



WORLD BANK GROUP

**Accelerated Water and Sanitation Project
on Selected Areas**

**Environment and Social Management
Framework (ESMF)**

Draft Report

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Abbreviation and Acronyms

AO	Administrative Order
ASA	Advisory Services and Analytics
AWSPSA	Accelerated Water and Sanitation Project in Selected Areas
BFP	Bureau of Fire Protection
CESRSR	Concept Environmental and Social Review Summary Report
CFP	Chance Find Procedure
CNC	Certificate of Non-Coverage
COT	Certificate of Transfer
CSC	Civil Service Commission
CWC	Council for the Welfare of Children
DA	Department of Agriculture
DAR	Department of Agrarian Reform
DED	Detailed Engineering Design
DENR	Department of Environment and Natural Resources
DEO	District Engineering Office
DHSUD	Department of Human Settlements and Urban Development
DIA	Direct Impact Area
DILG	Department of Interior Local Government
DO	Department Order
DOH	Department of Health
DOLE	Department of Labor and Employment
DOST	Department of Science and Technology
DOTr	Department of Transportation
DPWH	Department of Public Works and Highways
DSWD	Department of Social Welfare and Development
ECA	Environmentally Critical Areas
ECC	Environmental Compliance Certificate
ECP	Environmentally Critical Projects
EIA	Environmental Impact Assessment
EMB	Environmental Management Bureau
EMoP	Environmental Monitoring Plan
EMP	Environmental Management Plan
ES	Environmental and Social
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESHS	Environmental, Social, and Health & Safety
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
FCMC	Flood Control Management Cluster
FI	Financial Intermediaries
FIES	Family Income and Expenditure Survey (FIES)
FLAg	Forest Land use Agreement
FM	Financial Management
GAA	Government Appropriations Act
GBV	Gender-based Violence

GHG	GreenHouse Gas
GoP	Government of the Philippines
GRM	Grievance Redress Mechanism
IIA	Indirect Impact Area
IEC	Information, Education Campaign
IEE	Initial Environmental Examination
IP	Indigenous People
IPRA	Indigenous Peoples' Rights Act
IRR	Implementing Rules and Regulations
KPI	Key Performance Indicator
LARF	Land Acquisition and Resettlement Framework
LGU	Local Government Unit
LMP	Labor Management Procedures
LWE	Local Water Enterprises
MC	Memorandum Circular
MCM	Million Cubic Meters
MENRE	Ministry of Environment, Natural Resources and Energy
MLD	Million Liters per Day
MO	Memorandum Order
MOA	Memorandum of Agreement
NBC	National Building Code
NCCA	National Commission for Culture and the Arts
NCDA	National Council on Disability Affairs
NCIP	National Commission on Indigenous Peoples
NDHS	National Demographic and Health Survey
NEDA	National Economic and Development Authority
NG	National Government
NIPAS	National Integrated Protected Areas System
NPCC	National Pollution Control Commission
NWRB	National Water Resources Board
PCO	Pollution Control Officer
PCSD	Palawan Council for Sustainable Development
PD	Presidential Decree
PDO	Project Development Objective
PEISS	Philippine Environmental Impact Statement System
PIU	Project Implementation Unit
PP	Presidential Proclamation
PPE	Personal Protective Equipment
PSA	Philippine Statistics Authority
PWD	Persons with Disabilities
PWSSP	Philippine Water Supply and Sanitation Project
RA	Republic Act
RAP	Resettlement Action Plan
RO	Regional Office
ROW	Right-of-Way
RPF	Resettlement Policy Framework
SBMA	Subic Bay Metropolitan Administration
SDG	Sustainable Development Goals

SEA/SH	Sexual Exploitation and Abuse and Sexual Harassment
SEP	Stakeholder Engagement Plan
SEMS	Social and Environmental Management Systems
SMR	Self-Monitoring Report
STP	Sewage Treatment Plant
UoF	Utility of Future
UPMO	Unified Project Management Office
WASH	Water supply, Sanitation, and Hygiene
WB	World Bank
WD	Water District
WSP	Water Service Provider
WSS	Water Supply and Sanitation
ZOD	Zero Open Defecation

I. PROJECT DESCRIPTION AND REGULATORY REQUIREMENTS

1. Introduction

According to the 2022 Philippine Water Supply and Sanitation Master Plan, the Government of the Philippines (GoP) plans to achieve 100 percent safe water supply and sanitation (WSS) coverage by 2030. As of 2020, the overall coverage of safely managed water supply is at 47 percent, while safely managed sanitation services are approximately at 61 percent.¹ The AWSPSA identifies key strategies that the GoP needs to implement to fulfill its 2030 universal WSS coverage targets.

The GoP recognizes the need for investments and sectoral reforms to achieve the WSS targets and has requested for World Bank financing for the proposed Accelerated Water and Sanitation Project in Selected Areas (AWSPSA). The AWSPSA aims to increase access to safe water supply, sanitation, and hygiene (WASH) services and operational efficiency and quality of selected water and sanitation service providers. The proposed AWSPSA is aimed to support (a) improved efficiency of infrastructure services in selected areas through rehabilitation, upgrading, expansion, and construction of WSS systems, and (b) increased resilience to natural disasters and climate change-exacerbated risks.

Environmental and social instruments such as Labor Management Procedures (LMP), Chance Find Procedure (CFP), Resettlement Policy Framework (RPF), Land Acquisition and Resettlement Framework (LARF), Stakeholder Engagement Plan (SEP), Environmental and Social Impact Assessment (ESIA), and Environmental and Social Management Plan (ESMP) will also be drafted as part of the environmental and social safeguards for AWSPSA implementation.

1.1 Purpose of the Environmental and Social Management Framework (ESMF)

This ESMF will serve as a guide to the national and local implementing agencies on the assessment of environmental and social risks and impacts of AWSPSA subprojects during project implementation. The ESMF will outline the requirements of the project to be consistent with the environmental and social safeguard policies of WB and national/local government agencies.

The ESMF includes (a) context, purpose, structure of ESMF; (b) description of the project and its components; (c) project area of influence; (d) environmental and social safeguard issues; (e) GoP and WB policies on environmental and social safeguards; and (f) Detailed guidance on the implementation of environmental and social safeguards within the project, per project phase, including screening, preparation of safeguard instruments, disclosure and public consultation, and grievance redress.

The AWSPSA project components were subjected to project E&S screening at the beginning of the assessment process. This screening was done in accordance with the four WB ESF classifications: High Risk, Substantial Risk, Moderate Risk, and Low Risk. Relevant factors are considered when determining the appropriate risk classification, including the project's type, location, sensitivity, and scale; the nature and extent of potential environmental and social risks and impacts; and the borrower's (in this case, the DPWH) capacity and

¹ WHO/UNICEF Joint Monitoring Program for Water Supply, Sanitation and Hygiene. "Progress on household drinking water, sanitation and hygiene 2000–2020: Five years into the SDGs", page 119 and 139, <https://www.who.int/publications/i/item/9789240030848>, last accessed on 9 August 2024.

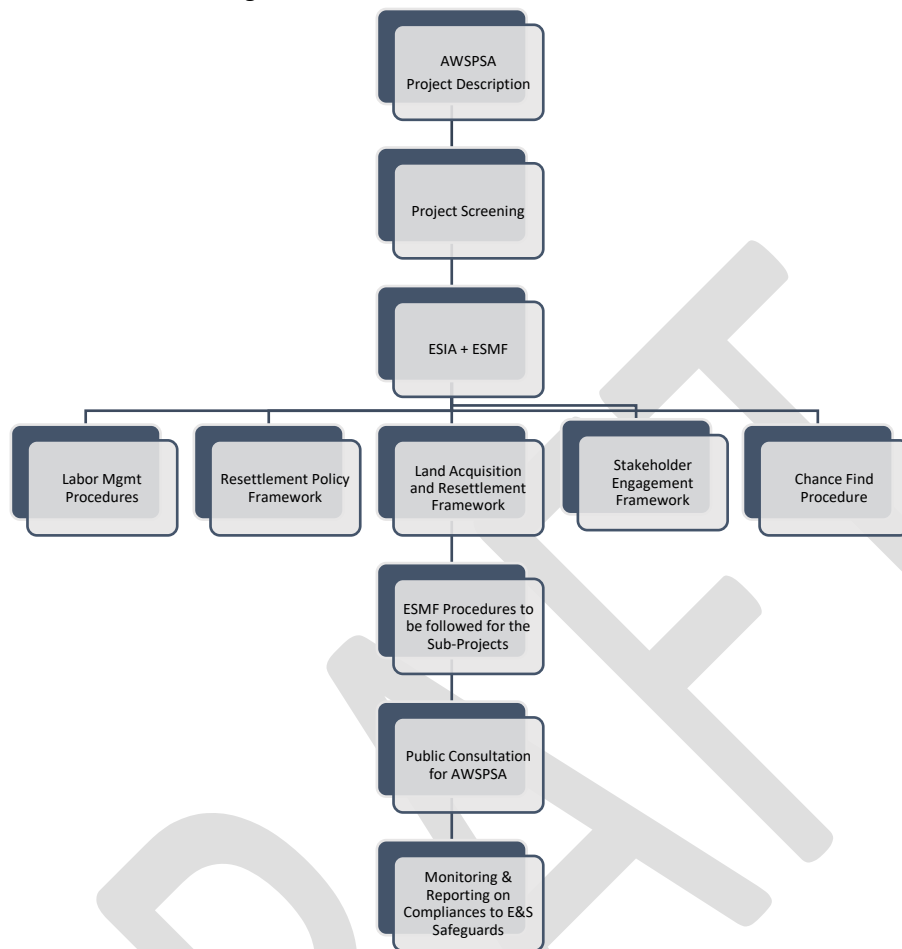
commitment to manage the project's environmental and social risks and impacts in a way that complies with WB Environmental and Social Safeguards.

Based on the WB generated AWSPSA Concept Environmental and Social Review Summary Report (CESRSR), the Project risks were assessed to be 'Substantial' for both the Environment and Social aspects. Thus, in conformance with WB ESS1, an ESIA was prepared for AWSPSA.

On the other hand, as mandated by the Philippine Environmental Impact Statement System (PEISS), water supply projects, whether new or existing with modifications, are classified as Category B Projects, or Non-Environmentally Critical Projects (Non-ECP), based on the project screening indicated in EMB MC 2014-05 and EMB MC 2024-003. These projects are located within Environmentally Critical Areas (ECA) and must obtain an Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage (CNC) before the implementation of the project. The AWSPSA's Category D subprojects, which include the Level I and Level II water supply systems, will be required to secure CNC, and their application must be accompanied by a Project Description.

The other safeguard instruments, such as the LMP, CFP, RPF, LARF, and SEP, will be prepared based on the results and findings from the ESIA and ESMF. These E&S instruments shall be prepared concurrently with this ESMF in accordance with the WB ESSs. **Figure 1** presents the ESMF Schematic Diagram.

Figure 1. ESMF Schematic Diagram



1.2 Project Description

1.2.1 Project Background

The Government of the Philippines (GoP) understands that in order to meet the WSS targets, investments and sectoral reforms are required. In accordance with the WB's 2022–2023 Advisory Services and Analytics (ASA) recommendations on WSS, the GoP has requested for USD 250 to be used by the DPWH and DILG for the implementation of the Accelerated Water and Sanitation Project in Selected Areas (AWSPSA). In order to address broad-based sector and utility challenges, the ASAs recommended that the GoP shall create and implement a national WSS program. This project is intended to be a component of a longer-term program that will offer financial support, technical assistance, and reforms in order to achieve the Sustainable Development Goals (SDGs) by 2030.

Access to climate-proof WSS and hygiene services is essential for the well-being of residential, commercial, and industrial users as well as the sustainable and healthy growth of rural and urban areas. Inadequate WSS and hygiene services contribute to the occurrence of preventable diseases. In addition, poor sanitation affects the environment, including the quality and availability of water resources, human capital and economic development, and quality of

life. It also increases the occurrence and impact of climate hazards such as floods and drought.

In the Philippines, one in every four children under five years old are shorter than the average child in the world for their age which is attributed to poor water, sanitation and hygiene (WASH). Increasing the poor's access to WASH—including inclusive WASH facilities in public health and education institutions—is essential to enhancing public health, closing gender disparities, and fostering more equitable economic growth.

The AWSPSA is fully aligned with the Nationally Determined Contributions 2021, National Climate Change Action Plan 2011-2028, National Adaptation Plan, and Philippine Development Plan 2023-2028. In terms of risks related to climate mitigation, the operation is not expected to have a significant negative impact on the country's low-GreenHouse Gas (GHG)-emissions development pathways. Climate hazards such as flooding, and drought may pose a risk to the operation and the achievement of the Project Development Objective (PDO). While these risks could potentially affect the result of increased access to sustainable and safe WASH services, the design will consider climate-resilient measures to reduce the risks from climate hazards to an acceptable level.²

1.2.2 Project Objectives

The Project aims to increase access to and improve the quality and efficiency of water supply, sanitation, and hygiene services in priority areas of the Philippines.

The AWSPSA will contribute to improve efficiency of infrastructure services in selected areas through the rehabilitation, upgrading, expansion, construction and more efficient WSS systems; and increase resilience to natural disasters and climate change-exacerbated risks, by developing new sustainable water sources and ceasing the use of depleted groundwater sources. The AWSPSA will also contribute to the cross-cutting theme on governance, scaling up development impact across the Philippine archipelago by strengthening implementation capacity, particularly at the local level. It will strengthen the implementation capacity of selected LGUs as well as vertical and horizontal coordination across the NG and LGUs.

1.2.3 Project Components



Component 1. Infrastructure Investments for Safe Water Supply Services (US\$193.15 million). This component aims to increase access to safely managed water supply services

² Source: World Bank Group, <https://climatesmartwater.org/wp-content/uploads/sites/2/2021/03/Resilient-Water-Infrastructure-Design-Brief.pdf>, last accessed on 13 August 2024.

through infrastructure projects that will include construction and/or rehabilitation of complete water supply systems, from source development to household connections.

Subcomponent 1a. Water supply infrastructure investments in the Loboc Cluster in Bohol Province (US\$125.79 million). This subcomponent will support: (i) the development of a bulk water supply system sourced from the Loboc River with a capacity of 60,000 cubic meters/day; and (ii) the rehabilitation, upgrading, and expansion of existing water distribution systems of LGU-run WSPs. The development of the bulk water system will include the construction of: (i) an intake facility; (ii) a water treatment plant (WTP); (iii) reservoirs for treated water; (iv) approximately 35 kilometers of transmission lines; (v) more than 170 kilometers of offtake pipelines; (vi) six booster stations; and the installation of (vii) flow meters and pressure reducing valves; and (viii) eight offtake points for the eight beneficiary LGUs.

Subcomponent 1b. Water supply infrastructure investments in Siargao Island in Surigao del Norte Province (US\$45.23 million). This subcomponent aims to provide safe and reliable water supply for Siargao Island residents and tourists by developing and enhancing the island's water infrastructure. It will support eight municipalities that are characterized as rural and classified as 4th to 5th class – Dapa, General Luna, Del Carmen, Pilar, Santa Monica, San Isidro, San Benito, and Socorro. This activity will involve: (i) the construction of new water source projects (new deep well sources with reservoirs); and (ii) the upgrading, rehabilitation, and/or expansion of the water distribution systems of the 8 LGUs.

Subcomponent 1c. Water supply infrastructure investments in Jolo and adjacent barangays in two municipalities in Sulu Province. (US\$22.13 million). This subcomponent will support the following activities: (i) upgrading of 3 spring water sources by replacing pumps, installing climate resilient housing, and providing treatment facilities to treat water to drinking water standards; and (ii) rehabilitation/replacement/expansion of the water distribution systems.

Component 2. Infrastructure Investments for Safe Sanitation and WASH Services (US\$11.21 million). This subcomponent will support various activities that will expand safe sanitation and WASH services and promote WASH practices at the municipality, school, and household levels.

Subcomponent 2a. Sanitation and WASH in Bohol (US\$3.88 million). The sanitation infrastructure under this subcomponent will include improvement or construction of new WASH facilities for 54 public schools, 136 daycare centers, and 62 health centers that will benefit around 45,225 people.

Subcomponent 2b. Sanitation and WASH in Siargao, Surigao del Norte (US\$5.55 million). The sanitation project will include the construction of a septage treatment plant (SpTP). While there is an existing SpTP in the municipality of Del Carmen, it is only used sparingly and its capacity for treatment is not sufficient. The proposed SpTP will complete the capacity requirements for FSM in the island.

Subcomponent 2c. Sanitation and WASH in Jolo, Sulu (US\$1.77 million). The project will include the improvement or construction of new WASH facilities for public schools, daycare centers, and social welfare facilities.

Component 3. Institutional Reforms and Capacity Building (US\$15.21 million). This component will support fundamental institutional reforms and capacity-building of provinces, LGUs, and WSPs. It aims to improve the efficiency of service provision and sustainability of WSS services. The institutional reforms will ensure that an adequate operational unit will be established and/or contracted for the sustainable O&M of WSS facilities and services.

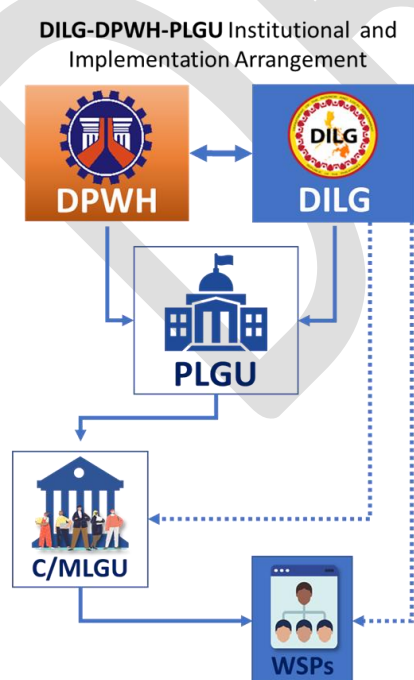
Component 4. Project Management and Technical Assistance (US\$32.24 million). This component will include: (i) project management, supervision and operating costs of the DPWH and the DILG Project Management Offices; and (ii) technical assistance (TA) and consulting services for the design of sub-projects and related studies; support to newly created water sector institutions; and preparation of engineering, social, and environmental technical studies for other prioritized provinces that will form a pipeline for subsequent WSS investments.

Subcomponent 4a. Project Management. This subcomponent will support project management for the DPWH and the DILG. Eligible activities include consulting and non-consulting services, training, and relevant operating costs required to implement the AWSPSA in accordance with GoP and World Bank policy and guidelines.

Subcomponent 4b. TA. This subcomponent will include LGU-level and sector-level activities.

Component 5. Contingent Emergency Response Component (US\$0 million). This zero cost component will allow the GoP to quickly access project funds in response to an eligible disaster, emergency, or crisis. It will allow rapid re-allocation of uncommitted project funds to address urgent needs in the event of a natural disaster or crisis (including public health-related emergencies). A declaration of a state of calamity by a qualified national or subnational authority, in accordance with applicable laws, could serve as a possible trigger to activate this component.

1.2.4 Project Implementation Arrangements



The main **Implementing Agency** for this project is the Department of Public Works and Highways (DPWH), which is the executive branch of the GoP that is exclusively charged with the responsibility of serving as “the State’s engineering and construction arm”. The **Project Implementation Unit (PIU)** will be managed by the DPWH’s Unified Project Management Office (UPMO) - Flood Control Management Cluster (FCMC). The day-to-day project management will fall within the purview of the UPMO-FCMC. The DPWH’s corresponding procurement and financial management-related units will handle the fiduciary function, while the UPMO-FCMC will handle contracts and prepare all necessary procurement documents. In addition, UPMO-FCMC will assist with the initial processing and review of contractor billings, as well as the preparation and submission of Statements of Expenditures and Withdrawal Applications to the

WB. UPMO-FCMC will monitor that the permits required for the AWSPSA sub-projects are obtained, oversee the application of E&S mitigation measures by the AWSPSA subprojects, and submit periodic reports to the WB regarding contractor compliances with ESMP commitments.

For the concerned LGUs, they are required to conduct consultations in collaboration with the AWSPSA/UPMO-FCMC during the planning and execution of the E&S subproject plans. They will review and approve the permits relevant to the AWSPSA subprojects as well as provide the RDC the required endorsements. When required, the involved Local Government Units (LGUs) will also take part in the monitoring of the contractor's adherence to ECC/EMP/EMoP requirements and activities.

1.3 Project Location

The Project will be implemented initially (*see Appendix 1 for the prioritization criteria*) in three provinces located in the regions of Visayas (Bohol Province) and Mindanao (Provinces of Surigao del Norte and Sulu).

Proposed project provinces have several natural features with ecological importance. For example, Bohol is renowned for its coral reefs and unique geological formations, such as the Chocolate Hills in Carmen, featuring over 1,200 symmetrical mounds that turn cocoa-brown in the dry season. The province is also home to the Tarsier sanctuary, a large forest area dedicated to protecting the endangered tarsiers, small nocturnal primates; Siargao: known as the surfing capital of the Philippines, it boasts long sandy beaches, natural caves, and impressive rock formations; and Sulu features diverse ecosystems, including tropical forests, coastal areas, and marine habitats, with multiple protected areas.

In the pilot areas of Bohol and Siargao, there are no significant Indigenous Peoples (IP) groups present, nor are there any Ancestral Domain Claims in these provinces. However, in the province of Sulu, Indigenous groups such as the Sama and Badjao/Sama Dialut live mainly in coastal areas and reefs, where they often reside in stilt communities.

1.4 Work Program

The pre-construction, construction, operations, and decommissioning phases of the AWSPSA will be covered by an environmental and social risk assessment based on the DPWH SEMS and the World Bank ESF. This allows for the correction or address of any additional or new impacts that may arise at any point during the project's phases. The Project Contractor shall carry out all water supply and sanitation operations as listed in the table below, under the direction and supervision of DPWH and/or its construction consultant and supervisor (as required by WB).

Table 1. Work Program for water supply and sanitation

Water Source Selection and Development	
a) Selection of Water Resources	Selection of water resources for water supply must be primarily based on adequacy and reliability. Other considerations include quality, development cost, legality and politics.

b) Water Quality Tests	<p>Water quality tests of potential sources must be conducted through representative samples. Samples from the potential surface and groundwater sources should be collected and analyzed for several quality parameters. These include the following:</p> <p>Critical Parameters: (1) Total Coliform/Fecal Coliform; (2) Arsenic; (3) Cadmium; (4) Lead; (5) Nitrate; (6) Benzene; (7) Color; (8) Turbidity; (9) Iron; (10) pH; (11) Manganese; (12) Chloride; (13) Sulfate; (14) Total Dissolved Solids</p> <p>Other Parameters: (1) Temperature; (2) Biological Oxygen Demand; (3) Ammonia; (4) Total Hardness; (5) Chromium; (6) Sulfide; (7) Dissolved Silica; (8) Total Mercury; (9) Pesticides</p>
c) Water Source Development	<p>Surface Water</p> <p>Hydrologic investigations are required to determine: a) streamflow yield; b) reservoir yield; c) water requirements; d) maximum and minimum flows; e) surface water/ groundwater interrelations; and f) sediment load of water</p> <p>Groundwater</p> <p>Spring: Hydrogeologic study of the spring's surrounding area and catchment shall be conducted. To obtain satisfactory water, it is necessary to properly develop the source (i.e. enlarging the spring eye to increase yield quantity and constructing a spring box around it to protect from contamination), eliminate surface water intrusion, and prevent animals from gaining access to the spring. There should also be no immediate upstream settlements, as these would pose the risk of biological contamination.</p> <p>Well: Identification of a potential well site is usually determined by the assessment of the study area's hydrogeological conditions which will indicate the viable sites for well exploration in terms of capacity and water quality. Hydrogeological studies are conducted by knowledgeable professionals or drillers, who assess available information on existing wells. These examine well data such as water quality, well yield, seasonal fluctuations, water table depth, and well drilling logs showing geologic layers. A geo -resistivity survey of the areas being considered for possible well sites will indicate the depth and thickness of aquifers.</p> <p>For shallow groundwater wells, they should be located at certain distance from any pollutant source such as toilets, pig or livestock farms, fertilizer-intensive farms, and the like. They should also be away from big trees whose root systems may affect the stability of the well.</p> <p>Other important factors to be considered in the selection of a drilled well site include: a) proximity to the planned service; b) local hydrogeological conditions; c) right-of-way and site ownership issues; d) distance/security from potential sources of surface contamination; e) proximity to existing electric power lines; and f) terrain and ground slope of the site.</p> <p>A survey of existing wells in the proposed area should also be conducted to determine: a) typical yields and water quality; b) depths and which aquifer to tap; and c) prior drilling success rates.</p> <p>For selected well sites, the following shall also be done to determine its suitability as a source:</p> <ul style="list-style-type: none"> • Pumping (Safe Yield) Test – The well's safe yield can be roughly determined by operating a test pump with capacity at least equal to the system peak demand and operating it for 24 to 48 hours. After 24 hours pumping, the drawdown should be measured at several time intervals to determine if it has stabilized. The pumping rate at a stabilized pumping water level is the so-called maximum pumping level and the safe yield is about 60 - 80% of the figure. • Water Quality Test - This is done to determine if the physical and chemical characteristics of the groundwater meet the parameters set by the PNSDW.

d) Water Treatment Facilities	Water treatment ensures that the quality of the water to be supplied to the consumers is within acceptable standards. The cost and complexity of treatment facilities to be used for a water supply system depend on the quality of raw water being extracted.
e) Storage Facilities	As a rule of thumb, the storage volume should be at least equal to one-fourth (25%) of average day demand of the community
f) Pipelines and Appurtenances	<p>Various pipelines include:</p> <ul style="list-style-type: none"> • Transmission mains connect a distant water source to the balancing storage reservoir. They are characterized by a constant flow throughout the day. In some cases, the most economical solution is to connect the transmission main directly to the distribution system and to supply excess water to the storage reservoir. • Distribution pipes carry the water from the balancing storage reservoir and/or from the transmission mains to the consumers' service connections and to the hydrant. Flow and pressure may be controlled through operation of faucets and hydrants. • The primary distribution system (or distribution mains) comprises the part of the distribution pipes which form the main grid. They are considered in hydraulic network analysis.
g) Pumping Facilities	In the design of pumping stations, it is necessary to determine the a) most suitable location; b) best source of power; c) conditions of operation; and d) most appropriate type of pump.
Sanitation Improvement	
a) Septage Treatment Plant	<p>Location of Septage Treatment Facility</p> <ul style="list-style-type: none"> • STP shared by a cluster should be within 7-15 km of every LGU involved; it should be accessible through an established road network, in an agricultural or agro-industrial land, in mid-land to low-land and possibly co-located with a sanitary landfill. <p>Septage Collection Area Expansion</p> <ul style="list-style-type: none"> • Population will increase as well as buildings and residences, not only being physically expansive or geographically dispersed but also intensively within the service area. <p>Mechanized or Natural Treatment</p> <ul style="list-style-type: none"> • in selecting which technology is appropriate in an area, characteristics of the service area, population density, and financial and technical capacity need to be considered. Mechanized systems are usually compact and require very minimal land, however, it entails higher capital and operating expenses. On the other hand, natural systems require a relatively large land footprint which would cost more but the operational expenses would be lower because these systems will require lower energy and equipment input. It may require more manpower for maintenance activities, but not necessarily highly skilled. <p>Disposal/Re-Use of Residual Biosolids</p> <ul style="list-style-type: none"> • Either system will produce biosolids as byproducts, which should be properly disposed of or re-used, complying with the existing government regulations. Capital costs related to the management of biosolids like post-treatment equipment, storage facility and hauling trucks should be included. <p>Disposal/Re-use of Treated Effluent</p> <ul style="list-style-type: none"> • similar to the biosolids, treated effluent should be managed either through disposal or re-use and must comply with regulatory requirements and the related capital costs included in the final project cost.

b) Septic Tanks	Septic tanks are water-sealed containment with at least 2 chamber and lined-bottom which acts as the primary treatment for sewage before discharging to a sewerage system or being desludged. Septic tanks should also be accessible and available for maintenance, especially during desludging. Desludging, as required by DOH, prescribed a frequency of at least once every 3-5 years.
c) Advocacies and Awareness towards Improved Sanitation	Continuing programs that raise awareness through different sanitation programs such as Zero Open Defecation Program (ZOD Program), Behavior Change Communication and others. This should also extend up to the introduction of septage management program in their respective areas and ultimately up to the level of sewerage systems.
d) Appropriate Laws	The local government units (LGUs) should pass a law and implement a municipality/city ordinance pertaining to the obligation of all households to have their septic tanks desludged on a regular basis, as required by the DOH.

Source: Philippine Water Supply and Sanitation Master Plan

1.5 Project Areas of Influence

The direct impact area (DIA) pertains to the areas that will be cleared and developed for the construction and operation of the proposed project components, and the water source of the project while the areas in the immediate vicinity that are expected to benefit from the project due to the access to water supply and sanitation services are considered as the indirect impact area (IIA).

2. Policy, Legal, and Regulatory Requirements

2.1 Philippine Legal and Policy Framework and World Bank Environment Social Safeguard

The development of this ESMF complies with the laws, policies, regulations, and standards of the Philippine government that place limitations on project activities to avoid, prevent, minimize, or mitigate potential impacts on the environment and people. In addition, the project will adhere to the Environmental and Social Framework (ESF) of the World Bank, which outlines particular Environmental and Social Standards (ESSs) intended to prevent, minimize, lessen, or mitigate adverse environmental and social risks and impacts of the project. Foreign funded projects shall be governed by Philippine environmental and social laws and regulations as well as the safeguards policies of the International Funding Agency (the WB, in this case), as committed in the DPWH SEMS Manual and the DPWH Department Order 159 series of 2022. The Implementing Office (UPMO-FCMC) shall level off with the Foreign Institution to come up with an agreement in resolving any policy gaps. **Table 2** summarizes the core laws related to the project.

Table 2: Environmental, Social, and Health & Safety (ESHS) Regulations /Standards Applicable to AWSPSA

Regulation	Year issued	Description
A. Environmental		
PD No. 856		Sanitation Code of the Philippines
PD No. 825	1975	Providing Penalty for Improper Disposal of Garbage
PD No. 1067	1976	The Water Code of the Philippines
PD No. 1151	1977	Philippine Environment Policy
PD No. 1586	1978	Established PEIS to conduct EIA study for the environmentally critical projects and the projects in the environmentally critical areas
PP No. 2146	1981	Proclaiming Environmentally Critical Areas and types of projects as Environmentally Critical Projects and within the scope of PEISS
RA 6969	1990	Toxic Substances and Hazardous and Nuclear wastes control act
RA 7586	1992	Establishment and Management of National Integrated Protected Areas System (NIPAS)
RA 7589		ENIPAS
RA 7942	1995	Philippine Mining Act (RA 7942) requiring Quarry Permit to be secured from the Local Government
RA 8048	1995	Philippine Coconut Authority (PCA) Permit to cut Coconut Trees
RA 8749	1999	Philippine Clean Air Act
RA 9003	2000	Ecological solid waste management act
RA 9147		provides rules and regulations on the conservation and protection of wildlife resources and their habitats
RA 9275	2004	An Act Providing for a Comprehensive Water Quality Management and for Other Purposes
RA 9721		Mainstreaming Climate change into Government Policy Formulations
RA 11038	2018	Expanded NIPAS Act of 2018
NWRB BR 09-0906	2006	Regulation of Bulk Water Suppliers
NWRB BR 15-0921	2021	Further Amending the Policy Guidelines on the Processing and Issuance of Water Permits and Conditional Water Permits
DAR AO 2002-01	2002	Land Use Conversion
DENR AO 00-08	2000	Implementing Guidelines on Engineering Geological and Geo-Hazard Assessment (EGGA)
DENR AO 2000-81	2000	Implementing Rules and Regulations for the Clean Air Act (RA 8749) establishing the National Ambient Air Quality Standards
DENR AO-87-78, DENR AO-88-86, DENR AO-00-		Special Tree Cutting Permit (STCP)

Regulation	Year issued	Description
21		
DENR AO 01-34	2001	IRR of Ecological Solid Waste Management Act of 2000 (RA 9003)
DENR AO 01-34	2001	IRR for Ecological Solid Waste Management (RA 9003)
DENR AO 03-24	2003	Pursuant to RA 9175, Requiring the securing of Chainsaw Permit for cutting/clearing of trees from DENR
DENR AO 03-27	2003	Self-Monitoring Report (SMR) System
DENR AO 03-30	2003	Implementing Rules and Regulations (IRR) for the Philippine Environmental Impact Statement (EIS) System
DENR 2004-26 & MC 2007-03		Requiring Permit to Operate Generator Sets
DENR AO-2004-59	2004	Forest Land use Agreement (FLAG)
DENR AO 07-17	2007	Pursuant to RA 7586, (1992), National Integrated Protected Areas System/, Rules and Regulations on Special use Agreement within Protected Area (SAPA)
DENR AO 13-22	2013	Pursuant to RA 6969, (1990) Revised Procedures and Standards for the Management of HazWastes (Revising DAO 2004-36)
DENR AO 16-08	2016	Water Quality Guidelines and General Effluent Standards
DENR AO 17-11	2017	Updated National List of Threatened Philippine Plants and their Categories
DENR AO 17-15	2017	Guidelines on Public Participation under the PEISS
DENR AO 19-09	2019	Updated List of Threatened Philippine Fauna and their Categories
DENR AO 20-14	2020	Establishing Air Quality Index (AQI) for PM 2.5 and amending the provisional short term guideline values for PM2.5 at 35 ug/Ncm
DENR AO 21-19	2021	Updated Water Quality Guidelines (WQG) and General Effluent Standards (GES) for Selected Parameters
DENR AO 22-01	2022	Guidelines in Granting Government Agencies Gratuitous Permits for Special Uses of Forest Lands
DENR MO 2012-02	2012	Uniform Seedling Replacement Ratio for Cut Trees
DENR MO 2023-01	2023	Guidelines on Project ECC Applications within or with Close Proximity to Protected Areas or RAMSAR Sites
EMB MC 2007-002	2007	Revised Procedural Manual for DAO 03-30, requiring among others, the submittal of semi-annual Compliance Monitoring Report
EMB MC 2010-14	2010	Standardization of Requirements and Enhancement of Public Participation in the Streamlined Implementation of the PEISS
EMB MC 11-05	2011	Incorporating DRR-CCA in PEIS System, and EIA DRR/CCA Technical Guidelines
EMB MC 2014-005	2014	Revised Guidelines for Coverage Screening and Standardized Requirements under the Phil. EIS System
EMB MC 2019-003	2019	Updated Guidelines in the Processing and Issuance of ECC for Category B Projects
EMB MC 2022-05	2022	Adoption of the use of HazardHunterPH in Generating Initial Hazard Assessment Reports as part of Enhancing the Integration of Disaster Risk Reduction and Climate Change Adaptation into the PEISS
DPWH DO 175 s 2015		Design Guidelines, Criteria and Standards, 2015 Edition
DPWH DO 057 s 2016		EIA for DPWH Projects and Tree Cutting Permit Application
DPWH DO 025 s 2023		Implementation of Slope Protection Supplemental Guidelines
b. SOCIAL		
RA 7279	1992	Urban Development and Housing Act of 1992. Stipulating procedures for eviction and demolition for informal settlers' families
RA 10066	2009	National Cultural Heritage Act of 2009
RA 10752	2015	An Act facilitating the Acquisition or Right of Way, Site or Location for National Government Infrastructure Projects.
RA 11058	2015	Strengthening compliance with occupational safety and health Standards
DPWH DO 05 s 2003	2003	Stipulating the necessary guidelines for the preparation of land acquisition and resettlement action plan for infrastructure projects
DPWH DO 130 s 2016	2016	Guidelines for the Implementation of the Provisions of Republic Act No. 6685 and Republic Act No. 9710 or the Magna Carta of

Regulation	Year issued	Description
		Women
DPWH DO 65 s 2017	2017	Stipulating the scope and delegation of the ROW functions and creation and composition of ROW task forces
DPWH DO 152 s 2017	2017	Directing the Use of DPWH ROW Acquisition Manual (DRAM)
DPWH DO 142 s 2019	2019	Clearing of Structures/Improvements, Trees/Crops within ROW Limits of Projects
DPWH DO 43 s 2020	2020	ROW Acquisition and Payment in Ancestral Domains
DPWH DO 159 s 2022	2022	Implementation of Social & Environmental Management System Operations Manual
DPWH DO 327 s 2003	2003	Guidelines for Land Acquisition and Resettlement Action Plans (LAPRAPs) for Infrastructure Projects
NCIP AO 3 s 2012	2012	Revised Guidelines on Free and Prior Informed Consent (FPIC) and Related Processes of 2012
c. HEALTH & SAFETY		
PD 442		Labor Code of the Philippines
RA 11058	2018	Amended Philippine Occupational Health and Safety Standards
NPCC MC 1980-02	1980	Noise Control Regulations and Standards
DOH AO 14-27	2014	National Water Policy on Water Safety Plans for all Drinking WSPs
DOH AO 17-10	2017	Philippine National Standards for Drinking Water 2017
DOH AO 2019-0047	2019	National Standard on the Design, Construction, Operation and Maintenance of Septic Tank Systems
DILG MC 2019-062	2019	Policy and Guidelines on Sewage Treatment and Sewage Treatment Plant
DOH-DILG Administrative Order 2022-002	2022	Guidelines on Establishing Local Water Quality Surveillance (LDWQS) Program through the Creation of Local Drinking Water Quality Monitoring Committee (LDWQMC) as mandated by the Code of Sanitation (PD 856)

The GoP considers and follows international environmental treaties and/or agreements covering biodiversity, climate change, pollution, historical and cultural heritage, forestry, and social issues. The Philippine laws, rules, guidelines, and standards that are applicable to AWSPSA and its relevance to WB ESS are described below.

Table 3. Brief description of the World Bank ESS

ESS Number	Title	Description
ESS1	Assessment and Management of ES Risks and Impacts	Sets out the Borrower's responsibilities for assessing, managing and monitoring environmental and social risks and impacts associated with each stage of a project
ESS2	Labor and working conditions	Recognizes the importance of employment creation and income generation
ESS3	Resource Efficiency and Pollution Prevention and Management	Sets out the requirements to address resource efficiency and pollution prevention and management throughout the project life-cycle.
ESS4	Community Health and Safety	Addresses the health and Safety and security risks and impacts on project affected communities and the responsibility of Borrowers to avoid or minimize such risks and impacts.
ESS5	Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	Involuntary should be avoided.
ESS6	Biodiversity Conservation and Sustainable Management of Living Natural Resources	Recognizes that protecting and conserving biodiversity and sustainability managing living natural resources

ESS7	Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities	Avoid adverse impacts of projects on Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities, or when avoidance is not possible, to minimize, mitigate and/or compensate for such impacts.
ESS8	Cultural Heritage	Provides continuity in tangible and intangible forms between the past, present and future.
ESS10	Stakeholder Engagement and Information Disclosure	recognizes the importance of open and transparent engagement between the Borrower and project stakeholders as an essential element of good international practice.

2.2 Gap Analysis Between Applicable WB Safeguards Policies and GoP Regulations

Environmental and social management strategies have been developed through the World Bank's ESF and 10 ESSs. This is done to make sure that development initiatives supported by the Bank do not negatively impact the social and environmental conditions of the people and environment in which they are implemented or supported. The goal of the World Bank's assistance with the ESF-related matter is to strengthen the DPWH's capabilities in a way that adheres to global best practices for technical, environmental, social, and health and safety standards. For the AWSPSA, the ESF regulations will take precedence.

The World Bank ESF states that the Bank performs environmental and social due diligence under ESS 1 for proposed projects that fall into one of four categories: High Risk, Substantial Risk, Moderate Risk, or Low Risk, depending on the project's type, location, sensitivity, scale, potential environmental impacts, nature, and magnitude, as well as the borrower's commitment and ability. Both the environmental and social aspects of the project risks were rated as "Substantial" in the AWSPSA Concept Environmental and Social Review Summary Report.

The project encompasses activities such as developing water sources, upgrading/constructing water transmission and distribution systems, and sanitation facilities, such as septage treatment, and WASH in schools and public areas. It aims to improve the quality of life for communities and stimulate growth, particularly in the tourism sector. Project investments would involve civil works such as construction of intake wells, laying of cross-country transmission mains, distribution network, septage treatment facilities, etc. While the operational phase of the project would have several benefits, the expected key environmental impacts and risks during project construction and operation include: (a) possible impacts on natural habitats in case of new surface source development or land subsidence or saline intrusions due to over development of groundwater; (b) competing water demand and riparian issues; (c) source contamination due to construction activities affecting health and safety of downstream riparians; (d) possible need of forest diversion and associated impacts on biodiversity for laying transmission mains or construction of storage reservoirs at elevation; (e) OHS risks on community during construction of distribution network; (e) air/water/soil pollution due to the civil works including debris disposal; and (f) impacts due to sighting of septage treatment facilities and operation stage impacts such as odor and quality of effluents. Similar civil works have been carried out in the past in provinces and most of the impacts and

the mitigation measures are known and are generally integrated into the construction contracts. In addition, DPWH has relevant capacity to address such impacts through impact mitigation/ management provisions in the contracts. However, the civil works in or around the protected areas and/or near pristine water sources could cause significant impacts. Considering this, the environmental risk is rated as 'Substantial'.

The project will have a significant positive impact for poor and vulnerable households and communities by providing access to affordable and clean water supply and sanitation facilities. Increased access to water would positively impact women and girls increasing time for productive activities, providing safe and sanitary sanitation facilities. However, given the nature and context of the project which is water provision and civil works, social impacts and risks are identified include (i) land acquisition and road right of way for the siting of the facilities such as bulk water supply reservoirs, treatment plant and intake tanks among others, (ii) community health and safety due to the potential increase of waste water, water contamination and disruption of services due to the civil works, air/dust pollution and traffic-related risks due to presence of heavy equipment and excavation works due to pipe laying, (iii) equity issues in the use of water resources or restrictions on benefitting from ecosystem services especially for communities where the water is sourced, (iv) Labor influx and its impact towards workers and communities are not expected as per DPWH experience, between 40-60 workers per site is needed with 80 percent of the laborers sourced from the community or locality. Worker's camp will be set-up hosting 5-10 workers, and (v) Occupational health and safety issues include security of workers, exposure to natural hazards such as floods and extreme weather events (heavy rainfall and extreme heat). Inclusion of vulnerable and marginalized groups is crucial; the Project will need to take into consideration universal access principles in the design of climate-resilient WASH facilities to cater to the specific needs of persons with limited mobility and gender considerations. It is noted that the AWSPSA will not take place within the Indigenous People area, thus potential impacts on Indigenous People are unlikely. Capacity building activities will need to ensure that women and other vulnerable groups are provided spaces and opportunities to participate and lead. Considering this, the social risk is rated as 'Substantial'.

Table 4 presents the comparative/gap analysis between the WB ESSs and the GoP laws and regulations and the corresponding measures aimed to close the gap.

Table 4. Comparison between World Bank ESS and Relevant Philippine Laws and Regulations

World Bank ESS	Counterpart Philippine Legislation	Comparative/Gap Analysis	Response Measures
ESS1 - Assessment and Management of Environmental and Social Risks and Impacts	<ul style="list-style-type: none"> • PD 1151 (1977) – Philippine Environmental Policy • PD 1586 (1987) – Philippine EIS System: DENR AO 2003-30: EMB MC # 2007-002- Revised Procedural Manual of DAO 2003-30; EMB MC 2014-005- Revised Guidelines for Coverage Screening and Standard Requirements; EMB MC 2024-003-Project Thresholds for Water Supply Project Applications for an Environmental Compliance Certificate (ECC) under Presidential Decree 1586 and its IRR. • DPWH Social and Environmental Management Systems Manual of 2021 	<p>The WB ESS1 and the PEISS are applicable to AWSPSA. Given the location, nature, type and scale of the project, the project is covered by the Philippine Environmental Impact Statement (EIS) System and will be required to secure an Environmental Compliance Certificate (ECC). On the other hand, the projects which will not be covered will be given a Certificate of Non-Coverage (CNC).</p> <p>The PEISS is mainly executed by the DENR through the EMB and its 16 regional offices, along with the Ministry of Environment, Natural Resources and Energy (MENRE) in BARMM. Other agencies, like the Subic Bay Metropolitan Administration (SBMA) and Palawan Council for Sustainable Development (PCSD), review project mitigation plans. Various organizations address social issues: LGUs and DILG for community and zoning matters, Department of Human Settlements and Urban Development (DHSUD) for housing and urban development, Department of Labor and Employment (DOLE) for workers' rights, Department of Social Welfare and Development (DSWD) for social protection, National Council on Disability Affairs (NCDA) for disability welfare, Council for the Welfare of Children (CWC) for child protection, and Department of Health (DOH) for community health. Additional agencies focus on specific groups, including the National Commission on Senior Citizens and the Philippine Commission on Women.</p> <p>Based on the screening process under DENR EMB MC# 2014-005 and MC# 2024-003, AWSPSA components, e.g. water supply projects with water source and treatment facilities, including reverse osmosis processing water volume greater than 5 million liters per day (MLD) is</p>	<p>Under ESS1, the E&S Commitment Plan (ESCP), and E&S Management Framework (ESMF) will be prepared. The ESMF will provide E&S screening criteria and guidance in the development of site-specific Environmental and Social Impact Assessment (ESIA) for major interventions.</p> <p>The ESMF includes standard ESMPs, exclusion list, Environmental Codes of Practice (ECOPs) and nature-based solutions to mitigate the impacts of the project. The ESMF also incorporates provisions for the management of contractors to ensure its compliance with the requirements of the ESS/GoP environmental regulations.</p> <p>The ESIA contains a risk assessment of the project impacts on land, water, air, and people whether positive or negative, magnitude (i.e., extent, length, and intensity), and likelihood /probability of occurrence per project development phase and activity. Significant negative impacts will be mitigated using the WB Mitigation Hierarchy (i.e., avoid where possible, mitigate or reduce/minimize, compensate, and/or offset) to acceptable levels or in compliance with the regulations.</p> <p>Based on DENR EMB MC# 2014-005 and EMB MC# 2024-003, water supply projects and wastewater treatment facilities, whether for new construction or rehabilitation, if the capacity or volume is more than the threshold limits (see comparative/gap analysis column), then, an EIS</p>

		<p>required to prepare EIS to secure an ECC. Furthermore, water supply projects and water treatment facilities, including RO processing water volume ≥ 1 MLD but ≤ 5 MLD is required to secure an ECC through an IEE checklist. Meanwhile, the construction and/or rehabilitation of Level I and Level II water systems are not covered by the PEIS and will be issued with CNC.</p> <p>For the STP component, treatment facilities with a capacity of more than 5,000 m³ are required to develop an EIS to secure an ECC. While STPs with capacity between 30 to 5,000 m³ are required to secure an ECC through an IEE checklist. Meanwhile, the construction of STPs with system capacity of less than 30 m³ is required to secure a CNC.</p> <p>Whether the required EIA report is an IEE Checklist or an EIS, data from the ESIA and the ESMP can be used or extracted in preparation of either the IEE Checklist or the EIS report.</p>	<p>(full EIA with EMP report) will be required.</p> <p>All AWSPSA project components, either for construction of new water supply system and wastewater treatment facilities or for rehabilitation, shall secure appropriate environmental clearance certification- ECC or CNC, with the corresponding appropriate supporting EIA report.</p>
ESS2 - Labor and Working Conditions	<ul style="list-style-type: none"> ● RA 6715 – Labor Code of the Philippines ● RA 11058 - Occupational Safety and Health Standards Act and DOLE DO 198- 2018 ● Joint Memorandum Circular No. 1, series 2020 – Occupational Safety and Health Standards for the Public Sector ● RA 6685 – Private Contractors to whom national, provincial, city and municipal public works projects to hire at least 50 % of unskilled and at least 30% of skilled labor requirements to be taken from bonafide 	<p>The Philippine labor laws and regulations contain key elements of ESS2, such as labor management procedures, terms and conditions of employment, worker rights, occupational health and safety, non-discrimination and equal opportunity, prohibition on forced labor, and provisions on workers' organizations, grievance mechanisms, and regulations for vulnerable workers, including child labor. However, the regulations are unclear about methods to prevent harassment, other than sexual and gender-based offenses, workplace exploitation, the provision of social benefits, and the applicability of grievance mechanisms to contract employees in the public sector. There are no standards under Philippine laws governing community workers as defined in ESS2.</p> <p>The lead agency that implements labor laws for the</p>	<p>Labor Management Procedures (LMP) will be prepared to fully align with the ESS2. The LMP will outline the policies and procedures on OHS, labor GRM, working conditions and prevention of child labor, forced labor, SEAH/SH and GBV, and security management plan, for project sites located in conflict-affected areas and when assessed as necessary.</p>

	residents in the province and/or city where the project is located.	private sector is the DOLE, while rules and regulations on public sector employment are implemented primarily by the Civil Service Commission (CSC).	
ESS3 - Resource Efficiency and Pollution Prevention and Management	<ul style="list-style-type: none"> ● PD 984 – Providing for the Revision of RA No. 3931, commonly known as the Pollution Control Law, and for Other Purposes ● PD 1067 – Water Code of the Philippines ● RA 8749 – Philippine Clean Air Act and DENR AO 2000-81 ● RA 9275 – Philippine Water Air Act and DENR Administrative Order 2016-08 ● RA 9003 – Ecological Waste Management Act and DENR AO 2001-34 ● RA 6969 – Toxic Substances and Hazardous and Nuclear Wastes Control Act ● RA 11285 – Energy Efficiency and Conservation Act of 2019 ● RA 7160 – Local Government Act of 1991 ● DOH AO 2017-0010 – Philippine National Standards for Drinking Water ● DOH AO 2014-0027 – National Policy on Water Safety Plan 	<p>Although there is no single law covering all the aspects of ESS3, the Philippine legislative framework is comprehensive and covers several regulations on the conservation and protection of natural resources such as water resources, fisheries, mineral resources, and forests.</p> <p>The counterpart Philippine legislations are in line with the ESS3 requirements, including raw materials, water use, air pollution, hazardous materials, and wastes.</p> <p>Relevant Philippine regulations/standards such as RA8749, RA9275, RA9003, and RA6969 will apply to rehabilitation and/or construction of new water supply system and wastewater treatment facilities, which will create significant risks associated with the civil works such as generation of noise and emissions of dust.</p>	<p>PEISS evaluates the environmental and community impacts of projects related to resource use and pollution. It assesses factors like water demand, sources, and quality, as well as resource competition. The PEISS also requires compliance with pollution control measures and standards from various environmental laws, including the Clean Air Act, Clean Water Act, Ecological Solid Waste Management Act, and the Toxic, Hazardous and Nuclear Control Act.</p> <p>The ESIA, which includes the ESMP, will be developed to evaluate the anticipated environmental and social impacts of the Project and to identify mitigating measures in line with ESS3 requirements. Considering the proposed investments and treatment capacity, the significance and need for accounting GHG emissions will be considered. The ESMP shall form part of the bid document for project contractors' compliance.</p> <p>The installation, repair, and improvement of water supply, wastewater treatment facility and hand-washing sanitations will be according to the requirements PD 1856 and PD 1067; and drinking water quality will comply with the standards of DOH AO 2017-0010.</p>

ESS4 - Community Health and Safety	<ul style="list-style-type: none"> • PD 442 - A Decree Instituting a Labor Code thereby Revising and Consolidating Labor and Social Laws to Afford Protection to Labor, Promote Employment and Human Resources Development and Insure Industrial Peace based on Social Justice • PD 1586 (1987) - Philippine EIS System and DENR AO 2003-30 • PD 856 – Sanitation Code of the Philippines • RA 11058 - Occupational Safety and Health Standards • DOLE Department Order 198-2018 	<p>The ESS4 and pertinent GoP public health laws are relevant to the Project.</p> <p>The civil works involving water systems and distribution lines/pipes may pose significant health and safety risks to the nearby communities such as disruption of water supply and possible contamination of water. There will be construction and excavation activities that may generate traffic accidents, air, noise and water pollution. During operations, the increase in access to safe water may translate to an increase in wastewater generation and sanitation issues demanding safe sewage and septage management in the community.</p> <p>The lead agencies responsible for enforcing community health and safety laws and regulations include the DENR, DOH, DOLE, Department of Science and Technology (DOST), Department of Agriculture (DA), DILG, Department of Transportation (DOTr), Department of Public Works and Highways (DPWH), and Bureau Fire Protection (BFP), along with the relevant local government units where the project is situated.</p>	<p>The ESIA, which includes the ESMP, will be developed to manage the anticipated environmental and social impacts of the Project.</p> <p>The project will consider a traffic management plan to address potential risks during the construction activities. LMP will be created to consider GBV and SEA/SH orientation among workers to mitigate potential risks from presence of male workers in rural and isolated communities and selected schools.</p>
ESS5 - Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	<ul style="list-style-type: none"> • RA 10752 – An Act facilitating the Acquisition or Right of Way, Site or Location for National Government Infrastructure Projects. • Art. III, Sect. 9 of the 1987 Constitution - Private property shall not be taken for public use without just compensation. • RA 7279 - Urban Development and Housing Act of 1992 • RA 9397 – An Act Amending Section 12 of RA 7279 	<p>ESS5 is relevant to AWSPSA. AWSPSA will involve land acquisition, road right-of-way acquisition or resettlement impacts. Land acquisition shall be undertaken by Local Government Units (LGUs) wherein informal settlers and/or holders of temporary use of rights to the land may be affected. The pipe laying works may also impact nearby households and business establishments.</p> <p>These laws and their implementing regulations outline rules for various aspects, including permissible methods for acquiring real property and Right-of-Way (ROW), alternatives to minimize land</p>	<p>A site-specific Resettlement Action Plan (RAP) will be prepared in cooperation with the concerned LGUs/agencies. The RAP will cover land acquisition, resettlement and economic displacement, and GRM. If temporary displacement is unavoidable, the requirement under ESS5 will be performed such as consultation with the affected parties and provision of alternative locations or livelihood support.</p>

	<ul style="list-style-type: none"> • RA 11202 – An Act Creating the DSHUD, defining its Mandate, Powers and Functions, and Appropriating Funds Therefor • PD 757 – National Housing Authority 	<p>acquisition impacts, compensation and entitlements for landowners, rights of informal and customary settlers, protection for vulnerable groups, restrictions on access to natural resources, and guidelines for resettlement and eviction related to national government projects. Negotiation is the primary approach for land acquisition, with expropriation as a last resort. Additionally, all implementing agencies are required to create their own ROW Manual of Procedures following the framework in RA 10752.</p> <p>Although the governing laws and policies in the country significantly meet the requirements of the international funding institutions like the WB, some gaps are still unavoidable: (i) criteria for determining the eligibility of informal settlers; (ii) the timing of land use by the project before full compensation is provided; (iii) the fairness of compensation for expropriated land and improvements; (iv) the sufficiency of transition support and opportunities for income restoration, especially for vulnerable groups; (v) access restrictions to natural resources in critical habitats; and (vi) the standards and protocols for developing the ROW Manual by various implementing agencies as mandated by RA 10572. These gaps are oftentimes addressed in the RAP documents as “gap filling measures”.</p> <p>Laws and regulations on land acquisition, restrictions on land use and involuntary resettlement are implemented by several government agencies, such as the DENR, DHSUD, LGUs and concerned implementing agency of a project that requires land acquisition and resettlement.</p>	<p>A Resettlement Policy Framework and Land Acquisition and Resettlement Framework will be prepared in conjunction with this ESMF.</p>
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ESS6 - Biodiversity Conservation and Sustainable Management of Living Natural Resources	<ul style="list-style-type: none"> • PD 705- Forestry Reform Code of the Philippines • RA 9147- The Philippines' Wildlife Act • RA 7586 and 11038 - National Integrated Protected Areas System • RA 9147 - Wildlife Resources Conservation and Protection Act • DENR M.O. No. 2012-02- Uniform Replacement Ratio for Cut or Relocated Trees 	GoP's NIPAS and DENR's guidelines on uniform replacement of cut trees are consistent with ESS6 requirements. Provided that several civil works will be performed within the vegetated watersheds, the project has anticipated impacts on both terrestrial and aquatic ecosystems.	The ESIA, which includes the site-specific ESMP, will be prepared to address the concerns on protection of biodiversity conservation areas.
ESS 7 - Indigenous People/Sub- Saharan African Historically Underserved Traditional Local Communities	<ul style="list-style-type: none"> • RA 8371 – Indigenous Peoples Rights Act (IPRA) • DPWH DO No. 43, Series of 2020. Guidelines for Right-of-Way (ROW) Acquisition and Payment of Ancestral Domain Affected by the Implementation of National Government Infrastructure Projects 	<p>Engaging with IP communities is protected under NCIP Administrative Order No. 3 s. 2012 or the Revised Guidelines on FPIC of 2012. It is decisive and absolute in its procedures as implemented by NCIP.</p> <p>FPIC information requirements requiring validation are</p> <ul style="list-style-type: none"> (i) FBI Report; (ii) Identity of the IP Elders and Leaders; (iii) IP Decision-making process; (iv) Census of IPs/migrant IPs; (v) Area affected; (vi) Existence of boundary conflict with other ancestral domains; (vii) Conflict resolution mechanism and facilitate the conduct of the same by the chosen/selected Elders/Leaders; and (viii) Proceedings towards IP community consensus building. 	Not Applicable for AWSPSA
ESS8 - Cultural Heritage	<ul style="list-style-type: none"> • RA 10066 (Philippine Cultural Heritage Act) 	<p>RA 10066 and ESS8 are relevant to this Project.</p> <p>The civil works of the project may involve substantial excavation which could adversely impact tangible cultural heritage.</p>	A Chance Find procedure will be developed and included in this ESMF based on the National Commission for Culture and the Arts (NCCA) guidelines.

ESS9 - Financial Intermediaries		ESS9 is not applicable to the Project. There are no Financial Intermediaries (FIs) or public and private financial services providers involved in the Project.	
ESS10 - Stakeholder Engagement and Information Disclosure	<ul style="list-style-type: none"> ● PD 1586 (1987) – Philippine EIS System ● DENR AO 2017-15 – guidelines on Public Participation under the Phil. EIS System ● Local Government Code of 1991 ● DPWH Social and Environmental Management Systems Manual of 2021 	<p>ESS10 is relevant to the Project.</p> <p>The civil works of the project will affect direct communities where the water supply is sourced, surrounding communities (including downstream), private companies, local government units and their water utility offices, and households. Vulnerable and disadvantaged groups which include children, people with disabilities (PWDs) may also be affected by the project.</p> <p>Stakeholder consultations are conducted throughout project development and management. The PEISS, IPRA, ROW Act, DPWH Right-of-Way and Acquisition Manual, and DOTr Right-of-Way and Site Acquisition Manual establish mechanisms for ongoing stakeholder engagement during the project lifecycle. Meaningful consultations and grievance redress processes are also implemented at various development stages. Institutional roles, responsibilities, and authorities are clearly defined according to the mandates outlined in different laws and regulations.</p> <p>Stakeholder engagement is the responsibility of all project proponents. As a requirement under the PEISS, stakeholder engagement is the responsibility of DENR, project implementing agencies, LGUs, NCIP, and project proponents.</p>	A stakeholder analysis will be prepared to identify stakeholders' project-related needs and interests. A project-wide SEP will be developed to provide guidance in the conduct of public participation and will include a grievance redress mechanism (GRM) accessible by the public.

II. ESS PROCEDURES

3. Environmental and Social Baseline

3.1 Climate and Rainfall

The Philippines has a tropical monsoonal climate with an average temperature of 27°C and humidity levels above 70% year-round. Its climate is classified into four types based on rainfall patterns:

- Type I: Two distinct seasons; dry from November to April, wet the rest of the year.
- Type II: No dry season; maximum rainfall from November to April.
- Type III: Less pronounced seasons; relatively dry from November to April.
- Type IV: Rainfall evenly distributed throughout the year.

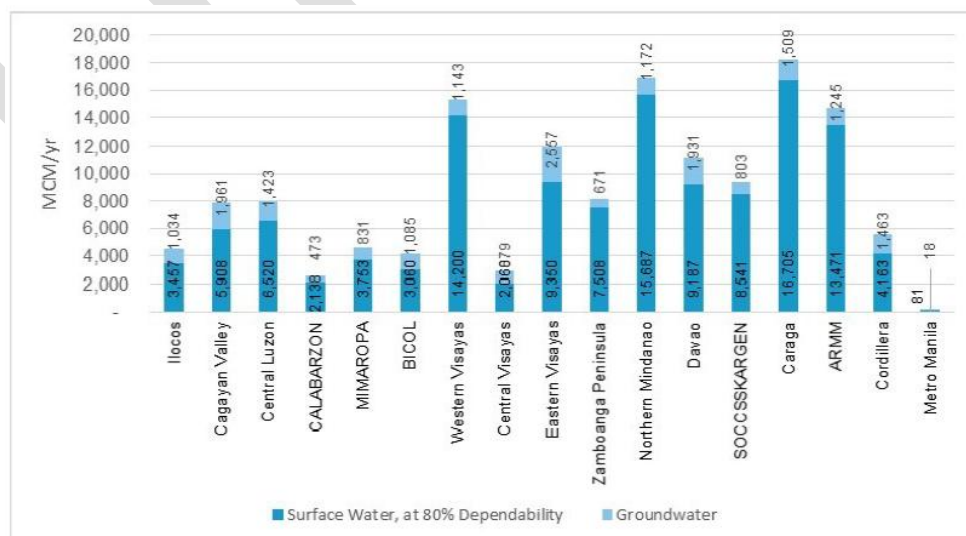
Annual rainfall varies from 1,000 to 4,000 mm, averaging 2,400 mm, with 1,000 to 2,000 mm contributing to runoff across various river basins and lakes. The country also experiences climate variability through El Niño and La Niña events, with El Niño lasting 8 to 12 months occurring every 2 to 7 years, while La Niña lasts 1 to 3 years and occurs every 3 to 4 years. The environmental and social baseline of the initial projects identified are attached **Appendix 1.1** for Bohol, **Appendix 1.2** for Surigao del Norte, and **Appendix 1.3** for Sulu.

3.2 Total Water Resources Potential

The country has a total water resource potential of 145,990 million cubic meters (MCM) per year. This includes a surface water potential of 125,790 MCM per year (at 80% dependability) and a groundwater potential of 20,200 MCM per year.

Region XIII has the highest water resource potential among all administrative regions, accounting for 12.5% (approximately 18,000 MCM per year) of the country's total. In contrast, the National Capital Region (NCR), being the most urbanized area, has the lowest potential, contributing less than 0.5% of the total (98 MCM per year). The figure below shows the water resources potential of each administrative region.

Figure 2. Total Water Resources Potential per Administrative Region



Source: Philippine Water Supply and Sanitation Master Plan

3.3 Water Supply

The Philippine Statistics Authority (PSA) focuses on two primary key performance indicators (KPIs) related to water access: the access to safe water supply categorized by source and the access to drinking water.

Access by Source. The Family Income and Expenditure Survey (FIES) conducted by the PSA in 2015 revealed that just 87.7 percent of the Philippine population had access to water sources deemed safe. The remaining 12.3 percent relied on unsafe water sources, such as dug wells, lakes, water sold by vendors, rainwater, and unprotected springs, rivers, and streams.

Access to Drinking Water. Access to safe and affordable drinking water is a key indicator highlighted in the Sustainable Development Goals (SDGs). Currently, the country lacks a system for collecting nationwide data on access to safe drinking water. The closest available data comes from the PSA's National Demographic and Health Survey (NDHS). The 2013 NDHS categorizes drinking water sources as improved or unimproved; however, this classification does not assess water quality, as water from improved sources can still become contaminated during transport and storage.

3.3.1 Type of Service Providers

The National Water Resources Board (NWRB) established a national water survey for Water Service Providers (WSPs) called Listahang Tubig. This survey offers information on service levels based on management type. As of December 2018, the database has recorded a total of 24,821 registered WSPs.

3.3.2 Level of Service

Water supply in the Philippines is primarily provided by WSPs, but many households rely on private sources like deep wells and rainwater collectors. The National Economic and Development Authority (NEDA) defines three service levels for water supply:

- **Level I:** Point sources such as protected wells or developed springs without a distribution system. Users must fetch water from the source, typically serving about 15 households within 250 meters. This is common in rural areas.
- **Level II:** Communal faucet systems that include a piped network and serve four to six households within 25 meters of a communal faucet. This system is suitable for densely clustered rural and urban fringe areas.
- **Level III:** Waterworks systems featuring a source, reservoir, and individual household taps, designed for densely populated urban areas where households can afford direct connections.

Overall, about 43.6% of the population receives water from Level III systems, 11.2% from Level II, and 45.2% from Level I systems.

3.4 Sanitation

Sanitation services are characterized by three key attributes:

- **Facility:** refers to the structure or infrastructure providing sanitation services
- **Usage:** indicates the accessibility of the facility for households.

- Management: involves the proper disposal of excreta, whether on-site or transported for treatment at an off-site facility.

3.4.1 Septage and Sewerage Services

Households and communities are tasked with building toilets and septic tanks according to the National Building Code (NBC). For these systems to be deemed safely managed, wastewater and septage must be treated and disposed of properly. Maintenance of on-site systems is the responsibility of service providers, which offer sanitation services such as desludging and sewerage. These services are often grouped under wastewater or fecal sludge management and encompass the collection, treatment, and disposal of waste.

Outside Mega Manila, sanitation service providers mainly include water districts (WDs), local government unit (LGU)-operated utilities, and private companies, with some known by names like Malabanan and Pozo Negro. However, many private providers lack treatment facilities and may dispose of waste improperly. New compliant private entities are emerging, adhering to regulations from the Department of Health (DOH) and the Environmental Management Bureau (EMB). Registered providers must report their activities to local governments and can only operate in approved areas.

Currently, there is no comprehensive survey of sanitation service providers outside Mega Manila, but unofficial estimates suggest around 36 septage treatment facilities exist across the country, primarily managed by WDs, with some services offered by LGUs.

3.5 Socioeconomic Profile and Land Tenure

The Philippines has a population of approximately 113 million people (as of 2025), with significant urbanization, a growing economy, with GDP around \$400 billion USD. However, rural areas, including remote communities, still make up a large proportion of the population and poverty remains a challenge, particularly in rural areas, where access to water infrastructure is limited. Urban areas experience high population density, while rural areas may have fewer residents but face issues such as limited access to water and sanitation.

Private land ownership is prevalent in urban and agricultural areas. For a water supply project, land acquisition from private owners may be necessary, especially for the construction of pipelines, treatment plants, or reservoirs. And when the project requires private land, the DPWH follows legal procedures for land acquisition, including fair compensation. In cases of involuntary resettlement, the Resettlement Action Plan (RAP) ensures that displaced individuals receive support, including relocation and livelihood assistance.

Ensuring that all affected communities are consulted during the planning and implementation of the water supply project is crucial. Public consultations are required by law, and affected communities, especially vulnerable groups, should be included in the decision-making process.

3.6 Health, Water and Sanitation

The availability of healthcare services is uneven across the Philippines, with rural areas experiencing limited access to health facilities. This exacerbates the health risks associated

with poor water quality, as communities may lack adequate treatment and prevention options for waterborne diseases particularly in rural and underserved urban areas, waterborne diseases like diarrhea, cholera, and dysentery are major health concerns. The lack of access to safe and clean drinking water is a primary cause of these diseases, which affect vulnerable populations, especially children under five years of age.

Nearly 90% of households in cities like Metro Manila are connected to a reliable water supply. However, In rural areas, water is sourced mainly from groundwater (wells) and surface water (rivers, lakes, springs). These sources are often not treated or are poorly managed, leading to contamination and health risks. Even in areas where there is some level of infrastructure, it is often insufficient, with many communities lacking piped water systems or facing unreliable water supply.

In some remote areas, open defecation is still practiced due to the absence of toilets or proper sanitation facilities. This practice increases the risk of disease transmission and is a major public health issue. Access to improved sanitation is critical for preventing the spread of waterborne diseases. While urban areas generally have access to modern sanitation systems such as septic tanks and sewerage, rural areas face significant gaps. Many rural communities still rely on traditional pit latrines, which can easily contaminate nearby water sources, particularly in densely populated areas.

3.7 Safety and Security

Construction may disrupt local roads and public spaces, increasing traffic hazards and limiting community access to essential services. Clear communication and traffic management are crucial to ensure safety. Projects in areas prone to natural hazards like floods, earthquakes, or landslides must also be carefully planned to ensure infrastructure resilience and avoid exacerbating safety risks.

Land acquisition and resource conflicts are common security concerns. Disputes over land rights, especially in rural areas with unclear land tenure, can arise, potentially leading to displacement. Proper consultations and transparent compensation processes are essential to avoid conflicts.

Water infrastructure such as pipelines, pumping stations, and treatment plants are at risk of theft and vandalism, particularly in communities that feel excluded from the project. To reduce these risks, infrastructure should be protected with security systems, monitoring, and community involvement. In high-risk areas, security personnel may be necessary to safeguard construction sites and infrastructure. Coordination with local law enforcement and community leaders is key to preventing tensions or confrontations.

3.8 Cultural Heritage

The National Cultural Heritage Act of 2009 (Republic Act No. 10066) and the National Integrated Protected Areas System Act (Republic Act No. 7586) provide protection to significant cultural, historical, and natural heritage in the Philippines. These laws require that any infrastructure projects, including water supply initiatives, be evaluated for potential impacts on cultural resources.

The Department of National Defense and National Historical Commission of the Philippines (NHCP) is responsible for safeguarding cultural properties and historical sites, which may require special permits for construction in areas with known cultural or historical significance.

A thorough Cultural Heritage Impact Assessment (CHIA) should be conducted to identify and document any significant cultural, historical, or archaeological sites within the project area. This assessment will guide the project in understanding the potential impacts and the necessary steps to mitigate them.

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4. Potential Environment and Social Risks and Mitigation

For a Water Supply Project rated as Substantial in the World Bank's Environmental and Social Risk Rating System (ESRS), the risks primarily involve moderate to high environmental, social, and governance challenges that require proactive and strategic mitigation measures.

The Substantial rating suggests that while the project's impacts are significant, they are manageable with the right interventions and monitoring.

Environmental and social impacts of the project are associated with project activities such as developing water sources, upgrading/constructing water transmission and distribution systems, and sanitation facilities, such as septage treatment, and WASH in schools and public areas.

4.1 Pre-construction and Construction Phase

The pre-construction phase includes the acquisition of applicable permits and licenses from the concerned NGAs and LGUs and local sourcing of labor which focuses on hiring qualified local residents.

During the construction phase of the proposed project, the designated contractor will implement and be responsible for its environmental program, under the supervision of the Proponent. The program shall include specific actions and measures such as:

4.1.1 Materials Management

Materials used for construction and improvements of water supply and sanitation systems will include cement, epoxy, aggregates, sand, and reinforcing steel. These items will need space on-site, making a materials management plan essential to minimize disruption and ensure safety during construction. The following measures for materials management are proposed:

- Avoid stockpiles by ordering only needed supplies.
- Stockpiles of aggregates and sand should only be placed inside the construction site.
- Implement sediment control measures, like silt traps, for aggregate stockpiles.
- Cover cement bags with tarpaulin.
- Coordinate material delivery schedules with barangay and city/local government units.
- Install barricades around material stockpiles.

4.1.2 Waste Management

Before construction, the contractor must establish a solid waste management procedure, including storage, bin provision, and cleanup schedules. At the end of each workday, workers must clean the site, stow materials and tools for the next day, and properly sort waste into designated bins. This practice enhances efficiency and maintains a safe environment for returning workers.

Non-Hazardous Waste. Construction activities may generate debris, including fill materials, cement bags, wood, and other discarded materials. To minimize environmental impact, these wastes must be properly segregated and disposed of. Many solid wastes generated on-site

can be recycled or repurposed as fill, while other materials may be salvaged and sold as scrap. Additionally, construction workers staying at the site will contribute to solid waste generation. This waste should be collected daily and disposed of according to city/local regulations.

Hazardous Waste. Hazardous waste must be kept separate from non-hazardous waste. A designated area should be established for temporarily storing empty containers (such as paints, solvents, epoxy resins, adhesives, and degreasers), oily rags, and broken lamps. Bins for hazardous waste should be clearly labeled. As a hazardous waste generator, the contractor must obtain a Hazardous Waste Generator Registration from the DENR and hire a DENR-registered hazardous waste transporter for collection and disposal. A Hazardous Waste Manifest must be completed to track the quantity of hazardous waste generated and disposed of. The DENR-recognized treater will provide a Certificate of Treatment (COT) confirming safe disposal, and these records should be maintained for documentation purposes.

4.1.3 Air Quality Management

Construction and rehabilitation activities may generate dust and fine particles, which can degrade ambient air quality if not managed properly. Air quality concerns may also arise from uncovered stockpiles of excavated soil, aggregates, and sand, as these materials can be blown away by wind during dry and breezy conditions. Dust poses both environmental and health risks. Additionally, the movement of delivery vehicles, particularly on unpaved roads, can generate suspended fine dust and increase vehicle emissions. To manage and mitigate impacts and risks, the following measures will be implemented:

- Conduct water spraying to suppress dust and reduce discomfort for nearby residents.
- Require workers to wear appropriate PPE.
- Cover stockpiles of aggregates and sand with secure plastic sheeting or tarpaulin to prevent dust dispersal.
- Equip concrete mixing equipment with dust shrouds.
- Regularly clean up debris.
- Prohibit idling of construction vehicles during unloading.

4.1.4 Noise

Noise during construction may arise from equipment operation and the movement of delivery vehicles, while also exposing workers to high noise levels. To mitigate these impacts, the following measures are recommended:

- Coordinate with the barangay and city/local government units to schedule delivery of construction materials.
- Install temporary noise barriers around the construction area.
- Maintenance of vehicles and heavy equipment according to specifications.
- Perform noisy construction activities during daytime.

4.1.5 Drainage Management

During excavation, disturbed soil can cause erosion during rainfall, leading to stormwater runoff that may carry soil into canals and reduce their capacity, potentially contributing to flooding. Excessive runoff can also result in sedimentation in creeks and rivers. Additionally,

residues from cement mixers and equipment washing may clog canals. To prevent drainage impacts, the following measures should be implemented:

- Avoid earthworks during the rainy season.
- The stockpile of excavated soil (and aggregates/sand) should be away from drainage canals and water bodies.
- Use sediment control measures like silt traps, barriers, and trenches for stockpiles.
- Prohibit washing cement mixers and other vehicles on-site.
- Clean and sweep the construction site daily, and periodically remove soil, stones, and waste from gutters and drainage channels.

4.1.6 Domestic Sewage

Domestic sewage will be generated during construction due to the presence of workers on-site. The contractor is required to provide temporary toilet facilities or portable toilets ("portalets") for workers' sanitation needs. These facilities must be always kept clean and sanitary. Portalets should be placed more than 30 meters away from any existing water supply well or surface water body and in areas where odors do not affect the nearby communities. They should also include water and handwashing facilities. A third-party provider will collect the contents of the portalet pits for off-site treatment and disposal at least weekly or when they are nearly 2/3 full.

4.1.7 Security and Safety

The presence of workers in the community may pose risks to safety and security. To prevent any incidents, the contractor must implement the following measures:

- Assign security personnel to safeguard the construction sites, project workers, and other stakeholders.
- Provide the names of workers to the barangay and city/local government units.
- Ensure all workers obtain IDs or construction passes from the barangay.
- Restrict access to unauthorized individuals at the construction site.

4.1.8 Worker Health and Safety

Construction activities pose health and safety hazards to workers, including ergonomic risks from lifting heavy materials, exposure to excessive noise and hazardous substances, and the spread of communicable diseases such as COVID-19. To mitigate these risks, the contractor must:

- Adhere to the Labor Code of the Philippines and the Project's Labor Management Procedures (LMP), including establishing a separate grievance redress mechanism for workers (see the Appendix 3).
- Implement a Construction Safety and Management Plan in line with DOLE OSH guidelines.
- Designate an onsite Safety Officer accredited by DOLE.
- Assign a contact person to address complaints from the community and provide their contact details to the barangay.
- Require workers to wear appropriate personal protective equipment (PPE) such as hard hats, gloves, safety belts, and goggles.
- Display safety signs in key areas within the construction site.
- Install barricades and safety barriers around excavations and material stockpiles.
- Provide a first-aid kit for immediate medical attention in case of accidents.

- Follow COVID-19 health and safety protocols as outlined in the project's safeguards considerations.

4.1.9 Community Health and Safety

The project activities may pose potential health and safety risks to the community, including noise, airborne dust, debris, and road congestion during material deliveries. While labor influx is not anticipated, issues related to harassment or gender-based violence could arise. To address these community and health concerns, the following measures will be implemented:

- Consult with nearby communities and the barangay about the project and work schedules.
- Follow the Labor Management Procedures (LMP) established for the project (see Appendix 3), particularly the management measures observed to address relevant risks on community health and safety including: (i) Code of Conduct for Ethical Behavior to address GBV/SEA-H risks from project workers on community; (ii) occupation health and safety procedure and traffic safety measures particularly where project mobilization will take place on public road; and (iii) Application of the Emergency Response Plan (ERP) if any project incident/accident involving community member).
- Provide awareness training on sexual harassment and gender-based violence for contractors and workers.
- Implement an effective grievance redress mechanism, including cases of gender-based violence.

4.1.10 Socioeconomic Impact

If the project does not adequately address the concerns of all stakeholders, it may lead to disputes, protests, or even legal battles and disputes over the allocation of water resources can also exacerbate social divisions and conflict. .

To minimize the negative effects, several strategies can be implemented:

- Ensure effective Stakeholder Engagement by engaging with local communities from the planning stage. This helps in minimizing opposition, ensuring that projects are aligned with the needs of the community, and avoiding conflicts.
- Ensuring that water supply costs are affordable, particularly for low-income groups, is essential to prevent inequality. Governments may need to subsidize water costs or design pricing structures that balance sustainability with social equity.
- Offering training programs to equip communities with new skills (such as water management, technical skills for the operation of water treatment plants, etc.) helps create sustainable livelihoods and ensures the success of water supply projects.
- Conducting thorough ESIA's and integrating the findings into the planning process is essential for identifying and mitigating the social and environmental risks associated with the project.

4.1.11 Land Acquisition and Resettlement Impacts

Displacement leads to the loss of homes, farming land, and access to natural resources that are essential for survival. Loss of livelihoods can result in economic hardship for the displaced people, particularly if alternative employment or livelihood support is not provided. This can further exacerbate poverty in already vulnerable populations

People without formal land titles may not be compensated adequately for their land, leading to disputes with local authorities or project developers. Such conflicts can delay the project and lead to legal battles, further increasing project costs.

It is crucial that the projects implement comprehensive mitigation strategies. These strategies should align with national laws, international standards, and the specific needs of affected communities.

- Prioritize the development of detailed resettlement action plans (RAPs) that outline compensation, relocation, and livelihood restoration efforts.
- Recognize the land rights of all affected individuals, including those without formal land titles, such as informal settlers.
- Compensation for lost land and assets should be fair, transparent, and reflect the market value of land, as well as the economic impact on affected people.
- Strengthen the capacity of government offices responsible for land acquisition and resettlement to ensure effective implementation of policies and laws.

4.1.12 Cultural Heritage

Potential impacts on cultural heritage could not be confirmed at this stage of the project preparation, however considering the proposed subprojects located in area where underground/unknown cultural objects might be present, a chance find procedure is deemed necessary to be prepared. The chance find procedure is implemented when an artifact or fossil of potential cultural or historical significance is accidentally discovered. This procedure, outlined in the ESMF, details a physical cultural resources management plan within the ECOP. It includes measures to prevent or mitigate any negative impacts on physical cultural resources, guidelines for managing any chance finds, and a reporting system to notify relevant authorities. This plan complies with the National Cultural Heritage Act of 2009 (Republic Act 10066), the National Museum Act of 1998 (Republic Act 8492), and the Cultural Properties Preservation and Protection Act (Presidential Decree 374).

4.2 Operation Phase

This phase of the project includes the operations of the water supply system and wastewater treatment facilities. An ESMP shall be prepared and implemented by the operator of these facilities. The ESMP shall consider:

4.2.1 Waste Management

The water supply and sanitation facilities will generate sludge from its operations; thus, the operator shall implement a sludge management plan. The operations will also generate hazardous waste such as busted bulbs and chemicals used in the operations. To mitigate this impact, the operator shall collect, store and dispose of waste in safe and sealed containers. These wastes shall be treated and disposed off site through DENR accredited haulers and treaters. In addition, the employees will also generate domestic solid waste. A solid waste management plan shall be implemented, and the facilities shall provide a Materials Recovery Facility for its waste.

4.2.2 Water and Soil Contamination

During the operation phase, possible groundwater contamination from percolated domestic wastewater may occur. The operator shall install a properly designed septic tank and coordinate with a DENR-registered desludger for its treatment and disposal.

Possible soil contamination may occur since the project will require use of chemicals for water and wastewater treatment. To avoid possible soil contamination, the chemicals shall be stored in a concrete paved chemical storage house, and the operator shall ensure that the pipes to be used are of high quality. Regular monitoring of pipes and maintenance and cleaning of the tanks shall also be performed in the treatment facilities.

The wastewater treatment facility effluent shall comply with DAO 2016-18 and DAO 2021-19 for the General Effluent Standards and monitoring parameters. In case of pipe leaks or breakages, the operator shall repair the pipes immediately and inform the public of the possible contamination.

4.2.3 Socioeconomic, Health and Safety Impacts

The operational of the AWSPSA subprojects are expected to have a significant positive impact for communities by providing access to affordable and clean water supply and sanitation facilities. Equal access to such benefits are essential to ensure the increased access to water would positively impact poor and vulnerable households, as well as women and girls increasing time for productive activities, providing safe and sanitary sanitation facilities. Thus, ongoing engagement with the communities, including vulnerable groups are required, as observed in the SEP.

4.3 Decommissioning/Abandonment Phase

Adequate time and resources shall be allocated for the abandonment, decommissioning, or rehabilitation of the project. Depending on the reasons for abandonment, buildings, equipment, and facilities may not need to be demolished, as some could be repurposed. If removal is necessary, careful dismantling and transportation will be carried out to minimize environmental risks. Additional activities during this phase include:

- Securing required government clearances for abandoning existing projects, including relief from ECC conditions.
- Removing solid, liquid, and hazardous waste using DENR-certified waste transporters.
- Conducting site cleanup and potential remediation if evaluations indicate it is needed.

In this phase, socioeconomic and labor-related risks such as retrenchment, job loss, and income loss can significantly impact workers and local communities. Vulnerable groups like women and low-skilled workers are particularly at risk. To mitigate these, projects should focus on the following, consistent with the relevant management measures in the LMP (see Appendix 3) and the SEP:

- Establish early communication by informing workers and communities in advance about the upcoming changes.
- Retraining and Re Skilling by offering training programs to help workers transition to new roles or industries.

- Providing job placement services to support and connect with potential employers.
- Ensure fair compensation that workers receive adequate severance and transition packages.
- Creating Social Safety Nets by strengthening unemployment benefits and mental health support for affected workers.
- Stakeholder Engagement: Engaging workers and communities in planning to ensure fairness and reduce resistance.

The environmental safeguard concerns mentioned above are not specific to AWSPSA; they are also problems with other water supply and sanitation projects across the country. Appropriate mitigation and management strategies will be identified through impact assessments for each project component which will be incorporated in the project's Environmental and Social Management Plan (ESMP).

During the Detailed Engineering Design (DED) Stage, an impact assessment and baseline characterization for the environmental and social aspects must be carried out for every subproject. For each of the subprojects, the baseline characterization and impact assessment will concentrate on the following unidentified data that could trigger significant environmental risks or impacts.

4.4 Summary of AWSPSA Risks/Impact and Management Framework

The Environmental and Social (ES) risk assessment highlights key risks associated with the project, including impacts on biodiversity, air and water quality, community well-being, and worker safety. The severity and likelihood of these risks vary, but proactive mitigation measures have been identified to minimize adverse effects.

Continuous monitoring and adaptive management will be essential to addressing emerging risks and ensuring that mitigation measures remain effective throughout the project lifecycle. Through a structured approach, the project can achieve its objectives while maintaining environmental integrity and fostering positive community relations.

Table 5. ES Risks and Management Framework

Project Component/ Activities	Potential ES Risks and Impacts	Risk Rating	Management Framework
Land Clearing & Excavation	Loss of Vegetation, Soil Erosion, habitat disturbance, impacts on underground/ unknown cultural heritage/objects and land acquisition impacts	Substantial	Implement erosion control measures, reforestation, habitat restoration program, Chance Find Protocol (Appendix 4) and RPF (Appendix 5)

Construction Activities	Noise pollution, dust emissions, and disturbances on community health and safety	Substantial	Use noise barriers, enforce dust suppression measures, schedule activities to minimize disruption, and implementation of SEP and LMP (Appendix 3)
Water Resource Usage	Depletion of local water sources, contamination	Substantial	Implement water recycling, monitor water usage, and enforce pollution controls
Waste Management	Improper disposal of hazardous and non-hazardous waste, impacts on community health and safety	Substantial	Develop and enforce waste management plan, recycling programs
Labor and Workforce	Health and Safety risks, poor labor conditions	Medium	Implementation of LMP, including Enforce Health & Safety protocols, conduct training, ensure fair labor practices
Operations & Maintenance	Equipment Failure, pollution, and safety risks	Medium	Regular maintenance schedules, emergency response plans, implementation of OHS measures in the LMP
Community Relations	Social conflicts, stakeholder opposition	Medium	Implementation of SEP, including Community engagement programs, grievance redress mechanisms

4.4.1 Risks and Mitigation Specific to vulnerable people and most disadvantaged groups

To ensure that the project benefits all groups equitably, special emphasis must be placed on proactive engagement with vulnerable populations. Implementing inclusive policies, ensuring fair distribution of benefits, and providing targeted support to disadvantaged groups will help mitigate inequality.

Vulnerable and disadvantaged groups, including low income population, women, persons with disabilities, and marginalized ethnic groups, may face unique challenges in accessing project benefits and mitigating risks.

Below are some key risks and specific mitigation measures:

Table 6. Potential Risks and Mitigation Measures for Vulnerable Groups

Potential Risk	Affected Groups	Management Framework
Limited Access to project benefits	Women, low-income individuals	Implement inclusive hiring policies, ensure equal access to project benefits, and establish quotas for local employment
Displacement or loss of livelihood due to land acquisition	Rural farmers, informal settlers	Provide fair compensation (See Appendix 6: RPF), offer livelihood restoration programs, and consult affected communities before relocation
Lack of participation in decision-making	Women, elderly, PWDs	Create inclusive stakeholder engagement processes, ensure accessible meeting formats (e.g., sign language)
Discrimination in employment and working conditions	Women, PWDs	Enforce non-discriminatory labor policies (see Appendix 3: LMP), provide diversity and inclusion training, and ensure fair wages
Health and Safety risks due to poor working conditions	Low-income workers, laborers	Enforce occupational health and safety measure (see Appendix 3: LMP), provide training, and ensure proper working conditions
Difficulty accessing grievance mechanisms	Rural populations	Develop culturally appropriate and accessible grievance mechanisms (see SEP)
Gender-Based violence	Women, girls, LGBTQ+ i	Implementation of Code of Conduct for Ethical Behavior applicable for all project workers (see Appendix 3 : LMP), provide awareness campaigns, and collaborate with local organizations for support (see SEP).

5. Environmental and Social Safeguard Procedures

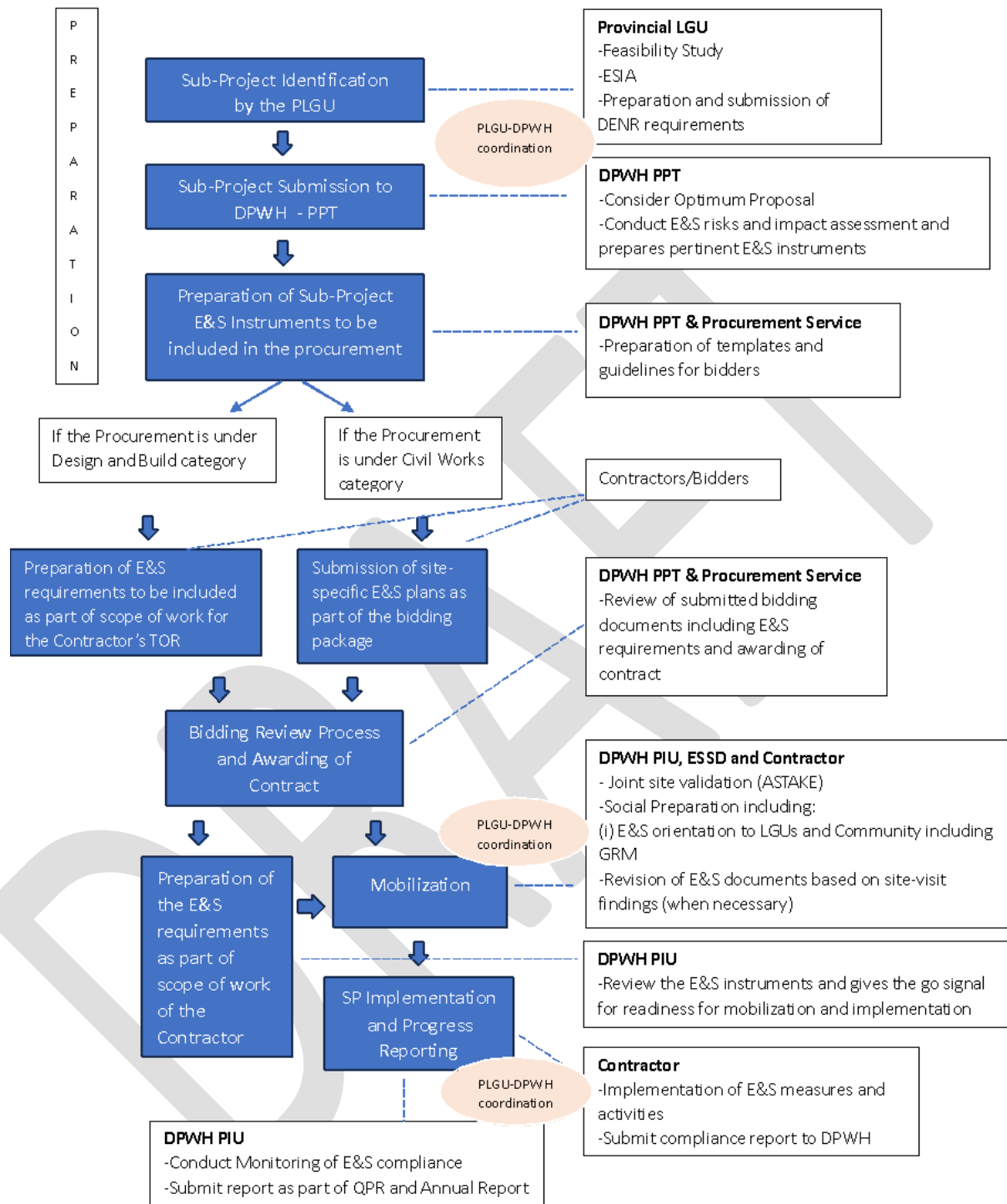
The overall project management methods will incorporate the identification and mitigation of environmental and social risks. As a result, the scheduling of the safeguards actions will try to match as closely as feasible with the different project phases. The steps to be taken in order to identify, prepare, and carry out the subprojects are outlined in detail in the following sections, which include the following:

- Screening each subproject for potential E&S risks and impacts and classifying each subproject according to risk (Screening Form)
- Conducting E&S assessment for each subproject and developing project specific management plans/instruments
- Consultation and disclosure of E&S plans and instruments
- Review and approval of E&S plans and instruments
- Implementation and monitoring of E&S plans and instruments

The ESF instruments, including the Labor Management Plan (LMP), Stakeholder Engagement Plan (SEP), and Resettlement Policy Framework (RPF), as well as the environmental and social safeguard processes for all project phases—discussed in the following sections—will apply and serve as guidelines for creating the associated risk management plans that may be necessary for each of the subprojects.

In accordance with Section 3.5 of the DPWH SEMS Manual of 2021, "DPWH Safeguards Activities by Project Phase", SEMS entails scheduling the corresponding environmental and social safeguards activities for the following project phases: Identification, Preparation, Implementation, Operation, and Evaluation." These are applicable to each of the subprojects. The figure below shows the process flow from the subproject identification phase up to the operation and evaluation phase for the AWSPSA.

Figure 3. AWSPSA ESMF Process



5.1 Subproject Identification Phase

This phase includes introduction of the project to the concerned agencies and the public through consultation meetings, subprojects screening, starting the application process for NCIP Certification Precondition for project components located in IP areas, preparing the necessary EIA report (EIS or IEE) for Category B AWSPSA components, and Project Description (PD) for Category D AWSPSA components. In addition, suitable risk management strategies must be prepared in accordance with the Environmental and Social Standards of the World Bank ESF.

The subproject footprint will encompass the direct impact areas (DIA), as well as any related auxiliary facilities including camp sites, spoils disposal sites, and locations for disposing of undesirable materials from cut and fill operations. It will also include solid waste items from construction sites, campsites, and resettlement zones (if applicable). Using the Environmental and Social Risk/Impact Screening Form in **Appendix 2**, the subprojects will be tested for potential E&S risks and impacts and categorized based on risk category. The screening results will be utilized to commence the applications for special permits, which necessitate enough advance notice from the concerned government agency, and to specify the extent and coverage of subproject-specific management plans and instruments.

5.2 Subproject Preparation Phase

Fund appropriation, thorough engineering, and inclusion of the subproject to DPWH's annual work and financial plan are all included in the subproject preparation phase. In order to prepare for the implementation of subprojects, it is also necessary to secure appropriate government permissions, permits, and authorizations. In addition, site-specific impacts and hazards, mitigation strategies, and monitoring activities must be described.

The project's detailed engineering design must incorporate the identified environmental and social risks, together with the appropriate mitigation strategies. The site's environmental parameters, including its climate, topography, geology, proximity to fault lines, and geo-hydrological risks based on geohazard maps available, are essential for design considerations. In certain cases, during the project preparation, the contractor's discovery of environmental concerns necessitated a redesign of the project. As part of the detailed engineering design, the contractors had to adhere to the relevant DPWH documents, which included norms for workplace management, occupational health and safety, and the management of environmental and social risks and impacts.

The design team and the UPMO-FCMC as the Project Implementing Unit (PIU) will be able to incorporate in the DED the suitable technologies and techniques tailored-fit for the actual conditions of the structure and identify the necessary safeguard instruments for the construction or rehabilitation of WSS services based on the level of impacts and risks once the type of construction and/or rehabilitation methodology and the environmental and social issues inherent at the site have been identified.

Depending on the outcome of the screening or as may be determined during implementation, more safeguard instruments may be needed in relation to the sub project's requirements. The LMP (**Appendix 3**) is relevant to the AWSPSA and applicable to the subproject components. The CFP (**Appendix 4**) will be implemented if previously undiscovered cultural heritage is encountered during subproject operations such as those involving excavations/earth movements. The RPF (**Appendix 5**) will serve as guidance instruments in drafting the plans

for the resettlement of the PAPs and acquisition of AWSPSA project footprint. **Table 5** describes the applicability of the different safeguard plans to AWSPSA, all of which the documentation should be completed prior to the project implementation stage.

Table 7. Applicability of Environment and Social Risk Mitigation Instruments

Environmental and Social Risk Mitigation Instruments	Applicability
Environmental Management Plan (EMP)	Site-specific construction Environmental Management Plan will be prepared to mitigate and monitor risks and impacts from sub-project activities such as repair, slope protection, drainage works, engineering works on roadways and/or bridge repair/construction. The construction impacts are site-specific and in most cases are manageable. The EMP, including the Environmental Monitoring Plan (EMoP), will be prepared based on the result of the E&S screening and guided by the project ESMP in the ESIA, including other environmental risk management sub plans as may be relevant. The ESMP contains specific sub plans such as the waste management plan (e.g., construction waste materials), construction safety and health plan, construction materials transport and storage plan, and traffic management plan. An example EMP template is in Appendix 7 and the EMoP is in Appendix 8 .
Labor Management Procedure (LMP)	The LMP (Appendix 3) is consistent with the national labor laws and policies and standards occupational safety and health and the WB Environmental and Social Standards ESS2 provisions addressing labor risks and issues that may arise during implementation of the subprojects. The LMP includes GRM for subproject workers. This will be applied to all subprojects.
Stakeholder Engagement Plan (SEP)	The SEP applies to all subprojects to guide consultations with key stakeholders throughout the different stages from subproject design to implementation. Appendix 9 presents the SEP.
Resettlement Policy Framework (RPF)	The Resettlement Policy Framework is consistent with WB ESS 5, which requires that any resettlement activities are properly planned and implemented with appropriate disclosure of information, meaningful consultation, and informed participation of persons that are affected. The RPF applies to sub-projects that entail land acquisition, involuntary resettlement, and restrictions on land use. When land acquisition and involuntary resettlement are unavoidable during subproject implementation, the RPF presents guidelines to mitigate adverse social and economic impacts and to provide the compensation and entitlements of persons whose lands are acquired for AWSPSA or those who are subject to involuntary resettlement.
Chance Find Procedure (CFP)	The CFP will be included in all civil work contracts of the sub-project. It will be followed if previously unknown cultural heritage is encountered during project activities. The CFP will be integrated in the Project Operations Manual (POM). The CFP aims to conserve any artifact that may be accidentally discovered during sub-project activities following the requirements of the National Commission on Culture and Arts, National Cultural Heritage Act of 2009 (Republic Act 10066), National Museum Act of 1998 (Republic Act 8492), Cultural Properties Preservation and Protection Act (Presidential Decree 374), and the requirements of ESS8.
Land Acquisition and Resettlement Framework (LARF)	The guidelines and processes for acquiring land and addressing any possible resettlement impacts under the project are described in this LARF. The LARF also provides the procedures to adhere to the applicable laws and regulations of the government and the requirements of ESS5

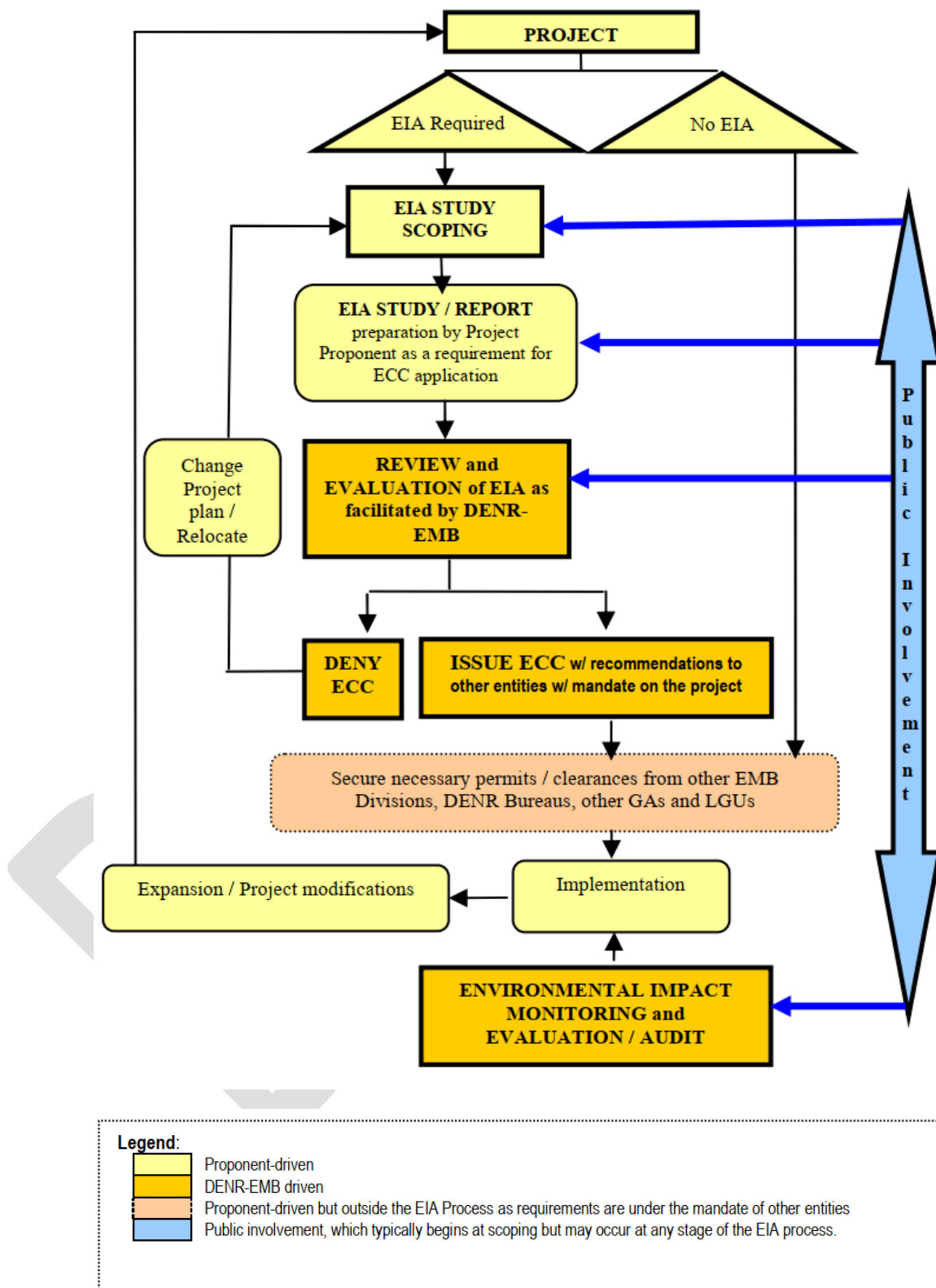
	The LARF's primary goals are to: (i) assist in acquiring land, accurately assessing impacts, and reestablishing the livelihoods of impacted individuals (APs); (ii) act as a legally binding document to guarantee APs' compensation and assistance; and (iii) offer guidance in creating, revising, carrying out, and overseeing subproject Resettlement Plans (RPs).
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The ECC application process considers the necessary government clearances and permits based on the type of the project. The classification and requirements for ECC applications for the water supply systems and wastewater treatment facilities are presented in the table below as indicated in Appendix 6 of EMB MC No. 2014-005 and EMB MC No. 2024-003. The EMP and EIA documentation (such as an EIS, IEE Report, or IEE Checklist) are required to be submitted with the ECC applications for the construction and/or rehabilitation of the AWSPSA's components. Comprehensiveness of the EIA study report depends on factors such as the capacity and scale of the water supply system and wastewater treatment facilities to be constructed, and the presence/absence of a treatment facility. The EIA process flow is presented in the succeeding figure.

Table 8. Project Thresholds for Coverage Screening and Categorization

Project	Covered (Required to Secure ECC)			Not covered (CNC)
	Category A: ECP	Category B: Non-ECP		Category D
	EIS	EIS	IEE Checklist	PD
Water Supply Projects	For surface water sources with impoundment (e.g. dams and reservoirs)	With water source (e.g. groundwater, surface water etc.) and water treatment facilities, including reverse osmosis (RO) processing water volume >5 million liters per day (MLD)	With water source (e.g. groundwater, surface water, etc.) and water treatment facilities including reverse osmosis (RO) processing water volume ≥1 million liters per day (MLD) but less ≤5 MLD Level III (waterworks system)	Level I (point sources including deep wells, springs, infiltration galleries) Level II (Communal faucet system) Water Refilling Station (regardless of capacity)
Domestic wastewater treatment facility (including septage treatment facility)	None	≥5,000 m ³	> 30 m ³ but < 5,000 m ³	≤ 30 m ³

Figure 4. EIA Process



Source: Revised Procedural Manual for DENR AO 30 s. 2003

Table 7 lists the other government environmental clearances, permits, and/or authorizations, including the required supporting documents that are needed to be secured for AWSPSA prior to project implementation. This includes, as applicable, the following:

- Water Permit for Municipal Use;
- Engineering Geological and Geohazard Assessment Report;
- Special Tree Cutting Permit;
- Coconut Tree Cutting Permit;
- Chainsaw Permit;
- Permit to Operate Generator Set: and
- Excavation Permit

The Stakeholder Engagement Plan (SEP), the Resettlement Action Plan (RAP), the Environmental Management Plan (EMP), and the Environmental Monitoring Plan (EMoP) are the expected outputs for the project preparation phase. The EMP and EMoP templates are attached in Appendices 6 and 7, respectively. These are supporting documents of the EIA Report as part of the ECC application process.

Table 9. Required Supporting Documents to Environmental Permits for AWSPSA

Regulation	Requirements for Application for NWRB Water Permit for Municipal Use
PD 1067, NWRB BR 15-0921 NWRB BR 09-0906	Duly accomplished and notarized Water Permit Application Form
	Proof of land ownership of, legal title to, or right to use, the property where the water source is situated
	Certificate of Registration from relevant agencies i.e Department of Trade and Industry (DTI), Cooperative and Development Authority (CDA), Securities and Exchange Commission (SEC) with Articles of Incorporation (for Corporation or Association) including Corporate Secretary's Certification on present capital structure stating the citizenship and the number of shares of each stockholder
	Certificate of Conformance from LWUA (for Water Districts only)
	Certificate of Registration (if Barangay Waterworks Association, Rural Waterworks and Sanitation Association)
	Vicinity Map/Location Plan with scale 1:10,000 or 1:50,000 showing the exact location of the point of diversion
	Subdivision Plan (if applicable)
	Well Drilling Data (in case of existing groundwater source authenticated by the well driller) including Physical and Chemical analysis of water
	Sangguniang Bayan/Regional Development Council endorsement (for LGU-managed water supply facilities)
	Environmental Compliance Certificate (for projects considered as Environmentally Critical Projects or projects located in Environmentally Critical Areas) or Certificate of Non-Coverage from DENR -Regional Office
Regulation	Requirements for Application for Special Tree Cutting Permit
DENR AO-87-78, DENR AO-88-86, DENR AO-00-21	Duly accomplished Application Form.:
	For trees in private land, authenticated copy of Land Title/CLOA with approved sketch map of the area applied for:
	For trees in Public Land, sketch map of the area showing the relative location of trees to be cut:
	Inventory fee based on DAO 2004-16.
	Harvesting Development Plan.
	Endorsement or Certification from any of the following Local Government Unit Officials,

	interposing no objection to cutting of requested trees:
	a. Barangay Chairperson;
	b. Municipal/City Mayor; or
	c. Governor
	Timber Inventory Report
	Tally Sheet and Stand and Stock Table (duly subscribed and sworn)
	Geotagged photos
	Special Tree Cutting Permit. Processing fee, P1,200/ha Inventory Fee + P36 Oath Fee
Regulation	Requirements for Application for Permit to Cut Coconut Trees
RA 8048	PCA prescribed application form for Permit to Cut
	Valid I.D. or Community Tax Certificate
	Proof of Ownership of legal possession of affected land (TCT's, Tax Declaration, etc.)
	Affidavit of non-encumbrance
	Additional requirements:
	Duly notarized written consent or Special Power of Attorney (SPA) if applicant is through a representative:
	a. Duly approved board resolution for corporation
	b. Notarized written consent of co-owners
	c. Sangguniang barangay resolution
	Permit processing fee, P100.00/tree
Regulation	Supporting Documents for Chainsaw Permit Application
DENR AO-03-24	(For Agencies of the government, government-owned and controlled corporations)
	Duly accomplished application form
	Certification from the Head of Office or his/her authorized representative, that the chainsaws are owned/possessed by the office and will be used for legal purposes
	a. Specify the purpose of use
	Proof of the Detailed specification of chainsaws to be registered
	a. Brand, Model, Engine Capacity, Serial Number
	b. Purpose of Use
	c. Area/Location the chainsaw will be used
	d. Name of Owner
	e. Date of Purchase
	f. Name of Dealer
	Registration fee, P500.00/chainsaw
Regulation	Permit to Operate Standby Genset less than 300Kw
DENR 2004-26 & MC 2007-03	Duly accomplished and notarized application form (3 copies).
	For stand-by Generator Sets with less than 300 KW capacity, submit copy of manual/picture of the nameplate of the generator set.
Regulation	Excavation Permit
DPWH DO-026 s2011	DPWH Form – Excavation Permit

5.3 Subproject Implementation Phase

When government funds are readily available for civil works, consultant services, and land acquisition, the project implementation phase will be initiated. The project implementation begins with the winning bid and includes all aspects of contracting, construction, completion, and acceptance. In addition, this phase involves carrying out the required impact mitigation strategies, monitoring plans, and completing performance reporting requirements.

The engineering work on subprojects often has manageable impacts that can be mitigated by implementing the EMP, EMoP, RAP, and IPP measures. The contractor will be guided in preparing site-specific plans, such as the EMP, RAP, SEP, and IPP (if applicable), and allocating resources for the execution of mitigation measures in their bids by the safeguard

instruments produced for the project (e.g., ESMP, LMP, RPF, LARF, CFP, SEF). These safeguard instruments will be included in the bid and contract documents for the contractor. There will be particular provisions under "Environmental Clauses" (DO 245 s. 2003) in the procurement documents for the subprojects. The capacity of the contractor to implement the safeguard instruments will form part of the bid selection criteria.

To ensure compliance and facilitate adaptive management, timely and efficient monitoring is essential. The UPMO will be in charge of monitoring the contractor's application of the mitigating measures outlined in the site-specific construction EMP. The concerned District Engineering Office (DEO) or Regional Office (RO) of DPWH shall, if necessary, support the UPMO and the independent construction quality assurance company in their routine monitoring of subproject activities to verify that work is proceeding as planned, that it is according to plans and specifications, and to ascertain if environment, health, and safety measures—embodied in the safeguard instruments—are being appropriately implemented.

The designated UPMO-FCMC engineering staff, through the Safeguards Monitoring Section of the RO or DEO, will also monitor and evaluate onsite conditions and inspect work camps, materials yard, and waste storage and disposal site. The UPMO will check on workers' health and safety, the overall sanitation and housekeeping practices at the worksites, and meet with the community and other relevant stakeholders to inquire on any issues that they may have about the sub-project activities. The Environment and Social Safeguard Site Instruction Form and Inspection Checklist (**Appendix 10**) will be accomplished by the UPMO to document the findings during the site visit. Adverse findings during site inspections will be relayed immediately to the contractor through the site instruction so that corrective actions are implemented and closely monitored.

Regular compliance monitoring and reporting shall be observed throughout the implementation phase. The Contractor designated Pollution Control Officer (PCO), who may also be the designated Environmental, Health & Safety (EHS) Officer, is required to regularly submit monitoring reports to the pertinent DENR-EMB Regional Office where the subproject is located. The templates for the quarterly Self-Monitoring Report (SMR) are presented in **Appendix 11** and the semi-annual Compliance Monitoring Report (CMR) is in **Appendix 12**. The SMR and CMR is a requirement of the ECC and will form part of the regular monitoring reports of the UPMO-FCMC to the World Bank as specified in the Environmental and Social Commitment Plan (ESCP). To validate the contractors' compliance to the E&S requirements, the UPMO and/or its authorized regional/district counterparts shall conduct periodic project monitoring activities through the use of an E&S Safeguards Inspection Checklist (**Appendix 10**).

At the end of the construction activities, monitoring will be conducted to check whether the site has been satisfactorily restored. The site should be free of pollution and hazards left over from construction. The result of the inspection is critical because it is one of the bases whether the project may be turned over by the contractor or not.

The cost of implementing risk and impact mitigating measures in the ECCs and EMPs/EMoPs shall be included in the project budget of the UPMO-FCMC. The UPMO-FCMC shall ensure that the costs of implementing the environmental compliance and monitoring activities, as indicated in the SEMS Operations Manual, are included in the project budget. (DO 245 s. 2003 and DO 057 s. 2016). The budget for safeguards activities is proposed and approved annually through the Government Appropriations Act (GAA). Additional resources to support its

implementation can be mobilized through the provisions in the DENR-DPWH MOA (1999) which include the:

1. Contractor's All Risk Insurance (CARI) is provided as a replacement to Environmental Guarantee (EGF), to cover expenses for the following: indemnification/compensation of damage to life and property that may be caused by the implementation of the projects and abandonment/decommissioning of the project facilities related to the prevention of possible negative impact.
2. Quick Response Fund (QRF), supplementing CARI, will be used for emergency repairs/restorations of the critically damaged infrastructure facilities after calamity in order to restore mobility and ensure safety in the affected areas.
3. Environmental Monitoring Fund (EMF) for the Multipartite Monitoring Team (MMT) required for Category A projects is organized through the Bayanihan Approach, so that the participating representatives from different entities will charge their cost of participation from their respective offices.

5.4 Subproject Operation and Evaluation Phase

The concerned LGU will take over AWSPSA operation and maintenance upon project completion. The evaluation of the overall performance in implementing social and environmental safeguards is part of the Project Operation and Evaluation Phase. Measures for spillovers continue beyond construction. Therefore, in compliance with Section 16: Monitoring and Evaluation of the DPWH Social and Environmental Management Systems (SEMS) Operations Manual, periodic inspections and monitoring shall continue.

6. Public Consultation and Disclosure

Consultations with stakeholders, including national government agencies, local communities, and LGU officials, identified any community issues related to the project such as incidences of flooding, flood prone areas, availability of road access and materials stockpile area, proximity to sensitive receptors such as residential community and religious places, presence of cultural/historical sites, and trees/crops, and economic enterprises (e.g. farm product loading areas, copra dryers, etc.) that may be affected by the project. Considering and integrating the aforementioned community issues in the formulation of mitigation measures shall address concerns of opposition parties to the project, if there is any.

AWSPSA Stakeholder Engagement Plan (SEP). Consistent with WB ESS10, the SEP is aimed to identify the main stakeholders, and given the conflict situation in the area, describes the best approach to engage them. The SEP will also provide the opportunity to involve key stakeholders in the discussions, such that the project can be used as an instrument for peace building. The SEP also contains a GRM for stakeholders which applies to the Project.

Based on the DPWH Social and Environmental Management Systems (SEMS) Manual of 2021, initial public project announcement through courtesy calls, IEC and consultation with the regulatory agencies and LGUs, as well as with affected residents, civil societies, NGOs) shall be done as early as the project identification phase. This is to gather as early as possible, feedback and/or support for the project from the stakeholders and other interested parties.

Continuing stakeholder engagement and information disclosure during project implementation and operation is necessary, particularly during emergency response after the occurrence of a natural disaster such as earthquake or typhoon, and rehabilitation works may have to be urgently undertaken.

Grievance Mechanism. The DPWH and DILG will establish a functional and accessible Grievance Redress Mechanism (GRM) in accordance with the Social Engagement Plan (SEP) for this project. This GRM aims to promptly address concerns and grievances related to the Environmental and Social (E&S) performance of the AWSPSA. It will clearly outline procedures, responsible individuals, contact information, and the timeline for resolving grievances, ensuring that this information is widely communicated and understood.

Project management will implement the GRM before project activities commence, and all grievances and their resolutions will be documented and monitored regularly. Project workers will have access to the GRM in line with the Labor Management Procedures (LMP).

The GRM will aim to address grievances as quickly as possible, keeping the aggrieved party informed about the actions taken. If a complaint remains unresolved to the complainant's satisfaction, they may pursue legal options. The judiciary's decisions will be binding for the project if affected individuals choose this route for grievance redress. The GRM will pay special attention to vulnerable and physically disadvantaged individuals and will assess existing GRM entry points, including those related to Gender-Based Violence (GBV) and Sexual Exploitation and Abuse/Harassment (SEAH), to enhance them early in the project.

7. Institutional Arrangements, Responsibilities and Capacity Building

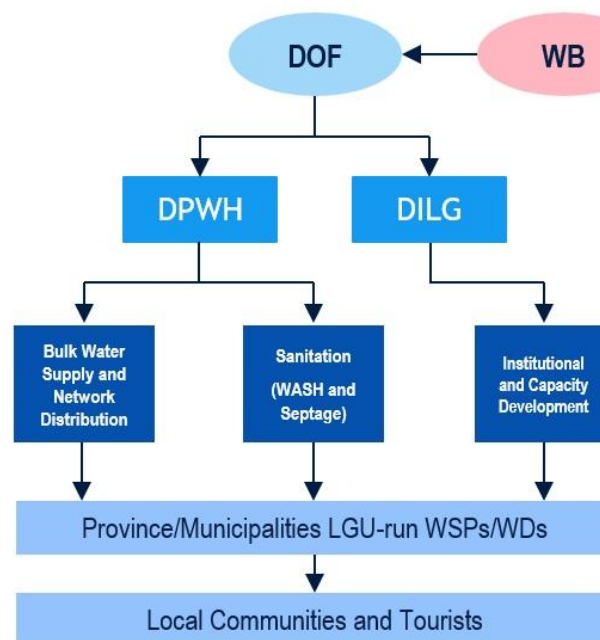
7.1 Institutional Arrangement and Responsibility

The DPWH is the proponent and lead agency for the PWSS project and will partner and co-implement the project with the DILG. The DPWH will be the implementing agency for **Component 1. Increasing Access to Safe Water Supply and Sanitation Services** (*Subcomponent 1a. Infrastructure investments for Safe Water Supply Services and Subcomponent 1b: Infrastructure Investments for Safe Sanitation Services*)

The DILG will implement **Component 2. Improving the operational performance of WSPs.** The **Component 3. Project Management and Supervision and Sector Studies**, this component will consist of capacity building and systems strengthening for the DPWH and the DILG to support achievement of the project objectives.

The institutional arrangements for the PWSS Project will build on the existing arrangement between DPWH and DILG on similar undertakings. See figure below for the Project Implementation Arrangements between DILG and DPWH.

Figure 5. Project Organizational Structure and Implementation Arrangements



The National Government will secure a loan from the World Bank through the Department of Finance (DoF). The Department of Public Works and Highways (DPWH) will be the implementing agency for the project while the Department of the Interior and Local Government (DILG) as the co-implementing agency.

DPWH and DILG will respectively implement projects based on their agency mandates. The DPWH for the design and construction of climate-resilient Water and Sanitation Facilities such as Bulk Water Supply and Network Distribution and Sanitation Facilities while the DILG for the Institutional and Capacity Development of Local Government Units (LGUs).

On the other hand, the Provincial Local Government Unit (PLGU) will be the recipient of the project. As the main proponent of the project their main project counterpart is to ensure the

support and cooperation of the city/municipal local government units (C/LGUs) *and water service providers* in their areas of jurisdiction.

The C/MLGU will be capacitated to ensure the fulfillment of their mandate of providing effective and efficient delivery of water and sanitation services, through the promotion of water regulation, management, and operation and maintenance of water supply and sanitation services at the local level.

On the hand of the Water Service Providers (WSPs), they will be capacitated for the effective and efficient of water service delivery through management, and operation and maintenance ensuring that WSPs are capacitated to ensure the project sustainability.

The overall impact will be that both local communities and tourists will gain access to safe water and improved sanitation facilities.

Table 10. Institutional Arrangement and Responsibility

Agency	Responsibility
Department of Public Works and Highways (DPWH)	<ul style="list-style-type: none"> Implementing Agency (IA) with overall responsibility for project construction and operation Ensure that sufficient funds are available to properly implement the ESMP. Ensure that project implementation complies with government environmental policies and regulations; Ensure that the project, regardless of its financing source, complies with the provisions of the ESMP, WB ESS, and GOP statutory requirements; Obtain necessary environmental approval(s)/clearances/permits from the DENR-EMB and/or other concerned government agencies prior to the commencement of civil works Ensure that tender and contract documents for design, supervision, and civil works include the relevant ESMP requirements. Establish information on an environmental grievance redress mechanism to receive and facilitate resolution of affected people's concerns; and Submit semi-annual monitoring reports on ESMP including the LMP, LARF, and SEP implementation to the WB.
Department of the Interior and Local Government (DILG)	<ul style="list-style-type: none"> Co-implementing agency Institutional and Capacity Development of Local Government Units (LGUs) and Water Service Providers Coordination to Local Government Units and Water Service Providers
DPWH-Unified Project Management Office (UPMO), Flood Control Management Cluster (FCMC)	<ul style="list-style-type: none"> Project Implementing Unit (PIU) with direct responsibility for the implementation of civil works, engineering designs, and project coordination, including the incorporation of ESMP design measures in the detailed design; Shall conduct an environmental and social assessment, prepare the necessary environmental

	<p>and social document, and secure the corresponding environmental clearance, whether ECC or CNC, prior to project implementation. (DO 057 s. 2016).</p> <ul style="list-style-type: none"> • Ensure that the cost of implementing these ESMP/CESMP conditions and mitigating measures in the ECCs and CESMPs/EMoPs is included in the project budget (DO 245 s. 2003). • Ensure that the costs of implementing the environmental compliance and monitoring activities, as indicated in the SEMS Operations Manual, are included in the project budget. (DO 245 s. 2003). • Ensure that ESMP/CESMP provisions are strictly implemented and monitored during various project phases (design/preconstruction, construction, and operation) to mitigate environmental impacts to acceptable levels; • Ensure compliance with environmental permits; and • Include relevant provisions of the ESMP in the bid and contract documents for design, civil works, and supervision. • Coordinate with DENR-EMB, LGUs, and other concerned agencies related to environmental aspects to maintain the project's compliance with environmental permits.
Provincial/Municipal Local Government Units	<ul style="list-style-type: none"> • Facilitate and in coordination to the PIO shall ensure that projects comply with environmental laws and regulations, reviewing ESMPs to ensure they meet local standards. • Facilitate and in coordination to the PIO shall issue necessary permits which includes the land acquisition based on the adherence to the ESMP. • Facilitate consultations with local communities and stakeholders to gather input and address concerns regarding the ESMP. • Involved in monitoring environmental indicators and social impacts, collecting data to evaluate the effectiveness of the ESMP. • Responsible for enforcing mitigation measures outlined in the ESMP, ensuring that any adverse impacts are minimized. • Impose penalties and in coordination to the PIO require corrective actions if project developers/contractors fail to adhere to the ESMP. • The P/C/MLGU shall provide a counterpart to ensure the effective implementation of the Component No. 2 capacity development program with the DILG. • The PLGU shall ensure the support and cooperation of the city/municipal local government units (C/MLGUs) and water service providers (WSPs) in their areas of jurisdiction. • The PLGU in coordination with the C/MLGUs shall ensure the availability of WSPs to manage, operate and maintain the water supply system. • The P/C/MLGU shall provide a counterpart in the operation and maintenance of WaSH facilities.

	<ul style="list-style-type: none"> • The P/C/MLGU shall assist and provide a counterpart fund in the conduct of land acquisition and resettlement of affected communities. • PLGU and the C/MLGU shall ensure compliance of WSPs to the E/S Standards as indicated on their MOU/MOA • The PLGU shall provide the necessary governance and regulatory support and assistance to ensure the strengthening of the local water governance and regulatory capacity of the beneficiary C/MLGUs (e.g. issuance of SP Ordinance/ Resolution, etc)
Water Service Provider (LGU-Managed Water Utility)	<ul style="list-style-type: none"> • The WSPs shall comply with the E/S Standards of the Project
National Water Resources Board (NWRB)	<ul style="list-style-type: none"> • Issuance of water permits for water extraction and utilization, ensuring that projects comply with environmental regulations. • Providing technical guidance on best practices for water supply and sanitation to minimize environmental impacts. • Ensures that water resources are managed sustainably, balancing supply with environmental and social needs • Economic Regulator for Waterworks Systems • Water Tariff regulation for water districts and private water service providers, except for the LGU-Managed Water Service Providers
Regional and District Engineering Offices of DPWH	<ul style="list-style-type: none"> • Assist the UPMO-FCMC and PIC in undertaking their environment-related tasks, such as the review of ESIA documents, the review of ESMP and Construction ESMP (CESMP), and monitoring and reporting on CESMP implementation and contractor compliance with GOP regulations applicable to AWSPSA
Detailed Engineering Design Consultant	<ul style="list-style-type: none"> • Incorporate into the project design the environmental protection and mitigation measures identified in the ESMP for the design/pre-construction stage; and • Assist UPMO to ensure that all relevant mitigation and monitoring measures from the ESMP are incorporated in the bidding and contract documents for project supervision and civil works.
Project Implementation Consultant	<ul style="list-style-type: none"> • Prior to the establishment of the contractor's facilities and the commencement of civil works, undertake a review of specific environmental management plans (e.g., borrow pits and quarries, develop spoil disposal facilities, etc.) to be prepared by contractors to ensure that such plans are consistent with the provisions of the ESMP. • Engage, as necessary, environment specialists who will undertake supervision and monitoring of CESMP implementation and the contractor's environmental performance; • Conduct periodic site visits to assess the status of CESMP implementation and the overall environmental performance of the project. • Review environmental monitoring reports submitted by the contractor to ensure that adverse impacts and risks are properly addressed;

	<ul style="list-style-type: none"> As part of day-to-day project supervision, closely supervise the contractor's implementation of mitigation measures specified in the CESMP, including monthly monitoring of the contractor's environmental performance and the overall contribution to the implementation of the project's ESMP; Prepare semi-annual environmental monitoring reports on the status of CESMP implementation for submission to DPWH; Based on the results of CESMP monitoring, identify environmental corrective actions and prepare a corrective action plan, as necessary, for submission to WB.
Project Contractor	<ul style="list-style-type: none"> Recruit a qualified environmental and safety officer (EHSO) to ensure compliance with environmental statutory requirements, contractual obligations, and CESMP/ESMP provisions; Provide sufficient funding and human and physical resources for the proper and timely implementation of the required mitigation and monitoring measures in the CESMP; and Implement additional environmental mitigation measures, as necessary, to avoid, minimize, and/or compensate for adverse impacts due to construction works and related activities performed by the contractor.
Department of Environment and Natural Resources (DENR) - Environmental Management Bureau (EMB)	<ul style="list-style-type: none"> Review and approve environmental assessment reports required by the government; and Undertake monitoring of the project's environmental performance based on their mandate.
Department of Health (DOH)	<ul style="list-style-type: none"> Ensures that health considerations are prioritized in the ESMP, ultimately safeguarding community well-being in water supply and sanitation initiatives. Manage public health emergencies that may arise from water supply and sanitation including WASH facilities concerns Regularly monitoring water quality and sanitation practices to ensure compliance with health regulations
Department of Education (DepEd)	<ul style="list-style-type: none"> Ensures that the WASH Facilities are properly maintained
Bangsamoro Autonomous Region of Muslim Mindanao (BARMM)	
Other oversight agencies: DHSUD - Department of Human Settlements and Urban Development NHA - National Housing Authority DENR - Department of Environment and Natural Resources PENRO - Provincial Environment and Natural Resources Office CENRO - City Environment and Natural Resources Office DOLE - Department of Labor and Employment	<ul style="list-style-type: none"> Review and approve environmental and social reports required by their respective agency, and Undertake monitoring of the project's environmental and social performance based on their mandate.

NCMF - National Conciliation and Mediation Board LGUs - Local Government Units NEDA - National Economic and Development Authority RDC - Regional Development Council	
World Bank	<ul style="list-style-type: none"> • Conduct periodic site visits to assess the status of E&S instruments' implementation and the overall environmental and social performance of the project. • Review environmental monitoring reports submitted by the Implementing Agency to ensure that adverse impacts and risks are properly addressed; and • Publicly disclose, through posting on the WBs website, environmental monitoring reports and corrective action plans prepared by the Implementing Agency during project implementation.

7.2 Institutional Strengthening and Capacity Building

The DILG as the co-implementing agency of the program shall lead the capacity development component of the program. This component No. 2 aims to contribute to the overall objective of the AWSPSA by improving the operational performance of WSPs and strengthening the local water governance and regulatory capacity of the beneficiary LGUs by promoting water regulation, management, and operation and maintenance of water supply and sanitation services at the local level. Specifically:

- It is designed to strengthen the capacity of the Provincial Local Government Units (PLGUs), City/Municipal Local Government Units (C/MLGUs) in their performance of their legal and regulatory roles and responsibilities which emanates from their mandate of providing water and sanitation services as the LGU and project/facility owner and
- Strengthen the capacity and performance of LGU-managed water utilities in the effective and operational efficiency delivery and quality of water supply and sanitation services.

The activities to be financed includes but not limited to the capacity development strategy guided by the Utility of the Future (UoF) Framework of the World Bank, to wit.

Table 11. Capacity Development Strategy

Component 2:	
Outcome Area 1. <i>Accountability and Utility Governance and Regulatory Framework Establishment</i>	<p>a. Setting-up of autonomous local water enterprises (LWEs) to ringfence the WSPs' finances and organization from the LGUs shall be founded from the concept of UoF Framework of Legal and Governance Framework, to wit;</p> <ul style="list-style-type: none"> • Public/Community Consultation • Identification/ Establishment/ Organization of Water Service Provider (WSP)

	<ul style="list-style-type: none"> • Legal and Regulatory Framework Established at the Local Level: LGU and WSP's Roles, Responsibilities and Mandates. • Capacity Development Trainings on the enhancement of the LGU's Local Regulatory Capacity
Outcome Area 2. <i>Water Utility Capacity Improvement</i>	<ul style="list-style-type: none"> b. assessing, organizing and capacitating the LWEs toward commercial approaches; c. assisting WSPs on developing business plans and tariffs; d. upskilling of the WSP staff for technical operations and for commercial operations; and e. developing overall WSP management skills. • Capacity Development Trainings on the enhancement of the Water Service Provider (WSP) to ensure the operational efficiency and quality of water supply and sanitation services. Specifically, clear structure and staffing, service coverage targets, service level improvement and sufficient tariffs to enable service sustainability. In essence, the capacity development strategy will be guided by the following components of the UoF; <ul style="list-style-type: none"> ○ Organization and Strategies. ○ Human Resource Management ○ Financial Management ○ Technical Management ○ Financial Management ○ Customer Service • Capacity Development Trainings on the enhancement of the Water Service Provider (WSP) on tariff setting

8. References

- Art. III, Sect. 9 of the 1987 Constitution: Private property shall not be taken for public use without just compensation.
- DENR AO 2003-27 SMR System
- DENR AO 2017-15 Guidelines on Public Participation under the Phil. EIS System
- DENR M.O. No. 2012-02- Uniform Replacement Ratio for Cut or Relocated Trees
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- DPWH. ESMF-Philippine Seismic Risk Reduction and Resilience Project (PSRRRP). December 2020.
- DPWH-JICA. Road Network Development Project in Conflict Affected Areas in Mindanao (Marawi City Ring Road).
- DPWH-JICA. PHI: Improving Growth Corridors in Mindanao Road Sector Project. May 2020.
- DPWH DO No. 43, Series of 2020. Guidelines for Right-of-Way (ROW) Acquisition and Payment of Ancestral Domain Affected by the Implementation of National Government Infrastructure Projects
- EMB MC 2007-002. Revised Procedure Manual to IRR DAO 03-30.
- EMB MC 2014-005. Revised Guidelines for Coverage Screening and Standardized Requirements under the PEISS.
- NEDA. Philippine Water Supply and Sanitation Master Plan. 2022.
- PD 1586 (1987) – Philippine EIS System and DENR AO 2003-30
- PD 705- Forestry Reform Code of the Philippines
- Presidential Decree 856 – Sanitation Code of the Philippines
- R.A. 6715. Labor Code of the Philippines.
- RA 6685 – An act requiring private contractors, including subcontractors, to whom awards are made for the undertaking of national and local public works projects funded by either the National Government or any local government unit including foreign-assisted projects must hire at least fifty percent (50%) of the unskilled and thirty percent (30%) of the skilled labor requirements from the unemployed bona fide and actual residents in the province, city and municipality in which the projects are to be undertaken.
- RA 8749 – Philippine Clean Air Act and DENR AO 2000-81
- RA 9275 – Philippine Water Air Act and DENR Administrative Order 2016-08
- RA 9003 – Ecological Waste Management Act and DENR AO 2001-34
- RA 6969 - Toxic Substances and Hazardous and Nuclear Wastes Control Act
- RA 11058 - Occupational Safety and Health Standards
- RA 7279 Urban Development and Housing Act of 1992
- RA 9147- The Philippines' Wildlife Act
- RA 7586 and 11038 - National Integrated Protected Areas System
- RA 8371 – Indigenous Peoples Rights Act (IPRA)
- RA 10066 Philippine Cultural Heritage Act
- DENR AO 2017-15 Guidelines on Public Participation under the Phil. EIS System
- Local Government Code of 1991
- RA 10752 – An Act facilitating the Acquisition or Right of Way, Site or Location for National Government Infrastructure Projects.
- RA 7279 Urban Development and Housing Act of 1992
- WB Environmental and Social Framework (ESF)

Appendix 1

**Initial List of Potential
Project Areas**

DRAFT

Initial List of Potential Project Areas

The AWSPSA aims to create economies of scale through the development of bulk water sources that can serve multiple areas and jurisdictions. To align with this approach, prioritization was undertaken across provinces, rather than across municipal LGUs as is the current practice of NG. This reflects the AWSPSA's approach of addressing water security in a more efficient way.

1. Prioritization Criteria

The prioritization of provinces for AWSPSA support considered the following criteria, which are already being used by the GoP. The criteria are also consistent with EO No. 138, s. 2021, which establishes the cases where NG can support devolved LGU functions.

The criteria have been generally adopted from the Water Sector Program Convergence Budgeting (PCB) Guidelines and URAF criteria, supplemented by readiness and externalities criteria:

- **The WSS sector's URAF criteria**, which prioritize areas with low level of access; high incidence of poverty; and incidence of water-borne diseases;
- **The water sector's Program Convergence Budgeting (PCB) criteria**, which comprise economic and social, technical and environmental, and other criteria;
- **Provinces where there is likely to be other consequent externalities as a result of providing WSS services**, on top of health and environmental externalities, which are already covered by the URAF and PCB criteria. Some examples of positive externalities include the sustainability of the tourism sector and support to peace and security. The prioritization of provinces where WSS investments has consequent externalities is consistent with EO No. 138, s. 2021. The EO provides that NG can support LGUs where there are significant inter-jurisdictional externalities or benefit or cost spillovers.
- **Provinces that are ready for investment, as evidenced by pre-feasibility studies (pre-FS) and FS, implementation arrangements between the NG and province, and can be implemented in 5-7 years.** Readiness for investment is highlighted because there is opportunity cost if money is allocated to a project, but the project is unable to use the capital because of issues such as right-of-way, lack of water permit, lack of clarity in implementation arrangement, and other such issues.

The overall framework for prioritization, as well as the criteria and weights, are shown in Table 1 below.

Table 1: AWSPSA Prioritization Framework and Criteria for Ranking Provinces

CRITERIA		Notes and Data Sources	Weights	Scoring
1	Economic and Social		40%	100
1.1.	Level of access: the lower the level of access to water and sanitation projects the higher the score	Provincial-level data from FHSIS (2022)		40
1.2.	Poverty incidence: the higher the poverty incidence the higher the score	1st quarter 2023 poverty estimates from PSA		30
1.3.	Incidence of water-borne diseases: the higher the incidence of water borne diseases the higher the score	Provincial-level data from FHSIS (2022) on acute bloody diarrhea and acute watery diarrhea		30
1.4.	Positive externalities: higher score if there is likely to be other consequent positive externalities as a result of providing WSS services, in support of other national priorities (sustainability of tourism sector and support to peace)	For peace: used DSWD's identified conflict-affected areas for its PAMANA program. For tourism: used DOT's top 20 tourist destinations.		
2	Technical and Environmental		30%	100
2.1.	Susceptibility/vulnerability to climate hazards			

2.1.1.	Vulnerability to climate hazards	Used DENR's identified 22 vulnerable provinces under the CCAM-DRR (see worksheet "CCAM-DRR Vulnerable Provinces")		50
2.1.2.	At risk of water scarcity	Used JICA's identified provinces of high water scarcity risk (2022) (see worksheet "Water Scarcity Risk")		50
3	Others		30%	100
3.1.	With feasibility study	Those with feasibility study and preliminary agreement between NG and province on implementation arrangements will be prioritized.		50
3.2.	Readiness	Those in the process of securing water permits and right-of-way will be prioritized.		40
3.2.1.	Availability of an adequate water source for water supply systems			10
3.2.2.	With water permits			10
3.2.3.	Project site/location must be government-owned, free from any right-of-way claim or any other claim for resettlement or relocation			10
3.2.4.	With provision for operations and maintenance (O&M) and turnover to the LGU or another entity in accordance with existing laws			10
3.2.	LGU performance ((e.g., alignment to Seal of Good Local Governance [SGLG], others)	Based on DILG's 2023 Seal of Good Local Governance		10
TOTAL			100%	

2. Ranking of Provinces

Following the criteria discussed previously, the top 20 provinces have been identified (Table 4). But only eight provinces – Negros Occidental, Bohol, Surigao del Norte, Sulu, Zamboanga del Norte, Lanao del Norte, Zamboanga del Sur, and Zamboanga Sibugay – have FS. Given that they have existing FS, this means that they are the only ones that can be prioritized by the GoP for implementation at the moment.

Among the eight provinces with FS, Negros Occidental, Bohol, Sulu, and Surigao del Norte (Siargao Island) have the most updated FS and mature discussions with the provincial governments.

Negros Occidental is being prepared as a public-private partnership (PPP) project and already in the PPP Center's pipeline.³⁸ Hence, the remaining provinces – Bohol, Sulu, and Surigao del Norte – have been prioritized under the AWSPSA. Subsequent WSS investment can consider the other remaining highly ranked provinces shown in the table below: Zamboanga del Norte, Zamboanga del Sur, Zamboanga Sibugay, and Lanao del Norte. The DILG has previously sought assistance for these projects.

Table 2: Top 20 Ranked Provinces

Rank	Province	Score
1	Negros Occidental	74
2	Bohol	67
3	Surigao del Norte	59
4	Zamboanga del Norte	58
5	Sulu	58
6	Camarines Sur	55
7	Lanao del Norte	54
8	Bukidnon	51
9	Camarines Norte	50
10	Catanduanes	50

Rank	Province	Score
11	Negros Oriental	50
12	Quezon	47
13	Albay	47
14	Siquijor	46
15	Northern Samar	46
16	Masbate	43
17	Cebu	43
18	Easter Samar	43
19	Zamboanga del Sur	43
20	Zamboanga Sibugay	43

3. AWSPSA Subprojects

This section summarizes the subprojects of AWSPSA. The full FS of each of the subprojects are attached as Appendices to this report. Table 3 provides a summary of each subproject.

Table 3: AWSPSA Sub-projects Summary

Project		Project Scope	Beneficiaries by 2031
1	Bohol	<p><u>Infrastructure</u></p> <ul style="list-style-type: none"> ▪ Water supply (surface water source development, transmission, distribution) ▪ WASH <p><u>TA and capacity development</u></p> <ul style="list-style-type: none"> ▪ TA on sanitation, sewerage and watershed management ▪ Capacity development 	<ul style="list-style-type: none"> ▪ Water supply for 219,997 people and for tourism ▪ WASH for 45,225 people
2	Siargao	<p><u>Infrastructure</u></p> <ul style="list-style-type: none"> ▪ Water supply (surface water source development, distribution) ▪ Sanitation ▪ WASH <p><u>TA and capacity development</u></p> <ul style="list-style-type: none"> ▪ TA on sewerage, water resources and energy assessment ▪ Capacity development 	<ul style="list-style-type: none"> ▪ Water supply for 46,970 people and for tourism ▪ Sanitation for 85,128 people ▪ WASH for 47,556 people
3	Jolo	<p><u>Infrastructure</u></p> <ul style="list-style-type: none"> ▪ Water supply (surface water source improvement, replacement of distribution network, construction and rehabilitation of new reservoirs) ▪ WASH <p><u>TA and capacity development</u></p> <ul style="list-style-type: none"> ▪ TA on water sources ▪ TA on sanitation ▪ Capacity development 	<ul style="list-style-type: none"> ▪ Water supply for 72,243 people ▪ WASH for 34,772 people

3.1 Bohol

The Bohol Bulk Water Supply, Distribution, and Sanitation Project (the “Bohol Project”) aims to improve and expand WSS services in the Loboc Cluster located in the western Bohol Province. The Bohol Project includes water source development, water supply and distribution, and a long-term master plan on sanitation. It also includes the provision of WASH facilities in public places. Finally, it will promote utility reforms and capacity building for key stakeholders to ensure efficient WSS operations and sustainability.

Currently, there is an existing gap in water supply access and availability in the Loboc Cluster. The WSS services are not able to cope with the population growth and robust economic activity, particularly tourism. Poor services, slow expansion to achieve 100 percent coverage, and unsustainable WSS services are some of the key issues. An evaluation of surface water sources and LGU clusters around these sources has led to the identification of the Loboc River Source Cluster – which covers 7 municipalities and the capital city of Tagbilaran – as a priority for bulk water development.

3.2 Siargao

Siargao faces a significant water supply-demand gap, which is exacerbated by the impacts of climate change; insufficient support infrastructures; and the rapid increase in tourist arrivals. Only 41.1 percent of households are served by Level III (piped) water supply systems, leaving the majority of the population without reliable access to safe water. This limited access contributes to the growing incidence of waterborne diseases. Additionally, the absence of wastewater management programs and the lack of supporting infrastructure pose long-term risks to public health and environmental sustainability.

3.3 Jolo

The Improvement of the Water Supply Services to the Municipality of Jolo (the “Jolo Project”) aims to improve and expand WSS services in all the eight barangays in the Municipality of Jolo, including four barangays in the adjacent Municipality of Patikul, and one barangay in the Municipality of Indanan, in the Province of Sulu. The existing water system in these municipalities is being managed and operated by the Jolo Mainland Water District (JMWD). The JMWD has a pending application for change of name to Sulu Mainland Water District (SMWD).

One of the primary issues facing the JMWD is its deteriorating assets, which affects the delivery of water supply services. This issue has led to high levels of NRW (42 percent) and low pressure throughout the system. Despite recognition of this issue, the JMWD is unable to upgrade or replace its assets because of its lack of financial capability. Its inadequate financial capacity, in turn, is due to the low ability to pay its customers, which limits tariffs. The declining service delivery of JMWD has led to 10,094 customers disconnecting from the water district in 2019.

The Jolo Project, therefore, aims to restore and enhance the water supply services of JMWD. The objective is to address the needs of the existing customers and reconnect and reactivate 8,151 inactive service connections, to increase the served population. The Jolo Project will achieve this objective by developing an 18.08 MLD supply source from springs within Jolo and adjacent barangays in Indanan and Patikul; improving the quality of water supply; ensuring 24 hour availability and reliability; and maintaining adequate pressure.

Appendix 1.1

Environmental and Social Impact Assessment for Bohol

(Currently being updated)

DRAFT

Appendix 1.2

Environmental and Social Impact Assessment for Siargao

(Currently being updated)

DRAFT

Appendix 1.3

Environmental and Social Impact Assessment for Sulu

(Currently being updated)

DRAFT

Appendix 2

**Environmental and Social
Risk/Impact Screening Form**

DRAFT

1. Project Screening for Safeguards

Checklist PART I. Screening of Requirements

Name Proponent Office				
Name of Proposed Project				
Type of Project				
Administrative Location: Barangay, Town/Municipality, Province				
Size / Capacity				
Footprint Length, m				
Footprint Width, m				
Footprint Area, m ²				
Height of structure from groundlevel, m (e.g. for bridges, buildings)				
Other applicable parameter (e.g. water holding capacity in m ³)				
please put check mark (✓) on applicable item				
Project Category Based on Part II				
Environmental Certificate to Acquire	A		C	
	B		D	
EIA Report Required for Submission	Environmental Compliance Certificate (ECC)			
	Certificate of Non-Coverage (CNC)			
	<div style="border: 1px solid black; padding: 2px;">Environmental Impact Statement (EIS)</div> <div style="border: 1px solid black; padding: 2px;">Initial Environmental Examination Checklist (IEEC)</div> <div style="border: 1px solid black; padding: 2px;">Project Description (PD)</div>			
EMB Office to Process and Approve	Environmental Performance and Management Plan (EPRMP)			
Remarks	EMB Central Office			
	EMB Regional Office			

Refer to EMC 2014-005 Manual for guidance.

2. PART II. Project Thresholds for Coverage Screening and Categorization

Projects based on Annex A of EMC 2014-005

Projects/Description	Covered (Required to Secure ECC)			Not Covered (May secure CNC)
	Category A: ECP	Category B: Non-ECP		Category D
	EIS	EIS	IEE Checklist	PD (Part I only)
3. INFRASTRUCTRE PROJECTS				
3.1 Dams, Water Supply and Flood Control Projects				
3.1.1 Dams (including those for irrigation, flood control, water source and hydropower projects) including run-of-river type [by Reservoir flooded/inundated area or/and water storage capacity]	≥ 25 hectares Or ≥ 20 million m ³	> 5 hectares but < 25 hectares OR > 5 million m ³ but < 20 million m ³	≤ 5 hectares AND ≤ 5 million m ³	None
3.1.2 Irrigation projects (distribution system only) [by service area]	None	$\geq 1,000$ hectares (service area)	> 300 but $< 1,000$ hectares	≤ 300 hectares
3.1.3 Water Supply Projects (without dam)	None	With water source (e.g. infiltration gallery, etc.) and water treatment facilities including desalination, reverse osmosis (RO)	Levels III (Distribution systems only)	Level II / Level I Water refilling station
3.3 Reclamation and other Land Restoration Projects [by area reclaimed/restored]	≥ 25 hectares	≥ 5 hectares but < 25 hectares	< 5 hectares	None
3.4 Roads and Bridges				
3.4.1 Roads, new construction (length with no critical slope)	National Road ≥ 20.0 km)	Provincial Road and other Types of Roads: ≥ 20.0 km	All types of road: > 2 but < 20.0 km, km	≤ 2 km
(length with critical slope)	National Road ≥ 10 km	Provincial Road and other Types of Roads:	All types of road: > 2 km but < 10 km.0 km	≤ 2 km

Projects/Description	Covered (Required to Secure ECC)			Not Covered (May secure CNC)
	Category A: ECP	Category B: Non-ECP		Category D
	EIS	EIS	IEE Checklist	PD (Part I only)
		≥10 km		
3.4.2 Road, widening, rehabilitation and/or improvement	None	> 50% increase in capacity (or in terms of length/width) AND ≥ 20.0 km (length with no critical slope) OR ≥ 10.0 km (length with critical slope)	> 50% increase in capacity (or in terms of length/width) AND >2 km but < 20.0 km (length with no critical slope) OR > 2 km but < 10.0 km (length with critical slope)	> 50% increase in capacity (or in terms of length/width) but ≤ 2 km increase in length
3.4.3 Bridges and viaducts (including elevated roads), new construction	≥ 10.0 km	≥ 5 km but < 10.0 km	>50 m but <5.0 km	≤50 m Regardless of length for footbridges or for pedestrian only
3.4.4 Bridges and viaducts (including elevated roads), rehabilitation and/or improvement	None	≥ 50% increase in capacity (or in terms of length/width) OR ≥10 km	≥ 50% increase in capacity (or in terms of length/width) but <total length in 10 km	≤ 50% increase in capacity (or in terms of length/width) but ≤ 2 km increase in length
3.4.5 Roads-flyover/cloverleaf/interchanges	None	None	Regardless of length or width	None
3.4.6 Pedestrian passages	None	None	All underpass projects	All overpass projects
3.4.7 Tunnels and sub-grade roads and railways	≥ 1.0 km	< 1.0 km	None	None
3.4.8 On-grade railway system, new	Regardless of length and width	None	None	None
3.6 Buildings Including Housing, Storage Facilities and Other Structures				
3.6.2 All office and residential building such as motels, condominiums	None	> 5 hectares	> 1 hectare but < 5 hectares	≤ 1 hectare

Projects/Description	Covered (Required to Secure ECC)			Not Covered (May secure CNC)
	Category A: ECP	Category B: Non-ECP		Category D
	EIS	EIS	IEE Checklist	PD (Part I only)
SCHOOLS, etc. including storage facilities with no hazardous or toxic materials [by Total floor area including parking, open space and other areas]				

Source: EMC 2014-005

Notes:

- The more stringent requirement shall apply to projects which fall in more than one project type classification in Annex A.
- DPWH projects include enhancement projects (e.g. flood control projects and slope protection project) intended to enhance the quality of the environment or directly address existing environmental problems. EMC 2014-005 requires proponents to submit Project Description (See Annex D for the format/outline) to EMB Regional Office to determine if the project or undertaking:
 - falls under Category C hence, may be issued of Certificate of Non-Coverage (CNC) or
 - falls under Category A or B with require an ECC
- For Projects not listed in EMC 2014-005 (e.g. rainwater collector) shall be referred to EMB Regional Office for categorization through the submission of Project Description (Annex D).
- Category of multiple component project (e.g. road with bridges)
 - Components are defined as facilities, modules or parts of a project whose viability and existence depend exclusively on the project and/or whose outputs, goods or services are essential for successful operation of the entire project. Stand-alone project consists of single facility or module that can function independently.
 - The category for project with multiple components shall be determined by the highest category.
 - For project with multiple components falling under a single category (say, Category B) but with the same or different report requirements, the categorization shall be based on all components of the entire project (i.e. both existing and new/propose). The following computations shall apply.

Coverage Report Requirement Total Score = $q_1/Q_1 + q_2/Q_2 + \dots + q_n/Q_n$

where q = capacity of component (i)

Q = capacity of threshold for component (i) for the EIA report If the total score is

less than 1.0 then the EIA Report for Q apply.

3. PART III. Screening of Environmentally Critical Areas

	ECA Category per EMC 2014-005	Presence (Y/N)	Remarks/ Name of ECA / Location with Respect to Project Footprint
1.	Areas declared by law as national parks, watershed reserves, wildlife preserves, and sanctuaries <ul style="list-style-type: none"> Areas declared as such under Republic Act No. 7586 or the National Integrated Protected Areas System (NIPAS) Act. [Amended by RA 11038, Expanded National Integrated Protected Areas System Act of 2018] 		
	<ul style="list-style-type: none"> Areas declared as such through other issuances from pertinent national and local government agencies such as presidential proclamations and executive orders, local ordinances and international commitments and declarations 		
2.	Areas set aside as aesthetics, potential tourist spots <ul style="list-style-type: none"> Aesthetic potential tourist spots declared and reserved by the LGU, DOT or other appropriate authorities for tourism development 		
	<ul style="list-style-type: none"> Class 1 and 2 caves as cited in EMB MC 2014-004 and defined under DENR MC 2013-03 and significant caves as may be determined by BMB and EMB 		
3.	Areas which constitute the habitat for any endangered or threatened species of Indigenous Philippine wildlife (Flora and Fauna) <ul style="list-style-type: none"> Areas identified as key biodiversity areas (KBAs) by BMB, 		
	<ul style="list-style-type: none"> Areas declared as Local Conservation Areas (LCA) through issuances from pertinent national and local government agencies such as presidential proclamations and executive orders, local ordinances and international commitments and declarations. 		
4.	Areas of unique historic, archaeological, geological, or scientific interests <ul style="list-style-type: none"> All areas declared as historic site under RA 10066 by the NHCP 		
	<ul style="list-style-type: none"> The whole barangay or municipality, where archeological, paleontological and anthropological sites/reservations are located as proclaimed by the National Museum 		
	<ul style="list-style-type: none"> The whole barangay or municipality, as may be applicable, of cultural and scientific 		

	ECA Category per EMC 2014-005	Presence (Y/N)	Remarks/ Name of ECA / Location with Respect to Project Footprint
	significance to the nation as recognized through national or local laws or ordinances (e.g. declared geological monuments and scientific research areas and areas with cultural heritage significance as declared by the LGUs or NCCA)		
5.	Areas which are traditionally occupied by cultural communities or tribes <ul style="list-style-type: none"> Areas issued Certificate of Ancestral Domain Title (CADT) or Certificate of Ancestral Land Title (CALT) by National Commission on Indigenous Peoples (NCIP) 		
	<ul style="list-style-type: none"> Areas issued Certificate of Ancestral Domain Claim (CADC) or Certificate of Ancestral Land Claim (CALC) by the DENR 		
	<ul style="list-style-type: none"> Areas that are historically/traditionally occupied as ancestral lands or ancestral domains by indigenous communities as documented in reputable publications or certified by NCIP 		
6.	Areas frequently visited and or hard hit by natural calamities The area shall be so characterized if any of the following conditions exist:		
6.1	Geologic hazard areas: <ul style="list-style-type: none"> Areas classified by the MGB as susceptible to landslide 		
	<ul style="list-style-type: none"> Areas identified as prone to land subsidence and ground settling; areas with sinkholes and sags as determined by the MGB or as certified by other competent authorities 		
6.2	Flood-prone areas <ul style="list-style-type: none"> Areas with identified or classified by MGB or PAGASA as susceptible or prone to flood 		
6.3	Areas frequently visited or hard-hit by typhoons: <ul style="list-style-type: none"> For purposes of coverage, depressions, storms and typhoons will be covered in the category 		
	<ul style="list-style-type: none"> This shall refer to all provinces affected by tropical cyclone in the past 		
6.4	Areas prone to volcanic activities/earthquakes: <ul style="list-style-type: none"> This refers to all areas around active volcanoes designated by Philippine Institute of Volcanology and seismology (PHIVOLS) as Permanent Danger Zone as well as areas delineated to be prone to pyroclastic flow 		

	ECA Category per EMC 2014-005	Presence (Y/N)	Remarks/ Name of ECA / Location with Respect to Project Footprint
	hazard, lave flow hazard, lahar hazard and other volcanic hazard as found applicable per active volcano.		
	<ul style="list-style-type: none"> This refers to all areas identified by Philippine Institute of Volcanology and Seismology (PHIVOLCS) to be transected by active faults and their corresponding recommended buffer zones, as well as areas delineated to be prone to ground-shaking hazard, liquefaction hazard, earthquake-triggered landslide hazard and tsunami hazard. 		
7.	<p>Areas with critical slope: All lands with slope of 50% or more classified as geohazard by MGB.</p> <p>This shall refer to all lands with slope of 50% or more as determined from latest official topographic map from NAMRIA</p>		
8.	<p>Areas classified as prime agricultural lands</p> <p>Prime Agricultural lands shall refer to lands that can be used for various or specific agricultural activities and can provide optimum sustainable yield with a minimum of inputs and developments costs as determined by DA, NIA or concerned LGU through their zoning ordinance</p>		
9.	<p>Recharge areas of aquifers</p> <ul style="list-style-type: none"> Recharge areas of aquifers shall refer to sources of water replenishment where rainwater or seepage actually enters the aquifers 		
	<ul style="list-style-type: none"> Areas under this classification shall be limited to all local or non-national watersheds and geothermal reservations 		
10.	<p>Water bodies</p> <p>All natural water bodied (e.g., rivers, lake, bay) that have been classified or not</p>		
11.	<p>Mangrove areas</p> <p>Mangrove areas as mapped or identified by DENR</p>		
12.	<p>Coral reefs</p> <p>Coral reefs as mapped or identified by DENR and/or DA-BFAR.</p>		

Note: Please indicate the sources of information are NAMRIA topographic map, Google Earth Pro, websites, existing database.

4. PART IV. Screening of Potential Impacts and Mitigating Measure

Overview of Environment	Potential Impact	General Statement on Degree of Impact	General Statement on Measures														
A. The Land																	
A1. Land Use																	
<table border="1"> <tr> <td colspan="2">Zone Classification</td> </tr> <tr> <td>Residential</td> <td></td> </tr> <tr> <td>Commercial/ Institutional</td> <td></td> </tr> <tr> <td>Industrial</td> <td></td> </tr> <tr> <td>Agricultural/ Recreational</td> <td></td> </tr> <tr> <td>Protected Areas</td> <td></td> </tr> <tr> <td>Others, specify</td> <td></td> </tr> </table>	Zone Classification		Residential		Commercial/ Institutional		Industrial		Agricultural/ Recreational		Protected Areas		Others, specify		a. Impact in terms of compatibility with existing land use; b. Impact on compatibility with classification as an Environmentally Critical Area (ECA); c. Impact in existing land tenure issue/s; d. Impairment of visual aesthetics e. Devaluation of land value as a result of improper solid waste management and other related impacts		
Zone Classification																	
Residential																	
Commercial/ Institutional																	
Industrial																	
Agricultural/ Recreational																	
Protected Areas																	
Others, specify																	
A2. Morphology/ Topography/ Geology																	
<table border="1"> <tr> <td colspan="2">Slope:</td> </tr> <tr> <td>flat (0-3%)</td> <td></td> </tr> <tr> <td>gently sloping to rolling (3-18%)</td> <td></td> </tr> <tr> <td>steep (>18%)</td> <td></td> </tr> </table>	Slope:		flat (0-3%)		gently sloping to rolling (3-18%)		steep (>18%)		a. Change in surface landform/ geomorphology/ topography/ terrain/slope; b. Change in sub-surface geology/underground conditions; and c. Inducement of subsidence, liquefaction, landslides, mud / debris flow, etc.								
Slope:																	
flat (0-3%)																	
gently sloping to rolling (3-18%)																	
steep (>18%)																	
A3 Pedology																	
<table border="1"> <tr> <td colspan="2">Existing soil type in the area:</td> </tr> <tr> <td>sandy</td> <td></td> </tr> <tr> <td>clay</td> <td></td> </tr> <tr> <td>sandy-loam</td> <td></td> </tr> <tr> <td>Others, specify</td> <td></td> </tr> </table>	Existing soil type in the area:		sandy		clay		sandy-loam		Others, specify		a. Loss of top soils, generation of overburden and soil erosion. b. Change in the soil fertility and quality.						
Existing soil type in the area:																	
sandy																	
clay																	
sandy-loam																	
Others, specify																	
A4. Terrestrial Flora																	
<table border="1"> <tr> <td>Forestland</td> <td></td> </tr> <tr> <td>Marshland</td> <td></td> </tr> <tr> <td>Grassland</td> <td></td> </tr> </table>	Forestland		Marshland		Grassland		a. Vegetation removal and loss of habitat; b. Threat to existence and/or loss of important local species										
Forestland																	
Marshland																	
Grassland																	

Overview of Environment		Potential Impact	General Statement on Degree of Impact	General Statement on Measures											
<table border="1"> <tr> <td>Mangrove</td> <td></td> </tr> <tr> <td>Wetland</td> <td></td> </tr> <tr> <td>Others, specify</td> <td></td> </tr> </table>	Mangrove		Wetland		Others, specify		c. Threat to abundance, frequency and distribution of important species.								
Mangrove															
Wetland															
Others, specify															
A.5 Terrestrial Fauna															
	a. Threat to existence and/or loss of important local species;														
	b. Threat to abundance, frequency and distribution of important species; and														
	c. Hindrance to access of wildlife.														
B. The Water															
B1. Hydrology															
<table border="1"> <tr> <td colspan="2">Distance to nearest water body:</td> </tr> <tr> <td>0 to less than 0.5 km</td> <td></td> </tr> <tr> <td>0.5 to 1 km</td> <td></td> </tr> <tr> <td>More than 1 km</td> <td></td> </tr> </table>	Distance to nearest water body:		0 to less than 0.5 km		0.5 to 1 km		More than 1 km		a. Change in drainage morphology,						
	Distance to nearest water body:														
	0 to less than 0.5 km														
	0.5 to 1 km														
	More than 1 km														
	c. Inducement of flooding,														
	d. Reduction in stream volumetric flow,														
e. Change in stream, lake water depth,															
f. Depletion of water resources, and															
g. Competition in water use.															
B2. Oceanography															
	a. Change/disruption in water circulation pattern, littoral current,														
	b. Coastal erosion and deposition, and														
	c. Change in bathymetry														
B3. Water Quality															
<table border="1"> <tr> <td colspan="2">Current Water Use</td> </tr> <tr> <td>Fishery</td> <td></td> </tr> <tr> <td>Tourist Zone / Park</td> <td></td> </tr> <tr> <td>Recreational</td> <td></td> </tr> <tr> <td>Industrial</td> <td></td> </tr> <tr> <td>Agricultural</td> <td></td> </tr> </table>	Current Water Use		Fishery		Tourist Zone / Park		Recreational		Industrial		Agricultural		a. Degradation of surface water quality		
	Current Water Use														
	Fishery														
	Tourist Zone / Park														
	Recreational														
	Industrial														
Agricultural															
b. Degradation of Groundwater quality															
B4. Aquatic Ecology (Freshwater and Marine)															
	a. Threat to abundance, frequency and distribution of species														

Overview of Environment	Potential Impact	General Statement on Degree of Impact	General Statement on Measures										
	b. Loss of important species												
	c. Loss of habitat												
C. The Air													
C1. Meteorology and Climatology													
<table border="1"> <tr> <td colspan="2">Climate Type</td> </tr> <tr> <td>Type 1</td> <td></td> </tr> <tr> <td>Type 2</td> <td></td> </tr> <tr> <td>Type 3</td> <td></td> </tr> <tr> <td>Type 4</td> <td></td> </tr> </table>	Climate Type		Type 1		Type 2		Type 3		Type 4		a. Change in the local climate (e.g local temperature),		
Climate Type													
Type 1													
Type 2													
Type 3													
Type 4													
	b. Contribution to global greenhouse gas												
C2. Air Quality													
	a. Temporary degradation of air quality												
C3. Noise													
	a. Increase in noise level												
D. The People													
<table border="1"> <tr> <td>Rural</td> <td></td> </tr> <tr> <td>Urban</td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Class</td> <td></td> </tr> </table>	Rural		Urban				Class		a. Displacement of settler/s				
Rural													
Urban													
Class													
	b. Displacement / disturbance of properties												
	c. Change/conflict in land ownership												
	d. Change/conflict in right- of-way												
	e. In-migration, proliferation of informal settlers												
	f. Cultural/Lifestyle change (especially on Indigenous Peoples, if any)												
	g. Displacement of livelihood												
	h. Generation of Local Benefits from the project												
	i. Enhancement of employment and livelihood opportunities												
	j. Increased business opportunities and associated economic activities												
	k. Increased revenue of LGUs												
	l. Threat to public health and safety												
	i. Threat to delivery of												

Overview of Environment	Potential Impact	General Statement on Degree of Impact	General Statement on Measures
	basic services/resource competition		
	j. Traffic congestion		

Highlights

Environment
Potential Impacts (spatial extent and level)
Mitigating Measures

**5. PART V. Other Government Instruments to Acquire /
Comply**

	Instrument	Yes (Y)	Remarks
1.	PAMB Clearance		
2.	NCIP Certification Precondition		
3.	NCIP Certificate of Non-Overlap		
4.	Special Land Use Permit (SLUP)		
5.	Forest Landuse Agreement for Tourism Purposes (FLAgT)		
6.	Foreshore Lease Agreement (FLA)		
7.	Area Clearance for Reclamation		
8.	LLDA Clearance		
9.	Tree Removal or Relocation Permit		
10.	Coconut Tree Cutting Permit		
11.	Engineering Geological and Geohazard Assessment Report (EGGAR)		

PART VI. Initial List of Potential Stakeholders

based on DAO 2017-15 Section 5.2

Group	Identity / Name	Remarks
A. Local government units in areas where all project facilities are proposed to be constructed/situated and where all operations are proposed to be undertaken		
B. Government agencies with related mandate on the type of project and its impact		
C. Interest group (NGOs/POs) preferably those with mission/s specifically related to the type and impact of the proposed undertakings		
D. Households, business activities, industries that will be displaced		
E. People whose socio-economic welfare and cultural heritage are project to be affected by the project especially vulnerable sectors and indigenous populations		
F. Local institutions (schools, churches, hospital)		

Include stakeholders within the project footprint, immediate neighbor, and influence areas (say within 100 meter from the project physical works that would be affected by significant dust emission, noise and traffic).

6. PART VII. Initial Technical Inputs to Feasibility Study

--

The Safeguard Team shall endeavor to provide possible alternatives for the location of the project based on the information gathered from above activities.

7. PART VIII. Inputs to Contracting out Environmental Services in the Project FS Bid Document

--

The Safeguards Team shall review the standard bid documents for the Feasibility Study with environmental clauses. The review includes proposals for additional clauses specific to the project, especially on specific data on the environment, as generally required in the IEE Checklist and EIS Technical Screening/Scoping Checklist

Prepared by (Print Name and Sign)	
Date Signed	

Appendix 3

**Labor Management
Procedures**

DRAFT

1. INTRODUCTION

This Labor Management Procedures (LMP) document has been developed as part of the Accelerated Water and Sanitation Project in Selected Areas (AWSPSA), under the Department of Public Works and Highways (DPWH) in partnership with Department of the Interior and Local Government (DILG), Philippines.

This LMP was prepared to establish the guidelines on labor matters, including the issues of health and safety at work, ethical behavior, forced and child labor, fair treatment, non-discrimination, and equal opportunities for the workers of the AWSPSA.

1.1 Project Overview

The Government of the Philippines (GoP) understands that in order to meet the WSS targets, investments and sectoral reforms are required. In accordance with the WB's 2022–2023 Advisory Services and Analytics (ASA) recommendations on WSS, the GoP has requested for USD 250 to be used by the DPWH and DILG for the implementation of the Accelerated Water and Sanitation Project in Selected Areas (AWSPSA). In order to address broad-based sector and utility challenges, the ASAs recommended that the GoP shall create and implement a national WSS program. This project is intended to be a component of a longer-term program that will offer financial support, technical assistance, and reforms in order to achieve the Sustainable Development Goals (SDGs) by 2030.

The Project aims to increase access to and improve the quality and efficiency of water supply, sanitation, and hygiene services in priority areas of the Philippines.

The AWSPSA will contribute to improve efficiency of infrastructure services in selected areas through the rehabilitation, upgrading, expansion, construction and more efficient WSS systems; and increase resilience to natural disasters and climate change-exacerbated risks, by developing new sustainable water sources and ceasing the use of depleted groundwater sources. The AWSPSA will also contribute to the cross-cutting theme on governance, scaling up development impact across the Philippine archipelago by strengthening implementation capacity, particularly at the local level. It will strengthen the implementation capacity of selected LGUs as well as vertical and horizontal coordination across the NG and LGUs. The Project will be implemented in three provinces located in the regions of Visayas (Bohol Province) and Mindanao (Provinces of Surigao del Norte and Sulu).

The AWSPSA consists of the following five components:

- **Component 1. Infrastructure Investments for Safe Water Supply Services (US\$193.15 million).** This component aims to increase access to safely managed water supply services through infrastructure projects that will include construction and/or rehabilitation of complete water supply systems, from source development to household connections.
- **Component 2. Infrastructure Investments for Safe Sanitation and WASH Services (US\$11.21 million).** This subcomponent will support various activities that will expand safe sanitation and WASH services and promote WASH practices at the municipality, school, and household levels.
- **Component 3. Institutional Reforms and Capacity Building (US\$15.21 million).** This component will support fundamental institutional reforms and capacity-building of provinces, LGUs, and WSPs. It aims to improve the efficiency of service provision and sustainability of WSS services. The institutional reforms will ensure that an adequate operational unit will be established and/or contracted for the sustainable O&M of WSS facilities and services.

- **Component 4. Project Management and Technical Assistance (US\$32.24 million).** This component will include: (i) project management, supervision and operating costs of the DPWH and the DILG Project Management Offices; and (ii) technical assistance (TA) and consulting services for the design of sub-projects and related studies; support to newly created water sector institutions; and preparation of engineering, social, and environmental technical studies for other prioritized provinces that will form a pipeline for subsequent WSS investments.

Component 5. Contingent Emergency Response Component (US\$0 million). This zero-cost component will allow the GoP to quickly access project funds in response to an eligible disaster, emergency, or crisis. It will allow rapid re-allocation of uncommitted project funds to address urgent needs in the event of a natural disaster or crisis (including public health-related emergencies). A declaration of a state of calamity by a qualified national or subnational authority, in accordance with applicable laws, could serve as a possible trigger to activate this component.

1.2 Objectives of the LMP

The Project will address environmental and social risks and impacts by adhering to the World Bank's Environmental and Social Framework (ESF) and relevant Philippine laws and regulations. Under the ESF, Environmental and Social Standard 2 (ESS2) on Labor and Working Conditions requires the Borrower to develop Labor Management Procedures (LMP) with the following objectives:

- Promote the safety and health of project workers;
- Ensure fair treatment, non-discrimination, and equal opportunities for the Project workforce;
- Protect the rights of project workers, particularly vulnerable groups such as women, persons with disabilities (PWD), working-age children (as per LMP guidelines), and those at risk due to their sexual orientation, gender identity, and expression (SOGIE), among other vulnerabilities;
- Prevent the use of forced labor and child labor in all forms;
- Uphold the principles of freedom of association and collective bargaining for project workers, in accordance with national laws;
- Provide accessible means for project workers to voice workplace concerns.

The LMP will be periodically reviewed and updated based on new information, experiences during implementation, and relevance to ongoing project needs.

The Labor Management Procedures (LMP) have been developed in alignment with relevant Philippine laws, as well as international labor agreements and conventions ratified by the Philippines, including those established by the International Labour Organization (ILO). The LMP also follows the World Bank Group's General Guidelines on Environment, Health, and Safety and the Environmental and Social Standard 2 (ESS2) under the World Bank's Environmental and Social Framework (ESF). It sets forth the minimum requirements for working conditions during the Project's development and addresses potential labor risks throughout implementation. In where Philippine regulations differ from ESS2, ESS2 will take precedence for the Project's implementation.

2. OVERVIEW OF THE NATIONAL LABOR LAWS AND THE REQUIREMENTS OF THE ENVIRONMENTAL AND SOCIAL STANDARD 2 (ESS 2)

The Labor Management Procedures (LMP) have been crafted to align with pertinent Philippine laws, as well as international labor agreements and conventions ratified by the Philippines, including those set forth by the International Labour Organization (ILO). The LMP adheres to the World Bank Group's General Guidelines on Environment, Health, and Safety, along with Environmental and Social Standard 2 (ESS2) under the World Bank's Environmental and Social Framework (ESF).

These procedures outline the minimum requirements for working conditions throughout the project's development and address potential labor risks during implementation. In cases where Philippine regulations differ from ESS2, ESS2 will take precedence in the project's execution.

It is essential to note that Philippine labor laws, along with their implementing rules and regulations (IRR), satisfy the requirements of ESS2. Additionally, the 1987 Philippine Constitution guarantees comprehensive protection of labor rights, ensuring their recognition within the country's highest legal framework.

This LMP will use to the following worker under the following contracting modalities:

2.1 Direct Workers

Direct workers are individuals employed or engaged specifically for the Project. This may occur under the following arrangements.

2.1.1 Individual Contract of Service

The government may engage individuals as consultants or contractors to complete a special project or task within a specific timeframe through a Contract of Service (COS). The contract between the government agency and the individual contractor can last for up to one year and may be renewed at the discretion of the head of the procuring entity, but cannot exceed the term of the head. Individuals hired under a COS are entitled to receive compensation equivalent to the daily wage or salary of similar positions within the government, along with a premium of up to 20%. This premium may be distributed monthly, in lump sums, or in installments (e.g., mid-year and year-end payments), as specified in the agreement or contract with the agency. However, the payment for services rendered by individuals engaged through Republic Act No. 9184 will be subject to the provisions of the law and its implementing rules and regulations.

Additionally, individuals employed under a COS have the option to voluntarily enroll in social benefit programs such as the Social Security System (SSS), PhilHealth, and Pag-IBIG Fund as self-employed members.

According to the Civil Service Commission's Omnibus Rules on Appointments, a contractual appointment is given to an individual whose employment is governed by a special contract to work on either locally or foreign-assisted projects or specific tasks that require special or technical skills not readily available within the hiring agency, with a set completion period.

2.1.2 Government Workers

Government employees may be assigned or detailed and be part of dedicated officials and staff of the Project. These personnel shall remain subject to the existing terms and conditions and working arrangements of the government. They are subject to the relevant provisions of EO 292, s. 1987, and the CSC rules and regulations.

Government workers include all permanent and contractual employees of the DPWH and DILG who are assigned to provide services for the AWSPSA.

2.1.3 Contracted Workers/ Outsourcing

This refers to individuals employed by third parties to carry out tasks related to the core functions of the Project, regardless of their location. These third parties may include contractors/consultant, subcontractors, or intermediaries.

Institutional Contract of Service/ Contractor/Sub-contractor

Contractor or service providers may be engaged by the government agency through an institutional COS to provide services such as janitorial, security, consultancy, and other support services. It covers lump sum work or services to perform janitorial, security, consultancy, and other support functions for a maximum period of one (1) year subject to the provisions of RA 9184 and pertinent budgeting, accounting and auditing rules and regulations.

The contractor or service provider should meet the following requirements:

- 1) Duly registered with the Department of Labor and Employment (DOLE);
- 2) Duly registered with the Bureau of Internal Revenue (BIR);
- 3) For sole proprietorship, duly registered with the Department of Trade and Industry (DTI). For corporations and partnerships, duly registered with the Securities and Exchange Commission (SEC); and
- 4) Must be an active employer registered with the following agencies:
 - a. Social Security System (SSS),
 - b. Home Development Mutual Fund (Pag-IBIG Fund), and
 - c. Philippine Health Insurance Corporation (PhilHealth).

Workers employed under an institutional contract of service will remain employees of the contractor or service provider. The responsibility for disciplining these workers lies with the contractor or service provider. However, the head of the procuring entity may report any misconduct or inappropriate behavior by these workers to the contractor or service provider. Additionally, the contractor or service provider is responsible for ensuring that workers receive compensation and benefits in accordance with existing labor laws, including social security and other legally mandated benefits, in addition to their direct compensation for services rendered.

Contracting and subcontracting arrangements are allowed under Philippine labor laws, provided they adhere to regulations that safeguard workers' rights to fair and humane working conditions, security of tenure, self-organization, and collective bargaining, as well as other requirements set forth in Presidential Decree No. 442 (1974), as amended, or the Labor Code of the Philippines. These arrangements must also comply with Occupational Safety and Health (OSH) standards. It is important to note that labor-only contracting is prohibited.

Philippine laws and regulations recognize the following types of employment within the private sector:

- 1) Regular Employment: This type covers employees who perform activities that are typically essential or desirable in the normal course of the employer's business or trade.
- 2) Other Employment Arrangements include:
 - a. Project Worker: These are workers whose employment duration is specified for a particular task, the completion of which is agreed upon at the time of engagement. It is not enough for an employee to be hired for a specific project or phase; there must also be a clear determination of, or agreement on, the project's completion or

termination when the employee is hired. The employment of project workers is subject to mutual agreement between the parties, with consent that is coterminous with the project.

- b. Seasonal Worker: This employment occurs only during certain times of the year, lasting for the duration of that specific season.
- c. Casual Worker: This type of engagement involves work that is incidental to the main business, carried out for a definite period that is communicated to the employee at the time of hiring.

Fixed-Period Employment: In this arrangement, the start and end dates of employment are established prior to the employment relationship, and the parties engage with each other on equal terms.

2.1.4 Primary Supply Workers

Primary Supply Workers or Laborers of the main supplier of materials by contracted third-party implementing subprojects funded by the project. These types of workers will be covered by the ESS2 specifically prevention of child labor and forced labor. As part of the environmental and social assessment, the AWSPSA will identify potential risks of child labor, forced labor and serious safety issues which may arise in relation to primary suppliers.

Under RA 11058, the State guarantees a safe and healthy working environment for employees by providing protection from all possible dangers in the workplace. It applies to all organizations, projects, sites, or any place where work is being done, but not including the public sector. Workers are also mandated to abide by the Occupational Safety and Health (OSH) Standards, which has been formulated to protect every working man against the dangers of injury, sickness or death through safe and healthful working conditions.

2.2 Some pertinent provisions of Presidential Decree No. 442 (1974), as amended and renumbered, also known as the Labor Code of the Philippines, regarding terms and conditions of employment are outlined below:

2.2.1 Wage and Welfare

- a. Employees must receive their wages in legal tender at least once every two weeks or twice a month, with intervals not exceeding sixteen (16) days.
- b. For contracted work, employees of both the contractor and any subcontractors must also be compensated according to the Labor Code. If the contractor or subcontractor fails to pay their employees, the employer or indirect employer will be jointly and severally liable to these employees for the wages due to the extent of work performed under the contract, in the same manner as they would be for employees they directly employ.

Additionally, wages paid by employers to workers must not fall below the minimum wage established by the Regional Tripartite Wages and Productivity Boards.

2.2.2 Equal Rights

- a. Workers have the right to self-organization and to form, join, or support labor organizations of their choice for the purpose of collective bargaining.
- b. The minimum age for employment is 18 years.

Gender discrimination in employment and labor relations is strictly prohibited. Both male and female employees are entitled to equal pay for work of equal value, as well as equal access to promotional and training opportunities.

All workers employed by the contractor must comply with RA 6685, which mandates that all private contractors and subcontractors awarded national and local public works projects, including those funded by foreign assistance, must hire 50% of unskilled labor and 30% of skilled labor from the bona fide and actual unemployed residents of the province, city, and municipality where the projects will take place. This requirement applies to both men and women and is determined by the governor, city mayor, or municipal mayor responsible for the project area.

Additionally, vulnerable workers—including women, persons with disabilities, senior citizens, and Indigenous Peoples—engaged by the Project will be protected under the relevant provisions of the Labor Code, RA 8173, or the Indigenous Peoples' Rights Act (IPRA), as well as other applicable laws and guidelines.

2.2.3 Safety and Health in the Workplace

To ensure safety and health in the workplace, the DPWH and DILG will implement the best labor and occupational practices for the Project, in line with RA 11058, the CSC-DOH-DOLE Joint Memorandum Circular No. 1, s. 2020, and other relevant Philippine regulations, as well as the General Guidelines on Environment, Health, and Safety from the World Bank Group and World Bank ESS2. A list of Philippine standards regarding workplace safety and health is included in the Attachment 2.

Under RA 11058, also known as the Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties for Violations, the State ensures a safe and healthy working environment for employees by protecting them from potential dangers in the workplace. This law applies to all organizations, projects, sites, or any locations where work is conducted, including businesses under the Philippine Economic Zone Authority (PEZA), but it does not extend to the public sector.

According to Chapter III of RA 11058, the following responsibilities are assigned to every employer, contractor, subcontractor, and anyone who manages, controls, or supervises work:

- a. Ensure that the workplace is free from hazardous conditions that could cause death, illness, or physical harm to workers.
- b. Provide comprehensive job safety instructions and proper orientation for all workers, including first-time employees and those needing familiarization with their work environment.
- c. Inform workers about the hazards related to their jobs, the health risks they may encounter, preventive measures to eliminate or minimize these risks, and emergency procedures.
- d. Utilize only approved industry-specific standards for devices and equipment applicable to the workplace.
- e. Adhere to occupational safety and health (OSH) standards, including training, medical examinations, and when necessary, provisions for protective and safety equipment such as personal protective equipment (PPE) and machine guards. Worker training should encompass health promotion, hazards associated with their roles, health risks, preventive measures, emergency procedures, and safety instructions relevant to their tasks.

- f. Facilitate opportunities for workers and their representatives to actively participate in organizing, planning, implementing, monitoring, evaluating, and improving the OSH management system.
- g. Provide necessary measures for training and drills, evacuation plans, and protocols for handling emergencies, fires, and accidents, including first-aid arrangements.

To adhere to occupational safety and health (OSH) standards, every employee or worker shall:

- a. Participate in capacity-building activities focused on safety and health, as well as other OSH-related topics and programs.
- b. Properly utilize all safety devices and safeguards provided for their protection and that of others.
- c. Follow instructions aimed at preventing accidents or addressing imminent danger situations in the workplace.
- d. Observe the prescribed procedures for emergencies, including participating in national or local disaster drills.
- e. Report any work hazards identified in the workplace to their immediate supervisor or other designated safety and health personnel.

Employees are entitled to the following common rights:

- The right to refuse work without fear of retaliation from the employer if an imminent danger is present.
- The right to report accidents, hazardous incidents, and risks to the employer, the Department of Labor and Employment (DOLE), and other relevant government agencies.
- The right to receive personal protective equipment at no cost from their employer, contractor, or subcontractor for any body part that may be exposed to hazards, along with other necessary safety equipment.
- The right to access information regarding workplace conditions, health risks, and potentially dangerous or toxic factors.

The Implementing Rules and Regulations (IRR) of RA 11058 require all employers, contractors, and subcontractors to submit various safety and health reports to the Department of Labor and Employment (DOLE). These reports include, but are not limited to, the annual medical report, OSH Committee Report, employer's work accident/injury report, and the annual work accident/injury exposure data report.

For the public sector, the CSC-DOH-DOLE Joint Memorandum Circular No. 1, s. 2020 outlines the OSH Standards applicable to public sector employees. This circular ensures reasonable working conditions, emergency preparedness, the establishment of an OSH Program (refer to Attachment 2), provision of support facilities, and the strict enforcement of regulations regarding working hours, breaks, and leave entitlements. It also includes reporting obligations and monitoring and evaluation processes. The Head of the Agency is tasked with ensuring the comprehensive distribution of OSH information through a Communication Plan, which involves publishing relevant OSH information on the agency's website and other communication materials, as well as establishing a feedback mechanism. The agency's Human Resource Office is responsible for maintaining a record of accidents or illnesses, which must be accessible for inspection by authorized personnel and should include the following information:

- a. Date of accident or illness;

- b. Name of injured/ill employee, age and sexual orientation;
- c. Occupation/position of the employee;
- d. Cause of accident/illness;
- e. Extend and nature of disability/injury;
- f. Duration of disability/injury;
- g. Extent of damage, including actual medical cost;
- h. Corrective action/s on OSH related finding which caused illness/accidents to be undertaken or was undertaken.

Other applicable CSC issuances are as follows:

- a. Memorandum Circular No. 08, Series of 2011 (Reiteration of the Physical Fitness Program “Great Filipino Workout”) – It directs all agencies to adopt “The Great Filipino Workout” in order to develop a healthy and alert workforce.
- b. Memorandum Circular No. 04, Series of 2003 (Promotion of Good Nutrition in the Bureaucracy) – It mandates the promotion of good nutrition of workers as an effective strategy to achieve and sustain increased organizational productivity.

In addition, both public and private sectors are required to enforce policies and programs concerning the following areas:

- a. Prohibition of smoking in the workplace
- b. Implementation of a Drug-Free Workplace Policy and Program
- c. Prevention and control of tuberculosis within the workplace
- d. Educational initiatives and policies regarding HIV and AIDS
- e. Policies and programs addressing Hepatitis B
- f. Provision of medical assistance and additional benefits for employees

The Philippines adheres to the ILO Technical Convention C187, which focuses on the Promotional Framework for Occupational Safety and Health.

In light of the global challenges presented by COVID-19, it is essential to outline a set of temporary regulations concerning labor and employment that are related to the pandemic. On an international scale, the International Labor Organization (ILO) has provided recommendations for health and safety practices aimed at preventing COVID-19, as detailed in the Guide for Employers on COVID-19 Prevention. Similarly, the World Health Organization (WHO) has released guidelines outlining preventive measures to mitigate the risk of coronavirus transmission and spread in workplaces. Additionally, there are various labor-related directives in the Philippines that need to be considered for any ongoing projects during the pandemic.

Philippine laws also recognize the protection of maternity and paternity rights. Under RA 11210 qualified³⁶ female worker, regardless of civil status, employment status, and legitimacy of her child, whether in the public sector or in the private sector, including those in the informal economy, is entitled to paid leave benefit. Under RA 8187, paternity leave benefit is given to all married male employees, regardless of employment status, in the private or public sector. Moreover, in addition to leave privileges under existing laws, parental leave of not more than 7 working days every year shall be granted to any solo parent employee who has rendered service of at least one year.

2.3 National Regulations Corresponding to ESS2

Table 2.1 provides a list of National regulations related to labor conditions and benefits based on the contracting modality, corresponding to ESS2 requirements. Further detailed analysis is presented in the Attachment 1.

Table 2.1: National Regulations Corresponding to ESS2

ESS2		Legal System			Supervisory Institution	Observations
Theme	Main Requirements	PH Laws	General Description	Binding International Regulations		
Labor Terms and Conditions	Workers will receive information and documentation, establishing their rights under national labor laws, including rights related to hours of work, wages, overtime, pay and benefits (para. 10).	Labor Code of the Philippines, as amended, and its IRRs	Prescribes the terms and conditions of employment and other requirements, including rights of workers	X	DOLE CSC Heads of Agency	National law reflects the requirements of conditions of employment and rights of workers. National law also required OSH measures and the terms and conditions of employment of contractor and sub-contractor's employees to be reflected in the terms and conditions of employment.
		EO 292, s. 1987 and its IRRs	The terms and conditions of employment of all government employees, shall be fixed by law. Those that are not fixed by law may be the subject of negotiation between duly recognized employees' organizations and appropriate government authorities.			
		RA 11058 and DOLE DO 198, s. 2018	Information dissemination of OSH for both private and public sector is mandated.			
	Workers will receive their payment in regular form (para 11).	Labor Code of the Philippines, as amended, and its IRRs	Provides for the rules on wages for the private sector, including setting the minimum wage, forms, time and place of payment	International Labour Organization (ILO)- Equal Remuneration Convention (No. 100)	DOLE DBM COA	National regulations address aspects of ESS2 remuneration
		RA 11466	Modifies the salary schedule for civilian government personnel and authorities			

		EO 292, s. 1987	Congress shall provide for the standardization of compensation of government officials and employees		
		CSC-COA-DBM Joint Circular No. 1, s. 2017	Individual COS shall be paid the prevailing market rates; individual hired as JO shall be paid wages equivalent to the daily wage/salary of comparable positions in government and a premium of up to 20% of such wage/salary		
Workers will have adequate weekly rest periods, annual vacation, and sick, maternity or family leave, as required by national law and labor management procedures (para 11).	Labor Code of the Philippines, as amended, and its IRRs	Provides for rules on working conditions and rest periods, holidays and service incentive leaves	ILO Maternity Protection Convention (No. 183)	DOLE CSC	National regulations address working conditions on ESS2 breaks, except for some provisions that are not applicable to JO and COS workers because of the nature of their contract and employee – employer relationship with the government.
	RA 11210	Provides for 105 expanded maternity leave			
	RA 8187	Provides for paternity leave benefit			
	RA 8972	Grants parental leave of not more than 7 days, and additional 15 day maternity leave for solo parent female worker			
	EO 292, s. 1987 and Omnibus Rules Implementing Book V of EO 292	Provides for rules on leaves for the government personnel			

		CSC-COA-DBM Joint Circular No. 1, s. 2017	Services of COS and JO workers are not covered by Civil Service law; hence, they do not enjoy the benefits such as leave and 13th month pay			
	When required by national laws and labor management procedures, workers in the project will receive timely notification of termination of employment and details of severance payments (para 12).	Labor Code of the Philippines, as amended, and its IRR	There is no dismissal without just cause for regular employees. Notice of termination is required and details of benefits to be received are prescribed.		DOLE	National regulations address aspects of ESS2 termination of employment.
		EO 292, s. 1987 and Omnibus Rules Implementing Book V of EO 292	No officer or employee of the civil service shall be removed or suspended except for cause as provided by law and after due process.			
Non-discrimination and equal opportunities	The hiring of workers will be based on the principle of equal opportunities and fair treatment, and there will be no discrimination	1987 Philippine Constitution	The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all.	ILO Discrimination (Employment and Occupation)	DOLE CSC	National regulations address aspects of equality and non-discrimination of the ESS2.

in any of the aspects of the employment relationship, such as search and hiring, remuneration (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices	Labor Code of the Philippines, as amended	It is a State Policy to encourage hiring of workers based on their qualifications, abilities, skills, and knowledge instead of their age; forbid the placement of unreasonable age restrictions on employment; and support equal rights and treatments for all with regards to compensation, benefits, and other employment opportunities, age notwithstanding. Discrimination against women employees with respect to terms and conditions of employment solely on account of her sex is prohibited.	Convention (No. 111)		
	EO 292, s. 1987 and Omnibus Rules Implementing Book V of EO 292	appointments in the Civil Service shall be made only according to merit and fitness; government employees shall not be discriminated against in respect of their employment by reason of their membership in employees' organizations or participation in the normal activities of their organizations.			
	CSC Memorandum Circular No. 3, s. 2001	provides for the revised policies on the merit promotion plan, which mandates that appointment in the government service is open to all qualified men and women according to the principle of merit and fitness			

		R 9710	The State condemns discrimination against women in all its forms. Public and private entities and individuals found to have committed discrimination against women shall be subject to sanctions.			
		RA 8371	the State is mandated to extend to ICC/IPs the same employment rights, opportunities, basic services, educational and other rights and privileges available to every member of the society, and the employment of any form of force or coercion against ICCs/IPs is dealt with by law.			
Union	In countries where national laws recognize the rights of workers to form organizations, join organizations of their choice and to negotiate collectively without interference, the project will be carried out in accordance with those national laws (para 16).	1987 Philippine Constitution	guarantees the rights of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law.	ILO Conventions Nos. 87, 98 and 151 Convention No. 87: Freedom of Association and Protection of	DOLE CSC	National regulations address aspects of ESS2 on unions

		Labor Code of the Philippines, as amended	It is unlawful to restrain, coerce, discriminate against or unduly interfere with employees and workers in their exercise of the right to self-organization. All employees have the right to self-organization and to form, join or assist labor organization of their own choosing for collective bargaining, including government employees.	the Right to Organize and Convention Convention No. 98 Right to Organize and Collective Bargaining Convention		
		EO 292, s. 1987	all government employees, including those in government-owned or controlled corporations with original charters, can form, join or assist employees' organizations of their own choosing for the furtherance and protection of their interests	ILO Convention No. 151: Labour Relations		
Forced Labor	Forced labor will not be used (para 20).	RA 10364	Prohibits any act that introduce match for money, profit, or material, economic or other consideration any person for purposes of forced labor, slavery, involuntary servitude or debt bondage	ILO Forced Labor Convention (No. 29)	DOLE Heads of Agency	National regulations address aspects of forced labor of the ESS2.
Occupational Health and Safety (OSH)	All parties hiring workers will develop and implement procedures to maintain a safe work environment, including verifying that workplaces, machinery,	RA 11058	State guarantees a safe and healthy working environment for employees by providing protection from all possible dangers in the workplace. It applies to all organization, projects, sites, or any place where work is being done.		DOLE CSC Heads of Agency	National regulations address occupational health and safety aspects of ESS2.

<p>equipment, and processes under their control are safe and do not present health risks, with inclusion of the use of appropriate measures related to chemical, physical and biological agents and substances (para 26).</p> <p>Project workers will be offered facilities appropriate to the circumstances of their work, including access to dining rooms, hygiene facilities, and appropriate rest areas (para 28).</p>	DOLE DO 198, s. 2018	Implements the provisions of RA 11058 and requires covered places to have OSH Program to ensure safe environment, including the provision of workers' welfare facilities			
	CSC-DOH-DOLE Joint Memorandum Circular No. 1, s. 2020	provides for the OSH standards for the public sector			

Complaints and grievance management system	Processes will be established in the workplace for workers to report work situations that they consider unsafe or unhealthy, and so that they can withdraw from a work situation that they consider, with reasonable justification, to present an imminent or serious danger to their life or their health (para 27).	Labor Code of the Philippines, as amended	all issues arising from labor and employment shall be subject to mandatory conciliation- mediation; allows voluntary arbitration between parties for unresolved issues; parties to a collective bargaining agreement shall establish a machinery to resolve grievances arising from the interpretation or implementation of their collective bargaining agreement and from the interpretation or enforcement of company personnel policies; provides for labor arbiters to hear cases involving workers	DOLE CSC Heads of Agency	National regulations address aspects of mechanisms for handling complaints and grievances of the ESS2.
		RA 10396 and DOLE DO 151-16	provide a speedy, impartial, inexpensive and accessible settlement of labor issues arising from employer-employee relations, including issues on OSH Standards, to prevent them from ripening into full blown labor dispute or actual labor case, or the Single Entry Approach (SeNA)		
		EO 292, s. 1987	Each department or agency shall promulgate rules and regulations governing expeditious, fair and equitable adjustment of employees' complaints or grievances.		

		CSC MC 2, s. 2001	All agencies must establish grievance machinery. The CSC issued policies on grievance in the public sector.			
	The Borrower will assess whether there are risks of child or forced labor (para 37).	DOLE DO 65-04	Children below 15 years old who works must secure work permit; employers, workers and their organizations, professional organizations or business federations are encouraged to establish or adopt mechanisms to monitor their ranks and take corrective action against erring members	ILO Conventions Nos. 138 and 182 Convention No. 29 on Forced Labour Convention No. 138 on Minimum Age Convention No. 182 on the Worst Forms of Child Labour	DOLE	<p>The work of minors under 14 years of age will not be allowed for World Bank projects, as ESS2 prevails</p> <p>Since RA 9231 explicitly provides 15 years old as the minimum age, and the ESS 2 states that if the Borrower's National Law specifies a higher age than 14, it shall prevail.</p> <p>Thus, the provision of RA 9231 shall prevail.</p>
		Omnibus Rules Implementing Book V of EO 292	Only 18 years and above is eligible for appointment, and submission of certificates and clearances is a must.			
		RA 9231	Penalizes any person who employs a child below 15 years old, except in work allowed by law.			
	The minimum age for employment or recruitment will be specified, which will be 14, unless national laws stipulate a higher age (para 17).	Labor Code of the Philippines, as amended	Employees may not be less than 15 years of age unless they are working directly under their parents or guardian and their work does not hinder their education; Persons between 15 and 18 years old may work for a certain number of hours and periods of the day. Regardless, no person below 18 years old may be employed in occupations that are considered dangerous	ILO Convention No. 138 National	DOLE	

3. DESCRIPTION OF THE PROJECT WORKERS

3.1 Types of Project's Workers

Direct Workers

In this category are those workers who have a direct contractual relationship with DPWH and DILG and will work directly in activities associated with the Project. This includes government staff assigned for the AWSPSA and Individual Contract of Service or Technical Consultant. (Details to be determined).

Government employees may be assigned or detailed and be part of dedicated officials and staff of the AWSPSA. These personnel shall remain subject to the existing terms and conditions and working arrangements of the government. They are subject to the relevant provisions of EO 292, s. 1987, and the CSC rules and regulations. Government Workers include all permanent and contractual employees of the DPWH who are assigned to provide services for the AWSPSA, such as Project Managers, Engineers and administrative officers.

Contracted Workers

Contracted workers are individuals engaged by contractors in accordance with DPWH hiring requirements. These workers may include skilled and unskilled laborers, engineers, technicians, and other personnel required for project implementation.

All contracted workers shall receive basic training before deployment in covered municipalities, including orientation on occupational health and safety (OHS), labor rights, grievance mechanisms, and environmental and social safeguards. Contractors are responsible for ensuring that labor laws, including fair wages, working conditions, and non-discrimination policies, are upheld in compliance with the Philippine Labor Code and international labor standards.

Additionally, contractors must establish clear mechanisms for addressing worker grievances, provide adequate welfare facilities at project sites, and implement measures to prevent labor exploitation, child labor, and forced labor. DPWH and DILG shall monitor contractor compliance with these requirements through regular audits and inspections to safeguard the well-being and rights of all project workers

Primary Supply Workers

Primary supply workers are those employed by suppliers who provide essential materials and equipment for the Project. To ensure fair labor practices and compliance with occupational health and safety (OHS) standards, the Project will implement strict supply chain management policies.

All suppliers must adhere to contractual provisions that uphold ethical labor standards, including prohibiting child labor, forced labor, and exploitative working conditions. Suppliers will be required to sign a declaration of commitment to labor rights, workplace safety, and ethical employment practices.

The Project will conduct regular assessments and due diligence on suppliers to ensure compliance with labor laws and standards. In cases of non-compliance, corrective measures will be enforced, which may include contract termination or legal action. By promoting responsible sourcing and ethical labor practices, the Project aims to safeguard the rights and welfare of all workers within the supply chain.

3.2 Timeframe of Labor Needs

The Project will be implemented over a five-year period starting in 2025 and ending in 2029. Each project area under each component has its own implementation schedule as the nature of activities varies.

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4. ASSESSMENT OF POTENTIAL LABOR RISKS

To effectively implement prevention and mitigation measures, the DPWH and DILG have identified the following risks that could potentially violate the rights of project workers, including workers employed by institutional COS, consultants, contractors, or subcontractors.

Discrimination

The risk of discrimination is pertinent to all project workers across all components of the project. Any distinctions or preferences based on factors such as race, color, sex, language, religion, political opinion, national or social origin, sexual orientation, gender identity, and other reasons will be regarded as discrimination. Therefore, the project will not tolerate any discriminatory acts, in accordance with the provisions of the Labor Code and other applicable laws.

In the specific context of the project, discrimination may manifest in the workplace as well as in various subproject areas where construction activities are conducted. Potential situations of discrimination could arise, for instance, in the selection process for unskilled workers.

4.1 Misuse of Labor Contract

The project will ensure that all workers have employment contracts compliant with national labor laws. To achieve this, the Department of Public Works and Highways (DPWH) will conduct unannounced inspections to verify adherence to the terms and benefits specified in the applicable contracting modality. In instances where labor contracts are misused, the contractor must guarantee that workers' rights are protected and that the labor contracts conform to legal, ethical, and customary standards, as well as public order and policy.

Within the context of this project, potential misuse of labor contracts may arise when a service location worker is employed but is subsequently tasked with duties typically performed by payroll employees. Risks of misuse of labor contracts may also occur in case of retrenchment.

4.2 Forced Labor

Any work performed by an individual under the threat of penalty and without their voluntary consent will be classified as forced labor. The project strictly prohibits such practices in compliance with Republic Act No. 10364, also known as the Expanded Anti-Trafficking in Persons Act of 2012, as well as Environmental and Social Standard 2 (ESS2) of the World Bank.

In the context of this project, forced labor could potentially occur if workers are compelled to work hours exceeding those specified in their contracts. Additionally, the risks of the use of forced labor are associated with the following practices:

- Practice of excessive limitations of freedom of movement;
- Indentured labor (e.g., working against an impossible debt);
- Retaining the worker's identity or other government-issued documents or personal belonging;
- Imposition of recruitment or employment fees payable at the commencement of employment;
- Loss or delay of wages that impede the workers' right to end employment within their legal rights; and

- Use of security or other personnel to force or extract work from project workers, or other restrictions that compel a project worker to work in a non-voluntary basis)

4.3 Child Labor

Child labor is defined as any physical, mental, social, or moral activity that harms children by interfering with their education, preventing them from engaging in age-appropriate activities, and hindering their overall development. The minimum age for employment, according to Environmental and Social Standard 2 (ESS2) of the World Bank, is set at 14 years. However, Article 139 of the Labor Code establishes a minimum age of 15 years for non-hazardous work.

For the purposes of this project, children under the age of 15 will not be employed, and minors under 18 will not be permitted to work in jobs that pose risks to their health or to their physical, mental, moral, or social development, in accordance with the World Bank's ESS2.

While child labor is not identified as a significant risk within the context of the project, potential situations could arise where children under the defined age may be recruited to perform unskilled labor such as in excavation activities, hauling of materials and mis-declaration of age.

4.4 Harassment in the Workplace

Workplace harassment encompasses any behavior that demonstrates aggression or hostility toward an employee, leading to mistreatment, humiliation, or threats to their job security. The project must establish and enforce an administrative policy and procedure to prevent and address workplace harassment effectively.

In the context of the project, potential forms of workplace harassment may include verbal, visual, or physical actions:

- Visual harassment involves exposing someone to inappropriate content or situations without their consent, adversely affecting their work performance or demeanor. An example is sharing sexually explicit images or videos with a co-worker.
- Verbal harassment includes derogatory remarks, insults, or threats made in the workplace.
- Physical harassment refers to unwelcome physical contact or inappropriate touching.

4.5 Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH)

Sexual exploitation involves the actual or attempted abuse of a position of vulnerability, authority, or trust for sexual purposes, including gaining financial, social, or political benefits from such exploitation (UN Glossary on Sexual Exploitation and Abuse, 2017). Sexual abuse refers to any actual or threatened physical act of a sexual nature, carried out by force or under coercive or unequal conditions (UN Glossary on Sexual Exploitation and Abuse, 2017). Sexual harassment (SH) includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical actions of a sexual nature.

The project recognizes sexual exploitation and abuse (SEA) and sexual harassment (SH) in the workplace as serious violations under Republic Act No. 7877. This law mandates employers and heads of offices to prevent and address incidents of sexual harassment by establishing appropriate policies and procedures. Additionally, Section 16 of Republic Act

No. 11313, the Safe Spaces Act, explicitly prohibits gender-based sexual harassment in workplaces and public spaces.

Individuals in positions of authority or influence in the workplace are required to prevent, deter, and penalize acts of gender-based sexual harassment. Similarly, employees and co-workers must:

- a. avoid engaging in gender-based sexual harassment;
- b. discourage such behavior in the workplace;
- c. support victims emotionally or socially; and
- d. report any incidents of harassment they witness.

In the specific context of the project, potential instances of sexual harassment may occur at workplaces and construction sites, particularly as these sites are located on school grounds. Vulnerable groups, including women, children, and gender minorities, may face heightened risks of SEA/SH. Examples of such situations include workers catcalling female teachers and students passing by the construction area or making inappropriate remarks. Other scenarios could involve offering job opportunities in exchange for sexual favors or penalizing women for wearing so-called "provocative" attire in the workplace.

4.6 Gender-Based Violence

Gender-based violence (GBV) refers to any harmful act committed against an individual without their consent, rooted in socially assigned gender roles and differences between males and females. It encompasses actions that cause physical, sexual, or psychological harm or suffering, as well as threats, coercion, and other forms of deprivation of liberty. Such acts may occur in both public and private settings.

The project has a zero-tolerance policy for any form of physical or psychological violence targeting individuals based on their gender identity or sexual orientation, particularly when such actions harm their emotional, physical, social, or economic well-being. To foster a culture of respect, the project will provide workers with information and education on gender diversity.

In the context of the project, potential instances of gender-based violence could occur in the workplace or at construction sites. These may include physical violence, verbal abuse (such as hate speech), and sexual violence.

4.7 Inequality of Opportunities

The project upholds a strict policy against any form of discriminatory treatment based on gender, sexual orientation, disability, or other distinguishing factors. To ensure compliance, salary structures must be reviewed to confirm they do not vary based on gender or other personal attributes, in alignment with the Labor Code for private employment. Additionally, Executive Order No. 292, series of 1987, mandates that appointments within the Civil Service must be solely merit- and qualifications-based, with government employee compensation determined by law. Republic Act No. 10524 further reinforces that individuals with disabilities must have access to suitable employment opportunities without facing discrimination.

In the context of this project, unequal opportunities may arise if positions are predominantly occupied by men without providing women an equitable chance to apply. The project is committed to fostering equal employment opportunities for all individuals, regardless of gender, age, disability, or ethnicity.

4.8 Violation of Freedom to Unionize

Freedom of association is the right of workers, both in the private and public sectors, to form organizations of their choice to advocate for their labor interests. The project will actively encourage the free association of its workers, ensuring that participation in union activities is not grounds for dismissal, provided such activities comply with current laws and the provisions of Environmental and Social Standard 2 (ESS2). This right to organize is upheld by the Philippine Constitution, the Labor Code, and Executive Order No. 292, series of 1987.

4.9 Non-Compliance with Norms of Safety and Health in the Workplace

The project will comply with all national occupational safety and health regulations, as mandated by Republic Act No. 11058, the CSC-DOH-DOLE Joint Memorandum Circular No. 1, series of 2020, and other relevant provisions detailed in the Attachment 3 and 4. Failure to adhere to these regulations may result in workplace accidents, occupational illnesses, and other risks outlined in the attachments.

For this project, non-compliance with health and safety standards is most likely to occur under Project Component 1 and 2, which involves construction activities.

During construction, workers may encounter a variety of occupational health and safety hazards, including exposure to materials such as paints and solvents. Other risks arise from working in conditions involving heights, confined spaces, trenches, excavations, inadequate lighting, and interactions with electrical or mechanical systems. Construction sites also pose a high risk of accidents and injuries related to equipment use.

Additionally, workers may face increased vulnerability to infections from viruses and communicable diseases, such as COVID-19, HIV/AIDS, and other illnesses. Operational accidents or natural hazards, including chemical spills, gas leaks, fires, earthquakes, and similar incidents, may also impact workers' health and safety. The project prioritizes strict adherence to safety protocols to mitigate these risks effectively.

4.10 Labor Influx

Labor influx refers to the rapid migration and settlement of workers and their dependents in a project area. The introduction of non-local workers may have potential impacts on vulnerable communities, including Indigenous Peoples, and could intensify existing conflicts in certain sensitive areas of the country.

For this project, labor influx is unlikely to pose significant risks at construction sites where the local workforce is sufficient to meet construction demands. In compliance with Republic Act No. 6685 (Preference for Local Workers), private contractors awarded government projects must ensure that at least 50% of unskilled labor and 30% of skilled labor are sourced from actual residents of the municipality or barangay where the project is located. This requirement will be strictly observed.

For the remaining labor requirements, if qualified local workers are unavailable, contractors may employ workers from other regions. These individuals, considered local migrant workers, may bring diverse dialects and cultural backgrounds. From past experience with DPWH projects, engineers, architects, and supervisors are often recruited from regions such as the NCR.

4.11 Setting-up of Worker's Camps

The establishment of workers' camps within school premises for Component 2: Infrastructure Investments for Safe Sanitation and WASH Services presents potential risks to both the school community and neighboring areas, including:

- Social conflicts among workers and with the community
- Incidents of theft and criminal behavior
- Spread of communicable diseases
- Risks of Gender-Based Violence (GBV) and Sexual Exploitation, Abuse, and Sexual Harassment (SEA/SH)
- Poor waste disposal practices leading to illegal dumpsites
- Wastewater discharges and pollution
- Increased demand on freshwater sources
- Environmental impacts such as land-use changes and depletion of natural resources (e.g., firewood consumption)

5. POLICIES AND PROCEDURES FOR LABOR HIRING AND TERMINATION

DPWH and DILG as well as the contractor and subcontractor and other third-party providers will be governed by the agency's regulatory instruments to manage health, safety and working conditions issues, in addition to national laws and regulations (please see the Attachment 2 for further detailed national and international provisions on work conditions and benefits which will be applicable for the AWSPSA Project).

5.1 Labor Hiring Procedures (recruitment and evaluation)

During the personnel selection process and the validity of the contractual relationship, DPWH and DILG comply, at least, with the following guidelines:

1. Use inclusive language in job advertisements, so that the application of people is not excluded due to their gender (male / female), origin (race, ethnicity), origin (nationality), age, physical condition (disability), and other similar circumstances.
2. Establish remuneration policies free of discriminatory components of all kinds and subject to the provisions of national laws and regulations. Determine the salary offer for the execution of the same job or the same function under the principles of equality, without discriminating between men, women or any other criteria of discrimination.
3. Do not limit or restrict work opportunities or permanence in work for women for reasons of maternity, breastfeeding or family responsibilities.
4. Do not associate jobs or work activities with social stereotypes related to gender, sexual orientation, race or ethnicity, origin, political affiliation among others.
5. Ensure the prohibition of child labor and forced labor.

During the job call process, DPWH and DILG will prepare notices in accordance with applicable laws and regulations.

1. During the selection process, applicants must submit the following documents:
2. Curriculum Vitae
3. Copy of any government-issued identification card or Alien Certificate of Registration Identity Card (ACR I-CARD), if applicable
4. Title, Diploma or Certificate of studies as appropriate
5. Work certificates
6. Police Clearance/National Bureau of Investigation Clearance
7. Declaration of having no impediment to contract with the state

In the case of contractors and subcontractors, DPWH and DILG will monitor and supervise compliance with labor obligations in favor of workers, independently, and without prejudice, to the individual obligations that correspond to them in accordance with the Labor Code, labor regulations, and ESS2. The mandatory benefits for regular workers under Philippine laws include, among others, prescribed hours of work, holiday pay, overtime pay, premium pay, night shift differential and service incentive leave, employees, when applicable, are entitled to maternity leave, paternity leave, parental leave for solo parents, adoption leave, leave for victims of violence against women and their children, special leave for women who undergo gynecological surgery, 13th month pay, retirement pay and benefits, separation pay, benefits under the Employees' Compensation Program, health insurance benefits, social security benefits and housing benefits.

DPWH and DILG has two essential obligations: i) guarantee compliance with current government regulations and the LMP document within its organization, and ii) supervise compliance with current labor regulations and the LMP of the organizations involved in the Project. To do this, it will carry out the verification on the following aspects:

1. The workers will be evaluated according to the internal policy on performance monitoring/evaluation, in order to measure their performance, productivity and / or work behavior in the job assigned at the institution.
2. When the workers are foreigners, the employment contracts is submitted with The Bureau of Immigration or DOLE as part of their work permit application;
3. The workers will be given the normative and management instruments such as Company Rules and Regulations (CRR) or Human Resources Manual, Policy on the prevention on Sexual Harassment in the Workplace, the Internal OSH Program, the LMP and its Attachments. The workers will sign a receipt for these documents.
4. Orientation and training of personnel: DPWH and DILG will be in charge of organizing and providing the corresponding instruction to hired personnel at the time of entry. Regarding training, DPWH and DILG assume the responsibility of continuously promoting the training of personnel.
5. In the case of contracted personnel (contractor and subcontractors), it will be subject to the provisions of the Internal OSH Program and the provisions for RA 11058 and the OSH Standards.
6. Probationary employment of contractors or subcontractors shall not exceed six months from the date the employee started working unless it is covered by an apprenticeship agreement stipulating a longer period. However, the probationary employee may voluntarily agree to an extension if it would afford the employee another chance to pass the standards for regularization after having initially failed the probationary period;
7. The disciplinary regime complies with the procedure established in their internal policy procedure, if any, and the provisions of the Labor Code and other applicable laws.

5.2 Procedure for Termination of the Employment Relationship

The risks of retrenchment and job loss may lead to income loss, which is likely to be more significant for local workers. For this procedure, the following aspects will be taken into consideration:

- a. In cases of resignation, or voluntary withdrawal, the worker must notify it in writing thirty days in advance; the term can be waived at the will of the company/executing unit. In case of mutual agreement, it must be in writing.
- b. The dismissal will proceed only for just causes related to the capacity and conduct of the worker indicated in the applicable labor regulations.
- c. Establish early communication by informing workers and communities in advance about the upcoming changes.
- d. In case of project closure, retraining and re-skilling to be in place by offering training programs to help workers transition to new roles or industries, providing job placement services to support and connect with potential employers, and ensure fair compensation that workers receive adequate severance and transition packages.
- e. DPWH and DILG are obliged to comply with the legal dismissal procedure under applicable provisions of labor laws.
- f. Creating Social Safety Nets by strengthening unemployment benefits and mental health support for affected workers.

6. LABOR TERMS AND CONDITIONS OF THE PROJECT

The DPWH and DILG, contractors, sub-contractors and third-party providers, if any, undertake to comply with the following labor provisions.

6.1 Worker's Age

Under Article 137 of the Labor Code of the Philippines, a person below eighteen (18) years of age shall not be allowed to be employed in an undertaking which is hazardous or deleterious in nature as determined by the Secretary of DOLE. Moreover, persons between 15 and 18 years old may work for a certain number of hours and periods of the day only. Regardless, no person below 18 years old may be employed in occupations that are considered dangerous or pose significant risks and hazards to the child's wellbeing and development.⁵³ The Project will comply with the Labor Code of the Philippines.

To uphold labor standards and prevent child labor, the following measures will be implemented:

- Ensure strict adherence to the minimum age requirements for all types of work in alignment with national laws and ESS2, and properly document the age of workers upon hiring.
- Verify the age of workers through community engagement where necessary to prevent underage employment.
- Conduct thorough background checks on contractors during the bidding process, including assessments of health and safety violations, imposed fines, and publicly available records related to workers' rights violations, as well as cases involving Gender-Based Violence (GBV), Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH).
- Raise awareness among communities and suppliers about the legal and ethical implications of child labor, promoting responsible hiring practices and child protection measures.

6.2 Forced Labor

To mitigate the risks from the use of forced labor, the following measures must be implemented:

- Ensure strict compliance with minimum age requirements for all types of work, in accordance with national laws and ESS2, and document workers' ages upon hiring;
- Verify workers' ages within communities where necessary to prevent child labor;
- Conduct a comprehensive background check on contractors during the bidding process, including reviews of health and safety violations, fines, and publicly available documents related to workers' rights violations, as well as Gender-Based Violence (GBV), Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH) incidents;
- Raise awareness among communities and suppliers to prevent the engagement of child labor and promote ethical labor practices.

6.3 Working Hours

Under the Labor Code and other applicable regulations, the normal hours of work of project workers shall not exceed 8 hours a day, exclusive of time for meals. If the work performed exceeds the normal working hours, overtime pay and/or compensatory day-off may be given in accordance to the applicable national law and regulations.

The schedule may be modified due to the need for service. Overtime work, referring to work done outside of working hours will be paid or compensated according to the corresponding work regime, as stipulated by the Labor Code of the Philippines, specifically, Article 87 of the Labor Code mandates that overtime work should be compensated at a rate not less than 125% of the regular wage rate for ordinary days and 130% for work done on rest days or

special non-working days (Article 91). In compliance with the Single Parent Act, flexible working hours will be provided to single parents with a full time contract.

6.4 Safety and Health in the Workplace

The DPWH and DILG, contractors, subcontractors and third party providers, if any, comply with safety and health requirements at work established in RA 11058 and the Occupational Safety and Health/OSH standards, as detailed in the Attachment 3 of this LMP (whilst the program checklist form is presented in the Attachment 4), subject to the provisions of the General Guidelines On Environment, Health and Safety of the World Bank Group. In this sense, as a minimum and without being limiting, it will comply with the following:

- a. Provide adequate facilities with a safe infrastructure that does not endanger the life or physical integrity of workers and visitors, eliminating all roads and access that represent a danger or risk to life;
- b. Provide the necessary and appropriate work material, as well as communications networks for the performance of functions, such as connection and access to the Internet, fixed and / or cellular telephone networks, equipment and / or machines, office supplies, and safety equipment to carry out their tasks, such as personal protective equipment;
- c. Schedule medical examinations at the beginning, during and at the end of the employment relationship, being DPWH and DILG, that will supervise compliance;
- d. Guarantee the confidentiality of the information and documents provided by the worker, be they personal, family, health, economic, sexual, religious, or of any kind subject to the provisions of RA 10173 or the Data Privacy Act of 2012;
- e. Provide properly safe hygienic services, in good condition of use, that do not threaten the health or dignity of the workers, providing the necessary facilities for the safe access of personnel who have limitations in their movement;
- f. Provide a suitable area for people to eat their food in the places where the Project is being executed.
- g. Ensure that adequate and safe accommodation facilities are provided for workers, particularly those who are required to work in remote or temporary project sites. These facilities should meet or exceed basic housing standards, including proper ventilation, sanitation, and adequate space.

Additionally, to mitigate the risks from worker's camp within school, DPWH, with the approval of the school administration or principal, will strictly regulate the establishment and operation of workers' camps within school premises. Contractors shall be required to:

- Submit a list of all workers, including copies of their Identification Cards (IDs), to the school principal.
- Implement a curfew policy from 7:00 PM to 5:00 AM to minimize disturbances within the community.
- Ensure proper waste management, sanitation facilities, and adherence to environmental and social safeguards.
- Ensure that workers camps are cordoned, gated and provided with adequate security detail during school hours and to monitor entry and exit points.
- Prevent co-mingling of laborers and school population (students & staff) and assign a focal person from the laborers/workers to coordinate with local school officials.
- Provide separate toilets and private shower areas for workers within the camp.

- Adherence to wearing of standard uniform and ID by the laborers/workers for easy identification.
- Provide orientation and training on GBV, SEA/SH for workers before deployment in coordination with the LGU and DPWH.
- In special cases where there are female laborers in the workers camps, separate sleeping quarters and toilet and shower areas shall be provided for female workers.

These measures aim to protect the safety and well-being of students, school staff, and surrounding communities while ensuring smooth project implementation.

6.5 Emergency Response Plan (ERP)

The following measures will be applied for managing emergency situations impacting workers:

- In the event that a natural disaster occurs during subproject implementation, all workers adhere to any governing emergency response protocols in the area or follow immediate instructions from local authorities and emergency services. Workers should use any available protective equipment or gear, and immediately report the incident to the designated OSH focal and work supervisor for the provision of necessary assistance.
- In cases of traffic accident involving project worker and/or project vehicle, the contractors shall observed/implement Road Works Safety and Traffic Management and Construction Safety and Health requirements during construction and maintenance as per DO 135 series of 2015, if applicable to the project.
- Workplace Incidents During Infrastructure Construction or Operation: If an incident occurs involving a worker during construction or operation, the contractor must:
 - Immediately assess the severity of the situation and administer first aid if necessary.
 - Report the incident to the OSH focal person and document the details in an Incident Report Form (IRF).
 - Notify the DPWH Safety Officer and DILG representatives, who will oversee the investigation and ensure compliance with safety protocols.
 - If the incident involves a serious injury or fatality, the DOLE-OSH standards and DPWH Construction Safety Guidelines must be followed, including the suspension of work if required.
- Accidents Involving Workers (Including Contractor's and Primary Supplier's Workers): Any project-related accident involving contractors' workers or primary suppliers' workers shall be managed in accordance with the approved Construction Safety and Health Program (CSHP) (see Section 9.2).
- Should any of the accidents associated with project implementation involve community members (such as nearby residents or public road users), the Project will work with local health center or clinic to address the impacts of the accident. In addition, the Project shall provide all available assistance, working with the Contractors and LGU.
- Incident/accident should be immediately reported to the Project Coordination Committee, who will then report the incident/accident to the National Steering Committee and to the World Bank.

6.6 Inclusive, Respectful and Equal Treatment (anti-discrimination)

In labor relations, ethical, honest and fair behavior between workers and employers is necessary to achieve a harmonious coexistence in the workplace. In this sense, DPWH and DILG, contractor or subcontractor, if any, assume the social responsibility of recognizing, respecting and ensuring the protection of the inherent rights of all workers as individuals. Mechanisms will be implemented to prevent, in any of its forms, any discriminatory act, violence, sexual harassment, and / or any other workplace harassment, whether verbal, physical and / or psychological that occurs as a consequence of labor relations within the Project, including those acts that may occur as a result of the interaction among the workers, contractors, subcontractors and with the community (general population).

To achieve these objectives, DPWH and DILG consistent with the objectives of the National Government in preventing violence against women, the gender approach policy and respect for individual freedoms, will consider the following actions:

- a. Strengthen cooperation with authorities (PNP, CSC, DOLE, LGUs, etc.) to ensure timely responses to harassment and gender violence complaints, protecting vulnerable groups.
- b. Train workers on workplace sexual harassment laws and internal procedures to prevent and address misconduct in both public and private sectors.
- c. Conduct workshops and awareness sessions on gender equality to educate workers.
- d. DPWH and DILG will monitor compliance with gender equality regulations, foreign worker hiring policies, and disability inclusion.
- e. Ensure confidentiality of worker information, including medical records, in compliance with RA 10173 (Data Privacy Act of 2012).
- f. Prohibit discrimination against workers with HIV/AIDS, implementing measures to protect them from unjust dismissal as per RA 11166 (Philippine HIV and AIDS Policy Act).
- g. Penalize workplace sexual harassment and uphold victims' rights to seek legal action.
- h. Implement anti-discrimination policies to guarantee equal opportunities for all workers, regardless of gender, age, disability, or socio-economic status.
- i. Provide training on Labor Management Procedures (LMP) to educate workers about labor laws, workplace rights, safety measures, and grievance redress mechanisms.
- j. Establish and implement a transparent and confidential worker's Grievance Redress Mechanism (GRM) for fair and efficient resolution of complaints.
- k. Ensure vacancy announcements encourage applications from vulnerable and underrepresented groups.
- l. Implement both worker's GRM and Project GRM to address inequality in hiring and provide recourse for individuals excluded from the workforce due to lack of opportunities.

All the aforementioned actions will be included in the Code of Conduct of the DPWH and DILG which will comply with the minimum requirements established in Attachment 5 . The said Code of Conduct will be compiled by contractors and subcontractors through its incorporation in their contracts under the Project.

6.7 Freedom to Unionize

In accordance with the Philippine Labor Code, the DPWH, DILG, contractors, subcontractors, and third-party providers, if any, shall respect and uphold workers' rights to freely associate, organize, and form or join unions for collective bargaining and labor advocacy. Workers shall not face discrimination, retaliation, or any form of adverse treatment for exercising their right to unionize.

Employers must ensure that no policies or practices infringe upon workers' freedom of association, as protected under the Philippine Constitution and labor laws. Employers shall comply with union registration procedures set by the Department of Labor and Employment (DOLE) and create an environment where workers can voice concerns collectively. Support for the formation of workers' councils or unions shall be provided without coercion or interference.

To reinforce this commitment:

- Implement policies prohibiting any violations of workers' rights to unionize.
- Ensure all contractual agreements explicitly include provisions safeguarding freedom to unionize.
- Establish and enforce a worker's Grievance Redress Mechanism (GRM) and Project GRM, ensuring the worker's GRM provides direct channels for aggrieved workers to report issues to the Project, bypassing employers if necessary.

6.8 GBV Prevention Management

The DPWH, DILG, contractors, subcontractors, and third-party providers, if any, shall implement and enforce strict policies and procedures to prevent, address, and manage incidents of Gender-Based Violence (GBV) within the project site, workplace, and accommodation areas. These policies must be aligned with Philippine laws, including the Anti-Violence Against Women and Their Children Act (RA 9262), and the Magna Carta of Women (RA 9710), as well as international best practices for GBV prevention.

In the specific context of the Project, Attachment 5 of this LMP provides for a Code of Conduct (COC) for Ethical Behavior to prevent gender-based violence (GBV), including sexual exploitation, abuse and harassment (SEA/H) and violation against children (VAC).

In the case of GBV incident reported to the World Bank, it will be processed and reporting using the World Bank's Environmental and Social Incident Reporting Toolkit (ESIRT)³.

6.9 Workers Compensation

Individuals hired through COS shall be paid by the prevailing market rates, subject to the provisions of Republic Act No. 9184 and its Implementing Rules and Regulations. On the other hand, individuals hired through job order shall be paid wages equivalent to the daily wages/salary of comparable positions in government and a premium of up to 20% of such wage/salary.

Workers employed by the third parties shall be paid in accordance with the Labor Code. Minimum wage rates to be applied shall be those prescribed by the Regional Tripartite Wages and Productivity Boards.

³ <https://thedocs.worldbank.org/en/doc/741681582580194727-0290022020/original/ESFGoodPracticeNoteonGBVinMajorCivilWorksv2.pdf>

The remunerations will be made:

- a. Respecting the amounts established in the employment contracts and/or the law;
- b. Complying with the policies and legal provisions on non-discrimination in wages between men and women;
- c. Without applying adjustments or deductions not authorized by the worker or applicable law;
- d. On a monthly basis by means of an account payment, on the date established in the contract; and,
- e. the delivery of the respective payment slip.

Any claim regarding the payment of salaries of direct workers may be made administratively to the responsible area court, in accordance with their contracts. For workers of the contractors or sub-contractors, any claim for payment of salaries shall be made before the DOLE in accordance with the Labor Code and other applicable laws.

DPWH and DILG, the contractor or sub-contractor, if any, will assume the timely payment of the social benefits generated (bonuses, unemployment, vacation, among others), in full and when appropriate.

Likewise, the expenses generated by the provision of the services in connection with the Project will be assumed by their corresponding employers, which may include the following items: mobility, representation expenses, per diem, etc.

6.10 Workers Contracts

Contractors/Consultants will ensure that all contracts for the Project, including possible cases in which the hiring of a worker is financed directly with a budget from the World Bank, must be consistent with the LMP procedures and national regulations. Each worker must be hired according to the corresponding legal regime. Contracts must not be used to avoid the obligations under existing and applicable laws.

The contract, written in a language known to the parties, shall be executed between the

Executing Unit of the Project and the direct worker that specifies the following:

- a. Parties to the contract, including the name of worker, age, citizenship, civil status, gender, and address;
- b. Premises with regard to the needed services, acceptance of the parties, qualifications of the worker, and attestation that the worker is not related within the fourth degree of consanguinity or affinity to the hiring authority and/or its representative, and that the worker has not been previously dismissed from government service by reason of administrative offense; and,
- c. Terms and conditions of the contract, including the hours and place of work, remuneration payable to the worker, job description, summary of deliverables, duration of contract, procedure for suspension or termination of contract, statement that there is no employer-employee relationship between the contracting parties.

In addition to the written contract, an oral explanation of the provision stated therein shall be provided to the contracting worker who may have difficulty in understanding the provisions.

DPWH and DILG, shall ensure that the employment contract of workers of contractor and subcontractor shall include the following stipulations pursuant to DOLE DO 174, s. 2017:

- a. The specific description of the job or work to be performed by the employee; and
- b. The place of work and terms and conditions of employment, including a statement of the wage rate applicable to the individual employee.

The contractor and subcontractor shall inform the employee of the foregoing stipulations in writing on or before the first day of his/her employment.

6.11 Benefits of Contracts

Regarding the contracted workers (contractor and subcontractors): DPWH and DILG will assume continuous supervision over compliance with the socio-labor regulations, based on this it will schedule unexpected visits and / or periodically request information on the contracts subscribed, contributions made and taxes paid to the Government. The workers are entitled to all the benefits under the Labor Code, as amended, and other applicable laws.

All Project workers will have protection against arbitrary dismissal, discrimination, sexual harassment, workplace harassment, and acts of violence, according to the Labor Code, relevant national laws, and applicable international labor standards.

6.12 Special Case: Anti-Trafficking in Person (Anti-TIP)

The DPWH developed a toolkit on Anti-Trafficking in Persons consistent with the provisions of the United Nations Universal Declaration of Human Rights, United Nations Convention on the Suppression of Traffic in Persons and the Exploitation of Prostitution of Others, Convention on the Elimination of All forms of Discrimination Against Women, United Nations Conventions Against Transnational Organized Crime Including its Protocol to Suppress and Punish Trafficking in Persons, Especially Women and Children, and all other relevant and universally accepted human rights instruments and other international conventions to which the Philippines is a signatory.

The Anti-Trafficking Program of the DPWH shall include among others, policy, capacity development, IEC (information, education and communication), tool development and use, and gender-responsive operations of DPWH staff and partners.

All DPWH personnel, contractors, contract workers shall be prohibited from:

- a. Engaging in any form of trafficking in persons;
- b. Procuring prostituted persons;
- c. Using forced labor, involuntary servitude, slavery or slave-like practices.

Contractors shall formulate and submit a TIP Management Plan, which will include prevention, awareness-raising, response to cases and reporting. It shall also include designating a Point of Contact who is responsible for addressing TIP related issues and concerns that may arise involving the Contractor, its personnel, any Sub-Contractor, any of its personnel, or any agent or affiliate of any of the foregoing employees or contract workers, DPWH personnel or a member of the surrounding community. The Point of Contact shall undergo anti-TIP training to be provided by the training pool. The TIP Management Plan is a mandatory requirement for all contractors before awarding of contract, and will form part of the language of the bidding document.

Trafficking in Person Risk Management Plan

TIP Risk	Activities to Address Risk	Target Audience	Responsible Party

Risk related to project development and implementation			
High Presence of Prostitution Bars	In collaboration with local NGO and Local Council Against Trafficking, seek action for closure	Community and Workers	Contractor
	Information Materials on Anti-Trafficking Law and Hotlines	Perpetrators	Contractor
Hiring of Under-Age/Minor/Child Labor	Strict compliance with the Labor Code of the Philippines	Community and Workers	Contractor

7. MANAGEMENT OF CONTRACTORS AND PRIMARY SUPPLIERS

Responsibility for compliance with the LMP will be cascading. In other words, this will fall not only on the DPWH and DILG, but also on the contractor, subcontractors, and the primary suppliers or third parties in charge, which will be incorporated in the respective contracts.

For the hiring of the workers of the contractors, subcontractors, and the primary suppliers or third parties that they hire, the same obligation applies with respect to compliance with the LMP and its Attachments, the ESF of the World Bank, and national and international regulations applicable to the Project workers.

The scope and procedures of the LMP are not only exclusively for the DPWH and DILG, and the workers that it hires, but is also extended to the contractor companies (works executor), the work supervisor, subcontractors, primary suppliers, third parties, and all personnel related to the execution of the Project; therefore, it must be disseminated and enforced.

Contractor's workers can also access the same Worker's GRM applied for direct workers, whilst provision for primary supplier's workers GRM will be included in contract.

The PMU will monitor the Contractor's and Primary Supplier's labor management practice through the approved CSHP.

8. GRIEVANCE REDRESS MECHANISM

Workplace concerns often differ from the issues raised by project-affected parties, workers and other stakeholders, necessitating a separate mechanism to handle them. The design of the workplace grievance mechanism will incorporate elements outlined in the Project's Stakeholder Engagement Plan (SEP) but will also feature components specifically tailored to address workplace-related issues. In alignment with national laws and the requirements of ESS 2 under the Environmental and Social Framework (ESF), the Project will establish a distinct grievance resolution process to manage labor or workplace concerns raised by project workers. The grievance redress mechanism (GRM) will be transparent and accessible, allowing project workers to voice complaints, submit claims, make labor-related injuries, or provide suggestions without fear of retaliation. Prior to recruitment and the commencement of work, all project workers will receive a comprehensive orientation on the GRM, as described in this document.

DPWH and DILG undertakes to implement and disseminate the mechanism for handling complaints and grievances for Project workers, which will be a transparent and timely procedure and will allow workers to raise complaints, claims, labor inquiries, or suggestions even anonymously. The grievance mechanism shall be made easily accessible to all Project workers. Regular meetings with the project workers to discuss any work-related issues and concerns will be conducted. Every grievance raised by a worker will be documented including the actions undertaken by the office to address such grievance. This mechanism will be replicated in contractor and subcontractor companies.

Complaints about sexual harassment in the workplace shall be subject to the procedure outlined in RA 7877. Administrative cases on sexual harassment cases in the public sector is covered by CSC Resolution 01-0940. Government workers' complaints shall observe the grievance redress mechanism of the concerned agency pursuant to CSC No. 2, s. 2001. For other labor issues or complaints emanating from the implementation of the Project, this grievance mechanism will apply. Availing of the grievance mechanism process provided herein is without prejudice to the filing of appropriate complaint before the DOLE, CSC, or the proper courts and other competent authority.

8.1 Elements of the Workers' GRM

Submission of grievance: The means (face-to-face, virtual, telephone call) to make complaints, claims, work inquiries, or suggestions are as follows:

There are different options for filling feedback, inputs and/or complaints including as follow (and to be recorded in a Grievance Form - see Attachment 6:

1. Verbally or written directed to the city/barangay Help/Grievance Desk (whichever is applicable) or to a project representative
2. Interactive email using the existing DPWH webpage <https://www.dpwh.gov.ph/dpwh/contact>;
3. Social media using:
 - a. Facebook (<https://www.facebook.com/dpwhph>), and
 - b. Twitter (<https://twitter.com/dpwhph>),
4. Call or text
 - a. DPWH Secretary's Hotline 16502 open 24/7
 - b. Mobile 09616847084

The procedure for the complaints and grievance mechanism will be as follows:

Level I - Municipal Level: A Grievance Redress Committee (GRC) will be established at the municipal level to address complaints and grievances. The committee will be chaired by the Municipal Mayor or their designated representative and will include a barangay representative, a municipal government official, and other relevant stakeholders as deemed necessary by the mayor.

The committee will convene upon receipt of a complaint, with the designated barangay representative responsible for registering grievances. A decision will be made within 15 calendar days from the date of receipt, and the worker will be notified in writing within two (2) working days. Complaints may be filed directly with the municipal-level GRC chairperson. A record of the grievance will be forwarded to the Municipal RIC within one (1) working day of receipt by the GRC chairperson.

To ensure proper implementation, the role of the Municipal Local Government Unit (MLGU) in managing the GRC will be clearly defined and integrated into institutional arrangement discussions.

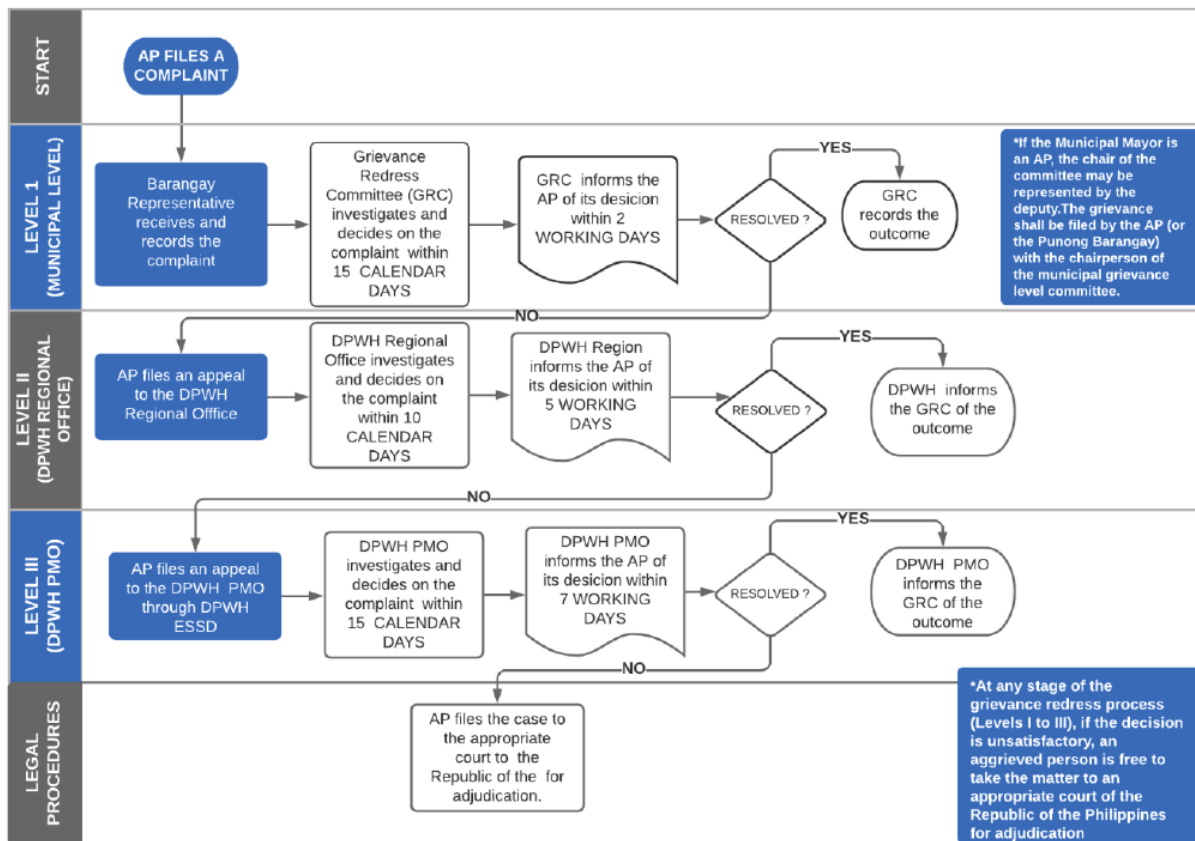
Level II - DPWH Regional Office Level: If the worker is not satisfied with the decision at the municipal level, they may appeal to the DPWH Regional Office. The Regional Office will have 10 calendar days to resolve the complaint. The resolution will be communicated in writing to the worker within five (5) working days from the decision issuance.

Level III - DPWH PMO Level: If the worker is not satisfied with the decision from the Regional Office, they may escalate the complaint to the DPWH Project Management Office (PMO) through the DPWH Environmental and Social Safeguards Division (ESSD). The complaint will be resolved within 15 calendar days, and the decision will be communicated in writing within seven (7) working days.

Court of Law: At any stage of the grievance redress process (Levels I to III), the AP may approach a court of law, which is independent of the project-level GRM. The decision of the court will be final and binding.

All grievances will be tracked for the purpose of monitoring and reporting, to ensure all feedback, inputs and/or complaints will be responded and addressed in a timely manner (see the GRM tracking log in the Attachment 7).

Figure 9.1 Grievance Redress Mechanism Process Flow



8.2 SEA/SH-related Grievances

DPWH and DILG shall issue rules and regulations, prescribing the procedure for the investigation of sexual harassment cases and the administrative sanctions thereof. Also, an issuance of proper decorum in the workplace.

DPWH and DILG will create a committee on decorum and investigation (CoDI) of cases on sexual harassment as required by the Anti-Sexual Harassment Act as amended, the DPWH and DILG shall hold the CoDI in high esteem for their probity, integrity, and most importantly, commitment. The committee shall conduct meetings, as the case may be, with employees and workers to increase understanding and prevent incidents of sexual harassment. It shall also conduct the investigation of alleged cases constituting sexual harassment. The committee shall be composed of at least one (1) from the DPWH, DILG, contractor, the contractors' employees from the supervisory rank, and from the rank and file employees or workers.

DPWH, DILG and contractor shall disseminate or post copy of RA No. 7877 also known as "Anti-Sexual Harassment Act of 1995" for the information of all concerned.

The grievance recipient will be responsible for the recording and registration of the complaint.

Confidentiality: All grievance recipients and anyone handling the SEA/SH-related grievances must maintain absolute confidentiality in regard to the case and in a survivor-centered manner. Maintaining confidentiality means not disclosing any information at any time to any party without the informed consent of the person concerned.

Informed Consent: The survivor can only give approval to the processing of a case when he or she has been fully informed about all relevant facts. The survivor must fully understand the consequences of actions when providing informed consent for a case to be taken up. Asking for consent means asking the permission of the survivor to share information about him/her with others (for instance, with referral services and/or PMO), and/or to undertake any action (for instance investigation of the case). Under no circumstances should the survivor be pressured to consent to any conversation, assessment, investigation or other intervention with which she does not feel comfortable. A survivor can also at any time decide to stop consent. If a survivor does not consent to sharing information, then only non-identifying information can be released or reported on.

Referral Pathways and support: The victim-survivor shall be provided with appropriate case management and services including referral to halfway houses, medical, psycho-social and trauma support service providers, and legal services.

Awareness Raising: General awareness raising among staff in regards to SEA/SH will be conducted and all staff is expected to sign Codes of Conducts (CoCs) with reference to SEA/SH.

9. MONITORING OF THE LABOR MANAGEMENT PLAN (LMP)

9.1 LMP Implementation and Reporting

The LMP implementation and monitoring report shall be integrated into the Environmental and Social Management Framework (ESMF) reporting and submitted to the World Bank. This report should include, but is not limited to, the following information:

- **Workforce Composition:** Number of workers engaged in the project at that time, categorized as direct workers, contracted workers, or government workers. It should also detail the terms and conditions of employment, ensuring consistency with the LMP.
- **Child Labor Prevention:** Verification of age-screening protocols to ensure no instances of child labor occur before worker engagement.
- **Worker Rights and Conditions:** Assessment of whether worker terms and conditions—including wages, benefits, occupational health and safety (OHS), work hours, leave entitlements, and social security—comply with the LMP.
- **OHS Incidents and Emergency Preparedness:** Documentation of OHS incidents, accidents, or hazards, including response measures and corrective actions taken. This includes assessing risks from natural disasters (e.g., floods, tsunamis, landslides) and ensuring that emergency response plans incorporate worker safety measures.
- **Worker Grievance Redress Mechanism (WGRM):** Confirmation that an WGRM is in place and functional, including records of:
 - a. Conducted induction sessions and awareness campaigns on grievance procedures.
 - b. Documented worker feedback, grievances, and resolutions.
 - c. Identification of systematic labor issues (e.g., discrimination, GBV/SEA-SH, wage delays) and cases requiring escalation.

9.2 Compliance with Construction Safety and Health Program (CSHP)

In accordance with DPWH Department Order No. 241, series of 2024 (see Attachment 8), the DPWH Implementing Office (IO) shall ensure that all documentary requirements, provisions, and instructions related to the Construction Safety and Health Program (CSHP) comply with:

- Republic Act (RA) No. 11058 and its Implementing Rules and Regulations (IRR)
- Relevant DPWH and DOLE issuances

Integration into Project Documentation

To ensure compliance, CSHP requirements shall be:

- Incorporated into project bidding documents, particularly under the Specifications and Instructions to Bidders
- Discussed during pre-bid conferences to ensure all bidders understand CSHP requirements

CSHP Submission and Approval Process

Upon issuance of the Notice of Award (NOA) or Letter of Acceptance (for foreign-assisted projects), the DPWH shall require the winning bidder to submit an approved CSHP using the DOLE-recommended template. The submission must include:

- A completed Application Form for CSHP evaluation and processing
- Supporting documents as required by DOLE's latest CSHP application format and checklist
- Only complete applications shall be accepted by the DPWH IO. Incomplete submissions will be returned with a list of missing documents.

Processing, Approval, and Reporting

The DPWH and contractors shall adhere to the DPWH guidelines on Processing, Approval, and Reporting System of the Construction Safety and Health Program (CSHP) for DPWH Infrastructure Projects, as outlined in DPWH Department Order No. 241, series of 2024 (see Attachment 8).

10. INSTITUTIONAL ARRANGEMENT FOR LMP IMPLEMENTATION

All labor-related obligations assumed by DPWH and DILG will be incorporated into contractual clauses to ensure compliance with the Labor Management Plan (LMP). However, the responsibility for overseeing and ensuring adherence will rest with the respective Project Management Offices (PMOs) within DPWH.

The following outlines the responsibilities of institutions involved in the Project:

- **DPWH:** As the implementing agency, DPWH will ensure compliance with the LMP.
- **Contractors and third-party implementers:** These entities, including those providing Technical Assistance (TA), will be responsible for implementing the LMP to safeguard the interests of project workers.
- **Contractors:** They must also extend and enforce LMP implementation among their respective subcontractors, ensuring alignment with the required standards.

The roles and responsibilities of implementing agencies and key stakeholders in critical project functions are detailed below.

Table 10.1 Description of responsibilities and functions in the Project specifically for LMP implementation

Agency	Responsibility
Department of Public Works and Highways (DPWH)	<ul style="list-style-type: none"> • Implementing Agency (IA) with overall responsibility for project construction and operation • Oversee the LMP implementation, consolidates and analyzes all compliance Reports on LMP and submits the Annual National Consolidated Report to the World Bank.
Department of the Interior and Local Government (DILG)	<ul style="list-style-type: none"> • Co-implementing agency • Institutional and Capacity Development of Local Government Units (LGUs) and Water Service Providers • Coordination to Local Government Units and Water Service Providers • Assists DPWH in oversee the LMP implementation, consolidating and analyzing all compliance reports on LMP
DPWH-Unified Project Management Office (UPMO), Flood Control Management Cluster (FCMC)	<ul style="list-style-type: none"> • Project Implementing Unit (PIU) with direct responsibility for the implementation of civil works, engineering designs, and project coordination, including the monitoring of labor management procedures during construction.
Provincial/Municipal Local Government Units (LGUs)	<ul style="list-style-type: none"> • Support the implementation of the LMP, provides technical assistance to the Barangay in monitoring the compliance of the Contractors and Suppliers to the LMP
Project Contractor	<ul style="list-style-type: none"> • Recruit a qualified environmental and safety officer (EHSO) to ensure compliance with environmental statutory requirements,

	<p>contractual obligations, and CESMP/ESMP provisions;</p> <ul style="list-style-type: none"> • Provide sufficient funding and human and physical resources for the proper and timely implementation of the required mitigation and monitoring measures in the CESMP; and • Implement additional environmental mitigation measures, as necessary, to avoid, minimize, and/or compensate for adverse impacts due to construction works and related activities performed by the contractor.
World Bank	<ul style="list-style-type: none"> • Conduct periodic site visits to assess the status of E&S instruments' implementation and the overall environmental and social performance of the project. • Review labor management monitoring reports submitted by the Implementing Agency to ensure that adverse impacts and risks are properly addressed

ATTACHMENT 1 - NATIONAL REGULATIONS RELATED TO LABOR RISKS

No	Risks of the Project	PH Regulations	Detail
1	Discrimination	1 1987 Philippine Constitution	<p>The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all.</p> <p>The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.</p>
		2 Labor Code of the Philippines, as amended	<p>Declares it as State Policy to encourage hiring of workers based on their qualifications, abilities, skills, and knowledge instead of their age; forbid the placement of unreasonable age restrictions on employment; and support equal rights and treatments for all with regards to compensation, benefits, and other employment opportunities, age notwithstanding.</p> <p>Discrimination against women employees with respect to terms and conditions of employment solely on account of her sex is prohibited.</p>
		3 EO 292, s. 1987	<p>provides that appointments in the Civil Service shall be made only according to merit and fitness</p> <p>Government employees shall not be discriminated against in respect of their employment by reason of their membership in employees' organizations or participation in the normal activities of their organizations.</p>

		4	Omnibus Rules Implementing Book V of EO 292, s. 1987	No discrimination shall be exercised, threatened or promised against, or in favor of any person examined or to be examined or employed, by reason of his political or religious opinions or affiliations or sex or civil status.
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		5	CSC Memorandum Circular No. 3, s. 2001	provides for the revised policies on the merit promotion plan, which mandates that appointment in the government service is open to all qualified men and women according to the principle of merit and fitness
		5	RA 8371	the State is mandated to extend to ICC/IPs the same employment rights, opportunities, basic services, educational and other rights and privileges available to every member of the society, and the employment of any form of force or coercion against ICCs/IPs is dealt with by law.
		7	R 9710	The State condemns discrimination against women in all its forms. Public and private entities and individuals found to have committed discrimination against women shall be subject to sanctions.
2	Sexual Harassment	8	RA 7877	prohibits any form of sexual harassment in employment, education or training environment is unlawful for both the private and public sector
		9	RA 11313	prohibits gender-based sexual harassment in the workplace

3	[Misuse of Contract] [Desnaturalización del contrato]	10	RA 386, as amended	Article 1306 provides that the contracting parties may establish such stipulations, clauses, terms and conditions as they may deem convenient, provided they are not contrary to law, morals, good customs, public order, or public policy.
		11	DOLE DO 174,s 2017	Notwithstanding any oral or written stipulations to the contract, the contract between the contractor/subcontractor and its employees shall be governed by the provisions of Arts. 294 and 295 of the Labor Code, as amended, including the provisions on general labor standards.

4	[Gender Violence]	12	RA 9262	Recognizes the need to protect the family and its members, particularly women and children, from violence and threats to their personal safety and security
		13	R 9710	The State shall ensure that all women shall be protected from all forms of violence as provided for in existing laws. Agencies of government shall give priority to the defense and protection of women against gender-based offenses and help women attain justice and healing.
5	[Forced labor]	14	RA 10364	any act that introduce or match for money, profit, or material, economic or other consideration any person for purposes of forced labor, slavery, involuntary servitude, or debt bondage is prohibited
		15	Revised Penal Code of the Philippines	Art. 274 – Services rendered under compulsion in payment of debt

6	[Child labor]	16	Labor Code of the Philippines, as amended	<p>Employees may not be less than 15 years of age unless they are working directly under their parents or guardian and their work does not hinder their education .</p> <p>Persons between 15 and 18 years old may work for a certain number of hours and periods of the day. Regardless, no person below 18 years old may be employed in occupations that are considered dangerous.</p>
		17	Convention N° 138	ILO
		18	RA 9231	defines the “worst forms of child labor”
		19	DOLE DO No. 65-04	Specifies the work hours for children who are allowed to work
		20	DOLE DO No. 149, s. 2016, as amended by DOLE DO No. 149-A, s. 2017	Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 Years of Age
		21	Revised Penal Code of the Philippines	Art. 273 – Exploitation of child labor

7	[Freedom to Unionize]	22	1987 Philippine Constitution	guarantees the rights of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law.
		23	Conventions 87, 98 and 151	ILO
		24	Labor Code of the Philippines, as amended	<p>provides the State's policies that highlight the great importance of free collective bargaining and negotiations in settling labor disputes; boost free trade unionism; encourage the voluntary assembly of a unified labor movement; advise workers of their rights and obligations as employees and union members</p> <p>All employees have the right to self- organization and to form, join or assist labor organization of their own choosing for collective bargaining, including government employees.</p>
8		25	EO 292, s. 1987	<p>all government employees, including those in government-owned or controlled corporations with original charters, can form, join or assist employees' organizations of their own choosing for the furtherance and protection of their interests.</p> <p>Government authorities shall not interfere in the establishment, functioning or administration of government employees' organizations</p>

ATTACHMENT 2

PHILIPPINE AND INTERNATIONAL RULES ON WORK CONDITIONS AND BENEFITS

No.	Theme	Norm/Regulation	Observations
1	Contracting modalities	Labor Code of the Philippines, as amended	Recognize the following types of employment (Private): regular and alternative employment arrangements: project, seasonal, casual, fixed period employment and probationary employment; Art. 106 on contractor or subcontractor; Art. 107 on indirect employer
		CSC-COA-DBM Joint Circular 1, s. 2017, as amended	Governs contract of service and job order workers in the government
2	Work Day, Schedule, Overtime	Book Three, Title I, Chapter I, Labor Code	Art. 83 on normal hours of work; Art. 87 on overtime work; Art. 88 on undertime; Art. 89 on emergency overtime work
		Omnibus Rules Implementing Book V of EO 292, s. 1987	Offices and employees of all department and agencies, except those covered by special laws, shall render not less than 8 hours of work a day for 5 days a week or a total of 40 hours a week. it shall be from 8 o'clock in the morning to 12 o'clock noon and from 1 o'clock to 5 o'clock in the afternoon on all days except Saturdays, Sundays and Holidays
		Administrative Code of the Philippines of 1987 (EO 292)	Rule XVII provides for government office hours
3	Breaks	Book Three, Title I, Chapter I, Labor Code	Art. 84 on hours worked; Art. 85 on meal periods
		Book Three, Title I, Chapter II, Labor Code	Art. 91 /Art. 92 / Art. 93 on rest day, Sunday and Holiday Work;
4	Minimum salary	Book Three, Title II, Chapter II, Labor Code	Art. 99 on regional minimum wages; Art. 100 on prohibition against elimination or diminution of benefits; Art. 101 on payment by results
5	Holidays, Service Incentive Leaves and	Book Three, Title II, Chapter III, Labor Code	Art. 102 on forms of payment; Art. 103 on time of payment; Art. 104 on place of payment; Art. 105 on direct payment of wages

	other Leave Privileges	Omnibus Rules Implementing Book V of EO 292, s. 1987	Rule XVI on leave of absence; monetization of leave credits; vacation and sick leave; terminal leave
6	Compensation for length of service	Book Six, Title II, Labor Code	Art. 302 on retirement benefits
7	Bonuses	Revised Guidelines on the Implementation of the 13th Month Pay Law	<p>All “rank-and-file” employees of employers are entitled to a bonus called “13th month pay,” regardless of the amount of their monthly basic salary, their designation or employment status, and the method by which their salary is paid, provided they have worked for at least one month during a calendar year.</p> <p>The 13th month pay of a rank-and-file employee should be equivalent to at least 1/12 of the total basic salary that the employee earned within a calendar year</p>
8	Maternity and Paternity Benefits	RA 11210 or the 105-Day Expanded Maternity Leave Law	recognizes the protection of maternity and paternity rights for the public and private sector
		IRR of RA 11210	female worker, regardless of civil status, employment status, and legitimacy of her child, in the public sector or in the private sector is entitled to paid leave benefit for 105 days for live childbirth, and an additional 15 days paid leave if a solo parent; sixty (60) days paid leave for miscarriage and emergency termination of pregnancy
		RA 8187 or the Paternity Leave Act of 1996	Paternity leave benefit is given to all married male employees, regardless of employment status, in the private or public sector
		RA 8972 or the Solo Parents’ Welfare Act of 2000	Parental leave of not more than 7 working days every year shall be granted to any solo parent employee who has rendered service of at least one year
9	Internal regulations	X	
10	HIV	Ministerial Resolution 376- 2008-TR	National measures against HIV and AIDS in the workplace

11	Labor inspection	Labor Code of the Philippines, as amended	Art. 128 grants the Secretary of Labor or his duly authorized representative to access employer's records and premises at any time of the day or night whenever work is being undertaken therein
		RA 11058	Reiterates the inspection and enforcement power of the DOLE under Art. 128 of the Labor Code;
12	International Regulations - ILO	C029 - Forced Labor Convention, 1930	01 February 1960, effective
		C087 - Freedom of Association and Protection of the Right to Organize Convention, 1948	02 March 1960, effective
		C098 - Right to Organize and Collective Negotiation Convention, 1949	
		C100 - Equal Remuneration Convention, 1951	March 13, 1964, effective
		C105 - Abolition of Forced Labor Convention, 1957	01 February 1960, effective
		C111 - Discrimination (Employment and Occupation) Convention, 1958	06 December 1960, effective
		C138 - Minimum Age Convention	August 10, 1970, effective
		1973 (No. 138), Specified Minimum Age: 14	
		C182 - Worst Forms of Child Labor Convention, 1999	November 13, 2002, effective
13	World Bank	MAS and its Environmental and Social Standards (EAS)	08 November 1945, effective
		EAS 2	Environmental and Social Framework
		General Guidelines on Environment, Health and Safety	Labor and Labor Conditions

ATTACHMENT 3 - PHILIPPINE RULES ON SAFETY AND HEALTH AT WORK

ESS2 REQUIREMENTS IN OCCUPATIONAL SAFETY AND HEALTH	Legal system	
	PH Regulations	Contents
Identification of possible risks for project workers, in particular life threatening ones.	RA 11058	Every employer, contractor or subcontractor, if any, and any person who manages control or supervises the work being undertaken shall xxx allow workers and their safety and health representatives to participate actively in the process of organizing, planning, implementing and evaluating the program to improve the safety and health in the workplace;
	DOLE Department Order No. 198, s. 2018	Every employer, contractor or subcontractor, if any, shall provide the workers adequate and suitable information on the workplace hazards and the risk posed on the safety and health of the workers. Employee organization representative shall gather OSH related concerns/issues and elevate the same to the OSH Committee for discussion and appropriate action.
	CSC-DOH- DOLE JMC 1, s. 2020	For the public sector, establishment of a feedback mechanism which shall be utilized to enhance the OSH program
	RA 11058	Every employer, contractor or subcontractor, if any, and any person who manages control or supervises the work being undertaken shall xxx furnish the workers a place of employment free from hazardous conditions that are causing or are likely to cause death, illness or physical harm to the workers; inform the workers of the hazards associated with their work health risks involved or to which they are exposed to, preventive

		<p>measures to eliminate or minimize the risks and steps to be taken in cases of emergency; use only approved devices and equipment for the workplace; comply with OSH Standards including training medical examination and where necessary provision of protective and</p>
	RA 11058	<p>Every employer, contractor or subcontractor, if any, and any person who manages control or supervises the work being undertaken shall xxx furnish the workers a place of employment free from hazardous conditions that are causing or are likely to cause death, illness or physical harm to the workers; inform the workers of the hazards associated with their work health risks involved or to which they are exposed to, preventive measures to eliminate or minimize the risks and steps to be taken in cases of emergency; use only approved devices and equipment for the workplace; comply with OSH Standards including training medical examination and where necessary provision of protective and</p>

<p>Implementation of preventive and protective measures, including the modification, substitution or elimination of dangerous conditions or substances.</p>		<p>safety devices such as PPE and machine guards.</p> <p>Every worker shall participate in ensuring compliance with OSH Standards in the workplace. The worker shall make proper use of all safeguards and safety devices furnished for the workers protection and that of others, and shall observe instructions to prevent accidents or imminent danger situation in workplace.</p> <p>Every employer, contractor or subcontractor, if any, shall provide his workers, free of charge, protective equipment for their eyes, face, hands and feet, and lifeline, safety belt or harness, gas or dust respirators or masks, and protective shields whenever necessary by reason of the hazardous work process or environment, chemical, radiological, mechanical and other irritants or hazards capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact.</p> <p>All PPE shall be of the appropriate type as tested and approved by the DOLE based on its standards. The usage of PPE in all establishments, projects sites and all other places where work is being undertaken shall be based on the evaluation and recommendation of the safety officer.</p>
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	DOLE Department Order No. 198, s. 2018	<p>All PPE must be of appropriate size, weight and type to specific workers exposed to hazards from which PPE are meant to ensure effective protection.</p> <p>Issuance of PPE shall be supplemented by training on the application, use, handling, cleaning and maintenance of said PPE.</p>
		All workers shall be provided access to training and education on chemical

<p>Training of project workers and preparation of training records.</p>	RA 11058	<p>safety, electrical safety, mechanical safety, and ergonomical safety.</p> <p>Covered workplaces shall have a safety and health program including the following guidelines or information: safety and health promotion, training and education; conduct of toolbox meetings; among others.</p> <p>All workers shall undergo the mandatory 8 hours safety and health seminar as required by the DOLE which shall include a portion on joint employer-employee orientation.</p> <p>All personnel engaged in the operation, erection and dismantling of equipment and scaffolds, structural erections, excavations, blasting operations, demolition, confined spaces, hazardous chemicals, welding and flame cutting shall undergo specialized instructions and training on the said activities.</p>
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	DOLE Department Order No. 198, s. 2018	<p>All workers, including new hires, shall be provided training and information for all types of hazards in the workplace in a language and dialect that workers can understand. Training and information materials used shall be made readily available and accessible to workers.</p> <p>A re-orientation on safety and health for workers in high risk establishments must be conducted regularly, not less than once a quarter, and to be conducted immediately following any changes in the operations and production process.</p> <p>Appropriate training and certification by the TESDA, PRC or other government agency shall be a requirement for operators before use of equipment, if applicable.</p>
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	CSC-DOH- DOLE JMC 1, s. 2020	Employees shall participate in the OSH information and education program, trainings and other related initiatives of the agency to contribute to the improvement and sustainability of the same.
documentation of occupational accidents, illnesses and	RA 11058	<p>The worker shall report to the supervisor any work hazard that may be discovered in the workplace.</p> <p>Covered workplaces shall have a safety and health program including the following guidelines or information: accident/incident/illness investigation, recording and reporting; among others.</p> <p>All employers, contractors or subcontractors, if any, shall submit all safety and health reports and notifications</p>

incidents, and the preparation of the corresponding reports.		prescribed by the DOLE.
	Department Order No. 198, s. 2018	All employers, contractors or subcontractors, in any, shall submit to DOLE all safety and health records, and notifications such as but not limited to annual medical report (AMR), OSH committee report, employer's work accident/injury report (WAIR), and annual work accident/injury exposure data report (AEDR)
	CSC-DOH-DOLE JMC 1, s. 2020	<p>All work related accidents, injuries or illnesses in the workplace, resulting to a disabling condition and/or dangerous occurrence must be periodically reported by the Human Resource Office of the respective government agency to the Safety and Health Committee copy furnished the Head of Agency.</p> <p>Where the accident/illness results in death or permanent total disability, a report must be submitted within 24 hours after its occurrence to the Safety and Health Committee and Head of Agency for appropriate action.</p>

		<p>The agency, through its Human Resource Office, shall maintain and keep an accident or illness record which shall be open at all times for inspection by authorized personnel which shall contain the following information: a) date of accident or illness; b) name of injured/ill employee, age and sexual orientation; c) occupation/position of the employee; d) cause of accident/illness; e) extent and nature of disability/injury; f) duration of disability/injury; g) extent of damage, including actual medical cost; h) corrective action/s on OSH related findings which caused illness/accidents to be undertaken or was undertaken.</p> <p>The agency through the Human Resource Office shall assist the employee for Employee Compensation claims with the GSIS.</p>
<p>Emergency prevention and emergency preparedness and response.</p>	<p>RA 11058</p>	<p>Every employer, contractor or subcontractor, if any, and any person who manages control or supervises the work being undertaken shall xxx provide, where necessary, for measures to deal with emergencies and accidents including first aid arrangements.</p> <p>The worker shall observe the prescribed steps to be taken in cases of emergency.</p> <p>Covered workplaces shall have a safety and health program including the following guidelines or information: emergency preparedness and response plan; among others.</p>
	<p>CSC-DOH-DOLE JMC 1, s. 2020</p>	<p>For the public sector, it provides for emergency preparedness, including the establishment of a risk reduction management system, training on disaster risk reduction management, provision of emergency supplies, use of duly certified first-aiders, and a MOA with the nearest government health</p>

		facility.
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		<p>Hheads of government agencies where the JO or COS employees are deployed shall only provide medical assistance in case of emergency.</p>
<p>Repair of adverse impacts such as occupational injuries, deaths, disability or illness.</p>	<p>RA 11058</p>	<p>A worker may file claims for compensation benefit arising out of work- related disability or death. Such claims shall be processed independently of the finding of fault, gross negligence or bad faith of the employer in a proceeding instituted for the purpose.</p> <p>If stoppage of work due to imminent danger occurs as a result of the employer's violation or fault, the employer shall pay the workers concerned their wages during the period of such stoppage of work or suspension of operations.</p>
	<p>CSC-DOH-DOLE JMC 1, s. 2020</p>	<p>Any employee or representative of employees or any concerned person who believes that a violation of any of the provision of the standards threatens physical well being, harm or poses imminent danger to life, may submit a request to address the issue/concern along with a narrative report regarding the violations to the agency Grievance Committee.</p> <p>If the Grievance Committee finds a reasonable ground that a violation has been committed or a danger exists, an immediate inspection or investigation shall be conducted.</p>

<p>All parties hiring project workers will develop and implement procedures to establish and maintain a safe work environment, including verifying that workplaces, machinery, equipment, and</p>	<p>RA 11058</p>	<p>Covered workplaces shall have a safety and health program including the following guidelines or information: statement of commitment to comply with OSH standards; general safety and health, including a drug-free workplace; HIV and AIDS/tuberculosis/hepatitis prevention and control; OSH personnel and facilities; provision and use of PPE; provision of safety signage; dust control and</p>
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<p>processes under their control are safe and do not pose hazards to health, including the use of appropriate measures relating to chemical, physical and biological agents and substances.</p>		<p>management and regulations on activities such as building of temporary structures, and lifting and operation of electrical, mechanical, communication systems and other equipment; provision of workers' welfare facilities; among others.</p>
	<p>DOLE Department Order No. 198, s. 2018 DOLE Department Order No. 198, s. 2018</p>	<p>Covered workplaces shall develop and implement a suitable OSH program in a format prescribed by the DOLE which shall be posted in prominent places.</p> <p>The DOLE shall prescribe a formal that should be accomplished by the employer, contractor or subcontractor, if any, in consultation with the workers and their representatives.</p> <p>The OSH Program shall be communicated and be made readily available to all persons in the workplace.</p> <p>The establishment shall ensure that the core elements of OSH program are integrated in the company OSH program such as management commitment and employee involvement, workplace risk assessment, hazard prevention and control, safety and health training and education and</p>

		Osh program evaluation.
	CSC-DOH-DOLE JMC 1, s. 2020	<p>For the public sector, it requires the establishment of minimum OSH Program.</p> <p>Agency heads shall ensure comprehensive dissemination of OSH information through a communication plan which includes the publication of pertinent OSH information in the agency website and other communication materials and the establishment of a feedback mechanism which shall be utilized to enhance the OSH program.</p>
	RA 11058	<p>The worker shall report to the supervisor any work hazard that may be discovered in the workplace.</p>

<p>Processes will be established in the workplace for project workers to report work situations that they consider unsafe or unhealthy, and for them to withdraw from a work situation that they consider, with reasonable justification, to present an imminent or serious danger to them, their life or their health.</p>		<p>Workers and their representatives shall have the right to report accidents, dangerous occurrences, and hazards to the employer, to the DOLE and other concerned government agencies.</p> <p>The worker has the right of refusal to work without threat or reprisal from the employer if as determined by the DOLE, and imminent danger situation exists in the workplace that may result in illness, injury or death, and corrective actions to eliminate the danger have not been undertaken by the employer.</p>
	<p>DOLE Department Order No. 198, s. 2018 DOLE Department Order No. 198, s. 2018</p>	<p>Reporting of accidents to DOLE may be made through any means of communication, including the DOLE hotline, whichever is most convenient to the worker. The same may be reported to the nearest DOLE Regional, Field, Provincial or Satellite Office having jurisdiction over the place of the incident.</p>
	<p>CSC-DOH-DOLE JMC 1, s. 2020</p>	<p>Employees shall report OSH related illness and accidents to the Management in order for the latter to act and provide the necessary intervention.</p> <p>Government employees must report to the Safety and Health Committee any work hazard that may be observed in the workplace.</p>
<p>Project workers will be offered facilities appropriate to the circumstances of their work, including access to canteens, hygiene facilities, and appropriate rest areas.</p>	<p>RA 11058</p>	<p>All establishments, projects, sites and all other places where work is being undertaken shall have the following welfare facilities in order to ensure humane working conditions: adequate supply of safe drinking water; adequate sanitary and washing facilities; suitable living accommodation for workers, as may be applicable; and separate sanitary, washing and sleeping facilities for men and women workers as may be applicable.</p>

		<p>In relation to the use of equipment, the employer, contractor or subcontractor, if any, must comply with the DOLE requirements in the different phases of the company or project operation including the transport to and from the establishment, project, site or place where work is being undertaken.</p>
	<p>DOLE Department Order No. 198, s. 2018 DOLE Department Order No. 198, s. 2018</p>	<p>Covered workplaces shall have qualified occupational health personnel such as certified first-aiders, nurses, dentists, and physicians duly complemented with the required medical supplies, equipment and facilities.</p> <p>The employer may not establish and hospital or dental clinic in the workplace where there is a hospital or dental clinic which is located not more than 5 kms away from the workplace, accessible in not more than 25 minutes travel time, and the employer has facilities readily available for transporting workers to the hospital or dental clinics in case of emergency.</p> <p>All establishments, projects, sites and all other places where work is being undertaken shall have the following free welfare facilities: adequate supply of safe drinking water; adequate sanitary and washing facilities; suitable living accommodation for workers, as may be applicable; and separate sanitary, washing and sleeping facilities for all gender as may be applicable; lactation station except those establishments as provided for under DOLE DO NO. 143-15; ramps, railings and the like; and other workers' welfare facilities as may be prescribed by the OSH standards and other issuances.</p>

	CSC-DOH-DOLE JMC 1, s. 2020	<p>For public sector, support facilities shall be provided including, facilities to promote health and wellness; work assignments and good working atmosphere for pregnant women, older employees, differently abled and those with limited working abilities; and provision for lactation stations.</p> <p>The institutional contractors must ensure that their employees deployed in government agencies are provided with medical coverage.</p>
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**ATTACHMENT 4- CONSTRUCTION SAFETY AND HEALTH PROGRAM (CSHP)
CHECKLIST**

Construction Safety and Health Program (CSHP) Checklist			
	Y E S	N O	Remarks
A. General Requirements			
a. Two (2) copies of letter of intent			
b. Name of authorized contact person with telephone number/s			
c. Two (2) copies of the safety and Health Program. One copy must be original print.			
B. CSH Program must contain the following:			
1.Name of person who prepared the program (please indicate if accredited by DOLE as OSH Practitioner)			
2. Project Description:			
a. Specific name of project			
b. Location of the project			
c. Project classification			
d. Project owner			
e. Name of main contractor			
f. Estimated number of workers to be deployed			
g. Estimated start of execution of project			
h. Estimated duration			
i. Scope of work to be undertaken			
3. Company Safety Policy written on a company letterhead			
Must be duly signed by the highest company official or the highest			
ranking company representative who has overall control of project			
execution.			
4. Name/s of Site Safety and Health Personnel			
Must specify the proposed structure and membership of the safety			
and health committee (Specify the name/s)			
5. Specify duties and responsibilities of the Safety Officer			
Specific provisions on the following (if applicable):			
6. On-site safety and health promotion and continuing information dissemination			

7. Accident and incident investigation and reporting			
8. Protection of the general public within the vicinity of the construction site			
9. Environmental control			
10. Guarding of hazard machinery			

Construction Safety and Health Program (CSHP) Checklist			
	Y E S	N O	Remarks
11. Personal Protective Equipment			
12. Handling of hazardous substances			
13. General materials handling and storage procedures			
14. Workers skills and transportation facilities for workers in case of emergency			
15. Provisions for transportation facilities for workers in case of emergency			
16. Temporary fire protection facilities and equipment			
17. First aid health care medicines, equipment and facilities			
18. Workers welfare facilities			
19. Proposed hours of work and rest breaks			
20. Construction waste disposal			
21. Testing and inspection of construction heavy equipment			
22. Disaster emergency preparedness contingency plan			
23. COVID-19 or communicable disease prevention health and safety protocols			
24. Laborer camps policy and management (when relevant)			
24. Standard operating procedure and job hazard analysis for the following activities and other hazardous work not outlined herein.			
a. Site clearing			
b. Excavations			
c. Erection and dismantling of scaffolds and other temporary working platforms			
d. Temporary electrical connections/ installations			
e. Use of scaffolds and other temporary working platforms			

f. Working at unprotected elevated working platforms or surfaces			
g. Use of power tools and equipment			
h. Gas and electric welding and cutting operations			
i. Working confined spaces			
j. Use of internal combustion engines			
k. Handling hazardous and/ or toxic chemical substances			
l. Use of hand tools			
m. Use of mechanical lifting appliances for movement of materials			
n. Use of construction heavy equipment			
o. Demolition			
p. Installation, use and dismantling of hoist and elevators			
25. Penalties/ sanctions for violation of the provisions of the CSH program			
26. Grievance redress mechanism to address workers complaints including GBV/SEA/SH case management and referral pathways			
C. Attachments			
1. Photocopy of registration forms received and approved by the concerned DOLE Regional Office			
2. Photocopy of Invitation to BID/ Project Contract			
3. Photocopy of Certificate and Completion of required training of all designated OSH personnel			
- Safet Officer- Basic Occupational Safety and Health Training for Construction Site Safety Officer			
- OH Nurse- Basic Occupational Safety and Health Training for OH Nurse (if any)			
-OH Physician - Basic Course on Occupational Medicine (if any)			
-First Aider- Standard First Aid Training and valid PNRC ID as first aider			
4. Certificate of inspection and testing of construction Heavy equipment			
5. Skills Certificate of construction heavy equipment operators issued by TESDA (if any)			

ATTACHMENT 5- SAMPLE GENERIC CODE OF CONDUCT

This Code of Conduct identifies the behavior required from all personnel of (enter name of contractor's Firm or the Implementing agencies such as DPWH and DILG) working at the (Indicate the location of the subproject site and subproject name).

This Code of Conduct is part of our measures to deal with environmental and social risks related to the Works. It applies to all our staff, laborers and other employees at the Works Site or other places where the Works are being carried out. It also applies to the personnel of each subcontractor and any other personnel assisting us in the execution of the Works. All such persons are referred to as "Contractor's Personnel" and are subject to this Code of Conduct.

This Code of Conduct identifies the behavior that we require from all Contractor's Personnel.

Our workplace is an environment where unsafe, offensive, abusive or violent behavior will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

• REQUIRED CONDUCT

All (name of contractor's firm or the implementing agencies) personnel shall:

- a. Carry out his/her duties competently and diligently;
- b. Comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other contractor's personnel and any other person;
- c. Show respect on the cultural traditions and practices in the community;
- d. Maintain a safe working environment by:
 - a) ensuring that workplaces, machinery, equipment and processes under each person's control are safe and without risk to health;
 - b) wearing required personal protective equipment (PPE);
 - c) using appropriate measures relating to chemical, physical and biological substances and agents; and
 - d) following applicable emergency operating procedures.
- e. Report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and danger to his/her life or health;
- f. Treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers, indigenous peoples, children or based on their Sexual Orientation, Gender Identity and Expression (SOGIE);
- g. Not engage in any form of sexual harassment, such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature;
- h. Not engage in sexual exploitation, or any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to profiting monetarily, socially or politically from the sexual exploitation of another;
- i. Not engage in sexual abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
- j. Not engage in Sexual Assault, which means any form of non-consensual sexual contact that does not result in or include penetration. Examples include: attempted rape, as well as unwanted kissing, fondling, or touching of genitalia and buttocks not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;

- k. Not engage in any other form of harassment, mental or physical coercion, or verbal abuse;
- l. Not use prohibited drugs;
- m. Observe appropriate areas for smoking;
- n. Not be under the influence of alcohol in the working premises;
- o. Undergo relevant training or orientation that shall be provided related to the environmental and social aspects of the Contract, including on health and safety matters and Sexual Exploitation, and Sexual Abuse (SEA);
- p. Report violations of this Code of Conduct; and
- q. Not retaliate against any person who reports violations of this Code of Conduct whether to us, the Contractor or who makes use of the Project's Grievance Redress Mechanism.

• **RAISING OF CONCERNS**

If any person observes a behavior that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she should raise the issue promptly to: (Name, address and contact number of persons designated by contractor to handle social issues/concerns) This can be done either in writing, by telephone, or in person.

The concern may also be raised through the Project's Grievance Redress Mechanism using any channel – website, social media, cellphone, letter or in person.

The person's identity shall be kept confidential, unless reporting of allegations is mandated by the country law. Anonymous complaints or allegations may also be submitted and shall be given all due and appropriate consideration. We take all reports of possible misconduct seriously and shall investigate and take appropriate action. We shall provide warm referrals to service providers that may help support the person who experienced the alleged incident, as appropriate.

• **SANCTIONS**

Any employee who has breached this Individual Code of Conduct shall be subject to any of the following actions:

- Informal warning
- Formal warning
- Loss of up to one week's salary
- Suspension of employment (without payment of salary), for a minimum period of _____ up to a maximum of _____.
- Termination of employment
- Reporting to the police if warranted

Name and Signature of Project-in-Charge

(Name of Contractor's Firm)

ATTACHMENT 6- GRIEVANCE REGISTRATION FORM

Case Number: (to be assigned by Grievance Redress Officer)	
Name of Grievance Redress Officer:	
First and Last Name/ Company Name: (Note : complaints may be filed anonymously or a request may be made not to disclose applicants' data to third parties without the consent of the applicant)	Full Name: _____ Company Name: _____ <input type="checkbox"/> I wish to file my complaint anonymously <input type="checkbox"/> I request that my data is not disclosed without my consent
Contact Information :	Mailing Address: _____ _____ _____ _____ Phone Number: _____ Cellphone Number: _____ Email: _____
Description of incident or grievance (Please provide detailed information about the incident or grievance)	

Incident Information

(Specify location, date and time the incident happened)

Date: _____

Time: _____

Location: _____

Incident Resolution

(Suggested resolution to the incident)

I hereby affirm my right to be informed, object to processing, access and rectify, suspend and withdraw my personal information and be indemnified in case of damages pursuant to the provisions of Republic Act No. 10173 (Data Privacy Act of 2012) and its Implementing Rules and Regulations.

Name and Signature of Complainant

Date: _____

ATTACHMENT 7- GRIEVANCE LOG TEMPLATE

[illegible]

ATTACHMENT 8- DPWH Department Order No. 241 series of 2024



Republic of the Philippines
DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
OFFICE OF THE SECRETARY
Manila



DEC 20 2024

DEPARTMENT ORDER)	SUBJECT:	Guidelines on the Processing,
)		Approval and Reporting System of
NO. 241)		Construction Safety and Health
Series of 2024)		Program (CSHP) for DPWH
)		Infrastructure Projects

In line with the policies established by the Department of Public Works and Highways (DPWH) and the Department of Labor and Employment (DOLE) on the processing and approval of Construction Safety and Health Program (CSHP) for the DPWH infrastructure projects, herein are the guidelines for the preparation, submission, evaluation and approval of CSHPs including the corresponding reporting system for all DPWH implemented infrastructure projects.

This Department Order aims to harmonize provisions from various issuances relative to the processing of the CSHPs for DPWH particularly the Joint Memorandum of Agreement (JMOA) between the DPWH and DOLE as signed on October 7, 2024.

I. Preparation and Submission of CSHP

The DPWH Implementing Office (IO) shall ensure that all the documentary requirements, provisions, and instructions pertaining to the implementation of CSHP in compliance with the Republic Act (RA) No. 11058 and its Implementing Rules and Regulations (IRR) and other related issuances by the DPWH and the DOLE, are included in the project bidding documents particularly under the Specifications and Instruction to Bidders and shall be discussed during pre-bid conferences.

In the issuance of the Notice of Award (NOA) or Letter of Acceptance as for the case of foreign assisted projects, the Head of the DPWH IO shall require the winning bidder to submit the approved CSHP using the template recommended by DOLE as a guide.

The submission for approval of CSHP shall include the Application Form for the evaluation/processing and other supporting documents as per DOLE's latest issued format and checklist of requirements in the application of CSHP.

The DPWH IO shall only receive CSHP applications with complete documents. Any incomplete applications shall not be received, specifying the lacking documents.

II. The CSHP Focal Person and CSHP Evaluators

Aligned with the signed DPWH and DOLE JMOA on the approval of CSHP for infrastructure projects, the DPWH IOs shall designate a CSHP Focal Person who shall oversee the overall implementation of the CSHP of the office concerned.

Website: <https://www.dpwh.gov.ph>
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For the institutionalization of the aforementioned responsibility of DPWH, the following personnel shall be assigned.

Office	CSHP Focal Person	CSHP Evaluator/s	Required Trainings
District Engineering Offices	Chief of Construction Section	At least a permanent Engineer II under the CSHP Focal Person's direct supervision	<ul style="list-style-type: none"> • 40-Hour Construction Occupational Safety and Health Training • Training on Evaluation of CSHP conducted by DOLE
Regional Offices	Chief of Construction Division		
Central Office	At least Engineer V as assigned by the Bureau/Project Director		

In case the above required personnel for CSHP Focal Person lacks the prescribed trainings, the Head of the DPWH IO shall assign a provisional CSHP Focal Person until the required personnel has completed the said trainings. The required personnel shall undergo the prescribed training within six (6) months from the effectivity of this order.

The provisional CSHP Focal Person shall be at least a permanent Engineer III (for Regional Offices), and a permanent Engineer II (for District Engineering Offices) who completed the above-mentioned prescribed trainings. For Central Office IO, the provisional CSHP Focal Person shall be at least a permanent Engineer IV who completed the said trainings.

III. Evaluation and Approval of CSHP

The submitted CSHP and supporting documents shall be evaluated by qualified CSHP evaluators duly supervised by the IO's CSHP Focal Person. It shall be evaluated based on the provisions of RA No. 11058 and its IRR and other related issuances of DOLE using the Evaluation Form prescribed by DOLE. If found in order, the CSHP Focal Person shall recommend the approval of the CSHP to the Head of IO. Else, the CSHP shall be immediately returned to the contractor citing specific deficiencies.

The Head of IO upon the recommendation of the CSHP Focal Person shall approve the CSHP not later than seven (7) calendar days from the issuance of the NOA to the contractor. The contractor shall submit the CSHP not later than three (3) calendar days from the issuance of NOA to give time for its evaluation and approval.



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Appendix 4
Chance Find Procedure

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Chance Find Procedures

The Client is responsible for identifying and designing a project that will not cause substantial cultural heritage harm. When a project's planned location is in an area where cultural heritage is likely to be discovered, the Client will use chance find methods outlined through the Social and Environmental Assessment or Cultural Heritage Impact Assessment (CHIA). The Client will not interfere with any subsequent chance discoveries until a qualified specialist has completed the assessment.

In the event of unanticipated discoveries of cultural or historical artifacts, (movable or immovable), on the course of the work, this must take all necessary measures to protect the findings. Procedures to be followed in case of discovery of artefacts are:

1. The external monitoring IP consultant will inform the Contractor to immediately cease operations at the site of discovery.
2. The external monitoring consultant will report the accidental discovery to the DPWH to notify the National Museum (NATMU), National Historical Commission of the Philippines (NHCP), National Commission on Culture and Arts (NCCA) and/or other concerned agencies for the next steps.
3. Recommence work only after the NATMU, NHCP, and NCCA has provided official recommendation accordingly.

Purpose of the Chance Find Procedure

The chance find protocol is a project-specific method that describes what to do if previously unknown historic resources, particularly archaeological resources, are discovered during the building or operation of a project. A Chance Find Procedure is a method that protects accidental findings from being destroyed until an archaeologist has assessed them and taken measures in preserving and conserving the finds that are also consistent with the requirements.

Scope of the Chance Find Procedure

This method applies to any operations carried out by personnel, including contractors, that might lead to the discovery of an archaeological or historical object, structure, or place. The process outlines what to do if a previously unknown and potentially archaeological and historical object, structure or place is discovered during any earth-moving activities in relation to the development. The procedure defines the duties and responsibilities of project staff as well as any applicable heritage authority.

Induction/Training

All personnel, especially those working on earth movements and excavations, are to be inducted on the recognition and identification of potential heritage items/sites and the relevant actions for them with regards to this procedure during the Project induction and regular toolbox talks.

Chance Find Procedure

If an archaeological or historical object, structure, or place is discovered during excavation or construction, such as (but not limited to) remains and artifacts, or a cemetery and/or individual graves, the following procedures must be followed:

1. Immediately stop any construction in the area of the discovery and cordon the area;
2. Document the finds (photographs);
3. Notify a foreman right away. The foreman will then inform the Construction Manager and the Environment Officer (EO)/Environmental Manager (EM) of the scenario.
4. Write a report of the incidental finds and seek guidance from the respective personnel particularly the in-house archaeologist/anthropologist until a solution for the preservation of the artifacts has been prepared;
5. Take photographs of the find and record the details in the Incident Report.
6. Define the discovered site or region and secure it to protect any harm or loss of removable items. A night guard must be appointed in situations of removable artifacts or sensitive remains until the appropriate local authorities and respective personnel take control;
7. The in-house Archaeologist and Anthropologist must conduct a preliminary assessment of the findings.
8. To evaluate the significance of the site or find, the archaeologist and anthropologist must perform a quick evaluation. The appropriate strategy may be implemented based on the results of this assessment.
9. Minor significance sites (such as isolated or uncertain features, and isolated finds) should be recorded as soon as possible by the archaeologist, causing the lowest impact of disruption to the Contractor's work schedule. Once finished, every archaeological work must be reported to the National Museum of the Philippines (NatMu), National Historical Commission of the Philippines (NHCP) Institute, and National Commission for the Culture and the Arts (NCCA).
10. If a major find is discovered, the Archaeological Impact Assessment (AIA) team should be notified immediately.
11. The appropriate authorities will make the decision on how to handle the find. This might involve alterations to the design (such as when finding an irremovable remain of cultural or archaeological importance) conservation, preservation, restoration, and salvage are all terms used to describe the process of preserving, restoring.
12. Construction activity might resume only if the competent authorities give their authorization.

Appendix 5

**Resettlement Policy
Framework**

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A. Introduction

According to the 2022 Philippine Water Supply and Sanitation Master Plan, the Government of the Philippines (GoP) plans to achieve 100 percent safe water supply and sanitation (WSS) coverage by 2030. As of 2020, the overall coverage of safely managed water supply is at 47 percent, while safely managed sanitation services are approximately at 61 percent.⁴ In accordance with the WB's 2022–2023 Advisory Services and Analytics (ASA) recommendations on WSS, the GoP has requested for USD 250 to be used by the DPWH and DILG for the implementation of the Accelerated Water and Sanitation Project in Selected Areas (AWSPSA). The AWSPSA identifies key strategies that the GoP needs to implement to fulfill its 2030 universal WSS coverage targets.

This Resettlement Policy Framework (RPF) prepared for AWSPSA is consistent with requirements of the World Bank Environmental and Social Framework.⁵ Its fundamental purpose is to establish terms of agreement between relevant authorities in the Department of Public Works and Highways (DPWH) through the Unified Project Management Office – Flood Control and Management Cluster (UPMO-FCMC) The Department of Interior and Local Government Units, and the World Bank regarding principles and procedures to be used in subsequent preparation of a Resettlement Plan (RP) or Resettlement Plan (RPs).⁶ World Bank approval of an RP (or RPs) is required before project authorities invite bids for any contracts in which works are expected to involve physical or economic displacement as a result of land acquisition or restrictions on access or use of natural resources.

The RPF is consistent with WB ESS 5, which requires that any resettlement activities are properly planned and implemented with appropriate disclosure of information, meaningful consultation, and informed participation of persons that are affected. The RPF applies to sub-projects that entail land acquisition, involuntary resettlement, and restrictions on land use. When land acquisition and involuntary resettlement are unavoidable during subproject implementation, the RPF presents guidelines to mitigate adverse social and economic impacts and to provide the compensation and entitlements of persons whose lands are acquired for AWSPSA or those who are subject to involuntary resettlement

The RPF is intended to avoid or minimize any adverse impacts associated with physical or economic displacement, and to ensure arrangements are in place to mitigate any adverse

⁴ WHO/UNICEF Joint Monitoring Program for Water Supply, Sanitation and Hygiene. "Progress on household drinking water, sanitation and hygiene 2000–2020: Five years into the SDGs", page 119 and 139, <https://www.who.int/publications/i/item/9789240030848>, last accessed on 9 August 2024.

⁵ Specifically, Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5), Annex 1B. The template is primarily intended for use in projects initially classified as Low or Moderate Risk. It may also be appropriate for use in projects with a Substantial Risk classification if risks identified as substantial do not relate directly to ESS5.

⁶ To ensure that the relevant authority is aware of its obligations, it is recommended that the RPF be accompanied by a provision of a transmittal letter, signed by the chief executive (or similar relevant authority) of the implementing agency.

impacts that may occur. The Department of Public Works and Highways (DPWH) through the Unified Project Management Office – Flood Control and Management Cluster (UPMO-FCMC) the DILG and the LGUs covered by this project hereby agrees to apply the principles, procedures, and standards incorporated in ESS5 of the World Bank Environmental Social Framework (ESF) if obtaining any sites for project use would cause economic displacement⁷ or physical displacement.⁸

This RPF is intended to utilize the existing legal and policy framework of the Government of the Philippines, the Department of Public Works and Highways (DPWH), Unified Project Management Office – Flood Control and Management Cluster (UPMO-FCMC) incorporating any supplementary measures necessary to achieve consistency with ESS5 principles and standards.⁹

B. Project Objectives and Description

The Government of the Philippines (GoP) understands that in order to meet the WSS targets, investments and sectoral reforms are required. In order to address broad-based sector and utility challenges, the ASAs recommended that the GoP shall create and implement a national WSS program. This project is intended to be a component of a longer-term program that will offer financial support, technical assistance, and reforms in order to achieve the Sustainable Development Goals (SDGs) by 2030. The Project will be implemented in three provinces located in the regions of Visayas (Bohol Province) and Mindanao (Provinces of Surigao del Norte and Sulu). The project encompasses activities such as developing water sources, upgrading/constructing water transmission and distribution systems, and sanitation facilities, such as septage treatment, and WASH in schools and public areas.

The Project aims to increase access to and improve the quality and efficiency of water supply, sanitation, and hygiene services in priority areas of the Philippines. Furthermore, it aims to improve the quality of life for communities and stimulate growth, particularly in the tourism sector. Project investments would involve civil works such as construction of intake wells, laying of cross-country transmission mains, distribution network, septage treatment facilities. The project has four (4) Components to be implemented by the DPWH, DILG and the LGUs. Figure 1. describes the AWSPSAs components:

⁷ As described in ESS5, Paras. 33–36.

⁸ As described in ESS5, Paras. 26–32.

⁹ The RPF does not supersede provisions of ESS5 or the ESF, and the World Bank remains solely responsible for determining what is required to achieve consistency with those requirements throughout the course of project implementation.

Figure. 1 AWSPSA Project Components



Component 1. Increasing Access to Safe Water Supply and Sanitation Services (US\$253 million of which US\$230 IBRD). This Component will include investments for the construction and rehabilitation of facilities for safe WSS services projects to increase access and improve water and sanitation services.

Subcomponent 1a. Infrastructure investments for Safe Water Supply Services (US\$165 million, of which US\$150 million IBRD). This subcomponent aims to increase access to safe water supply services through infrastructure projects that cover the construction and/or rehabilitation of water supply systems. Specifically, this subcomponent will support the rehabilitation, upgrading, expansion, and construction of climate proof water systems, including water intakes, water treatment plants, transmission lines, gravity-based reservoirs, distribution networks and household connections.

Subcomponent 1b. Infrastructure investments for Safe Sanitation and WASH Services (US\$63.8 million, of which US\$58 million IBRD). This subcomponent will support the construction/upgrading of household toilets and/or septic tanks; septage treatment plants and the provision of desludging tankers; provision of inclusive (gender, Persons with Disabilities (PWD), and senior citizen accessible) handwashing stations and sanitary/safely managed toilets in public schools, health centers and other public places; and information education campaigns (IEC) and WASH activities on handwashing, hygiene, and safe water management.

Component 2. Improving the operational performance of WSPs (US\$24.2 million, of which US\$22 million IBRD). This Subcomponent will finance the provision of technical assistance to LGU-run WSPs to deliver efficient WSS services. Activities to be financed include, inter alia: (i) the setting up of autonomous local water enterprises (LWEs) to ringfence the WSPs' finances and organization from the LGUs;

Component 3. Project Management and Supervision and Sector Studies (US\$22 million, of which US\$ 20 million IBRD). This component will consist of capacity building and systems strengthening for the DPWH and the DILG to support achievement of the project objectives. The component will include: (i) project management and operating costs of the PIUs; (ii) technical assistance and consulting services for the design of sub-projects and related studies; and (iii) the preparation of engineering, social, and environmental technical studies for subsequent WSS investments.

Component 4. Contingent Emergency Response Component (US\$0 million). This zero-cost component will allow the GoP to quickly access project funds in response to an eligible disaster, emergency, or crisis. It will allow rapid re-allocation of uncommitted project funds to address urgent needs in the event of a natural disaster or crisis (including public health-related emergencies). A declaration of a state of calamity by a qualified national or subnational authority, in accordance with applicable laws, could serve as a possible trigger to activate this component.

C. Key Principles and Definitions

The fundamental objective of ESS5 is to ensure that, if physical or economic displacement cannot be avoided, displaced persons (as defined below) are compensated at the replacement cost for land and other assets, and otherwise assisted as necessary to improve or at least restore their incomes and living standards. In World Bank-assisted projects, borrowers are expected to take all feasible measures to avoid or minimize adverse impacts from land acquisition and restrictions on land use associated with project development.

Other ESS5 objectives include:

- a) To avoid forced eviction¹⁰
- b) To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure¹¹
- c) To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project warrants
- d) To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

Displaced persons (ESS5, Para. 10) are defined as any persons subjected to project-related adverse impacts who (a) have formal legal rights to land or assets; (b) have a claim to land or assets that is recognized or recognizable under national law; or (c) who have no recognizable legal right or claim to the land or assets they occupy or use. The term incorporates all potential categories of persons affected by land acquisition and associated impacts; all of those adversely affected are considered “displaced” under this definition regardless of whether any relocation is necessary.

Replacement cost (ESS5, Para. 2, footnote 6) is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as

¹⁰ Defined as the removal against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection, including all applicable procedures in ESS5.

¹¹ Security of tenure means that displaced persons are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are at least as robust as those they had prior to displacement.

established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement materials and labor for construction of structures or other fixed assets, plus all transaction costs associated with asset replacement. In all instances where physical displacement results in loss of substandard shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets minimum community standards of quality and safety.

ESS5 also establishes key principles to be followed in resettlement planning and implementation. These include:

- a) All displaced persons are entitled to compensation for land and attached assets, or to alternative but equivalent forms of assistance in lieu of compensation; lack of legal rights to the assets lost will not bar displaced persons from entitlement to such compensation or alternative forms of assistance.
- b) Compensation rates refer to amounts to be paid in full to the eligible owner(s) or user(s) of the lost asset, without depreciation or deduction for fees, taxes, or any other purpose.
- c) Compensation for land, structures, unharvested crops, and all other fixed assets should be paid prior to the time of impact or dispossession.
- d) When cultivated land is to be taken for project purposes, the [name of implementing agency] seeks to provide replacement land of equivalent productive value if that is the preference of the displaced persons.
- e) Community services and facilities will be repaired or restored if affected by the project.
- f) Displaced persons should be consulted during preparation of the RP, so that their preferences are solicited and considered.
- g) The RP (in draft and final versions) is publicly disclosed in a manner accessible to displaced persons.
- h) A grievance mechanism by which displaced persons can pursue grievances will be established and operated in a responsive manner.
- i) Negotiated settlement processes are acceptable as an alternative for legal expropriation if appropriately implemented and documented.¹²
- j) Land donation is acceptable only if conducted in a wholly voluntary manner and appropriately documented.¹³

¹² Appropriate principles for negotiated settlement transactions include (a) intended project sites are screened to identify competing claims to ownership or use, or other encumbrances that would impede two-party negotiations; (b) if the site is collectively or communally owned or used, the negotiation process includes those individuals or households who directly occupy or use it; (c) prior to negotiations, owners or users are informed by project authorities of their intent to obtain relevant land (and other assets) for project use; (d) owners or users are informed of their rights and options to pursue legal remedies or other actions, and sign a declaration indicating willingness to negotiate; (e) at the onset of negotiations, project negotiators present the owner or user with a proposed package of compensation or other beneficial considerations, along with an explanation as to the basis of this initial offer; (f) owners or users are informed that they may make counterproposals as they may see fit; (g) negotiations are conducted without resort to coercion or intimidation in any form; (h) an agreement establishing payment amounts or other agreed considerations is written, signed, and recorded; (i) payment of compensation and provision of any other agreed considerations is completed prior to taking possession for project use; and (j) owners or users retain the right of access to the grievance mechanism if they have complaints regarding any aspect of the negotiated settlement process.

¹³ Any land or asset donation for project use will be consistent with these principles: (a) the potential donor is informed that refusal is an option, and that right of refusal is specified in the donation document the donor will sign; (b) donation occurs without coercion, manipulation, or other pressure on the part of public or traditional authorities; (c) the

- k) Monitoring arrangements will be specified in the RP, to assess the status and effectiveness of RP implementation.

D. Socio-Economic and Land Acquisition and Resettlement Impact

The Project will have a significant positive impact for poor and vulnerable households and communities by providing access to affordable and clean water supply and sanitation facilities. Increased access to water would positively impact women and girls increasing time for productive activities, providing safe and sanitary sanitation facilities. The AWSPSA will contribute to improve efficiency of infrastructure services in selected areas through the rehabilitation, upgrading, expansion, construction and more efficient WSS systems; and increase resilience to natural disasters and climate change-exacerbated risks, by developing new sustainable water sources and ceasing the use of depleted groundwater sources.

The AWSPSA will also contribute to the cross-cutting theme on governance, scaling up development impact across the Philippine archipelago by strengthening implementation capacity, particularly at the local level. It will strengthen the implementation capacity of selected LGUs as well as vertical and horizontal coordination across the NG and LGUs. Given the nature and context of the project which is water provision and civil works, key identified risks include

- (i) land acquisition and project right of way for the siting of the facilities such as bulk water supply reservoirs, treatment plant and intake tanks among others;
- (ii) Permanent and or Temporary Relocation of Informal Settlers/claimants along the line the project right of way;
- (iii) Loss of livelihood and or access to livelihood, businesses may be caused by transfer location of Project Affected Households from current location to their relocation sites;
- (iv) Compensation and Resettlement Assistance Discrepancies between the GoP, LGUs and WB EES5 requirements in consideration with the financial capacity of the LGUs to provide compensation and resettlement assistance to physical and economic displacements;
- (v) Community and health and safety issues due to potential increase of waste water, contamination of water, disruption of services due to construction

donor may negotiate for some form of payment, partial use rights, or alternative benefits as a condition for donation; (d) donation of land is unacceptable unless provision is made to mitigate any significant impacts on incomes or living standards of those involved; (e) donation of land cannot occur if it were to necessitate any household relocation; (f) for community or collective land, donation can only occur with the consent of individuals directly using or occupying the land; (g) the land to be donated is free of encumbrances or encroachment by others who may be adversely affected; (h) any donated land that is not used for its agreed purpose by the project is returned to the donor in a timely manner; and (i) each instance of land donation is documented, including a statement identifying the land or assets donated and terms of donation, which is signed by each owner or user. Persons donating land or assets for project use may use the project grievance mechanism to raise complaints regarding any aspect of the donation process.

activities such as excavation and pipe laying in populated areas such as in schools and along the main roads due to accidents and hazards, influx of construction workers and increase demand food

Socio-economic Profile of the Three (3) Participating LGUs

Proposed project provinces have several natural features with ecological importance. For example, Bohol is renowned for its coral reefs and unique geological formations, such as the Chocolate Hills in Carmen, featuring over 1,200 symmetrical mounds that turn cocoa-brown in the dry season. The province is also home to the Tarsier sanctuary, a large forest area dedicated to protecting the endangered tarsiers, small nocturnal primates; Siargao: known as the surfing capital of the Philippines, it boasts long sandy beaches, natural caves, and impressive rock formations; and Sulu features diverse ecosystems, including tropical forests, coastal areas, and marine habitats, with multiple protected areas.

Bohol: The majority of Bohol's poor individuals earn their living from the Agricultural, Forestry, and Fishery sector (55,751) and Mining and Quarrying (28,438). Common poverty indicators for the residents of Bohol are the absence of water piping and protected wells (7.4%) and family members aged 5-17 not attending school (6.8%). The Project is located in the southwestern part of Bohol province, comprising the eight (8) contiguous LGUs of Tagbilaran City and the municipalities of Loboc, Sikatuna, Corella, Baclayon, Alburquerque, Dauis and Panglao. The total domestic population within the Project area is 264,817 (2020 Census). By year 2030 and year 2040, the projected population is expected to reach 312,026 and 358,694, respectively. Tourism and agriculture dominate the area's local economy. Rice, corn, and coconuts are the principal crops. Tagbilaran City and Panglao make up 32% and 63% of the total tourist arrivals in the area, respectively. Tourist arrivals peak during the months from April to May each year. Bohol's tourist population affects the area's daily activities, including water demand.

Jolo : The province has a population of 137,266. This represents 13.73% of the total population of the province. Based on these figures, the population density is computed at 1,086 inhabitants per square kilometer (km²) or 2,813 inhabitants per square mile. Poverty in the province is rooted in the following: (i) inadequacy of transport system, (ii) basic social services, (iii) lack of employment and livelihood opportunities, and (iv) peace and order conditions in some areas.

The per capita poverty threshold of Sulu in 2021 was at PhP 13,243, which is approximately 10% more compared to BARMMs' per capita poverty threshold of PhP 11,957. Sulu Province has a minimum income of PhP 316.00 per day for families within the low-income group. This means that one family member within the low-income group is earning PhP 6,952.00 per month. The Jolo Project will benefit about 81,749 persons representing about 36% of the population of the 13 barangays in the service area with continuous access to safe water supply.

Siargao: Most families of Siargao live off fishing and coconut farming and have an average income of 7'000 PHP per month, barely enough income to feed their household. The majority of households in the Islands of Siargao and Bucas Grande belong to the low-income class category (income of less than Php 20,000 per month), with the lowest average income deriving from the Municipality of Pilar with about Php 5,025.65 per month. Based on the NWRB regulation for tariff setting, the calculation of collection fees for the project should consider the income of low-income households in the service area.

E. Legal and Regulatory Framework and Analysis of Gaps: Philippine Laws and Regulations and World Bank Policy (ESS 5)

The development of this PRF complies with the laws, policies, regulations, and standards of the Philippine government that place limitations on project activities to avoid, prevent, minimize, or mitigate potential impacts on the environment and people. In addition, the project will adhere to the Environmental and Social Framework (ESF) of the World Bank, which outlines particular Environmental and Social Standards (ESS 5) intended to prevent, minimize, lessen, or mitigate adverse social risks and impacts of the project. Foreign funded projects shall be governed by Philippine environmental and social laws and regulations as well as the safeguards policies of the International Funding Agency (the WB, in this case), as committed in the DPWH SEMS Manual and the DPWH Department Order 159 series of 2022. The Implementing Office (UPMO-FCMC) shall level off with the World Bank as funding institution with an agreement in resolving any policy gaps. Summary of the core laws related to the project.

1. 1987 Philippine Constitution

1. Article II, Section X: *"The States shall promote justice in all phases of national development"*
2. Article III, Section I: *"No person shall be deprived of life, liberty, or property without due diligence of law, nor shall any person be denied the equal protection of the laws,"*
3. Article III, Section IX: *"Private Property shall not be taken for public use without just compensation"*
4. Article XII, Section V: *"The State...shall protect the rights of indigenous cultural communities to their ancestral lands to ensure their economic, social, and cultural well-being "By act of Congress, customary laws governing property rights or relations can be applied in determining the ownership and extent of ancestral domains.*
5. Article XIII, Section X: *"Urban or rural poor dwellers shall not be evicted, nor their dwelling demolished, except in accordance with law and in just and humane manner. No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated."*

2. Republic Act 10752 "An Act Facilitating Acquisition of Right-of-Way Site or Location for National Government Infrastructure Projects"

Republic Act 10752 also known as The Right-of-Way Act took effect on April 2016 and its Implementing Rules and Regulation (IRR) on August 2017 repealing Republic Act 8974. The law aims to expedite the implementation of infrastructure projects and provide clear and simple ROW acquisition guidelines.

Modes of Acquisition

The government may acquire real property needed as right-of-way site or location for any national government infrastructure project through the following modes:

1. Donation
2. Negotiated Sale
3. Expropriation

Other mode of acquisition as provided by law are the following:

1. Quit Claim
2. Exchange or Barter
3. Easement Agreement
4. Acquisition of Subsurface ROW

Negotiated Land Acquisition. Acquisition through negotiated sale is the preferred mode of ROW acquisition and should be explored before resorting through expropriation. The implementing agency shall offer to the property owner concerned, as compensation price, the sum of:

1. Current Market Value of the land
2. Replacement Cost of the Structure
3. Current Market Value of crops and trees therein

To determine the appropriate price offer, the implementing agency may engage the services of a government financial institution with adequate experience in property appraisal, or an independent property appraiser accredited by the Bangko Sentral ng Pilipinas (BSP) or a professional association of appraisers recognized by the BSP to be procured by the implementing under the provisions of Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act" and its implementing rules and regulations pertaining to consulting services.

With regard to the taxes and fees relative to the transfer of title of the property to the Republic of the Philippines through negotiated sale, the implementing agency shall pay, for the account of the seller, the capital gains tax, as well as the documentary stamp tax, transfer tax and registration fees, while the owner shall pay any unpaid real property tax.

Upon the execution of a deed of sale, the implementing agency shall pay the property owner:

- (1) Fifty percent (50%) of the negotiated price of the affected land, exclusive of taxes remitted to the LGU concerned under subparagraph (d) herein; and

- (2) Seventy percent (70%) of the negotiated price of the affected structures, improvements, crops and trees, exclusive of unpaid taxes remitted to the LGU concerned under subparagraph (d) herein.

The implementing agency shall, at the times stated hereunder, pay the property owner the remaining fifty percent (50%) of the negotiated price of the affected land, and thirty percent (30%) of the affected structures, improvements, crops and trees, exclusive of unpaid taxes remitted to the LGU concerned under subparagraph (d) herein: Provided, That the land is already completely cleared of structures, improvements, crops and trees.

- (1) At the time of the transfer of title in the name of the Republic of the Philippines, in cases where the land is wholly affected; or
- (2) At the time of the annotation of a deed of sale on the title, in cases where the land is partially affected.

Acquisition by Expropriation Process. Whenever it is necessary to acquire real property for the right-of-way site or location for any national government infrastructure through expropriation, the appropriate implementing agency, through the Office of the Solicitor General, the Office of the Government Corporate Counsel, or their deputize government or private legal counsel, shall immediately initiate the expropriation proceedings before the proper court under the following guidelines:

Upon the filing of the complaint or at any time thereafter, and after due notice to the defendant, the implementing agency shall immediately deposit to the court in favor of the owner the amount equivalent to the sum of:

- (1) One hundred percent (100%) of the value of the land based on the current relevant zonal valuation of the Bureau of Internal Revenue (BIR) issued not more than three (3) years prior to the filing of the expropriation complaint subject to subparagraph (c) of this section;
- (2) The replacement cost at current market value of the improvements and structures as determined by:
 - (i) The implementing agency;
 - (ii) A government financial institution with adequate experience in property appraisal; and
 - (iii) An independent property appraiser accredited by the BSP.
- (3) The current market value of crops and trees located within the property as determined by a government financial institution or an independent property appraiser to be selected as indicated in subparagraph (a) of Section 5 hereof.

Upon compliance with the guidelines abovementioned, the court shall immediately issue to the implementing agency an order to take possession of the property and start the implementation of the project.

With regard to the taxes and fees relative to the transfer of title of the property to the Republic of the Philippines through expropriation proceedings, the implementing agency shall pay the documentary stamp tax, transfer tax and registration fees, while the owner shall pay the capital gains tax and any unpaid real property tax.

Quit Claim. A quit claim instrument is required to be executed by owners of lands acquired under the Public Land Act because of the reservation made in the issuance of patents or titles thereto. In other words, even if the title or free patent describes the whole area as owned by the patentee or title holders, by operation of the law, a strip of twenty or sixty meters, as the case maybe, of that area described is not absolutely owned by him, because it is reserved by the government for public use. Hence, if the government should exercise its right to use the area reserved by it for public use, the owner shall be required to execute a Quit Claim over such area reserved and actually taken by the government for public use.

In case of lands granted through Commonwealth Act No. 141, as amended, otherwise known as "The Public Land Act", the implementing agency shall:

- (a) Follow the other modes of acquisition enumerated in this Act, if the landowner is not the original patent holder and any previous acquisition of said land is not through a gratuitous title; or
- (b) Follow the provisions under Commonwealth Act No. 141, as amended, regarding acquisition of right-of-way on patent lands, if the landowner is the original patent holder or the acquisition of the land from the original patent holder is through a gratuitous title.

The implementing agency may utilize donation or similar mode of acquisition if the landowner is a government-owned or government-controlled corporation.

1. Republic Act 8371 "An Act to Recognize, Protect and Promote the Rights of Indigenous Cultural Communities/ Indigenous Peoples, Creating A National Commission on Indigenous Peoples, Establishing Implementing Mechanisms, Appropriating Funds Therefor, And for Other Purposes"

The IPRA sets conditions, requirements, and safeguards for plans, programs, and projects affecting Indigenous Peoples. It spells out and protects the rights of Indigenous Peoples. The important provisions of the IPRA are:

1. The right to their ancestral domains. (Chapter III, Section 11);
2. The right to an informed and intelligent participation in the formula and implementation of any projects, government or private, that will impact upon their ancestral domain; (Chapter III, Section 7b);
3. The right to participate fully, if they so choose, at all levels of decision-making in matters which may affect their rights, lives and destinies through procedures determined by them; (Chapter IV, Section 16);
4. The right to receive just and fair compensation for any damages inflicted by or as a result of any project, government or private; (Chapter III, Section 7b);

5. The right to stay in their territory and not to be removed from that territory through any means other than eminent domain. If relocation is necessary as an exceptional measure, it can only take place with the free and prior informed consent of the IPs and ICCs concerned; (Chapter III, Section 7c);
6. The right to be secure in the lands to which they have been resettled; (Chapter IV, Section 7d);
7. The right to determine and decide their own priorities for the lands they own, occupy, or use; (Chapter IV, Section 17);
8. The right to maintain, protect, and have a access to their religious and cultural sites; (Chapter IV, Section 33);
9. The IPRA also created the National Commission on Indigenous Peoples (NCIP) to carry out the policies set forth in the IPRA. The NCIP has issued a number of orders that puts into operation the provisions of the IPRA; the most important for the purposes of this policy is NCIP Administrative Order No. 1 or the Free and Prior Informed Consent (FPIC) Guidelines of 2006.

8. Republic Act 7279 "An Act To Provide For A Comprehensive And Continuing Urban Development And Housing Program, Establish The Mechanism For Its Implementation, And For Other Purposes"

SEC. 29. Resettlement. – Within two (2) years from the effectivity of this Act, the local government units, in coordination with the National Housing Authority, shall implement the relocation and resettlement of persons living in danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and in other public places such as sidewalks, roads, parks, and playgrounds. The local government unit, in coordination with the National Housing Authority, shall provide relocation or resettlement sites with basic services and facilities and access to employment and livelihood opportunities sufficient to meet the basic needs of the affected families.

9. Other Applicable Laws and Policies: Executive Orders, Administrative Orders, and Department Orders

Legislation	Salient Point
Commonwealth Act Section 112 or Public Land Act	Prescribes a twenty (20) meter strip of land reserved by the government for public use, with damages being paid for improvements only.
Presidential Decree 635	Amended Section 112 of CA 141 increasing the width of the reserved strip of twenty (20) meters to sixty (60) meters.
EO 1035	Sec. 3. Information Campaign. Every agency, office and instrumentality of the government proposing to implement a development project which requires the acquisition of private real property or rights thereon shall first make consultations with the local government officials, including the regional development councils having jurisdiction over the area where the project will be undertaken to elicit

	their support and assistance for the smooth implementation of the project.
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DPWH Department Order	Salient Points
DO 136 s. 2023	Prescribing the Use of Infrastructure Right-of-Way Management Application (IROWMA) by All Concerned
DO 229 s. 2022	Non-Acquisition of Right-of-Way for Local Infrastructure Projects
DO 159 s. 2022	Implementation of the Social and Environmental Management System Operations Manual
DO 43 s. 2020	Guidelines for Right-of-Way (ROW) Acquisition and Payment of Ancestral Domains affected by the Implementation of National Government Infrastructure Projects
DO 142 s. 2019	Clearing of Structures/Improvements, Trees and Crops within the Right-of-Way Limits of Projects
DO 152 s. 2017	Reissuance of Department No. 124 s. 2017 Directing the Use of the DPWH Right-of-Way Acquisition Manual by All Concerned.
DO 73 s. 2014	Prohibited Use within the Right-Of-Way of National Roads
DO 327 s. 2003	Guidelines for Land Acquisition and Resettlement Action Plans (LAPRAPs) for Infrastructure Projects
DO 005 s. 2003	Creation Infrastructure Right-of-Way and Resettlement Project Management Office (PMO) and the Implementation of the improved IROW Process

10. Comparative Analysis between Philippine laws and policies and ES S 5

KEY ISSUES	PHILIPPINE POLICY	WORLD BANK POLICY	MEASURES TO FILL GAPS
ESS5 - Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	<ul style="list-style-type: none"> RA 10752 – An Act facilitating the Acquisition or Right of Way, Site or Location for National Government Infrastructure Projects. Art. III, Sect. 9 of the 1987 Constitution - Private property shall not be taken for public 	ESS5 is relevant to AWSPSA. AWSPSA will involve land acquisition, road right-of-way acquisition or resettlement impacts. Land acquisition shall be undertaken by Local Government Units (LGUs) wherein informal settlers and/or holders of	A site-specific Resettlement Action Plan (RAP) will be prepared by the LGUs concerned. The RAP will cover land acquisition, resettlement and economic displacement, and a Grievance Redress Mechanism (GRM). If temporary displacement

	<p>use without just compensation.</p> <ul style="list-style-type: none"> RA 7279 Urban Development and Housing Act of 1992 	<p>temporary use of rights to the land may be affected. The pipelaying works may also impact nearby households and business establishments.</p> <p>Although the governing laws and policies in the country significantly meet the requirements of the international funding institutions like the WB, some gaps are still unavoidable. These gaps are oftentimes addressed in the RAP documents as "gap filling measures".</p>	<p>is unavoidable, the requirement under ESS5 will be performed such as consultation with the affected parties and provision of alternative locations or livelihood support.</p> <p>A Resettlement Policy Framework is prepared in conjunction with this ESMF.</p>
Informal Settlers	<p>R.A. 7279 states that eligible homeless and poor informal settlers in urban areas are entitled to resettlement if they are affected by development projects.</p> <p>IRR of RA 10752 states that Informal Settler Families classified as underprivileged and homeless citizens as defined in RA 7279 and not qualified under the four (4) criteria specified in Section 6.8 Owners of Structures and Improvement with No Rights to the Land of the IRR of RA 10752 shall be entitled to relocation</p>	<p>Sections 15-16 stipulate that informal settlers should be provided resettlement assistance.</p>	<p>Eligible Informal Settler Families (ISFs) will be provided with assistance as indicated in the RAP</p> <p>Vulnerable PAPs will be provided additional assistance</p>

Valuation of Affected Properties	<p>Philippine Constitution states that private lands shall not be taken for public use without just compensation .</p> <p>Under RA 10752 government offers compensation based on current market value of affected lands, replacement cost of structures and current market value of crops, trees and perennials .</p>	Uses replacement cost without deduction of any future benefits the landowner may derive from the residual land	<p>Under the terms of this Project, Implementing Agency (IA) may engage the service of a Government Financial Institution (GFI) or an independent property appraiser to determine the current market value of the land.</p> <p>Affected structures and other improvements shall be compensated based on replacement costs which refers to the cost necessary to replace the affected structure or improvement with similar asset based on current market prices.</p> <p>Affected crops, trees and perennials shall be compensated based on current market prices.</p>
Taxes and Transaction Costs involved in the Transfer of Real Property	<p>Item C of Section 5. Rules on Negotiated Sale</p> <p>(c) With regard to the taxes and fees relative to the transfer of title of the property to the Republic of the Philippines through negotiated sale, the implementing agency shall pay, for the account of the seller, the capital gains tax, as well as the documentary stamp tax, transfer tax and registration fees, while the owner shall pay any unpaid real property tax</p>	Taxes, administrative fees, and other transaction costs are not to be deducted from the total compensation due the affected person/s	Not much difference now with the (RA 10752); For transactions that are not a willing seller- willing buyer transaction type the project should see to it that it covers other administrative fees and transaction costs that the government may impose over and above those enumerated under RA 10752.

	<p>As per item g of Sec 6. Guidelines for Expropriation Proceedings of RA 10752:</p> <p>“With regard to the taxes and fees relative to the transfer of title of the property to the Republic of the Philippines through expropriation proceedings, the implementing agency shall pay the documentary stamp tax, transfer tax and registration fees, while the owner shall pay the capital gains tax and any unpaid real property tax.”</p>		
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The RPF will serve to meet the requirements of relevant laws and regulations of the Philippines to the extent that they coincide with World Bank ESS 5, However, where gaps or differences are found between Philippine laws and regulations and the requirements of WB ESS5, the higher standard will prevail.

F. Preparing a Resettlement Plan

All projects causing physical or economic displacement through land acquisition or project-related restrictions on resource access or use are required to prepare a resettlement plan for World Bank approval. Responsibility for preparation and implementation of the RP (or RPs) rests with the Local Government Unit concerned with the assistance of DPWH. As necessary, DPWH will exercise its authority to coordinate actions with any other involved agencies, jurisdictions, or project contractors to promote timely and effective RAP preparation and implementation.

RP preparation begins once the physical footprint of a proposed investment has been determined, establishing that a particular site (or sites) must be acquired for project use. The DPWH will initially screen proposed sites to identify current usage and tenurial arrangements and identifies the site (or sites) that will minimize physical and economic displacement. The Local Government Unit concerned subsequently carries out, or causes to be carried out, a census survey to identify and enumerate all displaced persons on the selected site (or sites) and to inventory and value land and other assets that are to be acquired for project use.

G. Objective of a Resettlement Action Plan (DO 327 s. 2003)

The objective of the Resettlement Plan are as follows:

1. To determine the number of projects affected families and identify the assets (land, structures and other improvements, crops, trees and perennials) they will lose due to acquisition of right-of-way for the project;
2. To identify the extent of impacts of the project right-of-way on the PAPs and their assets, and the measures to mitigate these impacts;
3. To determine the compensation and entitlements to be given to PAPs for the acquisition of the assets to be affected by the project;
4. To determine the budget estimate for compensation and entitlement, relocation and resettlement, information dissemination, consultation, monitoring and other tasks for implementing the RAP
5. To provide the timetable, manner of payment and institutional arrangements for implementation; and
6. To ensure public participation in the implementation and monitoring of the RAPs

Each RAP is based on the principles, planning procedures, and implementation arrangements established in this RPF,¹⁴ and normally includes the following contents:

- a. Description of the project (with appropriate maps and illustrations), including explanation for the necessity of acquiring particular sites for project use and efforts undertaken to avoid or minimize the amount of land acquisition or other potential impacts deemed necessary
- b. Results of a census survey of displaced persons and inventory and valuation of affected land and assets
- c. Description of any project-related restrictions on resource use or access
- d. Description of tenure arrangements, including collective, communal, or customary use or ownership claims
- e. Review of relevant laws and regulations pertaining to acquisition, compensation, and other assistance to displaced persons, and identification of gap-filling measures needed to achieve ESS5 requirements
- f. Description of land and asset valuation procedures and compensation standards for all categories of affected assets
- g. Eligibility criteria for compensation and all other forms of assistance, including a cutoff date for eligibility
- h. Organizational arrangements and responsibilities for RP implementation
- i. Implementation timetable
- j. Estimated budget and financial contingency arrangements
- k. Consultation and disclosure arrangements
- l. Description of grievance mechanism
- m. Arrangements for monitoring implementation progress.

RAP Outline as per DRAM is in Annex 1

¹⁴

Additional details regarding preparation of an RP are included in ESS5, Annex 1.

The RAP should be complemented by a separate set of individual compensation files for each displaced household or persons. These files are to be handled confidentially by the borrower to avoid any prejudice to displaced persons. In fragility, conflict, and violence (FCV) environments, RPs should also clarify procedures to be applied to ensure the security of displaced persons when they receive compensation payments.

H. Indicators of Severity of Impacts

Properties to be acquired for the project may include the entire area or a portion of it. Hence, compensation for such assets or properties depends on whether the entire property will be affected or just a portion of it.

- a. Severe – The portion of the property to be affected is more than 20% of the total land area or even less than 20% if the remaining portion is no longer economically viable or it will no longer function as intended.
- b. Marginal – the impact is only partial and the remaining portion of the property or asset is still viable for continued use.

I. Eligibility Criteria and Entitlement Matrix

Eligibility criteria for compensation and all other forms of assistance should be clearly summarized in a table that can be used for consultation with displaced persons.

Entitlement	Category of PAP	Impact	Computation of Amount
Payment for Land	Landowners	Severely affected	Current Market Value as determined by GFI or IPA
		Marginally affected	
Payment for Structures and Other Improvements	Structure Owners	Severely Affected	Replacement costs which refers to the cost necessary to replace the affected structure or improvement with similar asset based on current market prices.
		Marginally Affected	
Payment for Crops, Trees and Perennials	Crop Owners Farmers Lessees Tenants	Severely affected	Schedule of Prices based on current market value
		Marginally affected	

Other Entitlements			
Entitlement	Category of PAP	Impact	Computation of Amount
Financial Assistance (also referred to as subsistence allowance)	PAP who owns land for agricultural purposes	Severely Affected	Php 15,000.00
Financial Assistance to Displaced Tenants/Occupants (Executive Order 1035)	<p>PAP who is an agricultural tenant</p> <p>PAP who acquired land under CA 141 for the are or portion subject to section 112 thereof</p>	Severely Affected	Equivalent to the average annual harvest for the last 3 years but not less than Php 15,000.00 per ha, aside from the cash payment/compensation of their crops actually damaged by the project.

Other Entitlements			
Entitlement	Category of PAP	Impact	Computation of Amount
Inconvenience Allowance	PAPs who owns land	Severely Affected Landowner who owns a house within the affected land needs to move elsewhere	Php 10,000.00
Rehabilitation Assistance	PAPs whose only source of income are severely affected and may have to engage in some other income-earning activities. This may also be granted to vulnerable groups, like indigenous peoples, women, elderly, etc	Severely Affected	<p>Php 15,000</p> <p>In form of special skills training or other development. DPWH will coordinate with concerned government agencies for assistance, such as skills training.</p>
Free Transportation	PAPs who are relocating, including shanty dwellers in urban areas who opt to go back to their place of origin (e.g, province) or to shift to government relocation sites	Severely affected	Provision of free transportation

Transitional Allowance	House tenants of affected main structures who will have to find a new place because of the project	Severely Affected	Equivalent to one month rent of a similar structure within the same area
	Shop owners to cover for their computed income loss		Computed income loss during demolition and reconstruction of their shops but not to exceed 1 month period
Disturbance Compensation (Republic Act 6389)	Lessees of agricultural land affected by the project	Severely Affected	Equivalent to 5 times the average gross harvest during the last 5 years

Additional planning measures must be incorporated into RAPs for projects causing physical displacement, or significant economic displacement, as described below.

For projects causing physical displacement,¹⁵ the RAP should include planning measures relating to the following, as relevant for project circumstances:

- a) Description of relocation arrangements, including options available to displaced persons, and including transitional support for moving or other expenses
- b) Description of resettlement site selection, site preparation, and measures to mitigate any impacts on host communities or physical environment, including environmental protection and management
- c) Measures to improve living standards and otherwise address particular needs of relocating poor or vulnerable households, including measures to ensure that replacement housing is at least consistent with minimum community standards and is provided with security of tenure
- d) Description of project design measures to improve living standards, access to or functioning of community services or facilities, or for providing other project-related benefits
- e) Any measures necessary to address impacts of resettlement on host communities.

For projects causing significant economic displacement,¹⁶ the RAP describes (as relevant):

¹⁵ Additional details regarding planning measures for physical displacement are provided in ESS5, Annex 1, paras. 17–23.

¹⁶ Consideration of scale of loss of productive assets as well as changes in institutional, technical, cultural, economic, and other factors may be important in determining the significance of economic displacement. In general practice, however, loss of 10 percent or more of productive land or assets from a household or enterprise often is considered significant. Additional details regarding planning measures for economic displacement are provided in ESS5, Annex 1, paras. 24–29.

- a) The scale and scope of likely livelihoods-related impacts, including agricultural production for consumption or market, all forms of commercial activity, and natural resource use for livelihoods purposes
- b) Livelihoods assistance options (for example, employment, training, small business support, assistance in providing replacement land of equivalent productive value, other) available to persons losing agricultural land or access to resources
- c) Assistance measures available to commercial enterprises (and workers) affected by loss of assets or business opportunities directly related to land acquisition or project construction
- d) Project measures to promote improvement of productivity or incomes among displaced persons or communities.

J. Consultation and Disclosure Arrangements

The RAP summarizes results of measures taken to consult with displaced persons regarding the project, its likely impacts, and proposed resettlement measures. It also summarizes the meetings held with displaced persons (dates, locations, number of participants), including comments, questions, and concerns expressed by displaced persons during these meetings as well as responses provided to them. The **DPWH UPMO-FCMC and LGUs concerned** discloses a draft RAP to the displaced persons (and the public) after Bank review and solicits comments from displaced persons regarding the proposed plan. Disclosure of the final RAP occurs following consideration of comments received and following Bank acceptance.

Levels and Mandatory topics on Public Consultation

Local Government Unit Coordination Meetings. Initiate meetings with the concerned Governor, Provincial Engineer, Provincial Planning and Development Officer/Coordinator, Provincial Assessors, Mayors, Municipal/City Engineer, Municipal/City Planning and Development Officers to present the Project Description and future activities and seek comments and opinions without allowing any party to manipulate conditions to favour their personal advantage.

Barangay Public Consultation Meetings. Public Consultation Meeting should be held in each barangay traversed by the project. Venues must be at neutral grounds such as barangay halls, day care centers, public schools.

Mandatory Topics. The following topics are considered during public consultation meetings

- a. Brief Project Description
- b. Reiteration of concept of RAP as a tool for socio-economic development
- c. Tagging and taking of photographs of owners and structures
- d. In the case of informal settlers, specify the Cut-Off date for eligibility, which is reckoned as the start of the census for PAPs and tagging of improvements
- e. Importance of honesty and accuracy of responses in the census and socio-economic survey to be carried out
- f. Open forum to allow the PAPs to express their ideas, apprehensions, concerns and even objections regarding the proposed project.

K. Institutional Framework and Implementation Arrangements

National Level

Department of Public Works and Highways (DPWH) is the main executing agency (EA) for the project. The overall direction and leadership for implementing the RAP will be exercised by the Secretary, supported by the Undersecretary of UPMO Operations and other members of the Executive Committee (EXECOM) of DPWH composed of the Undersecretaries and Assistant Secretaries of the Department.

The Project Implementation Unit (PIU) will be managed by the Unified Project Management Office – Flood Control Management Cluster (UPMO-FCMC). The day-to-day project management will fall within the purview of the UPMO-FCMC through the ESSD, RO, DEO and RICs shall be responsible for monitoring the day-to-day project implementation of the RAP by the LGUs.

Environmental and Social Services Division (ESSD), Planning Service DPWH. The responsibilities of ESSD of the Planning Service as defined in DO 327, series of 2003, complementing the provisions of DO 65, series of 2017, remains in effect for the Project. ESSD has the following tasks:

1. Oversee the preparation and review of Resettlement Plan (RAP);
2. Oversee the facilitation of consultation meetings and information dissemination for the (APs and other relevant stakeholders throughout the LARP process.
3. Provide training on LARP.
4. Assist the City/Municipal Resettlement Implementation Committees (C/MRICs) in community awareness-raising activities and the validation of APs and entitlements for the resettlement implementation.

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Support Roles of National Government Agencies (NGAs). In order to ensure proper implementation of the RAP, support from other NGAs is needed for the project. The main involvement of the following NGAs will be as part of the LIAC and/or as direct partner of DPWH.

- National Housing Authority (NHA) and key shelter government agencies
- Department of Social Welfare and Development (DSWD)
- Department of Trade and Industry (DTI)
- Department of Labor and Employment (DOLE)
- Technical Education and Skills Development Authority (TESDA)

Local Level

The LGU will provide the legal instruments (Executive Orders, Municipal Resolutions, Memorandum Orders, etc.) necessary for the implementation of the LARP. In particular, it shall (i) cooperate with UPMO to form and mobilize MRIC to direct and oversee carrying out and monitoring of LARP implementation; and (iii) address issues, grievances, and complaints as indicated in Chapter V (Grievance Redress Mechanism) of this document. The roles of the LGU are the following:

- Create local programs and policies geared toward making relocation sites sustainable and livable.
- Draft the needed Executive Orders regarding the creation of LIAC and allocation of budget augmentation for LARP implementation activities.
- Assign a focal person or office to be its representative to the MRIC and supervise and monitor relocation activities.
- Implement the LRIP in its locality in coordination with UPMO-FCMC, DTI, DOLE, TESDA, and DSWD.
- Provide data and documents as may be needed by the External Monitoring Agent (EMA) during project monitoring and evaluation.

The Local Government Units concerned bears official responsibility for meeting all costs associated with obtaining project sites, including compensation and other considerations due displaced persons. The RAP includes an estimated budget for all costs, including contingencies for price inflation and unforeseen costs, as well as organizational arrangements for meeting financial contingencies.

L. Monitoring and Evaluation

The DPWH UPMO-FCMC will make arrangements for monitoring implementation and will provide periodic monitoring reports to the Bank regarding the status of land acquisition and implementation of the RP. For projects with significant impacts, competent resettlement monitoring professionals will monitor implementation progress and provide advice on any necessary corrective actions and will conduct an implementation review when all mitigation measures in the RP are substantially complete. The implementation review evaluates the effectiveness of mitigation measures in achieving RP and ESS5 objectives and recommends corrective measures to meet objectives not yet achieved.

The Environmental and Social Safeguards Division (ESSD) of the DPWH in coordination with the UPMO-FCMC shall conduct the supervision and in-house monitoring of implementation of the RAPs and the IPAPs (for affected IPs outside the ancestral domain) and will be alternately called the External Monitoring Agent (EMA).

The tasks of the Internal Monitoring Agent at the LGU levels are to:

- a. Regularly supervise and monitor the implementation of the RAPs and IPAPs (for those affected IPs living outside ancestral domains) in coordination with the concerned District Engineering Office (DEO), Regional Office (RO), and the Resettlement Implementation Committee (RIC). The findings will be documented in the quarterly report to be submitted to the PMO, which in turn will submit the report to the Bank.

- b. Coordinate with the NCIP regarding the monitoring and evaluation of the situation of affected IP communities, whether inside or outside ancestral domains.
- c. Verify that the re-inventory baseline information of all PAFs has been carried out and that the valuation of assets lost or damaged, the provision of compensation and other entitlements, and relocation, if any, has been carried out in accordance with the LARPIPP and the respective RAP Reports.
- d. Ensure that the RAPs and IPAPs (for those affected IPs living outside ancestral domains) are implemented as designed and planned.
- e. Verify that funds for implementing the RAPs, MOAs, and IPAPs are provided by the PMO in a timely manner and in amounts sufficient for the purpose.
- f. Record all grievances and their resolution and ensure that complaints are dealt with promptly.
- g. With the relevant branch of the NCIP and the MRIC, monitor the implementation of IPAPs covering affected IP communities living outside ancestral domains.

The ESSD as acting as the External Monitoring Agent (EMA) for the project will undertake external monitoring and evaluation of the RAP implementation by the LGUs.

The tasks of the ESSD as the EMA shall be the following:

- a. Verify results of internal monitoring;
- b. Coordinate with the NCIP regarding the monitoring and evaluation of the situation of affected IP communities, whether inside (covered by the MOA) or outside ancestral domains (covered by the IPAP);
- c. Verify and assess the results of the information campaign for PAFs rights and entitlements, including the consultation with affected IPs living outside ancestral domain;
- d. Verify that the compensation process has been carried out with the procedures communicated with the PAFs and affected IPs during the consultations;
- e. Assess whether resettlement objectives have been met; specifically, whether livelihoods and living standards have been restored or enhanced;
- f. Assess efficiency, effectiveness, impact and sustainability of resettlement and IPAP implementation drawing lessons as a guide to future resettlement and indigenous peoples' policy making and planning;
- g. Ascertain whether the resettlement and IPAP entitlements were appropriate to meet the objectives, and whether the objectives were suited to PAF and to IP conditions;

- h. Suggest modification in the implementation procedures of the RAPs and IPAP, if necessary, to achieve the principles and objectives of the Resettlement Policy and IP Framework.
- i. Review on how compensation rates were evaluated; and
- j. Review of the handling of compliance and grievances cases.

Stages and Frequency of Monitoring

The stages and monitoring frequency of the contract packages by the IMA and EMA as follows:

1. **Compliance Monitoring.** This is the first activity that both IMA and EMA shall undertake to determine whether or not the RAPs and IPAPs were carried out as planned and according to this Policy.

The EMA will submit an Inception Report and Compliance Monitoring Report one month after receipt of Notice to Proceed for the engagement. The engagement of the EMA shall be scheduled to meet the Policy's requirement of concluding RAP and IPAP implementation activities at least one (1) month prior to the start of civil works.

2. **Semi-Annual Monitoring.** The EMA will be required to conduct a monthly monitoring of RAP implementation activities.
3. **Final Evaluation.** Final evaluation of the implementation of the RAP will be conducted three months after the completion of payments of compensation to PAPs and three months after completion of the IPAP.
4. **Post- Evaluation.** This activity will be undertaken a year after the completion of the project, to determine whether the social and economic conditions of the PAFs and the affected IPs after the implementation of the project have improved.

Schedule of Implementation of RAPs and Monitoring

The UPMO-FCMC in coordination with the ESSD shall establish a schedule for the implementation of RAPs and IPAPs and the required monitoring taking into account the project's implementing schedule. It is expected that one month prior to the start of the civil works, all RAP and IPAP activities have been determined by the IMA and EMA as having been concluded.

REPORTING

The ESSD as the project EMA is accountable to the UPMO-FCMC. The UPMO-FCMC submits copy of EMA's and IMA's Reports to the Bank.

Monitoring Indicators

Monitoring Indicators for the Internal Monitoring Agent (IMA)

Monitoring Indicator	Basis of Indicators
1. Budget and Timeframe	Have all land acquisition and resettlement staff been appointed and mobilized for the field and office work on schedule?
	Have capacity building and training activities been completed on schedule?
	Are resettlement implementation activities being achieved against the agreed implementation plan?
	Are funds for resettlement being allocated to resettlement agencies on time?
	Have resettlement offices received the scheduled funds?
	Have funds disbursed according to the RAP?
	Has the social preparation phase taken place as scheduled?
	Has all land been acquired and occupied in time for project implementation?
2. Delivery of Compensation and Entitlement	Have all AFs received entitlements according to numbers and categories of loss set out in the entitlement matrix?
	Have AFs received payments for affected structures and lands on time?
	Have AFs losing temporary land borrow been compensated
	Have all received the agreed transport costs, relocation costs, income substitution support and any resettlement allowances, according to schedule?
	Have all replacement land plots or contracts been provided? Was the land developed as specified? Are measures in train to provide land titles to PAFs?
	How many PAFs opted to donate their land to the government?
	How many PAFs did not receive payment because their title is covered by the provisions of Sec. 112 of CA 141?
	How many landholdings were subjected to easement agreement?
	How many PAFs undergone negotiated sale/purchase?
	How many PAFs resorted to expropriation?
	How many PAFs received housing as per relocation options in the RAP?
	Does house quality meet the standards agreed?
	Have relocation sites been selected and developed as per agreed standards?
	Are the PAFs occupying the new houses?
	Are assistance measures being implemented as planned for host communities?
	Is restoration proceeding for social infrastructure and services?
	Are the PAFs able to access schools, health services, cultural sites and activities at the level of accessibility prior to resettlement?
	Are income and livelihood restoration activities being implemented as set out in income restoration plan? For example

	utilizing replacement land, commencement of production, numbers of PAFs trained and provided with jobs, micro-credit disbursed, number of income generating activities assisted?
	Have affected businesses received entitlements including transfer and payments for net losses resulting from lost business and stoppage of production?
3. Public Participation and Consultation	Have consultations taken place as scheduled including meetings, groups, and community activities? Have appropriate resettlement leaflets been prepared and distributed?
	How many PAFs know their entitlements? How many know if they have been received?
	Have any PAFs used the grievance redress procedures? What were the outcomes?
	Have conflicts been resolved?
	Was the social preparation phase implemented?
	Were separate consultation done for Indigenous Peoples?
	How was the participation of IP women and children
	Were the adequately represented
	Were special measures for Indigenous People implemented?
4. Benefit Monitoring	What changes have occurred in patterns of occupation, production and resources use compared to the pre-project situation?
	What changes have occurred in income and expenditure patterns compared to pre-project situation? What have been the changes in cost of living compared to pre-project situation? Have PAFs' income kept pace with these changes?
	What changes have taken place in key social and cultural parameters relating to living standards?
	What changes have occurred for vulnerable groups?
	Has the situation of ICCs/IPs improved, or at least maintained, as a result of the project?
	Are IP women reaping the same benefits as IP men?
	Are negative impacts proportionally by IP men and women?

Monitoring Indicators for External Monitoring Agent (ESSD as EMA)

Monitoring Indicators	Basis for Indicators
1. Basic information on PAP households	Location
	Composition and structures, ages, education and skill levels
	Gender of household head
	Ethnic group
	Access to health, education, utilities and other social services
	Housing type
	Land use and other resource ownership patterns
	Occupation and employment patterns
	Income sources and levels
	Agricultural production data (for rural households)

	Participation in neighborhood or community groups
	Access to cultural sites and events
	Value of all assets forming entitlements and resettlement entitlements
2. Restoration of Living Standards	Were house compensation payments made free of depreciation, fees or transfer costs to the PAPs?
	Have PAFs adopted the housing options developed?
	Have perceptions of "community" been restored?
	Have PAFs achieved replacement of key social cultural elements?
3. Restoration of livelihoods	Were compensation payments free of deduction for depreciation, fees or transfer costs to the PAP?
	Were compensation payments sufficient to replace lost assets?
	Was sufficient replacement land available of suitable standard?
	Did transfer and relocation payments cover these costs
	Did income substitution allow for re-establishment of enterprises and production?
	Have enterprises affected received sufficient assistance to re-establish themselves?
	Have vulnerable groups been provided income-earning opportunities? Are these effective and sustainable?
	Do jobs provided restore pre-project income levels and living standards?
4. Levels of PAP Satisfaction	How much do AFs know about resettlement procedures and entitlements? Do PAFs know their entitlements?
	Do they know if these have been met?
	How do PAFs assess the extent to which their own living standards and livelihood been restored?
	How much do PAFs know about grievance procedures and conflict resolution procedures? How satisfied are those who have used said mechanisms.
5. Effectiveness of Resettlement Planning	Were the PAFs and their assets correctly enumerated?
	Were any land speculators assisted?
	Was the time frame and budget sufficient to meet objectives
	Were entitlements too generous?
	Were vulnerable groups identified and assisted?
	How did resettlement implementers deal with unforeseen problems
6. Other Impacts	Were there unintended environmental impacts
	Were there unintentional impacts on employment or incomes?
7. IP Indicators	Are special measures to protect IP culture, tradition resources rights, and resources in place?
	How are these being implemented?
	Are complaints and grievances of affected IPs/ICCs being documented
	Are these being addressed?
	Dis the project proponent respect customary law in dispute resolution process, in the conduct of public consultation, in IPAP and MOA implementation?

M. Grievance Mechanism

To ensure that displaced persons can raise complaints regarding the land acquisition process, calculation or payment of compensation, provision of assistance, or other relevant matters, the RAP provides for an accessible and responsive grievance mechanism. The RAP describes submission procedures, organizational arrangements, and responsive performance standards for handling grievances, and measures to be taken to inform displaced persons or communities about grievance initiation and response standards. The grievance mechanism does not preclude displaced persons from pursuing other legal remedies available to them.

The Municipal/City Resettlement Implementation Committee (M/CRIC) keeps a record of all complaints referred to the grievance mechanism, including a description of issues raised and the status or outcome of the review process. It shall be composed of representatives from the Regional Office and District Engineering Office, the City/Municipality, the NCIP provincial and/or regional office, affected barangays, and PAFs/PAPs with separate representation for IP/ICC communities affected by the project. Selection of these ICC/IP representatives shall follow the procedures of the NCIP

Its functions are:

1. Assist the LGU and DPWH staff engaged in **RAP** activities in (a) validating the list of AFs; (b) validating the assets of the PAFs that will be affected by the project (using a prepared compensation form); and (c) monitoring and implementing the **RAP**;
2. Assist the DPWH and NCIP staff in identifying who among the Project Affected Persons are IPs or belong to ICCs.
3. Assist the DPWH and staff engaged in the LARRIPP activities in the public information campaign, public participation and consultation.
4. Assist DPWH in the payment of compensation to PAFs;
5. Receive complaints and grievances from PAFs and other stakeholders and act accordingly;
6. Maintain a record of all public meetings, complaints, and actions taken to address complaints and grievances; and
7. In coordination with concerned government authorities, assist in the enforcement of laws/ordinances regarding encroachment into the project site or Right-of -Way (ROW).

The MRIC shall be formed through Memorandum of Understanding (MOU) between DPWH, the concerned local government unit, with the National Commission on Indigenous Peoples (NCIP) Provincial or regional office.

Procedures for Grievance Redress

Grievances related to any aspect of the project or sub-project will be handled through negotiations and are aimed at achieving consensus following the procedures outlined below:

1. The PAPs will lodge their grievances by writing to the Resettlement Implementation Committee (RIC) for immediate resolution.
2. If the complaint is not satisfactorily resolved in 15 days or the PAP does not receive any response from the RIC, the PAP can forward the complaint or file an appeal at the DPWH UPMO-FCMC
3. If the complaint is not satisfactorily resolved in 15 days or the PAP does not receive any response from the DPWH UPMO-FCMC, the PAP can file a legal complaint in any appropriate Court of Law.

PAPs shall be exempted from all administrative and legal fees incurred pursuant to the grievance redress procedures. All complaints received in writing (or written when received verbally) from the PAPs will be documented and shall be acted upon immediately according to the procedures detailed above.

Grievance Mechanisms for Indigenous People

Conflicts within the affected IP community will be addressed within the community itself in the context of its customary law and customary dispute resolution process and mechanism, in the presence of the relevant staff of the NCIP office with jurisdiction over the area, and if so invited, project-related staff and other stakeholders, e.g., formal local leadership in the barangay and/or the municipality.

Inter-community conflicts will be addressed between the communities themselves, according to their customary or agreed upon disputed resolution processes and mechanism. If an outside facilitator, mediator or arbiter is required or requested for, the UPMO-FCMC and project implementing and monitoring units in the field will seek the intervention of the NCIP to act as facilitator, mediator or arbiter. This is in addition to the documentation done by the IP community/ies themselves and by the NCIP. If no satisfactory result or an impasse result, the IP communities can elevate their complaints and grievances to the Municipal Resettlement Implementation Committee (MRIC) and the Multi-Sectoral Monitoring Team (MMT). The grievance procedure established therein in no way substitute for or replaces the grievance procedure set forth in *The Free and Prior Informed Consent (FPIC) Guidelines of 2006*. At their choosing, the IPs may avail of the grievance procedure and mechanisms spelled out in Section 47 of the *Free and Prior Informed Consent (FPIC) Guidelines of 2006* for complaints regarding the MOA.

Appendix 6
Template of EMP

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IMPACT MANAGEMENT PLAN (IMP) TEMPLATE

Annex 4: IMPACT MANAGEMENT PLAN (IMP) TEMPLATE

Project Phase / Environmental Aspect (Project Activity Which Will Likely Impact the Environmental Component)	Environmental Component Likely to be Affected	Potential Impact	Options for Prevention or Mitigation* or Enhancement	Responsible Entity	Cost	Guarantee / Financial Arrangements
I. PRE-CONSTRUCTION PHASE	(include only applicable modules)					
Environmental Aspect # 1	A. The Land					
Environmental Aspect # 4	B. The People					
II. CONSTRUCTION PHASE	(include only applicable modules)					
Environmental Aspect # 1	A. The Land					
Environmental Aspect # 2	B. The Water					
Environmental Aspect # 3	C. The Air					
Environmental Aspect # 4	D. The People					
III. OPERATION PHASE	(include only applicable modules)					
Environmental Aspect # 1	A. The Land					
Environmental Aspect # 2	B. The Water					
Environmental Aspect # 3	C. The Air					
Environmental Aspect # 4	D. The People					
IV. ABANDONMENT PHASE	(include only applicable modules)					
Environmental Aspect # 1	A. The Land					
Environmental Aspect # 2	B. The Water					
Environmental Aspect # 3	C. The Air					
Environmental Aspect # 4	D. The People					

*At the FS/pre-ECC stage, mitigation measures shall aim to comply with air/water environmental standards which is the 3rd or "limit level" in the EMB system of management and monitoring of Environmental Quality Performance. The Proponent is referred to the Technical Procedures Handbook of the SEPMEs Project available with the EMB on the technical details of EQPLs. See Annex 2- 20 on Environmental Monitoring Plan with Environmental Quality Performance Levels for the formulation of the EQPL sch

Appendix 7
Template of EMoP

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TEMPLATE FOR ENVIRONMENTAL MONITORING PLAN (EMoP)

TEMPLATE OF ENVIRONMENTAL MONITORING PLAN (EMoP) with ENVIRONMENTAL QUALITY PERFORMANCE LEVELS (EQPLs)

Key Environmental Aspects per Project Phase	Potential Impacts Per Environmental Sector	Parameter to be Monitored	Sampling & Measurement Plan			Lead Person	Annual Estimated Cost	EQPL MANAGEMENT SCHEME					
			Method	Frequency	Location			EQPL RANGE			MANAGEMENT MEASURE		
								ALERT	ACTION	LIMIT	ALERT	ACTION	LIMIT
I. PRE-CONSTRUCTION PHASE													
Environmental Aspect # 1 (shown with a sample entry in succeeding columns)	Water Quality: Siltation	Total Suspended Solids (TSS)	Grab sampling; RA9275 lab analysis method	weekly	Indicate coordinates/Description of station	Project PCO	P500/sample * 2 bottles/station/wk * 52 wks/yr = P52,000						
Environmental Aspect #2													
II. CONSTRUCTION PHASE													
Environmental Aspect #1													
Environmental Aspect #2													
III. OPERATION PHASE													
Environmental Aspect #1													
Environmental Aspect #2													
IV. ABANDONMENT PHASE													
Environmental Aspect #1													
Environmental Aspect #2													

EQPL-Environmental Quality Performance Level

- Alert or Red Flag : early warning
- Action Level : point where management measures must be employed so as not to reach the regulated threshold or limit level, or to reduce deterioration of affected environmental component to pre-impact or optimum environmental quality
- Limit Level : regulated threshold of pollutant (standard that must not be exceeded); point where emergency response measures must be employed to reduce pollutants to lower than standard limit.

Appendix 8

**E&S Safeguards Inspection
Checklist**

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E&S Safeguards Inspection Checklist

Inspection Checklist for Pre-Construction

Monitoring Checklist (Pre-Construction Phase)

Instructions:

1. Entries ending in a question mark generally refer to the existence or availability of an item and should be answered by Yes or No.
2. Fill in the "Remarks" column to provide additional detail on an item

Name and Location Project

Name of Contractor

Name of Supervising Contractor

General		Remarks
Name of Environment Officer		
Name of Health Officer		
Name of Safety Officer		
Expected number of workers		
MMT organized (w/ MOA)?		
Copy of ECC/CNC onsite?		
ECC/CNC posted in public?		
Copy of EMP onsite?		
NOVs?		
Status		
Action taken		
Sensitive areas near project site		Remarks
Distance to nearest water body		
Distance to nearest protected area		
Dist. to nearest sensitive populated area*		
Spoils		Remarks
Spoils disposal site		
Disposal site permit?		
Garbage disposal site/method		
Permit for garbage disposal site?		
Traffic		Remarks
Traffic near project site**		
Alternate route needed?		
Other remarks:		

*School, church, hospital, etc.

**Heavy, moderate, minimal

Campsite/Depot		Remarks
Location of campsite		
Distance to nearest water		
Distance to nearest protected		
Dist. to nearest sensitive populated area*		
Other remarks:		

Quarry		Remarks
Name of quarry site		
Date of ECC		
Date of quarrying permit		
Other remarks:		

Tree Cutting		Remarks
Number of trees to be cut		
Name and address of Replanting contractor		
Other remarks:		

Shoulders/Side Slopes/ROW		Remarks
Portion vegetated (%)		
Eroded / collapsed sections?		
Homes / structures?		
Other remarks:		

Water Bodies			Remarks
Name of water body			
Type of water body			
Local usage			
Location			
Nearest project facility			
Condition			
Clarity			
Color			
Odor			
Bank stability			
Oil present?			
Silt or spoils present?			
Garbage present			
Other remarks:			

General findings:

NOTE: USE ADDITIONAL SHEETS IF NECESSARY

Name _____

Date of inspection _____

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Inspection Checklist for Construction Phase

Instructions:

1. Entries ending in a question mark generally refer to the existence or availability of an item and should be answered by Yes or No.
2. Fill in the Remarks column to provide additional detail on an item.

Name and Location of Project
Name of Contractor
Name of Supervising Contractor
Date

General		Remarks
Name of environment officer		
Name of health officer		
Name of safety officer		
Number of workers		
MMT organized (w/ MOA)?		
Copy of ECC/CNC onsite?		
Copy of EMP onsite?		
NOVs?		
Status		
Action taken		
Sensitive areas		Remarks
Distance to nearest water body		
Distance to nearest protected area		
Distance to nearest sensitive populated area*		
Spoils		Remarks
Spoils disposal site		
Disposal site permit?		
Dust		Remarks
Water truck for dust		
Frequency of use		
Dust deposits?		
Dust levels**		
Security		Remarks

Fencing?		
Access to outsiders?		
Traffic		Remarks
Road Warnings?		
Flagman?		
Alternate route?		
Traffic near project site		
Other remarks:		

*School, church, hospital, etc.

**Heavy, moderate, minimal

Worksite Safety		Remarks
Hardhat use (%)		
Safety shoes (%)		
Hearing protection* (%)		

Dust masks* (%)		
Eye protection* (%)		
Clinic present?		
First aid kits?		
Emergency transport?		
Fire extinguishers?		
Date of PPE inspection		
Hands orientation		
Other remarks:		

*Where applicable

Sanitation		Remarks
No. of workers		
No. of sleeping areas		
No. of toilets		
No. of showers		
Type of toilet and disposal		
Wastewater treatment?		
Waste bins available?		
Garbage disposal method		
Final disposal site		
Garbage collected?		
Stagnant water?		
Other remarks:		

Depot		Remarks
No. of oil/fuel tanks		
Secondary containment?		
Fire extinguishers?		
Oil in soil?		
Oil in water?		
Uncollected oily wastes*?		
Stagnant water?		
Other remarks:		

*For example: containers, rags, used oil filters, engine parts

Accomplished by (signature over printed name and date signed)	
---	--

Hazardous materials			Remarks
Type	Amount	Storage/disposal system	

Explosives			Remarks

Quarry		Remarks
Name of quarry site		
Date of ECC		
Date of quarrying permit		
Any unstable areas?		
Any open pits?		
Drainage present?		
Waste piles stable?		
Vegetation restored?		
Other remarks:		

Tree Cutting		Remarks
Number of trees cut		
No. of seedlings planted		
No. of saplings planted		
Est. survival rate (%)		
Name and address of replanting contractor		
Other remarks:		

Shoulders/Side Slopes/ROW		Remarks
Portion vegetated (%)		
Uncollected spoils?		
Eroded/collapsed sections?		
Encroachment?		
Other remarks:		

Hiring	Skilled		Unskilled	
	Number	% of total	Number	% of total
No. of workers (peak)		100		100
No. from host baranggay				
No. from municipality				
No. from province				
Total from same area				
Total from other areas				
Sources of information (name and designation)				

Other remarks:

Water Bodies			Remarks
Name of water body			
Type of water body			
Local usage			
Location			
Nearest project facility			
Condition:			
Clarity			
Color			
Odor			
Bank stability			
Oil present?			
Silt or spoils present?			
Garbage present?			
Other remarks:			

General findings:

NOTE: USE ADDITIONAL SHEETS IF NECESSARY

Name _____ Date _____ of _____
inspection _____

11. Checklist on the Disposal and Stockpiling of Materials Including Parking of Equipment Within the Construction Limits or Vicinity of All DPWH On-going Projects DO 12 s. 2016 (Jan 13, 2016)

To ensure proper housekeeping of projects, convenience and safety of the public and motorists, and to maintain free flow of traffic within the vicinity of all DPWH on-going infrastructure projects, the guidelines hereunder are hereby prescribed.

Name and Location of Project
Name of Contractor
Name of Supervising Contractor
Date

Requirement	Observation
1. The disposal or dumping sites to be presented in a plan with the area/s to accommodate the calculated volume of surplus, unsuitable, spoils, debris and other construction materials shall be identified and submitted by the Contractor immediately after the Award of the Contract. The Project Engineer or the Engineer shall evaluate and approve the proposed sites prior to start of the works.	
2. The stockpiling of the construction materials within the construction limits or vicinity of the project shall be submitted by the Contractor at least 48 hours before the start of this activity for approval of the Project Engineer or the Engineer.	
Stockpiled materials immediately or at the most within 24 hours for gravel materials to form part of the work must be spread and other waste materials after any excavation/demolition works should be properly disposed.	
3. The stock keeping of materials should be made in such a manner that it should not scatter nor obstruct pedestrians and motorists access, and should be properly stored and protected in the location approved by the Project Engineer.	
4. The contractor's equipment and vehicles that will cause danger to motorists and public shall be parked properly outside the roadways or sidewalks during the contract period.	

Requirement	Observation
5. The Contractor at all times shall keep the project site reasonably free from obstructions and shall remove or store properly any contractor's equipment/vehicles/materials no longer required in the construction site to avoid any disturbance.	
6. The Contractors shall provide and maintain at his own cost all lights, barricades, fencing, warning signs, guards, traffic aides, etc. when and where necessary or as required by the Project Engineer or the Engineer.	
7. The Contractors shall at all times, observe Road Works/Construction Safety & Health in accordance with Department Order No. 56, series of 2005, including Traffic Management requirements during the construction and maintenance of roads & bridges to ensure public safety and avoid inconvenience and accidents.	
8. The Project Engineer and the Engineer/the Engineer's Representative shall issue timely instructions to the Contractor to comply with the cited requirements to form an integral part of the Monthly Status Report of the project.	

Accomplished by (signature over printed name and date signed)	
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Inspection Checklist for Post-Construction Phase

Name and Location of Project
Name of Contractor
Name of Supervising Contractor
Date

Workers' Camp	Yes	No	Remarks
Structures removed?			
Vegetation restored?			
Toilets removed?			
Septic tank desludged?			
Garbage hauled?			
Other remarks:			

Depot	Yes	No	Remarks
Oil/fuel tanks removed?			
Structures removed?			
Scrap collected?			
Oil in soil?			
Oil in water?			
Other remarks:			

Quarry	Yes	No	Remarks
Any unstable areas?			
Any open pits?			
Drainage present?			
Waste piles stable?			
Vegetation restored?			
Other remarks:			

Tree Cutting		Remarks
Number of trees cut		
No. of seedlings planted		
No. of saplings planted		
Est. survival rate (%)		
Name and address of Replanting contractor		
Other remarks:		

Shoulders/Side Slopes/ROW	Yes	No	Remarks
Portion vegetated (%)			
Uncollected spoils?			
Eroded / collapsed sections?			
Encroachment?			
Other remarks:			

Hiring	Skilled		Unskilled	
	Number	% of total 100	Number	% of total 100
No. of workers (peak)				
No. from host barangay				
No. from municipality				
No. from province				
Total from same area				
Total from other areas				
Source of information (name and designation)				
Other remarks:				

Water Bodies			
Name of water body			
Type of water body			
Local usage			
Location			
Nearest project facility			
Condition:			
Clarity			
Color			
Odor			
Bank stability			
Oil present?			
Silt or spoils present?			
Garbage present?			
Other remarks:			

Accomplished by (signature over printed name and date signed)	
--	--

Appendix 9

**Self-Monitoring Report
Template**

DRAFT

Department of Environment and Natural Resources Environmental Management Bureau

Reference No:

(to be filled up by DENR only)

GENERAL INFORMATION SHEET

Name of the Establishment/Facility			
Establishment/Facility Address (NOT the company of head office)	Street # & Street Name: _____		
	Barangay: _____		City/Municipality: _____
	Province: _____		
Name of Owner/Company			
Address (if address is not the same as previous address)	Street # & Street Name: _____		
	Barangay: _____		City/Municipality: _____
	Province: _____		
Phone Number		Fax Number	
e-mail address			
Type of Business/ Industry Classification	Philippine Standard Industry Classification Code No. _____		
	Philippine Standard Industry Descriptor: _____		
Responsible Officer/s:	CEO/President. _____		
	Tel #: _____ Fax #: _____		
	e-mail address: _____		
	Plant Manager: _____		
	Tel #: _____ Fax #: _____		
	e-mail address: _____		
Pollution Control Officer	Name. _____		
	Tel #: _____		Fax #: _____
	e-mail address: _____		
Legal Classification	<input type="checkbox"/> single proprietorship <input type="checkbox"/> partnership <input type="checkbox"/> private domestic corporation <input type="checkbox"/> government corporation <input type="checkbox"/> Multi-national <input type="checkbox"/> _____		

We hereby certify that the above information are true and correct.

Name/Signature of CEO/President

Name/Signature of PCO

Name of Plant:

REFERENCE NO:

**12. Department of Environment and Natural
Resources Environmental Management Bureau**

QUARTERLY SELF-MONITORING REPORT

MODULE 1: GENERAL INFORMATION

Name of the Plant	
Please provide the necessary revised, corrected or updated information not contained in your General Information Sheet	
(use additional sheet/s if necessary)	

DENR Permits/Licenses/Clearances

Environmental Laws	Permits	Date of Issue	Expiry Date
P.D. 984	A/C No.		
	PO No.		
PD 1586	ECC 1		
	ECC 2		
	ECC 3		
RA 6969	DENR Registry ID		
	CCO Registry		
	Importer Clearance No		
	Permit to Transport		
RA 8749	A/C No.		
	PO No.		

Name of Plant:

REFERENCE NO:

Operation

	Operating hours/day	Operating days/week	# of shift/day
Average			
Maximum			

Operation/Production/Capacity:

Average Daily Production Output		Total Output this Quarter	
Total Water Consumption this Quarter (cubic meters)		Total Electric Consumption this Quarter (KwH)	

Please use additional sheet/s if necessary

Name of Plant:

REFERENCE NO:

MODULE 2: RA 6969

A. CCO Report (please accomplish this section for each chemical/substance)

Common Name/IUPAC/CAS Index Name. _____
CAS No.: _____
Trade Name: _____

For importers only:

Quantity Requested	Import Clearance No.	Date of Arrival	Quantity Received*	Port of Entry	Country of Origin	Country of Manufacture
Total Quantity Requested (annual)			Total Quantity Received (annual)			

* attach copy/s of Bill of Lading

For distributors (importers/non-importers)

Name of Client	License No.	Quantity	Date of Distribution
Total Quantity Distributed			

For non-importer users:

Name of Distributor	Quantity	Date of Purchase
Total Quantity Purchased from Distributor		

Name of Plant:

REFERENCE NO:

For producers

Average Daily Production Output		Total Output this Quarter	
Quantity of Stock Inventory (Start of Quarter)		Quantity of Stock Inventory (End of Quarter)	
Name of Buyer		Quantity	Date of Purchase
Total Quantity Sold			

Used in Production (please fill up only if chemical/substance is not main product)

Average Daily Production Output		Total Output this Quarter	
Average Quantity Used per month		Total Quantity Used this Quarter	
Describe any changes in Production/Process/Operations:			

Stock Inventory/Waste Chemical Generated:

Average Quantity of Waste Chemical Generated per month		Total Quantity of Waste Chemical Generated this Quarter	
Quantity of Stock Inventory (Start of Quarter)		Quantity of Stock Inventory (End of Quarter)	

Other Information:

Manner of handling hazardous wastes	<input type="checkbox"/> storage on-site	<input type="checkbox"/> Treatment on-site
	<input type="checkbox"/> storage off-site	<input type="checkbox"/> Treatment off-site
Changes in Safety Management System	<input type="checkbox"/> Yes (please attach copy of revised plan) <input type="checkbox"/> No	
Chemical Substitute Plan	<input type="checkbox"/> Yes (please attach copy if not submitted/included in previous report/s or had been revised) <input type="checkbox"/> No	

Name of Plant:

REFERENCE NO:

B. Hazardous Wastes Generator

HW Generation:

HW No.	HW Class	HW Nature	HW Cataloguing	Remaining HW from Previous Report		HW Generated	
				Quantity	Unit	Quantity	Unit

Waste Storage, Treatment and Disposal: (Please fill-up one table per HW)

HW Details	HW No,: _____ Qty of HW Treated: _____ Unit: _____ TSD Location: _____
Storage	Name: _____ Method: _____
Transporter	ID: _____ Name: _____ Date: _____
Treater	ID: _____ Name: _____ Method: _____ Date: _____
Disposal	ID: _____ Name: _____ Date: _____ Date: _____

HW Details	HW No,: _____ Qty of HW Treated: _____ Unit: _____ TSD Location: _____
Storage	Name: _____ Method: _____
Transporter	ID: _____ Name: _____ Date: _____
Treater	ID: _____ Name: _____ Method: _____ Date: _____
Disposal	ID: _____ Name: _____ Date: _____ Date: _____

Name of Plant:

REFERENCE NO:

On-Site Self Inspection of Storage Area:

Date Conducted	Premises/Area Inspected	Findings & Observations	Corrective Action Taken (if any)

Name of Plant:

REFERENCE NO:

C. Hazardous Wastes Treater/Recycler

HW Stored and/or Untreated as of End of Quarter:

HW Number	Wastes Generator	Date of Transport	Transport Permit/Date of Issue	Valid until	Quantity	Type of Storage Container/ # of containers	Time Table for Treatment

HW Treated and/or Recycled as of End of Quarter:

Type of Wastes	HW Number	Wastes Generator	Date of Transport	Transport Permit/Date of Issue	Quantity	Type of Treatment or Recycling Process	Type & Quantity of Recycled or Treated Product

Residual Wastes Generated from the Treatment and/or Recycling Operation:

Type of Wastes	HW Number	Process by which the Wastes is Generated	Quantity	Type of Storage Container/ # of containers	Disposal Option	Time Table for Disposal

Name of Plant:

REFERENCE NO:

MODULE 3: P.D. 984 (Water Pollution)

Water Pollution Data

Domestic wastewater (cubic meters/day)		Process wastewater (cubic meters/day)	
Cooling water (cubic meters/day)		Others: _____ (cubic meters/day)	
Wash water, equipment (m ³ /day)		Wash water, floor (cubic meters/day)	

Record of Cost of Treatment (Separate entries for separate facilities)

	Month 1	Month 2	Month 3
Person employed, (# of employees)			
Person employed, (cost)			
Cost of Chemicals used by WTP			
Utility Costs of WTP (electricity & water)			
Administrative and Overhead Costs			
Cost of operating in- house laboratory			
New/Additional Investments in WTP (Description)			
Cost of New/Add Investments			

WTP Discharge Location

Outlet Number	Location of the Outlet	Name of Receiving Water Body
1		
2		
3		
4		
5		

REFERENCE NO:

[illegible]

Detailed Report of Wastewater Characteristics for Other Pollutants

Reference No:

[illegible]

use additional sheet/s if necessary.

Name of Plant:

REFERENCE NO:

MODULE 4: R.A. 8749 (Air Pollution)

Summary of APSE/APCF

Process Equipment		Location		# of hrs of operations	
1.					
2.					
3.					
4.					
Fuel Burning Equipment	Location	Fuel Used	Quantity Consumed	# of hrs of operations	
1.					
2.					
3.					
4.					
5.					
6.					
Pollution Control Facility		Location		# of hrs of operations	
1.					
2.					
3.					
4.					

Cost of Treatment

	Month 1	Month 2	Month 3
Cost of Person employed, (salary)			
Total Consumption of Water (cubic meters)			
Total Cost of chemicals used (e.g., activated carbon, KMnO_4)			
Total Consumption of Electricity (KwH)			
Administrative and Overhead Costs			
Cost of operating in-house laboratory, if any			
Improvement or modification, if any. (Description)			
Cost of improvement of modification			

REFERENCE NO:

Detailed Report of Air Emission Characteristics

[illegible]

Please fill-up/accomplish separate form/s for other PCF/s. Please use additional sheet/s if necessary.

Name of Plant:

REFERENCE NO:

MODULE 5: P.D. 1586

Ambient Air Quality Monitoring (if required as part of ECC conditions)

Description/Location of Monitoring Station								
DATE	Noise Level (dB)	CO (mg/Ncm)	NO _x (mg/Ncm)	Particulates (mg/Ncm)	(name) (mg/Ncm)	(name) (mg/Ncm)	(name) (mg/Ncm)	(name) (mg/Ncm)

(Please accomplish one table per monitoring station.)

Ambient Water Quality Monitoring (if required as part of ECC conditions)

Description/Location of Sampling Station								
DATE	(name)	(name)	(name)	(name)	(name)	(name)	(name)	(name)
	(unit)	(unit)	(unit)	(unit)	(unit)	(unit)	(unit)	(unit)

(Please accomplish one table per sampling station.)

Name of Plant:

REFERENCE NO:

Other ECC Conditions

ECC Condition/s	Status of Compliance		Actions Taken
	Yes	No	
1.			
2.			
3.			
4.			
5.			
6.			
7.			

Please use additional sheet/s if necessary.

Environmental Management Plan/Program

Enhancement/Mitigation Measures	Status of Implementation		Actions Taken
	Yes	No	
1.			
2.			
3.			
4.			
5.			
6.			
7.			

Please use additional sheet/s if necessary.

Solid Waste Characterization/Information:

Average Quantity of Solid Wastes Generated per month		Total Quantity of Solid Wastes Generated this Quarter	
Average Quantity of Solid Wastes Collected per month		Total Quantity of Solid Wastes Collected this Quarter	
Entity in charge of collecting solid wastes			
Brief Description of Solid Waste Management Plan (e.g., waste reduction, segregation, recycling)			

Name of Plant:

REFERENCE NO:

MODULE 6: OTHERS

Accidents & Emergency Records

Date	Area/Location	Findings and Observation	Actions Taken	Remarks

Personnel/Staff Training

Date Conducted	Course/Training Description	# of Personnel Trained

I hereby certify that the above information are true and correct.

Done this _____, in _____.

Name/Signature of PCO

Name/Signature of CEO

SUBSCRIBED AND SWORN before me, a Notary Public, this _____ day of _____, affiants exhibiting to me their Community Tax Receipts:

Name

CTR No.

Issued at

Issued on

Appendix 10

**Compliance Monitoring
Report Template**

DRAFT

PRO-FORMA PROPONENT COMPLIANCE MONITORING REPORT (CMR): Semi-annual Module 5

PROPONENT'S NAME

MONITORING PERIOD COVERED: _____

I. BASIC PROJECT INFORMATION AND UPDATES

ECC Control No/REFERENCE Code No: _____

Project Title: _____

Project Type: _____

Location: _____

Project Coordinates: _____

Project Stage/Phase: (i.e. construction; commissioning, etc.) _____

Contact Person: _____

EMP Approval : " During ECC Application Stage

" Updated after ECC Issuance; approved on _____

Changes in Project Design (if any) : _____

II. EXECUTIVE SUMMARY

This section should include a summary of the major findings for the monitoring period. For example, a statement that there were no major activities that influenced the monitoring parameters during the monitoring period can be made if there were really no activities by the proponent that affected the monitored parameters.

Table II-1. Summary of Major Findings for the Monitoring Period

Condition / Requirement / Commitment	Compliance Status & Summary of Actions taken	Recommendation/Commitment for the next reporting
Compliance with ECC		
Compliance with EMP		
Implementation of appropriate & effective env'tal impact remedial actions in case of exceedances		
Complaints Management		
Realistic and sufficient budget for conducting the environmental monitoring and audit activities		
Accountability - qualified personnel are charged with the routine monitoring of the project activities in terms of education, training, knowledge and experience of the environmental team		
Others . . .		

III. RESULTS AND DISCUSSIONS

A. Compliance Monitoring

The status of compliance to the ECC conditionalities and the attainment of EMP commitments should be elaborated in this section. Reasons for noncompliance or unmet commitment should be explained and solutions and measures to attain full compliance of ECC terms and conditions as well as satisfactory attainment of EMP commitments should be discussed as renewed efforts for the next monitoring period. **Table 1** may be used to summarize the status of compliance.

Table 1. Summary Status of ECC & EMP Compliance

ECC/EMP Condition/Requirement Categorization	Relevant ECC Condition/s (if any)		Status of Compliance (if complying)	REMARKS
	#/s	Requirement Description		
1) Project coverage/limits/				
2) Components				
3) Other sectoral requirements mandated by other agencies to be complied with				
4) EMP and updates as deemed required				
5) Conduct of baseline, compliance and impact self-monitoring				
6) Multi-sectoral Monitoring (as may be required)				
7) Regular reporting				
8) Institutional arrangements necessary for implementation of environmental management measures				
9) Standard DENR requirement on transfer of ownership				
10) Standard DENR requirement on abandonment				
11) Impact Mitigation Plan or Construction/ Contractor's Environmental Program				

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12)	Social Development Plan (SDP)				
13)	IEC Plan				
14)	Contingency/Emergency Response Plan or equivalent Risk Management Plan				
15)	Abandonment Plan (when applicable)				
16)	Environmental Monitoring Plan (EMoP)				
17)	(Others)				

B. Impact Monitoring

This section shall contain relevant graphical presentation of quantitative and semi-quantitative impact monitoring results showing trends, comparing past monitoring results with the current. Relevant monitoring results in the other SMR modules shall be referred to. The latest monitoring findings and conclusion should be discussed in text form.

Qualitative impact monitoring results may be presented in text form or in terms of pictorial coverage, if applicable. Examples of qualitative impacts are those relating to quality of life, degree of happiness, and sense of environmental cleanliness.

i. Summary of Previous Monitoring

The key findings, recommendations, and action plan from the previous monitoring and outstanding issues from earlier monitoring periods (if applicable) should be highlighted in this section.

ii. Current Monitoring Results and Findings

The data collected and related expenses from the various sampling and measurement events done under the Environmental Monitoring Plan (EMoP) or a Sampling and Measurement Plan (SAMP) for the current monitoring period shall be summarized in a tabular form, preferably using the prescribed format in **Tables 2 and 3** below, and discussed under this section. Only processed and summarized data must be presented here.

The current monitoring results must be related to the historical trend for each parameter. Any deviation from this trend must be explained. More, importantly, the discussion must focus on point-by-point comparison of the gathered values with Environmental Quality Performance Levels (EQPLs), if EQPLs have been committed by the Proponent or established with the Multi-partite Monitoring Team. The monitoring results could also be used to determine the action and limit levels for the specific project. These should all be presented here in detail and summarized in the conclusions and recommendations section.

Compliances, non-compliances and exceedances must all be thoroughly explained. In cases of compliances, success factors must be cited. For non-compliances and exceedances, the proponent's response should be explained. Moreover, causative factors must be identified and additional solutions and mitigation measures proposed, if needed.

It should also cite the weather conditions and other factors which may affect the results of the sampling activities.

The status of compliance to recommendations from previous monitoring and measures included in the action plan should be described and any unmet commitment must be rationalized and alternative, if needed, presented.

Table 2. Summary Status of Environmental Impact Management and Monitoring Plan Implementation

Monitoring Objective	Env't'l Aspect	Env't'l Impact	Monitoring Parameter	Sampling & Measurement		Stand-ard/ EIS Predict-ion	Env't'l Mgmt. Mea-sure	Remarks (EQPL* commitm-ent, if any)
				Stn/ Locn	Results			
					Previous	Current		

***EQPL-Environmental Quality Performance Level**

- o Alert or Red Flag - early warning
- o Action Level-point where management measures must be employed so as not to reach the regulated threshold or limit level, or to reduce deterioration of affected environmental component to pre-impact or optimum environmental quality
- o Limit Level-regulated threshold of pollutant (standard that must not be exceeded); point where emergency response measures must be employed to reduce pollutants to lower than standard limit.
- o **NOTE:** Section on EQPLs may be filled out as a Proponent's draft commitment or after these have been established and mutually agreed upon among Proponent, EMB and other MMT members. Otherwise, only the LIMIT Level shall be the reference for regulatory compliance. This means that environmental management measures are formulated at the "ACTION level" so as not to exceed this regulated threshold.

Table 3. Report on Status of Environmental Budget Allocations and Expenses

Expense Item*	Budget		Actual Expenses	
	Direct from Co.	Budget for MMT	Direct Co. Expense	MMT expenses
A. Implementation of Management Plans & Programs				
1) Environmental Impact Mitigation Plan	√		√	
2) Social Development Plan	√		√	
3) IEC Plan	√		√	
4) Enhancement Programs (if any)	√		√	
B. Implementation of Monitoring Plans				
1) Self-Monitoring	√		√	
2) Environmental Monitoring Fund (with MMT)	√	√	√	√
3) Environmental Guarantee Fund	√	√	√	√
TOTALS				

*For mining projects, equivalent cost items shall be adopted, e.g. SDMP in lieu of SDP.

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IV. CONCLUSIONS AND RECOMMENDATIONS

This section should present the conclusions and recommendations of the current SMR based on the results and discussion of the previous sections. It should also explain if the previous monitoring recommendations should continue (if implemented). On the other hand, if warranted, the recommendation may be the cessation of specific or all monitoring activities.

The conclusions and recommendations should preferably be in a bulleted format and as much as possible grouped according to coherent themes, such as the following headings.

A. Compliance Status

Only the key conclusions about the status of compliance to ECC and EMP are included in this section. The status of non-compliances should be particularly tracked throughout all SMRs even if compliance has been already attained. Recommended additional measures or amendments to the EMP should be presented here.

B. Environmental Quality Status (applicable only if EQPLs have been set by the Proponent as its commitment or if opted to be mutually agreed upon by Proponent with the EMB and other members of the MMT)

Only the key conclusions on meeting the set EQPLs are included in this section.

C. Environmental Management Plan Status

Only the key conclusions about the status of EMP implementation and recommended additional measures or amendments should be presented here.

13. D ENVIRONMENTAL RISK CATEGORIZATION

The proponent should fill-up or update the project's environmental risk categorization questionnaire (presented in Annex 2-7d of the Revised Procedural Manual of DAO 2003-30) – applicable on the Second Semi-annual ECC Compliance Monitoring Report.

14. E. WORK PLAN FOR NEXT MONITORING PERIOD

The specific actions for the next monitoring period, including carry-overs from previous monitoring periods, should be detailed in this section.

V. ATTACHMENTS

Please have the following documents attached:

- a) Laboratory Results of Analysis from DENR-EMB recognized laboratory;
- b) Approved Impact Mitigation Plan in the EIS/other EIS Update Documents; and
- c) Approved Environmental Monitoring Plan in the EIS/other EIS Update Documents

15. PREPARED BY:**NOTED BY:**

Name/Position

Name/Position

Proponent/Company Name

Proponent/Company Name

Date

Date