

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 2031

Introduced by REPRESENTATIVE MERCEDES K. ALVAREZ, MNSA

EXPLANATORY NOTE

This measure aims to formally recognize and protect the rights, welfare, and dignity of waste workers across the Philippines. Waste workers play a crucial role in maintaining public health, environmental sustainability, and community well-being, yet they often remain marginalized, working under unsafe conditions with inadequate protection and compensation.

It promotes fairness and social justice for waste workers, improving their quality of life while fostering a more sustainable and humane waste management system. It ensures they are protected, heard, and valued as essential contributors to public health and environmental protection.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


ATTY. MERCEDES K. ALVAREZ, MNSA

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AN ACT
PROVIDING FOR THE MAGNA CARTA OF WASTE WORKERS

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

TITLE I
GENERAL PROVISIONS

CHAPTER I
BASIC PRINCIPLE

Section 1. *Short Title.* – This Act shall be known as the "Magna Carta of Waste Workers."

Sec. 2. *Declaration of Policy.* – In recognition of the vital role played by Waste Workers in preserving public health, environmental sustainability, and the overall well-being of our communities, the State shall endeavor to develop plans, policies, programs, measures, and mechanisms rooted in principles of fairness and social justice, safeguarding the rights and dignity of Waste Workers.

The State shall ensure the protection of their rights and welfare through inclusive, rights-based, and gender-responsive policies and programs. It shall guarantee fair compensation, safe and humane working conditions, and access to

1 comprehensive health and social protection benefits. Waste Workers shall be free from
2 discrimination, exploitation, and harassment, and shall be recognized as essential
3 partners in sustainable development.

4 The State shall institutionalize mechanisms for training, occupational safety,
5 and access to protective equipment and medical support. It shall also promote public
6 awareness on proper waste management and the indispensable contributions of Waste
7 Workers, pursuant to Republic Act No. 6969, otherwise known as the Toxic
8 Substances and Hazardous and Nuclear Wastes Control Act of 1990 and Republic Act
9 No. 9003, otherwise known as the Ecological Solid Waste Management Act of 2000.

10 The State shall ensure that collaborative efforts involving the government, civil
11 society, and the private sector aim to raise public awareness about the vital
12 contributions of Waste Workers and foster a culture of respect for their profession.

13 The State shall establish mechanisms for the effective implementation and
14 monitoring of this Act. There shall be regular assessments of working conditions,
15 benefits, and overall well-being of Waste Workers conducted, with policy adjustments
16 made as necessary to address emerging challenges.

17
18 Sec. 3. *Coverage.* – This law shall apply to all persons employed, contracted,
19 or engaged, and all those economically dependent on the marginalized sectors, in
20 activities on the management, collection, transportation, processing, and disposal of
21 solid wastes, hazardous wastes, and toxic chemicals and substances including but not
22 limited to residual and healthcare wastes.

23 24 **CHAPTER II** 25 **DEFINITION OF WASTE WORKERS** 26

27 Sec. 4. *Waste Workers.* – Waste workers shall refer to all persons whose
28 livelihood is dependent on waste management, collection, transportation, processing,
29 and disposal, and include, but are not limited to, garbage collectors, waste pickers,
30 segregators, and recyclers.

31 Waste workers, by the nature of their livelihood, are considered part of the
32 disadvantaged and vulnerable sectors of society. They are often among those living in
33 poverty, with limited or no access to essential resources and basic social and economic

1 services, including health care, education, housing security, and access to the justice
2 system.

3
4 **TITLE II**
5 **RIGHTS AND PROTECTION OF WASTE WORKERS**
6

7 **CHAPTER I**
8 **COMMON PROVISIONS**
9

10 Sec. 5. *Right to Decent Work.* – The State shall ensure the promotion and
11 protection of decent work standards for Waste Workers, grounded in the full
12 recognition of their rights and dignity as laborers. This includes the guarantee of fair
13 terms of employment, protection from occupational and health hazards, and access to
14 essential support services that enable the fulfillment of their rights.
15

16 Sec. 6. *Right to Participation and Information.* – All Waste Workers shall have
17 the right to participate meaningfully in decisions that affect their work, health, and
18 overall well-being. This right includes access to timely and relevant information on
19 policies, programs, projects, training, and other initiatives concerning Waste Workers.

20 Participation shall extend to the formulation, implementation, monitoring, and
21 evaluation of policies, regulations, and practices related to waste management and
22 labor rights. Waste Workers shall be represented in relevant consultative and decision-
23 making bodies to ensure that their voices are heard and their interests safeguarded.

24 Waste Workers shall be accorded representation in both the City or Municipal
25 Solid Waste Management Board (“SWM Board”) and the Barangay Solid Waste
26 Management Board, to wit:

- 27 a) At least one (1) seat in the SWM Board shall be allocated for a
28 representative(s) of Waste Workers directly involved in solid waste
29 management activities within the jurisdiction;
30 b) The Waste Worker representative(s) shall be selected through a
31 transparent and inclusive process;
32 c) The Waste Worker representative(s) shall report back to their respective
33 constituencies on SWM Board activities, decisions, and outcomes; and

1 d) The SWM Board shall periodically review the effectiveness of worker
2 representation and make adjustments necessary to ensure meaningful
3 participation and accountability.
4

5 Sec. 7. *Social Protection.* – The State shall ensure that all Waste Workers are
6 afforded with Social Security System or Government Service Insurance System, as the
7 case may be, Home Development Mutual Fund, and Philippine Health Insurance
8 Corporation.
9

10 Sec 8. *Hazard Pay.* – Waste Workers, in both private and public sectors, who
11 are regularly exposed to health and occupational hazards, or to working conditions
12 that involve a high risk of injury, illness, or deterioration of health, shall be entitled to
13 hazard pay. The amount and conditions for the grant of such compensation shall be
14 determined in accordance with existing labor laws, occupational safety and health
15 standards, and the implementing rules and regulations of this Act.
16

17 Sec 9. *Annual Medical, Dental, Mental, and Psychosocial Examination.* – All
18 Waste Workers shall be provided with free annual medical services, which shall
19 include, but not be limited to, physical, dental, mental health, and psychosocial
20 examinations. These health services shall aim to monitor, prevent, and address
21 occupational illnesses and work-related health conditions. This shall be administered
22 by accredited health institutions in coordination with the Department of Health
23 (“DOH”), local government units, and other relevant agencies.
24

25 Sec. 10. *Occupational Health and Safety Standards Program.* – There shall be
26 an established occupational health and safety standards program for all Waste
27 Workers to provide basic equipment such as, but not limited to, the appropriate
28 Personal Protective Equipment based on the nature of their work.

29 This program shall be implemented in coordination with the DOH, Department
30 of Labor and Employment (“DOLE”), local government units, and other concerned
31 agencies. The program shall be regularly reviewed and updated to respond to emerging
32 occupational risks and public health concerns affecting Waste Workers.
33
34

CHAPTER II

WASTE WORKERS IN THE PRIVATE SECTOR

Sec. 11. *Right to a Minimum Wage.* – Waste Workers shall be entitled to receive no less than the minimum wage prescribed for non-agricultural workers in their respective regions, as determined by the Regional Tripartite Wages and Productivity Board. The DOLE shall issue the appropriate rules and regulations for the effective implementation of this provision, including wage payment schedules, methods, and compliance mechanisms.

Sec. 12. *Work Days and Work Hours.* – Waste Workers shall be entitled to regular work hours and rest periods in accordance with the provisions of the Labor Code of the Philippines (“Labor Code”) and other applicable laws, rules, and regulations. This includes entitlement to night shift differential pay as may be prescribed by the DOLE.

Sec. 13. *Overtime Pay.* – Waste Workers who render services beyond the prescribed working hours shall be entitled to overtime pay in accordance with the rates, conditions, and procedures provided under the Labor Code, its implementing rules, and other relevant regulations.

Sec. 14. *Holiday Pay and Rest Day.* – Waste Workers who are required or permitted to work on a regular holiday, special holiday, or rest day shall be entitled to additional compensation, as mandated by the Labor Code and relevant issuances of the DOLE. The determination of applicable rates, holiday classifications, and entitlement shall be governed by existing laws and regulations of the DOLE: *Provided*, where the collective bargaining agreement or other applicable employment contract stipulates the payment of a higher premium pay than that prescribed under this section, the employer shall pay such a higher rate.

Sec. 15. *Enforcement of Labor Laws.* – All rights and benefits pertaining to conditions of employment, occupational safety and health, social welfare, labor relations, and post-employment shall be enforced in accordance with the existing and applicable laws and rules. The DOLE, in coordination with concerned agencies and

1 local government units, shall issue the necessary rules and regulations for the effective
2 enforcement of this Act.

3
4 Sec. 16. *Health Services.* – Waste Workers shall be entitled to access
5 comprehensive health services, including regular medical check-ups, hospitalization,
6 and preventive health care, through arrangements with Health Maintenance
7 Organizations or other accredited medical providers, subject to guidelines to be issued
8 in the implementing rules and regulations.

9
10 Sec. 17. *Security of Tenure.* – No Waste Worker shall be dismissed from
11 employment except for a just or authorized cause, and only after the observance of due
12 process, in accordance with the Labor Code and existing rules and regulations.

13
14 Sec. 18. *Independent Waste Worker Organization.* – *Self-Organization and*
15 *Union Membership.* - All Waste Workers shall have the right to self-organization,
16 including the right to form, join, or assist legitimate labor organizations, cooperatives,
17 or associations of their own choosing, for the purpose of promoting, protecting, and
18 advancing their collective interests, and extending mutual support and assistance.
19 This right shall be exercised free from interference, restraint, or coercion by
20 employers, government authorities, or any other entity.

21 Waste Workers shall be eligible for union membership from the first day of their
22 employment and may engage in collective bargaining and other lawful concerted
23 activities, in accordance with the Labor Code and applicable laws, rules, and
24 regulations.

25
26 Sec. 19. *Non-Abridgement of the Right to Self-Organization.* – No person shall
27 be allowed to restrain, coerce, or unduly interfere with the Waste Workers in the
28 exercise of their right to self-organization in accordance with law.

29 It shall be unlawful for any person to commit the following acts of restraint,
30 coercion, or undue interference to:

- 31 a) Prevent a Waste Worker from carrying out his or her duties in his or her
32 organization or association;

1 medical assistance, burial, transportation, education, food, or financial assistance for
2 other support services or needs of a Waste Worker or family.

3
4 Sec. 25. *Cash Incentive.* – In recognition of the contribution of Waste Workers
5 to public health and safety, the environment, and local economy, local government
6 units shall grant an annual cash incentive for all Waste Workers without distinction.

7
8 Sec. 26. *Socialized Housing Program.* – Local government units shall, in the
9 implementation and development socialized housing program, ensure that Waste
10 Workers who are able to qualify under the guidelines shall be included as target
11 beneficiaries.

12
13 **CHAPTER IV**
14 **WASTE WORKERS IN THE INFORMAL SECTOR**
15

16 Sec. 27. *Waste Workers in the Informal Sector.* – Waste Workers in the
17 informal sector are hereby guaranteed all civil, political, social and economic rights
18 recognized, promoted and protected under existing laws, including, but not limited to,
19 the 1987 Philippine Constitution, Republic Act No. 8425, otherwise known as the
20 Social Reform and Poverty Alleviation Act, and Republic Act No. 7875, otherwise
21 known as the National Health Insurance Act.

22
23 Sec. 28. *Formalization of Waste Workers.* – Waste Workers in the informal
24 sector shall have the right to form or join organizations or associations for purposes
25 not contrary to law, and to promote, defend, and protect their mutual interests or
26 extend mutual aid and cooperation.

27 Organizations or associations established by informal Waste Workers shall be
28 recognized and registered with the DOLE or other appropriate government agencies,
29 in accordance with existing laws, rules, and regulations. Such recognition shall serve
30 as a basis for accessing government support, representation, and participation in
31 decision-making processes affecting their work and welfare.

32
33 Sec. 29. *Social Protection and Inclusion.* - The DOLE, in consultation with the
34 Department of Environment and Natural Resources (“DENR”), DOH, Commission on

1 Human Rights, and the local government units, shall develop programs for the
2 informal sector of Waste Workers and ensure their access to medical assistance, burial,
3 transportation, education, food, or financial assistance for other support services or
4 needs.

6 **TITLE III**

7 **PARTICIPATION OF GOVERNMENT AGENCIES**

8
9 *Sec. 30. Role of the Local Government Units.* – The local government units
10 shall be charged with the implementation of this Act in their respective localities, in
11 coordination with the DOLE. It shall be the responsibility of the local government unit
12 to:

- 13 a) Ensure the proper enforcement of labor standards, occupational safety,
14 and health regulations, as well as other pertinent laws and policies
15 related to Waste Workers within their jurisdiction. The local government
16 unit shall also assist waste workers in their registration with DOLE;
- 17 b) Establish local mechanisms to monitor and address issues related to
18 Waste Workers, including but not limited to, workplace safety, social
19 protection, and access to training and skills development programs;
- 20 c) Submit periodic reports to the DOLE on the status of Waste Workers
21 within their jurisdictions, outlining the measures taken to address issues
22 related to employment and working conditions;
- 23 d) Advocate for the inclusion of Waste Workers in social protection
24 programs, working with DOLE to explore avenues for health insurance,
25 retirement benefits, and other welfare initiatives;
- 26 e) Implement barangay and municipality practices on Solid Waste
27 Management;
- 28 f) Draft and implement a ten (10)-year plan on solid waste management
29 and disposal;
- 30 g) Equip the Waste Workers directly dealing with waste with personal
31 protective equipment, and other necessary resources to ensure
32 protection from hazards brought about by handling waste;

- h) Submit periodic reports to the DENR on the status of the implementation of the solid waste management and disposal to address issues and concerns related to waste management and disposal; and
- i) Ensure inclusion and active participation of Waste Workers groups or associations in governing bodies or councils responsible for waste management oversight.

Sec. 31. *Role of the Department of Labor and Employment.* – It shall be the responsibility of the DOLE to:

- a) Establish guidelines and mechanisms for coordination in overseeing the working conditions, rights, and benefits of Waste Workers
- b) Provide technical assistance to local government units in the formulation and implementation of programs and initiatives aimed at improving the welfare of Waste Workers;
- c) Conduct capacity-building programs for local authorities, waste management agencies, and other relevant stakeholders;
- d) Enhance employment opportunities through trade policies and skill building;
- e) Establish guidelines and mechanisms for the application of the occupational health and safety regulations as well as the regular reporting of the working conditions of the Waste Workers;
- f) Promulgate the basis for the adjustment of monetary allowances based on the annual inflation; and
- g) Assist the local government units in providing necessary training to the collectors and personnel in accordance with its waste management plan.

Sec. 32. *Role of the Department of Social Welfare and Development.* – The Department of Social Welfare and Development shall be in charge of the social protection of Waste Workers through the following functions:

- a) Adopt a social insurance policy which aims to mitigate income risks by applying diversification, a risk management technique through a shared fund. This includes programs for micro-insurance payment that will help shield the Waste Workers from the unforeseeable risk of unemployment

1 due to sickness, retrenchment, national security issues, and national
2 health issues;

3 b) Provide resources and basic minimum requirements to the marginalized
4 sector to aid in the employment as Waste Workers. This shall include
5 assistance programs through cash or in-kind transfers as well as
6 alternative care and referral services; and

7 c) Provide social safety nets to respond to urgent issues like disasters,
8 calamities, economic shocks, pandemics and epidemics that will affect
9 the vulnerable part of the waste workforce. These measures include
10 emergency assistance, price subsidies, food programs, employment
11 programs in partnership with DOLE, retraining programs and
12 emergency loans, and health assistance.

13 The DSWD, in partnership with the barangay and municipal officials, shall
14 maintain national and regional profiles of beneficiaries of the programs to be shared
15 with the appropriate stakeholders to assess the applicability and the development of
16 comprehensive statistics for Waste Workers.

17
18 *Sec. 33. Role of the Department of Environment and Natural Resources.* – The
19 DENR shall perform the following functions:

20 a) Ensure that the solid waste management and disposal plans of the local
21 government units are properly implemented, pursuant to the Ecological
22 Solid Waste Management Act of 2000;

23 b) Conduct capacity building with the Waste Workers, local government
24 units, waste management agencies, and other relevant stakeholders on
25 the assessment of the impact of Waste Workers on climate change;

26 c) Conduct seminars and workshops on the proper waste management and
27 disposal to help minimize environmental effects specifically climate
28 change;

29 d) Provide technical assistance to LGUs in identifying and implementing
30 best practices on the conduct of work of Waste Workers that minimizes
31 environmental effects;

32 e) Identify areas with a high risk of adverse environmental effects of waste
33 and implement a mitigation plan through the aid of Waste Workers; and

- 1 f) Provide economic incentives and assistance to local government units
2 for recycling initiatives.
3

4 Sec. 34. *Role of the Technical Education and Skills Development Authority.* –
5 The Technical Education and Skills Development Authority (“TESDA”) shall perform
6 the following functions:

- 7 a) Adopt a training program for the proper waste collection, recovery, and
8 safe handling and disposal of wastes pursuant to the Ecological Solid
9 Waste Management Act of 2000;
10 b) Certify and accredit technical and vocational education and training
11 programs for waste workers to ensure that they receive recognized
12 qualifications for their knowledge and skills, and to improve their
13 employability and working conditions. For this purpose, the TESDA
14 shall develop training curricula to meet the demands of various
15 industries for waste workers; and
16 c) Collaborate with various stakeholders, including government agencies,
17 industry partners, and educational institutions to provide an effective
18 training and development of framework for waste workers.
19

20 Sec. 35. *Role of the Department of Health.* – The DOH shall perform the
21 following functions:

- 22 a) Provide for health programs, services, and facilities for Waste Workers
23 as may be needed, subject to availability of funds and administrative
24 rules and regulations, such as:
25 b) Coordinate and collaborate with, and assist local communities, agencies,
26 and interested groups on the implementation of programs catered for
27 Waste Workers;
28 c) Collect, analyze, and disseminate statistical and other relevant
29 information on the health situation of Waste Workers, and to revise the
30 program of the DOH based on the outcome of the statistics; and
31 d) Propagate health information and educate Waste Workers on health
32 hazards and environmental impacts to their health, geared to prevent
33 health-related problems while performing their duties.
34

Sec. 36. *Role of the Public Attorney's Office.* – The Public Attorney's Office ("PAO") shall perform the following functions:

- a) Provide Waste Workers with free access to courts, judicial, and quasi-judicial agencies by ensuring that they receive adequate legal representation, counseling, and assistance;
- b) Waste Workers who encounter legal issues related to their employment, working conditions, or rights violations shall have the right to seek assistance from PAO, which shall endeavor to provide timely and effective support;
- c) Offer counseling and assistance to Waste Workers through personalized legal support and guidance, and empower waste workers to assert their rights and seek redress for any injustices or grievances they may face in the course of their work;
- d) Conduct awareness campaigns and outreach programs targeted at Waste Workers, ensuring that they are informed about their legal entitlements and the services available to them through PAO; and
- e) Collaborate with relevant stakeholders, including government agencies, non-governmental organizations, and legal advocacy groups, to address systemic issues affecting Waste Workers and advocate for policy reforms that uphold their rights and welfare; and
- f) Provide Waste Workers with legal assistance and representation during mediation and arbitration proceedings aimed at resolving labor disputes.

TITLE IV

FINAL PROVISIONS

Sec. 37. *Implementing Rules and Regulations.* – The Secretary of the Environment and Natural Resources, after consultation with the participating government agencies as specified in Title III of this Act, as well as professional, environmental and natural resources workers' organizations or unions, shall formulate and prepare the necessary rules and regulations to implement the provisions of this Act. Rules and regulations issued pursuant to this Section shall take effect thirty (30) days after publication in a newspaper of general circulation.

1
2 Sec. 38. *Special Treatment for Benefits of Waste Workers.* – All benefits
3 received by a Waste Worker under this law, including but not limited to, benefits given
4 to rank-and-file employees, whether granted under a collective bargaining agreement
5 or not, fringe benefits, and de minimis benefits, are not taxable pursuant to Section 33
6 (C)(3) of Republic Act No. 8424, otherwise known as the Tax Reform Act of 1997.

7
8 Sec. 39. *Waster Workers Appreciation Day.* – It is hereby declared that the last
9 Sunday of January of every year as Waste Workers Appreciation Day in recognition of
10 the invaluable contributions made by our waste workers to keep our communities
11 clean and safe.

12
13 Sec. 40. *Appropriations.* – The initial funding requirements for the
14 implementation of this Act shall be charged against the current appropriations of the
15 agencies concerned. Thereafter, such sums as may be necessary for the
16 implementation of this Act shall be included in the yearly budget of the relevant
17 agencies under the General Appropriations Act.

18
19 Sec 41. *Separability Clause.* – If any provision of this Act is declared invalid,
20 the remainder of this Act or any provisions not affected thereby shall remain in force
21 and in effect.

22
23 Sec 42. *Repealing Clause.* – Any law, presidential decree or issuance, executive
24 order, letter of instruction, administrative order, rule, or regulation contrary to, or
25 inconsistent with, the provisions of this Act is hereby repealed, modified, or amended
26 accordingly.

27
28 Sec 43. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
29 publication in the *Official Gazette* or in a newspaper of general circulation.

30
 Approved,