

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

MEMORANDUM CIRCULAR NO. 02
Series of 2000

For: All Regional Directors

SUBJECT: Guidelines in the Application of the Workplace Component of Republic Act No. 8504 otherwise known as the “Philippine AIDS Prevention and Control Act of 1998” and its Implementing Rules and Regulations.

In the interest of protecting the welfare of workers from the health, psychosocial and economic implications of HIV and AIDS problem and to institutionalize the HIV and AIDS Workplace Program as part of the regular inspection activity, the following guidelines are hereby prescribed:

Section 1. Scope

These guidelines shall be observed by the Department of Labor and Employment (DOLE) labor inspectorate in monitoring, assessing and enforcing compliance to Republic Act No. 8504, otherwise known as the “Philippine AIDS Prevention and Control Act of 1998”, and its Implementing Rules and Regulations.

Section 2. Objectives

In order to implement the above mandate, the following objectives are given:

- a) To generate information/data on the number of establishments which have a Workplace HIV and AIDS Education Program.
- b) To develop a monitoring and assessment component in the implementation of the law in the form of inspection monitoring reports.
- c) To recommend the conduct of HIV and AIDS education in the companies for program efficiency and effectiveness.

Section 3. Definition of Terms

The following terms as used in these guidelines and in the field shall have the meanings as stated:

1. **Acquired Immune Deficiency Syndrome (AIDS)** - a condition characterized by a combination of signs and symptoms caused by HIV contracted from another which attacks and weakens the body’s immune system making the afflicted individual susceptible to other life-threatening infections.
2. **Human Immunodeficiency Virus (HIV)** - the virus which causes AIDS.
3. **HIV and AIDS Education** - the provision of information on the causes, prevention and consequences of HIV and AIDS and activities designed to assist individuals to develop the confidence and skills needed to avoid HIV and AIDS transmission and to develop more positive attitude toward people living with HIV and AIDS (PLWHA).
4. **Workplaces** - refer to the offices, premises or worksites where a worker is temporarily or permanently assigned. Where there is no fixed or definite workplace, the term shall include the place where the worker actually performs regular work or where he regularly reports to render service or to take an assignment.

Section 4. Responsibility of the Department of Labor and Employment (DOLE)

Pursuant to Section 15 of the Implementing Rules and Regulations of R.A. No. 8504, monitoring and assessment of workplace HIV and AIDS education in the private sector shall be the responsibility of DOLE in collaboration with the Department of Health (DOH).

- a) The DOLE agencies involved shall be the Inter-Agency Committee on STD/HIV and AIDS as may be constituted by the Secretary of Labor as well as the DOLE Regional Offices.
- b) The Bureau of Working Conditions (BWC), through the labor inspectorate of the DOLE Regional Offices, shall be responsible for monitoring and evaluating compliance based on the findings of labor inspectors.

Section 5. Functions of the Regional Offices

The DOLE Regional Offices shall be tasked with the following functions:

- a) Enforce compliance with the requirements for HIV and AIDS Education Program to be instituted by all establishments;
- b) Shall serve as the focal centers in their areas of jurisdiction in providing basic information on the salient features of R.A. No. 8504 as it applies to workplaces.

Section 6. Duties of Labor Inspectors

Labor inspectors who have undergone the Appreciation Course on HIV and AIDS and R.A. No. 8504 or the Peer Educator and Counselor Training Course on HIV and AIDS shall be tasked with the following responsibilities:

- a) To include in the conduct of inspection compliance of employers to the requirements of providing HIV and AIDS Education in the workplace.
- b) To document the findings in IF-6 (attached as Annexure "A") which shall be correspondingly submitted together with Inspection Form No. 3 to BWC.
- c) To act as resource persons whenever necessary in the dissemination of HIV and AIDS program in the workplace.

Section 7. Effectivity

This issuance shall serve as policy and procedural guidelines in the application of the workplace component of R.A. 8504 and its Implementing Rules and Regulations and shall be for the information and guidance of all concerned.

19 June 2000.


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Secretary