

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

H. B. No. 571



Introduced by HONORABLE BELLAFLOR J. ANGARA-CASTILLO

EXPLANATORY NOTE

The construction industry which employs a significant number of Filipino workers (about 2 million) plays a vital role in the socio-economic growth of the country. The construction industry is projected to have a double digit growth rate by the second half of 2011 from a projected eight (8) percent growth rate. There are about P500 billion worth of infrastructure projects in lieu of the becoming public-private partnership scheme of the government.

However, numerous occupational risks and hazards are continuously emerging in the workplace with the advent of new technologies, materials and substances. As a result, high rate of worksite accidents may likely to occur if there would be no appropriate intervention or measures to prevent construction related accidents and injuries.

Compliance with safety standards shall be the responsibility of all stakeholders such workers, employers, constructors and more importantly, of the government which is the lead enforcer of safety standards. Thus, sanctions/penalties for erring employers, contractors and enforcers shall be an integral part of the bill in the effective implementation of this bill.

In view of the foregoing, the passage of this bill is earnestly sought.


BELLAFLOR J. ANGARA-CASTILLO
Representative
Lone District, Province of Aurora

H. B. No. _____

Introduced by HONORABLE BELLAFLOR J. ANGARA-CASTILLO

AN ACT INSTITUTIONALIZING OCCUPATIONAL HEALTH AND SAFETY OF WORKERS IN THE CONSTRUCTION INDUSTRY, AND FOR OTHER PURPOSES

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

1 **SECTION 1. Title.** – This Act shall be known as the **“Occupational Safety and Health in**
2 **the Construction Industry Act of 2016.”**

3
4 **SEC. 2. Declaration of Policy.** – The State shall afford protection and welfare to workers
5 employed in the construction industry and to the general public within and around the
6 immediate vicinity of any construction site, and to ensure the promotion of health and safety
7 in the construction industry.

8
9 **SEC. 3. Definition of Terms.** – As used in this Act, the following terms shall mean:

10
11 a. **“Certified first-aider”** refers to any person trained and duly certified or qualified to
12 administer first-aid by the Philippine Red Cross (PRC)

13
14 b. **“Competency Standards”** refers to industry-determined specification of competencies
15 required for effective work performance. These are expressed as outcomes, focus on
16 workplace activity rather than training or personal attributes, and capture the ability to
17 apply new skills in new situations and changing work organization.

18
19 c. **“Construction safety and health committee”** means a group tasked with the authority
20 to monitor, inspect, and investigate all aspects of the construction project pertaining to
21 health and safety of construction workers

22
23 d. **“Construction safety officer”** refers to any safety personnel tasked by his employer to
24 implement company’s occupational safety and health programs and to ensure that the
25 program is in accordance with the provisions of the Occupational Safety and Health
26 Standards (OSHS).

27
28 e. **“Construction safety and health program”** refers to a set of detailed rules to cover
29 the processes and practices that shall be utilized in a specific constructions project site
30 in conformity with the OSHS including the personnel responsible and the penalties for
31 violations thereof.

32
33 f. **“Construction safety signages”** refer to any, but not limited to, emergency or danger
34 sign, warning sign or safety instruction, of standard colors and sizes in accordance with
35 the specifications for standard colors of signs for safety instructions and warnings in
36 construction premises.

37
38 g. **“Constructor”** It refers to any person or organization who undertakes or offers to
39 undertake or purports to have the capacity to undertake or submits a bid to, or does

1 himself or by through others, construct, alter, repair, add to, subtract from, improve,
2 move, wreck or demolish any building, highway, road, railroad, excavation of other
3 structure, project, development or improvement, or to do any part thereof, including the
4 erection of scaffolding and other structures or works in connection therewith. The term
5 constructor covers the general constructor, subcontractor and specialty contractor.
6

- 7 h. **“Construction equipment”** refers to any machine with engine or electric motor as
8 prime mover.
9
- 10 i. **“General Constructor”** means a constructor who has general supervision of the work
11 environment, over other constructors in the execution of the project and who directly
12 receives instructions from the owner or construction project manager.
13
- 14 j. **“General safety and health inspection”** refers to inspection of the work environment,
15 including the location and operation of machinery other than those covered by technical
16 safety inspections, adequacy of work space, ventilation, lightning, conditions of work
17 environment, handling, storage or work procedures, protection facilities and other safety
18 and health hazards in the workplace.
19
- 20 k. **“Imminent danger”** means a condition or practice that could reasonably be expected to
21 cause death or serious physical harm before abatement under the normal enforcement
22 procedures can be accomplished.
23
- 24 l. **“Occupational health personnel”** refers to a qualified first-aider, nurse, dentist or
25 physician, engaged by the employer to provide occupational health services in the
26 establishment/undertaking.
27
- 28 m. **“Occupational Safety and Health Standards (OSHS)”** refers to the Occupational
29 Safety and Health Standards prepared by DOLE as provided for by law in Articles 162
30 and 165, Chapter 2, Title I of Book Four of the Labor Code of the Philippines.
31
- 32 n. **“Owner’s Representative”** is a consulting entity which can be a firm, partnership or
33 individual, who reports directly to the Project Owner and coordinates the construction
34 operations by, between and among the General Constructor, Subcontractors, Suppliers
35 and ensures that all is in accordance with the approved plans.
36
- 37 o. **“Project manager”** means the overall technical personnel of the general constructor
38 and/or the subcontractor in charge of the actual execution of a construction project.
39
- 40 p. **“Safety and health audit”** refers to a regular and critical examination of project sites,
41 safety programs, records and management performance on program standards on
42 safety and health.
43
- 44 q. **“Safety personnel”** refers to any person engaged by any constructor, trained or
45 accredited by DOLE and tasked to implement occupational safety and health programs
46 for the workers/employees in any construction project
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- 48 r. **“Tool box meeting or gang meeting”** refers to daily meeting among workers and their
49 respective supervisors for the purpose of instruction, discussion and proper briefing on
50 the planned work, the assessment of past work, the possibility or actual occurrence of
51 accidents at the site, tips and suggestions on how to prevent possible accidents and
52 other related matters.
53

54 **SEC. 4. Delegation of Authority and Accreditation.** – The authority to enforce mandatory
55 occupational safety and health standards in the construction industry may be delegated in
56 part by the Secretary of Labor and Employment.
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58 **SEC. 5. Coverage.** – This Act shall apply to all operations and undertakings in the
59 construction industry and subdivisions, namely, general building construction, general

