

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



Senate
Office of the Secretary

13 OCT -3 P5:49

SENATE
S. No. **1829**

RECEIVED BY: *Jan*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 15, provides:

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

Hazardous chemicals and substances that can threaten the health and safety of workers are being transported out of industries on workers' clothing and persons. These chemicals and substances have the potential to pose an additional threat and welfare of workers and their families.

Hence, this bill seeks to prevent or mitigate future incidents of home contamination that could adversely affect the health and safety of workers and their families, by providing information concerning issues related to employee transported contaminant releases and formulating regulations in order to prevent future releases of this type.*

ms.
Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed during the Fourteenth Congress, First Regular Session.



'13 OCT -3 P5:49

SENATE
S. No. 1829

RECEIVED BY: *ja*

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 sixty (60) days after the date of enactment
of this Act, the Secretary of Health (hereinafter referred to as the
"Secretary"), in coordination with the Secretary of Labor and the
Secretary of Environment and Natural Resources, shall conduct a study to
evaluate the potential for, the prevalence of, and the issues related to the

1 contamination or workers' homes with hazardous chemicals and
2 substances, including infectious agents, transported from the workplaces
3 of such workers.

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

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

11 (b) Evaluate current statutory, regulatory, and voluntary industrial
12 hygiene or other measures used by small, medium, and large
13 employers to prevent or remedy home contamination;

14 (c) Compile a summary of existing research and case histories
15 conducted on incidents of employee transported contaminant
16 releases including -

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

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

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

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

27 (v) methods for differentiating exposure health effects and
28 relative risks associated with specific agents from other
29 sources of exposure inside and outside the home.

1 (d) Prepare and submit to the Task Force established under this section
2 and to the appropriate committees of Congress, a report concerning
3 the results of the matters studied or evaluated under subparagraphs
4 (i) through (v); and

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

10 (3) DEVELOPMENT OF INVESTIGATIVE STRATEGY -

11 (a) TASK FORCE - Not later than ninety (90) days after the date of
12 enactment of this Act, the Secretary shall establish a working
13 group, to be known as the Workers' Family Protection Task Force.
14 The Task Force shall -

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

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

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

26 (iv) If additional data are determined by the Task Force to be
27 needed, develop a recommended investigative strategy for
28 use in obtaining such information.

29 (b) INVESTIGATIVE STRATEGY -

1 (i) CONTENT - The investigative strategy developed under
2 subsection (A)(3) shall identify data gaps that can and
3 cannot be filled, assumptions and uncertainties associated
4 with various components such strategy, a timetable for the
5 implementation of such strategy, and methodologies used
6 to gather any required data.

7 (ii) PEER REVIEW - The Secretary shall publish the proposed
8 investigative strategy under subsection (A)(3) shall identify
9 for public comment and utilize other method; including
10 technical conferences or seminars, for the purpose of
11 obtaining comments concerning the proposed strategy.

12 (iii) FINAL STRATEGY - After the peer review and public
13 comment is conducted under subparagraph (b) (ii), the
14 Secretary, in consultation with the heads of other
15 government agencies, shall propose a final strategy for
16 investigating issues related to home contamination that
17 shall be implemented by concerned agencies.

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

22 (C) IMPLEMENTATION OF INVESTIGATIVE STRATEGY - Upon completion of
23 the investigative strategy under this section, each agency or department shall fulfill the role
24 assigned to it by the strategy.

25 SECTION 4. *Regulations.* -

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

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

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

7 (B) ADDITIONAL REGULATIONS OR STANDARDS - If the Secretary of Labor
8 determines that additional regulations or standards are needed under subsection (A), the
9 Secretary of Labor shall promulgate such regulations or standards as determined to be
10 appropriate not later than six (6) months after such determination.

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

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

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

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

Approved,