of funds.

G. Monitoring

The DOLE Regional or Field Offices shall regularly monitor the profiled child laborers at least once every six (6) months to ensure that there is progress in their status. Children who have been withdrawn already from child labor shall also be monitored to ensure that they do not go back to being child laborers. The DOLE Regional and Field Offices may partner with other agencies and organizations such as schools in the conduct of regular monitoring activities.

H. Reporting

The DOLE Regional Offices shall submit reports (Annexes K to N) to the Bureau of Workers with Special Concerns monthly, not later than the last working day of the month following the reference month. The DOLE Regional Offices shall set the reporting schedule for the DOLE Field Offices to ensure the timely submission of monthly reports.

The DOLE Regional and Field Offices shall regularly share the results of this undertaking to local partners and stakeholders. The Bureau of Workers with Special Concerns shall be tasked to provide regular reports to the National Council Against Child Labor.

I. Withdrawal

A profiled child laborer shall be declared as removed from child labor when the following indicators are met:

Age Range	Indicators
All children below 18 years old	1. Not engaged in worst forms of child labor 2. Not employed as a model in advertisements promoting alcoholic beverage, tobacco, gambling, violence and pornography
15 to 17 years old	1. Not engaged in hazardous work enumerated under DOLE D.O. No. 149, Series of 2016 and D.O. No. 149-A, Series of 2017 (Annex O) 2. Not working for more than 8 hours a day and not more than 40 hours a week 3. Not working from 10pm to 6am of the following day
Below 15 years old	1. Not working except if in family undertaking or public information/ entertainment 2. If in family enterprise or public entertainment/ information, the child should: a. Be pursuing education b. Not exposed to hazards c. Not working for more than 4 hours a day and not more than 20 hours a week d. Not working from 8pm to 6am of the following day e. Has work permit

The DOLE Regional and Field Offices, in coordination with local partners and stakeholders, shall assess whether the child is no longer in child labor based on the abovementioned indicators.

III. SUMMARY OF ROLES AND FUNCTIONS

The following summarizes the functions of the GIP enumerators, GIP and project-based encoders, project-based community facilitators, DOLE Regional and Field Offices, and the Bureau of Workers with Special Concerns:

A. GIP Enumerator
1. Interview the child laborers and other family members using the prescribed Profiling Tool
2. Submit accomplished Profiling Tools to the DOLE Field Office child labor program focal person or project-based community facilitator

B. Encoder
1. **GIP Encoder**
   1.1 Encode the data gathered by the enumerators in the database

2. **Project-Based Encoder**
   2.1 Assist in the encoding of the data gathered by the enumerators in the database
   2.2 Supervise the encoding of data and check the accuracy of the encoded data in the database

C. Project-Based Community Facilitator
1. Supervise the GIP enumerators in the profiling of child laborers and encoders in the encoding of data
2. Assist the child labor program focal person in the DOLE Regional or Field Office in the identification of priority areas for the profiling of child laborers; coordination with local government units, government agencies, social partners, and stakeholders; and preparation of required reports
3. Review accomplished profiling tools
4. Conduct field validation whenever necessary and if deemed that expedient or appropriate action is required
5. Assess the needs of the profiled child laborers and their families
6. Prepare referral letters to appropriate agencies or organizations for the provision of necessary services to the profiled child laborers and their families
7. Track the status of delivery of services
8. Conduct monitoring visits to determine the progress of the child laborers and their families
9. Perform other tasks that may be assigned related to the implementation of the DOLE Child Labor Prevention and Elimination Program

D. DOLE Regional and Field Offices
1. Distribute regional target to Field Offices and identify priority areas
2. Distribute the community facilitators and GIP beneficiaries based on targets and priority areas
3. Hire community facilitators and GIP beneficiaries
4. Orient and provide technical assistance to community facilitators and GIP beneficiaries
5. Coordinate with LGUs to solicit their support and assistance
6. Sign the referral letters to agencies or organizations for the provision of necessary services to the child laborers and their families
7. Prepare and submit reports

The Bureau of Workers with Special Concerns, as the program manager of the DOLE Child Labor Prevention and Elimination Program, shall provide technical assistance and facilitate the provision of resources to the DOLE Regional and Field Offices for the implementation of this Guidelines.

IV. DATA PRIVACY PROTOCOLS

To ensure the protection and security of the sensitive personal information of the profiled child laborers and their families, the following data privacy protocols shall be observed by all personnel of the Bureau of Workers with Special Concerns and DOLE Regional and Field Offices, including the GIP enumerators and encoders, and project-based encoders and community facilitators:

A. Collection of Data
1. The consent of the child and parent must be obtained using the Statement of Informed Consent portion of the Profiling Tool prior to interview;
2. The accomplished Profiling Tools should not be shown to or discussed with unauthorized person/s; and
3. The enumerator should ensure that the accomplished Profiling Tools will be handled with care and protected while conducting field work to avoid loss or theft.

B. Use, Storage and Sharing of Data
1. The data gathered should be encoded only in the official database;
2. The accomplished Profiling Tools should be submitted to the community facilitator or DOLE Field Office child labor program focal person after field work;
3. The accomplished Profiling Tools should not be reproduced (e.g. photocopy, scan, photograph) without authorization and unless crucial to the provision of services of the child laborer and his/her family
4. All printed versions (hard copies) of the Profiling Tools should be kept in a storage box in a locked room or in a locked storage cabinet;
5. Electronic version/s of the Profiling Tools (e.g. scanned copy, photograph, encoded data) should be encrypted and must not be stored in random flash drives (USB), portable drives, or computers;
6. Only authorized persons should have access to the data (both printed and electronic versions);
7. Data gathered should not be shared to family members and relatives, friends, fellow enumerators, or any other person or agency or organization, whether verbal, in print or through electronic means, unless authorized and necessary for the provision of services to the child laborer and his/her family;
8. Accomplished Profiling Tools should be kept in designated storage boxes until the child reaches 18 years old or end of prescribed retention period
9. Any part of the Profiling Tool containing data of the respondents should not be used for any other purpose not related to this profiling activity such as using it as scratch paper;
10. Should there be an electronic version of the data either scanned or encoded, all files (except the official database) should be immediately deleted.

All DOLE Regional and Field Office personnel as well as GIP enumerators and encoders, project-based encoders, and community facilitators handling the

personal information of profiled child laborers and their families shall be required to sign a Confidentiality and Non-Disclosure Agreement (Annex P).

This Administrative Order supersedes Administrative Order No. 142, Series of 2018 and shall take effect starting Fiscal Year 2020.

For your guidance and compliance.

SILVESTRE H. BELLO III
Secretary

27 December 2019

ANNEXES

ANNEX	DOCUMENT
A	Child labor by age, sex and region according to the 2011 Survey on Children
B	Distribution of children to be removed from child labor from 2017-2022
C	Child laborers profiled under the Profiling of Vulnerable Workers conducted by the DOLE Regional Offices in 2014
D	Child laborers and children at high risk who have been assisted through the ABK3 LEAP Project implemented in seven (7) regions
E	US Department of Labor Report on List of Goods Produced by Child Labor or Forced Labor
F	DOLE Department Order No. 204, Series of 2019
G	Profiling Tool
H	Needs Assessment Tool
I	Referral Letter
J	Feedback Form
K	Monitoring Form 1: Summary Report on Profiled Child Laborers (Field Office to Regional Office)
L	Monitoring Form 2: Summary Report on Profiled Child Laborers (Regional Office to BWSC)
M	Monitoring Form 3: Summary Report on Referral of Profiled Child Laborers
N	Monitoring Form 4: Report on the Utilization of Child Labor Prevention and Elimination Program Fund
O	DOLE Department Order No. 149, as amended
P	Confidentiality and Non-Disclosure Agreement