



SENATE

'19 NOV 27 P3:26

S. No. 1200

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[Signature]

Introduced by SENATOR RAMON BONG REVILLA, JR.

AN ACT

MANDATING THE COMPLIANCE OF GOVERNMENT AGENCIES AND ITS INSTRUMENTALITIES AND GOVERNMENT-OWNED AND/OR CONTROLLED CORPORATIONS TO OCCUPATIONAL SAFETY AND HEALTH STANDARDS, PROMOTING AND PRESERVING THE WELFARE OF GOVERNMENT EMPLOYEES, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Republic Act No. 11058, otherwise known as "An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties for Violations Thereof," was enacted in July 2017 to ensure the maximum safety and health of our workforce. The fact that accidents happen in the workplace makes this law invaluable.

This proposal is an attempt to afford government employees the same protection we provide for our laborers. Since RA 11058 is for private workers, government in the public sector is excepted from the protection that is provided by this Act.

This bill tasks the Civil Service Commission to institutionalize occupational safety and health standards to protect public sector workers. These people are in the front-line in the delivery of social services to the people and therefore their safety and health should also be ensured.

Recognizing the contribution of government employees in nation-building, consideration of this bill is earnestly sought.


RAMON BONG REVILLA, JR.



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**MANDATING THE COMPLIANCE OF GOVERNMENT AGENCIES AND ITS
INSTRUMENTALITIES AND GOVERNMENT-OWNED AND/OR CONTROLLED
CORPORATIONS TO OCCUPATIONAL SAFETY AND HEALTH STANDARDS,
PROMOTING AND PRESERVING THE WELFARE OF GOVERNMENT
EMPLOYEES, AND FOR OTHER PURPOSES**

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

1 Section 1. This Act shall be known as the "*Occupational Safety for Government*
2 *Employees Act of 2019.*"

3
4 Sec. 2. It is the policy of the State to protect and promote the rights of workers,
5 their welfare, living and working conditions, and terms of employment. Towards this
6 end, the State shall ensure the compliance of government agencies and its
7 instrumentalities to occupational safety and health standards to ensure the promotion
8 of government employees' welfare.

9
10 The State shall ensure a safe and healthful workplace for all working people by
11 affording the full protection against all hazards in their work environment. It shall
12 ensure that provisions of all domestic laws and internationally-recognized standards
13 on occupational safety and health are being fully enforced and complied with by the
14 employers, and it shall provide penalties for any violations thereof.

1 The State shall protect every worker against injury, sickness or death through
2 safe and healthful working conditions thereby assuring the conservation of valuable
3 manpower resources and the preservation of loss or damage to lives and properties
4 consistent with national development goals, and with the State's commitment to the
5 total development of every government employee as a complete human being.

6
7 The State, in protecting the safety and health of the workers, shall promote
8 strict but dynamic, inclusive, and gender-sensitive measures in the formulation and
9 implementation of policies and programs related to occupational safety and health.

10
11 Sec. 3. *Coverage.* – This Act shall apply to all government agencies and its
12 instrumentalities, and government-owned and/or controlled corporations (GOCCs).

13
14 The Chairperson of the Civil Service Commission shall issue the appropriate
15 standards of occupational safety and health based on the number of employees,
16 nature of operations, and the risks or hazards involved.

17
18 Sec. 4. *Compliance to Occupational Safety and Health Standards.* – all
19 government agencies and its instrumentalities and government-owned and/or -
20 controlled corporations are mandated to strictly comply with occupational safety and
21 health standards as formulated by the Civil Service Commission.

22
23 Sec. 5. *Prohibited Acts.* –

24
25 1. Any person, legal or juridical, who shall wilfully refuse to comply with the
26 standards set by the Civil Service Commission shall be liable for a minimum
27 of P100,000 fine.

28 2. Misrepresentation in relation to adherence to occupational safety and health
29 standards shall be liable to a minimum of P100,000

30
31 For this purpose, the Civil Service Commission, in consultation with stakeholders, shall
32 issue a list of offenses with corresponding reasonable fines depending on the severity,

1 frequency and damage caused without prejudice to the filing of a criminal or civil case
2 in the regular courts, as the case may be.

3
4 The fines collected shall accrue to the funds of the Civil Service Commission to
5 be used for the operation of occupational safety and health initiatives, including
6 occupational safety and health trainings and education and other occupational safety
7 and health programs.

8
9 *Sec. 6. Implementing Rules and Regulations.* – The Civil Service Commission,
10 in close coordination with stakeholders, shall formulate the necessary rules and
11 regulations for the effective implementation and compliance to the policies as declared
12 in this Act within ninety (90) days from the effectivity of this Act.

13
14 *Sec. 7. Separability Clause.* If any provision or part hereof, is held invalid or
15 unconstitutional, the remainder of the law or the provision not otherwise affected shall
16 remain valid and subsisting.

17
18 *Sec. 8. Repealing Clause.* Any law, presidential decree or issuance, executive
19 order, letter of instruction, administrative order, rule or regulation contrary to, or
20 inconsistent with the provisions of this Act is hereby repealed, modified or amended
21 accordingly.

22
23 *Sec. 9. Effectivity Clause.* This Act shall take effect fifteen (15) days after its
24 publication in at least two (2) newspapers of general circulation.

Approved.