

10 JUL 27 19:47

SENATE
S: No. **1882**

RECEIVED

Introduced by Senator Miriam Defensor Santiago

AN ACT

MANDATING 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 ISSUING REGULATIONS TO MITIGATE THE FUTURE
CONTAMINATION OF WORKERS' HOMES

*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 "Workers' Family Protection
Act."

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

(A) increase understanding and awareness concerning the extent and possible health
impacts of the problems and incidents described in this Act;

(B) prevent or mitigate future incidents of home contamination that could adversely
affect the health and safety of workers and their families;

(C) clarify regulatory authority for preventing and responding to such incidents; and

(D) assist workers in redressing and responding to such incidents when they occur.

SECTION 3. *Evaluation of Employee Transported Contaminant Releases.* -

(A) STUDY -

(1) 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 or workers' homes with hazardous and substances, including infectious
agents, transported from the workplaces of such workers."

1 (2) MATTERS TO BE EVALUATED - In conducting the study and evaluation
2 under subsection (A), the Secretary shall -

3 a) Conduct an interview of past incidents of home contamination through the
4 utilization of literature and records concerning past investigations and
5 enforcement actions undertaken by any government and non-governmental
6 organizations, including educational institutions;

7 b) Evaluate current statutory, regulatory, and voluntary industrial hygiene or
8 other measures used by small, medium, and large employers to prevent or
9 remedy home contamination;

10 c) Compile a summary of existing research and case histories conducted on
11 incidents of employee transported contaminant releases including -

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

14 (ii) the health effects, if any, of the resulting exposure on workers and
15 their families;

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

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

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

24 d) Prepare and submit to the Task Force established under subsection (B) and to
25 the appropriate committees of Congress, a report concerning the results of the
26 matters studied or evaluated under subparagraphs (i) through (iii); and

27 e) Study home contamination incidents and issues and worker and family
28 protection policies and practices related to the special circumstances of

1 firefighters and prepare and submit to the appropriate committees of Congress
2 a report concerning the findings with respect to such study.

3 (3) DEVELOPMENT OF INVESTIGATIVE STRATEGY -

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

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

13 (ii) Review the report submitted under subsection (A)(2)(d);

14 (iii) Determine, with respect to such report, the additional data needed, if
15 any, and the need for additional data; and

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

19 (b) INVESTIGATIVE STRATEGY -

20 (i) CONTENT - The investigative strategy developed under subparagraph
21 (A)(4) shall identify data gaps that can and cannot be filled, assumptions and
22 uncertainties associated with various components such strategy, a timetable for
23 the implementation of such strategy, and methodologies used to gather any
24 required data.

25 (ii) PEER REVIEW - The Secretary shall publish the proposed
26 investigative strategy under subparagraph (A)(4) shall identify for public
27 comment and utilize other method ; including technical conferences or seminars,
28 for the purpose of obtaining comments concerning the proposed strategy.

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

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

11 (C) IMPLEMENTATION OF INVESTIGATIVE STRATEGY - Upon completion of the
12 investigative strategy under paragraph (B)(iii), each agency or department shall fulfill the role
13 assigned to it by the strategy.

14 SECTION 4. *Regulations.* -

15 (A)IN GENERAL - Not later than four (4) years after that date of enactment of this Act,
16 and periodically thereafter, the Secretary of Labor, based on the information developed under
17 Section 3 and on other information available to the Secretary, shall -

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

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

24 (B)ADDITIONAL REGULATIONS OR STANDARDS - If the Secretary of Labor
25 determines that additional regulations or standards are needed under subsection (A), the
26 Secretary shall promulgate such regulations or standards as determined to be appropriate not
27 later than three (3) years after such determination.

28 SECTION 5. *Authorization of Appropriations.* - There are authorized to be appropriated
29 or each fiscal year such sums as may be necessary to carry out this Act.

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

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

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

9 Approved,