

 <p>LBP RESOURCES AND DEVELOPMENT CORPORATION 24TH Floor LBP Plaza 1598 M.H Del Pilar cor. Dr. J. Quintos St. Malate Manila</p>	<p>MANPOWER & MAINTENANCE SERVICES MANUAL</p>	<p>Class Code: D</p>
	<p>Chapter 7: Legal Duties</p>	<p>Reference Code: OM-MMS-7.0</p> <p>Revision Number: 00</p> <p>Date: Effective Nov. 20, 2018</p> <p>Page 1 of 4</p>

A. GENERAL GUIDELINES

1. LBRDC shall observe and comply with the provisions of labor laws, tax laws, and other codes, ordinances, rules, and regulations in any matter affecting the manpower and maintenance services operations which are promulgated by the government, the Department of Labor and Employment, or any pertinent governmental agency.
2. LBRDC shall comply with Department Order No. 18-A, Series of 2011 specifically on the following provisions to ensure legitimate contracting or subcontracting:
 - 2.1. Must be registered in accordance and carries a distinct and independent business and undertakes to perform the job, work or service on its own responsibility, according to its own manner and method, and free from control and direction of the principal in all matters connected with the performance of the work except as to the results thereof.
 - 2.2. Have substantial capital and/or investment in the form of office equipment, materials, and office premises which are necessary in the conduct of its business as well as to answer for the payment of salaries, wages, and benefits of all the project employees assigned to the Principal and for the liabilities and obligations under the Services Agreement.
 - 2.3. Service Agreement complies with all the rights and benefits under Labor Laws.
3. All project employees assigned by LBRDC to its clients, for all legal intents and purposes, are the employees of LBRDC. Accordingly, LBRDC retains the right to control and administrative supervision over the project employees including the power to hire, replace, substitute, transfer, replace or dismiss/terminate or discipline said project employees for any cause LBRDC may deem proper. However, LBRDC shall not deprive its client companies the right to give direct instructions to the project employees in relation to the performance of their assigned tasks or from time to time make recommendations and suggestions with respect to the actual performance of the services.

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4. All Service Agreements or contracts shall be reviewed by the LBRDC Legal Counsel for legal sufficiency prior to signing and forwarding to Principal/Client.

B. DETAILED PROCEDURE

1. Preparation and Review of Service Agreements or Contracts

- | | | |
|----------------------|-----|--|
| PMMS Dept.
Head | 1.1 | <p>If Principal/Client has no standard Service Agreement/contract, prepares Service Agreement between LBRDC and Principal using the prescribed format per Department Order No. 18-A;</p> <p>If Principal/Client has a standard Service Agreement/contract, receives and reviews said agreement</p> |
| | 1.2 | Forwards to President and CEO for inputs/comments. |
| President and
CEO | 1.3 | Reviews the draft Service Agreement. |
| PMMS Dept.
Head | 1.4 | Incorporates comments and revises Service Agreement. |
| | 1.5 | Forwards to Legal Counsel for further review. |
| Legal Counsel | 1.6 | Reviews the draft Service Agreement for legal sufficiency. If there are changes/corrections, refer back to the President & CEO for approval before finalization of the document. |
| PMMS Dept.
Head | 1.7 | Finalizes the Service Agreement. |
| | 1.8 | Forwards to Principal for comments/review/signature. |

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0701 PROCESS FLOW

The process flow for the review of Service Agreements or Contracts is presented in Exhibits 7.1.



LBP RESOURCES AND DEVELOPMENT CORPORATION

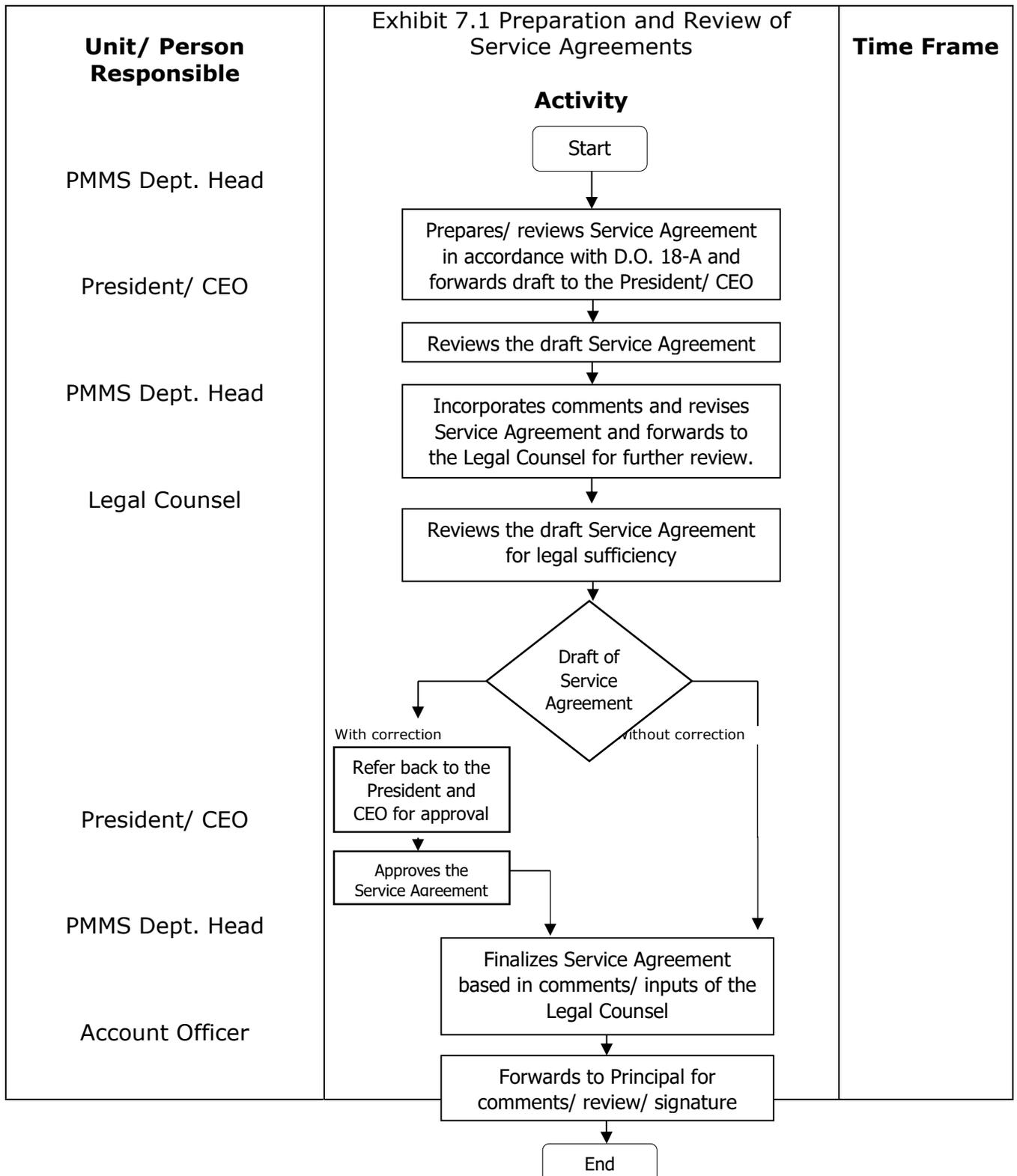
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