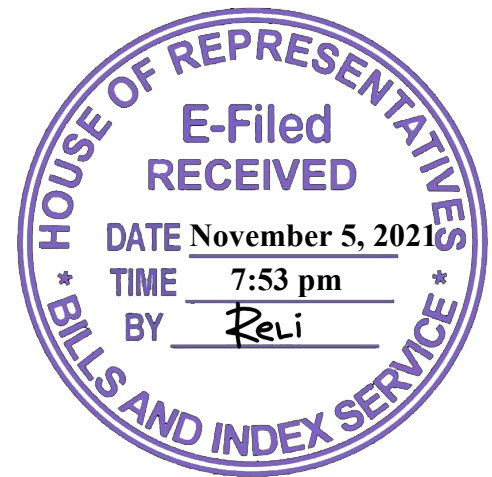


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10446



Introduced by **HON. JOY MYRA S. TAMBUNTING**

EXPLANATORY NOTE

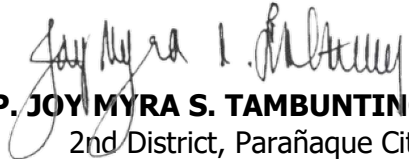
The public is reaping the benefits of being able to view and visit high rise office buildings, broad shopping malls and multiple level residential buildings tangibly built by construction workers. Said workers are really considered essential workers doing the heavy lifting and exposing themselves to bodily harm. Sometime in 2018, five (5) workers were killed in Cebu City, when the four (4) story bunkhouse of their sleeping area collapsed. It was catering approximately one hundred sixty (160) workers and those others of at least one hundred fifty-four (154) who were rescued suffered minor injuries.¹ Six long hours were spent for the rescue operations making the suffering and distress of the workers tougher. Later it was discovered by Department of Labor and Employment that the contractor violated labor standards, failed to secure a business permit and likewise did not pay the proper wages to a few construction workers. This is not the first nor will the last disaster that may harm our fellow Filipino workers. The nature of their work is really being exposed to hazardous substances and heavy equipment that deserves substantial shield such as protecting them with an insurance benefit.

Granting of accidental, life and health insurance to construction workers will help them or their family's financial security in times of an accident or mishap. Serious injuries can befall a construction worker in compliance with their work and without any insurance they will suffer more of being in debt for hospitalization expenses and for providing for their family. This legislation therefore mandates the contractor or subcontractor to assure their workers that they are cared for by providing them an insurance contract. This proposed policy encourages employers to be accountable and sensitive to the essential needs of their employees that are unprotected while working for their ventures.

The passing of this bill is urgently sought as our nation is likewise aggressive on building countrywide highways, roads and other business establishments to boost our trade and industry.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.

¹ <https://newsinfo.inquirer.net/973099/breaking-news-cebu-lahug-emergency-rescue-unit-foundation-bunkhouse-collapse-nagiel-banacia>



REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10446

Introduced by **HON. JOY MYRA S. TAMBUNTING**

**AN ACT MANDATING ACCIDENT, LIFE AND HEALTH INSURANCE COVERAGE FOR
CONSTRUCTION WORKERS**

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

SEC. 1. Short Title. - This Act shall be known as the "Construction Workers Insurance Act."

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State to ensure the safety and promote the welfare of construction workers because of the hazardous and dangerous work environment. To this end, it is the intent of this Act to require employers of construction workers to provide for mandatory group personal accident insurance coverage to guaranty the quick and efficient delivery of indemnity to injured workers at a reasonable cost to the employers.

SEC. 3. Definition of Terms. - The following terms, for the purposes of this Act, shall be defined as follows:

- a) The term Construction covers:
 - i. Building, including excavation and the construction, structural alteration, renovation, repair, maintenance (including cleaning and painting) and demolition of all types of buildings or structures; and
 - ii. The erection and dismantling of prefabricated buildings and structures, as well as manufacturing of prefabricated elements on the construction site.
- b) Construction worker refers to a person engaged in construction that is exposed to a considerable risk, danger or hazard while in the line of work.
- c) Employer refers to a contractor or a subcontractor that employs at least ten (10) construction workers to perform a service for hire and includes a corporation, partnership, limited liability company, association, group of persons, state, city, municipality, school district, or any government subdivision;
- d) Construction site refers to any place or location where a building or a structure is being constructed;
- e) Insurance refers to a contract wherein one party undertakes to compensate the other for an injury relating to a particular subject as a result of the occurrence of designated hazards;

- f) Group Personal Accident Insurance refers to a type of insurance coverage offered to a group of people, which provides benefit to the individual or beneficiaries if the covered individual is permanently disabled or dies during the defined insurance covered period resulting from accidental death, disability and injuries;
- g) f) Insurance company is a corporation, duly accredited by the Insurance Commission that provides for the insurance coverage of the construction worker upon payment by the employer of the required insurance premium.

SEC. 4. Mandatory Insurance Coverage. - All construction workers employed in a construction project or site shall be provided a group personal accident insurance coverage by the employer. The duration of the insurance shall start from the commencement of the service of the construction worker until the completion of the construction project or upon the termination of the employment contract.

Nothing in this Act shall be construed to diminish or reduce any benefit and other privileges which the worker may be entitled under existing laws, decrees, executive orders, company policy or practice or any agreement or contract between the employer and employees.

SEC. 5. Cost of Insurance. - The premiums to be paid to the insurance company shall be completely paid for by the employer and shall not be deducted from the wages of the construction workers.

SEC. 6. Minimum Insurance Coverage. - The group personal accident insurance shall provide for financial assistance including, but not limited to, the following:

- a) For natural death, the amount of Seventy-five thousand pesos (P75,000.00);
- b) For accidental death, the amount of One hundred thousand pesos (P 100,000.00);
- c) For death in the line of work, the amount of One hundred fifty thousand pesos (P 150,000.00);
- d) For loss of both hands, the amount of Fifty thousand pesos (P 50,000.00);
- e) For loss of both feet, the amount of Fifty thousand pesos (P 50,000.00);
- f) For loss of sight of both eyes, the amount of Fifty thousand pesos (P 50,000.00);
- g) For loss of one hand and one foot, the amount of Fifty thousand pesos (PS0,000.00);
- h) For loss of one hand and sight of one eye, the amount of Fifty thousand pesos (P 50,000.00);
- i) For loss of one foot and sight of one eye, the amount of Fifty thousand pesos (P 50,000.00);
- j) For loss of one hand or one foot, the amount of Twenty five thousand pesos (P 25,000.00); and
- k) For loss of sight of one eye, the amount of Twenty five thousand pesos (P 25,000.00).

SEC. 7. Health Insurance. - In addition to the compensation that shall accrue to the worker in the preceding section, every construction worker shall likewise be entitled to receive fair and prompt medical benefits in cases where the illness is directly attributable to or was developed in the course of employment. This is meant to cover loss of wages due to workplace exposure.

SEC. 8. Limitations. - No compensation shall be given to the construction worker or his dependents when the injury, illness, disability or death was due to any of the following:

- a) His intoxication;
- b) His willful intention to injure or kill himself or another; or

c) His gross negligence.

SEC. 9. Penalties. - Any person, partnership or corporation who violates any provision of this Act shall, upon conviction, suffer the following penalties:

- a) For the first violation, a fine of not less than Two hundred thousand pesos (P 200,000.00) but not more than Five hundred thousand pesos (P 500,000.00); and
- b) For any subsequent violation, a fine of not less than Four hundred thousand pesos (P 400,000.00) but not more than One million pesos (P 1,000,000.00).

If the offender is a corporation, organization or any similar entity, the officials thereof directly involved in the violation shall be liable.

If the offender is an alien or foreigner, he shall be deported immediately upon service of sentence without further proceedings.

Upon filing of the appropriate complaint or information, the Secretary of Labor and Employment shall request the appropriate local government unit to cancel or revoke the business permit, permit to operate and other similar privileges granted to any business entity or person that fails to abide by or violates the provisions of this Act.

SEC. 10. Implementing Rules and Regulations. - Within ninety (90) days from the effectivity of this Act, the Secretary of Labor and Employment shall promulgate the implementing rules and regulations as may be necessary to ensure the efficient and effective implementation of this Act.

SEC. 11. Separability Clause. - Should any part of this Act be declared unconstitutional, the rest of the provisions of this Act shall continue to be in effect and subsisting.

SEC. 12. Repealing Clause. - The provisions of other laws, decrees, executive orders, rules and regulations inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 13. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,

Approved,