Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH (18th) CONGRESS
First Regular Session

HOUSE BILL NO. 6677

Introduced by REP. JOSE CHRISTOPHER Y. BELMONTE

EXPLANATORY NOTE

Disruptions to business operations due to the COVID-19 pandemic have resulted to the detriment of the economic conditions of many Filipino families. With the extended implementation of the Enhanced Community Quarantine in Luzon and in other provinces since the 15th of March 2020, many workers who rely on their day-to-day labor for survival now gravely experience economic decline in different ways. Some are faced with significant labor income losses with unemployment estimated at 1.2 million Filipino workers. Whereas, unprotected workers, including contractual workers, are disproportionately hit as they do not have access to paid or sick leave mechanisms, and are less protected by conventional social protection mechanisms.\(^1\)

However, these disruptions do not mean that we ought to resume to regular programming in the workplace. It would only prove to be more disadvantageous and even deadlier for our workers as long as the virus is not fully contained. It is enshrined in no less than the 1987 Constitution that the State affirms labor as a primary social economic force and that it shall protect the rights of workers and promote their welfare.

According to the International Labor Organization, International Labor Standards entail three key pillars to fight COVID-19: (1) supporting employment and incomes, (2) stimulating the economy and labor demand, and (2) protecting workers in the workplace. This measure aims to uphold the protection of workers in the workplace by strengthening occupational safety and

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health standards, adapting conducive work arrangements, providing health access for workers, and expanding access to paid sick and care leaves.

Beyond Republic Act No. 11058 or “An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties for Violations Thereof,” in these crucial times, we should ascertain that the State is able to meet the specific needs of our workers. Ultimately, no worker should feel that they are being neglected and exploited by their own country.

In view of the foregoing, the immediate passage of this measure is earnestly sought

[Signature]
AN ACT
PROVIDING FOR OCCUPATIONAL SAFETY AND HEALTH STANDARDS TO PREVENT THE SPREAD OF EMERGING INFECTIOUS DISEASES

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

SECTION. 1. Declaration of Policy. – The State shall protect every worker against injury, sickness, or death through safe and healthy working conditions in accordance to their workplace needs shaped by the COVID-19 pandemic, thereby assuring the conservation of valuable manpower resources and the prevention of loss or damage to lives and properties to mitigate the damages caused by the COVID-19 pandemic and containing the spread of infection.

SEC. 2. Coverage. – This Act shall apply to all establishments, projects and sites, and all other places where work is undertaken in all branches of economic activity, including:

(a) Establishments located inside special economic zones and other investment promotion agencies (e.g., Philippine Economic Zone Authority, Clark Development Corporation);

(b) Utilities engaged in air, sea, and land transportation;

(c) Industries such as mining, fishing, construction, agriculture, and maritime.; and
(d) Contractors and subcontractors, their representatives, or successors in interest
including those engaged in the projects of the public sector.

SEC. 3. **Duties of Employers and Managers.** Every employer, contractor or
subcontractor, if any, and any person who manages, controls or supervises the work being
undertaken shall:

(a) **Overall Responsibility on Occupational Safety and Health.** Employers and Managers
shall assume overall responsibility to ensure that all necessary preventive and protective
measures are taken to minimize occupational safety and health risks;

(b) **Provision of Adequate Training and Information.** Employers and Managers shall
provide information, instruction and training on occupational safety and health,
including
   (i) Refresher training on infection prevention and control (IPC); and
   (ii) Use, putting on, taking off and disposal of personal protective equipment (PPE);

(c) **Provision of Adequate Supplies and Equipment.** Employers and Managers shall
provide adequate IPC and PPE supplies (masks, gloves, goggles, gowns, hand sanitizer,
soap and water, cleaning supplies) in sufficient quantity to healthcare or other staff
caring for suspected or confirmed patients of emerging infectious diseases;

(d) **Provision of Education Test and Treatment on Emerging Infectious Diseases.**
Employers and Managers shall educate personnel with technical updates on emerging
infectious diseases and provide appropriate tools to assess, triage, test and treat patients
and to share infection prevention and control information with patients and the public,
*Provided, That all workers, including new hires, shall be provided training and
information for all types of hazards in the workplace in a language and dialect that
workers can understand,* *Provided further, That training and information materials used
shall be made readily available and accessible to workers;*

(e) **Provision of Security Measures.** Employers and Managers shall, as needed, provide
with appropriate security measures for personal safety;
(f) *Provision of a Proper Incident Report Mechanism.* Provide a blame-free environment for workers to report on incidents, such as exposures to blood or bodily fluids from the respiratory system or to cases of violence, and to adopt measures for immediate follow-up, including support to victims;

(g) *Health Protocol Advice to Workers.* Employers and Managers shall advise workers on self-assessment, symptom reporting and staying home when ill;

(h) *Observe Mandatory Working Breaks to Workers.* Employers and Managers shall maintain appropriate working hours with breaks;

(i) *Provision of Consultation Mechanisms with Health and Occupational Experts for Occupational Safety.* Employers and Managers shall consult with health and occupational experts on occupational safety and health aspects of their work and notify the labor inspectorate of cases of occupational diseases;

(j) *Ensure a Safety Work Environment.* Employers and Managers shall ensure a safe work environment, including the risk assessments that will allow workers to avoid imminent danger.

(i) Prohibit the return to a work situation where there is continuing or serious danger to life or health, until the employer has taken any necessary remedial action;

(ii) Allow workers to exercise the right to remove themselves from a work situation that they have reasonable justification to believe presents an imminent and serious danger to their life or health. When a health worker exercises this right, they shall be protected from any undue consequences;

(k) *Honor Just Compensation to Workers.* Employers and Managers shall honor the right to compensation, rehabilitation and curative services if infected with COVID-19 following exposure in the workplace. This would be considered occupational exposure and resulting illness would be considered an occupational disease; and

(l) *Provision of Access to Mental Health Services.* Employers and Managers shall provide access to mental health and counselling resources;
SEC. 4. *Workers’ Right to Compensation, Rehabilitation, and Curative Services.* – Every worker shall have the right to compensation, rehabilitation, and curative services if infected with emerging infectious diseases following exposure in the workplace, and mental health and counselling services if affected by the workplace hazards that negatively affect one's mental health. These would be considered occupational exposure and resulting illness would be considered an occupation disease.

SEC 5. *Workers’ Right to Free and Adequate Personal Protective Equipment (PPE) and Infection Prevention Control (IPC) Supplies* - Every employer, contractor or subcontractor, if any, shall provide their workers, free of charge, adequate IPC and PPE supplies for any part of the body that may be exposed to hazards, such as masks, gloves, goggles, gowns, protective face shields, hand sanitizer, soap and water, and cleaning supplies whenever necessary by reason of the hazardous work process or infectious hazards capable of causing COVID-19 infection. The PPE provision should be subjected to the following:

(a) All PPE must be of appropriate size, weight, and type to specific workers exposed to hazards from which PPE are meant to ensure effective protection.;

(b) Issuance of PPE and IPC supplies shall be supplemented by training on the application, use, handling, cleaning, maintenance, and disposal of said PPE and IPC supplies in accordance with the DOH’s recommendations.; and

(c) Failure to provide appropriate PPE in high-risk workplace activities shall give rise to the right of the worker to refuse unsafe work.

SEC. 6. *Workers’ Right to Refuse Unsafe Work* - The worker has the right of refusal to work or remove themselves from a work situation without threat or reprisal from the employer if, as determined by DOLE, there is continuing or serious danger to life or health in the workplace.

(a) *Work Stoppage and Notification as Injury Preventive Measure.* As a preventive measure, the safety officer may, following his/her own determination and without fear of reprisal, implement a work stoppage or suspend operations in cases of imminent
danger. The employer, safety officer or worker shall immediately notify the DOLE that
an imminent danger situation exists in the workplace

(b) **Right of Refusal until the lifting of the Work Stoppage Order.** The employer or safety
officer cannot require the workers to return to work where there is a continuing
imminent danger. A worker may also refuse to work until the lifting of Work Stoppage
Order (WSO) after implementing the appropriate corrective measures.

(c) **Reassignment to a Safe Area of Work.** Workers affected by the existence of an
imminent danger situation may be temporarily assigned to other areas within the
workplace provided there is no impending issue with safety and health.

SEC. 7. **Role of the Department of Labor and Employment.** – The Department of
Labor and Employment (DOLE) shall be the lead agency assigned for agency coordination and
maintenance of database mechanisms on a digital labor compliance system. The following are
the dynamics:

(a) **DOLE as Lead Agency Convener.** The DOLE shall ensure the coordinated
effort and cooperation among agency departments, including the Department of
Environment and Natural Resources, Department of Energy, Department of
Transportation, Department of Agriculture, Department of Public Works and
Highways, Department of Trade and Industry, Department of the Interior and
Local Government, Department of Health, Philippine Economic Zone
Authority, Department of Information and Communications Technology and all
other government agencies, including local government units, within 60 days
from the issuance of the implementing rules and regulations of this Act,
pursuant to RA 11058.

(b) **Inclusion of Occupational Safety Hazards on Emerging Infectious Diseases
in the DOLE Labor Law Digital Database.** The DOLE shall include a section
on digital monitoring on labor compliances, enforcement and workplace disease
tracking on occupational safety for emerging infectious diseases, in pursuant to
RA 11058.
SEC. 8. Separability Clause. — If any provision or section of this Act is declared unconstitutional, the other provisions and sections not affected thereby shall remain in full force and effect.

SEC. 9. Repealing Clause. — All laws, presidential decrees, executive orders and their implementing rules inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 10. Effectivity. — This Act shall take effect immediately after its publication in at least two (2) national newspapers of general circulation.

Approved,