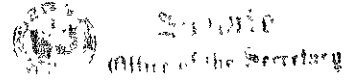


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



14 DEC 27 P4:10

SENATE
S. No. 2528

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

AN ACT
TO PROVIDE FOR UNIFORM WARNINGS ON PERSONAL PROTECTIVE
EQUIPMENT FOR OCCUPATIONAL USE

EXPLANATORY NOTE

The Constitution, Article 13, Section 14, states:

The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all.

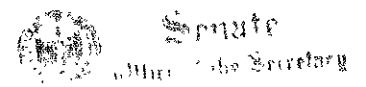
The Labor Code, Article 162 provides that the Secretary of Labor and Employment shall issue appropriate orders, set and enforce occupational safety and health standards in all workplaces and institute programs to ensure safe and healthful working conditions in all places of employment.

Presently, there is a lack of uniform warnings for personal protective equipment for occupational use. This situation has confused both employers and employees on the proper use of such equipment. This has increased worker exposure to workplace injuries and illnesses.

This bill seeks to provide safety warning standards to reduce injuries and illnesses resulting from the faulty use of occupational equipment.*

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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* This bill was originally filed during the Thirteenth Congress, First Regular Session.



DEC 22 P4:10

SENATE
S. No. 2528

Introduced by Senator Miriam Defensor Santiago

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

1 AN ACT
2 TO PROVIDE FOR UNIFORM WARNINGS ON PERSONAL PROTECTIVE
3 EQUIPMENT FOR OCCUPATIONAL USE

4 SECTION 1. *Short Title.* – This shall be known as the “Uniform Warnings on
5 Protective Equipment Act.”

6 SECTION 2. *Declaration of State Policy.* – It is hereby declared state policy to
7 increase workplace safety by enhancing understanding of the proper use and limits of
8 personal protective equipment for occupational use through occupational safety and
9 health standards that establish specific coherent and effective uniform warnings for such
10 equipment.

11 SECTION 3. *Definition of Terms.* – For purposes of this Act, the term:

12 (A) “Personal protective equipment“ means equipment intended for use by
13 workers in a workplace subject to this Act to protect the eyes, face, head,
14 hearing, extremities, or a respiratory tract from workplace hazards or to
15 function as protective clothing, as a protective shield or barrier, as personal
16 fall arrest or ladder safety devices, or as safety and health monitoring and
17 instrumentation devices; and

18 (B) “Warning” means any statement that—

1 (1) Directs or describes one or more actions, procedures, or prohibitions
2 relating to the use of personal protective equipment; and

3 (2) If not complied with, may result in personal injury or death to the user
4 of the equipment.

5 SECTION 4. *Standards.* -- Each standard shall prescribe the full text of each
6 warning the means by which the manufacturer or other seller of the personal protective
7 equipment shall communicate each such warning to the employer using such equipment.
8 Each standard issued under paragraph for personal protective equipment shall require the
9 employer to communicate each prescribed warning to each employee using the personal
10 protective equipment, and to train, educate, and instruct each such employee in:

11 (A) The proper use of such personal protective equipment;

12 (B) How each such warning applies in such employer's workplace and such
13 employee's work environment; and

14 (C) The consequences of failing to observe each such warning.

15 SECTION 5. *Factors to be Considered.* -- The Secretary of Department of Labor
16 and Employment, in promulgating standards shall consider such factors as the experience
17 of manufacturers using particular warning and the means of communication of such
18 warnings, as well as the opinions of workers, human factors experts, the Department of
19 Health, and other experts as to the effectiveness of such warnings and respective means
20 of communications.

21 SECTION 6. *Pre-emption.* -- Nothing in this Act shall be construed to negate the
22 intent of Congress to occupy or regulate the entire field of warnings for personal
23 protective equipment for occupational use.

24 SECTION 7. *Other Standards.* -- After a standard issued becomes effective, no
25 government agency, or any political subdivision, may, by legislation, regulation, court

1 decision, or otherwise establish or continue in effect, any standard, requirement, or
2 prohibition for any personal protective equipment which has the force and effect of law
3 which is different from, or in addition to, any requirement set forth in this Act.

4 SECTION 8. *Separability Clause.* - If any provision or part hereof is held invalid
5 or unconstitutional, the remainder of the law or the provision not otherwise affected shall
6 remain valid and subsisting.

7 SECTION 9. *Repealing Clause.* - Any law, presidential decree or issuance,
8 executive order, letter of instruction, administrative order, rule or regulation contrary to
9 or inconsistent with, the provision of this Act is hereby repealed, modified or amended
10 accordingly.

11 SECTION 10. *Effectivity Clause.* - This Act shall take effect fifteen (15) days
12 after its publication in at least two (2) newspapers of general circulation.

Approved,

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