

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

8 OCT 21 1974

SENATE
S. B. No. 2694

RECEIVED BY: [Signature]

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article II, Section 15 provides:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

Millions of workers engaged in manufacturing parts for products such as automobiles, farm equipment, aircraft, heavy machinery, and other hardware are exposed to metalworking fluids (MWFs). Metalworking fluids are in widespread, high volume use for their coolant, lubricant, and corrosion resistant properties during machining operations. Metalworking fluids also provide corrosion protection for the newly machined part and machine tool.

Metalworking fluids can cause adverse health effects through skin contact with contaminated materials, spray, or mist and through inhalation from breathing MWF mist or aerosol. Skin and airborne exposures to MWFs have been implicated in health problems including irritation of the skin, lungs, eyes, nose and throat. Conditions such as dermatitis, acne, asthma, hypersensitivity pneumonitis, irritation of the upper respiratory tract, and a variety of cancers have been associated with exposure to MWFs. The severity of health problems is dependent on a variety of factors such as the kind of fluid, the degree and type of contamination, and the level and duration of the exposure.

Skin contact occurs when the worker dips his/her hands into the fluid or handles parts, tools, and equipment covered with fluid without the use of personal protective equipment, such as gloves and aprons. Skin contact may also result from fluid splashing onto the employee from the machine if guarding is absent or inadequate. Inhalation of

MWF mist or aerosol may cause irritation of the lungs, throat, and nose. In general, respiratory irritation involves some type of chemical interaction between the MWF and the human respiratory system. Exposure to MWF mist or aerosol may also aggravate the effects of existing lung disease. A number of studies have found an association between working with MWF and a variety of cancers, including cancer of the rectum, pancreas, larynx, skin, scrotum, and bladder.

This bill seeks to address the health and safety concerns posed by MWF use in the workplace.

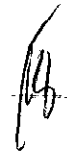
Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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

8 OCT 27 2008

SENATE

S.B. No. 2694

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

AN ACT
REGULATING THE USE OF
METALWORKING FLUIDS IN THE WORKPLACE

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

SECTION 1. *Short Title.* – This Act shall be known as the “MWF Regulatory Act of 2008.”

SECTION 2. *Definition of terms.* – As used in this Act, the term--

(A) “Metalworking fluids” or MWF refer to a range of oils and other liquids that are used to cool and/or lubricate metal work pieces when they are being machined, ground, milled, or industrially processed;

(B) “Department” means the Department of Labor and Employment;

SECTION 3. *Requirements for a workplace using MWFs.* – an employer must observe the following requirements if he uses MWFs in his place of business--

(A) Obtain Material Safety Data Sheets (MSDSs) from the supplier to know exactly what type of MWF they are working with and what precautions to take;

(B) Obtain technical bulletins that may provide additional health and safety information;

(C) Choose MWFs with the least toxic materials, whenever possible;

(D) Proper design and operation of the MWF delivery system— Use a system designed to generate a minimum amount of fluid mist. It is prohibited to use compressed air to blow clean parts covered with MWF as the air pressure causes the MWF to be airborne;

1 (E) Install complete enclosures or splash guards, depending on the operation, to keep the
2 metalworking fluids contained and away from the operator;

3 (F) Use exhaust ventilation to prevent accumulation and recirculation of airborne
4 contaminants;

5 (G) Proper maintenance of equipment— Reduce the amount of contamination into the
6 MWFs, such as hydraulic oils and other "tramp" oils, by keeping equipment in good
7 working order.

8 SECTION 4. *Implementing Rules and Regulations.*— The Department shall adopt the
9 Implementing Rules and Regulations for this Act which shall include the following:

10 (A) Adoption of administrative controls in the form of good work practices;

11 (B) Guidelines for the mandatory use of personal protective equipment and clothing
12 where necessary;

13 (C) Proper engineering controls to minimize the deleterious effects of MWFs.

14 SECTION 5. *Penalties.* – The Department is empowered to establish and assess penalties
15 or fines against an employer for violations of this Act or regulations adopted under this Act. In
16 no circumstance will any penalties or fines exceed P10,000.00 for each day the permit holder
17 remains in violation.

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

21 SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive
22 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
23 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

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

26 Approved,