

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**FIFTEENTH CONGRESS
First Regular Session**

House Bill No. **4606**

**Introduced by Representatives
DIOSDADO MACAPAGAL ARROYO and GLORIA MACAPAGAL ARROYO**

**AN ACT
TO PROTECT WORKERS AND THEIR FAMILIES FROM THE HAZARDS OF
WORKING IN AGRICULTURAL SITES**

EXPLANATORY NOTE

Article II, Section 16, of the 1987 Constitution expressly states that "*The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.*"

According to a study published by the Institute for Labor studies, pesticides popular in the Philippines have been banned or severely restricted in the United States. Further, farmers do not know the consequences of mishandling these chemicals. Acute pesticide poisoning has been traced to unsafe practices in the handling, storing and disposal of pesticides.

Organophosphate pesticides produce both short-term (acute poisoning) and long-term (chronic) effects that affects various organs in addition to its potential of causing abnormality in the genes, cancer, and reproductive system. This underscores the need for preventive programs to ensure farmers safety and health.

This bill establishes the measures that should be undertaken by farm owners and/or operators to ensure the safety of their workers and their respective families.

In view of the foregoing, expeditious passage of this bill is earnestly recommended.



DIOSDADO MACAPAGAL ARROYO
Second District, Camarines Sur



GLORIA MACAPAGAL ARROYO
Second District, Pampanga

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*Be it enacted by the Senate and House of Representatives of the
Philippines in Congress assembled:*

SECTION 1. *Short Title.* – This Act shall be known as the "Farm Workers' Protection Act of 2011."

SECTION 2. *Requirements.* – The following requirements shall be met at any agricultural site to which pesticides have or will be applied. Farm owners or operators shall:

A. Conduct or cause to have conducted mandatory testing for the presence of organophosphate pesticides for all handlers of pesticides, including applicators and mixers of pesticides. This testing shall be conducted within one week of the arrival of such workers at the agricultural site and within one week of the departure of such workers from the site;

B. Provide personal protection equipment which has been fit-tested to all individuals who are required or may be required to wear such equipment in the course of their work, and which is readily available to any worker needing to wear or use such equipment;

C. Provide education and information to farm workers and their families about the hazards of exposure to pesticides, how to avoid such exposures to children, personal clothing and possessions, and what to do if pesticide exposure or contamination occurs;

D. Report to the department of Agriculture every incident of pesticide exposure to farm workers or their families, whether by direct exposure to pesticide applications or from drift of pesticides from the application site. Such reporting shall occur within twenty-four hours of such pesticide exposure and shall include the day and time of day the exposure occurred and the pesticides to which the individuals were exposed;

E. Provide on-site washing machines for workers to clean pesticide-contaminated clothing, which are separate from clothes washing facilities used by families. The farm owner or operator shall be responsible to provide instruction in the proper care of clothing contaminated with or exposed to pesticides;

F. Provide one shower facility for every five workers, with separate facilities for males and females, for the removal of pesticide residues and other contaminants;

G. Provide one or more public telephones for workers to report medical emergencies, including pesticide exposures or contamination; and

H. Ensure that all new housing for farm workers is located at least fifty feet from any field or site, except for enclosed facilities such as greenhouses, which may be treated with pesticides. Existing housing which does not comply with this paragraph shall be replaced within five years or cease to be used after that time.

SECTION 3. *Penalty.* – The Department of Agriculture is hereby empowered to establish and assess penalties or fines against farm owners and operators for violations of this Act. In no circumstance will any penalty or fine exceed One Hundred Thousand Pesos (P100,000.00).

SECTION 4. *Annual Report.* – The Department of Agriculture shall issue an annual report of all farm inspections on or before March first to the legislature for the previous calendar year, including compliance with the requirements contained in this Act; enforcement actions, fines and penalties for non-compliance resulting from such inspections; and pesticide exposure or contamination reports submitted to the Department of Agriculture.

SECTION 5. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 6. *Separability Clause.* – If, for any reason, any provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 7. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days following its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,