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SENATE  
OFFICE OF THE SECRETARY

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SENATE  
S.B. No. **1681**

RECEIVED BY:                     

Introduced by Senator Miriam Defensor Santiago

AN ACT  
REQUIRING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY ON THE  
PREVALENCE AND ISSUES RELATED TO CONTAMINATION OF WORKERS' HOMES  
WITH HAZARDOUS CHEMICALS AND SUBSTANCES TRANSPORTED FROM THEIR  
WORKPLACE AND TO ISSUE OR REPORT ON REGULATIONS TO PREVENT OR  
MITIGATE THE FUTURE CONTAMINATION OF WORKERS' HOMES

*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 “Workers’ Family Protection Act.”

SECTION 2. *Purpose.* – It is the purpose of this Act to –

- (1) increase understanding and awareness concerning the extent and possible health impacts of the problems and incidents described in this Act;
- (2) prevent or mitigate future incidents of home contamination that could adversely affect the health and safety of workers and their families;
- (3) clarify regulatory authority for preventing and responding to such incidents; and
- (4) assist workers in redressing and responding to such incidents when they occur.

SECTION 3. *Evaluation of employee transported contaminant releases.* –

(1) STUDY –

(A) IN GENERAL – Not later than eighteen (18) months after the date of enactment of this Act, the Secretary of the Department of Health (hereinafter in this Act referred to as the “Secretary”), in coordination with the Secretary of the Department of Labor and Secretary of the Department of Environment and Natural Resources, shall conduct a study to evaluate the potential for, the prevalence of, and

the issues related to the contamination of workers' homes with hazardous chemicals and substances, including infectious agents, transported from the workplaces of such workers."

(B) MATTERS TO BE EVALUATED – In conducting the study and evaluation under subsection (1), the Secretary shall –

(i) conduct a review of past incidents of home contamination through the utilization of literature and records concerning past investigations and enforcement actions undertaken by any government and non-governmental organizations, including educational institutions;

(ii) evaluate current statutory, regulatory, and voluntary industrial hygiene or other measures used by small, medium, and large employers to prevent or remedy home contamination;

(iii) compile a summary of existing research and case histories conducted on incidents of employee transported contaminant releases, including –

(a) the effectiveness of workplace housekeeping practices and personal protective equipment in preventing such incidents;

(b) the health effects, if any, of the resulting exposure on workers and their families,

(c) the effectiveness of normal house cleaning and laundry procedures for removing hazardous materials and agents from workers' homes and personal clothing;

(d) indoor air quality, as the research concerning such pertains to the fate of chemicals transported from a workplace into the home environment; and

(e) methods for differentiating exposure health effects and relative risks associated with specific agents from other sources of exposure inside and outside the home;

(iv) prepare and submit to the Task Force established under subsection (2) and to the appropriate committees of Congress, a report concerning the results of the matters studied or evaluated under subparagraphs (a) through (c); and

(v) study home contamination incidents and issues and worker and family protection policies and practices related to the special circumstances of firefighters and prepare and submit to the appropriate committees of Congress a report concerning the findings with respect concerning the findings with respect to such study.

(C) DEVELOPMENT OF INVESTIGATIVE STRATEGY –

(i) TASK FORCE – Not later than twelve (12) months after the date of enactment of this Act, the Secretary shall establish a working group, to be known as the Workers' Family Protection Task Force. The Task Force shall –

(a) be composed of not more than fifteen (15) individuals to be appointed by the Secretary from among individuals who are representative of workers, industry, scientists, industrial hygienists, and government agencies, except that not more than one (1) such individual shall be from each appropriate government agency and the number of individuals appointed to represent industry and workers shall be equal in number;

(b) review the report submitted under subsection (1)(B)(iv);

(c) determine, with respect to such report, the additional data needed, if any, and the need for additional evaluation of the scientific issues related to and the feasibility of developing such additional data; and

(d) if additional data are determined by the Task Force to be needed, develop a recommended investigative strategy for use in obtaining such information.

(ii) INVESTIGATIVE STRATEGY –

(a) *CONTENT* – The investigative strategy developed under subparagraph (i)(d) shall identify data gaps that can and cannot be filled, assumptions and uncertainties associated with various components such strategy, a timetable for the implementation of such strategy, and methodologies used to gather any required data.

(b) *PEER REVIEW* – The Secretary shall publish the proposed investigative strategy under subparagraph (1)(d) shall identify for public comment and utilize other methods, including technical conferences or seminars, for the purpose of obtaining comments concerning the proposed strategy.

(c) *FINAL STRATEGY* – After the peer review and public comment is conducted under subparagraph (b), the Secretary, in consultation with the heads of other government agencies, shall propose a final strategy for investigating issues related to home contamination that shall be implemented by concerned agencies for the period of time necessary to enable such agencies to obtain the information identified under paragraph (A)(iii).

(2) *CONSTRUCTION* – Nothing in this section shall be construed as precluding any government agency from investigating issues related to home contamination using existing procedures until such time as a final strategy is developed or from taking actions in addition to those proposed in the strategy after its completion.

(3) *IMPLEMENTATION OF INVESTIGATIVE STRATEGY* – Upon completion of the investigative strategy under paragraph (B)(iii), each agency or department shall fulfill the role assigned to it by the strategy.

#### *SECTION 4. Regulations. –*

(1) *IN GENERAL* – Not later than four (4) years after that date of enactment of this Act, and periodically thereafter, the Secretary of Labor, based on the information developed under section 3 and on other information available to the Secretary, shall –

(A) determine if additional education about, emphasis on, or if additional regulations or standards is needed and will be sufficient, or if additional regulations or standards are needed to protect workers and their families from employee transported releases of hazardous materials; and

(B) prepare and submit to the appropriate committees of Congress a report concerning the results of such determination.

(2) ADDITIONAL REGULATIONS OR STANDARDS – If the Secretary of Labor determines that additional regulations or standards are needed under subsection (1), the Secretary shall promulgate such regulations or standards as determined to be appropriate not later than three (3) years after such determination.

SECTION 5. *Authorization of appropriations.* – There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out this Act.

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

SECTION 7. *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.

SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,