

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



Senate
Office of the Secretary

15 AUG -3 P3:17

SENATE
S. No. 2880

RECEIVED BY: _____

Introduced by Senator Miriam Defensor Santiago

AN ACT
TO PROTECT WORKERS AND THEIR FAMILIES FROM THE HAZARDS OF
WORKING IN AGRICULTURAL SITES

EXPLANATORY NOTE

According to the Constitution, Article 2, Section 16: "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."

According to a study published by the Institute for Labor Studies, pesticides popular in the Philippines have been banned or severely restricted in the United States. Further, farmers do not know the consequences of mishandling these chemicals. Acute pesticide poisoning has been traced to unsafe practices in the handling, storing, and disposal of pesticides.

Organophosphate pesticides produce both short-term (acute poisoning) and long-term (chronic) consequences that affect various organs in addition to its potential of causing abnormality in the genes, cancer, and reproductive system. This underscores the need for preventive programs to ensure farmers safety and health.

This bill seeks to create measures that should be taken by farm owners and/or operators to ensure the safety of their workers and their respective families.*


MIRIAM DEFENSOR SANTIAGO
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* This bill was originally filed in the Fourteenth Congress, Second Regular Session.

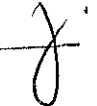
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*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 SECTION 1. *Short Title.* – This act shall be known as the “Farm Workers’
2 Protection Act.”

3 SECTION 2. *Requirements.* – The following requirements shall be met at any
4 agricultural site to which pesticides have or will be applied. Farm owners or operators
5 shall:

6 A. Conduct or cause to have conducted mandatory testing for the presence of
7 organophosphate pesticides for all handlers of pesticides, including applicators and
8 mixers of pesticides. This testing shall be conducted within one week of the arrival of
9 such workers at the agricultural site and within one week of the departure of such
10 workers from the site;

11 B. Provide personal protection equipment which has been fit-tested to all
12 individuals who are required or may be required to wear such equipment in the course of
13 their work, and which is readily available to any worker needing to wear or use such
14 equipment;

1 C. Provide education and information to farm workers and their families about
2 the hazards of exposure to pesticides, how to avoid such exposures to children, personal
3 clothing and possessions, and what to do if pesticide exposure or contamination occurs;

4 D. Report to the Department of Agriculture every incident of pesticide exposure
5 to farm workers or their families, whether by direct exposure to pesticide applications or
6 from drift of pesticides from the application site. Such reporting shall occur within 24
7 hours of such pesticide exposure and shall include the day and time of day the exposure
8 occurred and the pesticides to which the individuals were exposed;

9 E. Provide on-site washing machines for workers to clean pesticide-
10 contaminated clothing, which are separate from clothes washing facilities used by
11 families. The farm owner or operator shall be responsible to provide instruction in the
12 proper care of clothing contaminated with or exposed to pesticides;

13 F. Provide one shower facility for every five workers, with separate facilities for
14 males and females, for the removal of pesticide residues and other contaminants;

15 G. Provide one or more public telephones for workers to report medical
16 emergencies, including pesticide exposures or contamination; and

17 H. Ensure that all new housing for farm workers is located at least fifty feet from
18 any field or site, except for enclosed facilities such as greenhouses, which may be treated
19 with pesticides. Existing housing which does not comply with this paragraph shall be
20 replaced within five years or cease to be used after that time.

21 SECTION 3. *Penalty.* – The Department of Agriculture is hereby empowered
22 to establish and assess penalties or fines against the farm owners and operators for
23 violations of this Act. In no circumstance will any penalty or fine exceed One Hundred
24 Thousand Pesos (₱100,000.00).

1 SECTION 4. *Annual Report.* – The Department of Agriculture shall issue an
2 annual report of all farm inspections on or before March first to the legislature for the
3 previous calendar year, including compliance with the requirements contained in this Act;
4 enforcement actions, fines and penalties for non-compliance resulting from such
5 inspections; and pesticide exposure or contamination reports submitted to the Department
6 of Agriculture.

7 SECTION 5. *Repealing Clause.* – All laws, decrees, orders, rules and regulations
8 or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended
9 or modified accordingly.

10 SECTION 6. *Separability Clause.* – If, for any reason, any provision of this Act is
11 declared to be unconstitutional or invalid, the other sections or provisions hereof which
12 are not affected thereby shall continue to be in full force and effect.

13 SECTION 7. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days
14 following its publication in the *Official Gazette* or in two (2) newspapers of general
15 circulation.

Approved,

/dpm31Jun2015