

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. **2426**



Introduced by HON. LINABELLE RUTH R. VILLARICA
4th District, Bulacan

AN ACT
MANDATING ALL EMPLOYERS IN THE PRIVATE AND PUBLIC SECTORS,
INCLUDING ALL GOVERNMENT OFFICES, AGENCIES AND
INSTRUMENTALITIES, TO PROVIDE, FREE OF CHARGE, CLEAN, HEALTHY,
SUFFICIENT AND ACCESSIBLE DRINKING WATER TO ALL ITS EMPLOYEES

EXPLANATORY NOTE

Employers must provide employees with safe drinking water in recognition of the United Nations General Assembly's declaration that safe and clean drinking water and sanitation is a human right essential to the full enjoyment of life. This legally entitles everyone to sufficient, safe, acceptable, affordable and accessible drinking water, including employees in their workplaces. This also takes into account that drinking fluids is vital for normal body functioning which is important to maintain the good health and productivity of employees.

The provision of free safe drinking water to employees, however, should not be limited to established office spaces, but should also be enjoyed in workplaces that are temporary, remote or mobile. Labor Advisory No. 03, series of 2016 of the Department of Labor (DOLE) provides for safety and health measures to prevent control and heat stress at the workplace, especially for those engaged in working outdoors who suffer from prolonged exposure to extreme heat.

This proposed bill mandates all employers to provide free, safe and accessible drinking water to all their employees during working hours, regardless of place of assignment or workstations, with the qualification that the water provided will strictly adhere to established standards for drinking water quality, or the Philippine National Standards for Drinking Water (PNSDW).

This bill was filed during the 17th, 18th and 19th Congresses but no further action was taken on it due to time constraints. This is re-filed for the consideration of the 20th Congress.

Support for the enactment of this measure is earnestly requested.

A handwritten signature in black ink, appearing to read 'L. Villarica', with a stylized flourish at the end.

REP. LINABELLE RUTH R. VILLARICA

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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 “*Tubig para sa mga Empleyado Act*”.

SEC. 2. *Declaration of Policy.* – It is the declared policy of the State to promote and protect the right of health and the general welfare of all citizens.

The State shall protect and promote the rights of workers as labor is a primary social economic force. It shall ensure that all employees are provided with clean, healthy, sufficient and accessible drinking water.

SEC. 3. *Definition of Terms.* – As used in this Act:

- (a.) *Drinking Water* – refers to water that is compliant with Administrative Order No. 2017-0010 issued by the Department of Health (DOH), Office of the Secretary or the “Philippine National Standards for Drinking Water (PNSDW); and,
- (b.) *Employee* – refers to any employee or worker regardless of the nature of employment, including regular, non-regular, project-based contractual, permanent, casual, co-terminous, job order employees and/or personnel.

SEC. 4. *Drinking Water for all Employees. Prohibition.* – All employees in the private and public sectors are mandated to provide, free of charge, healthy, sufficient and accessible drinking water to all its employees during working hours inside or outside their workplaces.

Employers are prohibited from deducting any amount from the salaries, allowances or benefits of the employees to purchase drinking water.

SEC. 5. *Penalties.* – Any person, entity or agency who fails to comply with the provisions of Section 4 shall be punished with a fine of not less than one hundred thousand pesos (Php100,000.00) but not more than five hundred thousand pesos (Php500,000.00) and imprisonment of not more than six (6) months. This is without prejudice to the sanctions under administrative law, civil service law or other laws if the offender is a government official or employee.

SEC. 6. *Implementing Rules and Regulations.* – The Department of Labor (DOLE) in coordination with the other concerned agencies shall promulgate the implementing rules and regulations to implement the provisions of this Act.

SEC. 7. *Separability Clause.* – If any part or provision of this Act is invalid or declared to be unconstitutional, the other parts or provisions thereof shall continue to be in full force and effect.

SEC. 8. *Repealing Clause.* – All laws, decrees, orders, proclamations, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general publication.

Approved,