



International Labour Organization

iTrack

Evaluation

## ILO EVALUATION

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Name of consultant	: Sohana Samrin Chowdhury
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*This evaluation has been conducted according to ILO's evaluation policies and procedures. It has not been professionally edited, but has undergone quality control by the ILO Evaluation Office.*

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## ABBREVIATIONS AND ACRONYMS

ACT/EMP	Bureau for Employers' activities
ACTRAV	Bureau for Workers' Activities
ALU	Associated Labor Unions
AO	Administrative Order
ARMM	Autonomous Region in Muslim Mindanao
ASGM	Artisanal and Small-Scale Gold Mining
BWC	Bureau of Working Conditions
BWSC	Bureau of Workers with Special Concerns
CO	Country Office
CoC	Certificates of Compliance
CSC	Civil Service Commission
DENR	Department of Environment and Natural Resources
DO	Department Order
DOLE	Department of Labor and Employment
DWCP	Decent Work Country Programme
DWT	Decent Work Team
ECOP	Employers Confederation of the Philippines
EPZ	Export Processing Zone
FFW	Federation of Free Workers
GDP	Gross Domestic Product
GLS	General Labor Standards
HR	Human Resources
HRDS	Human Resource Development Service
IE	Interim evaluation
ILAB	International Labor Affairs Bureau
ILO	International Labor Organization
ILS	Institute of Labor Studies
IO	Immediate Objective
IT	Information Technology
LABADMIN/OSH	Labor Administration, Labor Inspection and Occupational Safety and Health Branch of the ILO
LEO	Labor and Employment Officer
LI-MIS	Labor inspection management information system
LLCO	Labor Law Compliance Officer
LLCS	Labor Law Compliance System
M&E	Monitoring and Evaluation
MIS	Management information system
MOA	Memoranda of Agreement
MPG	Management Procedures and Guidelines
MTE	Mid-term evaluation
NCR	National Capital Region
NTIPC	National Tripartite Industrial Peace Council
OSH	Occupational Safety and Health
OSHS	Occupational Safety and Health Standards
PAC	Project Advisory Committee
PARDEV	Partnerships and Field Support department of the ILO
PFSD	Partnership Framework for Sustainable Development
PLEP	Philippine Labor and Employment Plan
PM	Programme Manager
PMP	Performance Monitoring Plan
PRODOC	Project Document
RBM	Results based management
RFP	Request for proposal
RTIPC	Regional Tripartite Industry Peace Councils

SCP	Strategic Compliance Planning
SIO	Sub-immediate objective
SMART	Specific, measurable, achievable, relevant and time-bound
TCCLS	Tripartite Certificate of Compliance with Labor Standards
TEC	Tripartite Executive Committee
TOR	Terms of Reference
TPR	Technical Progress Report
TSSD	Technical Services and Support Division
TUCP	Trade Union Congress of the Philippines
UN	United Nations
USDOL	United States Department of Labor
WBS	Work Breakdown Structure

## Executive summary

The 'Building the Capacity of the Philippines Labor Inspectorate Project' was signed between the ILO and USDOL in 2014 with the objective to strengthen the labor inspectorate and the capacities of government, workers, and employers to effectively engage in social dialogue on over-all labor law compliance. The project was originally signed for the duration between 15 December 2014 and 14 December 2017, but started implementation from September 2015. The goal or development objective of the project was to improve workplace compliance with national labor laws. The project intended to achieve two primary outcomes or immediate objectives (IO) and seven sub-immediate objectives (SIO).

Department Order No. 183-17 and the Occupational Safety and Health (OSH) bill are the two most important policy changes that had an influence on the Project focus and its interventions. Towards the end of 2016, a mid-term evaluation (MTE) of the Project was conducted and the Project made some strategic and implementation level changes based on the MTE recommendations. In the revised Project, the number of SIOs were reduced to six and the result statements were also rearticulated to better express the focus of the Project.

To adapt to the changes in the implementing environment, constituents have voiced the need of further support to achieve the project's existing immediate and sub-immediate objectives. While the current phase of the project will conclude by the end of August 2018, under the changes in the policy environment, a request to add \$250,000 to the existing grant to extend the project period of performance until August 2019 was being processed at the time of the production of this report<sup>1</sup>.

This is an internal interim evaluation (IE) of the project. Its purposes are to:

- (i) Assess the progress of the project in achieving its stated objectives,
- (ii) Follow up from the mid-term recommendations and
- (iii) Provide recommendations and lessons learnt for similar future projects. Recommendations from this interim evaluation (IE) should also inform the project strategy/activities for the cost extension period.

### ***Relevance and strategic fit***

The Project is found to be highly relevant and well-suited to the policies and priorities of the ILO, the Government and social partners of the Philippines. The objectives of the Project were found to be aligned to the specific needs of the Philippines, and, in particular, of the Department of Labor and Employment (DOLE) and Bureau of Working Conditions (BWC). The management information system (MIS) built through the Project has regularly updated the contents of the System so that they remain relevant and responsive to the new requirements of the Bureau. The project applied a well-coordinated mechanism throughout the changing labour inspection process and proposed timely adjustments to the project design in order to provide the constituents with the necessary support to achieve the project's immediate and sub-immediate objectives. With the changes in the implementing environment, the Project increasingly involved itself in helping the DOLE and BWC shape the revised labor inspection system in accordance with the government's priority. The Project is also aligned well with the draft Decent Work Country Programme (DWCP) of the CO-Manila (2018–2024) and thematic area 'planet and prosperity' of the Partnership Framework for Sustainable Development (PFSD) 2019–2023 (the fourth UN-Philippines country plan).

### ***Validity of design***

The Project demonstrates, to some extent, that there were potential weaknesses in the project design, especially in establishing logical sequencing between activities, output and subsequent indicators; inaccurate formulation of output and indicators; insufficient information in the Performance Monitoring Plan (PMP) on

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<sup>1</sup> The proposal of extension was approved before this report was finalized.

indicator definitions; absence of time-bound milestones for either the output or the outcome indicators. Overall, the logframe design does not fully adhere to the results based management framework of the ILO.

### ***Implementation effectiveness***

The Project is overall effective in delivering on the output results designed under each of the six SIOs. One of the key achievements of the Project was the support it has provided to the continued development of the Labor Inspection-Management Information System (LI-MIS). Until the time of the IE, the Project delivered and deployed the integrated Inspection Module of the MIS's web and mobile applications for the conduct of inspections. The Regional Module of the Case Management System and the Central Office Module were undergoing testing; the finalization of which will mark the completion of the full reporting functionalities of the System, enabling the government to better report on the 'enforcement rates' on Compliance Orders, which amongst others, have now been included as one of the organizational performance indicators of the DOLE. The Project also helped BWC to revise the general assessment checklist, the contractor and subcontractor assessment checklist and the accident investigation checklist. The Project delivered two batches of orientations on the use of the MIS Inspection and Case Management modules to DOLE Regional IT and labor inspection focal points. To continue this learning journeys, those trained from the regions co-facilitated the regional orientations in early 2018 with DOLE funding. The development of proposed performance metrics for labor inspectors aligned with their proposed job descriptions, and DOLE's new organizational outcome indicators on labor standards enforcement was done towards the end of the year 2017. This was achieved through the conduct of two batches of Project supported Results Based Management Capacity Building Workshops for labor inspection focal points, Division Chiefs supervising labor inspectors Planning Officers in the regions. These performance metrics are now being used by DOLE BWC in the identification of targets for the year.

In the area of improving labor inspection institutional and legal framework, the Project made substantive contribution in shaping the DO 183-17 and also provided technical inputs on the inspection component of the OSH Bill. The activities with respect to the inter-agency coordination and partnership building, as proposed in the cost-extension proposal, will potentially benefit the current labor administration by providing a more robust solution coordinated through a multi-departmental approach introduced by the Project.

The Project produced four proposed job descriptions for labor inspectors through an HR audit with the aim of improving technical competency of LLCOs to undertake functions expected of them under the LLCS Manual and ILO Conventions No. 81 and No. 129. The Project also analysed the training needs of the labor inspectors and utilising the results an intensive training programme for labor inspectors are now being developed focusing on practical skills and understanding of procedures and ethics behind labor inspection, more operational understanding of labor standards across different business models, interviewing and evidence gathering skills, as well as more strategic application of the powers of an inspector.

In an effort to establish models for effective tripartite collaboration and partnerships that promotes labor laws compliance and to pilot them in selected regions, the Project supported the development of proposed regional compliance plans through two Tripartite Capacity Building Workshops on Strategic Compliance, known as the Strategic Compliance Planning (SCP) Workshop. The Project successfully oriented 779 tripartite partners on the labor inspection, status of inspection activities and developments. The SCP workshop provided a good basis for the DOLE to build on the outputs of the workshop for further engaging partners.

Although the training module envisioned for the workers to provide practical workplace-based implementation of the labor inspection is yet to be finalised, the Project successfully provided initial training for 30 trade union leaders on labor inspection, workers' role, General Labor Standards (GLS), Occupational Safety and Health Standards (OSHS), social dialogue and paralegal. A number of those trained under the Project are involved in



inspections and various compliance campaigns. The workers' organizations therefore requested further Project support on developing a strategy for the trade unions that will enable them to cascade their learnings from the national to the local level. This Project also sets a target of distributing 250 worker good practice compendium, which, according to the revised work plan, is yet to be completed.

The Project further trained thirty (30) ECOP focal points/ subject matter experts in an effort to improve knowledge of employers on labor standards and enhance their capacity to engage in the LLCS process at the enterprise, regional/industry and national levels. ECOP plans to mobilise these trainees to provide assistance to members and non-members. An employers' training programme/manual is also designed and currently being revised under the Project based on new DO 183-17 focusing on practical workplace-based implementation of labour inspection. ECOP intends to institutionalize the training manual as part of an integrated course offering on Industrial Relations and Human Resource. Documentation of case studies are also being supported by the Project, which are expected to be replicated in other regions/ sectors.

### ***Efficiency of resource use***

The project resources were allocated efficiently with the limited means available. The project appeared to be cost-efficient as it utilizes the project budget to the best of its ability. The delivery rate has significantly increased between January and June 2018, spending 84% of its total allocation by the end of June 2018. The cost efficiency analysis shows that there is a chance that the Project may have an unspent amount of little more than USD60,000 by the end of its cost extension period if the monthly expenditure rate is not increased at least by USD4,500. Therefore, it is important that the delivery rate is further accelerated by immediately initiating the activities foreseen for the cost extension period, especially on key cost drivers like refresher trainings for workers and employers, inter agency meetings and completion of risk-based criteria setting for the handling and managing of complaints.

### ***Effectiveness of management arrangement***

The internal management arrangements of the project also appeared to be adequate to ensure timely delivery of project outputs and activities. The Project staff received regular technical backstopping from the ILO Decent Work Team specialists for East and South-East Asia and the Pacific based in Bangkok, which has greatly helped with the redesigning and refocusing of the Project. A tripartite project advisory committee (PAC) was established for the purpose of providing Project oversight, comprising of representatives from the government and the social partners. The activities and consultation process that took place from this platform have been highly appreciated by all the stakeholders.

### ***Sustainability***

The Project developed a sustainability plan outlining sustainability measures for key components of the Project, which, if implemented, would likely contribute towards the sustainability of project achievements. As the sustainability plan is designed based on donor prescribed format, it had limited scope to put in place time-bound indicators for the partners, as was recommended by the MTE so as to enable the Project to track the planned sustainability related activities. Overall, the interventions on improving the effectiveness of labor inspection (SIO 1.1 through 1.3) are most likely to sustain in the longer term than the rest of the SIOs. Nevertheless, the effective and optimum use of MIS data, which will very recently experience a data influx, relies largely on the extent to which DOLE BWC is prepared to analyse data and transfer them into evidence based information without being overwhelmed with their increasing amount. This could be a potential future area of work for the Project. Although the social partners have taken some ownership of the project interventions under SIO 2.1 through 2.3, primarily by being engaged in, and benefiting from, project activities, such as the PAC meetings, trainings, SCP workshops, the main challenge is to continue the tripartite engagement in relation to plant level compliance discussions. The issues such as difficulty of selecting worker representative during joint inspection of a non-

unionized establishment, general dissatisfaction about underutilization of the trained social partner representatives and demand for increased participation of social partners in full blown cases still remain points of debate between different partners. Another major area, specially to be considered for sustaining the results that have been produced with the tripartite constituents, is to seriously look into the capacity requirements and business processes of the 'other actors' in addition to the labour inspectors – staff who are responsible for case hearing, drafting, disposition etc.

### ***Recommendations***

The IE put forward eight project level recommendations. In addition, a few recommendations have also been offered for the government (DOLE BWC) and ILO CO-Manila to take into consideration in the medium and longer term. The recommendations are as follows:

#### ***Short-term (project level) recommendations***

- Identify achievable and time bound targets for the output indicators
- Prioritize support for the completion and roll-out of the MIS and develop guiding manuals for the MIS modules
- Conduct regular data collection on training effectiveness and specialised inspections
- Replicate the SCP at sectoral level
- Refine the sustainability plan with targets and timeframes
- Provide technical support to the DOLE BWC in developing a data management, analysis and reporting plan
- Continue technical assistance on capacity building for DOLE BWC and social partners alike
- Support inter-agency partnership on labor inspection, labor standards and utilisation of LI-MIS

#### ***Recommendations for the government***

- Develop a consolidated MIS sustainability plan, including costing for short, medium and long term with resource mobilization plan
- Develop HR capacity plan (for national and regional staff) to cope with the requirements of the MIS sustainability plan
- Develop a comprehensive and regularly reviewed training strategy that ensures that inspectors' training service both at regional and central level are undertaken in a systematic manner.
- Review of the business process of BWC and regional offices in light of the implementation of the revised job description.
- The government may utilise the LI-MIS to analyse which sectors have for example maximum numbers of dispute or violation that goes beyond the remediation time frame to determine whether sectoral dialogue mechanisms are more appropriate.
- The ratification process of ILO C81 should be considered as a high priority the interventions under the Labor Inspection institutional and legal framework are to be sustained.
- Ensuring legal protection is available for labour inspectors is also critical to maintain the broader quality of the inspection on which the results and achievements of the entire system relies on.
- In order to keep the case backlogs and any inconsistencies in approaches and decisions at a minimum, the case disposition and case management aspect of the GLS need equal emphasis as enforcement and penalties.

#### ***Recommendations for the ILO CO-Manila***

- Adhere to the results based management guidance of ILO while designing future projects in order to create clearly defined and well-articulated result statements as well as performance indicators that are specific, measurable, achievable, relevant and most importantly, time-bound. For example, it has been noted in the

logframe that the Project has targeted for certain outputs, achievement of which is not fully in the control of the Project and requires full engagement and commitments from the partners. In future project design, this needs to be carefully looked at to avoid over committing on output.

- Continued advocacy to deepen the collaboration between social partners, support the government in promoting dialogue mechanism at different levels and initiate a social dialogue project in the Philippines, promoting bilateral and tripartite interaction between workers' and employers' organisations at national, provincial and workplace level.
- Assisting in the roll-out of OSH training by worker and employer organizations to enterprise level OSH committee members
- Conduct a scoping study of the labor administration system in the Autonomous Region in Muslim Mindanao (ARMM)

#### Recommendations for the USDOL

- IE findings found out that the activities foreseen in the cost-extension proposal are highly relevant and are key to achieving the project results and sustaining the results gained so far, and therefore the USDOL should consider financing these activities as part of the Project's extension.
- To ensure sustainability of the interventions done till date, the donors may also focus on helping the government to both increase enforcement & penalties as well as improve compliance to OSH standards.
- The Project team and USDOL should work together with the project partners to agree on realistic targets to be incorporated into the PMP as per activities that have been concluded and new activities that will be included if the Project gets the extension.

# 1. CONTEXT AND PROJECT BACKGROUND

- 1.1. In 2017, the Philippines was among the top three growth performers in the East Asia region, only Vietnam and China performed better. The economy of the Philippines is the world's 34<sup>th</sup> largest by nominal GDP according to the 2017 estimate of the International Monetary Fund's statistics. As a newly industrialized country, the Philippines economy is still heavily based on the agricultural sector; however, the country has started transitioning to services and manufacturing.
- 1.2. Despite continuous efforts by the government of the Philippines to improve its labor inspection system, a 2009 International Labor Organization (ILO) audit identified a number of areas where improvements were necessary. Major concerns included an inadequate number of inspectors relative to the expanding number of businesses; inspectors' limited technical knowledge and skills; need for efficiency to maximize available resources. Based on the specific recommendations of the audit, the government took important steps to address the recommendations and implement the Philippine Labor and Employment Plan (PLEP). In 2011, the United States Department of State's Bureau of Democracy, Human Rights, and Labor (DRL) provided a \$742,574 grant to the ILO to implement a project designed to assist the Department of Labor and Employment (DOLE) and its key social partners to help enhance their labor inspection system. The project supported the creation of a digital information system referred to as the Labor Inspection – Management Information System (LI-MIS) (previously known as the LLCS-MIS) that allowed the labor inspectors to digitally enter information on enterprises during inspections. However, due to funding and time constraints, the DRL-funded project was unable to provide all of the necessary capacity building for DOLE to administer and manage the LI-MIS's hardware and software, neither did it include required system modifications to accommodate revised inspection checklists and the facility to customize report-generating functions. Thus, further improvements were deemed necessary to strengthen the human and institutional capacity of the inspectorate throughout the country.
- 1.3. Building on the DRL-funded project, the 'Building the Capacity of the Philippines Labor Inspectorate Project' was signed between the ILO and USDOL in 2014 with the objective to strengthen the labor inspectorate and the capacities of government, workers, and employers to effectively engage in social dialogue on over-all labor law-compliance. The project was originally signed for the duration between 15 December 2014 and 14 December 2017, but started implementation from September 2015.
  - 1.3.1. The goal or development objective of the project was to improve workplace compliance with national labor laws. The project intended to achieve two primary outcomes or immediate objectives and seven sub-immediate objectives:
    - (a) **Immediate Objective 1:** Effectiveness of labor inspection conducted by LLCOs improved
      - Sub-Immediate Objective 1.1:** Improved quality of labor inspection statistics for better evidence based inspection planning by LLCS managers
      - Sub-Immediate Objective 1.2:** Improved management and utilization of the LLCS-MIS
      - Sub-Immediate Objective 1.3:** Improved labor inspection institutional and legal framework
      - Sub-Immediate Objective 1.4:** Improved knowledge and skills of LLCOs
    - (b) **Immediate Objective 2:** Effectiveness of worker and employer engagement in the LLCS improved
      - Sub-Immediate Objective 2.1:** Regular and effective mechanisms for social dialogue (related to the implementation of the LLCS) are operational
      - Sub-Immediate Objective 2.2:** Improved contribution by workers to joint assessments towards improving workplace compliance
      - Sub-Immediate Objective 2.3:** Improved knowledge and ability of employers to carry out joint assessments under the LLCS
- 1.4. **DO-183:** On October 18, 2017, the Department of Labor and Employment (DOLE) of the Philippines issued Department Order No. 183, Series of 2017 (DO-183), which revised the previous DOLE rules on the administration and enforcement of labor laws. Under DO 183, establishments may be subjected

to a Routine Inspection, Complaint Inspection or Occupational Safety and Health Standards Investigation, which shall be conducted by Labor Inspectors, formerly called Labor Law Compliance Officers (LLCOs). Previously, establishments with valid Certificates of Compliance (CoC) or Tripartite Certificate of Compliance with Labor Standards (TCCLS) were exempt from inspection. The new rules have eliminated provisions on CoC and therefore even compliant establishments may be subjected to routine inspections and random validations by the respective DOLE Regional Offices. The new rules also shortened the period for establishments to correct their violations on general labor standards and contracting and subcontracting rules. DO 183 also exacts cooperation among employers by imposing stricter rules in the instance an individual refuses access to records and/or premises of the establishment during an inspection. The refusal of access to records or premises, even at the first instance, shall now subject the responsible individual to a criminal action. Under the new policy, qualified representatives of labor organizations, employers' groups, non-governmental organizations are authorized to participate in the inspection of establishments. There are limitations to the participation of social partners. For instance they can only interview workers or review documents in the presence of the inspector. The inspector leads the conduct of inspections, has discretion on what evidence, strategies to use during inspection to gather the necessary information, and is accountable for drafting the final inspection Notice of Results. Any reservations from workers and employers' organisations whether at the plant level or from national organisations should not affect or delay the issuance of the inspection findings.

- 1.5. **OSH Bill:** Following a series of occupational accidents that occurred under the current Filipino administration, the proposed Occupational Safety and Health (OSH) Bill was fast tracked and in February 2018, the Filipino Senate approved third and final reading of the OSH bill which would mandate stricter compliance by employers to the Occupational Safety and Health Standards (OSHS). In August 2018, Republic Act 11058, otherwise known as "An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties for Violations Thereof," was finally enacted. This new OSH law commits to help increase productivity in workplaces, amending several year old Labor Code and imposes administrative penalties to employers who will not comply with requirements set under the OSHS. Under the proposed measure, any erring employer would be served a fine of up to 100,000 Filipino peso as an administrative penalty for every day of non-correction of violation. Mandatory spot audits in all enterprises are also required under this new law. The proposed measure also guarantees the payment of workers' wages and income during work stoppage or suspension of operation "due to imminent danger as a result of the employer's violation or fault. During the time of the evaluation, the OSH bill was at the bicameral stage. Once this bill is passed into law, this will increase the need for labor inspection tools that enable inspectors to gather appropriate information, determine the root cause of OSH violations, provide relevant advice to correct violations, and determine liability and accountability.
- 1.6. Thereafter, the DOLE launched a more rigid inspection and discovered violations of labor standards. DOLE officers consult and meet with employers first to encourage them to voluntarily regularize workers. Along with the passage of the new OSH law and the issuance of the new labour inspection rules, the new administration focused its enforcement campaign on illegal contracting and subcontracting.
- 1.7. In keeping with these approaches, DOLE has also committed to agency-wide organizational performance indicators that go beyond improvements in compliance rates and include increased enforcement rates and a target of regularizing at least 300,000 workers for 2018. These new indicators further increase the need for evidence gathering and case documentation on both general labor standards and occupational safety and health (OSH) at the point of inspection.
- 1.8. Towards the end of 2016, a mid-term evaluation (MTE) of the Project was conducted. Based on the recommendations of that evaluation, the Project made some strategic and implementation level changes:
  - The USDOL approved a no-cost extension up to 31 August 2018 through the Grant Modification No. 2 effective 26 May 2017.

- The project hired a local contractor (NGM) to upgrade the LI-MIS.
- An IT Advisor was hired for a period of 3 months to do the technical scoping work and to assist in negotiating for flexibilities in the WBS and Functionality Requirement Specification. The IT Advisor assisted DOLE BWC in developing data handling and security protocols not just for the MIS testing but for the entire System once turned over to DOLE.
- USDOL approved the ILO's proposed revisions on the Project design and PMP, along with the request for no cost extension.
- A sustainability plan was developed for the Project.

1.8.1. As per the **approved revision**<sup>2</sup> of the Project results framework post MTE, the Project has been working to achieve the following results:

(a) **Immediate Objective 1:** Effectiveness of labor inspection conducted by LLCOs is improved.

**Sub-Immediate Objective 1.1:** Improved collection and management of labor inspection statistics for better evidence-based and strategic labor inspections and compliance campaigns

**Sub-Immediate Objective 1.2:** Improved labor inspection institutional and legal framework

**Sub-Immediate Objective 1.3:** Improved technical competency of LLCOs to undertake functions expected of LLCOs under the LLCS Manual and ILO Conventions No. 81 and No. 129

(b) **Immediate Objective 2:** Effectiveness of worker and employer engagement in the LLCS is improved.

**Sub-Immediate Objective 2.1:** Models for effective tripartite collaboration and partnerships for promoting labor law compliance are established and piloted in selected regions

**Sub-Immediate Objective 2.2:** Improved participation of workers in the Labor Laws Compliance System (LLCS) at the enterprise, regional/ industry and national levels

**Sub-Immediate Objective 2.3:** Improved capacity of employers to promote and engage with workers on labor law compliance at the enterprise, regional/industry, and national levels

1.9. To adapt to the changes in the implementing environment, constituents have voiced the need of further support to achieve the project's existing immediate and sub-immediate objectives. While the current phase of the project will conclude by the end of August 2018, under the changes in the policy environment, as stated above from section 1.4 through 1.7, a request to add \$250,000 to the existing grant<sup>3</sup> to extend the project period of performance until August 2019 was being processed at the time of the production of this report.

1.9.1. Proposed outputs and activities for the cost extension focuses on:

- (a) helping DOLE establish requirements to strengthen evidence gathering and case building in the conduct of inspections and management of cases arising from inspections;
- (b) more efficient and strategic inspection planning; and
- (c) harnessing tripartite collaboration and coordination with other government agencies for improved compliance.

1.10. As per the cooperative agreement<sup>4</sup> with the USDOL, the project beneficiaries are as follows:

1.10.1. Direct beneficiaries:

- (a) Labor Law Compliance Officers (currently known as Labor Inspectors)
- (b) Worker organizations, including the Trade Union Congress of the Philippines (TUCP), Trade Union Congress of the Philippines/Associated Labor Unions (ALU), Alliance of Progressive Labor-Sentro ng Progresibong Pagbabago, Federation of Free Workers, and their members and their affiliates, as well as Philippine affiliates of Industrial Global Unions.

<sup>2</sup> Revised from what is mentioned in section 1.3.1

<sup>3</sup> The proposal for extension was approved before this report was finalized.

<sup>4</sup> Reproduced from the USDOL Notice of Obligation, Grant: IL-26685-14-75-K-11



- (c) DOLE staff (managers, professional, support and IT staff) who have a role in labor law compliance policy and implementation, including the completion of the LI-MIS, in particular the Bureau of Working Conditions (BWC).
  - (d) ECOP, their regular members and their affiliates as well as their chapters located outside Manila.
- 1.10.2. Indirect beneficiaries
- (a) Workers who will experience more effective protection of their rights and improved working conditions as a result of improved labor law compliance mechanisms.
  - (b) Employers, since compliance with labor and OSH standards can contribute towards minimizing absenteeism, medical costs from accidents, injuries, diseases and death, low productivity and legal costs arising from labor disputes.

## 2. EVALUATION BACKGROUND

### 2.1 *Purpose and scope of the evaluation*

- 2.1.1 The main purposes of the interim internal evaluation are to:
- (i) Assess the progress of the project in achieving its stated objectives;
  - (ii) Follow up from the mid-term recommendations and
  - (iii) Provide recommendations and lessons learnt for similar future projects. Recommendations from this interim evaluation (IE) should also inform the project strategy/activities for the cost extension period.
- 2.1.2 As the project has requested a cost and time extension of the existing grant until August 2019, this IE will serve as a guide in fine tuning and finalizing the work plan for the project extension till that period and make necessary adjustments as required. The evaluation took into account all interventions implemented by the ILO under the USDOL-funded project to date. However it had a greater focus on activities implemented during January 2017 to June 2018 i.e. since the mid-term evaluation. Gender equality and non-discrimination, promotion of international labor standards, social dialogue and constituent capacity development were also considered in this evaluation. A specific focus was on reviewing the extent to which the recommendations of the MTE has been satisfactorily addressed by the project and as a result, the level of progress that the project has achieved so far. This evaluation also aimed at providing its clients with a complete documentation of the project as a basis for further action and scaling up. This is particularly important in view of the consideration for further technical support to this scaling up.
- 2.2 **Clients:** The tripartite constituents are the primary stakeholders of the project who will use this evaluation report as well as the ILO (ILO Manila Office, DWT Bangkok, LABADMIN/OSH in the ILO Geneva) and the donor.
- 2.3 **The evaluated time period:** The evaluation was carried out during June-July 2018. The evaluation considered all project activities implemented from since the MTE.
- 2.4 **Evaluation Criteria and questions:** The evaluation was conducted following UN evaluation standards and norms, and specifically addressed the overall ILO Evaluation Criteria as defined in the ILO Policy Guidelines for results-based evaluation:
- (a) Relevance
  - (b) Validity of the design
  - (c) Effectiveness
  - (d) Efficiency of resource use
  - (e) Effectiveness of management arrangement
  - (f) Sustainability

- 2.5 As this is an interim evaluation and will be followed by a final evaluation towards the end of the project; the 'impact' criteria was not covered under this current evaluation.
- 2.6 The core ILO cross-cutting priorities, such as gender equality and non-discrimination, promotion of international labor standards, social dialogue, and constituent capacity development was considered in this evaluation. In particular, gender dimension were considered as a cross-cutting concern throughout the methodology, deliverables and final report of the evaluation. Data collection and analysis were disaggregated by sex as described in the ILO Evaluation Policy Guidelines and relevant Guidance Notes. Annexure-1 provides the data collection worksheet or matrix for the evaluation.

### 3. METHODOLOGY

#### 3.1 *Detailed methods*

The IE was conducted by an international internal evaluator, who primarily focused on effectiveness, response to MTE recommendations and sustainability aspects of the project as well as tried to provide inputs that will feed into the design phase of the next project. The evaluator worked according to the principles of the ILO internal evaluations. To get a complete understanding and opinion of the relevant stakeholders on the project's achievements, the evaluation primarily used qualitative method of research. The qualitative methods used a mix of desk review (analysis of relevant reports and data related to the programme) and interactions with stakeholders in the field (series of meetings and interviews). The quantitative evidences were acquired mostly from the existing progress reports produced by the project and the results have been used for the effectiveness section of the report. The tools that were used for the evaluation are described in the following section:

##### 3.1.1 **Desk review**

**Documents review:** Prior to initiating the interviews in the field, the internal evaluator reviewed a series of project-related documents. The complete list of documents are annexed at the end of this report (Annexure-2).

**Data review:** A review of the project's M&E system for tracking project progress in achieving its goals and objective, and a review of the existing quantitative and qualitative data will be also be conducted. This tool will be the primary means for acquiring quantitative data. In addition, any other documents, from ILO/donors or government that has captured quantitative data about any aspects of the project will also be reviewed.

##### 3.1.2 **Semi-structured interviews and validation workshop**

The key instrument for data collection was semi-structured interviews with project stakeholders, largely administered through open-ended questions. Through these interviews, stakeholders were invited to voice their understanding and opinions of the project, its progress, the remaining challenges and future areas of support. The evaluator conducted face-to-face semi-structured interviews with ILO officials, donors and constituents in Manila, Philippines during a week-long field mission from 9 to 12 July 2018. A complete list of interviews and visits are annexed at the end of this report (Annexure 3). On the last day of the field mission, i.e. 13 July 2018, a Stakeholders' workshop was held in Manila. The members of the Project Advisory Committee (PAC) together with the representative from the USDOL, Director of the Manila Country Office and Programme Officers of the CO, project staff and LABADMIN/OSH specialist attended the workshop and provided critical input to the initial findings of the IE. The workshop also served as a final data collection step as it generated candid discussion among the participants regarding the planned activities and expectations of different partners. The stakeholders' workshop was preceded by two discussion sessions with the Project team, the LABADMIN/OSH specialist from DWT Bangkok and ILO CO-Manila, prior to and after the field data collection.



## 4. MAIN FINDINGS

The main findings of the present internal evaluation have been grouped in this section according to the six Evaluation Criteria given in the ToR (Annexure-4): relevance, validity of the design, effectiveness, efficiency of resource use, effectiveness of management arrangement and sustainability. These will be discussed in the Sections 4.1 to 4.6 below. The section will conclude with a brief analysis of the gender mainstreaming into the Project.

### 4.1. *Relevance of the project and strategic fit*

The project is extremely relevant and well-suited to the policies and priorities of the ILO, the Government and social partners of the Philippines. The project contributes to the strengthening of the labor inspection system in line with international standards, and it furthers the ILO agenda in relation to ILO policy outcome 11. It is aligned with the ILO strategy towards promoting the ratification of ILO Conventions 81 and 129, and this is clearly materialized in the project in the Philippines, who has yet to ratify these conventions.

#### 4.1.1. Relevance with the national priorities

The development objectives, immediate and sub-immediate objectives and outputs of the Project were found to be very relevant to the specific needs of the Philippines, and, in particular, of the Department of Labor and Employment (DOLE) and Bureau of Working Conditions (BWC). The labor inspectorate has been involved with the Project from the inception period and the Project was initially designed to address findings and recommendations from the 2009 ILO Technical Audit of the Philippines' Labor Inspection system, which was conducted at the request of the DOLE through its BWC.

The Philippines has not yet ratified ILO Convention No. 81 (Labor Inspection), the international standard for labor inspection in industrial and commercial establishments – although the review and ratification of this instrument has been a main part of the project work and continues to be a DOLE priority. In the Philippines, the DOLE is the government agency with the mandate to conduct labor inspection while the BWC of DOLE oversees the implementation of the labor inspections in coordination with the DOLE Regional Offices. This project was developed and began implementation during the previous Filipino administration's approach to labor inspection. Following the national elections in mid-2016, the DOLE strengthened the labor inspectorate's regulatory and enforcement approach, as part of an overall strategy to address the new President's campaign promise of addressing the issue of illegal contracting and subcontracting. Under the DOLE the labor inspectorate of the Philippines underwent several reforms including issuance of new labor inspection guidelines that discontinue the granting of Certificates of Compliance to companies, establishing unannounced inspections as the default mode for inspection visits, and establishing more stringent procedures for cases of refusal of entry or denial of access. Labor inspection visits were also increased and media campaigns were carried out at the national and regional levels to publicise gains. In order to implement the new rules and measure achievements, the DOLE designed agency-wide organisational performance indicators that go beyond improvements in compliance rates and include increased enforcement rates and a target of regularising at least 300,000 workers for 2018. These new indicators further increased the need for evidence gathering and case documentation on both general labor standards and OSH at the point of inspection. The management information system that has seen great improvement during the time of the Project has regularly updated the contents of the System so that they remain relevant and responsive to the new requirements of the Bureau.

Because the Project interventions were largely dependent on the fact that the country has clear inspection rules, at some point, the Project lost some critical time as the government awaited for new sets of labor rules. The project applied a well-coordinated mechanism throughout the changing labor inspection process and proposed timely adjustments to the project design in order to provide the constituents with the necessary support to achieve the project's immediate and sub-immediate objectives. Initially the project was conceived to address the deficits and to contribute to an improved

labor inspection system in the Philippines, but with the changes in the implementing environment, the Project actively involved itself in helping the DOLE and BWC shape the revised labor inspection system in accordance with the government's priority. For example, in view of the requirements of the new rules on contracting and subcontracting, the Project worked closely with BWC, DOLE lawyers and the Project's MIS contractor to ensure the means by which the System could support identifying violations of existing laws on determining employee-employer relationship and case building.

In addition, all stakeholders interviewed have indicated explicitly that the focus on improved workplace compliance and capacity building of the labor inspection is considered very relevant for the current phase of development of the country. As a result of the above, ownership of the Project has been very high from the very beginning and even in the face of changing political environment at DOLE and BWC.

#### 4.1.2. Relevance with the DWCP and UNDAF

The Project also aligns well with the draft Decent Work Country Programme (DWCP) 2018 – 2024, notably with its *Priority 2: Improved labor market governance ensures respect for all rights at work, including fundamental principles and rights at work, international labor standards and human rights*. The results of the Project will contribute to Outcome 2.1 of the DWCP which aims to improve the implementation and promote full compliance with labor standards. The targeted change areas under this outcome include 'strengthening of the inspectorate and the inspection programme' which is the principal focus area of the Project.

In addition, the Project is also relevant as it aims to achieve outcomes critical to the second thematic area 'planet and prosperity' of the Partnership Framework for Sustainable Development (PFSD) 2019 – 2023 (the fourth UN-Philippines country plan).

#### 4.2. *Validity of the project design – both in the initial and revised project proposal*

The mid-term evaluation of the Project undertaken in year 2016 presented an intensive analysis of the project design in terms of its alignment with the MPG guidance and Performance Monitoring Plan (PMP) of the USDOL. One of the key recommendations of the MTE was to simplify the project's design as well as the PMP by reducing numbers of output and indicators. The following section provides an analysis of the project design both in light of the recommendations of the MTE, the cost extension proposal put forward by the Project and the future areas of support as voiced by the stakeholders during the current evaluation.

##### 4.2.1. Analysis of Project Logical/Results Framework

As according to the project proposal, the Project's Development Objective (expected impact) was to improve workplace compliance with national labor laws, the Project initially aimed to achieve this through two immediate objectives (IO) or project outcomes and seven sub-immediate objectives (SIOs) or intermediate outcomes. This was subsequently reduced to six SIOs during the project revision. While the logical sequencing between these two higher level project results was done adequately in the Project, an analysis of the 15 output and associated indicators show a few areas of concerns in the project design. First, it was observed that many of the "output" for the six SIOs were not really outputs but rather performance indicators or activity. In some cases, the output indicators read more like process indicators. Secondly, the 'indicator definition' provided in the PMP often falls short in offering enough information on critical performance parameters.

These analyses are explained through an example in the table below:

**Table 1: Analysis of Project Logical/Results Framework, an example**

Logframe	Analysis
<b>Sub-Immediate Objective</b> <b>1.3: Improved technical</b>	This SIO can clearly be an output of the Project rather than being an intermediate outcome because the improvement in technical

competency of LLCOs to undertake functions expected of LLCOs under the LLCS Manual and ILO Conventions No. 81 and No. 129	competency falls well under the 'sphere of control' of the Project. However, how the enhanced competency is 'utilized' by the target beneficiaries is clearly in the 'sphere of influence' for the Project and thus can be an outcome. A measurement of the competencies pre and post training can produce an output level result and the Project could directly deliver this through the planned activities.
<b>SIO Indicator:</b> (a) Number of targeted DOLE personnel that demonstrate improvement in technical skills from pre- to post-training assessment (b) Number of specialised inspections in priority areas done	While the second indicator can be considered appropriate at outcome level, the first one falls well under the 'sphere of control' of the project, as mentioned above, and thus fits better as an output indicator of the Project rather than under the SIO. Moreover, while the PMP provides definition for the DOLE personnel in the first indicator mentioned on the left column, it does not give any information on what constitute 'improvement,' which 'technical skills' will be measured and for which training activities, because the Project includes multiple training activities for the same target beneficiaries (refer to activities listed at the end of this table). A more appropriate SIO indicator can be "% of targeted DOLE personnel demonstrating improvement in at least 5 core skills after each trainings."
<b>Activities:</b> 1.3.1.1. An HR audit/review is conducted, including a review of job descriptions of LLCOs and necessary competency and training needs. 1.3.1.2. Existing ILO labor inspection TOT materials are adapted to the Philippines context to support the training of a core group of LLCO trainers. 1.3.1.3. At least 35 LLCOs are trained as trainers from 16 regional offices and from the Bureau of Working Conditions Trainers. 1.3.1.4. At least 3 specialized training activities are carried out per year (one per zone) covering at least 30 participants per activity on priority technical areas such as: occupational safety and health, general working conditions, contract labor, maritime inspection, and recruitment policies (depending on priorities determined in consultation with DOLE and in coordination with the USDOL-ILO project on OSH). 1.3.1.5. At least 2 specialized training activities are carried out covering at least 30 participants on the investigation of workplace accidents.	

#### 4.2.2. Addressing of MTE recommendations

The MTE recommended that the number of outputs be reduced by assessing the original 15 outputs in the project document to determine those outputs most critical to achieving the corresponding sub-immediate objective. It further recommended that the Project should aim for approximately two to three key outputs for each SIO. The second recommendation seemed to be in conflict to the previous one. During the MTE, the Project already had seven SIOs; so to choose 2 to 3 output per SIO would mean having a minimum of 14 and maximum of 21 output for the Project, thus the recommendation of 'choosing most critical among the 15' will no longer remain valid. The MTE also recommended reducing the number of indicators, which was 76 at the time of the MTE, by eliminating the output indicators because the majority of the outputs would only require targets and not indicators. The proposed revisions (as of July 2018) of the logframe shows 37 indicators in the results framework (2 indicators at IO level, 11 at SIO and 24 output indicators), 4 of which were newly added to align with the new cost extension proposal. So, even though the numbers of project indicators have been reduced, as have been mentioned in Table 1, many of the indicators used at output level are more of 'processes' than of 'progress.' Although there is a limited scope for the Project to make further revisions within the current design that ends by August 2019, provided that the extension request is approved, it is recommended that for future projects of the ILO in the Philippines, the logframe should be designed following the result based management guidebook of the ILO with clearly defined and well-articulated result statements as well as performance indicators.

#### 4.2.3. Analysis of the assumptions and risks

The PRODOC included an in-depth analysis of assumptions and risks for the project. The logframe also contains critical assumptions and risks, however, the vertical logic sequence was not included in the logframe design to show how each tier of the result chain could successfully reach the next tier.

#### 4.2.4. Stakeholders' needs – in the cost extension design and beyond

The constituents of ILO were overall supportive of the Project design and the development objectives it had set out to achieve. However, in the wake of the current administration's change in the strategy for labor inspectorate reform, the BWC and Regional DOLE offices put forward several priority areas of work where the Project can contribute immediately as part of the one year extension or during a new phase.

First, BWC sees the Project and the MIS as a potential avenue for fostering greater inter-agency coordination. Therefore the inter-agency Memorandum of Agreements to be established between relevant governments agencies proposed under SIO 1.2 in the new cost extension design is timely and responsive to their current need. However, the Project design should also propose some activities around how to better harmonize inter-agency data management systems and how BWC can share data more broadly among different departments and bureaus to make evidence based information on integrated data.

Secondly, capacity building of the labor inspectors on targeted industries which presents with peculiarities as well as priority areas such as contracting/subcontracting has been identified as an area of importance by the BWC.

Thirdly, in addition to the labor inspection management information system, BWC would like to see specific activities in the project design targeted at establishing and managing a robust OSH data management system in the Philippines with the help of which the government will be able to prepare monthly national summary on OSH data both at the regional DOLE offices and at the national level.

Finally, BWC has also suggested that the training component of the Project should include capacity building of the labor inspectors on OSH, focusing on hazard identification, risk assessment and management.

Similarly, the social partners of the Project have also voiced their opinion on adding/enhancing some of the Project activities in the future which they consider to be most critical for workplace compliance in the Philippines. First, strengthening the bipartite and tripartite consultation has been stressed both by the employers' and workers' organizations in refining the policies, in joint inspection and especially for monitoring the case management, remediation and enforcement. As the direct party for the cases are the affected worker and the employers, DOLE currently is not required to notify the workers' organization in the enterprise about the proceedings of cases. Therefore, it is not clear how a violation, if it passes beyond the remediation timeline, will be handled when the resolution only involves the DOLE and the employers. It becomes specially challenging for the workers of non-unionised enterprises when they are invited during the mandatory conference as they may become/feel intimidated to face management during such conferences for fear of retaliation and harassment. The 'social dialogue' component of the Project (under IO 2) has been viewed as an area of further improvement by the social partners in terms of being able to fully complement the 'effective labor inspection' through promoting stronger bipartite and tripartite involvement in inspection and enforcement. However, the stakeholders were unanimously appreciative of the activities of the PAC and have recommended to continue this in the future projects. The way the PAC has been successful in broadening the engagement of social partners in the process of adjusting the labor inspection rules, continued dialogue among the social partners themselves as well as with BWC and DOLE at both macro and micro level decision making has been perceived as a necessary tool for improving workplace compliance through the Project.

A second area of expanding existing activities of the Project, as observed by the social partners, is development and dissemination of a comprehensive training strategy and practical tools on OSH for

the social partners, specifically for the workers' organizations. The workers' representatives who were interviewed for this evaluation emphasized on adding a training component in the Project design for the Labor-Management Councils (unionized)/Committees (non-unionized) at the plant level to effectively contribute to greater workplace cooperation. The employers' organization ECOP emphasised on their interest to create a plan for cascading the skills acquired from ILO trainings to all members as well as non-members of the ECOP. In addition, they would also like to see that in the Project design the best practice models are being replicated to enhance bipartite and tripartite cooperation for industry compliance.

#### 4.2.5. The gender dimension in the project design

In the initial project proposal, the Project had proposed a gender mainstreaming strategy. The gender issues were considered in the Project specifically through ensuring that relevant laws protecting women's rights are reflected in the review and development of the labor inspection checklist, including relevant occupational safety and health standards for women. The MIS data has also been designed to produce sex disaggregated data in all relevant areas of compliance. Although the Project was designed to encourage women's participation in both tripartite consultations and workers and employers activities, the project IO, SIO or output do not specifically reflect gender concerns, nor are output and outcome project indicators gender sensitive. The milestones and targets do not provide sex disaggregated data in the PMP. The indicators where number of personnel/trainees are to be measured, does not include specific targets for male and female, however the Technical Progress Report (TPR) does report on sex disaggregated data for training activities conducted under the Project.

#### 4.3. *Implementation effectiveness*

The original project proposal envisaged launch of the project in January 2015, with the agreement between USDOL and the ILO being signed in December 2014. Due to administrative delays pertaining to the 'Fly America' act, related inter alia to procedural matters linked to recruitment of human resources, the project interventions finally started from September 2015. The project work plan was adapted accordingly and to-date, delivery of project delivery has largely followed the revised work plan. This section provides an account of the extent to which the planned project outputs have been achieved, in relation to the original project document and to subsequent work/action plans (including planned results on capacity building of the tripartite constituents and labor inspectors, improving the quality, management, utilization of LI-MIS), specifically focusing on achievement of the Project output since the MTE.

##### ***Sub Immediate Objective 1.1: Improved collection and management of labor inspection statistics for better evidence-based and strategic labor inspections and compliance campaigns***

This SIO is a combination of two SIOs proposed during the original Project design – “Improved quality of labor inspection statistics for better evidence-based inspection planning by LLCS managers” and “Improved management and utilization of the labor inspection electronic information system (LLCS-MIS).” The key achievement of this SIO is the support that the Project has provided to the further development of the Labor Inspection-Management Information System (LI-MIS) of the Philippines. The LI-MIS is an online, web-based software application system developed to institutionalize the labor inspectorate system of the DOLE. It utilizes tablets PCs for the recording, transmission and processing of real-time data collected from the field using an electronic checklist. Through an Administrative Order, a BWC MIS Team was created and focal persons as their counterparts at the regional offices were designated to complete the system and make it operational. Initially the activities pertaining to the LI-MIS was delayed by eight months, principally due to revisions and re-issuance of the RFP for hiring a firm for this purpose. However, due to continued government interest on this initiative and the Project's strategy to keep BWC and DOLE closely engaged with the development of the System, the Project could make significant and meaningful improvements to the LI-MIS which has been thoroughly appreciated by all the stakeholders. The government sees LI-MIS as one of the major tools to make evidence based decisions especially on the priority areas identified by the new administration namely contracting and sub-contracting. Until the time of the IE, the Project delivered and deployed the



integrated Inspection Module of the MIS' web and mobile applications for the conduct of inspections. Another two modules – the regional module of the Case Management System and the Central Office module were undergoing testing, finalization of which will mark the completion of the full reporting functionalities of the System, enabling the government to better report on the 'enforcement rates' on Compliance Orders, among others, which have now been included as one of the organizational performance indicators of the DOLE. Following the current revision of the Accident Investigation Checklist, BWC plans to integrate it too into the System. The Project is also working with the software development firm to create an online complaint feature into the System through which anonymous claims on labor law violations can be submitted.

This SIO corresponds to five output and nine activities. To measure the performance of this SIO, ten performance indicators (three SIO/outcome indicators and seven output indicators) were identified in the logframe. As per the latest semi-annual Technical Progress Report (TPR) of the Project, as of March 2018, six of these indicators were 'achieving' or have 'achieved' expected results, while performance data for the rest will be collected towards the end of the Project.

In achieving the first output of reviewing and revising/developing Labor Inspection tools, the Project has to date helped BWC to revise the general assessment checklist, the Contractor and Subcontractor Assessment Checklist and the accident investigation checklist. Recommendations from Project workshops in the review of labor inspection tools and protocols are used by the BWC to update the inspection operational manual.

The Project has successfully delivered only one of the three key modules of the System – the inspection module, thus delaying achievement on the second output. Activities are ongoing on all other modules/features of the System, namely the regional module of the case management system, the central office module, the fully functional reporting and online complaints feature. To achieve this output the Project has also proposed three major activities to the cost extension proposal – (i) inter-agency meetings in the government with an objective to ensure software and database compatibility/accessibility in the field of workplace compliance, with a particular focus on maintaining an updated master registry of establishments for the LI-MIS and data sharing on compliance data with selected agencies; (ii) building a risk-based inspection targeting and notification system and integrate it into the LI-MIS for the planning of inspection activities and (iii) adding a technical safety inspection module into the System to include monitoring of enterprises with equipment due for technical safety inspections. In the light of BWC's call for enhancing inter-agency coordination in order to maximize the utilization of the LI-MIS, as has been mentioned in section 4.2.4, the new activities will most likely contribute to realizing the targets of this output within the Project's extension period. However, there is a potential area for future support from ILO – in strengthening inter-agency partnership and coordination to harmonize the different labor standards followed in different sectors, and coordinating among government agencies vested with similar inspection duties besides DOLE BWC. The ILO may consider to accommodate these with another Project proposal.

The third and fourth outputs are largely dependent on successful completion of the trainings designed for the national and regional officers of BWC and DOLE on LI-MIS. Under these outputs, the Project has delivered two batches of orientations on the use of the MIS Inspection and Case Management modules to DOLE Regional IT and labor inspection focal points – 74 in December 2017 and another 25 in March 2018. Those trained from the regions co-facilitated the regional orientations conducted in February 2018 with DOLE funding. The third output is supposed to be measured by the number of targeted DOLE personnel that demonstrate improvement in technical skills from pre- to post-training assessments. According to the data tracking form collected from the Project, the target for this indicator is 430 DOLE personnel while only 13 have demonstrated improvement after the trainings. The Project later clarified that this has happened due to adoption of a different capacity building strategy on the use of the MIS. Initially the strategy was to finish the MIS development and then conduct trainings for inspectors. As this was both costly and ineffective, the Project decided to train the core MIS team for each output produced whereupon the trained team would then conduct further trainings in the regions. The 13 here refers only to the formal training which the Project conducted when the web and mobile inspection apps were developed. The figure 430 thus, is no longer relevant for this indicator. Since the

roll-out of the training will be done by the DOLE, where the Project does not have control on the numbers to be trained nor time period of training, the results achieved through this will become an outcome. Hence, the Project needs to first revise the target for this output indicator, only for the trainings that will be done directly by the Project.

The fifth and last output of this SIO was to develop a results based performance metrics and evaluation system to capture the use of MIS data for effective labor inspection implementation. The development of proposed performance metrics for labor inspectors aligned with their proposed job descriptions, and DOLE's new organizational outcome indicators on labor standards enforcement was done towards the end of the year 2017 through the conduct of two batches of Project supported Results Based Management Capacity Building Workshops for labor inspection focal points, Division Chiefs supervising labor inspectors Planning Officers in the regions. One hundred and thirty (136) six inspection managers, HR officers and Planning Officers from the regional and field offices were provided with training on results based management and on the development of individual performance metrics, of which thirty (30) were targeted under the Project. These performance metrics are now being used by DOLE BWC in the identification of targets for the year. Thus, the fifth output has been achieved by the Project within the stipulated time.

### ***Sub-Immediate Objective 1.2: Improved labor inspection institutional and legal framework***

According to the original Project document, this SIO was designed to improve the internal policies, procedures and capacity building programmes for the labor inspectors and other DOLE staff, and to carry out analytical and advocacy work to encourage the ratification of ILO either / both ILO Convention 81 and ILO Convention 129. Four performance indicators were formulated in the logframe to measure the progress of this IO, of which, three were either 'achieving' or have 'achieved' expected results according to the latest TPR. In October 2017, the DOLE issued a new Department Order No. 183 Series of 2017 (DO 183-17) or the Revised Rules on the Administration and Enforcement of Labor Laws Pursuant to Article 128 amended Department Order No. 7-a Series of 1995. This was issued to reinforce and strengthen the implementation of the visitorial and enforcement power of the Secretary of Labor under Article 128 in relation to Article 303 of the Labor Code of the country. The new inspection rules reflected critical reforms proposed by the ILO, and those which were gathered during Project supported workshops and consultations to review inspection tools and protocols. These provisions are expected to further strengthen the enforcement approach to labor inspection, in line with ILO Convention No. 81. Some of the gaps between ILO C 81 and previous inspection rules were addressed under DO 183-17, thus placing the government in a better position to ratify the said Convention. Therefore, the Project's contribution to shaping this DO is observed to be one of the most significant accomplishment by the Project. However, because the performance indicator for this SIO sets out a target of "two (2) legal reforms/policy measures introduced for adoption to align national law and practice with ILO C 81 and C 129", the achievement of this SIO remains incomplete with only one (1) policy measure. Introduction of even one (1) policy measure in a 3 to 4 yearlong project is considered to be ambitious depending on the nature of the legal reform. Even with the extended project period up to August 2019, introducing another policy measure seems to be unlikely under the scope of the current Project, and hence, the IE recommends that the Project revisits the target for this indicator and adjust it to be responsive to the real scenario. It might be noted here that the Project also provided technical inputs on the inspection component of the OSH Bill. With the Presidential approval of this Bill, the target of two policy measures might be attained provided that the recommendations of the Project is taken into consideration in the final approved version of the Bill.

A key indicator of this SIO is developing at least one (1) Action plan for the ratification of C 81 and/or C 129. In order to produce this action plan, the DOLE and the LI Project conducted a gap analysis in mid-2016 to assess the conformity of Philippines law and practice in relation to the provisions of these two conventions. The results of the gap analysis are to be presented along with DOLE's first annual inspection report, to support the endorsement of the ratification of ILO C 81 and/or ILO C 129. During the time of the IE, the action plan was being drafted by DOLE BWC in coordination with the DOLE International Labor Affairs Bureau (ILAB). It has been planned that this will be discussed in the next

Central Office and Regional Office meeting before this is taken up for discussions among other DOLE Under Secretaries and Assistant Secretaries.

Another output indicator for this SIO is developing 250 copies of FAQs to raise awareness and support for proposals to align national laws and practice with ILO C 81 and C 129 distributed. As of August 15, 2018, a draft of these FAQs was ready and revised in preparation for the meeting with DOLE senior officials.

Initial implementation of the DO 183-17 and the enforcement campaign against illegal contracting and subcontracting have discovered inadequacies of the DO, particularly pertaining to penalties for violations of general labor standards and the need for clearer safeguards for workers against possible retaliation by their employers for filing of complaints or for providing inspectors information on enterprise violations in conformity with Art. 15(c) of Convention 81. In order to address these concerns, the Project has proposed additional outputs to include draft inter-agency Memoranda of Agreement (MOAs) or other collaboration agreements with relevant government bodies on labor inspection and promotion of compliance, particularly on serious labor law violations. Interviews during the IE with the DOLE BWC revealed that collaboration with relevant government agencies is a priority for the department as it plans to adopt more practical strategies in allocating limited resources while achieving the organizational targets on time. Therefore, the activities with respect to the inter-agency coordination and partnership building, as proposed in the cost-extension proposal, will potentially benefit the current labor administration by proving it with a more robust and coordinated solution through a coordinated multi-departmental approach introduced by the Project.

***Sub-Immediate Objective 1.3: Improved technical competency of LLCOs to undertake functions expected of LLCOs under the LLCS Manual and ILO Conventions No. 81 and No. 129***

The third SIO of the Project corresponds to the capacity needs of the labor inspectors to support their role in labor inspection implementation. The performance of this SIO is measured through two outcome and two output indicators. A total of five (5) activities are identified under this SIO, all of which were delayed by two to seven months against the original work plan. The principal reason that has caused these delays was introduction of additional features into the MIS, which was not part of the work originally envisioned since the change in inspection approach and focus shifted in 2016 with the change of Administration. The new features included integrated database of contractors and subcontractors, wage calculator, online assignment of establishments for inspection, checklist editor and conditioning features to accommodate any changes in labour standards (to include orientation and technical assistance to BWC in performing this function).

The first output indicator for this SIO was to develop one (1) proposed revised job description for the labor inspectors. The Project has exceeded the target and has produced four proposed job descriptions for labor inspectors (entry-level general labor inspector, senior general labor inspector, entry-level technical labor inspector and senior technical labor inspector) through the conduct of an HR audit. The Project has also analysed the training needs of the labor inspectors with an aim to help labor inspectors achieve their core functions based on the proposed job descriptions and achieve their individual targets.

The second output indicator seeks to develop one (1) training module for the labor inspectors. As of August 2018, materials have been produced to orient labour inspectors and their immediate technical supervisors on how to use the web and mobile apps by BWC in cooperation/conjunction with the developer, and then in the DOLE funded orientations. Utilising the results of the training needs assessment, the Project is currently developing an intensive training programme for labor inspectors focusing on practical skills and understanding of procedures and ethics behind labor inspection, more operational understanding of labor standards across different business models, interviewing and evidence gathering skills, as well as more strategic application of the powers of an inspector. Because of this ongoing effort, the IE concludes that the targeted training modules for the labor inspectors will be produced before the end of the Project, fulfilling the requirement of this indicator.



According to the PMP and data tracking table, the Project is on track in achieving the two outcome targets. With respect to the first SIO indicator, during the Project supported Skills Training on Accident Investigation 48 out of 54 (88%) of participants received improved test scores during the post training evaluation. As all other training activities under this SIO had a delayed start (mostly from Feb/Mar/May 2018), pre and post training scores for these trainings are not yet reported under the Project. The IE recommends that the pre and post training evaluation should be undertaken for each of the trainings and be aggregated to report on this indicator.

Under the second SIO indicator, the Project targets that 1360 specialised inspections will be done by the DOLE in priority areas. As of December 2016, DOLE conducted 1001 focused inspections on labor only contracting, in the process mobilizing the 281 labor inspectors, conciliators and mediators and labor arbiters trained with Project support in August 2016. The IE recommends that the numbers should be updated on a quarterly basis, as is envisioned in the PMP, because this indicator is critical to understand the effectiveness of the capacity building activities that the Project implements.

***Sub Immediate Objective 2.1: Models for effective tripartite collaboration and partnerships for promoting labor laws compliance are established and piloted in selected regions***

SIO 2.1 is supported by one output from the initial Project design and an additional output for the Project extension period. The Project supported the development of proposed regional compliance plans with the conduct of two Tripartite Capacity Building Workshops on Strategic Compliance, known as the Strategic Compliance Planning (SCP) Workshop. The workshops were attended by all DOLE Regional Directors along with workers' and employers' representatives from the Regional Tripartite Industry Peace Councils (RTIPC), as well as one representative from the DOLE Autonomous Region of Muslim Mindanao (ARMM). The Project successfully oriented 779 tripartite partners on the labor inspection, status of inspection activities and developments, exceeding the target of 200 tripartite partners. The stakeholders, specifically the workers' organisations, commended this attempt taken by the Project noting that the workshops provided workers with the opportunity to promote the role of trade union monitoring networks.

The issuance of Administrative Order 164-17 has stimulated a continuous discussion among the social partner on how to enhance their participation during inspection, which, by far, is considered to be very limited across the board. The AO 164-17 makes provision for the participation of '*legitimate labor organizations, legitimate workers association, chartered local, national union or federation, accredited integrated professional organizations/accredited professional organization, non-government organizations, employers organizations*' in the assessment of establishments' compliance to labor laws and social legislations. On one hand, criteria for the assignment of establishments for social partners, as well as the logistical cost of social partners as they join inspections remain critical areas of concerns with respect to implementing the AO. While on the other, call for greater social partners' participation during the inspection process is likely to increase due to several gaps in the implementation of joint assessments and enforcements such as, existing gaps in the implementation of the criteria of selection of workers' representatives, long delays in the enforcement of decisions, inconsistencies in approaches and decisions, and limited engagement of social partners especially in the priority sectors for inspection. The SCP workshop provides a good basis for the DOLE to build on the outputs of the workshop for further engaging partners. The IE recommends that the Project should attempt to create opportunities for similar events, ideally led by the DOLE, to allow for more tripartite consultations on critical labor inspection, case disposition and remediation issues or issues prioritised by the tripartite constituents.

***Sub-Immediate Objective 2.2: Improved participation of workers in the Labor Laws Compliance System (LLCS) at the enterprise, regional/ industry and national levels***

This SIO is designed around four main areas of interventions – trainings for workers on practical workplace-based implementation of the labor inspection; ongoing consultations with the trade unions to discuss the existing and new LI checklists and the formulation of LI guidelines drawing on good practices for the notification and identification of worker representatives in joint assessments;

establishing trade union monitoring networks and providing them with necessary capacities and; develop and disseminate a workers' compendium of good practices on engaging in labor inspection for workplace compliance. The progress of these interventions are measured through one SIO level and five output level indicators in the Project logframe. In the revised version of the PMP, however, an additional SIO indicator is included.

With respect to the training component of this SIO, one of the two indicators have so far achieved its target. The training module envisioned for the workers to provide practical workplace-based implementation of the labor inspection is not finalised. During the time of the IE, the module was undergoing finalisation to take into account the proposed new inspection rules, new rules on contracting and subcontracting, and DO 183-17. The other indicator has achieved its target fully by providing initial training for 30 trade union leaders on labor inspection, workers' role, General Labor Standards (GLS), Occupational Safety and Health Standards (OSHS), social dialogue and paralegal. A number of those trained under the Project have been involved in inspections and various compliance campaigns. However, both the workers' organizations and the Project cited during the IE, that keeping those trained under the Project continuously informed and engaged, and to also gather and share replicable good practices was a challenge. The workers' organizations therefore requested further Project support on developing a strategy for the trade unions that will enable them to cascade their learnings from the national to the local level.

As the DOLE DO 183-17 includes provisions on workers' representation and participation in compliance activities, it marks the attainment of the next indicator target which set out to draft at least one DOLE issuances (Department Order) on Guidelines on workers' representation in assessment activities. The Project has also been successful in establishing a total of five labor inspection- trade union monitoring and advocacy network, fulfilling the target for the next Project indicator. The final output indicator under this SIO sets a target of distributing 250 worker good practice compendium, which, according to the revised work plan, is yet to be completed.

***Sub-Immediate Objective 2.3: Improved knowledge of employers on labor standards and enhanced capacity to engage in the LLCS process at the enterprise, regional/industry and national levels***

This SIO emphasises on capacitating the employers' organisation and therefore measures the progress through number of targeted employer representatives with improved understanding of workers' rights and related issues. The Project has trained thirty (30) ECOP focal points/ subject matter experts, whom ECOP plans to mobilise to provide assistance to members and non-members. The Project has set a target of 96 such employers' representatives who will demonstrate improved knowledge by the end of the Project. Until the end of March 2018, 20 such representatives have reportedly shown improved knowledge. However, it is not clear whether this twenty is a fraction of the number of total trainees who have received training or the total number of trainees who the Project assumed are now equipped with better knowledge through the Project intervention.

An employers' training programme/manual is also being designed on practical workplace-based implementation of the labor inspection, which is undergoing revision based on new DO 183-17. Once finalised, this will mark the achievement of another output indicator of this SIO. ECOP intends to integrate the manual produced under the Project as part of a consolidated toolkit for employers to be provided by their ECOP Helpdesk and Chapters. This consolidated toolkit will have components on OSH, social dialogue and corporate social responsibility, components on OSH, social dialogue and corporate social responsibility. Furthermore, ECOP intends to institutionalize the training manual as part of an integrated course offering on Industrial Relations and Human Resource. Documentation of case studies are also being supported by the Project, which are expected to be replicated in other regions/ sectors.

**4.4. *Efficiency of resource use***

An examination of the financial resources available to the project from October 2015 to June 2018 shows that the Project has spent USD 833,691 of its total allocated budget of USD 1,000,000 by the end of the second quarter of 2018. During this 33 months' time, the primary cost driver were training

activities, meetings and workshops supported by the Project, accounting for 30% of the total expenditure. The second cost driver is/were salaries for project staff (including PM, M&E Officer and Finance & Admin Assistant) and accounted for 28% of this/the total expenditure. The outcome based budgeting of IO and SIOs could not be done under this IE due to unavailability of the Work Breakdown Structure (WBS) for the Project.

Since the project started implementing its activities in September 2015, it has spent approximately USD 25,263 per month until end of June 2018, which was USD 22,761 during the MTE. Based on this rate, the MTE had foreseen that the project would spend \$637,314 or 64% of the total budget by end of the project scheduled for December 2017. If we consider this MTE speculation as true, the project would have spent about 78% of its allocated budget by the end of June 2018. However, the output based budget shows that 83% of the project's budget has already been spent by June 2018. The spending has particularly accelerated during the second quarter of 2018, mainly due to the contract with the MIS consultant and greater numbers of trainings and events taking place. With the approval of the cost extension proposal, the Project will have to spend USD 416,308 between July 2018 and August 2019, a total of fourteen months. Therefore, at the current rate, the Project may have an unspent amount of around USD 62,621 by the end of the cost extension period. To completely utilise the grant amount of USD 1.25 million, the Project needs to accelerate spending on committed activities, at least USD 4,472 per month, especially on cost drivers like refresher trainings for workers and employers, inter agency meetings and completion of risk-based criteria setting for the handling and managing of complaints.

It appeared that resources were allocated efficiently with the limited means available and practical measures were taken during the Project period to procure best value for money services (e.g. in the hiring of the software development firm).

#### 4.5. *Effectiveness of management arrangement*

The internal management arrangements of the project appeared to be adequate to ensure timely delivery of project outputs and activities.

The regular management of the project is ensured by a National Project Manager (PM), strategically based in the ILO Country Office in Manila which is close to key government agencies such as the Department of Labor and Employment (DOLE), embassies, workers and employers groups. The PM is assisted by a national Monitoring and Evaluation Officer (M&E Officer) who is responsible for ensuring that baseline data, statistics and evaluation of activities and outputs are collected and compiled in accordance with the project PMP. During the PM's absence the M&E Officer also acted as the Officer-in-Charge of the Project. The project is further supported by a Finance and Administrative Assistant.

The PM reports to the Director of CO-Manila and is in regular touch with the Programming Unit of the CO regarding project progress. The project also receives regular technical backstopping from the ILO Decent Work Team specialists for East and South-East Asia and the Pacific based in Bangkok (DWT-Bangkok). The Labor Administration and Labor Inspection Specialist based in DWT-Bangkok provided technical advice to the Project as required without any cost to the project beyond potential travel expenses. It was evident that one Specialist had assumed or been delegated a clear responsibility to consistently technically guide and monitor the project. Thus the Project was particularly benefitted to a great extent from the close involvement of the Labor Administration, Labor Inspection and Occupational Safety and Health Branch (LABAMIN/OSH) of the ILO. In addition, the Project has also received support from the ILO's Bureau for Workers' Activities (ACTRAV) and the Bureau for Employers' Activities (ACT/EMP) to maximize involvement and contribution of social partners, under SIO 2.2 and 2.3. Specifically, ACTRAV and ACT/EMP contributed to this project through technical inputs and in conducting and facilitating training and capacity building activities for workers' and employers' respectively and their organizations.

A tripartite project advisory committee (PAC) was established for the purpose of providing Project oversight, comprising of representatives from the government and the social partners. The activities and consultation process that took place as part of this platform have been highly appreciated by all

the stakeholders, not only because they met regularly to be updated on the project progress but also because it provided a real opportunity, specially to the social partners, of tripartite consultation on on-going labor inspection reform activities vis-à-vis improving compliance in the workplace through social partners' engagement. Whilst this PAC was reported to serve a meaningful purpose in terms of providing a forum for tripartite exchange on labor inspection issues, it was not clear how this group would continue to exist beyond the project's life span. The PAC has, however, agreed to propose that compliance remains a standard item in the meeting agenda of formal tripartite structures (Tripartite Executive Committee (TEC) and the National Tripartite Industrial Peace Council (TIPC)). It will be important for the Project to monitor that this proposal is translated into action as this has a strong relation to the sustainability of some of the key project achievements.

#### 4.6. *Sustainability*

This section addresses the question about whether or not the supported interventions of the Project are likely to continue after termination of funding.

As noted throughout the effectiveness analysis, many Project supported interventions has either delivered or will be delivering by the end of the Project's revised end date the first level outputs such as revision of tools and legislative instruments, the Labour Inspection Management Information System and necessary manuals and guidelines for capacity building activities. If sustainability is considered strictly in terms of those outputs, there is clear likelihood that these products will continue even after the end of project funding due to strong and clear political commitment from DOLE BWC as well as the social partners. Because most implementation of the Project was embedded within existing national structures and institutions, this increased the chances of the changes made by the Project to be sustainable.

Initial project design proposed a three-pronged sustainability approach for the Project – (i) the close involvement of tripartite constituents and bodies in the design, implementation, monitoring and evaluation of Project activities; (ii) promoting national level capacity to manage and implement Project interventions, and; (iii) documenting and sharing good practices. In response to the MTE recommendation, the Project further developed a detailed sustainability plan describing the specific interventions, outputs, and results that should be sustained once the project ends. The new sustainability plan also includes an exit strategy for the Project which was developed based on the donor prescribed template where the scope for putting in set of indicators with targets and timeframes, as was recommended by the MTE, was limited. So the Project (and eventually the partners) may find it difficult to track the planned sustainability related activities.

The IE observed that the interventions under the SIO 1.1 through 1.3 are most likely to sustain in the longer term than the other SIOs. There are examples of effective project strategies to promote the sustainability of the LI-MIS and the legal reforms. Both the Project and the DOLE BWC have put great emphasis on transferring the knowledge and technical skills to the BWC MIS team. The software firm has agreed to a six months period of 'perfective maintenance' time to continue to support the operations and maintenance of the System. The BWC has recently secured ISO certification for the LI-MIS and has a favourable funding environment to populate and capacitate the MIS unit. The DOLE regional offices have also put forward proposal for recruiting a dedicated MIS focal person at each of the regional offices. However, the effective and optimum use of MIS data, which will very recently experience a data influx, relies largely on the extent to which DOLE BWC is prepared to analyse data and transfer them into evidence based information without being overwhelmed with their increasing amount. Therefore, a clear data analysis strategy and protocols needs to be in place to support the BWC beyond the Project period. There is a need for capacity building of the existing MIS staff and other DOLE staff on advance statistical analyses of the MIS data.

The recently adopted OSH bill also has provisions requiring the government to keep an MIS to ensure integrity of compliance data. So the demand from the OSH bill on institutionalization of the MIS needs to be taken into consideration in the sustainability plan of the LI-MIS and formulate actionable and time-bound items to this end.

In order to sustain the interventions under the Labor Inspection institutional and legal framework and to create visible level of ownership from the government and the social partners, the Project must ensure that the government adopts policies and clearer operational procedures aligning the inspectorate with provisions of ILO C 81, and ratify C81. The DOLE has already issued the amended LLCS Rules, with the support of tripartite partners which was guided by the results of the gap analysis done under the Project and the ILO's comments on the Rules. Thus, the government taking up ILO recommendations to align law and practice with international labor standards sets a good example of government ownership of the Project.

The DOLE is eager to adopt the proposed job descriptions for labor inspectors that were developed with ILO support and attain Civil Service Commission (CSC) endorsement. Institutionalizing the job descriptions throughout the department are also on track. Another key challenge for sustaining the HR interventions might be cascading the learnings from national to the regional level and ensuring full support of the regional managers for the continuous development of their inspectors. The regional offices mentioned during the IE about the disconnect between their training needs and the trainings that is provided to them from the DOLE. In response, the Human Resource Development Service (HRDS) informed the IE of their plan to develop an HR roadmap for the DOLE very soon under which the organizational chart of DOLE BWC will be reviewed. However, the HRDS requires technical support in evaluating the current training modules for understanding whether they are meeting the intended expectations as well as institutionalizing the ILO training modules and methods within the DOLE. The regional managers should also continue to support their inspectors in terms of establishing and sustaining coaching, mentoring systems and other non-training strategies and guide them through these. Focusing on quality is equally important for both the regional managers and the inspectors where they are fully aware of the quality inspections require and what this would mean in terms of inspection planning and targeting to ensure that the quality of inspections are maintained simultaneously with achievement of quantitative targets.

The PAC recently proposed to the Tripartite Executive Committee (TEC) and the National Tripartite Industrial Peace Council (TIPC) to make 'labor law compliance' a standing item in the agenda of the tripartite bodies' consultations. If approved, this will build a discernible level of national ownership of the Project's interventions, and deliver on one of the project objectives to strengthen social dialogue on matters of labour law compliance.

As has been mentioned earlier in this section, the SIO 2.1 to 2.3 are less likely to sustain beyond the Project period than the SIOs under the first IO. Although the social partners have taken some ownership of the project interventions, primarily by being engaged in, and benefiting from, project activities, such as the PAC meetings, trainings, SCP workshops, the main challenge is to continue the tripartite engagement in relation to plant level compliance discussions. The issues such as difficulty of selecting worker representative during joint inspection of a non-unionized establishment, general dissatisfaction about underutilization of the trained social partner representatives and demand for increased participation of social partners in full blown cases still remain points of debate between different partners. Until a dialogue mechanisms and relations between employers and workers is established, particularly at the workplace level as a means of preventing disputes, it will be difficult to sustain the efforts made by the Project under this SIO. However, this requires an intensive project design which is currently beyond the scope this LI project. The ILO CO-Manila should therefore start looking into new interventions that will seek to intensively build the capacity of workers and employers to engage in social dialogue and collective bargaining at the workplace and sector level as well as to make effective use of the dispute prevention and resolution mechanisms. Also there is a clear need to establish more strategic partnerships with other actors of the employer such as EPZs, exporters, foreign chambers, retailers, contractors and subcontractors, HR managers, organisation of safety practitioners and local governments.

Another critical area on sustainability is to ensure that together with the labor inspectors and regional managers, the capacity of the 'other actors' involved in the case disposition stages of labour standards enforcement are also enhanced. If the entire labour standards enforcement system from inspection,



case disposition and arbitration cannot ensure uniform understanding and appreciation of labour standards, the system will fail to coordinate, remediation will be slow and the chances of retaliation will increase. As the Project has mainly focused its activities on the regional managers and their labour inspectors, the extension period needs to take into account how the other actors can be reached.

As has been discussed in the narrative report, the issuance of Administrative Order 164-17 has stimulated a continuous discussion among the social partner on how to enhance their participation during inspection, which, by far, is considered to be very limited across the board. This is also an area of the entire labor standards enforcement system which the Project has proposed to include for the extension period. The government is under the obligation to deliver on targets from improved compliance to number of workers regularised and also the enforcement of decisions more than ever. The sphere in which the Project has operated leaves very limited scope to work on issues such as case disposition, case management and monitoring of the GLS. However, if not addressed, these issues may lead to bigger challenges to the government such as case backlogs, inconsistent decision making and varied approaches, eventually affecting the capacity of the inspections to deliver on compliance.

#### 4.7. *Gender mainstreaming*

As has been mentioned in the 'validity of design' section above, the gender mainstreaming was not considered adequately in the Project design, specifically setting gender specific targets and milestones for different interventions. The ILO's gender equality policy or the provisions mandated by the Governing Body of the ILO at its 292<sup>nd</sup> session in March 2005 stresses that "all future ILO technical cooperation programmes and projects systematically mainstream gender throughout the project cycle. Specifically, this implies [...] the inclusion of data disaggregated by sex and gender in the background analysis and justification of project documents; the formulation of gender-sensitive strategies and objectives and gender specific indicators, outputs and activities consistent with these." However, the project design did not adequately consider the gender dimension of the planned interventions as per ILO mandate. Labor inspection has the potential to play an important role in monitoring observance of the conventions relevant to gender equality, namely ILO C100 on Equal Remuneration and ILO C111 on Discrimination (Employment and Occupation). Both of these have been ratified by the Philippines. However, there are still no national laws on C100 in place in the country, with laws already existing addressing only people with disability. Also the stigma around issues such as sexual harassment at the workplace and women being subjected to further derogatory behaviours due to complaining about the harassment still prevent the labour inspectors from addressing these issues through official processes. Therefore, the Project may integrate some activities that are not expensive but can generate basic awareness among the government and the social partners on gender equality and anti-discrimination. It will also be beneficial if the training modules, inspection checklists and other deliverables go through a brief gender analysis before finalising so that they remain inclusive. During the IE, the BWC expressed interest to organise capacity building activity for labor inspectors on gender equality. This might not be covered under the limited time and resource left of the existing Project, but should be considered with utmost importance in the future project designs.

#### 4.8. *Tripartism and social dialogue*

Building the capacity of the tripartite constituents was one of the key component of the Project. The principal channel of doing this was through trainings for workers, specifically for trade union leaders and members and non-members of the ECOP so they can be updated with new issuances related to labor standards and labor inspection, including promotion of labor laws compliance in supply chains. Furthermore, the use of participatory approaches in discussions, policy revisions, needs assessments and capacity building has proven to be effective in mobilizing stakeholder engagement in the Project.

Under the sustainability plan, the Project will also provide support for tripartite compliance campaigns agreed by partners in pilot areas. The campaigns shall be documented to provide guidance in the conduct of similar campaigns. The Project is also documenting case studies of best practices with an aim to replicate them in other regions/sectors. The PAC meetings and series of regional tripartite

consultations for the gap analysis of the ILO C81 have also provided avenues to foster greater social dialogues on labor inspection and enforcement

Tripartite stakeholder participation in the IE was ensured through two means – (i) consultation with tripartite stakeholders through interviews and group meetings and (ii) the stakeholders’ workshop. The draft evaluation report was also shared with tripartite constituents for their feedback and the follow-up to the evaluation recommendations will also be shared with them.

## 5. CONCLUSIONS

The project is highly relevant, conforming in the aspect of establishing a robust labor inspection management information system and assisting the Philippines implement its national priorities on workplace compliance through labour inspection. It has been especially relevant for offering concrete recommendations to the DO 183-17, the labor inspection Rules and on the inspection component of the OSH Bill and provide the partners with a guide on how to align law and practice with international labor standards.

Furthermore, the project has been effective in providing the DOLE with tools and capacity to improve the management of the labor inspectorate as well as to enhance functionalities of the labor inspectors to carry out inspections seamlessly. However, in the context of changing political and policy environment and due to unavoidable delays on starting critical project interventions, majority of Project output are yet to achieve their intended results. At the time of the IE, the project had submitted for consideration to the donor a request for a time and cost extension, which envisions attainment of all results within anticipated time.

The project’s management arrangements also appeared to be efficient in the same vein that the Project received continuous technical backstopping from the DWT Bangkok. Critical to the Project’s success in managing the institutional arrangement was keeping in close contact with the DOLE BWC, which has resulted in discernible level of national ownership of the Project interventions.

The benefits of majority of the activities under the project are likely to continue after the donor funding has stopped, provided that there is continued engagement and oversight of the tripartite group on labor inspection.

## 6. RECOMMENDATIONS

### 6.1. *Short-term (project level)*

#### 6.1.1. **Identify achievable and time bound targets for the output indicators**

The IE has observed that due to the structure of the PMP and data tracking table, often the project performance indicators were not time-bound. Moreover the targets for the indicators are sometime over ambitious (refer to the effectiveness analysis of SIO 1.2.). The IE has also identified that many of the output in the logframe are either activity or itself an indicator. Understanding that a full review of the logframe is not time or cost efficient for the Project at the current stage, it is recommended that the Project, at a minimum, should revisit the target of the output indicators, make them time-bound with quarterly/semi-annual milestones and adjust them to be responsive to the practical scenario.

#### 6.1.2. **Prioritize support for the completion and roll-out of the MIS, as identified in the project plan, and develop guiding manuals for the MIS modules**

The project must prioritize its support for the completion and roll-out of the MIS during the one year extension period. During the IE, the Project had only delivered, tested and piloted the inspection module of the System. The central office module, regional case management module, integrated and full reporting features and online complaint feature were yet to be completed. The MIS data is also not

being analysed with appropriate statistical method and the dashboard does not provide any usable report. Therefore, the Project must put enhanced emphasis on completing the outstanding module and features of the LI-MIS, including development and dissemination of the guiding manuals for each of the modules. This should be completed at least six months before the new project end date i.e. by February 2019, so that in the remaining project period necessary trouble-shootings and capacity building needs can be identified and addressed.

#### 6.1.3. **Conduct regular data collection on training effectiveness and specialised inspections**

According to the PMP and data tracking table, the indicator target for SIO 1.3 has been achieved and the progress is measured through pre and post training score of only one training event – Skills Training on Accident Investigation. This method of measuring a critical outcome level indicator seemed very weak. The MTE had also recommended the Project to reassess the training indicators to ensure that they reflect the expected changes in knowledge and practices of the training participants. Moreover, under the second outcome indicator of the same SIO, the Project targets that 1360 specialised inspections will be done by the DOLE in priority areas. Even though the PMP is designed to collect this data on a quarterly basis, the data tracking table is only updated till the end of December 2016. Therefore, in order to showcase the effectiveness and applicability of the interventions under SIO 1.3, the IE recommends that the project should immediately start measuring the training effectiveness and regularly monitor the numbers of specialised inspections, as is envisioned in the PMP.

#### 6.1.4. **Replicate the SCP at sectoral level**

Through utilizing the experience of the tripartite strategic compliance planning done under the project, there is a need to replicate the same at priority sectors, customising the needs of the sectors as well as the partners involved. The IE recommends that the Project should attempt to create opportunities for similar events in the priority sectors, ideally led by the DOLE, to allow for more tripartite consultations on critical labor inspection, case disposition and remediation issues or issues prioritised by the tripartite constituents. During the IE workshop some of the priority sectors were already identified by the PAC members including fishing, construction, retails, ecozones and hazardous sectors such as mining. The CO Manila and the Project could work together in identifying and prioritising these sectors for replicating SCP.

#### 6.1.5. **Refine the sustainability plan with targets and timeframes**

In response to the MTE recommendation, the Project has produced a detailed plan for the sustainability of each of its key components. However, the ‘process for monitoring progress on the sustainability elements’ although included in the plan, is not supplemented with measurable and time-bound indicators or targets, as was recommended by the MTE. It is critical that besides working on the sustainability components during the cost extension period, the planned sustainability related activities are also tracked and relevant adjustments are made before the Project closes.

#### 6.1.6. **Provide technical support to the DOLE BWC in developing a data management, analysis and reporting plan**

The effective and optimum use of MIS data largely depends on the DOLE BWC’s preparedness to handle big data, analyse and transfer them into evidence based information without being overwhelmed with the data influx. The labor inspectorate has already started utilising the MIS data for inspection planning. However, the regional offices do not have enough capacity to plan their own analysis of the data and make policy decisions on the basis of that. The MIS data can also be used for decision making on OSH compliance, such as evidence based calculation of the penalties, once the OSH bill gets approved. Most importantly, the government’s obligation of producing an Annual Inspection report under C81 can also be easily fulfilled through appropriate and expert utilisation of the MIS data. Therefore, a clear data management, analysis and reporting plan needs to be in place to support the BWC and the regional DOLE offices beyond the Project period. There is also a need for capacity building of the existing MIS



staff and other DOLE staff on advance statistical analyses of the MIS data, which might be covered under a different project proposal.

#### 6.1.7. **Continue technical assistance on capacity building for DOLE BWC and social partners alike**

The interviews of the IE revealed that among the remaining challenges faced by the DOLE BWC is the low capacity of its staff on planning, case management, disposition and enforcement. The Project has already proposed specific activity around this as part of the cost extension proposal. However, similar gaps in capacity has also been voiced by the workers organizations. The main areas are building capacity of workers from non-unionized enterprises on labor inspection, training for worker leaders on the processes after the inspection (case monitoring to avoid any violations, remediation etc.), OSH in labor inspection and industry specific compliance and inspection trainings. Moreover, the regional offices need specific strategy to cascade trainings to the newly recruited labor inspectors. The Project, in consultation with the donors, may expand the existing training interventions to include some of these training needs.

#### 6.1.8. **Support inter-agency partnership on labor inspection, labor standards and utilisation of LI-MIS**

During the IE, the government partners have emphasised on more effort to establish effective coordination between relevant government bodies on labor inspection and promotion of compliance, particularly on serious labor law violations. While there are differences between certain labor standards among industries, there are several other departments also, working within and beyond DOLE, who have the responsibility of inspecting enterprises, but has varied standards (such as the Department of Environment and Natural Resources (DENR), Bureau of Workers with Special Concerns (BWSC), Philippine Economic Zone Authority (PEZA)). In addition to providing support to inter-agency consultations leading to a proposed LLCS bill and other proposed policy measures that ensure that law and practice aligns with ILO C 81 and C 129, a broad coordination mechanism needs to be developed by the Project with the aims of harmonizing labor standards practiced across sectoral boundaries to achieve common goals of workplace safety, and thus clarify mandates and protocols in the conduct of inspections.

#### 6.1.9. **Time-bound and more realistic sustainability plan**

Understandably, the project had to use the sustainability plan template prescribed by the donors and the plan has/had captured almost all aspects of its exit strategy. However the IE feels that putting in activities that are time bound for each of the partners, actions that the partners can realistically do drawing from the achievements of the project is necessary.

### 6.2. **Recommendations for the government**

The following recommendations are offered for consideration of the DOLE and BWC:

- BWC should develop a consolidated MIS sustainability plan, including costing for short, medium and long term. While the funding environment for the BWC is apparently observed to be favourable due to increased political attention towards labor inspection and compliance, however, together with the labor inspection roadmap, BWC should also plan for resource mobilization for regular operations, maintenance and troubleshooting of the LI-MIS.
- The MIS sustainability plan should be supported by an HR capacity plan (for both national and regional staff) to cope with the requirements of the MIS sustainability plan. There will potentially be increased needs for refresher training on MIS after the Project ends. The IE recommends that the DOLE decentralize MIS training and empower regional labor inspectors and other clerical staff at field level to support training activities.
- A comprehensive and regularly reviewed training strategy should also be developed which will ensure that the inspectors' training service both at regional and central level are undertaken in a

systematic manner. The IE recommends that the DOLE and BWC search for innovative models of cascading trainings such as continuous 'mentor based' on-the-job training utilizing high-performing and more experienced inspectors as the trainer and evaluators of new inspectors.

- In order to sustain the results of the Project's HR development initiatives as well as the strategic compliance planning, the DOLE should review the business process of BWC and regional offices in light of the implementation of the revised job description. The IE recommends preparation of a labor inspection roadmap, supported by a consolidated action plan for the inspectorate for this purpose. The BWC can request support from the Project to help develop a set of policy based on strategic recommendations for the review of BWC organizational structure and business process.
- The government's role in fostering more institutionalized dialogue mechanisms between social partners at different levels needs to be strengthened. DOLE's focus has necessarily largely been on the inspection system, which is by nature a legalistic system that is prone to delays in processes, retaliation etc if the right kind of dialogue mechanism is not in place. The government may utilise the LI-MIS to analyse which sectors have for example maximum numbers of dispute or violation that goes beyond the remediation time frame to determine whether sectoral dialogue mechanisms are more appropriate.
- In order to sustain the interventions under the Labor Inspection institutional and legal framework and to create visible level of ownership from social partners, the government needs to accelerate the ratification process of ILO C81. As the OSH law has now been enacted, which was a higher priority for the government, the C81 ratification should be given utmost attention.
- During the tripartite validation workshop of the IE, an important issue was raised with regard to how the government safeguards the labour inspectors through legal protection to protect them from cases filed against them, in their performance of their duties. As this is critical to maintain the broader quality of the inspection on which the results and achievements of the entire system relies on, the government needs to take appropriate actions for providing timely legal support to the inspectors.
- Long delays in the enforcement of decisions, inconsistencies in approaches and decisions are some areas of concerns across all stakeholders. In order to keep the case backlogs and any inconsistencies in approaches and decisions at a minimum, in addition to improvement in compliance in terms of enforcement and penalties, the government must also place equal emphasis on the case disposition and case management aspect of the GLS.

### 6.3. *Recommendations for the ILO CO-Manila*

The following recommendations are offered for the ILO CO-Manila, principally because they do not fall under the remit of the current Project but the need has been greatly felt during the IE:

- The IE recommends that for the future projects of the ILO in the Philippines, the logframe should be more result oriented and conservative in the sense to what extent ILO can and cannot monitor the indicators and 'realistically' at what frequency. Projects with short time frames and modest budgets should propose limited numbers of outcomes, outputs and activities and the logframe needs to be designed adhering to guidance provided by the ILO result based management guidebook. In addition to maintaining donor prescribed project and logframe design, it is critical for any project to identify/elucidate/present/construct clearly defined and well-articulated result statements as well as performance indicators that are specific, measurable, achievable, relevant and most importantly, time-bound. Prior to the interventions, there needs to be a clear understanding between the project and the donors on the areas that are to be under the control of the project, those which need close engagement and partnership with the constituents and those which are beyond the remit of the project. This will help build stronger and smarter performance indicators. The logframe design should also be supported with a strong M&E

framework that lays out both qualitative and quantitative indicators and milestones for specific time periods.

- The IE recorded a keen interest from the government and social partners in enhancing their capacities to increase bipartite and tripartite partnership. The CO-Manila can support the Government to strengthen its role in fostering more institutionalized dialogue mechanisms at different levels that assists the labour inspectorate in promoting compliance in general. Given the limited time and resources of the Project, the IE considers that the CO-Manila should initiate a social dialogue project in the Philippines, promoting bilateral and tripartite interaction between workers' and employers' organisations at national, provincial and workplace level by substantially strengthening their social dialogue capacities. In the long-term, the ILO can help develop a sustainable model for improving labour relations in the Philippines capitalizing on national expertise and supply chain factors favouring labour law compliance improvements to demonstrate the utility of collective negotiation. The model together with the outputs delivered through the LI project will likely contribute to CBA negotiation in the future, initially in the sectors where conditions are more favourable.
- The CO should also look into possibilities of providing technical assistance in the roll-out of OSH training by worker and employer organizations to enterprise level OSH committee members, either through the existing SafeYouth@Work project or through a new project proposal.
- Lastly, as has been identified in the draft DWCP 2018-2024, in order to address differences in geographical endowments and levels of economic development, the CO-Manila needs to adopt unique strategies and approaches for each set of DWCP actions and outputs by region or spatial grouping. One such area is the Autonomous Region in Muslim Mindanao (ARMM) where special considerations need to be taken into account because unlike other regions, governance institutions are less developed and internecine conflicts have clearly impeded development and growth in general, and the creation of decent work opportunities in particular. For achieving longer term impact of the Project activities, the ILO needs to expand to this conflict area and cater to their specific labour administration and labour relations needs. Representative from the ARMM took part in one of the SCP workshop and in the Accident Investigation Training of the Project and has provided important insight into their perspective on compliance. Before designing a full-fledged project for the ARMM, a scoping study is recommended by the IE of the labor administration system the ARMM.

#### 6.4. *Recommendations for the USDOL*

The following recommendations are offered for the USDOL not only in relation to this project but also for similar future projects for the Philippines:

- In view of the evaluation findings, it is highly recommended to make additional resources available to the Project to support implementation of additional activities that are key to achieving the project results and sustaining the results gained so far. Priority areas where additional financial resources are most required include: (a) development of risk-based criteria for the handling and managing of complaints and providing related training to DOLE on this so that BWC becomes well-prepared to handle increasing number of complaints, inquiries, and assistance requests as a result of the online complaints/services platform of the LMIS built and improved through the Project; (b) establishment of the inter-agency Memorandum of Agreements between relevant government agencies in an attempt to harnessing tripartite collaboration and coordination with other government agencies for improved compliance; (c) understanding and providing necessary technical assistance to the DOLE to attain the agency-wide organisational performance indicators.
- In relation to the last recommendation mentioned for the government in section 6.2 above, the stricter penalty regime and the mandatory spot audits in the Philippines will now require capacity building of DOLE in providing technical advisory assistance on OSH matters so that they are able to assist enterprises develop and implement remediation plans. Therefore, to ensure sustainability of

the interventions done till date, the donors may focus on helping the government to both increase enforcement & penalties as well as improve compliance to OSH standards.

- The Project team and USDOL should work together and agree upon realistic targets to be incorporated into the PMP as per activities that have been concluded and new activities that will be included if the Project gets the extension.

## 7. Lessons Learned and Emerging Good Practices

The evaluation has identified five lessons learned described below and three emerging good practice.

**LL1:** An inspectorate reform project would require a longer period of time to fully meet objectives and achieve any results. Therefore, such projects must include a project inception phase during design.

**LL2:** Systematically engaging with the main Government partner through continuous project update enhances project progress and ownership on the side of the government.

**LL3:** Coordinated and strategic technical backstopping boosts project performance as well as ensures greater national ownership of project results.

**LL4:** 4. Inspection functions should be coordinated between regulatory bodies/agencies to ensure better use of resources and maximise effectiveness.

**LL5:** A regular Project Advisory Committee (PAC) is critical to involve all tripartite partners in the project effectively

The TPR documents some of the emerging good practices of the project, as experienced by the Project team. The following are a combination of those good practices identified both by the Project and the IE:

**GP1:** The Strategic Compliance Planning (SCP) workshop, utilizing the MIS data to guide tripartite compliance planning and the development of proposed regional labour inspection plans for 2018

**GP2:** The good practice in the process of developing performance metrics for labor inspectors was how DOLE has from the start committed to learning from the process and institutionalizing gains from the Project.

**GP3:** Good practice on the enhancement of the MIS is how ownership and sustainability has been built into the process.

## Annexure 1: Data collection worksheet

Criteria and questions to be addressed	Methods and sources of data
<b>A. Relevance of the interventions</b>	
1. To what extent were the project strategies and approaches pertinent to stakeholders' (DOLE, Trade Unions and the Employers' Confederation of the Philippines) requirements and policies of partners and donors?	<ul style="list-style-type: none"> <li>Review of MTE report, PRODOC, donor reports/reviews</li> <li>Semi-structured interviews with the project team, CO Manila, DOLE, employers and workers, donors, ILO DWT-Bangkok, LABADMIN-OSH, PARDEV?</li> </ul>
2. Were the objectives and outputs of the project relevant to the specific needs of ILO constituents and the country?	
3. To what extent do the stakeholders take ownership of the project's approaches?	
4. How does the project align with and support ILO's overall strategies (DWCP, gender mainstreaming and Strategic Programme Framework)	
5. Does the project support and contribute to overall objectives of the USDOL policies in international development cooperation including gender equality, and its partnership strategy with the ILO?	
6. Is the intervention strategy appropriate for achieving the stated project purpose and what are the lessons learnt in the design and implementation of the Project?	
<b>B. Validity and logic of the theory of change</b>	
7. Did the project adjust its logical framework/Project Performance Monitoring Plan (PMP) as a follow up to the Mid-term Evaluation? If yes, is the new PMP appropriate to reach the project objective?	<ul style="list-style-type: none"> <li>Review of MTE report</li> <li>Review of project progress reports specifically since MTE</li> <li>Review of project design documents</li> <li>Semi-structured interviews with the donors, project team, CO Manila and constituents</li> </ul>
8. What are the remaining gaps that need to be addressed within the year (short-term); in the next three years (medium-term); in the next five to ten years (long-term)?	
9. Were the project strategies, outcomes and assumptions appropriate for achieving planned results?	
10. Are the indicators of achievements clearly defined, describing the changes to be brought about?	
11. Did the government, in particular DOLE/employers/unions understand the project's outcomes and approach? How have they supported these outcomes over the life of the project?	
12. Did the project design adequately consider the gender dimension of the planned interventions and how?	
<b>C. Implementation effectiveness</b>	
13. To what extent have planned project outputs been achieved, in relation to the original project document and to subsequent work/action plans (including planned results on capacity building of the tripartite constituents and labor inspectors, improving the quality, management, utilization of LLCs-MIS)?	<ul style="list-style-type: none"> <li>Review of PRODOC, project progress reports, work plan (original and revisions), PMP data tracking sheet</li> </ul>
14. Have the quantity and quality of the outputs produced so far been satisfactory? What obstacles were encountered in project implementation? How effectively were the limitations identified in MTE addressed?	<ul style="list-style-type: none"> <li>Review of project progress reports</li> <li>Semi structured interviews with donors, DOLE, employers and workers, project team, CO Manila</li> </ul>
15. Have new intervening factors/actors (e.g. other donor assisted projects) emerged since the midterm evaluation that may have impaired or enhanced project performance or future ILO development assistance on labor inspection? What are the ways to maximize synergies and improve collaboration with these new actors?	<ul style="list-style-type: none"> <li>Semi structured interviews with donors, project team, CO Manila</li> </ul>
16. How effective was the project at stimulating interest and participation of project partners at the local, meso and national levels in conducting joint assessment and implementing LLCs?	<ul style="list-style-type: none"> <li>Semi structured interviews with donors, DOLE, employers and workers, project team, CO Manila</li> </ul>
17. To what extent were the constituents able to fulfil the roles expected in the project strategies? How did the project address the capacity challenges?	<ul style="list-style-type: none"> <li>Review of the project design documents and progress reports</li> </ul>

Criteria and questions to be addressed	Methods and sources of data
	<ul style="list-style-type: none"> <li>Semi structured interviews with donors, DOLE, employers and workers, project team</li> </ul>
18. To what extent did the project contribute towards promotion and ratification of Convention 81 and 129?	<ul style="list-style-type: none"> <li>Semi-structured interviews with donors, DOLE and other government partners, CO Manila and the project team</li> </ul>
19. To what extent did the project effectively mainstream gender and non-discrimination in project strategies and interventions? What kind of progress was made and what were the challenges?	<ul style="list-style-type: none"> <li>Review of PRODOC and project progress reports</li> <li>Semi structured interviews with donors, DOLE, employers and workers, project team</li> </ul>
20. Has the project received adequate administrative, technical and- if needed- political support from the ILO office in the field, technical specialists in the field and the responsible technical unit at headquarters?	<ul style="list-style-type: none"> <li>Semi-structured interviews with project team, CO Manila, DWT, LABADMIN/OSH</li> </ul>
<b>D. Efficiency of resource use</b>	
21. Were resources allocated/used strategically to achieve its two immediate objectives (IOs)? Were activities completed in-time/according to work plans? If not, what were the factors that hindered timely delivery and what were the counter measures taken to address this issue?	<ul style="list-style-type: none"> <li>Review of work plans and financial reports (including WBS)</li> <li>Semi-structured interviews with the project team, CO backstopping officer, finance officer and donors</li> </ul>
22. To what extent were the project activities cost-effective? What level of the project activities (individual; institutional; systemic) provided the most cost-effective benefits?	<ul style="list-style-type: none"> <li>Review of PRODOC, financial reports and progress reports</li> <li>Semi-structured interviews with donors, project team and selected stakeholders</li> </ul>
23. To what extent has the project been able to build upon or leverage national resources or resources of other ILO Projects?	
24. Was the funding and timeframe sufficient to achieve the intended outcomes?	
25. Were resources allocated strategically to achieve gender-related objectives?	
<b>E. Effectiveness of management arrangements</b>	
26. To what extent were the technical and financial resources adequate and adapted to fulfil the project plans? Was the management and governance arrangement of the project adequate?	<ul style="list-style-type: none"> <li>Review of PRODOC, minutes of PAC meetings, donor meeting minutes</li> <li>Semi-structured interviews with donors, project team and selected stakeholders</li> </ul>
27. Has the distribution of resources between activities and staff been optimal? What could have been done differently to achieve more effectiveness?	<ul style="list-style-type: none"> <li>Review of progress reports</li> <li>Semi-structured interviews with donors, project team and selected stakeholders, DWT (as and when necessary)</li> </ul>
28. How effective was the support provided to the project team by the ILO, USDOL, and tripartite constituents in delivering results? What could have been done differently?	
29. To what extent was results-based management implemented in the project?	
30. Was institutional arrangement with the partners, the role of tripartite constituents appropriate and effective? What were the changes made since the MTE?	
31. Does the project team or the backstopping CO team have adequate gender expertise, and/or was technical backstopping sought and received from gender specialists when needed?	
32. How effectively did the project monitor project performance and results? <ol style="list-style-type: none"> <li>Is a monitoring and evaluation system in place?</li> <li>How appropriate were the means of verification for tracking progress, performance and indicators?</li> <li>Is relevant information and data systematically being collected and collated?</li> </ol>	<ul style="list-style-type: none"> <li>Review of PRODOC, project M&amp;E system, PMP, all periodic and progress reports, risk management system</li> <li>Semi-structured interviews with project team, CO Manila, donors</li> </ul>

Criteria and questions to be addressed	Methods and sources of data
d. Is reporting satisfactory? Is data disaggregated by sex (and by other relevant characteristics)?	
<b>F. Sustainability</b>	
33. Did the project develop a sustainability plan and exit strategy as a follow up to the MTE? If yes, is the proposed plan appropriate to sustain project results after closure?	<ul style="list-style-type: none"> <li>• Review of original and revised project plans and guiding documents, MTE</li> <li>• Semi-structured interviews with project team, CO Manila, donors and selected stakeholders (specifically DOLE)</li> </ul>
34. Which project results (i.e. outcomes) appear likely to be sustained after the project and how? Are results anchored in national institutions and can the partners maintain them financially at the end of the project?	
35. What are the lessons learned for achieving policy change and buy-in on creating an enabling environment for an efficient, effective, and targeted labor inspection?	
36. What lessons were learned and applied since the start of the project?	
37. Based on the outputs of this project, what are the key lessons learned that ILO and USDOL can take away on labor inspection project implementation, monitoring and evaluation?	

## Annexure 2: Documents reviewed

- 1) The project document – original and revisions
- 2) Final project proposal
- 3) Project proposal for cost extension
- 4) Donor agreement including USDOL Management Procedures & Guidelines (MPG)
- 5) Results framework and logic model – original and revisions
- 6) Theory of change
- 7) Sustainability and Exit Strategy of the Project
- 8) Baseline report
- 9) All technical assistance progress report submitted to USDOL
- 10) All semi-annual TPRs
- 11) Project status reports
- 12) Project work plans
- 13) Performance monitoring plans (PMP)
- 14) Data tracking table
- 15) Implementation agreements
- 16) Project budget – original and revisions
- 17) Outputs-Based Budget Report
- 18) Mid-term evaluation report, recommendations and project updates on the recommendations
- 19) Briefing papers
- 20) The Department Order DO 183-17 of the DOLE
- 21) ILO Comments on Draft DO on the Revised LLCS Rules
- 22) The Administrative Order AO 164 of the DOLE
- 23) Terms of Reference for the Project Advisory Committee
- 24) Project results matrix for the PAC
- 25) ILS Discussion Paper Series 2016 – Gap Analysis of ILO Convention No. 81 (Labor Inspection)
- 26) ILS Discussion Paper Series 2016 – Gap Analysis of ILO Convention 129, Labor Inspection (Agriculture)



## Annexure 3: List of interviewees

- 1) Joel Maglunsod, Undersecretary, Labor Relations, Special Concerns Regional Operations, Financial Services and Legislative Affairs, the DOLE
- 2) Benjo Santos Benavidez, Assistant Secretary, Labor Relations Cluster, the DOLE
- 3) Teresita Cucueco, Director, Bureau of Working Conditions (BWC)
- 4) Imelda Santos, Chief Labor and Employment Officer (LEO), BWC
- 5) Judaline Campo, DOLE, BWC
- 6) Sylvia Valdez, Supervising LEO, BWC
- 7) Kristine Carol Soriente, Senior LEO, BWC
- 8) Melanie Banayos, Supervising LEO, BWC
- 9) Brenalyn Peji, OIC Director, Human Resource Development Service (HRDS)
- 10) Joyce Ann Prakash, Training Specialist, Occupational Safety and Health Centre (OSHC)
- 11) Joyce Anne Lumactud, Senior LEO, Institute of Labor Studies (ILS), DOLE
- 12) Jomel Cruzado, Senior LEO, International Labor Affairs Bureau (ILAB)
- 13) Karen Arlan, Supervising LEO, ILAB
- 14) Gerard Khu, Senior LEO, BWC
- 15) Chester Viñas, Project Manager, NMG
- 16) Jarius Bondoc, CEO, NMG
- 17) Expectation Ruvivar, LEO, BWC
- 18) Euniz Garcia, ISA, BWC
- 19) Gil Daliposan, Senior LEO, BWC
- 20) Jeanette Guevarra, LEO, BWC
- 21) Zenaida Campita, Regional Director, DOLE Region III Central Luzon
- 22) Ana Dione, Director IV, Office of the Regional Director, DOLE Region III Central Luzon
- 23) Maria Rima Hernandez, Chief LEO, DOLE Region III Central Luzon
- 24) Fernando Mallari IV, Senior LEO
- 25) Stacy anne Sabile, LEO, DOLE Region III Central Luzon
- 26) Deah Celeste Pedro, Senior LEO, DOLE Region IV-A Calabarzon
- 27) Jennifer Taip, Senior LEO, DOLE Region IV-A Calabarzon
- 28) Ma. Angelique Yaun, Senior LEO, DOLE Region IV-A Calabarzon
- 29) Frank Gonzalo, ARD, DOLE Region IV-A Calabarzon
- 30) Guido Recio, Senior LEO, DOLE Region IV-A Calabarzon
- 31) Nelia Mungeal, Chief, Technical Services and Support Division (TSSD), DOLE National Capital Region (NCR)
- 32) Raquel Clavillas, Union Rep
- 33) Shirley Yorong, National Director for Eco Services/ALU
- 34) Larry Javier, Organizer, SENTRO

- 35) Sonny Matula, President, Federation of Free Workers (FFW)
- 36) Beejay Marasigan, Union President, FFW
- 37) Larry Manalaysay, Kilusan TCICP
- 38) Budely Alarcon, Union President, the Trade Union Congress of the Philippines (TUCP)
- 39) Asuncion Binos, Chairperson, Pinag-isang Tinig at Lakas ng Anakpawis (PIGLAS)
- 40) Ramon Certeza, Coordinator, IndustriALL Philippines
- 41) Florencia Cabatingan, EBM & VP, the Trade Union Congress of the Philippines (TUCP)
- 42) Susanne Dejon, National Auditor, IndustriALL Philippines
- 43) Ray Tadeo, Manager, Employers Confederation of the Philippines (ECOP)
- 44) Angela Usero, External Affairs Coordinator, Employers Confederation of the Philippines (ECOP)
- 45) René Robert, Labor Administration/Inspection Specialist, ILO DWT, Bangkok
- 46) Keith L Goddard, International Relations Officer, Office of Trade and Labor Affairs, USDOL
- 47) Khalid Hassan, Director, ILO Country Office for the Philippines
- 48) Concepcion Sardaña, Senior Programme Officer, ILO Country Office for the Philippines
- 49) Diane Lynn Respall, National Programme Officer, ILO Country Office for the Philippines
- 50) Cerilyn Pastolero, Project Manager, Building the Capacity of the Philippines Labor Inspectorate Project, ILO
- 51) Jake Tolentino, M&E Officer, Building the Capacity of the Philippines Labor Inspectorate Project, ILO

## Annexure 4: Terms of reference

### Terms of Reference Internal Interim Evaluation of Building the Capacity of the Philippines Labor Inspectorate

ILO Project Code	PHI-14-06-USA
Administrative Unit in charge of the project	CO-Manila
Technical Backstopping Unit	LABADMIN-OSH
Type of Evaluation	Internal
Timing of Evaluation	Interim Evaluation (January 2017 – June 2018)
Project Period	15 December 2014 – 31 August 2018
Total Project Budget	USD 1,000,000
Funding Agency	US Department of Labor

#### I. Background and Justification of the project

##### About the “Building the Capacity of the Philippines Labor Inspectorate System” project

The Philippines’ labor inspectorate system had been facing a number of challenges in providing labor inspection services to the country. The 2009 ILO Technical Audit of the Philippines’ labor inspectorate system, identified some of these challenges:

- Low coverage due to inadequate number of labor inspectors
- Limited capacity of labor inspectors in carrying out specialized inspections
- Need to improve the quality of inspections conducted
- Need to increase the effectiveness of inspections in terms of compliance
- Lack of workers’ representation in the inspection processes

As a response to these challenges, the Department of Labor and Employment (DOLE) has undertaken a number of initiatives to strengthen its labor inspectorate system. These include the increase in the number of labor inspectors from ? to ? and the computerization of the inspection process with the ILO supporting the development of the Labor Laws Compliance System Management Information System (LLCS MIS).. The LLCS adopts a more balanced approach that combines both regulatory and developmental strategies to labor inspection. A key feature of the LLCS is that it requires equal and active involvement of both employer and workers’ representative in the inspection process, now referred to as joint assessments.

Despite these improvements, the government of Philippines recognized that further efforts are to be paid towards strengthening the human and institutional capacity of its inspectorate throughout the country. The following were the particular needs that were identified to further increase the coverage and quality of labor inspection:

- Revision of DOLE’s internal governance systems and procedures to align with the policy and strategy framework of the Rules on Labor Law Compliance System (LLCS)
- Software and security upgrade of the LLCS-Management Information System (MIS) to make it more user-friendly and protect sensitive data
- System modifications to accommodate for the revised inspection checklists and the facility to customize report-generating functions
- Improvement of case management module to better facilitate decision-making and targeted inspections
- Capacity building of DOLE officials on using the software and overall LLCS-MIS to support workplace assessments
- Awareness building among the labor inspectors on their roles to implement labor inspection as well as knowledge on Occupational Safety and Health issues under the framework of the LLCS
- Capacity building among the labor inspectors in facilitating social dialogue with employers and workers
- Ratification of the ILO Labor Inspection Convention (No. 81)
- Enactment of a bill to institutionalize the LLCS
- Awareness building among the workers and employers of the LLCS process and their potential contribution to and their role in the system

The USDOL-funded ILO project on Building the Capacity of the Philippines Labor Inspectorate was designed to address these identified gaps. The development objective of the project is to improve workplace compliance with national labor laws. The project intends to achieve two immediate objectives, which are supplemented with six sub-immediate objectives:

<b>Immediate Objective 1: Effectiveness of labor inspection conducted by labor inspectors improved</b>
<b>Sub-Immediate Objective 1.1:</b> Improved collection and management of labor inspection statistics for better evidence-based and strategic labor inspections and compliance campaigns
<b>Sub-Immediate Objective 1.2:</b> Improved labor inspection institutional and legal framework
<b>Sub-Immediate Objective 1.3:</b> Improved technical competency of labor inspectors to undertake functions expected of them under the LLCS Manual and ILO Conventions No. 81 and No. 129
<b>Immediate Objective 2: Effectiveness of worker and employer engagement in the labor inspectors improved</b>
<b>Sub-Immediate Objective 2.1:</b> Models for effective tripartite collaboration and partnerships for promoting labor law compliance are established and piloted in selected regions
<b>Sub-Immediate Objective 2.2:</b> Improved participation of workers in the Labor Laws Compliance System (LLCS) at the enterprise, regional/ industry and national levels
<b>Sub-Immediate Objective 2.3:</b> Improved knowledge of employers on labor standards and enhanced capacity to engage in the LLCS process at the enterprise, regional/industry and national levels

This project aims to realize these objectives with the following strategies and activities:

- Facilitate tripartite review of the inspection checklists to enhance the quality and efficiency of labor inspections
- Enhancement of the LLCS MIS and capacity building of DOLE to use and manage the System
- Work with DOLE to strengthen the technical competency of labor inspectors.
- Capacity building of labor inspectors in specialized areas.
- Facilitate ratification of ILO Convention No. 81 on Labor Inspection in Commerce and Industry and ILO Convention No. 129 on Labor Inspection in Agriculture
- Advocate for the passage of a bill strengthening the labor inspectorate.
- Development of knowledge materials for workers and employers on LLCS.
- Development of guidelines/additional proposals and programmes that could broaden workers' participation in the LLCS and employers' capacity to sustain compliance through workplace committees.
- Support for tripartite compliance campaigns in selected sectors or regions.
- Production and dissemination of compendium of good practices for government, workers and employers

Building onto the ILO's tripartite mechanism and core mandate on social dialogue, the project works with the DOLE, trade unions, and employers. However, the core beneficiaries of the project are workers, as the project intended to ultimately protect the rights of workers and enhance their working conditions as a result of enhanced labor inspection system.

#### External mid-term Evaluation

An external mid-term evaluation was conducted by the donor in November 7-18, 2016. The objective of the mid-term evaluation was to identify what the project has or has not achieved, how the project has been implementing its activities, the perception of the stakeholders, review of performance data and results-tracking, appropriateness of the project design, and effectiveness of the project management. The mid-term evaluation was based on desk review, qualitative data collection, and field work. The mid-term evaluation came up with the following findings and recommendations:

- USDOL and ILO should engage in discussions on the prospects of a no-cost extension.
- Realign the project budget to ensure that sufficient resources are allocated and spent to support and sustain the LLCS MIS.
- Strengthen the project team capacity by hiring an IT advisor to provide technical support to the LLCS-MIS contractor.
- Simplify the project design and the PMP by reducing the number of outputs and indicators.
- Develop a methodology to measure the effectiveness of its capacity building and training activities, considering the large allocation of project budget for such activities.
- Develop a sustainability plan that outlines specific interventions, outputs, and results.
- Develop and implement a strategy to foster social dialogue and advocacy aimed at passing the LLCS Bill.
- Develop a targeting strategy to enable labor inspections to more effectively and efficiently work with

establishments that are at higher risk for non-compliance with international labor standards and national labor law.

- Develop policies on the use of tablets during Joint Assessments to enhance effectiveness and efficiency of the labor inspection. These policies need to be communicated to the labor inspectorate and establishments.

### Internal Interim Evaluation

This interim evaluation is internal, as agreed with the ILO EVAL Office and the donor. It will be coordinated by the Project and carried out by a qualified ILO internal evaluator.

Further objectives, scope, criteria, methodology, timeline, resource management, and deliverables are outlined below.

## II. Purposes and Objectives of the Evaluation

The interim evaluation serves three main purposes:

1. Assess the progress of the project in achieving its stated objectives
2. Guide management decisions to make project improvements
3. Provide recommendations and lessons learnt for similar future projects

Specific Objectives

1. Follow up from the mid-term recommendations
2. Update with detail assessment of activities from January 2017. Recommendations from this interim evaluation should also inform the project strategy/activities for the cost extension period.

## III. Evaluation Scope

1. The conduct of this internal interim evaluation has been agreed with USDOL. The final independent evaluation of the project will take place at the end of the project.<sup>5</sup>
2. The findings and recommendations from this evaluation will serve as a guide in fine tuning and finalizing the work plan for the project extension to August 2019 and make necessary adjustments as required.
3. The evaluation will have a greater focus on activities implemented since the mid-term evaluation (January 2017 to June 2018). The evaluation will cover all geographic coverage of the project. Gender equality and non-discrimination, promotion of international labor standards, tripartite processes and constituent capacity development should also be considered in this evaluation.
4. The interim evaluation findings, conclusions and recommendations will be primarily addressed to the national stakeholders, ILO and the Donor.
5. Primary clients are the beneficiaries, the ILO constituents, the ILO units directly involved in the project and the donor:
  - The Constituents (The Employers' Confederation of the Philippines; Trade Unions; DOLE)
  - The ILO (Country Office – Manila; ILO Labor Administration, Labor Inspection, and Occupational Safety Branch [LABADMIN/OSH], ILO Regional Office for Asia and the Pacific, ILO Decent Work Team, Workers [ACTRAV] and Employers [ACT/EMP]); and
  - The Donor (US Department of Labor).

## IV. Evaluation Criteria and Questions

1. The evaluation should address the following ILO evaluation criteria: relevance of the interventions; validity and logic of the theory of change; implementation effectiveness; effectiveness of management arrangements; efficiency of resource use; and likelihood of sustainability of interventions as defined in the ILO Policy Guidelines for results-based evaluation, 2017 (Annex 1).
2. The core ILO cross-cutting priorities, such as gender equality and non-discrimination, promotion of international labor standards, tripartite processes, and constituent capacity development should be considered in this evaluation. In particular, gender dimension will be considered as a cross-cutting concern throughout the methodology, deliverables and final report of the evaluation. To the extent possible, data collection and analysis should be disaggregated by sex as described in the ILO Evaluation Policy Guidelines and relevant Guidance Notes (Annex 1).

<sup>5</sup> A modification request to add \$250,000 to the existing grant and to extend the project period of performance until August 2019 was being processed at the time these ToRs were developed.

3. It is expected that the evaluation addresses all of the questions detailed below to the extent possible. The evaluator may adapt the evaluation criteria and questions, but any fundamental changes should be agreed upon between the ILO team and the evaluator. The evaluation instruments (to be summarized in the background report) should identify the general areas of focus listed here as well as other priority aspects to be addressed in the evaluation.
4. Suggested evaluation criteria and evaluation questions are summarized below:

*Relevance of the interventions*

- To what extent were the project strategies and approaches pertinent to stakeholders' (DOLE, Trade Unions, the Employers' Confederation of the Philippines) requirements and policies of partners and donors?

*Validity and logic of the theory of change*

- Did the project adjust its logical framework/Project Performance Monitoring Plan (PMP) as a follow up to the Mid-term Evaluation? If yes, is the new PMP appropriate to reach the project objective?
- What are the remaining gaps that need to be addressed within the year (short-term); in the next three years (medium-term); in the next five to ten years (long-term)?

*Implementation effectiveness*

- To what extent did the project achieve its planned results on capacity building of the tripartite constituents and labor inspectors? What were the limitations and what were the lessons learned?
- To what extent did the project achieve its planned results in improving the quality, management, utilization of LLCS-MIS?
- How effectively were the limitations identified in mid-term evaluation addressed?
- Has there been new intervening factors/actors (e.g. other donor assisted projects) that has emerged since the midterm evaluation that may have impaired or enhanced project performance or future ILO development assistance on labor inspection? What are the ways to maximize synergies and improve collaboration with these new actors?
- How effective was the project at stimulating interest and participation of project partners at the local, meso and national levels in conducting joint assessment and implementing LLCS?
- To what extent were the constituents able to fulfil the roles expected in the project strategies? How did the project address the capacity challenges?
- To what extent did the project contribute towards drafting and/or review of the LLCS Bill and promotion and ratification of Contention 81 and 129?
- To what extent did the project effectively mainstream gender and non-discrimination in project strategies and interventions?

*Effectiveness of management arrangements*

- To what extent were the technical and financial resources adequate and adapted to fulfill the project plans? Was the management and governance arrangement of the project adequate?
- How effective was the support provided to the project team by the ILO, USDOL, and tripartite constituents in delivering results? What could have been done differently?
- To what extent was results-based management implemented in the project?

*Efficiency of resource use*

- Were resources allocated/ used strategically to achieve its two immediate objectives (IOs)? And were they delivered in a timely manner? If not, what were the factors that have hindered timely delivery of outputs?
- To what extent were the project activities cost-effective? What level of the project activities (individual; institutional; systemic) provided the most cost-effective benefits?

*Sustainability*

- Did the project develop a sustainability plan and exit strategy as a follow up to the Mid-term Evaluation? If yes, is the proposed plan appropriate to sustain project results after closure?
- What are the lessons learned for achieving policy change and buy-in on creating an enabling environment for an efficient, effective, and targeted labor inspection?
- What lessons were learned and applied since the start of the project?
- Based on the outputs of this project, what are the key lessons learned that ILO and USDOL can take away on labor inspection project implementation, monitoring and evaluation?



## V. Methodology

1. The evaluation will comply with evaluation norms, standards and follow ethical safeguards, as specified in the ILO's evaluation procedures. The ILO adheres to the United Nations system of evaluation norms and standards as well as to the OECD/DAC Evaluation Quality Standards.
2. Both qualitative and quantitative evaluation approaches should be considered for this evaluation. The evaluation fieldwork will be qualitative and participatory in nature. Qualitative information will be obtained through field visits, interviews and focus groups as appropriate. Opinions coming from stakeholders will improve understanding of the achievement or non- achievement of quantitative targets set by the project. The participatory nature of the evaluation will contribute to the sense of ownership among stakeholders. Quantitative data will be drawn from project documents including the Technical Progress Reports (TPRs) and the PMP. A combination of sound quantitative and qualitative research methods (e.g. surveys, case studies, interview and focused group discussion with appropriate quantitative data analysis methods for each type of data collected) should be developed for each evaluation question as deemed appropriate. However, different evaluation questions may be combined in one tool/method for specific targeted groups as appropriate. Attempts should be made to collect data from different sources by different methods for each evaluation question and findings be triangulated to draw valid and reliable conclusions. Data shall be disaggregated by sex where possible and appropriate.
3. A detailed methodology will be elaborated by the evaluator on the basis of this ToR. The detailed methodology should include key and sub-question(s), detailed methods, data collection instruments and data analysis plans to be presented as a key element in the background report.
4. The methodology for collection of evidences should be as follows:
  - 1) Document Review
    - The evaluator will review the project document, work plans, project monitoring plans, progress reports, previous evaluations completed by ILO and donors, government documents, meeting minutes, policy frameworks, draft regulations or laws that relate to the influencing agenda aspects of the project, and other documents that were produced through the project or by relevant stakeholders. In addition, the evaluator will conduct electronic or telephone interviews with the ILO-Manila project team and respecting the attempt to reduce duplication of consultation on issues that were recently evaluated or that have been evaluated in the past years. The evaluator will receive a briefing by the project team and conduct an internal scoping exercise.
  - 2) Inception Report
    - An inception report will be prepared by the evaluator and approved by the project management. The purpose of the inception report is to ensure that operational plan of the evaluation, prepared by the evaluator, is consistent with the TOR. The inception plan shall cover, administrative information, background information, objective of the evaluation, evaluation criteria and questions, methodology, field mission, deliverables, and workplace.
  - 3) Stakeholder Focus Group Discussions (FGDs)
    - The evaluator will first complete relevant consultations with internal ILO-Manila (e.g. the Programme Officers, project staff, and technical officers, project staff) and DWT-BKK specialist followed by consultations with other stakeholders such as donors, buyer representatives, or similar.
    - The evaluator will conduct FGDs with key local tripartite stakeholders to get their views and feedback on the project's engagement with them, particularly as related to policy influencing. This may include one or more FGDs or meetings with government representatives, workers or employers' associations and implementing partners. The evaluator will work together with project management to ensure that the participants who can provide information to answer the questions are invited to the focus group meeting or, if availability does not allow, that separate meetings are organized.
    - Based on these meetings and the document review, the evaluator will build an initial set of conclusions and possible recommendations for next steps.
  - 4) Follow-up Meeting with Internal Key Stakeholders
    - Half day follow-up meeting with internal key stakeholders to validate the evaluation findings with constituents and initiate a discussion on the recommendations. The participants of this meeting will be:
      - Programme staff from ILO CO-Manila;
      - Project staff as appropriate;
      - Technical specialist from DWT-BKK, as required.

A more detailed list of participants for the focus group meeting as well as for the follow-up meeting will be finalized with consultation between the evaluator and the project.

5) Evaluation Report

- Based on the inception report and the inputs from the key stakeholders' discussions during the focus groups and follow-up meetings, the evaluator will draft the evaluation report. The draft report will be sent to the project management by the evaluator. The project management will forward the report to donors and stakeholders for their inputs/comments to the report. The project staff will consolidate the comments and forward them to the evaluator for consideration in finalizing the draft report.
- The evaluator will finalize the report, taking into consideration the stakeholder comments.

## VI. Main Deliverables

1. The evaluator will provide the following deliverables and tasks:

Deliverable 1: Inception report. The inception report will include among other elements the evaluation questions and data collection methodologies and techniques, and the evaluation tools (interview, guides, questionnaires, etc.). The instrument needs to make provision for the triangulation of data where possible. The evaluator will prepare an inception report as per the ILO Checklist 3: Writing the inception report (Annex 2).

Deliverable 2: Stakeholder workshop. The evaluator will conduct one stakeholder workshop in Manila to validate information and data collected through various methods. A final national stakeholder workshop in Manila will be conducted to share the preliminary findings with the ILO and local stakeholders at the end of evaluation mission. The stakeholder workshop will be organized by the project team with assistance from the ILO Country Office - Manila. Evaluation findings should be based on facts, evidence and data. This precludes relying exclusively upon anecdotes, hearsay and unverified opinions. Findings should be specific, concise and supported by triangulation of quantitative and qualitative information derived from various sources to ensure reliability, validity and generalizability.

Deliverable 3: First draft evaluation report. Evaluation report should include action-oriented, practical and specific recommendations assigning or designating audiences/implementers/users. The draft evaluation report should be prepared as per the ILO Checklist 5: Preparing the Evaluation Report which will be provided to the evaluator. The first draft evaluation report will be improved by incorporating evaluation manager's comments and inputs.

Deliverable 4: Final evaluation report with evaluation summary. The evaluator will incorporate comments received from ILO and other key stakeholders into the final report. The report should be finalized as per the ILO Checklist 5: Preparing the Evaluation Report which will be provided to the evaluator. The quality of the report and evaluation summary will be assessed against the ILO Checklists 5, 6, 7, and 8 which will be provided to the evaluator.

2. The reports and all other outputs of the evaluation must be produced in English. All draft and final reports including other supporting documents, analytical reports, and raw data should be provided in electronic version compatible with WORD for windows. Key stakeholders can make appropriate use of the evaluation report in line with the original purpose and with appropriate acknowledgement.

## VII. Management Arrangements and Workplan

1. The project management will manage the interim evaluation with oversight provided by Regional Evaluation Officer. Final evaluation report is subject to the approval of the ILO Evaluation Office at Headquarters. One qualified ILO official will be assigned to conduct this evaluation. The evaluation will be funded from project budget. ILO-Manila project team will provide any logistical and other assistance as required. The ILO-Manila project team will be responsible for the following tasks:

- Draft and finalize the evaluation TOR upon receiving inputs from key stakeholders;
- Provide project background documents to the evaluator;
- Coordinate with the field visit (within Metro Manila only) agenda of the evaluator;
- Circulating the report to all concerned for their comments;
- Review and provide comments of the draft evaluation report; and
- Consolidate comments and send them back to the evaluator.
- Prepare a list of recommended interviewees;
- Schedule meetings for field visit and coordinating in-country logistical arrangements;

- Be interviewed and provided inputs as requested by the consultant during the evaluation process;
  - Organize and participate in the stakeholder workshop; and
  - Provide logistical and administrative support to the evaluator, including travel arrangements (e.g. plane and hotel reservations, purchasing plane tickets, providing per diem) and all materials needed to provide all deliverables.
2. The evaluator will lead the evaluation and will be responsible for delivering the above evaluation deliverables using a combination of methods as mentioned above.
  3. Indicative time frame and responsibilities

No.	Task	Responsible person	Time frame (by end)
1	Preparation of the 1 <sup>st</sup> draft TOR for the project for review and comment	Evaluation Manager	May 10 <sup>th</sup>
2	Selection of ILO internal evaluator	Evaluation Manager	May 7 <sup>th</sup> - May 31 <sup>st</sup>
3	Share the draft ToR with relevant ILO staff (including evaluator) and constituents for review and comments/inputs	Evaluation Manager (send emails soliciting comments)	May 11 <sup>th</sup> – June 4 <sup>th</sup>
4	Share the revised draft TOR with the donor for comments/inputs	Project (send emails soliciting comments)	June 6 <sup>th</sup> – June 15 <sup>th</sup> (review period: 7 working days)
5	Draft mission itinerary for the evaluator and the list of key stakeholders to be interviewed	Evaluation Manager	May 31 <sup>st</sup>
6	Submit inception report to project management	Evaluator	June 22 <sup>nd</sup>
7	Circulate inception report to relevant ILO staff for comments/inputs for three days	Evaluation Manager	June 22 <sup>nd</sup>
8	Approve inception report	Evaluation Manager	June 28 <sup>th</sup>
9	Conduct Evaluation Mission and stakeholder workshop	Evaluator (The project staff support the workshop arrangements)	July 9 <sup>th</sup> – July 13 <sup>th</sup>
10	Draft report submitted to project management	Evaluator	July 27 <sup>th</sup>
11	Share the draft report with all concerned stakeholders (constituents and the donor) for comments for two weeks	Evaluation Manager	July 30 <sup>th</sup> – August 10 <sup>th</sup>
12	Consolidate comments into the draft report and send to the evaluator	Evaluation Manager	August 15 <sup>th</sup>
13	Finalize the report and submit to Evaluation Manager	Evaluator	August 16 <sup>rd</sup> – August 24 <sup>th</sup>
14	Review the final report; share the final report relevant ILO staff and donor for comments/inputs (if any) for five days	Evaluation Manager	August 24 <sup>th</sup> – August 30 <sup>th</sup>
15	Submit the final report to EVAL	Evaluation Manager	August 31 <sup>st</sup>

## X. Annex

- Annex 1: All relevant ILO evaluation guidelines and standard templates
  - ILO Policy Guidelines for results-based evaluation, 2012  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_176814/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_176814/lang--en/index.htm)
  - Code of conduct form (To be signed by the evaluators)  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_206205/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_206205/lang--en/index.htm)
  - Checklist No. 3 Writing the inception report  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_165972/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_165972/lang--en/index.htm)
  - Checklist 5 preparing the evaluation report

- [http://www.ilo.org/eval/Evaluationguidance/WCMS\\_165967/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_165967/lang--en/index.htm)
- Checklist 6 rating the quality of evaluation report  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_165968/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_165968/lang--en/index.htm)
- Template for lessons learnt and Emerging Good Practices  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_206158/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_206158/lang--en/index.htm)  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_206159/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_206159/lang--en/index.htm)
- Guidance note 7 Stakeholders participation in the ILO evaluation  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_165986/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_165986/lang--en/index.htm)
- Guidance note 4 Integrating gender equality in M&E of projects  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_165986/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_165986/lang--en/index.htm)
- Template for evaluation title page  
[http://www.ilo.org/eval/Evaluationguidance/WCMS\\_166357/lang--en/index.htm](http://www.ilo.org/eval/Evaluationguidance/WCMS_166357/lang--en/index.htm)
- Template for evaluation summary  
<http://www.ilo.org/legacy/english/edmas/eval/template-summary-en.doc>

## Annexure 5: List of participants at the stakeholders' workshop

- 1) Joinel Cruzado, Senior LEO, ILAB DOLE
- 2) Ma Imelda Santos, CLEO, BWC, DOLE
- 3) Melanie Banayos, Supervising LEO, BWC, DOLE
- 4) Beejay Marasigan, Union President, FFW
- 5) Kristine Carol Soriente Ramos, Senior LEO, BWC, DOLE
- 6) Ma Teresita Cucueco Director IV, BWC, DOLE
- 7) Ray Tadeo, Manager, ECOP
- 8) Ramon Certeza, Coordinator, IndustriALL
- 9) Nelia Granadelies, OSHC
- 10) Larry Javier, Organizer, SENTRO
- 11) Shirley Yorong, National Director for Eco Services, ALU
- 12) Edwin Bustillos, Sectoral Representative, National Anti-Poverty Commission (NAPC)
- 13) Florencia Cabatingan, TUCP
- 14) Arleen Taguba, Project Manager, The Artisanal and Small-Scale Gold Mining (ASGM)
- 15) Raquel Clavillas, Union Rep
- 16) Sonny Matula, President, FFW
- 17) Khalid Hassan, Director, ILO Country Office for the Philippines
- 18) Diane Lynn Respal, National Programme Officer, ILO Country Office for the Philippines
- 19) Cerilyn Pastolero, Project Manager, Building the Capacity of the Philippines Labor Inspectorate Project, ILO
- 20) Jake Tolentino, M&E Officer, Building the Capacity of the Philippines Labor Inspectorate Project, ILO
- 21) Liezl Amparo, Administrative Assistant, Building the Capacity of the Philippines Labor Inspectorate Project, ILO
- 22) René Robert, Labor Administration/Inspection Specialist, ILO DWT, Bangkok
- 23) Keith L Goddard, International Relations Officer, Office of Trade and Labor Affairs, USDOL

## Annexure 6: Project results matrix with updated status till June 2018

*\*reproduced from the project results matrix for the PAC*

Objective	Expected Result	Target	Accomplished	Explanation of Rating
<b>Immediate objective 1: Effectiveness of labor inspection conducted by LLCOs is improved.</b>	1. Percentage of establishments which corrected deficiencies identified during assessments	GLS: 50 % OSH: 40%	GLS: 13.24 % OSH: 40%	GLS - 13.24% (3,757 effected plant level correction / 28,366 w/GLS violations) Target: 50% OSHS - 10.63% (2,397 fully implemented action plan / 22,555 w/OSHS violations) Target 40%
<b>Sub-Immediate Objective 1.1: Improved collection and management of labor inspection statistics for better evidence-based and strategic labor inspections and compliance campaigns</b>	2. Number of annual reports on Labor Inspection in the Philippines	1	0	A draft has been written by ILS and BWC. Draft has been commented on by senior officials and initial data used during the Capacity Building Workshops on Strategic Compliance. BWC has updated the draft of the inspection report and intends to present this in the next Tripartite Executive Committee (TEC).
	3. Percentage of Regional LLCOs and managers who rate that technical advisory services from DOLE Support Unit on the use of the LLC-MIS as "satisfactory"	75%		The evaluation of this indicator will only take place at the project's conclusion as part of the end line data collection.
	4. Percentage of DOLE offices and associated technical agencies which use and/or integrate data from the LLCS MIS in policy making and programme delivery	Policy Devt: 30% Planning: 80%		The evaluation of this indicator will only place at the project's conclusion as part of the end line data collection.
<b>Output 1.1.1: Labor Inspection tools are reviewed and revised/developed to improve collection of LI statistics which at a minimum include information on matters indicated in Article 21 of ILO Convention 81 (Labor Inspection Convention, 1947) and in Part IV of the Labor Inspection Recommendation, 1947 (No.81)</b>	5. Number Labor Inspection tools revised/developed	5	4	4 LI tools have been reviewed and undergoing revision with Project support – LI general inspection checklist on GLS and OSH, contracting and subcontracting checklist, accident investigation reporting tools and forms and the labor inspection operational manual .
<b>Output 1.1.2: The existing computerized inspection system and database (LLCS-MIS) is upgraded to improve and/or add new features and functions</b>	6. Number of computerized inspection system and database (LLCS-MIS) upgraded and fully operational	1	1	The LLCS MIS has been enhanced using open-source programming language to allow for compatibility with other government databases. The different components of the System are undergoing various stages of testing. The Inspection module is already used and undergoing stress testing. It allows for System-based assignment and monitoring of inspection activities, a wage calculator, and built in camera for taking photographic evidence, listing of names of workers' affected for each violation. The Case Management module allows for monitoring of cases at each stage of the process, DOLE officials assigned at each stage, names and number of workers affected and amount of restitution. Report generation?

Objective	Expected Result	Target	Accomplished	Explanation of Rating
<b>Output 1.1.3: LLCs-MIS is successfully transferred to national management, which also includes proper documentation of codes, protocols and procedures, technical manuals, development process and lessons learned</b>	7. Number of targeted DOLE personnel that demonstrate improvement in technical skills from pre- to post-training assessments.	430	13	At least 13 targeted users of the LLCs MIS increased test scores during the post test for the initial UAT /Systems orientation and training conducted.  This was followed by 16-region specific UAT/ trainings on the use of the Inspection Module of the System which were conducted by BWC IT staff, using DOLE MIS funds.  More batches are expected with the completion of the MIS.
	8. Number of case study on LLCs MIS developed	1	0	According to the revised work plan the activity related to this output is yet to be completed. Documentation of the process has already been started by the Project team.
<b>Output 1.1.4: LLCs-MIS focal points and officials from DOLE and related technical agencies are oriented on the use of LLCs-MIS data and its use for determining work priorities, social dialogue and possible inter agency coordination in the conduct of inspections and labor laws compliance campaigns</b>	9. Number of targeted government personnel oriented on LLCs MIS data and statistics.	82	0	Shall take place when the upgrades on the MIS are already complete
<b>Output 1.1.5: Results based performance metrics and evaluation system to capture the use of MIS data for effective LLCs implementation is developed</b>	10. Number of results-based monitoring and evaluation system to assess effectiveness of LLCO implementation is developed	1	1	Individual performance metrics for labor inspectors were developed based on the proposed revised job descriptions. These have been used by DOLE BWC in the identification of targets for the year.
	11. Number of targeted DOLE personnel trained on performance management	32	136	One hundred thirty (136) six inspection managers, HR officers and Planning Officers from the regional and field offices were capacitated on results based management and on the development of individual performance metrics. This is compared to the thirty (30) targeted under the Project.
<b>Sub-Immediate Objective 1.2: Improved labor inspection institutional and legal framework</b>	12. Number of legal reforms/policy measures introduced for adoption to align national law and practice with ILO C 81 and C 129	2	2	Two legal/policy reforms on labor inspection where the Project contributed - the revised labor inspection rules (DO 183-17) and the inspection component of the OSH Bill
<b>Output 1.2.1: Action plan for the ratification of C81 and/or C129 is developed</b>	13. Number of Action plan for the ratification of C81 and/or C129 developed	1	1	The action plan has been by DOLE BWC in coordination with the DOLE International Labor Affairs Bureau (ILAB) and was presented to the PAC in June 2018.
	14. Number of copies of FAQs to raise awareness and support for proposals to align national laws and practice with ILO C 81 and C 129 distributed	250	0	Requires updating based on recent developments, particularly DO 183-17
<b>Output 1.2.2: Draft policy on LLCs is revised to address gaps between national laws and practice.</b>	15. Number of tripartite reviewed draft policy measure to improve LLCs implementation	1	1	During the period the revised labor inspection rules were issued.



Objective	Expected Result	Target	Accomplished	Explanation of Rating
<b>Sub-Immediate Objective 1.3: Improved technical competency of LLCOs to undertake functions expected of expected of LLCOs under the LLCS Manual and ILO Conventions No. 81 and No. 130</b>	16. Number of targeted DOLE personnel that demonstrate improvement in technical skills from pre- to post-training assessments.	148	72	72 labor inspectors and DOLE officials improved post test scores (88% for Accident Investigation and 73% for the batch of the labor inspection training) To include VizMIN test results
	17. Number of specialised inspections in priority areas done	1360	1001	1001 specialised inspections were conducted right after the first orientation on contracting and subcontracting in 2016.
<b>Output 1.3.1: Needs-based training programme for DOLE staff (managers, LLCOs, and support staff), to implement the LLCS, including conduct of specialised inspections, is designed and implemented</b>	18.. Number of proposed revised job description for LLCOs developed	1	4	Four (4) individual performance metrics for labor inspectors were developed based on the proposed revised job descriptions. These have been used by DOLE BWC in the identification of targets for the year.  One hundred thirty (136) six inspection managers, HR officers and Planning Officers from the regional and field offices were capacitated on results based management and on the development of individual performance metrics. This is compared to the thirty (30) targeted under the Project.
	19. Number of training modules for LLCOs developed	1	0	The development of the training programme however is ongoing to focus on understanding of labor standards, jurisprudence, and core inspection skills, interviewing, evidence gathering and case documentation.
<b>Immediate objective 2: Effectiveness of worker and employer engagement in the LLCS is improved</b>	20. Percentage of social partners who rate their level of engagement in the design and implementation of the Labor Law compliance system as "high"	Workers: 70% Employers: 70%		The evaluation of this indicator will only take place at the project's conclusion as part of the end line data collection.
<b>Sub-Immediate Objective 2.1: Models for effective tripartite collaboration and partnerships for promoting labor laws compliance are established and piloted in selected regions</b>	21. Number of Collaboration Agreements among social partners in pilot areas in reached and implemented	3	0	These are yet to take place but the Project has so far assisted the development of 17 strategic compliance plans for all regions
<b>Output 2.1.1: Stakeholders in pilot regions oriented on the LLCS including compliance results and data to guide targeted inspections</b>	22. Number of tripartite representatives in pilot regions oriented on LLCS	300	779	From 200 target tripartite representatives to be oriented, the Project has oriented 779 tripartite partners on the LLCS, status of inspection activities and developments.
<b>Output 2.1.2: Joint-assessment good practice toolkit from tripartite experiences in pilot regions produced and disseminated</b>	23. Number of Joint-assessment good practice compendium based on pilot region experiences produced and distributed	250	0	According to the revised work plan the activity related to this output is yet to be completed.
<b>Sub-Immediate Objective 2.2: Improved participation of workers in the Labor Laws Compliance System (LLCS) at the enterprise, regional/ industry and national levels</b>	24. Number of targeted workers with improved understanding of workers' rights and related issues.	120	66	Of the initially trained 30 worker representatives only 24 (80%) had improved test scores during the post test. With the proposed refresher training for workers the target could still be achieved. Partners trade unions have started

Objective	Expected Result	Target	Accomplished	Explanation of Rating
				implementing their own capacity building programmes in their respective networks
<b>Output 2.2.1: Needs-based training programme for workers on practical workplace-based implementation of LLCS is designed and implemented</b>	25. Number of workers' training module developed on practical workplace-based implementation of LLCS	1	0	Currently undergoing finalisation to take into account the proposed new inspection rules, new rules on contracting and subcontracting, and DO 183-17.
<b>Output 2.2.1: Needs-based training programme for workers on practical workplace-based implementation of LLCS is designed and implemented</b>				
<b>Output 2.2.1: Needs-based training programme for workers on practical workplace-based implementation of LLCS is designed and implemented</b>	26. Number of union leaders trained as trainers	30	30	Initial training conducted for 30 trade union leaders on labor inspection, workers' role, General Labor Standards (GLS), Occupational Safety and Health Standards (OSHS), social dialogue and paralegal.
<b>Output 2.2.2: Recommendations on workers' representations in the LLCS process is developed</b>	27. Number of DOLE issuances (Department Order) on Guidelines on workers' representation in assessment activities drafted	1	1	DOLE 183-17 includes provisions on workers' representation and participation in compliance activities.
<b>Output 2.2.3: Trade union monitoring is established to provide support to both unionised and non-unionised enterprises prepare for an assessment, provides feedback to DOLE on enterprise compliance to remediation plans, and conduct campaigns to raise workers' awareness on labor standards and the LLCS</b>	28. Number of LLCS trade union monitoring and advocacy network established	5	5	Currently each trade union partner has established their respective trade union monitoring networks
<b>Output 2.2.4: Worker good practice compendium on LLCS produced and disseminated.</b>	29. Number of Worker good practice compendium distributed	250	0	According to the revised work plan the activity related to this output is yet to be completed.
<b>Sub-Immediate Objective 2.3: Improved knowledge of employers on labor standards and enhanced capacity to engage in the LLCS process at the enterprise, regional/industry and national levels</b>	30. Number of targeted employer representatives with improved understanding of workers' rights and related issues	96	20	Of the initially trained 30 employer representatives only 20 had improved test scores during the post test. With the proposed refresher training for workers the target could still be achieved.
<b>Output 2.3.1: Needs-based training programme for employers on practical workplace-based implementation of LLCS is designed and implemented</b>	31. Number of Employer LLCS training manual developed	1	0	Revision of the training module ongoing to take into account changes in guidelines on contracting and subcontracting, new inspection rules, and DO 183-17.
	32. Number of employers representative trained as trainers	30	30	Initial training conducted for 30 employers' focal points/ subject matter experts under the ECOP Helpdesk on labor inspection, employers' role, GLS,

Objective	Expected Result	Target	Accomplished	Explanation of Rating
				OSH, social dialogue and the ILO Tripartite Declaration on Multi National Enterprises.
<b>Output 2.3.2: Employer good practice compendium on LLCS produced and disseminated</b>	33. Number of Employer good practice compendium distributed	250	0	According to the revised work plan the activity related to this output is yet to be completed.

## Annexure 7: Lessons learned

<b>Project Title:</b>	Building the Capacity of the Philippines Labour Inspectorate	<b>Project TC/SYMBOL:</b>	PHI-14-06-USA
<b>Name of Evaluator:</b>	Sohana Samrin Chowdhury	<b>Date:</b>	7 August 2018
The following lesson learned has been identified during the course of the evaluation.			

LL element	Text
<b>Brief description of lesson learned (link to specific action or task)</b>	1. An inspectorate reform and capacity building project would require a longer period of time to fully meet objectives and achieve any results. Therefore, such projects must include a project inception phase during design to assess and analyse the inspectorate's powers in both law and in practice.
<b>Context and any related preconditions</b>	The IE was provided with an opportunity to reiterate the importance of a substantive and adequate project inception phase for the implementation, monitoring and evaluation of any project – especially if the aim is to build the capacity of a labour inspectorate. Especially in the context of labour inspection, the projects must first allocate adequate time and resources to assess the legal and institutional framework at technical, multi-disciplinary and organisational level. This will enable determination of the scope and limitations of the inspectorate's powers in both law and in practice, and where the operational bottlenecks are. A broader gap analysis can then follow including a review of legislation, processes, procedures, building partners' capacity for monitoring and evaluation and building consensus on indicators of achievement. Taking into account the diversity of national systems and differing levels of operational capacity of social partner organisations, the processes through which social partners are involved in decision making processes around labour inspection legislation and policies should also be thoroughly analysed. Without these essential assessments, the scope and design of such interventions may require repeated revisions during the intervention phase, which could be avoided through an inception phase of the project where thorough analysis of each the stakeholders' needs, existing capacities and expectations are studied.
<b>Targeted users/Beneficiaries</b>	The labour inspectorate and the Project
<b>Challenges/negative lessons – Causal factors</b>	Negotiating the time and resources with the donors for an adequate and practical inception phase might be a challenge. It can be also challenging to overcome a tendency to prioritize delivery of activities and outputs rather than strategizing how to effectively and efficiently fulfill the main objectives of the Project.

<b>Success/Positive Issues – Causal factors</b>	Like any other project, an inception phase for labour inspectorate reform project will produce intended results within the stipulated time if only the interventions are effectively conceived and planned to respond to concrete development needs.
<b>ILO Administrative Issues (staff, resources, design, implementation)</b>	ILO HQ should play a catalytic role in arranging this through higher level donor negotiation.

LL element	Text
<b>Brief description of lesson learned (link to specific action or task)</b>	2. Systematically engaging with the main Government partner through continuous project update enhances project progress and ownership on the side of the government
<b>Context and any related preconditions</b>	In projects like these, where there are limitations to directly transfer any development fund to the government, securing national ownership becomes a challenge. To ensure that there is a positive effect on the continuity of the results of these projects, maintaining a strong bilateral relationship with government and continuously updating them on the project progress and interventions can be of great value to receive ongoing policy support. This has been the case in this project also where the successful and consistent engagement with the DOLE and BWC has enhanced the project progress and ownership on the side of the government. Moreover, the Project outputs and strategies to deliver these outputs were also linked closely with the respective mandate and priorities of the government and the social partners which has helped build the trust and ownership within the constituents.
<b>Targeted users/Beneficiaries</b>	The labour inspectorate and the Project
<b>Challenges/negative lessons – Causal factors</b>	However, to maximise the government engagement and, at the same time, adequate attention is also required to involve and engage the employers' and workers' organizations and ensure that they are fully integrated not only in the project implementation, but in decision making roles from the inception of the project.
<b>Success/Positive Issues – Causal factors</b>	The project was successful in effectively involving the DOLE and BWC, including the regional offices, and to secure their commitments to the Project. Therefore, the ownership of the project activities is very high.
<b>ILO Administrative Issues (staff, resources, design, implementation)</b>	ILO should continue its role to foster and encourage greater stakeholder involvement at all levels of the project cycle.

LL element	Text
<b>Brief description of lesson learned (link to specific action or task)</b>	3. Coordinated and strategic technical backstopping boosts project performance as well as ensures greater national ownership of project results.
<b>Context and any related preconditions</b>	The ILO has provided significant added value via its extensive technical backstopping in project implementation, making good use of its comparative advantage in labour inspection. This is validated as providing added security to the donors and national partners. Given the level of challenges the project faced, this support was essential in keeping the project on track. The LABADMIN specialist from the DWT Bangkok was fully involved in providing technical support and training inputs to the project, which increased the level of trust and sense of urgency among the government. A prime function of the backstopping in this project was quality assurance by advising and monitoring the adherence of the project to the ILO norms, standards, and guidelines. The government, on the other hand, was also very keen to utilise the expertise of the ILO backstopping services to their benefit.
<b>Targeted users/Beneficiaries</b>	The Project and the government
<b>Challenges/negative lessons – Causal factors</b>	To achieve effective technical backstopping, however, it is essential that the targeted specialist is delegated a clear responsibility to consistently technically guide and monitor the project so that the works of the backstopping unit and personnel are officially acknowledged and not considered as uninvited additional work.
<b>Success/Positive Issues – Causal factors</b>	The ILO was able to make a significant contribution to the project through its own resource base and technical expertise.
<b>ILO Administrative Issues (staff, resources, design, implementation)</b>	ILO should continue this backstopping functions in other projects by settled the role of the technical backstopper in a formal manner from the outset of the projects.

LL element	Text
<b>Brief description of lesson learned (link to specific action or task)</b>	4. Inspection functions should be coordinated between regulatory bodies/agencies to ensure better use of resources and maximise effectiveness.
<b>Context and any related preconditions</b>	To improve the efficiency of several inspection functions present in a country is to coordinating their functions as much as possible. This will not only help decrease the costs of inspection, but will remove any overlaps. There are certain areas where more than one agency control and enforce regulations separately and this is to a great extent done without a coordinated effort and inconsistently. In most of the cases, the agencies use different sets of regulations. Therefore, labour inspection projects should first identify main areas of overlap and duplication among existing institutions authorized to inspect and enforce regulations with the aim to coordinate multiple efforts where necessary. The suggested most important core inspection and enforcement functions that should serve as foundation for such an inter-agency coordination include: food and non-food products safety, building, fire and electrical safety, occupational safety and health, environmental protection and transportation safety among several others.
<b>Targeted users/Beneficiaries</b>	The government and its regulatory bodies with inspection functions, the employers and workers of the establishments/services under different inspection and overall general public
<b>Challenges/negative lessons – Causal factors</b>	The core objective of such inter-agency coordination is to achieve higher effectiveness in inspection and enforcement functions. However, this objective can only be achieved if inspectors from all agencies operate in an accountable, consistent and transparent manner and maintains a clear communication strategy for the regulated subjects about what to expect and how to comply. Therefore, efforts must be in place to ensure that agencies operating in and inspecting related fields should harmonise their approaches and requirements either through publicizing joint guidance as and when possible. Ensuring effective information sharing and coordination between inspectorates is another challenge that should be considered in this respect. A joint data management and analysis system will be required to share information between different inspectorates.
<b>Success/Positive Issues – Causal factors</b>	Inspection functions are consolidated, duplications and overlaps removed leading to higher effectiveness in inspection and improved workplace compliance.
<b>ILO Administrative Issues (staff, resources, design, implementation)</b>	ILO can take the lead in this, fostering coordinated approach through increased consultation between regulatory agencies and helping the government with necessary policy formulation as well as establishing necessary linkages between different data management systems – all with the aim to ensure sustainable consolidation of inspection functions.



LL element	Text
<b>Brief description of lesson learned (link to specific action or task)</b>	5. A regular Project Advisory Committee (PAC) is critical to involve all tripartite partners in the project effectively.
<b>Context and any related preconditions</b>	The constituent members all acknowledged the importance of the tripartite discussion process being developed in the programme, primarily through the PAC meetings as well as other events organized by the programme that involve participation from the constituents and other stakeholders. Regular and meaningful meetings of the PAC has helped the project greatly in the areas of building consensus around labour inspection policy and subsequent rules. Given the size of the project, investing in greater social dialogue interventions was not practical during the initially approved tenure. Therefore, in addition to the regular project monitoring and advisory roles, the ILO has leveraged the PAC platform in promoting a common vision in the area of labour inspection and workplace safety. PAC has proven to be an effective strategy for ensuring that future efforts in tripartite partnership building would continue in the same line.
<b>Targeted users/Beneficiaries</b>	Members of the PAC, essentially the tripartite constituents, the project team and the ILO country office.
<b>Challenges/negative lessons – Causal factors</b>	The effectiveness of project activities might be limited in the areas such as issues with non-unionized entities, incentivising employers for quicker remediation of violations, level of social partners' involvement before and after inspection – if the PAC does not respond to these needs as and when identified. However, as some of these issues go beyond the mandate of the PAC at the project level, mechanisms should be in place where these kinds of issues can be escalated to the national/regional tripartite committees.
<b>Success/Positive Issues – Causal factors</b>	The effective and meaningful involvement of all tripartite constituents, especially in a country where most of the employers and workers' organizations are fragmented, through leveraging the PAC also leads to sustained commitments and visible ownership of the project.
<b>ILO Administrative Issues (staff, resources, design, implementation)</b>	ILO should continue its role to utilise these tripartite committees for greater stakeholder involvement.

## Annexure 8: Good practices

<b>Project Title:</b>	Building the Capacity of the Philippines Labour Inspectorate	<b>Project TC/SYMBOL:</b>	PHI-14-06-USA
<b>Name of Evaluator:</b>	Sohana Samrin Chowdhury	<b>Date:</b>	7 August 2018
The following emerging good practice has been identified during the course of the evaluation.			

GP element	Text
<b>Brief description of the good practice; link to specific action, task or policy</b>	1. The Strategic Compliance Planning (SCP) workshop, utilizing the MIS data to guide tripartite compliance planning and the development of proposed regional labour inspection plans for 2018
<b>Relevant pre-conditions, Context</b>	<p>The workshops were facilitated by ILO's Regional Labour Administration and Inspection Specialist, based on the ILO's training methodology on Strategic Compliance Planning for labour inspectorates. All DOLE Regional Directors participated along with workers' and employers' representatives from the Regional Tripartite Industry Peace Councils (RTIPC), as well as one representative from the DOLE Autonomous Region of Muslim Mindanao (ARMM). Through two batches of this workshop, preliminary tripartite compliance plans were drafted by 7 Regions in Luzon and 8 Regions in Visayas/Mindanao as well as the ARMM. The plans each focused mostly on one priority issue facing the respective regions covering matters such as contractualization, underpayment of the minimum wage; non-payment of social security contributions; fire safety and child labour. The activity was done at an opportune time shortly after the DOLE set national priorities for inspection in 2018 and prior to the finalization of corresponding regional inspection plans. During the workshops, the role of facilitating the discussion within their respective regional groupings were given to the Regional Directors /Assistant Regional Directors and DOLE Central Office and staff from the Bureau of Working Conditions (BWC), the Institute for Labor Studies (ILS) and DOLE Planning Service (PS). This allowed them get familiarized with Strategic Compliance Planning and has enabled them to replicate the process in their respective regions. By the end of the workshop, several regional officials have already expressed intent to run a similar exercise among their Field and Provincial Offices, to help in concretizing their respective regional inspection plans. Both batches of SCP workshops also provided workers the opportunity to promote the role of trade union monitoring networks. According to the ECOP, the workshop has provided them with an opportunity to raise the profile of the organization and their ECOP Helpdesks in assisting smaller employers' organisations in the regions to promote compliance. The participation of ARMM has also provided with a window of opportunity to design activities to respond to the specific needs of the ARMM.</p>

<b>Causal Factors</b>	The activity has been seen by the partners as a platform and an approach to strategically identify compliance priorities and interventions that also encourages tripartite involvement in compliance planning.
<b>Targeted users/Beneficiaries</b>	The project, the national and regional offices of the DOLE, the social partners
<b>Indicate Measurable impact</b>	The Project can use the results of the Strategic Compliance Workshops as a framework for the follow-up activities of workers and employers under the Project.
<b>Potential for replication</b>	The SCP workshop can be replicated within Philippines at priority sectors, especially those which are most hazardous and requires immediate attention. This has also been one of the key recommendations from the government and social partners.
<b>Links to Country Programme Outcomes or ILO Policy</b>	This is linked to the DWCP Outcome 2.1 under DWCP Priority 2. These DWCP outcomes further links to ILO P&B 2018-2019 Outcome 7 - Promoting workplace compliance through labour inspection including in global supply chains.
<b>Other relevant documents or comments</b>	Not applicable

GP element	Text
<b>Brief description of the good practice; link to specific action, task or policy</b>	2. DOLE's ownership and commitment towards using the performance metrics for labour inspectors and institutionalizing gains from the whole process
<b>Relevant pre-conditions, Context</b>	The Project supported the process of developing proposed performance indicators for labour inspectors, based on the proposed job descriptions developed also with Project support. These performance indicators have also been used by DOLE in setting targets for 2018, for each Regional Office, taking into consideration the number of establishments in the region, especially those belonging to priority sectors for inspection. Four proposed individual performance metrics for labour inspectors were developed, aligned with the proposed job descriptions and requirements set by the Civil Service Commission (CSC) and the Department of Budget and Management (DBM).
<b>Causal Factors</b>	DOLE has from the start committed to learning from the process and institutionalizing gains from the process of developing these performance metrics. During the process of reviewing the job descriptions and identifying appropriate and more realistic performance indicators, discussions of the impact of its implementation to over-all regional operations was inevitable. DOLE HRDS has indicated openness to replicate the same process in the review of job descriptions of other inspection support staff in the regions as part of government initiatives to streamline functions. The Project's coordination and bilateral engagement with the government partner has been most effective in this aspect.
<b>Targeted users/Beneficiaries</b>	All DOLE offices
<b>Indicate Measurable impact</b>	Effective utilisation of the performance metrics and job descriptions will directly affect DOLE's organisational performance ratings.
<b>Potential for replication</b>	This can be replicated at any project of ILO in any country offices where the bilateral relationship between ILO and the government is very strong
<b>Links to Country Programme Outcomes or ILO Policy</b>	This is linked to the DWCP Outcome 2.1 under DWCP Priority 2. These DWCP outcomes further links to ILO P&B 2018-2019 Outcome 7 - Promoting workplace compliance through labour inspection including in global supply chains.
<b>Other relevant documents or comments</b>	Not applicable

GP element	Text
<b>Brief description of the good practice; link to specific action, task or policy</b>	3. The good practice on the enhancement of the MIS is how ownership and sustainability has been built into the process
<b>Relevant pre-conditions, Context</b>	Instead of simply providing training to the DOLE's MIS team, the Project and the DOLE jointly worked with the software developer to train DOLE staff on the use and management of the System as each cluster of outputs are delivered. A week or two were provided to the DOLE staff to test and familiarise themselves with the System and eventually they were the ones to lead the conduct of orientations for their MIS focal persons, with some cost-sharing with DOLE. Afterwards, these orientations are followed by DOLE MIS team together with the regional focal person trained providing training to all regions one by one and orienting all labour inspectors, all inspection managers and support staff on their respective roles in the System and how to use the System. This findings indicates that ensuring government commitment to shoulder the cost of hosting similar System before the start of any such work has a strong positive implication. In the case of DOLE this does not only show sustainability but also helps avoid problems of ownership and control of the System.
<b>Causal Factors</b>	This process has proven to be cost-effective as DOLE shoulder expenses related to the conduct of these regional orientations. This approach has so far been effective in terms of ensuring interaction and feedback on how user-friendly the System is.
<b>Targeted users/Beneficiaries</b>	The labour inspectorate, the project and the donor
<b>Indicate Measurable impact</b>	The impact could be measured in terms of how the DOLE institutionalise the practice of cascading training activities in the MIS sustainability plan and in the HR capacity building plan of the DOLE as a whole.
<b>Potential for replication</b>	The cost-sharing process can be adapted by any ILO office/project that works in a country interested in building similar System.
<b>Links to Country Programme Outcomes or ILO Policy</b>	This is linked to the DWCP Outcome 2.1 under DWCP Priority 2. These DWCP outcomes further links to ILO P&B 2018-2019 Outcome 7 - Promoting workplace compliance through labour inspection including in global supply chains.
<b>Other relevant documents or comments</b>	Not applicable