

Terms of Reference

Development of Occupational Safety and Health Profile in Bangsamoro region

I. Background

At its 110th Session in 2022, the International Labour Conference (ILC) adopted a resolution recognizing a safe and healthy working environment as a fundamental principle and right at work (FPRW), anchored in ILO Conventions 155 and 187. This added a fifth category to the core FPRWs, which now include: (1) freedom of association and the right to collective bargaining, (2) elimination of forced labour, (3) abolition of child labour, (4) elimination of employment discrimination, and (5) a safe and healthy working environment. All ILO member States are obligated to uphold and promote these rights, regardless of ratification status.

Workplaces significantly influence worker well-being and national productivity. The Philippines has long prioritized occupational safety and health (OSH), as enshrined in its Constitution and Labor Code. The country's ratification of Convention 187 and the passage of Republic Act 11058, which strengthens OSH compliance and enforcement, reaffirm its commitment to promoting safe and healthy working conditions.

In the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM), OSH remains a pressing concern. Years of conflict have left the region with underdeveloped institutions and limited capacity for enforcing labour standards, including OSH and other FPRWs. As a transitioning government, BARMM is working to establish appropriate structures and policies tailored to its context, while remaining aligned with national commitments.

While the national OSH profile was developed, in accordance with Convention 187, information and data on OSH in BARMM remains incomplete. During an OSH capacity-building session organized by BARMM's Ministry of Labor and Employment (MOLE) with support from the ILO-Japan ARISE Child Labour Project on 04 April 2025, stakeholders underscored the urgent need for a regional OSH profile to enable them to develop evidence-based and targeted policies and programmes.

The ILO, through the ILO-Japan Multi-bilateral Programme, is currently implementing the "ARISE-Child Labour Project" in BARMM to address the worst forms of child labour, particularly in hazardous agricultural work, which involves 97.7% of child labourers in the region. A core strategy of the project is to strengthen OSH systems and interventions.

To support this effort, the Project seeks to engage an external collaborator with demonstrated expertise in collecting OSH information and data in the form of an OSH profile guided by Recommendation 197.

II. Scope and Objective.

The primary objective of this consultancy is to assist the Bangsamoro regional government in developing an Occupational Safety and Health (OSH) profile for the region, in close collaboration with social partners. The process should be inclusive, consultative, and gender-responsive, ensuring active participation of all relevant stakeholders across appropriate levels.

III. Methodology and Specific Tasks

The external collaborator will perform the following tasks:

1. Collect information and data. Gather and review existing information from published reports, research studies, government sources, and other relevant websites. Prepare a proposed list of government officials, employers, workers, and other key stakeholders to be interviewed.
2. Conduct interview with key informants
3. Integrate collected information and interviews into the draft Bangsamoro regional OSH profile. The profile must present a comprehensive inventory of the existing system, frameworks, tools, data and resources available in the region on occupational safety and health, which summarizes the existing situation on occupational safety and health. The elements of the profile must follow Recommendation 197.
4. The regional OSH profile should serve as a valuable foundation for shaping ongoing and future OSH initiatives designed to achieve a safe and healthy working environment in all workplaces in the region. The profile should be used as a basis for formulating and reviewing the regional OSH programme by helping identify gaps in the existing legal, institutional, administrative, and technical infrastructure necessary for effective OSH management.
5. Ensure that all elements outlined in Section **V Necessary content of the OSH Profile of the TOR** are captured.
6. Submit the first draft of the BARMM OSH Profile to the ILO and MOLE for review and comments.

7. Update the draft BARMM OSH Profile based on feedback from the ILO and other relevant stakeholders and prepare the second draft.
8. Prepare a PowerPoint presentation for the validation workshop organized by the ILO and MOLE and share it with ILO for review and feedback.
9. Present the second draft of the BARMM OSH Profile at the validation workshop.
10. Facilitate the discussion during validation workshop on the draft profile and gather feedback and inputs from constituents and other stakeholders.
11. Incorporate feedback and inputs gathered during the validation workshop and submit the final draft profile to the ILO and MOLE.

IV. Key deliverables

Key Deliverables / Activities	Workdays	Indicative Timeline
1. Collect information and data, and proposed list of government officials, employers, workers, and other key stakeholders to be interviewed	5	12 – 16 May 2025
2. Conduct interviews. Keep brief interview notes and recordings.	3	17 – 23 May 2025
3. First draft of the BARMM OSH profile and share ILO for feedback and comments	3	24 – 30 May 2025
4. Prepare and present the second draft during validation workshop. Use Powerpoint presentation as reviewed by the ILO	3	30 May – 05 June 2025
5. Final draft BARMM OSH profile after incorporating comments from validation workshop	3	06 - 15 June 2025
Total working days (discontinuous)	17	

V. Necessary contents of the OSH Profile:

The contents of the profile shall meet the requirements of the ILO Promotional Framework for OSH Convention (No.187, 2006) and its affiliated Recommendation (No. 197, 2006). Particularly, the OSH profile should have the following sections:

Section 1: General regional data, and economic and demographic overview:

This includes general regional data on demography, literacy, economy (formal and informal), labour and employment (formal and informal), as available, as well as any other relevant information (maximum 3 pages).

Section 2: Legal framework, enforcement and implementation:

This section describes concisely the national and regional regulatory framework, including voluntary technical standards and guidelines that are recognized as reliable references at the regional and national level. Regulatory authorities, enforcement mechanisms, and allocated resources (number of staff, budgetary allocation concerning OSH etc.) to each authority and system.

2.1 Legal Framework

- a) Regional and national laws and regulations, secondary legislative acts, collective agreements (if any), and any other relevant instruments on occupational safety and health.
- b) Occupational Safety and Health requirements in the Constitution.
- c) Ratified ILO Conventions related to OSH and Inspection.

2.2 Competent Authorities on OSH Supervision and Administration System

- a) The regional and national authorities/bodies (and other relevant levels – e.g provincial), responsible for occupational safety and health, designated in accordance with the law and practice.
- b) The regional tripartite advisory bodies, addressing occupational safety and health issues, composition and recent agenda point discussed related to OSH.

2.3 Enforcement and Implementation Mechanism

- a) National and regional mechanisms for ensuring compliance with regional and national laws and regulations.
- b) Provincial, regional and national supervision and inspection systems including number of inspectors, safety and health officers, and occupational physicians and hygienists' inspection visits and results.
- c) Number of inspectors, inspection visits and results by year and by industry by province.
- d) The occupational health services in accordance with the regional and national law and practice.

- e) Roles and status of private compliance initiatives such as auditors or compliance officers in different sectors, including the number of enterprises receiving such services and results.
- f) The support mechanisms for a progressive improvement of occupational safety and health conditions in micro-enterprises, in small and medium-sized enterprises and in the informal economy including migrant workers, self-employed, people with disability, night workers.
- g) Support mechanisms to Bangsamoro migrant workers working overseas such as pre-departure OSH training, or OSH protection measures through labour attaches.
- h) Support mechanism for women workers, covering reproductive health and maternity care.
- i) Financial and budgetary resources regarding occupational safety and health.
- j) Coordination and collaboration mechanisms at national, regional, provincial and enterprise levels, including data recording and regional programme review mechanisms.

2.4 Arrangements to Promote Preventive Measures and Advisory Services

- a) The arrangements to promote, at the level of the undertaking, cooperation between management, workers and their representatives as an essential element of workplace-related prevention measures such as establishment of OSH committees.
- b) Number of enterprises that have OSH committees and examples of their activities and achievements.
- c) The information and advisory services on occupational safety and health by different stakeholders.
- d) The provision of occupational safety and health training by the provincial and national governments, number of trainings by theme and region and number of people trained.
- e) Occupational safety and health policies and programmes of organizations of employers and workers.
- f) Technical standards, codes of practice and guidelines on occupational safety and health developed by the employers and workers' organizations.
- g) Educational and awareness-raising arrangements, including promotional initiatives, celebration of days, safety awards, OSH in formal and vocational education.

Section 3: Occupational Accidents and Diseases

This section describes the system(s) for notification and recording of occupational accidents and diseases, including an overview of legal requirements concerning initial response and first aid. This section will also provide statistics available from different sources:

3.1 Legal framework and implementation of occupational accidents and diseases

- a) Overview of legal requirements concerning initial response and first aid, including mandatory requirements in the legislation as well as technical standards used or applied either under regulations or on a voluntary basis.
- b) Mechanism for collection and analysis of data on occupational injuries and diseases and their causes, considering relevant ILO instruments.
- c) Functioning of existing mechanisms for the recording and notification of occupational accidents and diseases and legal framework.
- d) Assessment of conformity with the ILO Code of Practice on the recording and notification of occupational accidents and diseases.
- e) Regional and national list of occupational diseases, if aligned with ILO Recommendation 194, and the mechanisms available for its periodic review and update.
- f) Collaboration with relevant insurance or social security schemes covering occupational injuries and diseases covering the collaboration mechanism and number of occupational injuries and diseases covered by social security schemes.
- g) Mechanism for ensuring compliance
 - 1. Inspection system
 - 2. Methodology and types of inspections
 - 3. Execution of inspections

3.2 Statistical analysis on occupational injuries and diseases

- a) Number of occupational injuries and diseases per year (total and per sector of economic activity, with sex-disaggregated) from labour force survey, regional and national social security institutions, from employers' and workers' organization. Provide also, if available, an estimate of under-reporting as percentage (%) range, with a description of the calculation methodology.
- b) Existing data gaps, occupational injury and disease statistics collection by geographical range, and analysis by other stakeholders.

3.3 Examples of recent serious occupational diseases outbreak such as silicosis outbreaks and epidemics/pandemics such as COVID-19 and response mechanism

Section 4: Research, Development, and Training:

- a) Main research items and projects on occupational safety and health and which institution implement these.
- b) Specialized technical, medical and scientific institutions with linkages to various aspects of occupational safety and health, including research institutes and laboratories concerned with occupational safety and health; existing OSH committees.
- c) Number of OSH specialized personnel, such as industrial physicians and nurses, safety engineers;

- d) Numbers of OSH training courses developed and implemented with the breakdown of the technical areas (eg, fire safety, chemical safety) and the number of trained persons (workers, employers, or OSH practitioners).

Section 5: Conclusion

- **Bibliography**
- **Annex 1 - List of interviews**
- **Other Annexes, as needed**

Note: Any relevant references to data sources used during preparation of the BARMM OSH Profile should be presented in a format facilitating easy access to the documents referenced. If adequate information does not exist on any issue, the External Collaborator should indicate the reasons for this lack and the obstacles to obtaining it (e.g., lack of public mechanisms for data collection or of a law requiring such data collection; lack of resources, and so forth).

The profile should include the following:

- Acknowledgement (Author),
- Abbreviations
- Forward (to be obtained from MOLE).

VI. Administration, reporting and coordination

The contract for this assignment will be issued by the ILO CO-Manila. Workspace, equipment, and other logistics arrangements in the implementation of the activities, including the internet connectivity and web meeting devices required under the present telework environment will be organized and borne on the account of the external collaborator, unless he or she is required to report for in-person coordination activities. The external collaborator will report to the Programme Management of the Project and liaise closely with the Team.

The selected service provider shall work on the deliverables under this TOR under the technical guidance of the ILO Decent Work Team in Bangkok (the ILO Regional Senior OSH specialist) and shall coordinate with the Project team in the delivery of outputs, including consultations with social partners to solicit their inputs. Endorsement for the Director's final approval on reports, outputs, and payment will be done by the Project Manager.

VII. Confidentiality Statement

All data and information received from ILO for this assignment are to be treated confidentially and are only to be used in connection with the execution of the TOR. All

intellectual property rights arising from the execution of these TORs are assigned to the ILO. The contents of written materials obtained and used in this assignment may not be disclosed to any third parties without the expressed advance written authorization of the ILO.

VIII. Timeline, deliverables and payment terms

The period of engagement with the external collaborator shall commence from 12 May 2025 to 15 June 2025, unless extended by the ILO due to cases beyond the control of the external collaborator.

The ILO will only pay for services that have been performed and for deliverables that are successfully completed to the satisfaction of the ILO.

Please see the list of timeline, deliverables and payment terms below:

Key Deliverables	Date of submission	Payment Terms
0. Signed contract	Not later than 12 May 2025	30% (upon acceptance of the deliverable on or before the date of submission and presentation of the invoice)
1. Collect information and data, and proposed list of government officials, employers, workers, and other key stakeholders to be interviewed	Not later than 16 May 2025	
2. Conduct interviews. Keep brief interview notes and recordings.	Not later than 23 May 2025	50% (upon acceptance of the deliverable on or before the date of submission and presentation of the invoice)
3. First draft of the BARMM OSH profile and share ILO for feedback and comments	Not later than 30 May 2025	
4. Prepare and present the second draft during validation workshop. Use Powerpoint presentation as reviewed by the ILO	Not later than 5 June 2025	
5. Final draft BARMM OSH profile after incorporating comments from validation workshop	Not later than 15 June 2025	20% (upon acceptance of the deliverable on or before the date of submission and presentation of the invoice)

The contract price will be all-inclusive. The professional fee, cost of travel and all related costs must be included in the proposal.

Prior to signing the contract, the Consultant must complete the following mandatory training courses required for all external collaborators:

1. **BSAFE Security Awareness Training** – An essential online course designed to ensure security awareness and preparedness for all UN personnel and ILO-affiliated collaborators.
2. **Prevention of Sexual Exploitation and Abuse (PSEA) Training** – A required course aimed at upholding ethical standards and preventing misconduct in professional settings.

The ILO ARISE-Child Labour Project team will provide the necessary guidance and support to facilitate the Consultant's onboarding and successful completion of these trainings.

IX. Qualification

External Collaborator should have the following qualifications.

A. Education

- Advanced degree in a relevant field such as law, public policy, political sciences, social science, and other equivalent qualification

B. Experience

- At least three (3) years of experience in conducting studies, research and similar activities such as developing profiles
- Demonstrated capacity in analytical work and ability to integrate diverse and complex quantitative and qualitative data from a wide range of sources;
- Expertise and experience in facilitating interviews and consultations
- Familiarity with social and legal context in BARMM gained from experience in working in BARMM
- Good understanding of OSH context in the Philippines and BARMM
- Experience working with international and UN organizations
- Good understanding of ILO Conventions and Recommendations on OSH and Labour Inspection, and core international human rights instruments;
- Experience working with international and UN organizations

C. Others

- Excellent oral and written communication skills including a demonstrated ability to draft clear, concise and policy analysis-oriented reports in English
- Ability to interact / work collaboratively with Government, employer and worker organisations as well as the business sector in BARMM
- Ability to work under time pressure and deliver work of outstanding quality;
- Demonstrated capacity to carry out the assignment within allocated timeframe

X. Unsatisfactory or Incomplete Work

The assignment will be governed by the ILO's standard rules and procedures (see Annex A). If the services provided are deemed unsatisfactory or do not meet the specified requirements, the ILO reserves the right to suspend the work, request revisions or modifications, or reject the deliverables, as deemed appropriate.

XI. Expression of Interest

The ILO invites Request for Proposals from qualified professionals having relevant experience in delivering similar product services as mentioned in this Terms of Reference (TOR). Only a single technically responsive and financially viable vendor/ service provider will be selected following ILO procurement rules/procedures and awarded with the contract for the expected deliverables and outputs as per the TOR.

Interested candidates must submit the following documents to the indicated email address on or before **01 May 2025**:

- Letter of intent
- Updated CV
- Sample works (please provide sample works – document or link/s to document/s)
- Proposed work plan with budget
- At least three references

Email to abovementioned requirements to: MNL-TECHNICALBIDS@ilo.org using this email subject: **BARMM OSH Profile-[Surname]**.

For future applications, we encourage all applicants to register in the ILO e-Sourcing platform- [United Nations Global Marketplace \(UNGM\)](#).