

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



Office of the Secretary

'18 MAY -2 P1 :24

SENATE  
S. No. 1792

RECEIVED BY

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Introduced by Senator Grace Poe

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**AN ACT**  
**MANDATING ALL EMPLOYERS IN THE PRIVATE AND PUBLIC SECTORS,**  
**INCLUDING ALL GOVERNMENT OFFICES, AGENCIES AND**  
**INSTRUMENTALITIES, TO PROVIDE, FREE OF CHARGE, CLEAN, HEALTHY,**  
**SUFFICIENT AND ACCESSIBLE DRINKING-WATER TO ALL ITS EMPLOYEES**

It might not be known to all that we have a certain "Philippine National Standards for Drinking Water" or "PNSDW", the history of which dates back to 1963. Said PNSDW was subsequently revised in 1978, 1993, 2007 and just recently in 2017 (Administrative Order No. 2017-0010 issued by the Office of the Secretary, Department of Health). The PNSDW, in a nutshell, prescribes the standards and procedures on drinking-water quality to protect public/consumers' health.

In the past, the United Nations itself recognized that one's access to water as a basic human right. There has to be SUFFICIENT, ACCESSIBLE and AFFORDABLE water.

According to studies, adult humans are 60% water and our blood is 90% water. To function properly, all the cells and organs of the body need water. Drinking water is needed to lubricate the joints, form saliva, deliver oxygen throughout the body, cushion the brain, spinal cord, and other sensitive tissues, regulate body temperature, produce hormones and neurotransmitters, help food pass through the intestines, and flush body waste, among others.<sup>1</sup>

Drinking-water, no matter how essential, is unfortunately not free. Refilling stations charge around Php50.00 per 5 gallons of drinking-water. For people who are working in the field or those who are obligated to move around and outside an

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<sup>1</sup> <https://www.medicalnewstoday.com/articles/290814.php>

office, bottled mineral water ranges from Php18.00 to Php40.00 depending on the volume (1 liter to 1.5 liters).

Just by looking around outside one's home or office, one could surely notice our traffic enforcers manning our streets, our policemen patrolling everywhere, construction workers building various establishments, service people catering to the needs of the consuming public, office workers, and the like. One could not help to wonder – How much are they forced to spend to be able to have a healthy drinking-water, a basic human necessity and a UN-declared human right, especially given the fact that they work under the blistering heat of the Sun?

This legislative measure seeks to remove the burden of having to spend for healthy drinking-water while performing one's work off of the pockets of all employees. This legislative measure seeks to mandate all employers to provide free, healthy, and accessible drinking-water to all their employees during working hours whether or not the latter's work, tasks and/or duties are performed inside or outside office or business premises. This legislative measure likewise seeks to penalize non-complaint employers who will deprive employees of the basic human need and human right to have healthy and accessible drinking-water that is compliant with the PNSDW.

It is for the foregoing considerations and reasons that the immediate approval of this legislative measure is earnestly sought.

  
**GRACE POE**

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**MANDATING ALL EMPLOYERS IN THE PRIVATE AND PUBLIC SECTORS, INCLUDING ALL GOVERNMENT OFFICES, AGENCIES AND INSTRUMENTALITIES, TO PROVIDE, FREE OF CHARGE, CLEAN, HEALTHY, SUFFICIENT AND ACCESSIBLE DRINKING-WATER TO ALL ITS EMPLOYEES**

*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 "*Tubig para sa mga*  
2 *Empleyado Act of 2018*".

3 Sec. 2. – *Declaration of Policy* – It is the declared policies of the State to  
4 promote the general welfare of everyone and to protect and promote everyone's  
5 right to health.

6 In addition, it is the State's policy to affirm that labor as a primary social  
7 economic force and shall protect the rights of workers and promote their welfare. It  
8 is hereby declared as a policy of the State to ensure that all employees shall be  
9 provided, free of charge, with clean, healthy, sufficient and accessible drinking-  
10 water.

11 Sec. 3. – *Definition of Terms* – The following terms as used in this Act shall  
12 mean:

13 a. Drinking-Water – water that is compliant with Administrative Order No. 2017-  
14 0010 issued by the Office of the Secretary, Department of Health (DOH) or  
15 the "Philippine National Standards for Drinking Water" or "PNSDW"; and

1 b. Employee – any employee or worker regardless of the nature of employment,  
2 including regular, non-regular, project-based, contractuels, permanent,  
3 casuals, co-terminus, job order employees and/or personnel.

4 Sec. 4. – *Mandatory Provision of Drinking-Water to all Employees* – All  
5 employers in the private and public sectors are mandated to provide, free of charge,  
6 healthy, sufficient and accessible drinking-water to all its employees during working  
7 hours while performing their respective tasks and/or duties inside or outside the  
8 office or business place and premises thereof.

9 Employers shall provide the above-mentioned drinking-water not in the form  
10 of monetary allowance of whatever nature and shall never be allowed to deduct the  
11 expenses for said item in the salaries, allowances and/or benefits of/for the  
12 employees.

13 Sec. 5. – *Penalties* – A fine of One Hundred Thousand Pesos (Php100,000.00)  
14 to Five Hundred Thousand Pesos (Php500,000.00) and/or imprisonment of six (6)  
15 months to two (2) years shall be imposed to an employer per violation of Section 4  
16 of this Act.

17 For juridical entities, the officer(s)/official(s) responsible for the above-  
18 mentioned violation shall be the one(s) to be penalized. Said officer(s)/official(s)  
19 shall be solidarily liable with the juridical entity in relation to the payment of fines.

20 In case of public officers/officials/employees, the accessory penalty of  
21 perpetual disqualification from public office shall likewise be imposed. Filing of other  
22 appropriate administrative cases is not barred by the implementation of this Act.

23 Sec. 6. – *Prescription* – Violations of Section 4 of this Act shall prescribe in  
24 one (1) year from the date of the discovery of said violation.

25 Sec. 7 – *Jurisdiction* – Violations of this Act shall be cognizable by the  
26 appropriate Regional Trial Courts where said violations were committed.

27 Sec. 8. – *Implementing Rules and Regulations* – The Department of Labor  
28 and Employment (DOLE) and the Department of the Interior and Local Government  
29 (DILG), together with the Department of Health (DOH), Civil Service Commission  
30 (CSC), Department of Budget Management (DBM), and all other involved agencies,  
31 shall formulate and promulgate the necessary implementing rules and regulations of  
32 this Act within ninety (90) days from the effectivity of this Act.

1           Sec. 9. – *Separability Clause* – If for any reason any section or provision of  
2 this Act is declared to be unconstitutional or invalid, the other sections or provisions  
3 thereof which are not affected thereby shall continue to be in full force and effect.

4           Sec. 10. – *Repealing Clause* – All laws, decrees, orders, rules or regulations or  
5 parts thereof inconsistent with the provisions of this Act are hereby repealed,  
6 amended, or modified accordingly.

7           Sec. 11. – *Effectivity* – This Act shall take effect after fifteen (15) days upon  
8 publication in a newspaper of general circulation.

*Approved.*