

TWENTIETH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )

HOUSE OF REPRESENTATIVES

HOUSE BILL No. 4137



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Introduced by REPRESENTATIVES LANI MERCADO-REVILLA,  
BRYAN B. REVILLA AND RAMON “JOLO” B. REVILLA III

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**AN ACT  
INSTITUTIONALIZING OCCUPATIONAL SAFETY AND HEALTH STANDARDS IN  
THE PUBLIC SECTOR, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Republic Act No. 11058, otherwise known as “*An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties for Violations Thereof*,” was enacted in July 2017 to ensure the highest level of safety and health for workers. Its value is underscored by the reality that workplace accidents continue to occur.

However, public sector employees are excepted from the protection granted by this law. This proposed measure seeks to extend the same statutory safeguards to government workers, affirming that the right to a safe and healthy workplace is universal. Under Section 3, Article XIII of the 1987 Philippine Constitution, the State shall guarantee full protection to labor, including safe and healthful working conditions. It is therefore imperative that both the public and private sectors strive for improved occupational safety and health standards.

In 2020, the Civil Service Commission (CSC), Department of Health (DOH), and Department of Labor and Employment (DOLE) issued Joint Memorandum Circular No. 1, s. 2020, entitled *Occupational Safety and Health (OSH) Standards for the Public*

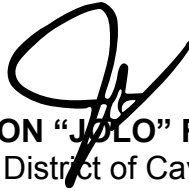
*Sector.* This issuance recognized the need to enhance working conditions in government agencies, particularly in response to the evolving risks brought about by industrialization, globalization and technological advancements that impact employee health and well-being.

While JMC No. 1, s. 2020 represents critical policy milestone, the enactment of into law will institutionalize these standards, provide enforcement mechanisms, and ensure their sustainability across administrations.

In recognition of the vital role of government workers in nation-building, the passage of this bill is earnestly sought.

  
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THE PUBLIC SECTOR, AND FOR OTHER PURPOSES**

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

Section 1. *Title.* – This Act shall be known as “Public Sector Occupational Safety and Health (OSH) Standards Act”.

Sec. 2. *Declaration of Policy.* – It is the policy of the State to safeguard the rights of all workers to safe, healthful, and decent working environment, including those in the public sector, in accordance with Section 3, Article XIII of the 1987 Constitution. The State recognizes that a healthy, protected, and productive workforce is essential to effective public service delivery.

This Act seeks to institutionalize occupational safety and health (OSH) standards in the public sector based on the principles of prevention, participation, and continuous improvement, guided by Joint Memorandum Circular (JMC) No. 1, s. 2020, issued by the Civil Service Commission (CSC), Department of Health (DOH), and Department of Labor and Employment (DOLE), and aligned with applicable international labor and public standards.

Sec. 3. *Scope of Application.* – This Act shall apply to all national government agencies, instrumentalities, state universities and colleges, and government-owned or – controlled corporations (GOCCs).

Without prejudice to their constitutional independence, the Legislative and Judicial branches, as well as Constitutional Commissions and Offices, are strongly encouraged to adopt and implement OSH programs consistent with the minimum standards and core principles under this Act.

Local government units (LGUs) are likewise encouraged to implement OSH standards within their offices and facilities, in accordance with this Act and with due respect to their local autonomy under the Local Government Code.

All covered institutions shall ensure that all personnel, whether career and non-career, regardless of status or employment type, including those engaged through Contracts of Service (COS) or Job Orders (JO), are protected by their OSH programs.

For COS and JO personnel, the agencies exercising administrative supervision and control over their hiring and deployment shall formulate or adopt applicable OSH guidelines consistent with this Act.

Sec. 4. *Core Occupational Safety and Health Standards.* – All public sector agencies shall develop and implement OSH programs aligned with the following minimum standards:

- (a) Maintenance of safe, sanitary, and accessible workplaces, including the provision of basic facilities that support health, safety, and comfort;
- (b) Establishment of emergency preparedness systems, including risk reduction mechanisms, response protocols, and partnerships with emergency and medical services;

- (c) Implementation of proactive OSH programs to prevent workplace accidents and illnesses, support rehabilitation, and promote awareness;
- (d) Provision of employee health and wellness services and facilities, including inclusive measures that promote physical and mental well-being;
- (e) Observance of reasonable working hours, rest periods, and leave privileges aligned with laws and policies promotion work-life balance; and
- (f) Adoption of organizational policies and practices that prevent occupational risks, manage workplace stressors, and improve overall health outcomes.

The specific parameters, procedures, and requirements for compliance with these standards shall be defined in the implementing rules and regulations to be issued by the CSC, in consultation with relevant agencies and stakeholders.

*Sec. 5. Institutional Responsibilities.* – The following entities shall have the corresponding responsibilities:

- (a) The CSC shall serve as the lead regulatory and oversight body for OSH in the public sector. It shall formulate the implementing rules and regulations (IRR), periodically update OSH standards, and ensure agency compliance.
- (b) Department of Health (DOH) shall provide technical guidance and expertise on occupational health, mental health, health surveillance, emergency preparedness, and medical support systems.

(c) The DOLE shall harmonize applicable OSH standards with those in the private sector and support capacity-building and technical assistance for public agencies.

(d) All covered agencies and offices shall:

- Establish and operationalize OSH Committees;
- Designate or engage qualified OSH personnel, including Safety Officers, First-Aiders, and Health Professionals;
- Formulate an agency-specific OSH Plan;
- Ensure the availability of basic OSH facilities and supplies;
- Allocate adequate resources for OSH activities; and
- Submit an annual OSH compliance reports and self-assessments to the CSC.

Sec. 6. *Promotion of OSH and Employee Responsibilities.* – To ensure the effective implementation and sustainability of OSH in the public sector, the following responsibilities shall be observed:

(a) Agency Heads shall lead the internal promotion of OSH by:

- Developing a communication plan for OSH policy dissemination;
- Publishing OSH information on websites, newsletters, bulletin boards, and other official media;
- Encouraging employee involvement in planning and feedback; and
- Establishing mechanisms to monitor and enhance OSH implementation.

(b) Government Personnel, regardless of employment status, shall:

- Participate in OSH trainings, drills, and educational programs;
- Observe safety protocols and report hazards; and
- Cooperate in sustaining a culture of health, safety, and inclusivity in the workplace.

*Sec. 7. Monitoring and Enforcement.* – The CSC, in coordination with DOH and DOLE, shall develop a monitoring and compliance framework which may include:

- (a) Risk-based audits and inspections;
- (b) Random spot-checks;
- (c) Performance scorecards on agency OSH compliance; and
- (d) Public disclosure of agency OSH status and rankings.

Compliance reports shall be subject to validation by the CSC or its authorized representatives.

*Sec. 8. Violations and Penalties.* – Agency heads and officials who wilfully or negligently fail to comply with this Act may be held administratively liable and subject to:

- (a) Fines of not less than One Hundred Thousand Pesos (P100,000);
- (b) Inclusion in audit observations or agency performance assessments;
- (c) Other applicable disciplinary actions under civil service law or implementing rules.

The CSC shall issue a graduated schedule of penalties proportional to the gravity and frequency of the violations.

Sec. 9. *Funding.* – All government agencies shall allocate sufficient funds for the implementation of their OSH programs. The Department of Budget and Management (DBM) shall issue guidelines to ensure OSH funding is integrated into agency budget proposals.

Sec. 10. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity this Act, the CSC, in coordination with DOH, DOLE, DBM, and other relevant stakeholders, shall promulgate the IRR.

Sec. 11. *Separability Clause.* – If any part, section or provision of this Act shall be declared unconstitutional or invalid, the other parts, sections and provisions not otherwise affected shall remain in full force and effect.

Sec. 12. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations and other issuances or parts thereof that are inconsistent with the provisions of this Act are hereby repealed and amended accordingly.

Sec. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

*Approved,*