

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5777



Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

The deadly fire at a slippers factory in Valenzuela City recently took death toll to 72 company employees or workers. The incident set alarm thereby taking to task several government agencies to probe into the cause or circumstances surrounding the unnecessary number of casualties, both killed and injured.

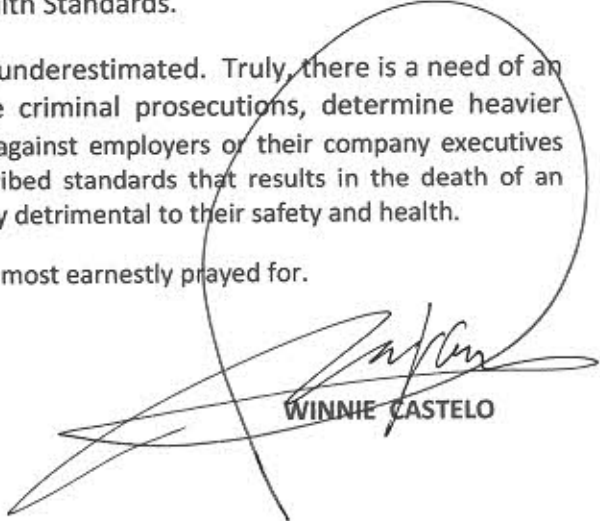
Against this backdrop, the 1978 Occupational Safety and Health Standards enforced by the Department of Labor and Employment have been found wanting. Perhaps, some standards are more on the breach than on compliance. It seems that employers or companies may have failed to insure safety against occupational and health hazards of the workplace. This apparently willful violations of prescribed standards or benchmarks against imminent danger for employees or workers shall henceforth be dealt with accordingly.

It is the primary urgency of the bill to set the highest level of compliance from errant or erring employers or companies unmindful of the total safety of workers or employees against imminent danger of death, illness, and/or injury through the imposition of criminal penalties as prescribed under existing laws.

To address the problem that might in the future go out of hand, the bill envisions the creation of the Occupational Safety and Health Administration (OSHA) as the office of primary responsibility (OPR) to impose criminal penalties against any violation of criteria/standards prescribed in the 1978 Occupational Safety and Health Standards.

The need for a congressional fiat cannot be underestimated. Truly, there is a need of an agency liberally authorized to pursue high-profile criminal prosecutions, determine heavier criminal penalties, and impose much higher fines against employers or their company executives who may be found guilty of willful violation of prescribed standards that results in the death of an employee or worker or otherwise serious illness or injury detrimental to their safety and health.

The immediate passage of this bill is henceforth most earnestly prayed for.



WINNIE CASTELO

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AN ACT
CREATING THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) UNDER THE
DEPARTMENT OF LABOR AND EMPLOYMENT THEREBY IMPOSING CRIMINAL PENALTIES AGAINST
VIOLATIONS OF THE 1978 OCCUPATIONAL SAFETY AND HEALTH STANDARDS AND FOR OTHER
PURPOSES

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

SECTION 1. This Act shall be known as the 'Occupational Safety and Health Administration Act' of 2015.

SEC. 2. The Occupational Safety and Health Administration (OSHA) shall hereby be created as the agency in charge of the strict and effective implementation of the 1978 Occupational Safety and Health Standards currently set forth by the Department of Labor and Employment.

SEC. 3. It shall be the mission of the OSHA to assure safe and healthful working conditions for working men and women by setting and enforcing standards under pain of criminal penalties imposed against employers in violation thereof particularly in cases resulting in mass death, illness, and/or injury to employees or workers.

SEC. 4. Under this Act, OSHA as the Office of Primary Responsibility (OPR) shall henceforth be authorized to impose criminal penalties upon justification of just cause and in accordance with existing laws, statutes or enactments for any violation of set forth occupational safety and health standards or criteria.

Provided Further That, the Administration may be liberally allowed to pursue high-profile criminal prosecutions, determine heavier criminal penalties, and impose much higher fines against employers or their company executives who may be found guilty of willful

violation of prescribed standards that results in the death, serious injury or illness of an employee or worker.

SEC. 5. This Act shall take effect upon forty five (45) days upon its approval, publication in the Official Gazette, and dissemination in at least three (3) newspapers of general circulation.

Approved,