LETTER OF ARRANGEMENT
BETWEEN
THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
OF THE
DEPARTMENT OF LABOR OF THE UNITED STATES OF AMERICA
AND
THE DEPARTMENT OF FOREIGN AFFAIRS OF THE PHILIPPINES

CONCERNING WORKPLACE SAFETY AND HEALTH PROTECTIONS APPLICABLE TO FILIPINO WORKERS IN THE UNITED STATES

The Occupational Safety and Health Administration (OSHA) of the Department of Labor of the United States of America, and the Department of Foreign Affairs of the Philippines, through its Embassy and Consulates General in the United States, hereinafter "the Participants";

CONSIDERING their desire to protect the well-being of Filipino workers in the United States;

CONSIDERING their desire to establish programs of cooperation to educate and inform Filipino workers and employers in the United States as to their workplace rights and responsibilities, to encourage them to exercise their rights under occupational safety and health laws, and to educate them about the proper channels to do so;

CONSIDERING the importance of promoting and encouraging training programs for Filipino workers to continue to reduce injuries and illnesses in the workplace; and

CONSIDERING the intention of the Participants, through the U.S.-Philippines Joint Declaration between the Department of Labor of the United States of America and the Department of Foreign Affairs of the Philippines, signed in Washington, D.C., on June 11, 2012 to work together to inform Filipino workers in the United States about their labor rights,

Intend to collaborate as follows:

SECTION 1

Objective

To promote the workplace rights and well-being of Filipino workers in the United States through joint efforts between the Participants and with other relevant governmental agencies and private organizations in the United States, as appropriate and as mutually consented to by the Participants.

SECTION 2

Areas of Collaboration

In furtherance of this objective, the Participants intend to pursue the following initiatives to the extent funds are available:

1. Develop a joint pilot program that would enable the Embassy and its Consulates General to assist workers to file OSHA complaints whenever possible.

2. Improve awareness by Filipino workers in the United States of workplace laws and regulations about occupational safety and health, including efforts to:

   a. heighten awareness of availability of information regarding workplace inspection findings, corrective actions ordered, fines, and other enforcement and compliance efforts;

   b. develop, translate, and disseminate informational materials, utilizing print and electronic media, addressing occupational safety and health concerns of Filipino workers in the United States, including:

   - Public Service Announcements to publicize occupational safety and health issues and who to contact for help in the United States;
   - Videos and posters to illustrate worker safety and health hazards to reach populations that may not be literate; and
   - Video to help workers understand how to file an OSHA complaint;

c. distribute and publicize the availability of brochures, pamphlets, and other informational materials for Filipino workers regarding their occupational safety and health rights in the workplace;

d. publicize the OSHA toll-free telephone number as a resource for answering occupational safety and health questions and filing complaints; and

e. develop a process for the Philippines Embassy and Consulates General officials to share feedback with OSHA regarding concerns received from Filipino workers employed in the United States.

3. Jointly develop, promote and conduct training programs, including:

a. development and implementation of joint training programs in the United States targeting industry sectors and workplaces with a high concentration of Filipino workers, in an effort to help workers understand and protect themselves from common workplace safety and health hazards;

b. formation of a bilateral working group of OSHA representatives to include national, regional and state officials, as appropriate, and Philippine consular representatives to develop and conduct cross-cultural training sessions. The training would aim to increase awareness by OSHA's federal, regional and state inspectors, compliance assistance specialists, consultants and trainers of the cultural sensitivities of Filipino workers and to enhance the ability of OSHA's staff to conduct inspections, consultative visits, and education and outreach efforts in workplaces with a high concentration of Filipino workers;

c. development of a Construction Hazard Awareness Training Program to introduce Filipino workers employed in the United States to their occupational safety and health rights and responsibilities and to common hazards and controls on construction worksites; and

heighten awareness of OSHA's federal, regional and state field staffs' compliance assistance efforts, the OSHA Training Institute's Education Centers, Susan B. Harwood Grants, State Plans, and State Consultation programs.

SECTION 3
Process of Consultation

The Participants intend to collaborate through joint efforts at the national level between OSHA and the Embassy of the Philippines in Washington, D.C. and at the regional level between OSHA regional and area offices and the Philippines Consulates General in the United States. The Participants intend to identify points of contact for formal communication at the national and regional levels who would be responsible for developing joint efforts within the areas of cooperation as may be decided. Representatives of the Participants intend to meet on a periodic basis to assure that these functions are carried out. The Participants have exchanged lists of national and regional representatives, who would serve as contact points to support these efforts.

SECTION 4
Expenses and Costs

Each Participant intends to finance its participation in any areas of cooperation undertaken pursuant to this Letter of Arrangement, and subject to the availability of funds in the Participant's respective budget.

SECTION 5

Final Provisions

This Arrangement becomes operative on the date of signing and is intended to cease after a period of three years. This Arrangement may be modified by written consent of the Participants. Either Participant should endeavor to provide three months' written notification of its intent to discontinue this Arrangement to the other Participant.

Signed in Washington, D.C. in duplicate on the eleventh day of June, two thousand and twelve.

FOR THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION OF THE DEPARTMENT OF LABOR OF THE UNITED STATES OF AMERICA

David Michaels, PhD, MPH
Assistant Secretary

FOR THE DEPARTMENT OF FOREIGN AFFAIRS OF THE PHILIPPINES

Jose L. Cuisia, Jr.
Ambassador of the Philippines to the United States of America