

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **2471**



INTRODUCED BY REP. MARCELINO "MARCY" R. TEODORO

EXPLANATORY NOTE

The Constitution, Article 13, Section 14, mandates that the State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all. The Labor Code, Article 162 provides that the Secretary of Labor and Employment shall issue appropriate orders, set and enforce occupational safety and health standards in all workplaces and institute programs to ensure safe and healthful working conditions in all places of employment.

Presently, there is a lack of uniform warnings for personal protective equipment for occupational use. This situation has confused both employers and employees on the proper use of such equipment. This has increased worker exposure to workplace injuries and illnesses.

This bill seeks to provide safety warning standards to reduce injuries and illnesses resulting from the faulty use of occupational equipment.

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1st District, City of Marikina

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AN ACT
TO PROVIDE FOR UNIFORM WARNINGS ON PERSONAL PROTECTIVE
EQUIPMENT FOR OCCUPATIONAL USE

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 "Uniform Warnings on Protective Equipment Act."

SEC. 2. Declaration of State Policy. - It is hereby declared the policy of the State to increase workplace safety by enhancing the understanding of the proper use and limits of personal protective equipment for occupational use through occupational safety and health standards that establish specific coherent and effective uniform warnings for such equipment.

SEC. 3. Definition of Terms. – For purposes of this Act, the term:

- A. Personal protective equipment – means equipment intended for use by workers in a workplace subject to this Act to protect the eyes, face, head, hearing, extremities, or a respiratory tract from workplace hazards or to function as protective clothing, as a protective shield or barrier, as personal fall arrest or ladder safety devices, or as safety and health monitoring and instrumentation devices; and
- B. Warning – means any statement that –
 - 1. Directs or describes one or more actions, procedures, or prohibitions relating to the use of personal protective equipment; and
 - 2. If not complied with, may result in personal injury or death to the user of the equipment.

SEC. 4. Standards. – Each standard shall prescribe the full text of each warning the means by which the manufacturer or other seller of the personal protective equipment shall communicate each such warning to the employer using such equipment. Each standard issued under paragraph for personal protective equipment shall require the employer to communicate each prescribed warning to each employee using the personal protective equipment, and to train, educate, and instruct each such employee in:

- A. The proper use of such personal protective equipment;
- B. How each such warning applies in such employer's workplace and such employee's work environment; and
- C. The consequences of failing to observe each such warning.

SEC. 5. Factors to be Considered. - The Secretary of the Department of Labor and Employment, in promulgating standards shall consider such factors as the experience of manufacturers using particular warnings and the means of communication of such warnings, as well as the opinions of workers, human factors experts, the Department of Health, and other experts as to the effectiveness of such warnings and respective means of communications.

SEC. 6. *Pre-emption.* – Nothing in this Act shall be construed to negate the intent of the Congress to occupy or regulate the entire field of warnings for personal protective equipment for occupational use.

SEC. 7. *Other Standards.* – After a standard issued becomes effective, no government agency, or any political subdivision, may, by legislation, regulation, court decision, or otherwise establish or continue in effect, any standard, requirement, or prohibition for any personal protective equipment which has the force and effect of law which is different from, or in addition to, any requirement set forth in this Act.

SEC. 8. *Separability Clause.* – Should any provision of this Act be declared invalid or unconstitutional, the validity or constitutionality of the other provisions shall not be affected thereby.

SEC. 9. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,