


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

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SENATE

S.B. No. 2214

RECEIVED BY: 

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

EXPLANATORY NOTE

Individuals involved in garbage collection, working in dumpsites or assigned in disaster areas face numerous and uncommon worksite and environmental hazards. Worse, they may be encountering hazards, with which they have little prior experience or training; hence, exposing them to further dangers that may deleteriously prejudice their safety and health.

Unfortunately, the government has not taken any concrete plan of action to at least abate or minimize the risks these individuals deal with. Considering the sensitive *and delicate* nature of this concern, it makes one wonder how come no programs have ever been set in place to critically address the same.

The purpose of this Act is to appropriately take action. Basically, it seeks to protect the health and safety of these individuals by requiring the wearing of gloves, masks and other proper protective gears and equipment, such as but not limited to respirators in pertinent cases as protection against hazardous air-born toxins; the periodic mandatory medical check-up and intervention if need be of said individuals; and the adoption of concrete guidelines that shall be observed and implemented in disaster area operations and dumpsite activities.

Considering *the importance of this measure*, immediate enactment of the same is earnestly sought.


LUIZA "LOI" P. EJERCITO ESTRADA
Senator

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AN ACT
SEEKING TO PROTECT THE HEALTH AND SAFETY OF INDIVIDUALS
INVOLVED IN GARBAGE COLLECTION, WORKING IN DUMPSITES OR
ASSIGNED IN DISASTER AREAS AND FOR OTHER PURPOSES

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

SECTION 1. *Short title.* – This Act shall also be known as “Individuals’ Health and Safety Act”

SECTION 2. *Provision of gloves, masks, and other proper protective equipment.*— No individuals involved in garbage collection, working in dumpsites or assigned in disaster areas may be allowed to continue with any of their respective activities, unless they are properly equipped with protective gloves and masks and other health and safety gears and proper protective equipment, such as but not limited to respirators to protect against airborne toxins, which may be required depending on the nature and extent of risks involved in clean-up operations, where hazardous and infectious chemicals are present.

For purposes of this Act, the term “hazardous material” includes—

- (a) a petroleum-based product;
- (b) a metal;
- (c) a volatile or semi-volatile organic compound;
- (d) a pesticide;
- (e) an herbicide;
- (f) a polychlorinated biphenyl; and

- (g) any biological material in floodwater, surface water, sediment, or soil that may threaten human health or the environment.

The term “infectious material”, meanwhile, means each of the following:

- (a) Any organism that is capable of producing infection or infectious disease, such as a bacteria, fungus, parasite, protozoan or virus.
- (b) Any strain of a potentially virulent virus or other disease that was the subject of study and experimentation at one of several level 3 bio-research labs located in the regions affected by recent hurricanes and flooding.
- (c) Any carrier acting as a vector for spreading infectious organisms or virulent diseases, or both, such as a decaying corpse, or a living non-human agent such as an infected rodent or an escaped laboratory test animal.

SECTION 3. *Provision of closed containers.* – Any contractor, operator, or entity, duly contracted to carry out garbage collection in Metro Manila and other parts of the country, shall place all collected garbage inside closed containers. Use of open garbage trucks is strictly prohibited.

SECTION 4. *Comprehensive guidelines.* – The secretary of the Department of Health, in coordination with the Department of Environment and Natural Resources, and other appropriate and concerned agencies shall come up with comprehensive guidelines, which shall be strictly observed by any responder or clean-up crew deployed to attend to rescue or cleanup operations in disaster areas, where presence of hazardous and infectious materials shall place them at greater risks

Specifically, the guidelines adopted shall ensure that-

- (A) worksites and areas where responders and clean-up crews are to be sent are subject to a full environmental assessment and identification of hazards through onsite evaluation and monitoring and identification of workers likely to be facing high risk of hazardous exposures;

- (B) relief, reconstruction and clean-up workers of all contributing agencies, whether government or private —
- (i) are properly informed of the environmental hazards they may face in their work;
 - (ii) are provided proper training in handling toxic materials;
 - (iii) are provided with the proper protective equipment (such as respirators to protect against airborne toxins), and guidelines and training for using them; and
 - (iv) receive proper immunizations, where necessary and appropriate;
- (D) these efforts are coordinated in close collaboration with local employers, unions and safety and health professionals.

SECTION 5. *Periodic medical check-up.* – All individuals involved in garbage collection, working in dumpsites or assigned in disaster areas, shall be required to undergo period mandatory medical check-up to ensure that their health and safety are not prejudiced by their activities. The proper government agencies or private corporations or entities who employ said individuals shall provide for the necessary fund to finance the cost of medical attention or intervention that may be needed.

SECTION 6. *Penalties.* – Any person who violates any provisions of this Act shall be liable to payment of fines ranging from two hundred thousand pesos (P200,000.00) to five hundred thousand pesos (P500,000.00), including revocation of necessary license to operate as regards private entities.

SECTION 7. *Separability clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 8. *Repealing clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provision of this Act is hereby repealed, modified or amended accordingly.

SECTION 9. *Effectivity clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.