

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
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7 DEC 18 1974

SENATE
S. No. 1974

RECORDED

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.

ac *Miriam Defensor Santiago*
MIRIAM DEFENSOR SANTIAGO

7 DEC 18 8 37

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RECEIVED

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1 AN ACT

2 REQUIRING THE DEPARTMENT OF HEALTH TO CONDUCT A STUDY ON THE
3 PREVALENCE AND ISSUES RELATED TO CONTAMINATION OF WORKERS' HOMES
4 WITH HAZARDOUS CHEMICALS AND SUBSTANCES TRANSPORTED FROM THEIR
5 WORKPLACE AND TO ISSUE OR REPORT ON REGULATIONS TO PREVENT OR
6 MITIGATE THE FUTURE CONTAMINATION OF WORKERS' HOMES

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

9 SECTION 1. *Short Title.* – This Act shall be known as the “Workers’ Family Protection
10 Act of 2007.”

11 SECTION 2. *Purpose.* – It is the purpose of this Act to –

12 (A) increase understanding and awareness concerning the extent and possible
13 health impacts of the problems and incidents described in this Act;

14 (B) prevent or mitigate future incidents of home contamination that could
15 adversely affect the health and safety of workers and their families;

16 (C) clarify regulatory authority for preventing and responding to such incidents;

17 and

18 (D) assist workers in redressing and responding to such incidents when they occur.

19 SECTION 3. *Evaluation of Employee Transported Contaminant Releases.* –

20 (A) STUDY –

21 (1) IN GENERAL – Not later than eighteen (18) months after the date of
22 enactment of this Act, the Secretary of the Department of Health (hereinafter in
23 this Act referred to as the “Secretary”), in coordination with the Secretary of the
24 Department of Labor and Secretary of the Department of Environment and
25 Natural Resources, shall conduct a study to evaluate the potential for, the

1 prevalence of, and the issues related to the contamination or workers' homes with
2 hazardous and substances, including infectious agents, transported from the
3 workplaces 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
7 contamination through the utilization of literature and records concerning
8 past investigations and enforcement actions undertaken by any
9 government and non-governmental organizations, including educational
10 institutions;

11 (b) Evaluate current statutory, regulatory, and voluntary
12 industrial 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 releases
16 including –

17 (i) the effectiveness of workplace housekeeping practices
18 and 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 from
23 workers' homes and personal clothing;

24 (iv) indoor air quality, as the research concerning such
25 pertains 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 sources of
29 exposure inside and outside the home;

1 (d) Prepare and submit to the Task Force established under
2 subsection (B) and to the appropriate committees of Congress, a report
3 concerning the results of the matters studied or evaluated under
4 subparagraphs (i) through (iii); 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 appropriate
8 committees of Congress a report concerning the findings with respect to
9 such study.

10 (3) DEVELOPMENT OF INVESTIGATIVE STRATEGY –

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

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

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

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

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

29 (b) INVESTIGATIVE STRATEGY –

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

7 (ii) PEER REVIEW – The Secretary shall publish the
8 proposed investigative strategy under subparagraph (A)(4) shall
9 identify for public comment and utilize other method ; including
10 technical conferences or seminars, for the purpose of obtaining
11 comments concerning the proposed strategy.

12 (iii)FINAL STRATEGY – After the peer review and public
13 comment is conducted under subparagraph (b), the Secretary, in
14 consultation with the heads of other government agencies, shall
15 propose a final strategy for investigating issues related to home
16 contamination that shall be implemented by concerned agencies for
17 the period of time necessary to enable such agencies to obtain the
18 information identified under paragraph (1)(c).

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

23 (C) IMPLEMENTATION OF INVESTIGATIVE STRATEGY – Upon
24 completion of the investigative strategy under paragraph (B)(iii), each agency or
25 department shall fulfill the role assigned to it by the strategy.

26 SECTION 4. *Regulations.* --

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

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

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

10 (B) ADDITIONAL REGULATIONS OR STANDARDS – If the Secretary of
11 Labor determines that additional regulations or standards are needed under subsection
12 (A), the Secretary shall promulgate such regulations or standards as determined to be
13 appropriate not later than three (3) years after such determination.

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

16 SECTION 6. *Separability Clause.* – If any provision or part thereof, is held invalid or
17 unconstitutional, the remainder of the law o f the provision not otherwise affected shall remain
18 valid and subsisting.

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

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

24 Approved,

/ptmt20June07