

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. 677

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REGISTRATION UNIT BILLS AND INDEX SERVICE

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Introduced by DIWA Party-list Representative Emmeline Y. Aglipay – Villar

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#### EXPLANATORY NOTE

As employers, it is only just and fair to prioritize the health and safety of our workers. The protection and welfare of construction workers, in particular, must be ensured as they are consistently exposed to arduous and fatal working conditions every day. Considering that the construction industry is a major contributor to the Philippine economy, I believe that the State has an obligation to give proper attention to legislations that better ensure the well-being of our construction workers.

Just recently, an accident at the Ninoy Aquino International Airport Expressway Phase 2 occurred wherein a 42-year old construction worker died from falling 50 feet after one of the nearby electricity posts had a short circuit, distracting the victim and causing him to fall. The incident was mainly triggered by the lack of proper safety harnesses. Such accident and similar others around the country in the past years could have been avoided if only safety standards for construction sites were strictly followed.

Given the rapidly increasing number of construction-related accidents, I believe that workplace safety legislations should include precautionary measures that particularly preempt the leading causes of construction-related accidents such as falling off elevated areas, electrocution, or being struck by heavy equipment. This bill, based on House Bill No. 4594 filed by Rep. Karlo Alexei B. Nograles, adopts the provisions of Department Order No. 13, Series of 1998 of the Department of Labor and Employment, entitled "Guidelines Governing Occupational Safety and Health in the Construction Industry, and seeks to address the loopholes of workplace safety and regulatory standards, while particularly focusing on construction employees.

*Emmelina Y. Aglipay*  
EMMELINE Y. AGLIPAY – VILLAR  
Representative, DIWA Party-list

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**AN ACT INSTITUTIONALIZING OCCUPATIONAL HEALTH AND  
SAFETY OF WORKERS IN THE CONSTRUCTION INDUSTRY**

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

**SECTION 1. TITLE.** - This Act shall be known as the "Occupational Safety and Health in the Construction Industry Act".

**SECTION 2. Declaration of Policy.** - The State shall afford protection and welfare to workers employed in the construction industry and to the general public within and around the immediate vicinity of any construction sites. It shall ensure the promotion of health and safety in the construction industry.

**SECTION 3. DEFINITION OF TERMS.** - As used in this Act, the Following terms shall mean:

- a.) "Certified First Aider" - refers to any person trained and duly certified or qualified to administer first-aid by the Philippine Red Cross (PRC).
- b.) "Competency Standards" - refers to industry-determined specifications of competencies required for effective work performance. These are expressed as outcomes, focus on workplace activity rather than training or personal attributes, and capture the ability to apply new skills in new situations and changing work organizations.
- c.) "Construction safety and health committee" - means a group tasked with the authority to monitor, inspect and investigate all aspects of the construction project pertaining to health and safety of construction workers.
- d.) "Construction safety officer" - refers to any safety personnel tasked by his employer to implement the company's occupational safety and health programs and to ensure that the program is in accordance with the provisions of the Occupational Safety and Health Standards (OSHS).

- e) "Construction safety and health program" - refers to a set of detailed rules to cover the processes and practices that shall be utilized in a specific construction project site in conformity with the OSHS including the personnel responsible and the penalties for violations thereof.
- f) "Construction of Signages" - refers to any, but not limited to, emergency or danger signs or safety instructions, of standard colors and sizes in accordance with the specifications for standard color of signs for safety instructions and warnings in construction premises.
- g) "Constructor" - refers to any person or organization who undertakes or offers to undertake or purports to have capacity to undertake or submits a bid to, or does himself or through others, construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, excavation or other structure, project, development or improvement, or to do any part thereof, including the erection of scaffoldings and other structures or works in connection therewith. The term constructor covers the general constructor, subcontractor and specialty contractor.
- h) "Construction equipment"- refers to any machine with an engine or electric motor as prime mover.
- i) "General Constructor"- means a constructor who has general supervision of the work environment, over other constructors in the execution of the project and who directly receives instructions from the owner or construction project manager.
- j) "General safety and health inspection"- refers to inspection of the work environment, including the location and operation of machinery other than those covered by technical safety inspections, adequacy of work space, ventilation, lighting, conditions of work environment, handling, storage or work procedures, protection facilities and other safety and health hazards in the workplace.
- k) "Imminent Danger" - means a condition or practice that could reasonably be expected to cause death or serious physical harm before abatement under the normal enforcement procedure can be accomplished.
- l) "Occupational Health Personnel" - refers to a qualified first-aider, nurse, dentist or physician, engaged by the employer to provide occupational health services in the establishment/undertaking.
- m) "Occupational Safety and Health Standards (OSHS)" - refers to the Occupational Safety and Health and Standards prepared by the DOLE as provided for by law in Art. 162 and 165, Chapter 2, Title I of Book Four of the Labor Code of the Philippines.
- n) "Owners Representative"- is a consulting entity (can be a firm, partnership or individual) who reports directly to the Project Owner and coordinates the

- i) Accident/Incident/Illness investigation, Recording and Reporting;
- j) Personal Protective Equipment;
- k) Provision on Safety and Signages;
- l) Control Measures on Construction Activities such as but not limited to temporary structures, lifting and construction operations;
- m) Workers Welfare Facilities;
- n) Emergency Preparedness and Response Plan;
- o) Construction Waste Management System; and
- p) Penalties and Sanctions

6.2 The Construction Safety and Health Program shall be executed and verified by the Project Manager or in his absence, the Owner's Representatives and shall be submitted to the DOLE which may approve, disapprove or modify the same according to existing laws, rules and regulations and other issuances.

**SECTION 7. Construction Safety and Health Committee.** To ensure that these rules and the Construction Safety and Health Program are observed and enforced at the project site, each site shall, at the start of the construction, have a construction safety and health committee, the composition of which shall be posted at the entrance of the construction site.

7.1 Composition. The Committee shall be composed of the following:

- a) Project manager or Owner's Representatives as the Chairperson ex officio;
- b) Construction Safety Officer of the Chairperson as the Secretary of the Committee;
- b) Construction Safety Officer representing each constructor, as the case may be;
- c) Physicians, Nurses, Certified First-Aider and Dentist who shall be members ex officio; and
- e) Workers Representatives.

The persons constituting the Safety and Health Committee, shall as far as practicable be found at the construction site whenever construction work is being undertaken.

7.2 Duties of the Construction Safety and Health Committee:

The Committee members shall always be present at the construction site and shall convene at regular intervals to effectively plan, develop, oversee, and monitor the implementation of the Construction Safety and Health Program.

**SECTION 8. PERSONAL PROTECTIVE EQUIPMENT (PPE)** - Every employer

