

Corporate Environmental and Social Monitoring Audit Report and Corrective Action Plan

November 2022

Philippines: Wyntron Electric Vehicle Charger Production Expansion Project

Prepared by LCI Envi Corporation for the Wyntron Inc. and the Asian Development Bank.

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Acronyms

ACM – Asbestos-Containing Materials	GRM – Grievance Redress Mechanism
ADB – Asian Development Bank	HR – Human Resource
AEDR - Accident/Injury Exposure Data Report	HRD – Human Resources Department
CAP – Corrective Action Plan	HSQ – Health Symptoms Questionnaire
CEZ – Cavite Economic Zone	IEC – Information, Education , Communication
CMRT - Conflict Minerals Reporting Template	IEE – Initial Environmental Examination
DENR – Department of Environment and Natural Resources	IMS – Integrated Management System
DKP – Dae Kyung Phils	IR – Involuntary Resettlement
DOH – Department of Health	ISF – Informal Settler Families
DOLE – Department of Labor and Employment	ISO - International Organization for Standardization
ECC - Environmental Compliance Certificate	MI – Manual Insertion
ECQ – Enhanced Community Quarantine	MRF – Materials Recovery Facility
EHS – Environment, Health and Safety	MSDS - Material Safety Data Sheets
EIA – Environmental Impact Assessment	MWVP - Manila Water Venture Philippines
EMB – Environmental Management Bureau	NAAQS - National Ambient Air Quality Standards
EMoP - Environmental Monitoring Plan	NCCA - National Commission for Culture and the Arts
EMP - Environmental Management Plan	NESSAP - National Emission Standards for Source Specific Air Pollutants
EMS – Environmental Management System	NPCC – Noise Pollution Control Commission
EPRMP - Environmental Performance Report and Monitoring Plan	NPI – Non-Pharmaceutical Interventions
ESG - Environmental, Social and Governance	OECD - Organization for Economic Co-operation and Development
ESMS – Environmental and Social Management System	OHSAS - Occupational Health and Safety Assessment Series
EVSE – Electric Vehicle Supply Equipment	OJT – On-the-Job Training
GAD – Gender and Development	OSH – Occupational Safety and Health
GQA – General Quality Agreement	PCBA – Printed Circuit Board Assembly
	PCO – Pollution Control Officer

PDEA – Philippine Drug Enforcement Agency

PEZA – Philippine Economic Zone Authority

PICCS – Philippine Inventory of Chemicals and Chemical Substances

PPE – Personal Protective Equipment

PRECUP - Philippine Registry of Cultural Property

PTT - Permit to Transport

QMS – Quality Management System

REACH – Registration, Evaluation, Authorization and Restriction of Chemicals

RMI - Responsible Minerals Initiative

RoHS - Restriction of Hazardous Substances in Electrical and Electronic Equipment

SMR - Self-Monitoring Reports

SMT – Surface Mount Technology

SPS – Safeguards Policy Statement

SQI – Small Quantity Importation

TSP - Total Suspended Particulates

WAIR - Work Accident/Injury Report

WEEE – Waste Electrical and Electronic Equipment

WFH – Work from Home

YTD – Year to Date

Contents

1	Introduction	1
1.1	Methodology	1
2	Background.....	2
2.1	Corporate Background	2
2.2	Wyntron-DKP Plant 2 Site.....	3
3	Corporate Environmental and Social Management System Audit Findings	8
3.1	ADB Safeguard Requirement 1: Environment.....	13
3.1.1	Environmental Assessment.....	13
3.1.2	Environmental Planning and Management.....	13
3.1.3	Information and Disclosure	14
3.1.4	Consultation and Participation	14
3.1.5	Grievance Redress Mechanism	14
3.1.6	Monitoring and Reporting.....	15
3.1.7	Unanticipated Environmental Impacts.....	15
3.1.8	Biodiversity Conservation.....	15
3.1.9	Pollution Prevention and Abatement.....	15
3.1.10	Health and Safety	17
3.1.11	Physical Cultural Resources	23
3.2	ADB Safeguard Requirement 2: Involuntary Resettlement.....	23
3.3	ADB Safeguard Requirement 3: Indigenous People.....	23
3.4	ADB Social and Labor Protection Requirements.....	24
4	Subproject Audit Findings	32
4.1	Compliance to ADB SPS 2009.....	32
4.1.1	ADB Safeguard Requirement 1: Environment.....	32
1310– 1410 H	43
4.1.2	ADB Safeguard Requirement 2: Involuntary Resettlement.....	51
4.1.3	ADB Safeguard Requirement 3: Indigenous People.....	51
4.2	ADB Social and Labor Protection.....	52
4.2.1	Compliance to existing national labor laws and regulations.....	52
4.2.2	Corporate Social Responsibility	58
4.2.3	Labor and Working Conditions	58
5	Conclusion and Recommendations.....	63
5.1	Corporate ESMS Audit.....	63
5.2	Subproject Audit	68

List of Tables

Table 1: Details of the locations of the Existing Wyntron Inc.'s Manufacturing Sites.....	2
Table 2: List of Raw Materials used in PCB Assembly and Box Build	4
Table 3: List of Heavy Equipment and Machines for the EVSE charger production in Plant 25	
Table 4: Roles and Responsibilities of the EHS Committee Members.....	8
Table 5: Compliance Status with ADB Safeguard Requirement 1: Environment.....	32
Table 6: Compliance of Wyntron's existing operation to applicable national environmental laws and policies.....	37
Table 7: Compliance of Wyntron to ECC Conditions	38
Table 8: Summary of Air Pollution Sources Installation (APSI) – Plant 2.....	42
Table 9: Stack Emission Test Results (2021).....	42
Table 10: Ambient Air Quality Monitoring Results (2021,2022)	43
Table 11: Noise Level Monitoring Results (2021, 2022).....	43
Table 12: Average Monthly Wastewater Generated (2021,2022).....	44
Table 13: Effluent Quality of Septic Tanks in Plant 2 (2018, 2019).....	44
Table 14: Solid Wastes Generated in Plant 2 (2021 and 2022).....	47
Table 15: List of Hazardous Wastes Generated in Plant 2 (2021 and 2022)	47
Table 16: List of Approved Chemicals Used by Wyntron Inc.	49
Table 17: Average Monthly Water Consumption Rate (2021, 2022).....	50
Table 18: Average Monthly Power Consumption Rate (2021, 2022)	51
Table 19: Compliance of Wyntron's existing operation to applicable national laws and policies.....	52
Table 20: Target Beneficiaries of the CSR Programs of Wyntron Inc.	58
Table 21: Total Workforce of Wyntron, Inc. (2022).....	58
Table 22: Summary of Workforce for Plant 1 (2022)	59
Table 23: Summary of Workforce for Plant 2 (2022)	59
Table 24: List of Wyntron Inc.'s Employee's Benefits	60
Table 25: Trainings Provided in 2021	62
Table 26: Trainings as of September 2022.....	62
Table 27: Corrective Action Plan for Corporate ESMS	63
Table 28: Corrective Action Plan for Subproject Plant 2.....	68

List of Figures

Figure 2: Location Map of the Existing Manufacturing Sites	3
Figure 3: Plant Layout of the EVSE manufacturing plant in Plant 2	6
Figure 4: General Process Flow Diagram of PCBA and EVSE box build.....	7
Figure 5: EHS Committee Organizational Chart of Wyntron Inc.....	12
Figure 6: Existing Sewer Layout of Plant 2	45
Figure 7: Existing Stormwater Drainage Layout of Plant 2	46
Figure 8: Location of MRF, Residual Waste Storage Area and Hazardous Waste Storage Area in Plant 2	48
Figure 9: Safety Statistics for Plant 2 (2021)	61

List of Annexes

Annex 1: Applicable Reference Framework

Annex 2: List of Documents Reviewed

1 Introduction

1. This report presents the methodology, results and findings for the Asian Development Bank's (ADB) Safeguard Environmental and Social Management System (ESMS) audit conducted to Wyntron Inc.(Wyntron). The assessment was based on the requirements of the ADB Safeguards Policy Statement 2009 (SPS), ADB Policy on Gender and Development (GAD), ADB Social Protection Strategy (2001), ADB Access to Information Policy (2019) and the applicable Philippines policies and regulations. This report also includes a corrective action plan (CAP) containing necessary remedial actions to address the identified gaps with respect to ADB's requirements.
2. ADB is considering a corporate finance transaction with Wyntron. The ADB funds will be earmarked for the purchase of a specific factory building and its refurbishment as well as equipment and machines that will be used for expansion of the existing Electric Vehicle Supply Equipment (EVSE) manufacturing plant of Wyntron in the Philippines.

1.1 Methodology

3. The audit reviewed the Company's current ESMS to assess the capacity of the company to manage and monitor all the relevant environmental and social impacts of its business operation in accordance with ADB Safeguards Requirements 1 to 4 and the compliance with the applicable laws and regulations in the Philippines.
 4. A compliance audit was conducted in the existing EVSE manufacturing plant of Wyntron located inside the Cavite Economic Zone (CEZ), Rosario, Cavite (referred in the report as "Plant 2"). A site inspection in this plant was conducted on September 23, 2022. The Wyntron team was also interviewed during the site visit. The interviews aimed to determine the project's EHS performance related to the existing operation of the EVSE manufacturing plant.
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2 Background

2.1 Corporate Background

5. Wyntron Inc. is part of Danam Group based in the Republic of Korea. All the electronics manufacturing sites of Danam Group are located inside the CEZ in Rosario, Cavite, the Philippines. The services offered by these plants include printed circuit board assembly (PCBA), box build, current transformer assembly, magnetics, battery pack, process and test design, and material and shop floor traceability.
6. At present, Wyntron has two facilities in CEZ. The details of the location of the two manufacturing sites are presented in Table 1 while the location map is in Figure 1.
7. Plant 1 is used for the PCBA and manufacturing of circuit breakers of Wyntron. The operation of this plant started in 2007. In 2017, Wyntron started manufacturing EVSE as part of its box build services. The EVSE manufacturing line was installed in Plant 2, where DKP Mfg Inc. is also operating.
8. At present, Wyntron is producing 55,333 EVSE pieces per year. Wyntron intends to increase the EVSE chargers' production to 300,000 pcs per year to meet the increased demand of its customers.

Table 1: Details of the locations of the Existing Wyntron Inc.'s Manufacturing Sites

Site	Address	Lot Area (m ²)	Floor Area (m ²)	Geographic Coordinates	
				Latitude	Longitude
Plant 1	Lot 9 Block 15 Phase 3 Cavite Economic Zone, Rosario, Cavite	11,575	9,799	14°24'34.84"N	120°52'24.54"E
Plant 2	Lot 1-6 Block 20 Phase 4 Main Ave. Cavite Economic Zone, Rosario, Cavite	11,316	7,481.5	14°24'7.57"N	120°52'10.80"E



Figure 1: Location Map of the Existing Manufacturing Sites

2.2 Wyntron-DKP Plant 2 Site

9. Plant 2 is owned by DKP Mfg Inc. and is being shared to Wyntron to house the manufacturing plant of the EVSE. The operations of DKP Mfg Inc. and Wyntron Inc. are both being headed by the President for the Philippines operation of the Danam Group, Mr. Joon Hyung Park.
10. Plant 2 was visited to assess the compliance of Wyntron on the management of the relevant environmental and social impacts of the existing operation of the EVSE manufacturing plant. However, the facility is co-located with the existing plant of DKP, therefore, a holistic approach was undertaken in the review and assessment of the compliances.

Production capacity

11. The following are the products manufactured in Plant 2:
 - a. Wyntron:
 - EVSE – 55,333 pcs per year
 - b. DKP
 - Satellite Radio Turner – 924,000 units per year

- Electronic Component and Part Assembly – 26,000,000 units per year
- Radio Frequency Identification – 1,000,000 units per year

EVSE production process

12. The operation starts with the receiving of the raw materials in the warehouse. All materials are inspected before storing in the warehouse. Rejected materials are returned to the suppliers. The list of raw materials for the PCBA and Box Build is in Table 2. These materials are sourced from other countries such as USA, China, Korea, Singapore, Hongkong, Canada, Malaysia, Germany and from some local suppliers in the Philippines.

Table 2: List of Raw Materials used in PCB Assembly and Box Build

Raw Material	
Capacitor	Neutral Terminal
Carrier	PCB
Diode	Power Connector
Electromagnet	Resistor
Housing	Switch
Integrated Circuit	Transistor
LED	Varistor
Ceramic Chip	RFID Antenna

13. The materials are then transferred to the Surface Mount Technology (SMT) Assembly Line. The PCB is fed to the PCB Loading Machine while the small components are loaded to the Chip Mounted Machine. The PCB undergoes solder paste printing then the small components are mounted to the PCB. This is done for both the top and bottom side of the PCB.
14. After the SMT Line, the PCBA goes to the Manual Insertion (MI) Assembly. In this process, the through hole components of the PCBA are manually inserted at the defined locations in the PCB. The workers manually solder the materials to the PCB. The PCBA will then be programmed and will undergo electrical test. Defect PCBAs are sent to the rework station to inspect and replace defective component.
15. PCBAs that passed the inspection undergo coating in the PV coating and inverter machines. However, manual coating of the PCBAs is also done after to provide coating to the areas that the machine cannot reach. The coated PCBA passes through the UV Curing Machine then for final inspection. PCBAs that passed the inspection either goes to the Product Storage Warehouse or to the Box Build Assembly Line for further processing.
16. In the box build line, the PCBAs are provided with enclosures and wiring system to form the EVSE. The final products are inspected before providing the data code and label attachment. Finally, the product is packed and ready for shipment.
17. The general process flow diagram of the PCBA and EVSE box build process is presented in Figure 3.
18. The following are the heavy equipment and machines used for the production of the EVSE chargers. The plant layout of the EVSE manufacturing line is presented in Figure 2.
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Table 3: List of Heavy Equipment and Machines for the EVSE production in Plant 2

Heavy Equipment	
PCB Loading Machine	Machine Carrier Pallet
Solder Paste Printer	Auto-Wave Solder Machine
SPI Machine	Selective Soldering Machine
Chip Mounter Machine	ICT Fixture & Machine
Reflow Soldering Machine	ET Test Fixture & Machine
AOI Machine	Programming Fixture
Scanner & Barcode/Label Printer	PVA Coating Top
3D X-ray Machine	Inverter Machine
UV Curing Machine	PVA Coating Bottom
AOI Machine	

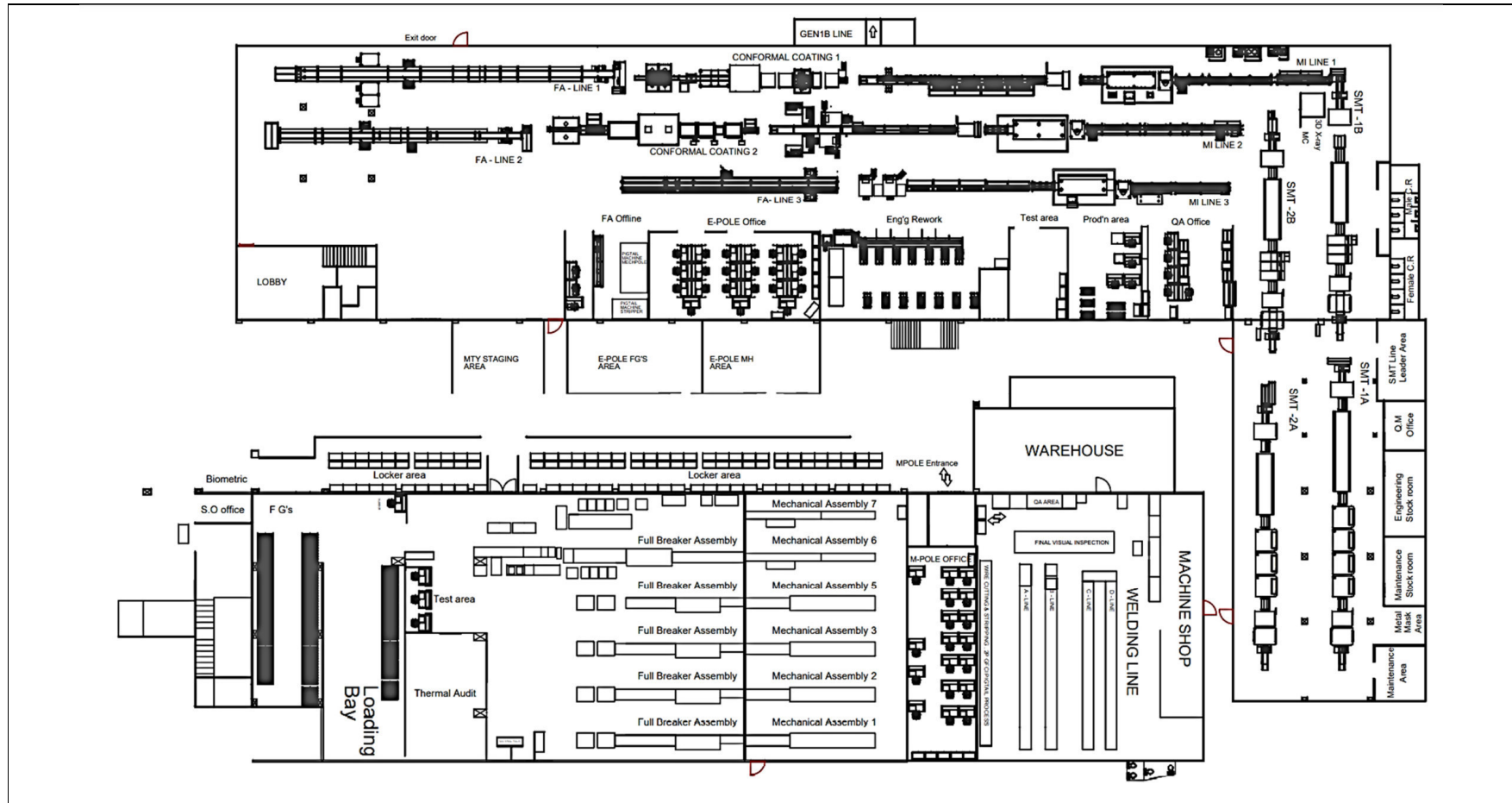


Figure 2: Plant Layout of the EVSE manufacturing plant in Plant 2

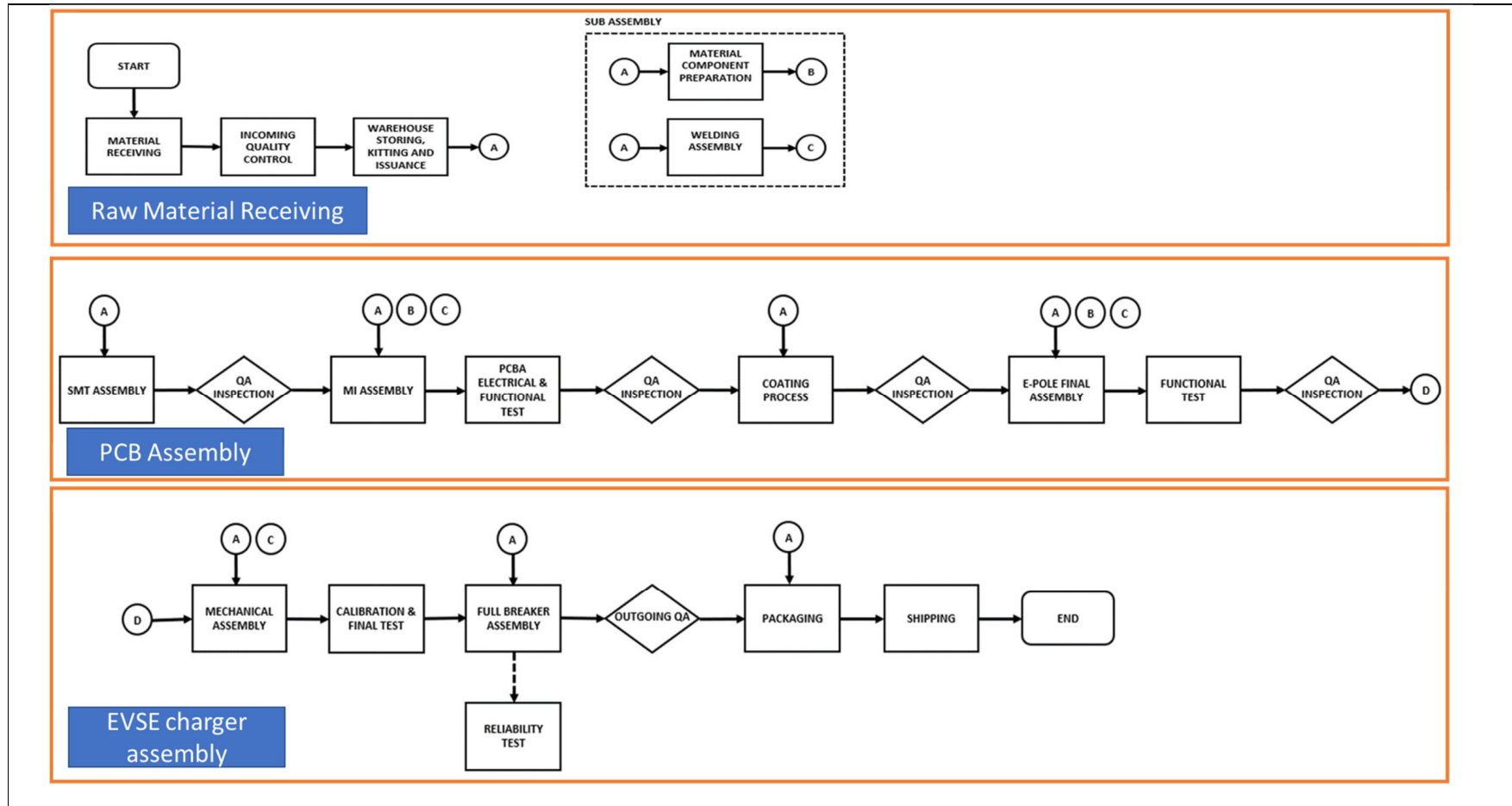


Figure 3: General Process Flow Diagram of PCBA and EVSE box build

3 Corporate Environmental and Social Management System Audit Findings

19. The list of policies, manuals, procedures and other related documents reviewed as part of the audit are listed in **Annex 2**.

Environmental, Health and Safety Committee

20. An Environmental, Health and Safety (EHS) Committee was established by Wyntron. The Committee is assigned for the awareness, implementation and monitoring of health and safety programs of the whole company.
21. The roles and responsibilities of the members of the Committee are listed in Table 4 while the EHS Committee organizational chart is in Figure 4.

Table 4: Roles and Responsibilities of the EHS Committee Members

Designation	Roles and Responsibilities
President	<ul style="list-style-type: none"> Has the ultimate responsibility for the overall direction of the management.
Director	<ul style="list-style-type: none"> Over-all second in command
Management Representative	<ul style="list-style-type: none"> Review and ensures that the established environmental, health and safety management system is properly implemented.
Safety Officer	<ul style="list-style-type: none"> Over-all in-charge on the implementation of EHS program. Act as secretary of EHS committee.
Occupational Health Doctor	<ul style="list-style-type: none"> Performs all clinic/company physician duties which includes attending to health concerns of employees, handling health and wellness programs of the company, recommend policies and programs for improvement of health related services, inspect and monitor work environment for health hazards, establish proper medical supervision over substances used, process and work environment to prevent diseases and injuries in the workplace, maintain and analyze medical cases, prepare and submit necessary reports to the management and government agencies.
First Aiders	<ul style="list-style-type: none"> In case of emergency, responsible to administer first aid medical care and lifesaving before arrival of medical help and transport victim to hospital when needed.
Communication Control Committee	<ul style="list-style-type: none"> Providing leadership and communication during emergency.
Traffic Control Committee	<ul style="list-style-type: none"> Ensures coordinated smooth and safety of inbound and outbound flow of traffic.
PCO Managing Head	<ul style="list-style-type: none"> Ensures updated and on time applications of permits, licenses and maintaining the records.

Designation	Roles and Responsibilities
Pollution Control Officer	<ul style="list-style-type: none"> Facilitate compliance of the establishment with the requirements prescribed by DENR and other related regulatory agencies Responsible in monitoring, reporting and supervising proper operation and maintenance of all activities pertaining to pollution sources and control facilities. They shall keep themselves abreast with legal and statutory requirements and to ensure compliance. They are also responsible in monitoring the facilities that it operates according to standards and to ensure testing are regularly done.
Chemical/ROHS Control Team	<ul style="list-style-type: none"> Responsible for proper handling of chemicals, securing and avoiding chemical spills and provide immediate response.
Water/Energy and Noise Pollution Control Team	<ul style="list-style-type: none"> Monthly monitoring of energy and water consumption, checking of leaking pipes/faucets. Provide energy and water conservation programs/activities/signages and ensure. Monitor sound level, provide and ensures that appropriate PPEs are properly use.
Flood Alert Team	<ul style="list-style-type: none"> Monitoring of the situation especially during rainy days and typhoon. Assess situation in terms of criteria for severe weather warnings.
Waste Management Control Team	<ul style="list-style-type: none"> To ensure the proper waste segregations, proper waste monitoring and disposal

22. In addition, the following employees are assigned to manage the social aspects of the Company.

- Based on the interview conducted to Wyntron, the Top Management (President and Managers) is responsible for land procurement. However, this is not clearly stated in the IMS.
- As indicated in the IMS, the HR-Admin is responsible in hiring competent personnel, the management of the subcontractors and to identify the training needs of the workers and provide the training. During the interview, it was mentioned that the HR-Admin is also responsible for the stakeholders engagement which includes the implementation of CSR programs, however, this is not mentioned in the IMS.
- The Material Inventory Controller is responsible for the supply chain management.

Wyntron's E&S Policies

23. Wyntron already has several policies and procedures in place to manage and mitigate the E&S related risks as presented below. These policies and procedures were assessed if it complies with the requirements of the ADB Safeguard Policy Statement and to identify the gaps, if there are any. The results of the assessment are discussed in the succeeding subsections.

Quality and Environmental Policy

24. The Quality and Environmental Policy of Wyntron was developed in alignment with the following ISO standards.

- ISO 14001:2015 – Environmental Management System: the intended outcome of the EMS include enhancement of environmental performance, fulfillment of compliance obligations and achievement of environmental objectives.
- ISO 9001:2015 – Quality Management System: the QMS helps the company to consistently provide products and services that meet customer and applicable regulatory requirements,
- IATF 16949:2016 – Quality Management System for Automotive

25. The objectives of Quality and Environment policy include the following:

- To provide high quality product on time
- To provide real time customer service
- To maintain a safe and good working environment, a place for people development and continual improvement
- To assure that the operations are compliant to all the environmental law and regulations, and
- All medical products are compliant with the statutory and regulatory requirements.

26. In addition, the following Wyntron Corporate policies are also relevant to the management of the social risks.

- Sexual Harrassment Policy
- Whistleblower Policy
- Child and Forced Labor Policy
- Anti-Money Laundering Policy
- HIV/AIDS Prevention and Control in the Workplace Policy
- Hepatitis B Prevention and Control in the Workplace Policy
- Tuberculosis (TB) Prevention and Control in the Workplace Policy
- Drug Free Workplace Policy

Integrated Management System (IMS)

27. An IMS (Quality, Environmental and Automotive) Manual was developed by Wyntron to demonstrate the Company's ability to consistently comply to the requirements of its customers and all the regulatory and statutory requirements.

28. As stated in the manual, the policies and procedures in the manual should be applied to all the operations of Wyntron in CEZ.

29. The manual covers EMS and QMS procedures. Procedures related to social management are covered in the HR policies and procedure. The following procedures are included in the manual to manage the E&S risks of the Company.

- Emergency response preparation and plan
 - Compliance obligations
 - Planning action on significant environmental aspect and risks
 - Environment for the Operation of Process
 - Awareness on environmental policy
 - Organizational Knowledge and Competence (training)
 - Internal and external communication
-

30. The IMS manual shall be reviewed yearly to check its applicability to the organization.

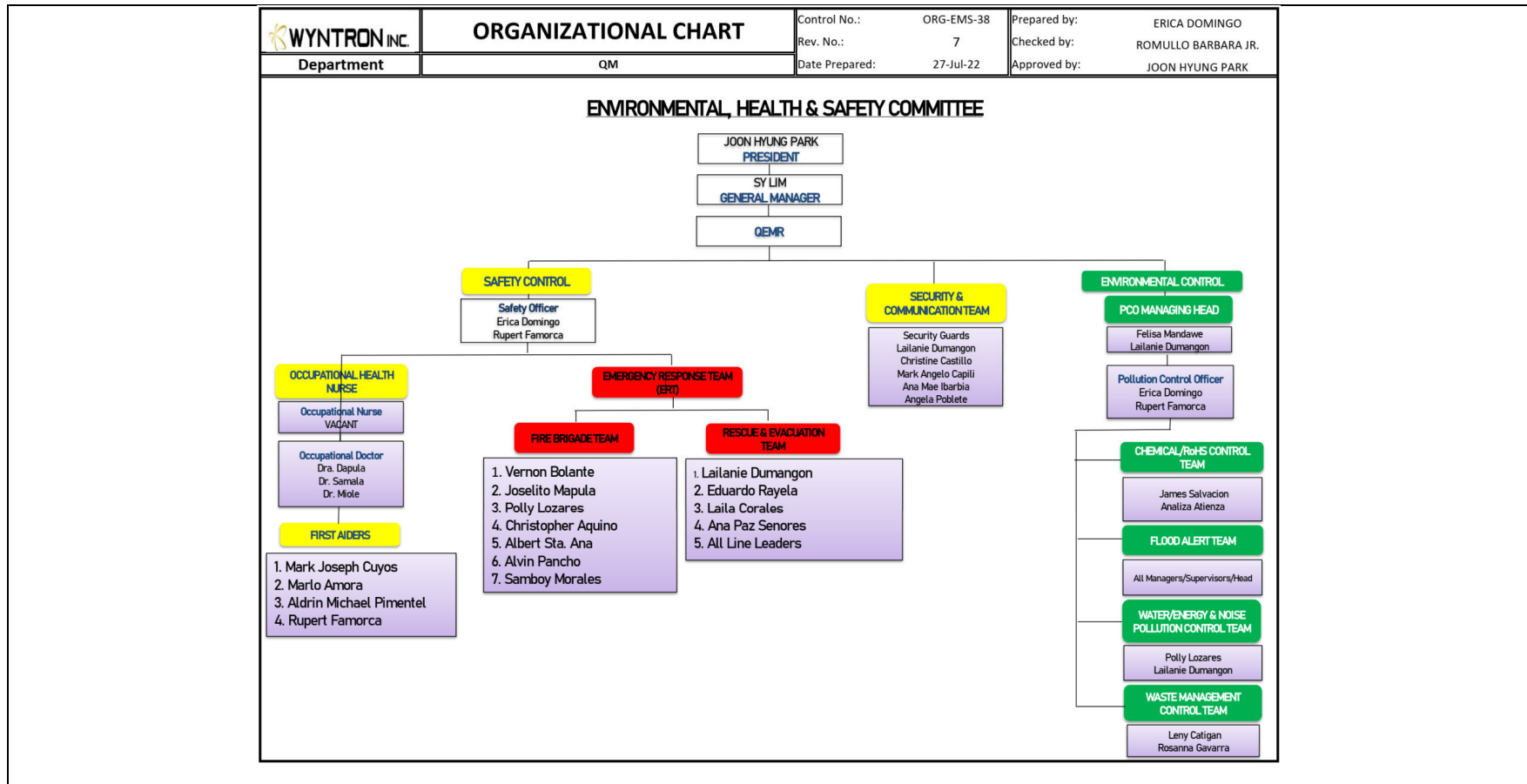


Figure 4: EHS Committee Organizational Chart of Wyntron Inc.

3.1 ADB Safeguard Requirement 1: Environment

3.1.1 Environmental Assessment

31. Wyntron uses its Quality and Environmental Policy to improve its performance in preventing the environmental impacts of the activities and products. The policy ensures that the operation of the company will continually prevent pollution in the activities and products/services. One of the objectives of the policy is to assure that the operation is compliant to all environmental laws and regulations.

32. As stated in the "Identification of Environmental Significant Aspect and Impact Procedures (SP-EMS-1)" of Wyntron, identification of environmental aspects yearly or whenever the following occurs. It includes identifying the environmental impacts and risks that the operation of the company may cause.

- Planned or new developments
- New or modified activities, products and services
- Abnormal conditions and foreseeable emergency situations
- There is a modification or addition of the laws and/or regulations directly applicable organization
- Environmental permit issuance, modification or renewal
- Changes in the design, operation of the plant
- Results of performance review or audit with findings requiring follow-up corrective and prevention action
- Occurrence of complaints from internal and/or external parties
- Occurrence of incidents and accidents

33. However, the identification of the project risks as stated in the procedure is limited within the company organization only. It does not include potential risks to the community and other stakeholders, as well as understanding how climate change can influence the project's E&S risks. Also, the procedure does not include the following:

- Screening and categorization of the projects to determine the type of environmental assessment required so that appropriate studies will be conducted (i.e., EIA, IEE).
- Screening the climate risk of the project location to determine technical design considerations for the new project development
- As required by the ADB, an environmental and social audit is required for the expansion of the existing facilities

3.1.2 Environmental Planning and Management

34. Wyntron is ISO 14001:2004 certified (Environmental Management System). As part of their EMS, the company considers the identified environmental risks in their planning, and acts on significant environmental aspects, compliance obligation and risks identified in the process. Set of guidelines were already developed to properly managed the environmental impacts of the project:

- Waste Management (Solid and Hazardous)
 - Conservation Management
 - Chemical Handling and Storage Management
 - Emergency Response and Recovery Plan
-

35. Wyntron also has established a documented procedure for emergency response preparation and plan. This plan identified the potential emergency situations and accidents pertaining to its business that may lead to an environmental impact. This plan addresses prevention and mitigation of its probable environmental impact associated with them.

3.1.3 Information and Disclosure

36. The company does not yet have policies or guidelines regarding information disclosure of the E&S policies and performance of the company. Disclosure of IEE, corrective action plan prepared during implementation and the environmental monitoring reports to the stakeholders are also not included in the existing procedures of Wyntron.
37. There is also no stakeholder's policy or engagement plan. The stakeholder's policy or engagement plan shall include the disclosure of the required documents in a timely manner and appropriate medium

3.1.4 Consultation and Participation

38. Wyntron has a documented procedure for internal and external communications. However, the current communication policy of the company is only applicable to the workers and its customers and is more focused on cascading the information related to the operation of the plants. There is no specific guidelines or procedures for the consultation with the local stakeholders.

3.1.5 Grievance Redress Mechanism

39. Wyntron has an existing grievance redress mechanism (GRM) under "SP-HRD-16: Workplace Grievance Policy and Procedure". The objective of this procedure is to provide grievance redress for various concerns and disputes regarding the interpretation or application of company's policies, terms and conditions of employment, issues on work standards, environment, among others.
40. The said policy is applicable to its employees, contractors, and stakeholders. However, only the internal GRM procedure was discussed in the policy. There were no details on GRM procedure for external stakeholders (i.e., community members, private companies, government agencies, among others), including the responsible Department to handle external grievances.
41. Further, the policy did not specify the monitoring of active and resolved grievances as well as the turnaround time for each step.

No.	Procedure
1	<p>The employee shall raise the issue to his immediate supervisor. Should the issue not be resolved by having an informal discussion to address the concern, the employee may opt to make the concern or complaint formal and submit details of grievance in writing to the Supervisor or Department Head/Manager.</p> <p>This report shall be handled with seriousness and confidentiality and the immediate supervisor shall only share information related to the report on a need-to-know basis for the purpose of accurate and thorough assessment to determine if there is a valid grievance.</p>

No.	Procedure
2	The concerned Supervisor/Department Head/Manager shall endorse the grievance to HRD-Admin Department.
3	The HRD-Admin Supervisor or Manager shall then call for a Grievance Hearing to address the concern. The minutes of the meeting shall then be recorded for reference.
4	The HRD-Admin shall then review the concern based on existing policies and procedures, company Code of Ethics, and Labor Laws and summon the Committee on Decorum and Investigation (CODI) as necessary to address it and properly inform the employee. Should the employee not be satisfied of the result of the hearing, the aggrieved employee may opt to appeal, and submit a written notice to the HRD-Admin.
5	The HRD-Admin shall then call for another review and/or hearing with the next higher-level committee consisting of three company senior management and the corporate legal counsel. The decision shall be considered final and executory.

42. Grievances can also be lodged through grievance/feedback boxes for employees, contractors, and stakeholders to ensure their anonymity.

3.1.6 Monitoring and Reporting

43. Wyntron has existing procedures to monitor and update the list of compliance obligations to the concerned agencies. However, the procedure does not yet include the submission of the semi-annual monitoring reports (during construction) and annual monitoring reports (during operation) for subprojects that will be funded by ADB through loan or investment.

3.1.7 Unanticipated Environmental Impacts

44. As stated in the Identification of Environmental Significant Aspect and Impact Procedures (SP-EMS-1) of Wyntron, identification of environmental risks shall be conducted if there are abnormal conditions and foreseeable emergency situations, if there are occurrences of complaints from internal and/or external parties and if there are occurrences of incidents and accidents during the operation.

3.1.8 Biodiversity Conservation

45. The company does not have a policy on biodiversity management since all the plants are located in an economic zone where biodiversity is very limited and is not expected to be affected by the operations.

3.1.9 Pollution Prevention and Abatement

46. Set of guidelines were already developed to properly managed the environmental impacts of the project:
- Waste Management (Solid and Hazardous)
 - Conservation Management
 - Chemical Handling and Storage Management
47. It is observed that specific guidelines for the management of wastewater and air emissions were not yet developed. However, these are considered in the identification of the environmental impacts and risks and the company, through its environmental policy, is committed to mitigate the potential impacts of these environmental aspects.

48. The Pollution Control Officer (PCO) is responsible in monitoring, reporting and supervising proper operation and maintenance of all activities pertaining to pollution sources and control facilities. They shall keep themselves abreast with legal and statutory requirements and to ensure compliance. They are also responsible in monitoring the facilities that it operates according to standards and to ensure testing are regularly done.

3.1.9.1 Pollution Prevention, Resource Conservation and Energy Efficiency

49. As mentioned, the company has SO 140001:2004 certification known as the Environmental Management System wherein procedures to prevent pollution were already developed.

50. The company has Conservation Program to reduce the consumption of water, electricity, gasoline and fuel and supplies during operation. A Conservation Committee is formed to oversee the implementation of the conservation program.

3.1.9.2 Solid and Hazardous Wastes

51. The following are the waste management procedures of Wyntron:

- Solid Waste Management Guidelines (GL-EMS-2)
- Waste Management Procedure (SP-EMS-16)
- Hazardous Waste Management Guidelines (GL-EMS-1)

52. Solid wastes generated in the plants are classified as recyclable wastes and residual wastes. As stated in the procedures, segregation of solid wastes should be done at the point of generation and will be collected for interim storage at the designated area within the plant. It will then be collected by an accredited waste collector. The PCO initiates the collection of the wastes once the interim storage facility is full.

53. The company policy on hazardous wastes management provides guidelines on proper identification, labeling, handling, storage and disposal of hazardous waste generated at the plants. Only accredited transporter and treater of hazardous wastes are allowed to handle and dispose the hazardous wastes.

54. The PCO is responsible in keeping records of all disposals and make a monthly summary report. The PCO summarizes waste disposal reports and logs in the Self-Monitoring Report (SMR) for submission to the Department of Environment and Natural Resources – Environmental Management Bureau (DENR-EMB) every quarter.

3.1.9.3 Hazardous Materials

55. As required in the Chemical Control Procedure (SP-EMS-5), the PCO shall evaluate the legal requirements and SDS of the chemicals that will be used and delivered. All chemicals that will be used in the plant shall be listed in the "Approved Chemical List" of the PCO. Required permits from the concerned agencies shall be secured prior the delivery of the chemicals.

56. Under the Incoming Inspection Procedure (SP-QAD-2), during delivery of the chemicals, the Registration, Evaluation, Authorization, and Restriction of Chemicals (REACH) system must be checked for the properties of the chemicals. The REACH Regulation, a regulation of the European union, places responsibility on industry to manage the risks from

chemicals and to provide safety information on the substances. Manufacturers and importers are required to gather information on the properties of their chemical substances, which will allow the safe handling, and to register the information in a central database.

57. The company does not have existing screening procedures to detect if there are asbestos-containing materials (ACM) within its facilities and management procedures for the proper handling, storage and disposal of ACM.

3.1.9.4 Pesticide Use and Management

58. The company does not conduct pest control in their operation thus, this is not applicable to Wyntron,

3.1.9.5 Greenhouse Gas Emissions

59. Considering the nature of the projects of Wyntron, the following are the project-related greenhouse gas emissions sources.

- Fuel burning during operation of the gensets (Scope 1)
- Power consumption of the heavy equipment, machineries and admin buildings (Scope 2)
- Delivery of raw materials and transport of products (Scope 3)

60. The conservation program of Wyntron includes activities to reduce consumption of electricity and gasoline and fuel during the operation.

3.1.10 Health and Safety

3.1.10.1 Occupational Health and Safety

61. As stated in the IMS manual of Wyntron, personnel safety is given priority during production planning, production set-up and actual production processes. Cleanliness of premises is also ensured through the facility.

Proper Housekeeping

62. Wyntron is implementing proper housekeeping procedures (SP-EMS-15) to establish standard housekeeping system in the work areas and to enhance the awareness of the workers and learn the principles of 7S. As stated in the procedure, it is the responsibility of the workers to maintain their work areas clean and compliant to the 7s standards. All newly hired workers shall undergo 7S training using the 7S awareness module. A 7S Committee was formed mainly to conduct a weekly audit to the selected work areas to assess compliance to the 7S Audit Checklist (FO-EMS-53). The following are the criteria used in evaluating the audited area:

- Observe proper conduct/self-discipline
 - Wearing of prescribed uniform, PPE and gadgets
 - Keeping of unnecessary items in workplace
 - Proper handling of parts/materials/products
 - Standard housekeeping
 - Equipment/tool/jigs/machine maintenance and control
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- Furniture arrangement, maintenance and control.
- Health and safety awareness
- Document compliance, storage and control

Emergency Preparedness, Response and Recovery

63. The following are the existing procedures and guidelines of Wyntron in terms of emergencies.

- Emergency Preparedness and Response Procedure (SP-EMS-6)
- Evacuation and Rescue Procedure (SP-EMS-7)
- Damage Control Emergency and Recovery Procedure (SP-EMS-9)
- Proper Chemical Spillage Response (WI-EMS-4)

64. The following are the identified emergency scenarios of Wyntron. For each emergency scenario, Wyntron has response, evacuation and rescue procedures. Recovery procedures for earthquake and/or any cause of natural calamity emergencies were already established. Also, as stated in the procedure and as required by DOLE, fire drills are to be conducted twice a year.

- | | | |
|-----------------------------|------------------------------------|-----------------------------------|
| • Fire | • Chemical spill/leak/disposal | • Volume up/Volume down |
| • Earthquake | • Typhoon/flood | • Contagious Diseases |
| • Bomb Threat and Explosion | • Customer commitment | • Manpower Shortage/Labor Strikes |
| • Power Outage | • Information Technology Breakdown | • Material Shortage |

65. The supervisors shall ensure that all the workers are trained in emergency procedures and that drills are being implemented to ensure employee preparedness. The Emergency Response Team is responsible in providing leadership and communications and in accounting all the workers during an emergency. The Safety Officers are responsible in conducting monthly maintenance check on all the emergency equipment.

Fire Safety

66. Wyntron has existing fire safety at work procedure (SP-EMS-10) with the following objectives.

- To outline procedures for handling fire emergencies;
- To enable employees to identify the different classes of fires; and
- To know what to do in case of fire.

67. It also has a fire safety program (SP-EMS-11) with the following objectives.

- To prevent loss of life and property;
 - To facilitate the prompt, orderly and safe evacuation of all personnel, documents, equipment and other company valuables;
 - To provide a system of fire fighting capability with the use of available manpower and fire fighting equipment to minimize loss or damage to property; and
 - To provide maximum security within the building and/or area during the emergency period and to maintain a systematic fire protection and prevention program implementation.
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68. The major workplace fire hazards identified at Wyntron facilities include electrical fire hazards, portable heaters, office fire hazards, cutting, welding and open flame work, flammable and combustible materials, and smoking. The protection and preventive measures are enumerated in the program.
69. The fire safety program includes fire protection and prevention programs, which include good housekeeping and regular maintenance of firefighting equipment according to manufacturers' specifications.
70. All employees must undergo basic fire prevention training upon employment conducted by the safety officer and/or fire marshal.
71. The Safety Officer must regularly maintain the fixed and portable firefighting equipment. They must conduct monthly maintenance checks on all the emergency equipment (smoke and thermal fire detectors, fire hose and fire hydrants, fire extinguishers, emergency lights, fire alarms and alarms for sprinkler systems).

Safety Risk Management

72. The Safety Risk Management Procedure (SP-EMS-12) of Wyntron intends to protect all the employees, visitors and public from potential injury during operation and to provide a safe workplace to its workers by following the Occupational Safety and Health Standards of DOLE.
73. The procedure includes hazard identification, risk assessment, risk control and evaluation, implementation of hazard identification through workplace walkthroughs, analyzing available information, undertaking a workplace inspection and using checklists.
74. A safety committee was created which comprises of appointed/trained safety and health representatives (first aid group, fire brigade group, communication group, evacuation & rescue group and action/chemical group). They are responsible for providing a forum for safety and health issues.
75. The Temporary Shutdown Procedure (SP-EMS-14) of Wyntron provides safety guidelines to protect the employees and visitors from potential hazardous energy sources during servicing, maintenance and shutdown of machinery, equipment and systems in the plants.

Organizational Knowledge (Training)

76. The following are the existing procedures of Wyntron Inc. for the provision of training.
 - Training and Certification Procedure (SP-QAD-23)
 - Training Needs Analysis (FO-HRD-58)
 - Training Needs Analysis Summary (FO-HRD-57)
77. Training needs analysis should be conducted annually to assess any necessary additional knowledge of the employees (FO-HRD-58). As stated in the procedures, the HRAD is responsible in initiating the annual training needs analysis. The training supervisor shall develop an annual training program.
78. Newly hired employees are required to complete the pre-employment training including ESD awareness. Certification badge is given to the workers who completed the training and passed the certification test. This badge is valid for one year only. To recertify, a

training shall again be done. Wyntron also has guidelines in evaluating the effectiveness of the trainings provided.

Awareness

79. QM section is responsible in ensuring the person doing work are aware of environmental policy. Training includes the awareness of each employee on the importance of conformance with the environmental policy. Awareness is conducted for newly hired employees and a quarterly awareness for existing employees. Quality Core meeting shall also be conducted quarterly for the awareness of the company's safety.

Accident/Incident Investigation and Reporting

80. Wyntron's policy, under "SP-EMS-13: Accident/Incident Investigation and Reporting Procedure" followed the Occupational Safety and Health Standards (as amended, 1989), mandating that any dangerous occurrence which may or may not cause serious bodily harm to workers employed or seriously damage the premises of employment shall be investigated and reported by the employer upon occurrence. Further, the policy also covers the need to report accidents in compliance with legal requirements using Wyntron's report form and/or the Regional Labor Office Written Report Form.

81. The procedure applies to the minimum statutory requirement for accident and incident:

- All accidents are recorded;
- Serious harm notified to Health and Safety Committee and accident scenes secured until clearance obtained; and
- Investigations carried out to determine causes (link to hazard identification).

82. The Section I. Objective of the policy were as follow:

- All accidents and incidents must be reported accurately to the Company. This includes proper conduct of accident and incident investigation that was committed by the employees, staff/personnel, contractors, and visitors. The injured person, or first on the scene needs to immediately notify his/her supervisor, and their Manager.
- The main purpose of accident investigation is to identify the immediate and underlying causes and improve the safety and health management system to prevent a reoccurrence. This will reduce financial losses and improve legal compliance.
- All concerned employee, staff, Managers/Supervisors and Safety and Health Committee to have the skills and responsibility in completing and processing of accident report forms and investigation techniques.

83. The policy also details the following: a) responsibility and authority, b) procedure, c) establish immediate and underlying causes, d) internal notification, and e) external notification.

84. The accident reporting process flow chart is also presented in the said policy.

Workplace Policy on COVID-19

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85. Wyntron has adapted PEZA CEZ Memorandum Circular (MC) No. 2020-030, "Advisory on the Formulation of Company Policy for the Workplace Prevention and Control of COVID-19" in developing its minimum health protocols and standards brought about by the COVID-19 pandemic.
86. Wyntron's policy, under "SP-EMS-17: Workplace Policy and Program on COVID-19 Prevention and Control", applies to all employees, visitors, clients/customers, and other stakeholders.
87. Section III. Workplace Health & Safety provided the non-pharmaceutical interventions (NPI) that are applicable to Wyntron's operations.
- A. Increase Physical & Mental Resilience
- Emphasis to all Wyntron's employees and contractors/service provides the daily practice of health lifestyle actions such as:
 - Eating nutritious and well-cooked food
 - Drinking plenty of fluids and avoidance of alcoholic beverages
 - Increasing the body resistance by having adequate rest and at least eight hours of sleep
 - Regular exercise
 - Sustained issuance of vitamins
 - Provision of referral for employees needing counselling or presenting with mental concerns
- B. Reduce Transmission of COVID-19
- Entry Protocols: "No Face Mask, No Entry" Policy
 - Wyntron shall also provide the necessary personal protective equipment (PPE) to all its employees (i.e., face masks, gloves, face shields, among others), free of charge.
 - Screening for visitors, clients/customers and stakeholders entering Wyntron,
 - Health Symptoms Questionnaire (HSQ)
 - Medical grade PPEs
 - Disinfection of the isolation area. Entry areas will be provided with hand disinfectants
 - Use of non-body contact thermal scanners
 - All equipment or vehicles entering Wyntron's operational area will undergo proper disinfection process.
 - In case there are long queues of Wyntron's employees or visitors within or outside its vicinity, the security guards on duty shall maintain the physical distancing protocol.
- C. Inside the Workplace
- Disinfection of frequently touched surfaces (i.e., doorknobs, handles, switches, etc.) at least once every 2 hours.
 - Handwashing soaps/liquid will be provided on all washrooms and hand sanitizers or hand disinfectants in areas where people frequently pass.
 - Practice physical distancing of at least 1 m. radius at all times and all areas of operations of Wyntron, including canteen/dining areas. Eating in communal areas will be discouraged and conversing during mealtimes will be disallowed as physical barrier in between dining tables will be provided.
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- Workstations including canteen/dining area will be regularly disinfected.

D. Minimize Contact Rate

- Alternate work arrangements such as working-hour shifts (day and night shift) to avoid crowding at workplaces on a rotation basis and Work-from-Home (WFH), will be adopted on a case-to-case basis.
- Prolonged face-to-face interactions between workplaces between workers, clients, visitors, among other will be discouraged and preference on videoconferencing using available software or application. Wyntron will device a scheme to encourage online system to be utilized for clients or visitors needing assistance from offices.
- All workstations such as but not limited to offices, production or warehouse areas, clinic, and auxiliary facilities will be arranged in order to maintain proper physical distancing through provision of barriers, where applicable. To allow for unidirectional movement in aisles, corridors, and walkways, workstations will be related-out.
- People inside an enclosed space such as room, store, or hall shall be limited.
- Use of stairs will be encouraged, subject to physical distancing requirements.
- Designated members of the Health & Safety Committee or line leaders and/or supervisors of Wyntron shall ensure that physical distancing and observance of health protocols are strictly abided by all.

88. Employee's responsibility and reduction of risk of infection from COVID-19, and assistance to be provided by DOLE were outlined in policy as well.
89. The Safety and Health Committee of Wyntron or its counterpart shall periodically monitor and evaluate the implementation of this Policy and Program and provide monthly reporting of illnesses, diseases, and injuries to DOLE Regional Office, copy-furnished the Department of Health (DOH), using the DOLE Work Accident Illness Report Form (WAIR).
90. A Memorandum (MEM-WYN-2021-009) was issued last 11 February 2021 regarding the guidelines on Work from Home Arrangements during special circumstances (i.e., Province of Cavite is declared under Enhanced Community Quarantine (ECQ). Employees who are approved for WFH shall submit a job report based on the actual number of hours worked. In which, "Honor/Honesty System" shall apply accordingly.

Chemical Control Procedure

91. All workers exposed in the chemicals, during receiving, transferring and usage, should always wear proper PPEs. The Safety officer/Chemical Committee shall ensure that chemical spill kits are available in the chemical storage areas and that PPEs are provided to all the workers.
92. The SDS of all the approved chemicals must be posted in the work area where the chemicals are used. The Purchasing/IMPEX is responsible is getting the SDS from the suppliers or manufacturers and shall forward to the PCO.

3.1.10.2 Community Health and Safety

93. The company has no policy on community health and safety or stakeholders' policy.
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94. The emergency response for the potential leaks and spillage of chemicals are only applicable within the company's premises.
95. There is no policy on the response procedures for potential emergencies or accidents during the delivery of chemicals to the plants and the transport of the hazardous wastes from the plants.

3.1.11 Physical Cultural Resources

96. Republic Act No. 10066, "National Cultural Heritage Act of 2009" was enacted in 2010 to provide protection, preservation, and promotion of the nation's cultural heritage. This enabled the National Commission for Culture and the Arts (NCCA) to establish the Philippine Registry of Cultural Property (PRECUP).
97. The PRECUP is the repository of all culture properties of the Philippines that were deemed important to cultural heritage.
98. The municipality of Rosario is currently home to 4 historical, tangible, and intangible cultural properties recorded in the PRECUP-TALAPAMANA.
99. Two tangible and immovable cultural properties are co-located 1 kilometer from Wyntron's Plant 1, namely the "Emilio Aguinaldo Monument" and "Casa Hacienda de Tejeros, the Site of the Tejeros Convention" along General Trias Drive.
100. This impact is not applicable. Wyntron's operations are not within areas with physical cultural resources.

3.2 ADB Safeguard Requirement 2: Involuntary Resettlement

101. The Company does not have guidelines on screening of the project's impacts in terms of involuntary resettlement, including legacy issues related to land. The existing facilities of Wyntron are located within CEZ under the control of PEZA.
102. There is no involuntary resettlement (IR) impact for Wyntron's existing facilities within the CEZ. Under Republic Act No. 7916, "The Special Economic Zone Act of 1995", Part IV – Infrastructure Facilities and Utilities states the following:

"Lands and buildings within an ECOZONE can be leased only to ECOZONE enterprises/entities authorized by or registered with the PEZA..."

103. Under the same law, under Rule XII. Defense, Security and Firefighting Forces states the following:

"The defense of the perimeters of the ECOZONES shall be the responsibility of the National Government... to prevent unauthorized intrusion of unwanted elements..."

104. This prevents entry of informal settler families (ISFs) as well as unauthorized persons within CEZ's premises.

3.3 ADB Safeguard Requirement 3: Indigenous People

105. The Company does not have guidelines on screening of the project's impacts to indigenous peoples (IPs). It may be noted, however, that the existing facilities of Wyntron do not entail impacts on IPs. Wyntron is located within CEZ under the control of PEZA. This is away from areas where IPs can be found. Furthermore, CEZ was created by virtue of Presidential Proclamation No. 1980, "Reserving for Purposes of the Export Processing Zone Authority Parcels of Land of the Private Domain" dated 30 May 1980.
106. An amendment was made by virtue of Presidential Proclamation No. 2017, "Reserving Parcels of Land for the Cavite Export Processing Zone" dated 19 September 1980.
107. Further amendment was made by virtue of Presidential Proclamation 1259, "Redefining the Reserved Areas Covered by the Cavite Export Processing Zone Located in the Municipalities of Rosario and General Trias, Province of Cavite" dated 22 June 1998.
108. As discussed, CEZ was established prior to RA No. 8371, "Indigenous Peoples Rights Act of 1997". SEC. 56. Existing Property Rights Regimes of RA No. 8371 states that "Property rights within the ancestral domains already existing and/or vested upon effectivity of this Act, shall be recognized and respected".

3.4 ADB Social and Labor Protection Requirements

Recruitment, Selection and Placement Procedure (SP-HRD-3)

109. Wyntron has created "SP-HRD-3: Recruitment, Selection and Placement Procedure" to describe how personnel are screened, selected, and placed in the required positions of the organization. This policy explicitly states that Wyntron aims to provide equal opportunity and due consideration for employment without regard to age (subject to provisions on child labor), race, gender preference, civil status, religious belief, and ethnicity.
110. The said policy complies with RA No. 6725, "An Act Strengthening the Prohibition on Discrimination against Women with Respect to Terms and Conditions of Employment, amending 135 of the Labor Code, as Amended", which states that it shall be unlawful for any employer to discriminate against any woman employee with respect to terms and conditions of employment solely on account of her sex.
111. Further, the said policy also states that the Human Resources Department (HRD) and the Management shall ensure that hiring and employment is in accordance with provisions of the Labor Code of the Philippines.
112. The policy also states that it shall adhere to Republic Act No. 9231, "An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, amending for this purpose Republic Act No. 7610, as amended, otherwise known as the "Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act".
113. In addition, the policy also commits that the HRD and the Management shall ensure that the recruitment activities shall create equal opportunity and shall not engage in child exploitation, trafficking in persons, forced labor, or involuntary servitude.
114. Section 4. "Acts of Dishonesty/Breach of Trust & Confidence" of Wyntron's Code of Ethics puts serious offense (grounds for dismissal) should an employee knowingly give false or misleading data in applying for employment.

115. The said policy also details the procedures and process flowchart for the following:
- External Hiring;
 - Internal Hiring;
 - Managerial Positions;
 - Technical Supervisory and other Staff Positions;
 - Apprentice Operators and/or Production Operators;
 - Production Operators (Manpower Agency); and
 - Appointed Positions.
116. For the positions of operators, staff and drivers, applicants are required to undergo a written examination.
117. Further, Wyntron has created "SP-HRD-5: Human Resource Management Procedure" to ensure the efficient management of human resources. Included in the said procedure are the following: a) responsibilities and authorities, b) recruitment of new employees, c) handling of newly hired employees, d) performance evaluation/appraisal of employees, e) administering lateral transfer and promotion, f) resignation, g) termination, h) timekeeping, i) leave benefits, j) meal allowance, k) annual medical exam, and l) handling of disciplinary action.
118. ADB's Social Protection Strategy mentions risk reduction measures for social/governance risks. This policy identifies exclusion, losing social status/capital, social anomia, and etc. as types of social risks to the poor. To mitigate these risks, private companies, such as Wyntron, should implement mechanisms that promote good corporate governance securing fair employment opportunities and provision of services regardless of race, gender, age, social status, or political affiliation. Wyntron's existing HR policy is based on the principle of non-discrimination and is therefore aligned with the core labor standard convention on the elimination of discrimination in respect of employment and occupation.
119. This policy also adheres to the Social Protection Strategy on risk reduction measures for social/governance risks.
120. In the design and formulation of its loans, ADB will ensure the borrower's compliance with internationally recognized Core Labor Standards. Wyntron's existing HRD policy and procedures, as mentioned above, comply with the particular Core Labor Standards pertaining to the elimination of discrimination in respect of employment and occupation.
121. The said policy did not detail the procedures for recruitment and employment of on-the-job (OJTs)/apprentices. The said policy lacks clarity in terms of the processes for on-the-job training (OJT) and the corresponding institutional arrangements and agreements between Wyntron and partner OJT institution, in adherence with DOLE apprenticeship rules based on Book II -Human Resources Development Program.

Code of Ethics (FO-HRD-78)

122. Wyntron mandates its employees, regardless of rank, position, and employment status to adhere to the Code of Ethics. The Code acts as an Employee Manual of Wyntron.
123. The policy also stated compliance with DOLE DO No. 147-15 on the application of just and authorized causes of termination.
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124. The said Code is not clear on the following items:
- Definition of authorized break/ meal period according to Art. 85 Book 3, "Conditions of Employment" of Presidential Decree No. 442;
 - All allowable and applicable benefits for various employment status. Consistent with other company policies, such as SP-HRD-5;
 - Freedom of association and the effective recognition of the right to collective bargaining;
 - Signed acknowledgement of the employee on his/her adherence to the Code of Ethics; and
 - Proof of submission of the Code of Ethics to DOLE for review.

Subcontractor Qualification and Monitoring Procedure (SP-HRD-18)

125. Wyntron's policy on subcontractor qualification and monitoring procedure details the requirements for the selection of subcontractor/service provider. Under the said policy, the Human Resources and Admin Department (HRAD) shall check the record of the potential subcontractors/service providers with regard to their compliance on government mandatory remittances and permits.
126. As part of the selection process, the HRAD evaluates the potential subcontractor in terms of its compliance to the government permits and licenses and performance with their existing clients. Only subcontractors and/or service providers that passed the evaluation shall be engaged by Wyntron.
127. The procedure on monitoring contracted subcontractors and/or service providers were also included in the policy. During the term of the contract, the following will be monitored from the contractor:
- Copy of personnel's 201 files and pre-employment medical results
 - Valid certifications of first aiders
 - Proof of payment of all government mandatory payments
 - Payrolls every first week of the month
 - Valid permits, licenses and certificates
128. An annual performance evaluation of the subcontractors/service providers based on Wyntron's rubrics as basis for renewal of contract or termination.
129. The abovementioned procedures are undertaken by HRAD to ensure that procurement of goods and services, contractors, subcontractors, and consultants, comply with the country's labor legislation (e.g., minimum wages, safe working conditions, social security contributions, etc.) as well as with the core labor standards. The policy aligns with ADB's Social Policy Strategy.
130. Supporting this policy is the "Sustainable Purchasing Policy", which commits Wyntron to conduct its business operations through ethical procurement practices and respect to fundamental social and environmental corporate responsibilities. Further, the said policy mentions that Wyntron shall not tolerate unfair trade and purchasing and requires its partners and suppliers to observe its CSR policies and social and environmental impacts of the supply chain of its products and services.
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131. Similarly, provisions in the contract agreement of the contractors/subcontractors requires compliance with all reasonable and lawful rules, regulations, orders, instructions, and procedures of Wyntron.
132. This was further elaborated in the General Quality Agreement (GQA) that requires Wyntron's suppliers to incorporate environmental, corporate, and occupational safety and health standards in their respective management systems.
133. The policy was however unclear if it was anchored to DOLE DO No. 174-17 on regulations governing contracting and subcontracting arrangements. There was also no mention on the procedures for registration of contractors. There is also no provision requiring contractors to follow good environmental, health, and safety industry practices.

Sexual Harassment Policy and Procedure (SP-HRD-10)

134. Wyntron's policy complies with the requirement of Republic Act No. 7877, "Anti-Sexual Harassment Act of 1995", Republic Act No. 9262, "Anti Violence Against Women and Their Children Act Of 2004". The said policy provided the procedures for resolution, settlement, or prosecution of acts of sexual harassment.
135. Included in the policy is Wyntron's established Committee on Decorum and Investigation (CODI) to handle cases related to sexual harassment and violence against women and their children.
136. The Gender and Development policy of ADB recognizes the increased participation of women in the labor force exposes them to new forms and patterns of exploitation such as sexual harassment in the workplace.
137. As such, Wyntron's policy pertaining to the prevention, resolution, settlement, or prosecution of acts of sexual harassment, specially to women, aligns with the policy of ADB.

Work from Home Arrangements

138. A Memorandum (MEM-WYN-2021-009) was issued last 11 February 2021 regarding the guidelines on Work from Home Arrangements during special circumstances (i.e., Province of Cavite is declared under Enhanced Community Quarantine (ECQ)).
139. Employees who are approved for WFH shall submit a job report based on the actual number of hours worked. In which, "Honor/Honesty System" shall apply accordingly.
140. Section 8. Fair Treatment of DOLE DO No. 237-22, stipulates that all telecommuting employees shall receive a rate of pay, including overtime and night shift differential, and other similar monetary benefits not lower than those provided in applicable laws..."
141. The memo, being issued in 2021, must be updated to reflect the provisions stipulated in the above-mentioned department order.

Whistleblower Policy (SP-HRD-15)

142. Wyntron's policy provides protection for whistleblowers from harassment, discrimination and retaliatory acts and provide proper channel to escalate concerns. The

roles and responsibilities of the management and the procedures were included in the policy as well.

Child and Forced Labor Policy (SP-HRD-14)

143. Wyntron's policy states that the company shall not engage in child and forced labor. Similarly, it shall comply with applicable child labor laws, including those related to wages and working conditions (detailed in SP-HRD-3). The HRD is responsible in reviewing the authenticity and validating the pre-qualification documents submitted by an applicant and/or employee which includes birth certificate, transcript of records and diploma, among others.
144. As highlighted in Section 4. "Acts of Dishonesty/Breach of Trust & Confidence" of Wyntron's Code of Ethics puts serious offense (grounds for dismissal) should an employee knowingly give false or misleading data in applying for employment.
145. Wyntron's management also expect its employees, business partners and associations to uphold similar standards and comply with governing laws, regarding child and forced labor, in the operation of their businesses.
146. ADB's prohibited investment activities list (PIAL) states that production or activities involving harmful or exploitative forms of forced labor or child labor do not qualify for ADB financing.
147. Wyntron's policy on the prevention of child labor and forced labor therefore complies with ADB's PIAL.
148. This policy also adheres to Core Labor Standards ((a) the abolition of all forms of forced and compulsory labor and (b) elimination of child labor).

Anti-Money Laundering Policy (SP-HRD-13)

149. Wyntron's policy on anti-money laundering aligns with Republic Act No. 9160, "Anti-Money Laundering Act of 2001", and its implementing rules and regulations (IRR). The policy also provides related unlawful activities and compliances to various laws and regulations.
150. The said policy mentioned that Wyntron shall always ensure that the true identity of its customers, suppliers, and members are sufficiently ascertained before entering into a business relationship or performing a single transaction or deal.

HIV/AIDS Prevention and Control in the Workplace Policy and Procedure (SP-HRD-9)

151. Wyntron's policy on HIV/AIDS prevention and control in the Workplace adheres to Republic Act No. 8504, "Philippine AIDS Prevention and Control Act of 1998, and its IRR and DOLE DO No. 102-10.
152. ADB's Gender and Development campaigns to contain the spread of HIV/AIDS among women. In addition, Social Protection Strategy mentions risk reduction measures for illness/injury/disease (including HIV/AIDS) risks through private sector mechanisms.
153. The said policy aligns with ADB's Gender and Development Policy and Social Protection Strategy.
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154. In design and formulation of its loans, ADB will comply with internationally recognized Core Labor Standards.

155. The said policy aligns with ADB's Social Protection Strategy and Core Labor Standards, the elimination of discrimination in respect of employment and occupation.

Hepatitis B Prevention and Control in the Workplace Policy and Procedure (SP-HRD-8)

156. Wyntron's policy on Hepatitis B prevention and control in the Workplace adheres to DOLE Department Advisory No. 05, series of 2010.

157. ADB's Social Protection Strategy mentions risk reduction measures for illness/ injury/ disease (including HIV/AIDS) risks through private sector mechanisms.

158. In design and formulation of its loans, ADB will comply with internationally recognized Core Labor Standards.

159. The said policy aligns with ADB's Social Protection Strategy and Core Labor Standards (the elimination of discrimination in respect of employment and occupation).

TB Prevention and Control in the Workplace Policy and Procedure (SP-HRD-7)

160. Wyntron's policy on TB prevention and control adheres to Executive Order No. 187, "Instituting a Comprehensive and Unified Policy for Tuberculosis Control in the Philippines (CUP)" and DOLE DO No. 73-05.

161. ADB's Social Protection Strategy mentions risk reduction measures for illness/ injury/ disease (including HIV/AIDS) risks through private sector mechanisms.

162. The said policy aligns with ADB's Social Protection Strategy.

163. In design and formulation of its loans, ADB will comply with internationally recognized Core Labor Standards.

164. The said policy aligns with ADB's Social Protection Strategy and Core Labor Standards (the elimination of discrimination in respect of employment and occupation).

Drug Free Workplace Policies and Procedures (SP-HRD-6)

165. Wyntron's policy on drug-free workplace aligns with Republic Act No. 9165, "Comprehensive Dangerous Drugs Act of 2002", and its IRR and DOLE DO 53-05. Random drug testing is conducted annually as part of annual medical check-up to all officers and employees of Wyntron.

166. The composition and roles and responsibilities of Wyntron's Drug Assessment Team were also included in the above-mentioned policy.

Supply Chain

General Quality Agreement

167. A General Quality Agreement (GQA) prepared by Wyntron for its suppliers in order to pursue good quality performance based on the quality targets for both parties.

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168. Section 3.1 Quality Management System (QMS) Requirements to All Stated Locations of Supplier explicitly states the following:
169. The Supplier shall maintain at all its locations involved in the design, production, test, and delivery of products and/or services to Wyntron a QMS in accordance with the requirements of ISO 9001 or ISO 14001 and shall provide objective evidence of that requirement to Wyntron upon request.
170. The QMS shall be certified by an accredited company and/or verified by Wyntron via self-assessment and/or on-site visit. A list of the certificates of supplier's QMS and further agreements concerning QMS requirements of Wyntron shall be documented. Wyntron prefers suppliers that operate with Environmental Management System (EMS) which is certified according to ISO 14001 standard.
171. Further, Wyntron requires that any supplier incorporates environmental and corporate responsibility and Occupational Health and Safety Assessment Series (OHSAS) aspects in its management systems.
172. Under Section 4.3 Health and Safety Requirements, the suppliers shall provide to Wyntron all applicable Material Safety Data Sheets (MSDS) and ensure usage of material by suppliers for the product and production in compliance with Restriction of Hazardous Substances in Electrical and Electronic Equipment (RoHS) exemption.
173. As stated in Section 5.2.2 Qualification and Release of Sub-Suppliers, Wyntron's suppliers shall ensure that a process is implemented for the qualification of its sub-suppliers and verification of their supplied product. The policy also states that the suppliers shall only use qualified sub-suppliers. In case of change or modification, re-qualification is mandatory.
174. The supplier must not change any sub-suppliers without prior written approval by Wyntron to ensure stable quality of materials from sub-suppliers. Any changes to sub-suppliers will also require re-qualification.
175. Section 6.2 Identification and Product Traceability, states that the supplier shall ensure traceability of its products and single parts to mitigate impact and consequences of quality problems in the products.

Incoming Inspection Procedure (SP-QAD-2)

176. Wyntron's policy, under "SP-QAD-2: Incoming Inspection Procedure" provided the acceptance procedures of all sub-assembly parts and raw materials, including conflict minerals, and ensure traceability of supplied/delivered goods.
177. Wyntron also obtains its suppliers from the CMRT to ensure its supply of Tantalum, Tin, Tungsten, and Gold (3TG) are sourced from smelters and refiners that have complied with RMI's audit and their respective country's legislation
178. The Responsible Minerals Initiative (RMI) was founded by the members of the Responsible Business Alliance and the Global e-Sustainability Initiative. RMI's flagship, Responsible Minerals Assurance Process (RMAP), provides companies and their suppliers, third-party audit that determines which smelters and refiners have verifiable systems in place to responsibly source minerals at par with existing global standards.
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Further, RMAP standards are developed to comply with the requirements of the Organization for Economic Co-operation and Development (OECD) Due Diligence, the Regulation (EU) 2017/821 of the European Parliament and the US Dodd-Frank Wall Street Reform and Consumer Protection Act.

179. The RMAP provides environmental, social & governance (ESG) standard for mineral supply chains released last June 2021. The said standard provides the criteria for determining conformance with RMI program requirements for environmental, social, health & safety, governance at mineral processing companies. Further, this standard is also aligned and consistent with International Organization for Standardization (ISO) ISO:14001 and ISO:45001.
180. The RMAP also follows the ISO 19011:2018 auditing standard in conducting an independent third-party assessment.
181. The Conflict Minerals Reporting Template (CMRT)¹, is a free and standardized reporting template created by the Responsible Minerals Initiative (RMI).
182. From the template, "CMRT... facilitates the transfer of information through the supply chain regarding mineral country of origin and smelters and refiners being utilized and supports compliance to legislation.
183. The template also facilitates the identification of new smelters and refiners to potentially undergo an audit via the RMAP". The CMRT was designed for downstream companies to disclose information about their supply chains up to but not including the smelter."

Stakeholder Engagement

184. The Company does not yet have policy or procedures for stakeholder engagement.

¹ Accessed at RMI website: www.responsiblemineralsinitiative.org

4 Subproject Audit Findings

4.1 Compliance to ADB SPS 2009

4.1.1 ADB Safeguard Requirement 1: Environment

185. The status of compliance of Plant 2 to the ADB S1 requirement are summarized in Table 5.

Table 5: Compliance Status with ADB Safeguard Requirement 1: Environment

Safeguard Requirement	Gaps/Findings
Environmental assessment	<ul style="list-style-type: none"> Environmental Compliance Certificate (ECC) for the operation of the EVSE chargers manufacturing plant. Only 1 ECC was acquired for the operation of Plant 1 and Plant 2. An Environmental Performance Report and Monitoring Plan (EPRMP) Checklist was submitted as a requirement for the ECC however, the report does not conform with the EIA/IEE requirements of the ADB SPS. The EPRMP checklist prepared by Wyntron does not include the following sections as required in the ADB IEE: <ul style="list-style-type: none"> Policy, Legal and Administrative Framework Description of the environment (baseline data) Analysis of Alternatives Information, Disclosure, Consultation and Participation Grievance Redress Mechanism As part of the ECC application, Wyntron identified the potential environmental impacts of the project.
Environmental Planning and Management	<ul style="list-style-type: none"> As part of the ECC application, Wyntron developed one Environmental Management Plan (EMP) for both Plant 1 and Plant 2 which details the mitigating measures and responsible person per identified project impact. In addition, Wyntron also prepared an Environmental Monitoring Plan (EMoP). However, the monitoring plan is only being implemented by Wyntron on Plant 1. For the EVSE plant, the environmental monitoring is conducted by DKP together with the other operations in Plant 2.
Information Disclosure	<ul style="list-style-type: none"> The following information regarding Wyntron are posted on the website of Danam Philippines, Inc. <ul style="list-style-type: none"> Plant site area Number of employees Certifications and trainings The EHS policies and performance of the company were not disclosed on the website. There are no other information disclosure activities conducted for Plant 2.

Safeguard Requirement	Gaps/Findings
Consultation and Participation	<ul style="list-style-type: none"> Wyntron Inc. has not conducted any consultation with the local community. One of the conditions in the Environmental Compliance Certificate of Wyntron is to conduct an IEC to the host community however, Wyntron has not yet complied with this requirement.
Monitoring and Reporting	<ul style="list-style-type: none"> Self-Monitoring Reports (SMRs) in Plant 2 are submitted by DKP to DENR-EMB every quarter. Based on the submitted SMRs, the operation of the plant is compliant to the standards for ambient air quality, noise and air emissions. The effluent of the septic tanks is not compliant to the DENR standards, but this are further treated to the centralized WWTP of the ecozone. On the other hand, Compliance Monitoring Reports (CMR) are also submitted by Wyntron to DENR-EMB every semi-annual which includes the EVSE charger plant. This report includes the compliance of Wyntron to the conditions stipulated in the ECC. Based on the monitoring of Wyntron, the following ECC conditions were not yet complied: <ul style="list-style-type: none"> Development and implementation of IEC plan Development and implementation of Social Development Plan
Unanticipated Environmental Impacts	The plant is subjected to internal and external audits. The audit activities include the compliance of the operation to the environmental regulations and policies. Corrective action plans are being implemented based on the key findings of the audit activities.
Biodiversity Conservation	The project site is located inside CEZ, a PEZA-operated industrial zone. The project site was already developed. Vegetation in the site is limited to shrubs and some trees and is considered as modified habitat
a. Modified Habitat	The project site is located inside CEZ, a PEZA-operated industrial zone. The project site was already developed. Vegetation in the site is limited to shrubs and some trees.
b. Natural Habitat	The plant sites are considered as modified habitat.
c. Critical Habitats	The plant sites are considered as modified habitat.
d. Legally Protected Areas	The plant sites are considered as modified habitat.
e. Invasive Alien Species	The project is not expected to introduce invasive alien species.
f. Management and Use of Renewable Natural Resources	<p>In 2021, the following are initiatives done by the company to reduce its resource consumption:</p> <ul style="list-style-type: none"> Reduce electricity consumption by 5%. The target is to consume less than 0.37 kwh/unit. Wyntron was able to meet this goal with average consumption per unit was 0.19 kwh.

Safeguard Requirement	Gaps/Findings
	<ul style="list-style-type: none"> • Reduce water consumption by 5%. The target water consumption per employee is less than 1.5 cubic meters. In the end of 2021, the average water consumption per employee was computed to be 1.05 cubic meters
a. Pollution Prevention, Resource Conservation and Energy Efficiency	<p>The following pollution control facilities that are installed in Plant 2:</p> <ul style="list-style-type: none"> • Septic tanks for wastewater (overflow is discharged to the sewer lines of CEZ for further treatment) • MRF • Residual wastes storage area • Hazardous waste storage area • Chemical storage area • Stacks for the gensets <p>The hazardous waste storage areas and chemical storage areas are provided with secondary containment to avoid the spillage or leakage to the environment.</p> <p>In 2021, the following are initiatives done by the company to reduce its resource consumption:</p> <ul style="list-style-type: none"> • Reduce electricity consumption by 5%. The target is to consume less than 0.37 kwh/unit. Wyntron was able to meet this goal with average consumption per unit was 0.19 kwh. • Reduce water consumption by 5%. The target water consumption per employee is less than 1.5 cubic meters. In the end of 2021, the average water consumption per employee was computed to be 1.05 cubic meters.
b. Solid Wastes	<p><u>Solid Waste Management</u></p> <ul style="list-style-type: none"> • Plant 2 has separate storage area for the recyclable wastes and the residual wastes. During the site visit, the storage area for the residual wastes were observed to be full and were already overflowing. • The MRF in the plant has a capacity of 40 m³. • Solid wastes from the operation of the EVSE charger plant is being monitored and managed by the PCO of DKP for Plant 2. • The third-party contractor of DKP for the collection of the residual wastes on Plant 2 is the Metro Clark Waste Management and Development Corp while the recyclable wastes are sold to San Jose Trading. These are PEZA-accredited waste collectors.

Safeguard Requirement	Gaps/Findings
	<ul style="list-style-type: none"> During the site visit in Plant 2, solid wastes in the storage facility were observed to be overflowing. <p><u>Hazardous Waste Management</u></p> <ul style="list-style-type: none"> Hazardous waste storage area is provided in Plant 2 with capacity of 24 m³. During the site visit conducted, the existing hazardous waste storage facility in Plant 2 was observed to have secondary containment, well-ventilated and were provide with locks to limit unauthorized access. However, the stormwater drainage system near the storage facility has stagnant water and almost reaches the inside the storage facility. The hazardous wastes generated by the operation of the EVSE charger plant is being managed and moniotred by the PCO of DKP for Plant 2. Only DENR-accredited transporters of hazardous wastes are allowed to collect the hazardous waste generated from the plants. Based on the interview conducted, the PCO initiates the online manifest system of EMB on hazardous waste to start the process of the collection of the hazardous wastes and secure the Permit to Transport (PTT) from DENR. The PCO also checks the hazardous wastes containers for possible leaks, spills or damages before being transported. A Certificate of Treatment must be uploaded by the DENR-accredited TSD facility in the manifest system of DENR and a copy must also be provided to Wyntron Inc.
c. Hazardous materials	<ul style="list-style-type: none"> Regulatory permits from DENR-EMB and PDEA are secured for the use of the chemicals in the plant. These permits are also reported in the SMR and CMR of the plant. The PCO is responsible in monitoring and ensuring that all chemicals used in the plant are regulated in the country. The PCO also checks REACH during the delivery of the chemicals. The PCO of DKP for Plant 2 monitors and manages the chemicals used in the EVSE charger plant.
d. Pesticide use and management	Not applicable to the subproject since pest control is not being conducted in Plant 2.
e. Greenhouse Gas Emissions	<p>In 2021, the following are initiatives done by the company to reduce its resource consumption:</p> <ul style="list-style-type: none"> Reduce electricity consumption by 5%. The target is to consume less than 0.37 kwh/unit. Wyntron was

Safeguard Requirement	Gaps/Findings
	<p>able to meet this goal with average consumption per unit was 0.19 kwh.</p> <ul style="list-style-type: none"> • However, conservation program for the reduction of gas and fuel consumption was not implemented.
Health and Safety	
a. Occupational Health and Safety	<p>DOLE-approved Occupational Health and Safety Program of DKP is also applied for the EVSE charger plant of Wyntron. As part of the OSH program, the following are being implemented in Plant 2:</p> <ul style="list-style-type: none"> • Medical surveillance of the workers • There is 1 first aid room and 1 clinic provided in the project site • 1 Safety officer is on duty • There are one physician and six first aiders in the project site • General orientation (OSH) for newly hired employees is conducted • Toolbox meetings are conducted everyday by each department and also included in the daily operations with the management • Submission of annual medical report, annual work accident/injury report, annual exposure data report and employer's work accident report • PPEs are provided to the workers (safety shoes, back support, goggles, earplugs, safety vest, safety harness, hard hat, arm protector and gloves, reflectorize vest) • Safety signages are provided on site. • Conduct of fire and evacuation drill • Plant 2 has yielded 4 medical incidents and 0 LTAs in 2021. The number of days without accident was 1,278. There were 2 recorded medical incidents for the year 2022. • Accidents/Incidents in the plant are being reported to DOLE every year. • Fire drills are conducted twice a year. • Fire extinguishers are provided on site. • An Emergency Response Team was formed. • The following are the training being provided to the workers in 2021: <ul style="list-style-type: none"> ○ DOLE 8 hours mandatory training ○ OSH Awareness ○ Waste Management

Safeguard Requirement	Gaps/Findings
	<ul style="list-style-type: none"> ○ 8-discipline Methodology ○ 5 Why Methodology ○ Process Control Plan Training ○ IPC-A-610 Training and Certification Program • The company conducted COVID-19 vaccination to its employees. • A COVID-19 Awareness/Protocols seminar was conducted in 2021 for the employees
b. Community Health and Safety	<ul style="list-style-type: none"> • Plant 2 is approximately 1 kilometer away from the nearest community along Antero Soriano Highway • There is no threat to community health and safety as all of Wyntron's operations are within the CEZ under the control of PEZA. • Plant 2 has private security personnel to ensure safety of the workers and prevent unauthorized personnel from entering the company facilities' premises. • Wyntron also implements COVID-19 protocols to prevent and reduce the spread to COVID-19 in the plant premises. • The latest submission of the WAIR was made last 30 September 2022
Physical Cultural Resources	<ul style="list-style-type: none"> • Two tangible and immovable cultural properties are co-located 1.6 kilometers from Wyntron's Plant 2, namely the "Emilio Aguinaldo Monument" and "Casa Hacienda de Tejeros, the Site of the Tejeros Convention" along General Trias Drive. • This impact is not applicable. Wyntron's operations are not within areas with physical cultural resources.

4.1.1.1 Compliance to existing and applicable national environmental laws and policies

186. The status of compliance of the existing operation of Wyntron Inc.'s EVSE charger plant to the applicable national environmental laws and policies is summarized in Table 6.

Table 6: Compliance of Wyntron's existing operation to applicable national environmental laws and policies

Applicable law/policy	Requirement	Status	Remarks
PD No. 1586 – Philippine Environmental Impact Statement System	Environmental Compliance Certificate	Compliant ECC-R4A-2021-12-0265 issued on February 14, 2022 by the EMB Region 4A.	The ECC covers the production of Wyntron Inc. in both plants.

Applicable law/policy	Requirement	Status	Remarks
RA 6969 – Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990	Hazardous Waste Generator ID	Compliant Plant 2: Hazardous Waste ID OL-GR-R4A-21-012924 issued on March 29, 2011	Hazardous waste ID in Plant 2 is under DKP MGF. This includes the hazardous wastes generated by the EVSE plant,
RA 8749 – Clean Air Act of 1999	Permit to Operate (PTO) for Air Pollution Source and Control Installation (APSCI)	Compliant Plant 2: PTO-OL-R4A-2021-08180-R Date of expiration: October 7, 2026	The PTO in Plant 2 is under DKP MFG. This includes the air pollution sources installed for the EVSE charger plant.
RA 9275 – Clean Water Act of 2004	Discharge permit	Not applicable	Plant 2 is connected to the existing sewerage system of CEZ. Sewer Connection Certificate was secured from PEZA.

4.1.1.2 Compliance to ECC conditions

187. The status of compliance of Wyntron to its ECC conditions is summarized in Table 7. As mentioned, the ECC of Wyntron. Includes the operation of Plant 1 and the operation of the EVSE charger plant in Plant 2.

Table 7: Compliance of Wyntron to ECC Conditions

ECC Condition	Compliance Status	Remarks
That the proponent shall undertake re-greening and landscaping within the project area to help attenuate noise levels, abate heat and absorb some pollutant emissions.	Compliant	Surrounding vegetation within the plant sites are available but are being maintained by CEZ.
That all operational, external, chemical, process, traffic, excessive surface runoff, erosion, siltation, dust, solid wastes and occupational & health hazards identified in the Environmental Performance Report and Management Plan (ERMP) Checklist shall be strictly managed and, in case of emergency episodes,	Compliant	

ECC Condition	Compliance Status	Remarks
appropriate response activities shall be immediately undertaken for the protection of the workers/ personnel and the receiving environment.		
That effective and adequate drainage system and Wastewater Treatment Facility of its effluents shall be provided/ installed and connected to the centralized Wastewater Treatment Plant (WWTP) of the industrial park. All liquid wastes shall be properly treated and not to exceed DENR Effluent Standards. Appropriate plans and specifications shall be submitted one (1) month after receipt of the ECC and shall have a completion period of six (6) months.	Compliant	Both plants are connected to the existing sewerage system of CEZ. Sewer connection certificates were secured. Plant 1 has four septic tanks while Plant 2 has two septic tanks. Both plants have stormwater drainage system that are also connected to the drainage system of CEZ.
The proponent shall properly implement the following:		
Effective Information, Education and Communication (IEC) Plan shall be implemented in all project phases including communication of environmental risks of the project.	Not Compliant	Wyntron Inc. does not have IEC plan, but it conducts orientation to its workers on environment, health and safety.
Beneficial Social Development Program (SDP) among employees/workers, host barangay and affected communities which shall cover livelihood training and employment, including assistance in the setting-up of social welfare programs for health and education that will ensure the participation of youth and women.	Not Compliant	No SDP but Wyntron Inc. is implementing CSR programs.
Wastes management scheme as provided in the Environmental Management Plan (EMP) shall be continuously implemented.	Compliant	On-site storage areas are provided for the recyclable wastes, residual wastes and hazardous wastes. PEZA-accredited solid waste collectors are hired by Wyntron Inc. to collect the residual wastes. PEZA has online system to monitor the waste generation. DENR-accredited waste transporters collect the hazardous wastes. A Certificate of Treatment is submitted to Wyntron Inc.

ECC Condition	Compliance Status	Remarks
That in support of the concern of the government to phase out mercury from all possible sources and to address global warming, the proponent shall install environment friendly lighting fixtures (i.e., Light Emitting Diode (LED) Lamps, Compact Fluorescent lamps, etc.)	Compliant	Wyntron Inc. is changing busted fluorescent to LED lights.
That proper Air Pollution Source and Control Installations (APSCI) shall be provided by the proponent to avert pollutant emissions.	Compliant	All the gensets have stacks.
That the proponent shall comply with the following environmental laws including their respective implementing rules and regulations such as PD 1586 "Philippine Environmental Impact Statement System"; RA 6969 "Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990"; RA 8749 "Clean Air Act of 1999"; RA 9003 "Ecological and Solid Waste Management Act of 2000"; RA 9275 "Clean Water Act of 2004" and other existing and applicable Philippine Laws.	Compliant	Refer to Table 6.
That the proponent shall strengthen the Environmental Unit in accordance with DAO Mo. 2014-02, Series of 2014 (Revised Guidelines on Pollution Control Officer Accreditation). The Environmental Unit shall be integrated in the proponent's organizational chart to handle all environment related aspects of the project in addition to the monitoring requirements as specified in the Environmental Management Plan (EMP)/Environmental Monitoring Plan (EMoP) such as but not limited to the following:	Compliant	Wyntron Inc. has Environmental, Health and Safety Management Committee.
a) Monitor actual project impacts vis-à-vis the predicted impacts and management measures in the EPRMP Checklist;	Compliant	Wyntron Inc. has environmental monitoring plan.
b) Submit all environmental monitoring reports to this Office quarterly using the prescribed format	Compliant	SMRs are submitted to EMB.

ECC Condition	Compliance Status	Remarks
of the Self-Monitoring Report (SMR) pursuant to DAO 2003-27.		Last submission was 2 nd quarter of 2022.
c) Ensure the post-assessment permits/clearances are in place	Compliant	All required DENR permits are secured.
d) Submit semi-annual ECC compliance Monitoring Reports (every January 15 and July 15 of each year the project is implemented) which serve as summary of all SMRs submitted quarterly pursuant to DAO 2003-30 (IRR of PD 1586); and	Compliant	CMRs are submitted to EMB Last submission was for monitoring period of January to June 2022.
e) Submit an Abandonment Plan two (2) months prior to abandonment. It shall include rehabilitation measures/clean-up, remediation of areas possibly contaminated with toxic substances and presentation of options on proposed alternative projects in the area.	Not applicable	
That a copy of the ECC shall also be posted by the proponent at the conspicuous location of the project site within 30 days from receipt of this Certificate	Not compliant	Not observed in the project site.
That when implementation of the project causes adverse environmental impacts and/or poses nuisance to public health and safety, the proponent shall immediately suspend its project operation until such time that appropriate remedial measures are effected and/or any damage to persons and/or properties resulting from the same are properly compensated.	Compliant	Wyntron Inc. has the following procedures and guidelines. <ul style="list-style-type: none"> SP-EMS-6 Emergency Preparedness and Response Procedure
That proper health and sanitation practices shall be observed in all phases/stages of the project and safety and personal protective equipment/gadgets shall always be provided to the personnel within the premises of the project site to prevent health and occupational hazards.	Compliant	PPEs are provided to the workers.
That any authorized DENR-EMB personnel with proper identification card and travel/mission order shall be allowed unconditional access to conduct an on-the-spot inspection	Compliant	

ECC Condition	Compliance Status	Remarks
and monitoring without the need for prior notice to the proponent to oversee compliance to the issued ECC.		
That in compliance to the Paris Agreement and RA 9367 (Bio-Fuels Act of 2006) to deal with the reduction program on activities potential to contribute greenhouse gases or global warming, the proponent shall initiate an energy conservation program such as the use of alternative fuels.	Compliant	The following activities are being conducted by Wyntron Inc. to reduce its electricity consumption: <ul style="list-style-type: none"> • Provide energy conservation programs/activities/signages • Turn-off/unplug machine when not in use and during break time • Change lights from fluorescent to LED lights

4.1.1.3 Air Pollution Management

188. The list of air pollution sources installed in Plant 2 is shown in Table 8. This includes the APSIs of the DKP plants and the EVSE charger plant of Wyntron. Stacks are installed in the gensets. DKP monitoring the emission of the stacks in Plant 2 every year. For the non-fuel-burning APSIs, these are connected to the vents of the plants to exhaust the fumes from the chemicals used in the plants.

Table 8: Summary of Air Pollution Sources Installation (APSI) – Plant 2

No.	APSI	Number of Units	Capacity (kW)
1	Diesel Generator	1	1,500 kW
2	30 hP Exhaust Blower	1	22.37 kW
3	15 hP Exhaust Blower	1	11.19 kW
4	20 hP Exhaust Blower	1	14.91 kW
5	Conformal Coating	1	2.64 kW
6	Reflow Oven	1	22.4 kW
7	Wave Solder	1	25 kW
8	Manual Soldering	1	8.5 kW

189. Table 9 shows the emission test results of the genset in Plant 2. As shown in the table, there were no records of exceedance to the National Emission Standards for Source Specific Air Pollutants (NESSAP).

Table 9: Stack Emission Test Results (2021)

Date	Average Emission Testing Results, mg/Ncm		
	CO	NO₂	SO₂
September 15, 2017	310.33	593.67	-
July 25, 2018	349.67	547.00	54
July 23, 2019	184	302.67	195.33
June 16, 2021	269	377	93

Date	Average Emission Testing Results, mg/Ncm		
	CO	NO ₂	SO ₂
DENR NESSAP	500	2000	700

190. DKP is also monitoring the ambient TSP concentration (1-hr sampling) and noise level in the designated sampling sites in Plant 2 every quarter. The results are being reported in the SMR and CMR of DKP.

191. Table 10 shows the ambient air monitoring results conducted in June 2021 and August 2022 in Plant 2. As shown, the concentrations of ambient total suspended particulates (TSP) in all the monitoring stations are within the National Ambient Air Quality Standards (NAAQS).

Table 10: Ambient Air Quality Monitoring Results (2021,2022)

Location	Time of Sampling	TSP Monitoring Results, µg/Ncm
Plant 2 - 17 June 2021		
Station No. 1 – Near Guardhouse/Near Gate 2	0910 H – 1010 H	22
Station No. 2 – Back of the Plant/Near Centralized Ducting Exhaust Hood	1020 H – 1120 H	35
Station No. 3 – Near Generator Set Area	1140 H – 1240 H	24
Station No. 4 – In front of the Office Bldg./Near Gate 1	1310– 1410 H	19
Plant 2 - 3 August 2022		
Station No. 1 – Near Gate 2/Near Guardhouse	0910 H – 1010 H	22
Station No. 2 – Near Centralized Exhaust	1020 H – 1120 H	54
Station No. 3 – Near Gate 1	1130 H – 1230 H	15
Station No. 4 – Near Generator Set Area	1310 H – 1410 H	19
DENR NAAQS	One (1) – hour sampling	300

192. The noise level monitoring results in Plant 2 conducted last June 2021 and August 2022 are presented in Table 11. Based on the results, the noise levels in all stations are within the NPCC standard of 70 dB for daytime in a light industrial area.

Table 11: Noise Level Monitoring Results (2021, 2022)

Location	Leq, dB	Ave	Standard, dB
Plant 2 - 16 June 2021			
Station No. 1 – Near Gate 2	65	0930 H	70
Station No. 2 – Back of the Plant	63	1040 H	70
Station No. 3 – Near Gen Set Area	64	1150 H	70
Station No. 4 – Near Gate 1	62	1330	70

Location	Leq, dB	Ave	Standard, dB
Plant 2 - 03 August 2022			
Station No. 1 – Near Main Gate 2	61	0940 H	70
Station No. 2 – Near Centralized Exhaust	64	1040 H	70
Station No. 3 – Near Gate 1	62	1140 H	70
Station No. 4 – Near Generator Set Area	63	1340 H	70

4.1.1.4 Wastewater Management

193. Wastewater generated in Plant 2 is limited to domestic wastewater only. The average monthly generation of wastewater in Plant 2 is presented in Table 12. As shown, the monthly wastewater generation rate significantly increased in 2022. This can be due to the operation of the EVSE plant in Plant 2.

194. The plant is connected to the existing sewerage system of CEZ for the proper disposal and treatment of wastewater. To pre-treat the domestic wastewater generated, septic tanks are installed. Plant 2 has two septic tanks. These septic tanks are desludged every year.

Table 12: Average Monthly Wastewater Generated (2021,2022)

Plant	2021	2022
Plant 2	689 m ³ /month	1,270 m ³ /month

195. Plant 2 also has existing stormwater drainage to catch rainwater and are also connected to the drainage of CEZ. The existing sewer layout and stormwater drainage layout of Plant 2 are shown in Figure 5 and Figure 6, respectively.

196. The overflow of the septic tanks is also being monitored by Wyntron Inc. Since the plants are connected to the existing sewerage system of CEZ, the overflow of the septic tanks should be compliant to the interim effluent standards of CEZ in terms of BOD, COD, TSS and total coliform. Other parameters not mentioned should comply to the general effluent standards of EMB for Class C.

197. Table 13 shows the results of the effluent quality of the septic tanks in Plant 2 in 2018 and 2019. As presented, color in Septic Tank 1 in 2019 was not compliant to the DENR GES.

Table 13: Effluent Quality of Septic Tanks in Plant 2 (2018, 2019)

Date Sampled	Total Coliform	pH	Color	BOD	COD	TSS	Oil & Grease
Septic Tank 1							
May 2018	3 x 10 ⁶	8	40	23	117	21	3.6
July 2019	4.6 x 10 ⁵	7.5	250	145	285	103	1.9
Septic Tank 2							
May 2018	5.4 x 10 ⁵	7.6	80	56	189	40	3.6
July 2019	1.6 x 10 ⁶	7.9	150	106	187	40	1.5
CEZ Interim Standards	50,000,000	-	-	200	400	200	-
DENR GES for Class C	-	6.0-9.5	150	-	-	-	5

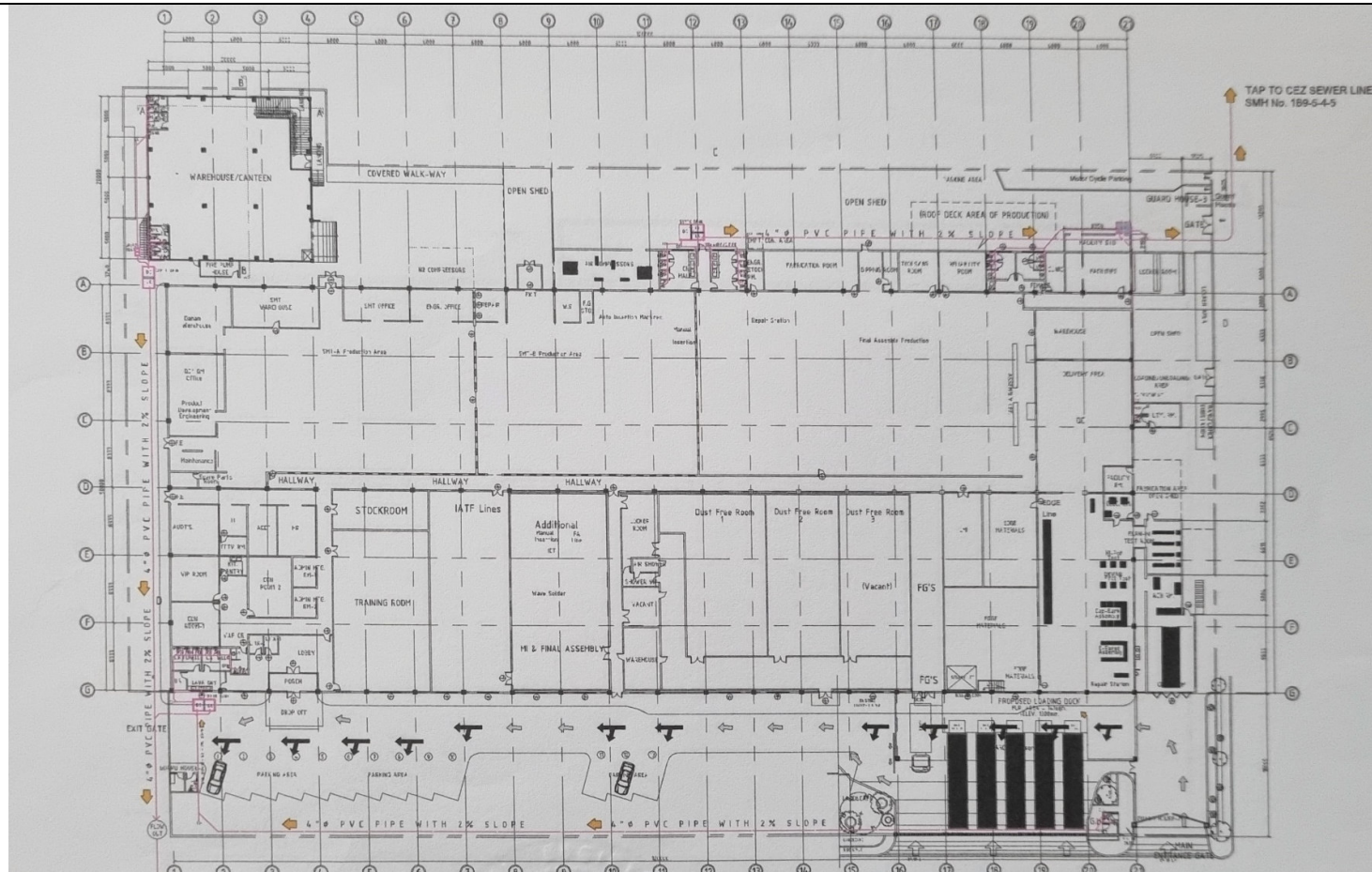


Figure 5: Existing Sewer Layout of Plant 2

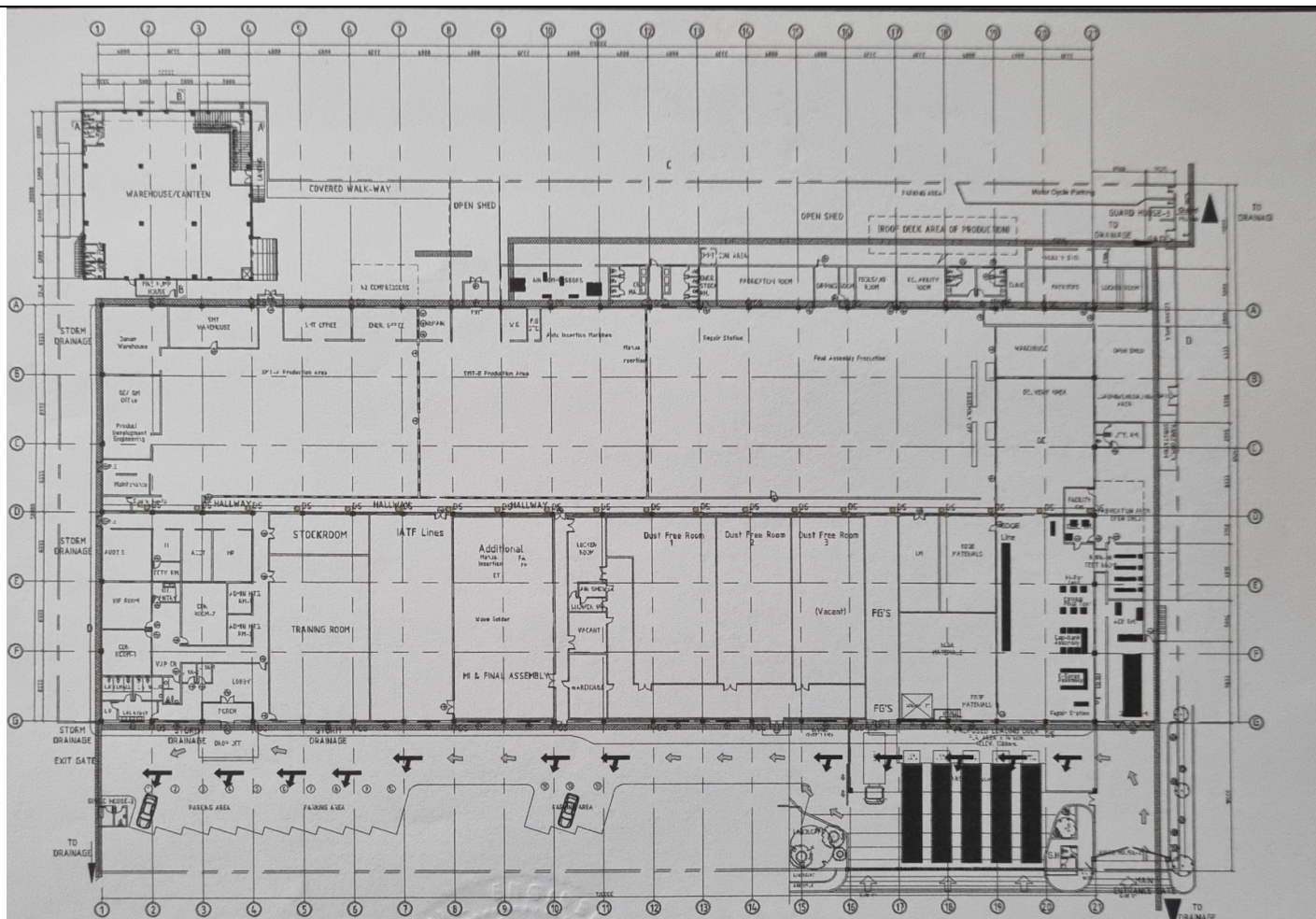


Figure 6: Existing Stormwater Drainage Layout of Plant 2

4.1.1.5 Solid Waste Management

198. Solid wastes generated in Plant 2 are segregated as residual waste and recyclables. Both plants have Materials Recovery Facility (MRF) for the storage of the recyclables and separate storage areas for the residual wastes are also provided. The capacity of the material recovery facility (MRF) and/or storage area in Plant 2 is around 40 m³. As mentioned, the solid wastes generated in the EVSE plant is being managed and monitored by the PCO of DKP.

199. As presented in Table 14, a total 30,081 kg of residual wastes was generated in Plant 2 while 20,173 recyclable wastes were sold. The third-party contractor of DKP for Plant 2 for the collection of the residual wastes is the Metro Clark Waste Management and Development Corp while the recyclable wastes are sold to San Jose Trading. These are PEZA-accredited waste collectors.

Table 14: Solid Wastes Generated in Plant 2 (2021 and 2022)

Month	Solid Waste Generated, kg	
	Residual	Recyclable
Total in 2021	30,081	20,173
Total YTD 2022	18,870	30,074

4.1.1.6 Hazardous Waste Management

200. The following are the hazardous wastes generated and Plant 2. This includes the hazardous wastes generated from the plants of DKP and the hazardous wastes from the EVSE charger plant. Hazardous waste storage area is provided in Plant 2 with capacity of 24 m³. DENR-accredited waste transporters collect the hazardous wastes in the plant.

Table 15: List of Hazardous Wastes Generated in Plant 2 (2021 and 2022)

Hazardous Wastes	Waste Number	Plant 2 (tons)	
		Total 2021	Total YTD 2022
Containers previously containing toxic, chemical substances	J201	2.12	0.049
Used industrial	I101	2.64	0
Lead compounds	D406	3.72	0.16
Waste electrical and electronic equipment (WEEE)	M506	5.65	0.05
Mercury and mercury compounds	D407	1.28	0.834
Solvent based	F601	1.92	0.05
Resinous materials	F604	0.75	0

201. During the site visit conducted, the existing hazardous waste storage facility in Plant 2 was observed to have secondary containment, well-ventilated and were provide with locks to limit unauthorized access. However, the stormwater drainage system near the storage facility has stagnant water that may overflow inside the hazardous waste storage facility.

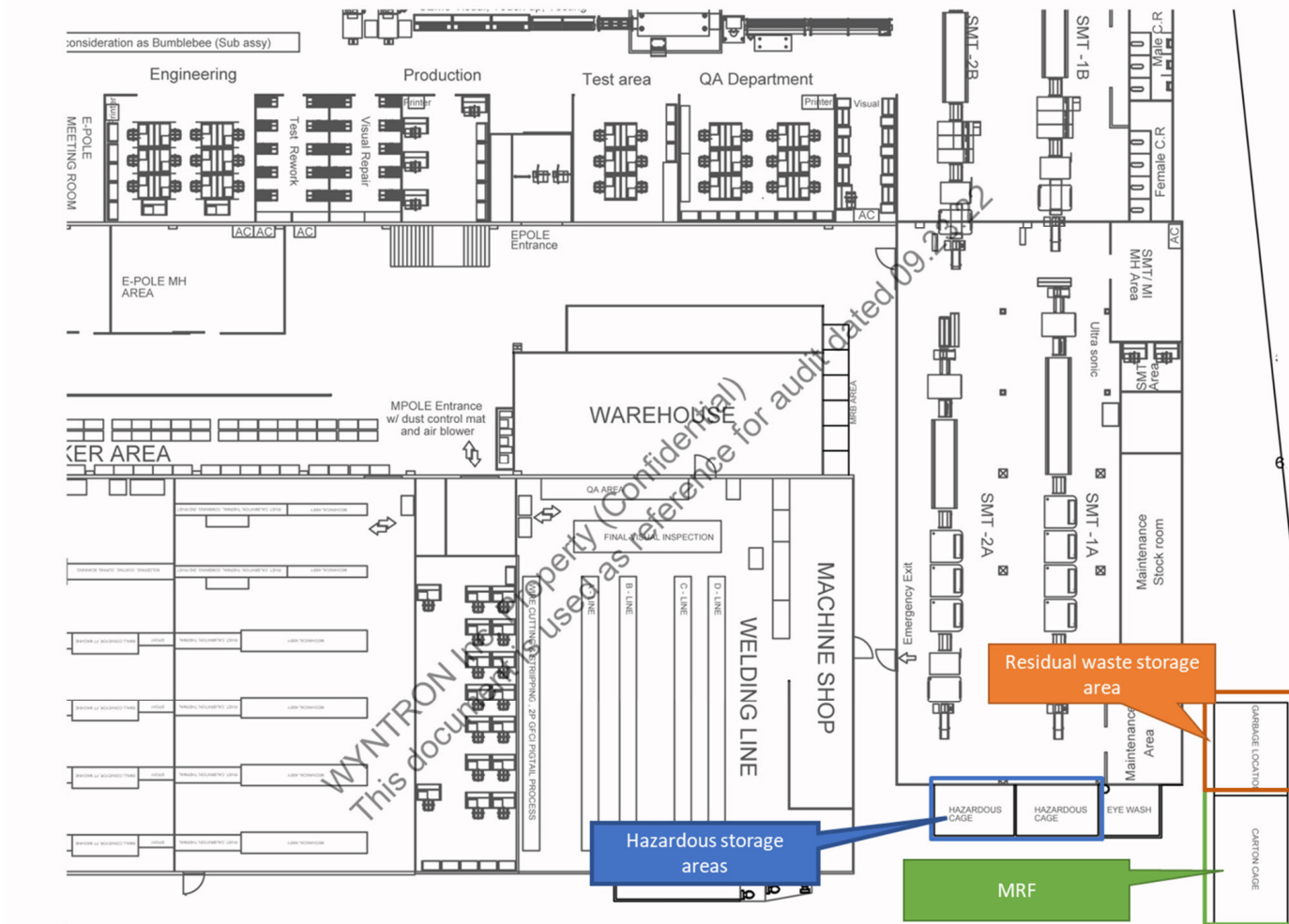


Figure 7: Location of MRF, Residual Waste Storage Area and Hazardous Waste Storage Area in Plant 2

4.1.1.7 Chemical Monitoring and Management

203. Table 16 shows the approved chemicals used in the facility. The respective agencies regulating these chemicals and the issued permits are also given in the table.

Table 16: List of Approved Chemicals Used by Wyntron Inc.

Chemical Name	Department	Agency with Regulation / Permit No.
1. Thinner DT-402	Production	PDEA / P5-IM-018910001-R101-D
2. IPA 70% Alcohol	Production	
3. Humiseal 1122	Production	EMB / CCOi-R4A-2020-00149
4. Humiseal UV40	Production	EMB / SQI-R4A-2022-01893
5. SK 1000	Production	EMB / CCOi-Region-IV-A-CN-2021-0056
6. Solution R-48	Production	EMB / CCOi-Region-IV-A-CN-2021-0055
7. SK-014	Production	EMB / CCOi-R4A-CN-2022-00221
8. EMH300	Production	EMB / CCOI-R4A-CN-2021-0085
9. EMR300	Production	EMB / CCOi-R4A-004
10. Flux Kester-99530A (Soldering Flux)	Production	-
11. Penetrating Oil-Scented	Test/Maintenance	-
12. Electrical Contact Cleaner	Test/Maintenance	-
13. Luxo Quick Drying Aerosol Lacquer	Test	-
14. WD-40	Test/Maintenance	-
15. Freon 22	Facilities	-
16. Coil Pestoner – (Alkaline)	Facilities	-
17. Ultra-Coolant	Facilities	PICCS-R4A-15-084
18. Diesel Oil	Facilities	-
19. Fluid Oil	Facilities	-
20. Alumina Gel/Silica Gez	Facilities	-
21. Fluid Oil Remulla (15w-40)	Facilities	-
22. Synthetic High Temp. Oil	Maintenance	-
23. Mark Multipurpose 3 Grease	Maintenance	-
24. High Temperature Copper Paste	Maintenance	-
25. DELO Gold SOE 15W-40	Maintenance	-
26. Prime Clean w/o Surface Renovator	Maintenance	-
27. Silicone Sealant All Purpose Glass	Maintenance	-
28. Shell Tellus S2 MX 32	Maintenance/Machine Shop	-
29. Glo Metal Polish	Maintenance	-
30. Loctite 263 (Used in Feeder)	Maintenance	-
31. Wipe Out	Maintenance	-
32. Amazing Stain Remover	Maintenance	-
33. Humiseal IA33	Production	-
34. R175	Production	-
35. Hardener and Resin	Production	DENR (PICCS)
36. Printing Ink Thinner (M-Thinner)	Production	DENR (PICCS)
37. DOW CORNING 737 Neutral Cure Sealant Black	Production	DENR (PICCS)

Chemical Name	Department	Agency with Regulation / Permit No.
38. SAC 305NC 254-Solder Paste	Production	DENR (PICCS)
39. 6-20414 Adhesive	Production	EMB / PICCS-R4A-14-020
40. 1010F	Production	EMB / PICCS-4A-2016-00202
41. Anti-oxidation	Production	EMB / PICCS-R4A-15-016
42. DC17 T2 (Welding Paste)	Production	DENR (PICCS)
43. ES2044H	Production	EMB / PICCS-4A-2016-00195
44. Epoxy Hardener/Base (EUH500/EUR500)	Production	EMB / PICCS-R4A-14-205
45. Flux 611F	Production	DENR (PICCS)
46. NC 420	Production	DENR (PICCS)
47. HT-130S	Production	EMB / PICCS-R4A-13-451
48. Hardener Resin JB5000	Production	DENR (PICCS)
49. JE851 (Carbon Black)	Production	EMB / SQI-R4A-2018-02100
50. Noryl SE1X-701 (Black)	Production	EMB / PICCS-R4A-14-309
51. Noryl SE1X-6N76041 (Cool Green)	Production	EMB / PICCS-R4A-14-310
52. Sentinel's DSF-3000 Grease Series	Production	EMB / SQI-R4A-2022-00307
53. Sodium Metaperiorate	Production	EMB / PICCS-R4A-15-026
54. VALOX* 457-7001-PGSH	Production	EMB / SQI-R4A-2018-02098
55. Speed dry ink (Black/Red)	Production	EMB / SQI-R4A-2021-03083
56. Stabyl AX MG/2	Production	EMB / SQI-R4A-2020-0288
57. CERLOCK 321B Ceramic Adhesive Paste	Production	EMB / SQI-R4A-2021-00977
58. EF-120A4/EF-120B7	Production	EMB / SQI-R4A-2021-00238
59. HF SMO PRINTING INK	Maintenance	EMB / SQI-R4A-2021-00127
60. Zenith PowerComp 32	Production	DENR (PICCS)
61. NP 303 COSMO	Production	EMB / SQI-R4A-2021-00789
62. ES2497 LC (SILICONE Rubber Coating)	Production	EMB / SQI-R4A-2020-0964

204. A chemical storage area is provided in Plant 2 with capacity of ~22 cubic meters.

4.1.1.8 Conservation Practices

- Water Supply

205. The water requirement in Plant 2 is supplied by the existing water supply system of CEZ that is being operated by the Manila Water Venture Philippines (MWVP). The monthly average water consumption of the Plant 2 in 2021 up to present is shown in Table 17. Water use in the plants are mainly for domestic purposes such as toilet flushing, cleaning, washing and others. The manufacturing process does not require process water.

Table 17: Average Monthly Water Consumption Rate (2021, 2022)

Plant	2021	2022
Plant 2	766 m ³ /month	1,414 m ³ /month

206. In 2021, the following water conservation activities were implemented by Wyntron to reduce the water consumption of each employee to less than 1.5 cubic meters per day.

- Provide water consumption signages
- Monthly monitoring of water consumption
- Include checking of leaking pipes/facets during safety audits

- Reporting of leaking faucets
- Power Supply

207. The average monthly power consumption in Plant 2 for 2021 up to present is presented in Table 18. The power is being supplied by MERALCO.

Table 18: Average Monthly Power Consumption Rate (2021, 2022)

Plant	2021	2022
Plant 2	505,895 kWh	518,500 kWh

208. In addition, Plant 2 has one unit 1,500 kW generator set installed as back-up power source. The following activities were implemented by Wyntron to reduce the electricity consumption in the plant to less than 0.37 kwh/unit.

- Provide energy conservation programs/activities/signages
- Monthly monitoring of energy consumption
- Turn-off/unplug machine when not in use and during breaktime
- Change lights from fluorescent to LED lights (change only to LED when busted)

4.1.2 ADB Safeguard Requirement 2: Involuntary Resettlement

209. Plant 2 is located inside the Cavite Economic Zone (CEZ) in Rosario, Cavite. This is being shared with DKP MFG Inc, also a subsidiary of DANAM Group. To date, there are no outstanding court cases or known legacy issues in relation to leased land.

210. The lot area is being leased from PEZA. The lease agreement is between PEZA (lessor) and DKP MFG Inc.(lessee) on January 15, 2004 and is valid for 50 years.

211. The building facilities in Plant 2 was purchased by DKP from Radix Communication Inc in 2003.

4.1.3 ADB Safeguard Requirement 3: Indigenous People

212. There are no known indigenous peoples (IP) in the vicinity of or within the project site. There are also no identified ancestral domain areas in the Province of Cavite². Wyntron is located within Cavite Economic Zone (CEZ) that is being operated by the Philippine Economic Zone Authority (PEZA).

213. CEZ was created by virtue of Presidential Proclamation No. 1980, "Reserving for Purposes of the Export Processing Zone Authority Parcels of Land of the Private Domain" dated 30 May 1980. An amendment was made by virtue of Presidential Proclamation No. 2017, "Reserving Parcels of Land for the Cavite Export Processing Zone" dated 19 September 1980. Further amendment was made by virtue of Presidential Proclamation 1259, "Redefining the Reserved Areas Covered by the Cavite Export Processing Zone Located in the Municipalities of Rosario and General Trias, Province of Cavite" dated 22 June 1998.

214. As discussed, CEZ was established prior to RA No. 8371 of 1997. As stated on Section 56 Existing Property Rights Regimes of RA No. 8371, "Property rights within the ancestral

² <https://www.doe.gov.ph/sites/default/files/pdf/eicc/ad-region04.pdf>

domains already existing and/or vested upon effectivity of this Act, shall be recognized and respected”.

4.2 ADB Social and Labor Protection

4.2.1 Compliance to existing national labor laws and regulations

215. The status of compliance of the existing operation of Wyntron Inc. to the applicable national laws and policies is summarized in Table 19..

Table 19: Compliance of Wyntron’s existing operation to applicable national laws and policies

Applicable law/policy	Requirement	Status	Remarks
RA 11058 & its IRR DO 198, series of 2018- An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing for Violations Thereof	Develop and implement OSH Program	Compliant. OSH Policy and Programs are being implemented by Wyntron and its contractors.	OSH Policy and Programs have been submitted to DOLE. The contractors have their own OSH Policy and Programs submitted to DOLE.
	Establishment of Occupational Safety and Health Committee	Compliant. Wyntron has an established Environmental, Health and Safety Committee	-
	Designation of Safety Officer	Compliant. Wyntron has two SO3s and one SO2.	As stated in DO 198-18, two SO3s are required for Wyntron.
	Qualified Occupational Health Personnel and Facilities	Not compliant Wyntron has one full-time Physician and six first aiders. Wyntron has 1 first aid treatment room and 2 clinic beds in each Plant.	As stated in DO 198-18, one full-time nurse and two part-time Physicians are required for Wyntron. Further, the DO also required Wyntron to have fifteen first aid treatment rooms and a clinic with seven beds.
	Safety and Health Trainings	Compliant. Wyntron has employees with Basic Occupational Safety and Health (BOSH) Trainings	-

Applicable law/policy	Requirement	Status	Remarks
		<p>Safety orientations were provided to all Wyntron employees before deployment.</p> <p>Safety orientations are also provided to the visitors before entering the plant.</p>	
	Submission of Occupational Safety and Health Reports	Compliant.	Annual medical report (AMR), OSH committee report, employer's work accident/injury report (WAIR), and annual work accident/injury exposure data report (AEDR)
	Workers' access to welfare facilities	<p>Compliant.</p> <p>Wyntron provides the following to its workers:</p> <ul style="list-style-type: none"> • Adequate supply of safe drinking water • Adequate sanitary and washing facilities • Separate sanitary facility for all gender • Lactation Station • Ramps, railings, etc. • Treatment rooms/ clinic 	
Rule 1020 of OSH Standards- Registration of Establishments	Certificate of Registration of Establishment	<p>Compliant.</p> <p>Registry of Establishment was received by DOLE Region IV-A last 28 June 2010.</p>	
Rule 1210 of OSH Standards- Electrical Safety	Certificate of Electrical Inspection	For application.	As part of its corrective action based on the latest DOLE inspection, held last 30 August 2022, Wyntron will apply for the

Applicable law/policy	Requirement	Status	Remarks
			Certificate of Electrical Inspection on 29 November 2022.
	Permit to Use Electrical Wiring Installation		As part of its corrective action based on the latest DOLE inspection held last 30 August 2022, Wyntron will apply for the Permit to use Electrical Wiring Installation on 29 November 2022.
Rule 1160/1170/ 1210/1220/ 1230/1240	Permit to Install/Operate Mechanical Equipment	For application.	<p>Wyntron has secured 3 Permits to Operate Pressure Vessel last 2 August 2022.</p> <p>As part of its corrective action based on the latest DOLE inspection held last 30 August 2022, Wyntron will apply for the Permit to Install/Operate Mechanical Equipment (Internal Combustion Engine) on 29 November 2022.</p>
PD NO. 442, as amended and renumbered- Labor Code of the Philippines	Compliance with international core labor standards and other national labor regulations	<p>Ongoing compliance.</p> <p>Two partial compliances have been submitted to DOLE last 9 September 2022.</p> <p>The remaining four deficiencies were as follow:</p> <ul style="list-style-type: none"> ▪ No additional trained Safety Officer 3; ▪ No certified/trained OH Nurse; ▪ No permit to operate on internal combustion engine 	<p>The latest DOLE inspection, held last 30 August 2022, yielded six deficiencies, as outlined in column 3.</p> <p>The said deficiencies were targeted to be completed on 29 November 2022.</p>

Applicable law/policy	Requirement	Status	Remarks
		issued by DOLE; and ▪ No electrical wiring installation permit issued by DOLE.	
DO 174, series of 2017- Implementing Rules and Regulations (IRR) on Contracting and Subcontracting Arrangements	Certificate of Registration of Contractors/ Subcontractors	Compliant.	
	Service Agreement between Principal and Contractor	Compliant. Wyntron has presented proof of Service Agreement between Principal and Contractor. The contracts are submitted to DOLE. The contract is compliant to the labor code.	
	Written Employment Contract between Contractor/ Subcontractor and its Employees	Compliant. Wyntron has presented proof of written employment contract between Contractor and its employees. The contract is compliant to the labor code.	
RA 8282- Social Security Law	Registration of employees w/ SSS	Compliant. Wyntron is registered with SSS (Employer ID No. 03-9199397-8).	
	Remittance of Contributions to SSS	Compliant. Latest payment issued to SSS was made last 31 August 2022. There are no unremitted contributions to SSS.	
RA 7875 as amended- National Health Insurance Act of 1995	Registration of employees w/ PhilHealth	Compliant. Wyntron is registered with PhilHealth	

Applicable law/policy	Requirement	Status	Remarks
		(Employer No. 008040000368).	
	Remittance of Contributions to PhilHealth	Compliant. Latest payment issued to PhilHealth was made last 19 August 2022. There are no unremitted contributions to PhilHealth.	
RA 9679 as amended- Home Development Mutual Fund Law of 2009	Registration of employees w/ PAG-IBIG	Compliant. Wyntron is registered with PAG-IBIG (Ref. No. 03-000454-P).	
	Remittance of Contributions to PAG-IBIG	Compliant. Latest payment issued to PAG-IBIG was made last 25 August 2022. There are no unremitted contributions to PAG-IBIG.	
RA 7877- Anti-Sexual Harassment Act of 1995	Company Policy on Anti-Sexual Harassment	Compliant. Policy SP-HRD-10 Rev. 1, "Sexual Harassment Policy and Procedure" initially released last 1 October 2014 and revised last 22 September 2021.	
DO 53-03	Drug-Free Workplace Policy and Program	Compliant. Policy SP-HRD-6 Rev. 0, "Drug Free Workplace Policies and Procedure" initially released last 3 October 2009.	
DO 102-10	HIV and AIDS Prevention and Control in the Workplace and Programs	Compliant. Policy SP-HRD-9 Rev. 0, "HIV/AIDS Prevention & Control in the Workplace Policy and Procedure"	

Applicable law/policy	Requirement	Status	Remarks
		initially released last 1 October 2014.	
DO 73-05	Workplace Policy and Program on Tuberculosis	Compliant. Policy SP-HRD-7 Rev. 0, "Tuberculosis (TB) Prevention & Control in the Workplace Policy and Procedure" initially released last 1 October 2014.	
Dept. Advisory No. 5 series of 2010	Workplace Policy and Program on Hepatitis B	Compliant. Policy SP-HRD-8 Rev. 0, "Hepatitis B Prevention & Control in the Workplace Policy and Procedure" initially released last 1 October 2014.	
DO 208-20	Workplace Policy and Program on Mental Health	No policy provided yet.	
DO 65-04	Workplace Policy and Program (Self-Policing Mechanism) on Child Labor	Compliant. Policy SP-HRD-14 Rev. 0, "Child and Forced Labor Policy" initially released last 1 April 2019.	
RA 10028 – Expanded Breastfeeding Promotion Act of 2009	Workplace Breastfeeding Policy	No policy provided yet.	
JMC 20-04-A series of 2020 – DTI and DOLE Supplemental Guidelines on Workplace Prevention and Control of COVID-19	COVID-19 Work Accident/Illness Report (WAIR)	Compliant. Latest submission of WAIR to DOLE was made last 30 September 2022. Policy SP-EMS-17 Rev. 0, "Workplace Policy and Program on COVID-19 Prevention and Control" initially	

Applicable law/policy	Requirement	Status	Remarks
		released last 16 November 2020.	

4.2.2 Corporate Social Responsibility

216. Wyntron is already implementing its CSR programs for the past years. This includes cash or in-kind donations and feeding program. Wyntron Inc. also partners with CEZ in conducting the CSR programs of PEZA by donating in-kinds for medical missions, donation to typhoon victims and blood donations.

217. The following are the beneficiaries of the CSR programs of Wyntron. They are located within Cavite and Quezon City.

Table 20: Target Beneficiaries of the CSR Programs of Wyntron Inc.

- | | |
|---------------------------------------------|--------------------------------------------------|
| • Mama Hope Have of Norway | • Maria Immacolata Orphanage |
| • Poor Neighbors | • Bukid Kabataan Center |
| • Sisters of Charity of St. Vincent de Paul | • Manog House Children |
| • St. Francis Mission House | • Charity Missionaries (Sister of Mother Teresa) |
| • Handmaids of the Sacred Heart of Jesus | • St. Francis Mission House |
| • Sharing Christ Home (Brothers of Christ) | • Bukal Kapayapaan |

4.2.3 Labor and Working Conditions

218. As of September 30, 2022, Plant 2 has no pending case based on the certification (NPC-ROIVA-CAV-0922-0425) issued by DOLE Cavite Provincial Office.

219. The summary of manpower for Wyntron's operations 2022 are presented in Table 21 to Table 23. Regular employees, on average, comprise 48.53% of the Wyntron's total workforce. Complementing the regular employees are the non-regulars³ (ave. 37.09%), agency supplied⁴ (ave. 13.02%), and on-the-job training (OJT) (ave. 1.36%). In terms of gender distribution, across all plant sites, Wyntron employs more women than men.

220. Wyntron provides allowance to OJT based on 75% of the current minimum wage in accordance with the Labor Code. In 2021, there were no OJTs that applied due to COVID-19 pandemic. OJTs have returned only last July of 2022.

Table 21: Total Workforce of Wyntron, Inc. (2022)

Month	Total MP	Employee Status								Gender			
		Regular	%	Non-Regular	%	OJT	%	Agency	%	Male	%	Female	%

³ An employee subject to observation and performance evaluation within the prescribed period. Employees hired under this employment status will be evaluated on the 4th month from date hired to determine if the employee qualifies to be regularized in the 5th month or will be terminated.

⁴ Outsourced manpower

JANUARY	1759	964	54.80	644	36.61	0	-	151	8.58	757	43.04	1002	56.96
FEBRUARY	1926	972	50.47	701	36.40	0	-	253	13.14	853	44.29	1073	55.71
MARCH	1984	962	48.49	730	36.79	0	-	292	14.72	902	45.46	1082	54.54
APRIL	1970	955	48.48	754	38.27	0	-	261	13.25	841	42.69	1129	57.31
MAY	1934	942	48.71	728	37.64	0	-	264	13.65	884	45.71	1050	54.29
JUNE	1963	927	47.22	764	38.92	0	-	272	13.86	879	44.78	1084	55.22
JULY	2053	927	45.15	741	36.09	100	4.87	285	13.88	874	42.57	1179	57.43
AUGUST	2102	944	44.91	756	35.97	127	6.04	275	13.08	928	44.15	1174	55.85
NOTE: Total Workforce of Wyntron, Inc. for Plants 1 & 2													

Table 22: Summary of Workforce for Plant 1 (2022)

Month	Total MP	Employee Status								Gender			
		Regular	%	Non-Regular	%	OJT	%	Agency	%	Male	%	Female	%
JANUARY	1145	591	51.62	403	35.20		-	151	13.19	486	42.45	659	57.55
FEBRUARY	1254	591	47.13	410	32.70		-	253	20.18	544	43.38	710	56.62
MARCH	1316	587	44.60	437	33.21		-	292	22.19	594	45.14	722	54.86
APRIL	1297	581	44.80	455	35.08		-	261	20.12	527	40.63	770	59.37
MAY	1278	572	44.76	442	34.59		-	264	20.66	576	45.07	702	54.93
JUNE	1323	565	42.71	486	36.73		-	272	20.56	587	44.37	736	55.63
JULY	1420	552	38.87	483	34.01	100	7.04	285	20.07	583	41.06	837	58.94
AUGUST	1405	573	40.78	460	32.74	97	6.90	275	19.57	585	41.64	820	58.36

Table 23: Summary of Workforce for Plant 2 (2022)

Month	Total MP	Employee Status								Gender			
		Regular	%	Non-Regular	%	OJT	%	Agency	%	Male	%	Female	%
JANUARY	614	373	60.75	241	39.25	0	0	271	44.14	271	44.14	343	55.86
FEBRUARY	672	381	56.70	291	43.30	0	0	309	45.98	309	45.98	363	54.02
MARCH	668	375	56.14	293	43.86	0	0.00	308	46.11	308	46.11	360	53.89
APRIL	673	374	55.57	299	44.43	0	0.00	314	46.66	314	46.66	359	53.34
MAY	656	370	56.40	286	43.60	0	0.00	308	46.95	308	46.95	348	53.05
JUNE	640	362	56.56	278	43.44	0	0.00	292	45.63	292	45.63	348	54.38
JULY	633	375	59.24	258	40.76	0	0.00	291	45.97	291	45.97	342	54.03
AUGUST	697	371	53.23	296	42.47	30	4.30	343	49.21	343	49.21	354	50.79

221. In terms of the residence statistics 92.74% of the workers of Wyntron are from the Province of Cavite. Bulk of which comes from Tanza (407 employees), City of General Trias (335 employees), and Rosario (302 employees). The remaining employees are from Las Piñas City and other provinces in the Philippines.

4.2.3.1 Safety Statistics

222. With regards to safety statistics as of 2021, Plant 2 has yielded 4 medical incidents and 0 LTAs in 2021. The number of days without accident was 1,278. There were 2 recorded medical incidents for the year 2022 (see Figure 8).

4.2.3.2 Employee Benefits

223. Table 24 lists the government-mandated and company-issued social benefits that the employees of Wyntron are entitled to as stated in Policy SP-HRD-5 Rev. 7, "Human Resource Management Procedure".

Table 24: List of Wyntron Inc.'s Employee's Benefits

No.	Wyntron Inc.'s Policy	Applicable Law/ Policy/ Guideline	Remarks
1	5.8 Leave Benefits 5.8.1 Service Incentive Leaves (SIL) 5.8.2 Sick Leave	<ul style="list-style-type: none"> • PD No. 442, "Labor Code of the Philippines" 	<ul style="list-style-type: none"> • Compliant with Article 95 of PD No. 442. • Leave benefits are more than the mandated five (5) service incentive leaves for employees who have rendered more than 2 years of service.
2	5.8.3 Paternity Leave 5.8.4 Maternity Leave 5.8.5 Parental Leave for Solo Parent 5.8.6 Leave for Victims of Violence Against Women and Their Children 5.8.7 Special Leave Benefits for Women	<ul style="list-style-type: none"> • RA No. 8187, "Paternity Leave Act of 1996" • RA No. 11210, "105-Day Expanded Maternity Leave Law" • RA No. 8972, "Solo Parents' Welfare Act of 2000" • RA No. 9262, "Anti-Violence Against Women and Their Children Act of 2004" • RA No. 9710, "Magna Carta of Women Act" 	<ul style="list-style-type: none"> • Paternity leave conforms with the provisions of RA No. 8187. • Maternity leave conforms with the provisions of RA No. 11210. • Parental leave for solo parent conforms with the special leave benefit provisions of RA No. 8972. • Leave entitlement conforms with the provisions of RA No. 9262. • Special leave conforms with the provisions of RA No. 9710.
3	5.9 Meal Allowance	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Wyntron provides meal allowance for an employee who has rendered at least 2.5 hours of overtime (OT) work for Php 10.00. For Sunday OT, an employee who reported to work shall be entitled for Php 40.00 regardless of OT hours rendered.
4	5.10 Annual Medical Exam	<ul style="list-style-type: none"> • Rule 1967.03, "Periodic Annual Medical Examinations" 	<ul style="list-style-type: none"> • All regular employees are required to undergo annual medical exam provided by Wyntron.

No.	Wyntron Inc.'s Policy	Applicable Law/ Policy/ Guideline	Remarks
5	Health Maintenance Organization (HMO) Coverage	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> All regular employees are provided with HMO benefit provided by EastWest Healthcare.



Figure 8: Safety Statistics for Plant 2 (2021)

4.2.3.3 Grievance Redress Mechanism

224. There were 13 internal grievances collected last 25 June 2022 of which, 10 of the 13 grievances were tagged as resolved. The grievances were as follow:

- COVID-19 protocols;
- company policies (i.e., hazard pay, bonus, and health card);
- exhaust fans and comfort room malfunction; and
- co-worker grievance.

225. To date, the remaining 3 grievances remained open due to lack of details and information provided by the complainant.

226. Similarly, there were 6 internal grievances collected last 28 July 2022. The grievances were as follow. All grievances were tagged as resolved.

- company policy on uniform;
- comfort room malfunction;
- co-worker grievance; and
- inquiry on the need to conduct year-end audit.

4.2.3.4 Capacity Building

227. Table 25 lists the trainings provided by Wyntron Inc. to the workers in 2021 while Table 26 shows the training provided as of September 2022.

Table 25: Trainings Provided in 2021

Topic	External / internal	Objectives	Date conducted	F	M	Total
8-DISCIPLINE METHODOLOGY	Internal	To understand the 8D Methodology and how to use it effectively in analyzing and solving problems and eliminate it from recurring.	May 29, 2021	6	7	13
5 WHY METHODOLOGY	Internal	To provide a simple, but effective problem-solving methodology that will result in identifying the true root cause and appropriate corrective action.	June 5, 2021	11	7	18
PROCESS CONTROL PLAN TRAINING	Internal	To learn what is a PCP, what is the use of PCP, what are the processes and controls in a certain Product Manufacturing, and how to develop a PCP.	June 4, 2021	8	5	13
IPC-A-610 TRAINING & CERTIFICATION PROGRAM	External	To improve individual's (related Operator, Inspector, Staff) "discrimination" skills; that is, to improve accuracy of discrimination between "acceptable" or "unacceptable" electronic assembly per the IPC-A-610 series.	April 12-16, 2021	0	1	1

Table 26: Trainings as of September 2022

Training as of September 2022			
Topic	Male	Female	Total
ESD Training	13	12	25
BOSH Training	1	0	1
PCO Training	1	0	1
Forklift Training	6	0	6

5 Conclusion and Recommendations

5.1 Corporate ESMS Audit

228. The existing Company policies and procedures of Wyntron are almost compliant to the requirements of the ADB SPS 2009. The summary of the findings and the corrective action plan that shall be implemented in the Corporate ESMS is summarized in Table 27.

Table 27: Corrective Action Plan for Corporate ESMS

Findings	Corrective Action Plan (Corporate ESMS)	Timeline
The existing E&S policies of Wyntron Inc. are not fully aligned with ADB SPS and other relevant policies and requirements of ADB SPS and other ADB policies and procedure requirements	<p>The E&S policy of Wyntron Inc. should be updated to include the following:</p> <ul style="list-style-type: none"> • Screening against the ADB's prohibited investment activities list (PIAL). • Screening and categorization of the subprojects environmental impacts to determine the type of environmental assessment to be conducted (i.e., EIA, IEE, environmental and social audit for expansion of existing facilities) following ADB SPS. Category A impacts on environment will be excluded from ADB funding. • Conduct screening, categorization, due diligence of subprojects to assess impacts on Involuntary Resettlement and Indigenous People for all subprojects to be funded by ADB. ADB funding will not be allocated to activities with category A and B impacts on involuntary resettlement and indigenous peoples. • Conduct climate risk screening following ADB's climate risk screening and assessment of projects guidelines. The climate risk vulnerability assessment will be undertaken by the project in case risk is determined to be medium or high during the 	Before first disbursement or 30 December 2022, whichever comes first.

Findings	Corrective Action Plan (Corporate ESMS)	Timeline
	<p>screening process. Climate adaptation and/or mitigating measures must be incorporated in the project design.</p> <ul style="list-style-type: none"> • Disclosure procedure of IESE, EMP and relevant studies of subprojects to the stakeholders through consultations as well as making the documents accessible to public.(e.g., posting of reports in ADB's website). Develop and implement Stakeholder Engagement Policy and Procedure. • Submission of the semiannual monitoring reports (during construction) and annual monitoring reports (during operation) to ADB upon investment. 	
	<p>For each subproject that will be supported by ADB loan, Wyntron shall submit the following documents to ADB for review and approval.</p> <ul style="list-style-type: none"> • E&S documents for screening and categorization forms • IEE report and/or Environmental and Social Compliance audit of existing facilities • ADB environmental and social monitoring reports 	<p>Three weeks after notification receipt of property turnover prerequisite. The completion of the documents is prerequisite to the engagement of the EPC contractor. The submission of the environmental and social monitoring report will follow the timeline that will be set in the Facility Agreement between ADB and Wyntron.</p>

Findings	Corrective Action Plan (Corporate ESMS)	Timeline
The company has no existing training program on the ADB SPS requirements	Wyntron Inc. should include in their training plan the training of the ESH team on ADB SPS requirements and on updating the existing company's E&S policy based on the corrective actions mentioned above.	To be completed before turnover of the new building for renovation (tentative date - end of January 2023)
The company has no existing process or system for land evaluation for new subprojects	Wyntron Inc. should develop site selection process considering environmental and social factors. Before procurement of land or land lease acquisition, a due diligence must be conducted by Wyntron Inc. to verify the absence of any legacy issues.	Before first disbursement or 30 December 2022, whichever comes first.
The GRM policy of Wyntron only includes procedures for the employees.; No procedures on stakeholder engagement/ information disclosure	The GRM of Wyntron should be enhanced to include procedures for receiving and facilitating resolution of complaints from external stakeholders (i.e., community members, private companies, among others). The enhanced GRM should include the responsible Department to handle external grievances. The policy should also specify the monitoring process of active and resolved grievances.	Before first disbursement or 30 December 2022, whichever comes first.
The Recruitment, Selection and Placement Procedure (SP-HRD-3) of Wyntron did not detail the procedures for recruitment and employment of on-the-job (OJTs)/apprentices.	The procedure should be updated to include recruitment and employment of OJT/ apprentice and the corresponding institutional arrangement, including agreements (e.g., apprenticeship agreement) following the requirements of applicable national laws and regulations.	Before first disbursement or 30 December 2022, whichever comes first.

Findings	Corrective Action Plan (Corporate ESMS)	Timeline
The Human Resource Management Procedure (SP-HRD-5) does not include the provision of allowance/ remuneration and other benefits, as applicable, for OJTs.	The policy should be updated to clearly present the procedures and mechanisms of providing the allowances/ remuneration and other benefits, as applicable, for the OJTs/ apprentices.	Before first disbursement or 30 December 2022, whichever comes first.
<p>The Code of Ethics (FO-HRD-78) does not include the following:</p> <ul style="list-style-type: none"> • Definition of authorized break/ meal period according to Art. 85 Book 3, "Conditions of Employment" of Presidential Decree No. 442 • Clear presentation of all allowable benefits for various employment status. • Freedom of association and the effective recognition of the right to collective bargaining • Signed acknowledgement of the employee on his/her adherence to the Code of Ethics • Proof of submission of the Code of Ethics to DOLE for review. 	The existing Code of Ethics of Wyntron should be updated to include the mentioned items. The updating should ensure that the Code is consistent with the other company policies such as the SP-HRD-5.	Before first disbursement or 30 December 2022, whichever comes first.
Has no Workplace Breastfeeding Policy as required by RA 10028	Develop Workplace Breastfeeding Policy	Before first disbursement or 30 December 2022, whichever comes first
<p>In the existing hazardous wastes management procedures (GL-EMS-1 and SP-EMS-16), the following are not included as required by DAO 2013-22:</p> <ul style="list-style-type: none"> • Classification of hazardous wastes • Labeling requirements 	Update GL-EMS-1 to include the mentioned items.	Before first disbursement or 30 December 2022, whichever comes first.

Findings	Corrective Action Plan (Corporate ESMS)	Timeline
<ul style="list-style-type: none">Minimum requirements of the hazardous waste storage facilitiesAppropriate container per type of hazardous wastes <p>The Hazardous Waste Manifest System of DENR is not yet included in the procedure.</p>		
<p>The company does not have screening and management procedures for asbestos-containing materials.</p>	<p>For new or expansion of sub-projects that will utilize existing facilities or equipment, Wyntron should develop and implement screening procedures to identify the presence of asbestos-containing materials (ACM). This is to assess the hazards and risk of asbestos to workers and surrounding communities. The procedure must include the proper handling, storage and disposal of ACMs. Only trained experts on asbestos handling should be allowed to remove and manage the transportation and disposal of ACMs.</p> <p>The procedure should be developed in accordance with ADB's Good Practice Guidance for the Management and Control of Asbestos.</p>	<p>Before first disbursement or 30 December 2022, whichever comes first.</p>

Findings	Corrective Action Plan (Corporate ESMS)	Timeline
The Subcontractor Qualification and Monitoring Procedure does not include E&S provisions to ensure that subcontractors engaged for the project have capacity to follow good industry practices	<p>Establish a contractor management procedure to ensure that the contractors that will be engaged for building renovation have adequate EHS capacity to manage project EHS impacts and potential legacy issues, but not limited to ACM.</p> <p>Contractors and subcontractors engagement should include provisions of compliance with the updated ESMS of Wyntron that is part of the CAP, including IEE and EMP requirements for each subproject.</p>	<p>Before first disbursement or 30 December 2022, whichever comes first.</p> <p>Before signing of contract between Wyntron and contractors/subcontractors.</p>
The procedure of the online monitoring system of PEZA for the solid waste transport is not yet reflected in the existing solid waste management procedures (SP-EMS-16 and GL-EMS-3)	Update GL-EMS-3 to reflect the online monitoring system of PEZA for solid wastes.	January 2023.

5.2 Subproject Audit

229. The findings and corrective action plan based on the assessment conducted in Plant 2 is summarized in Table 28.

Table 28: Corrective Action Plan for Subproject Plant 2

Findings	Corrective Action Plan (Subproject Plat 2)	Timeline
Plant 2 is owned and managed by DKP. The EVSE manufacturing plant of Wyntron, together with the	<ul style="list-style-type: none"> Wyntron should apply for a separate PTO and hazardous waste ID for the operation of the EVSE manufacturing plant. 	January 2023.

Findings	Corrective Action Plan (Subproject Plat 2)	Timeline
<p>operation of the PCBA and box build of DKP, is in Plant 2.</p> <p>All the permits in Plant 2 are being applied by DKP and the monitoring reports are also done by DKP.</p> <ul style="list-style-type: none"> The operation of the EVSE plant is included in the ECC of Plant 1. The air pollution sources of the EVSE charger plant are included in the Permit-to-Operate of DKP for Plant 2 The hazardous wastes generated by the EVSE plant is included in the hazardous waste ID of DKP for Plant 2. The monitoring of the effluent of septic tanks, emissions and ambient air quality monitoring in Plant 2 is done by DKP. The disposal of the solid wastes and hazardous wastes in Plant 2, which includes those from the EVSE plant, are monitored by the PCO of DKP. Self-Monitoring Reports (SMR) for Plant 2 are submitted by DKP The compliances of the operation of the EVSE charger in terms of the ECC conditions are included in the Compliance Monitoring Report (CMR) submitted by Wyntron for Plant 1. The PCO and Safety Officer of DKP monitors the operation of the EVSE charger in Plant 2. 	<ul style="list-style-type: none"> A separate ECC should be applied for the operation of the EVSE in Plant 2. Based on DAO 2003-30, since Plant 1 and Plant 2 are not located adjacent to each other, a separate ECC should have been secured. Wyntron should also report the environmental monitoring results of Plant 2 as part of its CMR for Plant 1 since the existing ECC includes the operation of the EVSE manufacturing. A PCO and Safety Officer of Wyntron should be provided in Plant 2 to monitor the operation of EVSE manufacturing. 	

Findings	Corrective Action Plan (Subproject Plat 2)	Timeline
The solid wastes in the storage facility were observed to be overflowing during the site visit.	<ul style="list-style-type: none"> Review the protocol for solid waste disposal. The PCO should schedule the collection of the solid wastes before the storage facility becomes full (i.e., initiate the collection when the storage is already 70% full) Increase the capacity of the storage facility or increase the collection frequency. 	January 2023.
The stormwater drainage near the hazardous waste storage facility has stagnant water. The water almost reached the inside of the hazwaste storage facility.	<ul style="list-style-type: none"> Improve housekeeping practices Improve the management and cleaning of the drainage inside the plant. 	January 2023.
During the site visit, the smell of the chemical fumes in the manual coating area is strong which is a health hazard to the exposed workers.	<ul style="list-style-type: none"> Improve the ventilation system in the manual coating area. Proper respiratory PPE (i.e., chemical respirator) shall be provided to the workers. 	January 2023.
Plant 2 has not yet secured the Certificate of Electrical Inspection, Permit to Use Electrical Wiring Installation, Permit to Install/Operated Mechanical Equipment.	Follow up the status of application to DOLE.	January 2023.
Wyntron Inc. does not yet have an IEC plan as required in the ECC. No IEC activities are being conducted to the stakeholders.	Coordinate with CEZ for the IEC activities. Conduct stakeholders' analysis.	January 2023.
Wyntron Inc. has no SDP yet as required in the ECC.	Develop Social Development Plan.	January 2023.

Annex 1: Applicable Reference Framework

A. Asian Development Bank Standards and Guidelines

1. ADB's Safeguard Policy Statement (SPS), 2009.

1. The SPS sets out the policy objectives scope and trigger, and principles for following three key safeguard areas: (i) Environmental safeguard; (ii) Involuntary resettlement safeguard; and (iii) Indigenous People safeguard.
 - Safeguards Requirement 1 (SR1) on Environment. SR1 ensures the environmental soundness and sustainability of subprojects and supports the integration of environmental considerations into the subproject decision-making process. Environmental safeguards are triggered is a subproject is likely to have potential environmental risks and impacts. During the design, construction and operation of a subproject, the Company will apply technologies and practices consistent with international good practice, as reflected in internationally recognized standards such as the World Bank Group's Environment, Health and Safety Guidelines.
 - Safeguard Requirement 2 (SR2) on Involuntary Resettlement. SR2 requires avoidance or minimization of involuntary resettlement by exploring project design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels and to improve the standards of living of the displaced poor and other vulnerable groups. The involuntary resettlement safeguards cover physical displacement (relocation loss of residential land or loss of shelter) and economic displacement (loss of land assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas. It covers them whether such losses and involuntary restrictions are full or partial, permanent or temporary.
 - Safeguards Requirement 3 (SR3) on Indigenous People. SR3 requires the design and implementation of subprojects in a way that fosters full respect for Indigenous Peoples' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the Indigenous Peoples themselves so that they: (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of projects, and (iii) can participate actively in projects that affect them. The Indigenous Peoples safeguards are triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems or culture of Indigenous Peoples or affects the territories or natural or cultural resources that Indigenous Peoples own, use, occupy, or claim as an ancestral domain or asset.

2. ADB Policy on Gender and Development (GAD), 1998.

2. ADB's policy on GAD included mainstreaming as a key strategy in promoting gender equity. With respect to projects, the GAD Policy requires:
 - Gender analysis: to assess systematically the impact of a subproject on men and women, and on the economic and social relationship between them.
 - Gender planning: to formulate specific strategies that aim to bring about equal opportunities for men and women

- Mainstreaming: to consider gender issues in all aspects of Company operations, accompanied by efforts to encourage women's participation in the decision-making process in development activities.

1. ADB Social Protection Strategy, 2001.

3. ADB's Social Protection Strategy 2001 requires the Company to comply with applicable labor laws in relation to ADB funded projects and should take the following measures to comply with the core labor standards¹.

- Carry out its activities consistent with the intent of ensuring legally permissible equal opportunity, fair treatment and non discrimination in relation to recruitment and hiring, compensation, working conditions and terms of employment for its workers (including prohibiting any form of discrimination against women during hiring and providing equal work for equal pay for men and women)
- Not restrict its workers from developing a legally permissible means of expressing their grievances and protecting their rights regarding working conditions and terms of employment; and
- Engage contractors and other providers of goods and services (i) who do not employ child labor or forced labor, (ii) who have appropriate management systems that will allow them to operate in a manner which is consistent with the intent of ensuring legally permissible equal opportunity and fair treatment and non discrimination for their workers, and not restricting their workers from developing a legally permissible means of expressing their grievances and protecting their rights regarding working conditions and terms of employment; and (iii) whose subcontracts contain provisions which are consistent with paragraphs (i) and (ii) above.

2. ADB Access to Information Policy, 2019

4. ADB's Information Policy recognizes that transparency and accountability are essential to development effectiveness. The objective of the policy is to enhance stakeholders' trust in and ability to engage with ADB. The policy recognizes the right of people to seek, receive, and impart information about ADB operations. It supports knowledge sharing and enables participatory development or two-way communications with affected people. The policy is based on a presumption in favor of disclosure unless there is a compelling reason for nondisclosure. It commits ADB to disclose subproject-related information proactively on its website, following strictly time limits, and provides mechanisms to handle responses and complaints.

B. Philippines Local Policies

5. Table 1 provides the list of existing laws, regulations and issuances that are applicable to the project.

Table 1: List of Applicable and Existing Laws, Regulations and Issuances

List of Applicable and Existing Laws, Regulations and Issuances
Environmental Protection
<ul style="list-style-type: none"> • PD 1586: Philippine Environmental Impact Statement System (PEISS) • PD 1152: Philippine Environment Code

¹ Freedom from forced labour, freedom from child labour, freedom from discrimination at work, freedom to form and join a union, and to bargain collectively.

List of Applicable and Existing Laws, Regulations and Issuances
<ul style="list-style-type: none"> • PD 856: Sanitation Code of the Philippines, Chapter 17: Sewage Collection and Disposal, Excreta Disposal and Drainage, Chapter 20: Pollution of the Environment • RA 6969: Toxic Substances, Hazardous and Nuclear Waste Control Act of 1990 • RA 9003: Ecological Solid Waste Management Act of 2000 and its IRR (i.e., DENR Administrative Order No. 2001-34) • RA 9729: Climate Change Act of 2009 and its IRR (i.e., Climate Change Commission Administrative Order No. 2010-10) • Republic Act No. 9275: Philippine Clean Water Act of 2004 • RA 8749: Philippine Clean Air Act of 1999 and its IRR • PNP EO No. 1992-522: Rules and Regulations for the Control and Supervision of the Importation, Sale and Possession of Chemicals Used as Ingredients in the Manufacturing of Explosives and for other Purposes • DENR AO No. 2003-27 Amending DAO 26, DAO 29 and DAO 2000-81 among others on the preparation and submission of SMR • DENR AO No. 2005-27: Revised Priority Chemical List • DENR Administrative Order No. 2016-08: Water Quality Guidelines and General Effluent Standards of 2016 • DENR AO No. 2021-19: Updated Water Quality Guidelines and General Effluent Standards for Selected Parameters • DENR Administrative Order No. 2013-22: Revised Procedures and Standards for the Management of Hazardous Wastes • DOH Administrative Order No. 2007-0012: Philippine National Standards for Drinking Water of 2007 • NPCC Memorandum Circular No. 002 Series of 1980: Ambient Noise Quality Standards • PEZA MC 2006-003 Guidelines on Handling and Transport of Economic Zones' Solid Waste • PEZA MC 2004-20: Guidelines on Transport of Hazardous Wastes from Economic Zones
Gender and Development
<ul style="list-style-type: none"> • Article II, Section 14, 1987 Constitution • Article XIII, Section 14, 1987 Constitution • Article XIII, Section 11, 1987 Constitution • RA 9710: The Magna Carta of Women in 2009 • RA 7192: Women in Development and Nation Building Act • RA 11210 Expanded Maternity Act • RA 8505, or the Rape Victim Assistance and Protection Act of 1998. • RA 9208, or the Anti-Trafficking in Persons Act of 2003 • RA 9262, or the Anti-Violence Against Women and their Children Act. • RA 7600, or the Rooming-In and Breast-feeding Act of 1992 • RA 10028, or the Expanded Breastfeeding Promotion Act of 2009 • RA 10354, or The Responsible Parenthood and Reproductive Health Act of 2012. • RA 11313, or the Safe Spaces Act, which defines gender-based sexual harassment in streets, public spaces, online, workplaces, and educational or training institutions.
Labor and Employment
<ul style="list-style-type: none"> • PD 856: Sanitation Code of the Philippines, Chapter 7: Industrial hygiene, Chapter 2: Water Supply • PD 442: Labor Code of the Philippines • RA 6725, An Act Strengthening the Prohibition on Discrimination against Women with Respect to Terms and Conditions of Employment, Amending 135 of the Labor Code, as Amended • RA 8972, or the Solo Parent Welfare Act. • RA 7877, or the Anti-Sexual Harassment Act • RA 9165 or Comprehensive Dangerous Act of 2002 • RA 8504 or Philippine AIDS Prevention and Control Act of 1998 • RA 11058 or An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing for Violations Thereof, and its Implementing Rules and Regulations

List of Applicable and Existing Laws, Regulations and Issuances

- RA 8282 or Social Security Law
- RA 7875 as amended- National Health Insurance Act of 1995
- RA 9679 as amended- Home Development Mutual Fund Law of 2009
- RA 9231 Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act
- Applicable Department of Labor and Employment (DOLE) Department Administrative Orders:
 - DO 53 Drug Free Workplace
 - DO 73 TB Prevention and Control
 - DDO 05 Hepatitis B Prevention and Control
 - DDO 102 HIV Aids Prevention and Control
 - DO 208 Guidelines for the Implementation of Mental Health Workplace Policies and Programs for the Private Sector
 - DO 198 IRR of RA 11058
 - DO 174 Implementing Rules and Regulations (IRR) on Contracting and Subcontracting Arrangements

A. Integrated Management System Manual

DOCUMENT CONTROL NO.	DOCUMENT TITLE
SP-HRD-2	PERFORMANCE EVALUATION PROCEDURE
SP-HRD-3	RECRUITMENT, SELECTION AND PLACEMENT PROCEDURE
SP-HRD-4	JOB DESCRIPTION AND TABLE OF ORGANIZATION PROCEDURE
SP-HRD-5	HUMAN RESOURCE MANAGEMENT PROCEDURE
SP-HRD-6	DRUG FREE WORKPLACE POLICIES AND PROCEDURE
SP-HRD-7	TUBERCULOSIS (TB) PREVENTION & CONTROL IN THE WORKPLACE POLICY AND PROCEDURE
SP-HRD-8	HEPATITIS B PREVENTION & CONTROL IN THE WORKPLACE POLICY AND PROCEDURE
SP-HRD-9	HIV/ AIDS PRVENTION & CONTROL IN THE WORKPLACE POLICY AND PROCEDURE
SP-HRD-10	SEXUAL HARRASSMENT POLICY AND PROCEDURE
SP-HRD-11	SECURITY PROCEDURE
SP-HRD-12	LEGAL AND REGULATORY REQUIREMENT PROCEDURE
SP-HRD-13	ANTI-MONEY LAUNDERING POLICY
SP-HRD-14	CHILD AND FORCED LABOR POLICY
SP-HRD-15	WHISTLEBLOWER POLICY
SP-HRD-16	WORKPLACE GRIEVANCE POLICY AND PROCEDURE
SP-HRD-18	SUBCONTRACTOR QUALIFICATION AND MONITORING PROCEDURE
SP-EMS-1	IDENTIFICATION OF ENVIRONMENTAL SIGNIFICANT ASPECT AND IMPACT
SP-EMS-5	CHEMICAL CONTROL PROCEDURE
SP-EMS-6	EMERGENCY PREPAREDNESS AND RESPONSE PROCEDURE
SP-EMS-7	EVACUATION AND RESCUE PROCEDURE
SP-EMS-9	DAMAGE CONTROL EMERGENCY AND RECOVERY PROCEDURE
SP-EMS-10	FIRE SAFETY AT WORK PROCEDURE
SP-EMS-11	FIRE SAFETY PROGRAM
SP-EMS-12	SAFETY RISK MANAGEMENT PROCEDURE
SP-EMS-13	ACCIDENT/INCIDENT INVESTIGATION AND REPORTING PROCEDURE
SP-EMS-14	TEMPORARY SHUTDOWN PROCEDURE
SP-EMS-15	PROPER HOUSEKEEPING PROCEDURE
SP-EMS-16	WASTE MANAGEMENT PROCEDURE
SP-EMS-17	WORKPLACE POLICY AND PROGRAM ON COVID 19 PREVENTION AND CONTROL
SP-ENG-9	PROCESS CONTROL PLAN PROCEDURE
GL-EMS-1	HAZARDOUS WASTE MANAGEMENT GUIDELINES
GL-EMS-2	SOLID WASTE MANAGEMENT GUIDELINES
SP-QAD-2	INCOMING INSPECTION PROCEDURE
SP-QAD-31	TRAINING AND CERTIFICATION PROCEDURE
QM-1	INTEGRATED MANAGEMENT SYSTEM MANUAL
EHSM-01	ENVIRONMENTAL HEALTH AND SAFETY MANUAL

B. Environmental and Safety Compliance

- Compliance Monitoring Reports (2021-2022)
- Self-Monitoring Reports (2021-2022)
- Environmental Performance Report and Management Plan Checklist
- Environmental Permits
 - Environmental Compliance Certificate
 - Permit to operate
 - Certificate of Sewer Connection
 - PDEA License
 - CCO and SQI Chemical Permits
- PCO Certificate
- Safety Officer Certificate
- Occupational Safety and Health Manual
- Safety Statistics
- EHS Training
- EHS Organizational Chart
- Conservation Programs

C. Social Documents

- Lease Agreement with PEZA
- Proof of Compliance to Government Payments
- Sample Employee Contract
- Employee Statistics
- Grievance Monitoring
- WFH Memo
- DOLE No Pending Case Certificate
- CSR Programs
- Overall Organizational Chart

D. Project Description

- Process Flow Diagram and description
- List of chemicals used
- List of hazardous wastes generated
- MSDS of chemicals
- Sewer Plan Layout
- Stormwater Drainage Layout
- Plant Layout
- Site Development Plan
- Storage facilities for hazardous wastes, solid wastes and chemicals