

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 3104



Introduced by: REPRESENTATIVE ARNULF BRYAN “ARNIE” B. FUENTEBELLA

EXPLANATORY NOTE

Sec. 18 of the Art. II of the 1987 Philippine Constitution states that:

“Section 18. The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare”

This bill seeks to acknowledge the pernicious effects of climate change on our workforce, which has suffered rising temperatures, heavy rains, and erratic weather patterns, all of which affect various aspects of labor: their physical wellness, their travel to work, and the performance of professional duties, among others. Though the Department of Labor and Employment has done a commendable job of addressing these issues piecemeal through labor advisories, hazards wrought by climate change have yet to be realized in national legislation.

Heat stress, for example, is now a worldwide phenomenon which causes undesirable physiological effects, such as heat strokes, exhaustion, cardiovascular diseases, kidney diseases, and respiratory conditions. This especially affects sectors the economic activities of which are conducted outside airconditioned areas, which include farming, fishing, and construction work. Productivity is also affected, disrupting economic activity.

By expressly identifying climate change as a real risk to our workforce, employers – the government included – can make the necessary adjustments to keep the workplace safe for employees.

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


ARNULF BRYAN “ARNIE” B. FUENTEBELLA
Representative
Fourth District, Camarines Sur

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Introduced by: **REPRESENTATIVE ARNULF BRYAN “ARNIE” B. FUENTEBELLA**

AN ACT MANDATING THE ADOPTION OF CLIMATE-ADAPTIVE OCCUPATIONAL HEALTH MEASURES, AMENDING FOR THE PURPOSE SECTION 12 OF REPUBLIC ACT NO. 11058 OTHERWISE KNOWN AS AN ACT STRENGTHENING COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH STANDARDS AND PROVIDING PENALTIES FOR VIOLATION THEREOF

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

SECTION 1. Section 12 of Republic Act No. 11058 is hereby amended to read as follows:

Section 12. Occupational Safety Health (OSH) Program. – Covered workplaces shall have a safety and health program including the following policies, guidelines or information:

- (a) Statement of commitment to comply with OSH requirements;
- (b) General safety and health, including a drug-free workplace;
- (c) Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS)/tuberculosis/hepatitis prevention control;
- (d) Company or project details;
- (e) Composition and duties of the safety and health committee;
- (f) Occupational Safety and health personnel and facilities;
- (g) Safety and health promotion, training and education;
- (h) Conduct of toolbox meetings;
- (i) Accident/incident/illness investigation, recording and reporting;
- (j) Provision and use of PPE;
- (k) Provision of safety signage;
- (l) Dust control and management, and regulations on activities such as building of temporary structures, and lifting and operation of electrical, mechanical, communications systems and other equipment;
- (m) Provision of workers' welfare facilities;
- (n) Emergency preparedness and response plan;
- ~~(o) Waste management system; and~~

~~(p) Prohibited acts and penalties for violations.~~

(o) Protocols to protect employees from climate-related hazards, which include, but are not limited to, the identification of hazards, adjustment of work cycles, provisions to ameliorate climate-related hazards, preparedness measures, reporting and documentation, and arrangements for affected and vulnerable workers;

(p) Waste management system; and

(q) Prohibited acts and penalties for violations.

The safety and health program shall be prepared and executed by the employer, contractor or subcontractor, if any, in consultation with the workers and their representatives and shall be submitted to the DOLE which shall approved disapproved or modify the same according to existing laws rules and regulations, and other issuances.

The approved safety and health program shall be communicated and be made readily available to all persons in the workplace.

xxx”

SECTION 2. A new section denominated as Section 12A is hereby inserted after Section 12 of Republic Act No. 11058 to read as follows:

“Section 12A. Occupational Safety and Health (OSH) for Informal Workers. – The State shall establish an inclusive and community-based occupation safety and health framework for informal workers and workers employed in workplaces not covered by Section 3 of this Act, which include, but are not limited to, agricultural laborers, street vendors, and home-based workers.”

SECTION 3. The Department of Labor and Employment, in coordination with the Department of Health, the Climate Change Commission, and the Department of the Interior and Local Government, shall promulgate the rules and regulations to implement this act within sixty (60) days from its effectivity.

SECTION 4. If any provision of this Act is declared unconstitutional or invalid, other parts of provisions not otherwise affected shall remain in full force and effect.

SECTION 5. All laws, executive orders, issuances, and rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 6. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.