

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 9359



Introduced by TUCP Party-list Representative
HON. RAYMOND DEMOCRITO C. MENDOZA

EXPLANATORY NOTE

This bill seeks to address the longstanding challenges faced by Filipino waste workers who are any of the three (3) categories: (1) solid waste workers, including garbage collectors, segregators, recyclers, scavengers or waste pickers in the community or in landfills, dumpsites, and junkyards; (2) liquid waste workers involved in handling and disposing of toxic or hazardous agro-industrial chemicals, as well as collecting and treating sewerage or septic tank wastewater; and (3) e-waste workers handling and recycling electronic gadgets, and household or office electrical or electronic equipment or devices.

Waste management is of paramount importance. It is critical for sustainable development, public health, and environmental protection. Equally vital, however, are the waste workers. They move and make the waste management systems efficient, effective, and sustainable, in minimizing environmental impact, mitigating climate change, and in preventing the spread of disease in communities. We look past them, along with our disposables and garbage, unmindful that they have been toiling in a work far from decent, unsafe, unprotected, low-status, and invisible in both formal and informal work arrangements. The invisibility of waste workers is underscored by the absence of a provision on their rights and benefits or protection in laws on waste management, such as Republic Act No. 6969 or the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990, Republic Act No. 9003 or the Ecological Solid Waste Management Act of 2003, and Republic Act No. 9275 or the Philippine Clean Water Act of 2004.

The waste workers' jobs are 4D jobs: Dirty, Dangerous, Difficult, and Discriminatory. Due to the nature of their jobs and the vitality of their role in waste management, environment protection, and in advancing a circular economy, it is imperative to emphasized that waste workers like the rest of Filipino workers in other undertakings enjoy the rights and benefits guaranteed under the 1987 Philippine Constitution, Presidential Decree No. 442 or the Labor Code of the Philippines, as amended, Republic Act No. 11058 or the Occupational Safety and Health law, and by ratified International Labor Standards. Hence, this proposed legislation reiterates the rights and benefits of waste workers, both in the formal and informal sector, beginning with the guarantees for security of tenure and livelihood, fair income, freedom of association, safe working conditions, and access to social security and health care. The

bill also recognizes the potential maximization of waste workers' engagement in advancing a circular economy, promotion of community awareness, corporate accountability, and institutional coordination in waste management practices both at the national and local government units.

In view of the foregoing, the passage of this bill is earnestly sought to improve the plight of all Filipino waste workers.



HON. RAYMOND DEMOCRITO C. MENDOZA
TUCP Party-list Representative

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AN ACT PROVIDING FOR THE MAGNA CARTA OF WASTE WORKERS

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

TITLE I
GENERAL PROVISIONS

CHAPTER 1
GENERAL PRINCIPLES

SECTION 1. *Short Title.* – This Act shall be known as the “Magna Carta of Waste Workers.”

SEC. 2. *Declaration of Policy.* - It is a declared policy of the State to afford full protection to labor. It guarantees the rights of all workers to self-organization, collective bargaining and negotiations, peaceful concerted activities, security of tenure, humane conditions of work, a living wage, and to participate in policy and decision-making processes affecting their rights and benefits as may be provided by law.

Accordingly, the State shall ensure that all jobs in the country’s waste management systems, whether in the formal or informal sector, comply with Constitutional guarantees and principles of decent work, which is a fundamental human right and central to United Nations Sustainable Development Goal 8, aiming for full employment and safe, non-discriminatory labor for all. This is an imperative. Every Filipino waste worker is vital to making each facet of the country’s waste management systems efficient, effective, and sustainable, minimizing environmental impact, mitigating the effect on climate change, and preventing disease through proper handling of solid, liquid, and e-waste - jobs that are often considered dirty, dangerous, difficult, and discriminatory.

Thus, the State shall pursue regulations, programs, and measures that:

- (a) Guarantee all waste workers safe and dignified work environment, free from discrimination, harassment, violence, or exploitation;

- (b) Establish and enforce occupational health and safety standards, provide personal protective equipment and medical support, and periodically review compliance with Republic Act No. 6969 (Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990) and Republic Act No. 11058 (Occupational Safety and Health) including specialized risk mitigation training;
- (c) Provide state-funded training and education on proper handling, segregation, and disposal of solid waste in line with Article 3 Section 23 of Republic Act No. 9003 (Ecological Solid Waste Management Act of 2003), and on hazardous and toxic materials handling, including residual and healthcare wastes;
- (d) Conduct public-private awareness, through public-private stakeholder campaigns to raise public awareness about waste workers and foster respect for their occupation; and
- (e) Support waste workers in becoming advocates for sustainable waste management practices, waste reduction, and diversification initiatives.

SEC. 3. Coverage. - All public and private entities and persons employed, contracted, engaged, and all those economically dependent on the management, collection, transportation, processing, handling and disposal of solid, liquid, and e-waste, especially hazardous, toxic chemicals and substances, and healthcare waste, are covered.

SEC. 4. Definition of Terms. - For purposes of this Act, the following terms shall mean:

- (a) *Child* refers to persons aged under the age of eighteen as defined by Republic Act Number 9231 or the Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act.
- (b) *CCC* refers to the Climate Change Commission established under the Office of the President as the sole policy-making body of the tasked to coordinate, monitor and evaluate the programs and action plans of the government relating to climate change pursuant to Republic Act No. 9729 or the Climate Change Act of 2009.
- (c) *Circular Economy* as defined by the International Labour Organization is a system solution framework that looks beyond the current economy and its linear process of taking materials from the Earth, making products from them, and throwing them away as waste. Underpinned by a transition to renewable energy sources, the circular model is based on three principles: 1) Eliminate waste and pollution, 2) Circulate products and materials, 3) Regenerate nature.
- (d) *Decent Work* as defined by the International Labour Organization means productive work for women and men in conditions of freedom, equity, security and human dignity. In general, work is considered decent when: it pays a fair income. it guarantees a secure form of employment and safe working conditions.
- (e) *Discrimination* is defined in International Labour Organization Convention No. 111 or the Discrimination in Employment and Occupation Convention, 1958, as any distinction, exclusion or preference made on the basis of race, color, religion, sex, political opinion, national extraction, social origin or any other

attribute which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. Social origin refers to the social class, caste, or socio-occupational category a person belongs to. Discrimination on this basis occurs when individuals are placed in a position of subordination or disadvantage because of their background, effectively denying them social mobility.

- (f) *DENR* refers to the Department of Environment and Natural Resources, its attached agencies, and regional, provincial and field offices.
- (g) *DILG* refers to the Department of Interior and Local Government, its attached agencies, and regional, provincial and field offices.
- (h) *DOH* refers to the Department of Health, its attached agencies, and regional, provincial and field offices.
- (i) *DOLE* refers to the Department of Labor and Employment, its attached agencies, and regional, provincial and field offices.
- (j) *DOST* refers to the Department of Science and Technology, its attached agencies, and regional, provincial and field offices.
- (k) *E-Waste or Waste Electrical and Electronic Equipment (WEEE)* is defined by the DENR as any old, broken, non-working, or end-of-life electrical and electronic device. It covers household appliances, IT equipment, entertainment devices, and components that are discarded, often classified as hazardous waste due to toxic components.
- (l) *Employer* as used in this Act shall mean any public or private sector entity that hires or engages waste workers, directly or indirectly, through formal or informal work arrangements, regardless of the nature of work or task in waste management systems. This includes garbage collection contractors or subcontractors and operators of private or public landfill or dumpsite.
- (m) *Formal Waste Worker* refers to any individual, regardless of employment status or tenure, directly or indirectly employed by a licensed contractor, cooperative, or enterprise to collect, sort, segregate, transport, process, recycle, treat, or dispose of solid, liquid, or electronic waste for government agencies, LGUs, private households, or businesses.
- (n) *Informal Waste Worker* is any individual who earns a living through waste collection, sorting, segregation, transport, recycling, and related activities, with no employer-employee relationship in the formal or informal work arrangement. This includes self-employed individuals, even if they are registered with or supported by government agencies or private entities.
- (o) *Labor Organization* refers to any union or workers' association in the private or public sector, which exists in whole or in part for the purpose of collective bargaining or negotiation, mutual aid, interest, cooperation, protection, or other lawful purpose, and registered with the DOLE or with both the DOLE and the

Civil Service Commission (CSC) in the case of labor organization in the public sector.

- (p) *Liquid Waste* refers to wastewater, fats, oils or grease (FOG), used oil, liquids, solid gases, or sludges and hazardous liquids produced by households, industrial activity, food processing, and the manufacture of chemicals. Sources include inadequately treated domestic wastewater or sewage, agricultural wastewater, industrial wastewater, and rain and groundwater run-offs from solid waste or drained from landfill or garbage dumpsite known as leachate.
- (q) *Local Government Unit (LGU)* is defined in Republic Act No. 7160 or the Local Government Code of the Philippines, as a body politic and corporate, endowed with powers to be exercised in conformity with law. The LGU functions as a political subdivision of the national government, covering provinces, cities, municipalities, and barangays.
- (r) *Personal Protective Equipment (PPE)* refers to all clothing, devices, or equipment provided to waste workers as protection against health and safety hazards arising from the handling, collection, transport, processing, or disposal of waste, including gloves, protective footwear, face masks or respirators, protective clothing, eye protection, head protection, and hearing protection, as appropriate to the type of waste and risk involved.
- (s) *Security of and in the Workplace* refers to the right of every worker and informal economic units to an enabling environment that guarantees and protects the spaces to undertake their work, including the right to be safe in one's own workspace, free from discrimination, risk, danger, doubt, anxiety, or fear of being removed, evicted or prevented from working.
- (t) *Solid Waste* is defined in the DENR Implementing Rules and Regulations of Republic Act No. 9003 or Ecological Solid Waste Management Act of 2000, to refer to all discarded household, commercial, non-hazardous institutional and industrial waste, street sweepings, construction debris, agricultural waste, and other non-hazardous/non-toxic solid waste. It excludes hazardous waste, infectious waste from hospitals, and mining waste.
- (u) *Waste Workers* include all individuals employed or whose livelihood depends on waste management, collection, transportation, processing, and disposal. This includes, but is not limited to, garbage collectors, waste pickers, segregators, and recyclers, whether employed directly or indirectly by an employer as defined in Section 4 (k), or self-employed.
- (v) *4D Jobs* are defined as dirty, dangerous, difficult and discriminatory. Dirty jobs involve working in unsanitary or unpleasant environments that expose workers to hazardous substances or biological agents. Dangerous jobs involve exposure to significant risks and hazards to the health and safety of the worker. Difficult jobs demand extreme physical or mental exertion. Discriminatory or demeaning jobs are work perceived as having low social status. Overall, 4D jobs subject workers to severe conditions, high risk, physical strain, and diminished social standing.

TITLE II DECENT WORK FOR ALL WASTE WORKERS

CHAPTER I RIGHTS AND BENEFITS OF ALL WASTE WORKERS

SECTION 5. *Rights of Waste Workers.* All solid, liquid, or e-waste workers – employed in the formal or informal sector, self-employed or working independently, regardless of whether they are registered with or supported by government or private entities - are entitled to all the rights granted to workers by the 1987 Constitution, Presidential Decree No. 442 or the Labor Code of the Philippines, as amended, as well as by ratified international labor standards. Accordingly, consistent with the country's observance of decent work, a fundamental human right of all workers, the following rights are deemed inherent to all waste workers:

- (a) *Right to Security of Tenure, Workplace, and Livelihood.* No waste worker shall be dismissed from work or deprived of a source of their livelihood except for a just or authorized cause, and only after observance of due process.
- (b) *Right to Fair Income.* Waste workers employed in the formal or informal sector including those in government, shall be paid an amount equivalent to not less than the prevailing daily minimum wage in their area of work at frequency of every two weeks or twice a month, with no more than sixteen days between payments, except in cases of force majeure; in which case, payment shall be made right after the force majeure ends. Self-employed waste workers or working independently shall be compensated applying the DOLE regulations on the pakyaw, piece rate, or similar system of compensation, but shall not be less than the prevailing daily minimum wage rate in the area.
- (c) *Right to Written Contract of Employment or Engagement.* The employment or engagement of the waste worker shall be in an agreement in writing, which shall include information on the terms and conditions of the engagement not lower than the minimum provided in the Labor Code, as amended, and related laws. It shall specify the wages and wage-related benefits, which shall include overtime pay, holiday pay, statutory paid leave benefits, 13th-month pay, and social security and welfare benefits. The DOLE shall provide a template employment agreement in a language understood by the waste workers. The absence of a written agreement does not mean the absence of an employment relationship.
- (d) *Right to Social Protection and Safety Nets.* All waste workers shall have Social Security System (SSS) or Government Service Insurance System (GSIS), Home Development Mutual Fund (Pag-IBIG), and Philippine Health Insurance Corporation (Philhealth). They shall also be provided with safety nets corresponding to the nature of their work or exposure to risks and health hazards.
- (e) *Right to Occupational Safety and Health Standards.* Waste workers,

employers, and stakeholders in the country's waste management systems are covered by Republic Act No. 11058 or the Occupational Safety and Health Act. Accordingly, the DOLE, in consultation with relevant stakeholders and government agencies, particularly the DENR, DOH and DOST, shall formulate and issue the Waste Management Occupational Safety and Health Standards (WaMOSH) with provisions on appropriate and quality PPEs for identified risks or hazards, and proper medical intervention in case of accidents or emergencies. It shall likewise prescribe specialized risk mitigation training.

- (f) *Right to Hazard Pay.* Waste workers, who are exposed to health and occupational hazards or elements involving high risk or perils to life, limbs, or likely deterioration of health, shall be entitled to hazard pay comparable to public health workers' hazard pay which range from five (5) percent to twenty-five (25) percent of their monthly pay depending on risk exposure as provided under Republic Act No. 7305 or the *Magna Carta of Public Health Workers*.
- (g) *Right to Self-Organization.* Waste workers, in the public or private sector, have the right to self-organize, to form or join a legitimate labor organization, free from any form of restraint, interference, or coercion, for purposes of collective bargaining and negotiation, or join or form a workers' association for mutual aid and protection. All waste workers are eligible for membership in a labor organization or workers' association on the first day of their employment or engagement in various aspects of the country's waste management system. Such a labor organization shall be registered with the DOLE, or in both the DOLE and the Civil Service Commission, in the case of those in the public sector.
- (h) *Non-Abridgment of the Right to Self-Organization.* It shall be unlawful for any person or entity to commit any of the following acts:
 - 1. To interfere with, restrain or coerce waste workers in the exercise of their right to self-organization;
 - 2. To discriminate in regard to wages or compensation, hours of work, hiring or tenure of employment or engagement, or any terms and conditions of employment in order to encourage or discourage membership in any labor organization;
 - 3. To require as a condition for employment or engagement not to join a labor organization or shall withdraw from one; or
 - 4. To initiate, dominate, assist or otherwise interfere with the formation or administration of a labor organization, including the giving of financial or other support to it or its organizers or officers.
- (i) *Right to Protection from Discrimination in Employment and Occupation.* Waste workers shall not be subjected to any form of discrimination, particularly by virtue of social origin or socio-occupational category.

- (j) *Right to Mandatory Labor Standards and Health Benefits.* The following shall be mandatory for all employers:
1. To provide primary protection, including appropriate and quality personal protective equipment (PPE), free of charge, to all waste workers they hire or engage directly or indirectly in the formal or informal work arrangements.
 2. To comply with the normal hours of work, which shall not exceed eight (8) hours a day and forty-eight (48) hours a week. In the absence of an agreement providing for higher rates, every hour worked beyond eight (8) hours shall be paid an overtime pay, in addition to the applicable daily rate on the said day as under Book III of the Labor Code of the Philippines, as amended.
 3. To pay an additional amount of at least thirty (30) percent on a scheduled rest day or a special non-working holiday for work performed on a scheduled rest day or during a special non-working holiday.
 4. To pay an additional amount equivalent to at least one hundred (100) percent for work rendered during a regular holiday.
 5. To provide transportation, communication, and full subsistence allowance to waste workers who are required to render service in the field during emergencies and disasters.
 6. To provide all their waste workers, free of charge, annual medical services, including but not limited to physical, dental, mental, and psychosocial examinations.
 7. To provide maternity and paternity benefits, and other leave benefits provided for by law.
- (k) *Right to Consultation, Participate, and Information.* Waste workers, like workers in other jobs or professions, shall have the right to be consulted and participate in the formulation and implementation of policies, regulations, programs, and information affecting their rights, benefits, and welfare.

Waste workers shall have representation in existing and future national and LGU policy and consultative mechanisms, observing the most representative labor organization criteria of ILO Convention No. 144. Accordingly, waste workers shall be represented in the Inter-Agency Technical Advisory Council created under Republic Act No. 6969 in the control of toxic substances and hazardous and nuclear wastes, and in the National Solid Waste Management Commission (SWMC) chaired by the DENR and in the Provincial, City or Municipal and Barangay Solid Waste Management Board as established under Republic Act No. 9003.

- (l) *Right to Appropriate, Timely, and Sufficient Training.* The LGUs, in coordination with the CCC, DENR, DOLE, DOH, and the Technical Education and Skills Development Authority (TESDA), shall provide appropriate, timely, and sufficient training for all waste workers. Such training shall be conducted regularly and shall include occupational safety and health, proper handling, segregation, processing, storage, transport of waste, recycling, climate change, and other relevant environmental and public health standards. The training shall include skills certification or accreditation, as appropriate, to promote employability and recognition of competencies of waste workers on local environment preservation, or in advancing circular economy.
- (m) *Right to Labor and Social Protection Education.* The DOLE, in coordination with the relevant LGU, shall regularly conduct labor rights and social protection education for waste workers and employers.
- (n) *Access to Dispute Settlement Mechanisms.* Issues arising from employment, working conditions, and inter/intra union disputes or representation issues, and money claims shall be resolved pursuant to labor dispute resolution system of the DOLE.

CHAPTER II

PROHIBITION ON CHILD LABOR

SEC. 6. *Prohibition on Child Labor.* - The employment, engagement, or use of children, ages below eighteen (18) years old, as waste workers, in any form or capacity, is strictly prohibited. Republic Act No. 9231 on the elimination of the worst forms of child labor categorized as worst forms of child labor, work which, by its nature or circumstances in which it is carried out, is hazardous or likely to be harmful to the health or safety of children such as those performed in an unhealthy environment exposing the child to hazardous working conditions, elements, substances, co-agents or processes involving ionizing, radiation, fire, flammable substances, noxious components and the like, or to extreme temperatures, noise levels, or vibrations; or exposes the child to biological agents such as bacteria, fungi, viruses, protozoans, nematodes and other parasites.

CHAPTER III

ENFORCEMENT OF RIGHTS AND BENEFITS OF WASTE WORKERS IN EMPLOYMENT ARRANGEMENTS

SEC. 7. *Inspection and Enforcement.* - The Secretary of Labor and Employment or his/her duly authorized representative, shall have the sole and exclusive authority to inspect all business establishments or entities engaged in waste management - collection, handling, disposals, recycling - and order the immediate correction of, and impose fine for violations to ensure compliance with the provisions of Sections 5 and 6 of this Act.

The Secretary of Labor and Employment, subject to qualification and guidelines, may accredit relevant LGU office or government agencies to conduct inspection at business

establishments or entities in waste management within its jurisdiction and issue order of immediate correction of violation of Sections 5 and 6 of this Act.

SEC. 8. *Suspension of Operation.* - If the finding of violation or deficiency poses serious health risk to the waste workers or the community or poses imminent danger to the life or limbs of the waste workers, the Secretary of Labor or his/her duly authorized representative may order the immediate suspension of operation and impose fines for every day of non-correction until the violation or deficiency is duly corrected.

SEC. 9. *Joint and Solidary Responsibility and Liability in Contracting Arrangements.* - In cases where waste management services are contracted out, the principal entity or the LGU and the contractor shall be jointly and solidarily liable for every violation of the provisions of this Act. In underpayment or non-payment of wages and wage-related benefits, the principal shall be liable as the direct employer of the waste workers.

SEC. 10. *Protection Against Retaliation.* - No waste worker shall be dismissed, penalized, or otherwise prejudiced for asserting their rights under this Act or for participating in investigations.

CHAPTER IV

EFFECTUATING THE RIGHTS AND BENEFITS OF WASTE WORKERS TO SELF-EMPLOYED OR INFORMAL WASTE WORKERS

SEC. 11. *Registry of Informal Waste Workers.* - Within six (6) months from the issuance of the implementing rules and regulations of this Act, every LGU shall establish and maintain a digital Local Registry of Informal Waste Workers within its jurisdiction. Registration shall be free of charge. The Registry shall contain relevant information necessary in the design of employment or livelihood opportunities, facilitation of access to benefits or assistance, as well as ease in the administration of waste handling, sanitation, and other relevant training, and skills and competency development programs for livelihood or environmental advocacies.

SEC. 12. *National Registry of Informal Waste Workers.* - All LGU databases shall be integrated by the DILG, in coordination with the DENR, into a single digital National Registry of Informal Waste Workers within the same period of six (6) months from the issuance of the implementing rules and regulations of this Act. The Registry shall be used solely for program implementation, service delivery, and policy development. The DILG shall ensure compliance with Republic Act No. 10173 or the Data Privacy Act of 2012 and its implementing rules and regulations in handling the personal information or data of waste workers in the registry.

SEC. 13. *Delisting from the Registry.* - A duly registered informal waste worker may be delisted from the Registry, subject to observance of substantive and procedural due process; however, delisting will not impair or hinder the exercise of their rights or diminish their benefits.

SEC. 14. *Responsibilities of Local Government Units (LGUs).* - The LGU shall primarily be responsible for the implementation of this Act at the local level. It shall formulate and implement a fully funded Local Informal Waste Worker Formalization

Program with a designated focal person and appropriate office, which may include the City or Municipal Environment and Natural Resources Office (CENRO/MENRO), Public Employment Service Office (PESO), or City/Municipal Social Welfare and Development Office (CSWDO/MSWDO), and its services shall be extended to the barangays. In relation to the LGU's responsibility under this Act, it shall:

- (a) Ensure compliance by its contracted service providers in waste management with the provisions of this Act, particularly on the rights and benefits of informal waste workers;
- (b) Establish local mechanisms to monitor and resolve issues related to informal waste workers, including but not limited to workplace safety, social protection, and access to skills development and training programs;
- (c) Submit periodic reports to the DOLE on the status of informal waste workers within their jurisdiction, outlining the measures taken to address issues related to employment and working conditions;
- (d) Advocate for informal waste workers' inclusion in social protection. Collaborate with SSS, Philhealth, DSWD, DOLE, and other agencies to explore options for health insurance, retirement benefits, and other welfare initiatives;
- (e) With technical assistance DENR, CCC, DOST, and DOH, develop and implement an LGU plan on Solid, Liquid and E-Waste Management to complement to the localized National Adaptation Plan (NAP) of the Philippines, 2023-2050; and
- (f) Ensure and coordinate with relevant government agencies on the implementation of mandatory capacity development programs for all informal waste workers, including their empowerment as local eco-waste warriors.

SEC. 15. *Local Informal Waste Worker Formalization Program.* - Every Local Government Unit (LGU) shall formulate and implement a Local Informal Waste Worker Formalization Program. The Program shall ensure the recognition, protection, empowerment of informal waste workers, and shall include, but shall not be limited to the following:

- (a) *Capacity Development.* The LGU shall provide free and accessible training and capacity development programs on WaMOSH, ecological solid waste management, segregation, recycling, and materials recovery, and skills upgrading.
- (b) *Licensing and Accreditation.* The LGU, with the DENR, shall implement free licensing and accreditation of waste pickers, segregators, recyclers or operators of community materials recovery facilities and upcycling.
- (c) *Economic and Financial Inclusion.* The LGU shall facilitate the integration of informal waste workers into the formal economy which

shall include the provision of free, accessible, and comprehensive assistance for: opening bank or e-wallet accounts; registration with the Bureau of Internal Revenue for issuance of Tax Identification Numbers (TIN); enrollment or updating of membership with the Social Security System (SSS), PhilHealth, and Pag-IBIG Fund; and access to social protection and government benefit programs.

- (d) *Documentation Assistance.* The LGU shall provide free and adequate facilitation for the acquisition of pre-employment and identification requirements, including but not limited to police clearance, National Bureau of Investigation clearance, medical examinations, and birth certificates or other civil registry documents, in coordination with appropriate agencies.
- (e) *Organization and Collective Empowerment.* The LGU shall encourage and facilitate the formation, registration, and strengthening of informal waste workers' associations, cooperatives, or organizations at the city and municipal levels, recognizing collective organization as a pathway toward empowerment, self-regulation, and participation in local waste management systems.
- (f) *Entrepreneurship and Livelihood Development.* The LGU shall support initiatives that create sustainable livelihood opportunities and enhance income-generating capacity, including microenterprise development; cooperative-based recycling and materials recovery enterprises; access to equipment, shared facilities, or materials recovery facilities (MRFs); and preferential inclusion in local government waste management contracts or service arrangements, where feasible and consistent with existing procurement laws.

SEC. 16. *Preferential Hiring and Employment Assistance.* - Every LGU shall provide free, accessible, and adequate employment assistance to duly registered informal waste workers in its jurisdiction. Subject to applicable laws and rules and regulations, they shall be accorded preference in hiring by public and private waste management entities, including LGUs, government contractors, and accredited service providers.

SEC. 17. *Financial Assistance.* - The LGU concerned shall endeavor to provide financial assistance to waste workers in crisis situations, including but not limited to medical assistance, burial, transportation, education, food, or financial assistance for other support services or needs of a waste worker or their family.

SEC. 18. *Provision, Replacement, and Maintenance of PPE for Informal Waste Workers.* - The LGU concerned shall ensure the provision, replacement, and maintenance of the required PPE to registered informal waste workers within their jurisdiction, including the provision of other safety and health measures under existing laws, free of charge.

SEC. 19. *Implementation of Waste Management Occupational Safety and Health (WaMOSH).* - The LGU concerned shall ensure the implementation of WaMOSH within its jurisdiction. The local government shall primarily be responsible and shall

allocate a budget to facilitate and ensure assistance to the informal waste workers to enable them to comply with the standards. It shall also closely coordinate its implementation of WaMOSH with the DOLE.

SEC. 20. *Security of and in the Workplace.* - Every LGU shall guarantee and protect waste workers' spaces to undertake work, including the right to be safe in one's own workspace, free from discrimination, risk, danger, doubt, anxiety, or fear of being removed, evicted or prevented from working. Accordingly, the LGU shall observe the following:

- (a) *Policy on Eviction and Demolition.* Waste workers in the informal economy or employment shall not be evicted from their homes and workplaces without legal ground and provision of livelihood opportunities, adequate water and electricity availability as well as decent conditions of living in accordance with the law.
- (b) *Policy of Non-Confiscation of Materials, Equipment or Tools for Livelihood.* In cases where demolition or eviction is warranted, the person, government agencies or their respective agents who conducts the same shall not seize or confiscate their products, goods, equipment, tools, and other materials for their livelihood.
- (c) *Policy on Relocation or Closure of LGU or Private Sector Owned or Operated Landfills or Dump Sites.* Before any LGU or private sector owned or operated landfill or dumpsite is closed or relocated, all informal waste workers working therein shall first be notified of the intention to close or relocate their workplace at least sixty (60) days before the actual closure or relocation. Within the sixty-day period, the LGU shall conduct consultations with the affected informal waste workers and their families on the relocation site, or relocation options in case of closure. They shall be aided or provided alternative livelihood and relocated free of charge to the new site.
- (d) *Policy on Designation of Workplaces.* Every LGUs, in coordination with registered organization of informal waste workers in its jurisdiction, their members, affected communities and other relevant groups, shall endeavor to identify, designate and design a system of assignment of their workplaces.
- (e) *Policy on Harassment or Extortion for Access to their Livelihood or Workspace.* It shall be unlawful for any individual, private or LGU personnel, to harass or extort fees from the informal waste workers for access to the dump site or scavenge. The penalty provided in Section 24 shall apply.

SEC. 21. *Written Contract of Engagement in Local Waste Management Systems.* - Registered informal waste worker shall be granted by the LGU with an authority or permit to engage on its own account agreement in local waste management systems, free of charge, after undergoing basic WaMOSH orientation and provided with PPEs. The absence of an authority or permit shall not preclude the informal waste workers

from engaging in waste management, it shall warrant compulsory attendance to LGU basic WaMOSH orientation and use of PPEs.

SEC. 22. *Social Safety Nets.* - Social safety nets provided or implemented by the DSWD, DOLE, DENR, and other government agencies shall be made accessible to all informal waste workers and to their legitimate organizations.

TITLE III ROLE OF GOVERNMENT AGENCIES

SEC. 23. *Role of Government Agencies.* - In addition to the roles and functions specified in the provisions of this Act, the concerned governing agencies shall promote the welfare and protect the rights of every Filipino waste workers:

- (a) *Climate Change Commission (CCC).* The CCC, consistent with its commitment, shall urgently localize the National Adaptation Plan (NAP) of the Philippines, 2023-2050, to LGUs as a key strategy to combat climate change, and ensure its integration to local waste management systems to reduce its environmental impact and mitigate climate change.
- (b) *Department of Environment and Natural Resources (DENR).* The DENR, being the agency charged with the enforcement and monitoring of implementation of Republic Act No. 9003 or the Ecological Management Act of 2000, Republic Act No. 9275 or Philippine Clean Water Act of 2004, and Republic Act No. 6969 or the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990, shall ensure the integration of the rights and benefits of all waste workers in the existing waste management systems, such as in the Local Government Solid Waste Management and Sewerage and Septage Management Program. It shall:
 - 1. Conduct capacity-building for waste workers, LGUs, waste management entities, and other relevant stakeholders on the proper waste management and disposal to help minimize environmental effects, specifically climate change, to the general public;
 - 2. Provide technical assistance to LGUs in identifying waste high risk of adverse environmental effects and implementing mitigation plan and best practices on minimizing environmental effects through proactive and environment-conscious efforts of waste workers; and
 - 3. Incentivize waste workers for waste reduction advocacies, and initiatives for safe and sustainable waste management and recycling.
- (c) *Department of Interior and Local Government (DILG).* The DILG shall extend technical assistance and capacity building on the formulation and implementation of the LGU program on formalization of the informal waste workers, setting up and integration of the registry of informal waste workers, and roadmap on comprehensive local waste management.
- (d) *Department of Labor and Employment (DOLE).* The DOLE shall ensure that the standards set forth under this Act, Presidential Decree No. 442, as amended, Republic Act No. 11058 or the Occupational Safety and Health Standards Act, other related laws, and international treaties and conventions to which the

Philippines is a signatory are faithfully complied with and fairly applied to Filipino waste workers. It shall, in coordination with the LGU, enforce compliance with the WaMOSH as well as the regular reporting of work-related accidents.

(e) *Department of Social Welfare and Development (DSWD)*. The DSWD shall ensure the inclusion of waste workers in the following programs:

1. Cash-for-work to supplement to waste workers' family income;
2. Assistance to Individuals in Crisis Situations (AICS) to waste workers during natural or man-made calamities;
3. Walang Gutom Program, which offers P3,000.00 monthly credits via electronic benefit transfer; and
4. Ensure that duly registered informal waste workers are prioritized in the Pantawid Pamilyang Pilipino Program (4Ps).

(f) *Department of Health (DOH)*. The DOH shall:

1. Provide for health program, services, and facilities for waste workers as may be needed, through the city, municipality or barangay health centers, including but not limited to vaccinations, anti-tetanus shots, periodic health check-up, Annual Physical Examinations, and provision of supplements and necessary medicines;
2. Collect, analyze, and disseminate statistical and other relevant information on the waste workers' health situation, and to revise the Department's program based on the outcome of the statistics, subject to the provisions of Republic Act Number 10173 or the Data Privacy Act; and
3. Propagate health information and educate waste workers and their families on health hazards and environmental impacts to their health, geared to prevent health-related problems while performing their duties.

(g) *Department of Science and Technology (DOST)*. The DOST shall extend support to LGU waste management by developing and deploying science-based technologies, conducting research to support LGUs with waste infrastructure, and capacity-building of informal waste workers as multipliers to advance a circular economy in localities and for occupational safety and health.

(h) *Technical Education and Skills Development Authority (TESDA)*. The TESDA shall:

1. Develop a training program for proper waste collection, recovery, and safe handling and disposal, in accordance with the Republic Act. No. 9003, or the Ecological Solid Waste Management Act of 2000, and the Republic Act No. 11058 or the Occupational Safety and Health Standards Act;
2. Certify and accredit technical and vocational education and training programs for waste workers to ensure that they receive recognized qualifications for their knowledge and skills and to improve their employability and working conditions. For this purpose, TESDA shall develop training curricula to meet the demands of various industries for waste workers; and

3. Collaborate with various stakeholders, including government agencies, industry partners, and educational institutions, to provide an effective training and development framework for waste workers.

(i) *Public Attorney's Office (PAO)*. The PAO shall provide free legal assistance and representation to all waste workers.

SEC. 24. *Inter-Government Coordination and Cooperation Mechanism.* The DOLE, DENR, and DILG shall organize and convene an Inter-Government Coordination and Cooperation Mechanism (IGCCM) to ensure efficiency, coherence, and coordination on the implementation of this Act and laws on waste management, environmental protection, occupational safety and health, and adoption of the system of circular economy in waste management. The IGCCM shall include the DOH, DOST, CCC, and other relevant government agencies.

TITLE V FINAL PROVISIONS

SEC 25. *Administrative Liability of Public Official or Employee.* Any public official or employee who, through neglect or willful refusal, fails to implement or violate the provisions of this Act shall be subject to administrative sanctions in accordance with existing civil service laws, rules, and regulations.

SEC 26. *Fines.* Any violation of this Act shall, after due notice and hearing, without prejudice and in addition to the imposable penalties under the Labor Code and applicable laws, be fined as follows:

- (a) For the first offense - a fine of not less than Fifty Thousand Pesos (₱50,000.00) but not more than Two Hundred Thousand Pesos (₱200,000.00); and
- (b) For the second offense - a fine of not less than Two Hundred Thousand Pesos (₱200,000.00) but not more than Five Hundred Thousand Pesos (₱500,000.00).

A third offense shall be considered as repeated and willful violation, which shall merit a suspension or cancellation of contract and disqualification from participation in future public procurement, in accordance with existing procurement laws.

SEC 27. *Penalty for Violation on Child Labor Prohibition.* Pursuant to Republic Act No. 9231, any person, or the employer of the subcontractor who employs, or the one who facilitates the employment of a child in hazardous work, shall suffer the penalty of a fine of not less than One Hundred Thousand Pesos (P100,000.00) but not more than One Million Pesos (P1,000,000.00), or imprisonment of not less than twelve (12) years and one (1) day to twenty (20) years, or both such fine and imprisonment at the discretion of the court.

SEC 28. *Implementing Rules and Regulations.* The DOLE, DENR, DOST, DOH, DILG, together with representatives from the League of Provinces, League of Cities, League of Municipalities, and Liga ng mga Barangay, TESDA, the Public Attorney's Office, and other relevant government agencies, as well as professional and environmental and natural resources workers' organizations, trade unions. shall issue

the necessary rules and regulations within ninety (90) days from the date of effectivity of this Act.

SEC 29. *Waste Workers' Appreciation Day.* The last Sunday of January of every year is hereby declared Waste Workers' Appreciation Day in recognition of the invaluable contributions of waste workers to keep our communities clean, healthy, and safe.

SEC 30. *Appropriations/Funding.* The initial funding requirements for the implementation of this Act shall be charged against the current appropriations of the agencies concerned. Thereafter, such sums as may be necessary for the implementation of this Act shall be included in the agencies' yearly budget under the General Appropriations Act.

SEC 31. *Separability Clause.* If any provision of this Act is declared invalid, the remainder of this Act or any provisions not affected thereby shall remain in force and in effect.

SEC 32. *Repealing Clause.* Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SEC 33. *Effectivity Clause.* This Act shall take effect thirty (30) days after its publication in at least two (2) newspapers of general circulation.

Approved,