

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **1014**

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Introduced by Representatives **EMMI A. DE JESUS** and **ARLENE BROSAS**

EXPLANATORY NOTE

The labor NGO Institute for Occupational Health and Safety Development or IOHSAD reports that many workers in the country are made ill, are injured or are killed at the workplace or in relation to their occupation. In fact, as far as workers' job-related deaths are concerned, IOHSAD claims that there is a "massacre," albeit "hidden," of workers in the country.

According to the International Labor Organization, more than two million workers across the globe die annually due to work-related diseases and incidents. In the Philippines, there is no annual data explaining the number of work-related deaths and injuries. Many of our wealth creators and honest taxpayers, the working people, die silently and anonymously, while erring employers are provided a slap on the wrist when they fail to uphold safety standards resulting in loss of life and limbs.

Nonetheless, the number of workers who have died under the presidency of Benigno Simeon Aquino III alone is staggering by itself and merits immediate action: Eton Towers (2010, 10 dead), Keppel (2011, five dead), Ali Mall (2012, four dead), Novo (2012, 17 dead), and SPC Malaya Power Corporation (2013, five dead). Less than a week ago, eight female workers died when the makeshift electronics warehouse in which they work and live caught fire. The building was padlocked from the outside by their employer and did not have an emergency exit that could enable them to vacate the area in the soonest possible time.

An immediate cause for the prevalence of such illnesses, injuries and deaths are the violations of existing occupational health and safety or OHS standards by employers. It could be argued that as long as production is geared towards creating profits, workers' OHS will always take a backseat to that goal. Adherence to OHS standards will always be subjected to capitalist penny-pinching.

It is therefore of utmost importance for the government to continuously and closely monitor employers' adherence to OHS standards and at the same time lay down stiff punishments for violations of such standards.

What we are seeing, however, is the exact opposite: The government has even went as far as allowing employers to carry out self-inspection of their adherence to OHS standards and it has only laid down meager penalties for violations of such standards, even those that result in the death of workers.

Taking advantage of gray areas in the Labor Code, the government has allowed the "self-inspection" by employers of their adherence to OHS standards. The Department of Labor and Employment Order No. 131-13 or the Labor Laws Compliance System (LLCS) failed to ensure workers' safety and overlooked the grave violations of the Occupational Safety and Health (OSH) standards committed. Despite the aims of the LLCS of encouraging voluntary compliance, the existing tripartism fails to represent the workers as their right to organize continue to suffer.

This bill seeks to advance workers' health and safety at the workplace by addressing the two main flaws in the government's approach to workers' OHS. It seeks to criminalize violations of workers' OHS, especially those that result in deaths. It also seeks to compel the Labor Department to carry out inspection of employers' adherence to OHS standards.

This bill aims to deter would-be safety violators by imposing strict sanctions on the proven violators and empower the appropriate government agencies, led by the DOLE, to enforce strict adherence to Philippine safety standards.



REP. EMMI A. DE JESUS
Gabriela Women's Party



REP. ARLENE D. BROSAS
Gabriela Women's Party

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SEVENTEENTH CONGRESS
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House Bill No. **1044**

Introduced by Representatives EMMI A. DE JESUS and ARLENE D. BROSAS

AN ACT
STRENGTHENING COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH STANDARDS AND
PROVIDING PENALTIES FOR VIOLATIONS THEREOF

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

CHAPTER I
DECLARATION OF POLICY

SECTION 1. Declaration of Policy. - The State affirms labor as a primary social and economic force and that a safe and healthy workforce is an integral aspect of nation building.

The State shall ensure a safe and healthful workplace for all working people by affording them full protection against all hazards in their workenvironment. It shall ensure that the provisions of the Labor Code of the Philippines, all domestic laws and internationally-recognized standards on occupational safety and health are being fully enforced and complied with by the employers, and it shall provide penalties for any violation thereof.

The State shall protect every worker against injury, sickness or death through safe and healthful working conditions, thereby assuring the conservation of valuable manpower resources and the prevention of loss or damage to lives and properties, consistent with national development goals and with the State's commitment to the total development of every worker as a complete human being.

The State, in protecting the safety and health of the workers, shall promote strict but dynamic, inclusive and gender-sensitive measures in the formulation and implementation of policies and programs related to occupational safety and health.

SEC. 2. Coverage. - This Act shall apply to all establishments, projects, site, and all other workplaces in all industries where work is being undertaken in all branches of economic activity regardless of the number of employees, nature of operations and the risk or hazard involved.

SEC. 3. Definition of Terms. - As used in this Act, the following terms shall mean:

- a) **Branches of Economic Activity** – refer to all branches in which workers are employed except those in the public sector.
- b) **Certified First-aider** – refers to any person trained and duly certified or qualified to administer first-aid by any organization authorized by the Secretary of Labor and Employment (DOLE);

- c) **Competency Standards** –refer to industry-determined specification of competencies required for effective work performance. These are expressed as outcomes, focus on workplace activity rather than training or personal attributes, and ability to apply new skills in new situations and changing work organization;
- d) **Employer** – refers to any person, natural or juridical, employing the services of the employee.
- e) **Equipment** –refers to any machine with engine or electric motor as prime mover;
- f) **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 possible sources of safety and health hazards in the workplace;
- g) **Imminent Danger** – refers to a condition or practice that could reasonably be expected to cause death or serious physical harm before abatement under the normal enforcement procedures can be accomplished;
- h) **Occupational Health Personnel** - refer to a qualified first-aider, nurse, dentist, or physician engaged by the employer to provide occupational health services in the establishment, project, site, or workplace;
- i) **Occupational Safety and Health Standards (OSHS)** – refer to the Occupational Safety and Health Standards prepared by the DOLE as provided for by law in Articles 162 and 165, Chapter 2, Title I of Book Four of the Labor Code of the Philippines, as amended;
- j) **Safety and Health Audit** – refers to a regular and critical examination of project sites, safety programs, records and management performance on program standards on safety and health;
- k) **Safety and Health Committee** – refers to a committee created within the workplace tasked with the authority to monitor, inspect, and investigate all aspects of the work pertaining to safety and health of workers;
- l) **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, mine site, and in other economic activities in conformity with the OSHS, including the personnel responsible and the penalties for violations thereof;
- m) **Safety Officer** – refers to any safety personnel tasked by the 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 OSHS;
- n) **Safety Personnel** – refers to any person, trained or accredited by DOLE and tasked to implement occupational safety and health programs for the workers/employees in any the establishment, project, site or workplace; and
- o) **Safety Signage** - refers to any, but not limited to, emergency or danger sign, warning sign, or safety instruction of standard colors and sizes in accordance with the specifications for standard colors of signs for safety instructions and warnings in the workplace.
- p) **Workplace** – refers to all places where workers need to be or to go to by reason of their work, and which are under the direct or indirect control of the employer.

CHAPTER II

DUTIES AND RIGHTS OF EMPLOYERS, WORKERS AND OTHER PERSONS

SEC. 4. Duties of Employers, Workers, and Other Persons.— (1) Each employer, contractor, and subcontractor, if any, and any person who manages, controls, or supervises the work being undertaken shall:

- a) furnish the workers a place of employment free from hazardous conditions that are causing or are likely to cause death, illness, or physical harm to the workers;
- b) give complete job safety instructions or orientation to all the workers, especially to those entering the job for the first time, including those relating to familiarization with their work environment;
- c) inform the workers of the hazards associated with their work, health risks involved or to which they are exposed to, preventive measures to eliminate or minimize the risks, and steps to be taken in case of emergency;
- d) use only approved devices and equipment for the workplace; and
- e) comply with occupational safety and health standards including training, medical examination, and provision of protective and safety devices such as personal protective equipment (PPE) and machine guards.

(2) Every worker shall participate in ensuring compliance with occupational health and safety standards in the workplace. The worker shall make proper use of all safeguards and safety devices furnished for his or her protection and that of others, and shall observe instructions to prevent accidents or imminent danger situation in the workplace and the steps to be taken in case of emergency.

The worker shall report to the supervisor any work hazard that may be discovered in the workplace.

(3) It shall be the duty of any person, including the builder or contractor or enforcement agent who visits, builds, renovates, or installs devices, or conducts business in any establishment or workplace, to comply with the provisions of this Act and all other regulations issued by the Secretary of Labor and Employment.

SEC. 5. Workers' Right to Know. -The right to safety and health at work shall be guaranteed. This shall cover information on all types of hazards in the workplace, and access to training and education on, including but not limited to, chemical safety and orientation on the safety data sheet of a chemical, electrical safety, mechanical safety, and ergonomical safety.

SEC. 6. Workers' Right of Refusal to Work. – The worker has the right of refusal to work if an imminent danger situation exists in the workplace that may result to illness, injury, or death, and until corrective actions to eliminate the danger is taken by the employer without threat or reprisal from the employer. The latter cannot require the workers to return to work where there is continuing imminent danger to life or health.

SEC. 7. Workers' Right to Report Accidents. -Workers and their representatives shall have the right to report accidents, dangerous occurrences, and hazards to the employer and to the DOLE and to other concerned government agencies exercising jurisdiction as the competent authority in the specific industry or economic activity.

SEC. 8. Workers' Right to Personal Protective Equipment (PPE). - Every employer, contractor or subcontractor, if any, shall provide protective equipment, free of charge, to the workers for their eyes, face, hands and feet, and lifeline, safety belt or harness, gas or dust respirators or masks, and protective shields whenever necessary by reason of the hazardous work process or environment, chemical, radiological, mechanical, and other irritants or hazards capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact. The cost of the PPE

shall be part of the safety and health program which is a separate pay item pursuant to Section 20 of this Act.

All PPE shall be of the appropriate type as tested and approved by the DOLE based on its standards. The usage of PPE in all establishments, projects, sites, and all other workplaces where work is being undertaken shall be based on the evaluation and recommendation of the safety officer.

CHAPTER III WORKPLACE OCCUPATIONAL SAFETY AND HEALTH PROGRAM AND STRUCTURE

SEC. 9. Safety and Health Program. - All establishments, projects, sites, and all other workplaces where work is being undertaken shall have a safety and health program, which must have the following:

- a) Statement of commitment to comply with OSH requirements;
- b) General safety and health policy to include a drug-free workplace policy;
- c) HIV and AIDS/TB/hepatitis prevention and control policy;
- d) Company or project details;
- e) Composition and duties of the safety and health committee;
- f) Occupational safety and health personnel and facilities;
- g) Safety and health promotion, training and education;
- h) Toolbox meeting;
- i) Accident/incident/illness investigation, recording and reporting;
- j) Personal Protective Equipment (PPE);
- k) Provision on safety signage;
- l) Control measures on activities such as, but not limited to, temporary structures, lifting and equipment operations, electrical, mechanical and other equipment, including communication systems;
- m) Workers welfare facilities;
- n) Emergency preparedness and response plan;
- o) Waste management system; and
- p) Penalties and sanctions

The safety and health program shall be prepared and executed by the employer, contractor and subcontractor, if any, and shall be submitted to the DOLE which shall approve, disapprove or modify the same according to existing laws, rules and regulations and other issuances.

SEC. 10. Safety and Health Committee. - To ensure that the safety and health program is observed and enforced, all establishments, projects, sites, and all other workplaces where work is being undertaken shall have a safety and health committee composed of the following:

Employer or his or her representative as the Chairperson, *ex officio*;

- a) Safety officer of the chairperson as the secretary of the committee;
- b) Safety officer representing each contractor or subcontractor, as the case may be;
- c) Physicians, nurses, certified first-aiders, and dentists who shall be members *ex officio*, if applicable; and
- d) Workers' representatives who shall come from the union if the workers are organized or elected by the workers through a simple majority vote if they are unorganized.

The committee shall effectively plan, develop, oversee and monitor the implementation of the safety and health program.

SEC. 11. Safety Officer. - To ensure that a safety and health program is duly followed and enforced, all establishments, projects, sites, and all other workplaces where work is being undertaken shall have a full time safety officer who shall:

- a) Oversee the overall management of the safety and health program;

- b) Frequently monitor and inspect any health or safety aspect of the operation being undertaken;
- c) Assist government inspectors in the conduct of safety and health inspection at any time whenever work is being performed or during the conduct of an accident investigation; and
- d) Issue work stoppage order when necessary.

The employer must provide for additional safety officers depending on the total number of personnel and equipment, and the size of the work area, as prescribed by the DOLE to oversee the effective compliance with the safety and health program.

Each contractor or subcontractor, if any, must provide for a safety officer to oversee the management of the safety and health program for the contractor and subcontractor's work force and the specific areas of operations.

All full time safety officers who will be employed shall be accredited by the DOLE.

SEC. 12. Occupational Health Personnel and Facilities. - All establishments, projects, sites, and all other workplaces where work is being undertaken shall have a qualified occupational health personnel such as physician, nurse, certified first-aider, and dentist duly complemented with the required medical supplies, equipment, and facilities based on the total number of workers. An ideal ratio shall be prescribed by the DOLE.

SEC. 13. Safety Signage and Devices. - All establishments, projects, sites, and all other workplaces where work is being undertaken shall have safety signage and devices to warn the workers and the public of the hazards in the workplace. Signage and devices shall be posted in prominent positions at strategic locations in a language understandable to all and in accordance with the standards set by the DOLE.

SEC. 14. Safety on Equipment. - In relation to the equipment operation, the employer, contractor or subcontractor, if any, must comply with the DOLE requirements in the different phases of the operation, including the transport to and from the establishment, project, site or workplace where work is being undertaken.

SEC. 15. Safety and Health Information. - All establishments, projects, sites, and all other workplaces where work is being undertaken shall have an adequate and suitable information on safety and health hazards, and the appropriate measures, including the probable location of workers for the prevention, control, and protection against those hazards.

SEC. 16. Safety and Health Training. -

- a) All safety personnel shall undergo the mandatory training on Basic Occupational Safety and Health for safety officers as prescribed by the DOLE.
- b) All occupational health personnel shall undergo the minimum safety and health training as prescribed by the DOLE.
- c) All workers shall undergo the mandatory one (1) day (eight hours) safety and health seminar as required by the DOLE which shall include a portion on joint employer-employee orientation.
- d) All personnel engaged in, but not limited to, the operation, erection, and dismantling of equipment and scaffolds, structural erections, excavations, blasting operations, demolition, confined spaces, hazardous chemicals welding and flame cutting shall undergo specialized instruction and training on said activities.

SEC. 17. Safety and Health Reports.

- a) All employers, contractors, and subcontractors shall be required to submit all reports and notifications prescribed by the DOLE.
- b) All hospitals and clinics shall be required to submit all reports related to injuries and illnesses to the DOLE.
- c) The Bureau of Labor Standards shall conduct an annual assessment of the safety and health condition of the Philippine workplace and shall make its data and reports available to the public with all the necessary information including, but not limited to, the compliance rate, total number of deaths, injuries and sickness, and the progress of investigation, rectification, and prosecution of the employers who violated any OSH standard.

SEC. 18. Workers Competency Certification. – In order to professionalize, upgrade and update the level of competence of workers, the Technical Education and Skills Development Authority (TESDA) shall establish national competency standards and prepare guidelines on competency assessment and certification for critical occupations. In this regard, all critical occupations shall undergo the mandatory competency assessment and certification by TESDA.

An occupation shall be considered critical when the:

- a) performance of a job affects the people's lives and limbs;
- b) job involves the handling of tools, equipment and supplies;
- c) job requires a relatively long period of education and training; and
- d) performance of the job may compromise the safety, health and environmental concerns within the immediate vicinity of the establishment.

SEC. 19. Worker's Welfare Facilities. – All establishments, projects, sites, and all other workplaces where work is being undertaken shall have the following welfare facilities in order to ensure humane working conditions:

- a) Adequate supply of safe drinking water;
- b) Adequate sanitary and washing facilities;
- c) Suitable living accommodation for workers, as may be applicable; and
- d) Separate sanitary, washing and sleeping facilities for men and women workers, as may be applicable.

SEC. 20. Cost of Safety and Health Program. - The total cost of implementing a duly approved safety and health program shall be a mandatory and integral part of the operation cost and as a separate pay item in construction and in all contracting or subcontracting arrangement.

CHAPTER IV JOINT AND SOLIDARY LIABILITY

SEC. 21. Employer's Responsibility and Liability.- The employer, project owner, general contractor, contractor and subcontractor, if any, and any person who manages, controls or supervises the work being undertaken shall be jointly and solidarily liable for compliance with this Act.

CHAPTER VI ENFORCEMENT OF OCCUPATIONAL SAFETY AND HEALTH STANDARDS

SEC. 22. Visitorial Power of the Secretary of Labor and Employment. – Pursuant to Article 128 of the Labor Code, as amended, and other applicable laws, the Secretary of Labor and Employment or authorized representatives shall have the authority to enforce mandatory occupational safety and health standards in all establishments. As such, the Secretary or the duly authorized representatives can enter workplaces at any time of day or night where work is being performed to examine records and investigate fact, conditions or matters necessary to determine if there is conformity with the provisions of this Act.

The Secretary of Labor and Employment or authorized representatives, together with labor and employer representatives, shall conduct an annual spot audit to ensure compliance with OSH standards.

Any person or entity shall not obstruct, impede, delay or otherwise render ineffective the orders of the Secretary of Labor and Employment or the duly authorized representatives issued pursuant to the authority granted under Article 128 of the Labor Code of the Philippines, as amended, and no inferior court or entity shall issue temporary or permanent injunction or restraining order or otherwise assume jurisdiction over any case involving the enforcement orders.

The Secretary of Labor and Employment may likewise order stoppage of work or suspension of operations of any unit or department of an establishment when non-compliance with law or implementing rules and regulations pose grave and imminent danger to the health and safety of workers in the workplace.

The Secretary of Labor and Employment is mandated to inspect establishments and workplaces regardless of the size and nature of operation and shall disallow self-inspection or any form of employer discretion-based compliance with occupational safety and health laws. However, chartered cities may be allowed to conduct industrial safety inspections of establishments within their jurisdiction in coordination with the DOLE, where they have adequate facilities and competent personnel for the purpose as determined by the DOLE and subject to national standards established by the latter.

SEC. 23. *Payment of Workers Income During Work Stoppage Due to Imminent Danger.* - In case the violation is attributable to the fault of the employer, he or she shall pay the employees concerned their salaries or wages during the period of such stoppage of work or suspension of operation. If a work stoppage order (WSO) is issued secondary to an imminent danger situation which would imperil the lives of the workers, for purposes of payment of wages and any other liabilities arising from the WSO, the employer is presumed a party at fault.

SEC. 24. *Delegation of Authority.*— The authority to enforce mandatory occupational safety and health standards may be delegated by the Secretary of Labor and Employment to a recognized competent authority.

Representatives of legitimate labor organizations and federations may be authorized to join compliance assessment of establishments with General Labor Standards and Occupational Safety and Health Standards, particularly in the construction and mining industries.

SEC. 25. *Standards Setting Power of the Secretary of Labor and Employment.* - In addition to the preceding sections, the Secretary of Labor and Employment, in consultation with the other concerned government agencies shall, by appropriate orders, set and enforce mandatory occupational safety and health standards to eliminate or reduce occupational safety and health hazards, and institute new, and update existing programs to ensure safe and healthful working conditions in all workplaces, especially in hazardous industries such as mining, fishing, maritime, and construction.

SEC. 26. *Employee's Compensation Claim.* — An employee may file claims for compensation benefit arising out of work-related disability or death. Such claims shall be processed independently of the finding of fault, gross negligence or bad faith of the employer in a proceeding instituted for the purpose.

SEC. 27. *Employment Insurance.* - An employee who is involuntarily separated from service or employment due to the violation of this Act shall be entitled to a monthly cash support equivalent to the existing monthly minimum wage for a maximum of six (6) months; *Provided*, That the worker has at least six (6) months of contribution prior to the involuntary separation. For this purpose, the Social Security System (SSS) shall promulgate the appropriate rules and regulations.

SEC. 28. *Employer's Liability for Failure to Provide OSH Control Measures.* — In case the employee's injury, illness or death was due to the failure of the employer to comply with any law, or to install, maintain or provide safety and health control measures, or take other precautions for the prevention of injury, illness or death, said employer shall pay the State Insurance Fund a penalty of

twenty-five percent (25%) of the lump sum equivalent of the income benefit payable by the System to the employee after due process.

SEC. 29. Unlawful Acts. –The following are considered as unlawful acts:

- a) Obstruction, delay or refusal to provide labor officers or any person authorized by the Secretary of Labor and Employment access to the establishment, project, site or other workplace where work is being undertaken;
- b) Obstruction, delay or refusal to provide labor officers or any person authorized by the Secretary of Labor and Employment access or copy of the employer's records and documents;
- c) Obstruction, delay or refusal to allow labor officers or any person authorized by the Secretary of Labor and Employment to interview employees and investigate any fact necessary in determining compliance with occupational safety and health standards;
- d) Making any statement, report, or representation knowing such statement, report or record to be false in any material aspect;
- e) Make retaliatory measures, such as termination of employment, refusal to pay or reduce wages and benefits or in any manner discriminate against any employee who has given information in relation to letter (c) hereof;
- f) Failure to comply with the compliance orders issued by the Secretary of Labor and Employment or authorized representatives based on the findings of violations by the labor laws compliance officers;
- g) Gross negligence of the employers, contractors or subcontractors in complying with the provisions of OSH standards; or
- h) Failure to implement OSH standards, including the failure to report accidents in the workplace.

Any employer or person who commits the unlawful acts enumerated above shall be administratively fined with a maximum of P100,000.00 per day or such amount that may be determined by the Secretary of Labor and Employment until the violation has ceased or corrected, without prejudice to the filing of a criminal or a civil case in the regular courts, as the case may be.

The fine collected shall be used for the operation of occupational safety and health initiatives including, but not limited to, occupational safety and health training and education, and other occupational safety and health programs.

For every injury resulting from any of the above unlawful acts, any employer or person who commits any of the unlawful acts shall be punished with a fine of not less than one hundred thousand pesos (P100,000.00) but not more than two hundred fifty thousand pesos (P250,000.00), and imprisonment of not less than one (1) year and one (1) day but not more than six (6) years; *Provided*, That in consequence of the physical injuries, the person injured shall have become deformed, or shall have lost any other part of his body, or shall have lost the use thereof, or shall have been ill or incapacitated for the performance of the work in which he was habitually engaged for a period of more than ninety (90) days.

For every death resulting from any of the unlawful acts, any employer or person who commits any of the unlawful acts shall be punished with a fine of more than two hundred fifty thousand pesos (P250,000.00) but not more than five hundred thousand pesos (P500,000.00), and imprisonment of not less than six (6) years and one (1) day but not more than twelve (12) years, or both, at the discretion of the court.

For the purpose of the imposition of penalties, an employer refers to any person, natural or juridical, employing the services of the employee including the subcontractor, contractor, and principal employer who directly or indirectly benefit from the services of the employee. If the violation is committed by a corporation, trust or firm, partnership, association or any other entity, the penalty of imprisonment shall be imposed upon the entity's responsible officers, including, but not limited to, the president, vice-president, chief executive officer, general manager, managing director or partner.

Any person convicted under this Act shall not be entitled to the benefits provided for under the Probation Law.

CHAPTER VII MISCELLANEOUS PROVISIONS

SEC. 30. *Applicability to Micro and Small Enterprises (MSEs).* - Specific to MSEs, the DOLE shall develop OSH compliance standards that covers core standards to ensure safe and healthy workplaces. All MSEs shall be required to implement housekeeping, materials storage and handling, electrical and mechanical safety, chemical safety, emergency preparedness, fire safety, personal protective equipment, and regular monitoring of hazards.

SEC. 31. *Inter-Governmental Coordination and Cooperation.* - The DOLE, as lead agency, Department of Environment and Natural Resources (DENR), Department of Public Works and Highways (DPWH), Department of Trade and Industry (DTI), Department of the Interior and Local Government (DILG), Department of Health (DOH), and all other government agencies, including local government units (LGUs) shall coordinate among each other to effectively implement the provisions of this Act.

A coordinative mechanism shall be constituted by the DOLE. For this purpose, the said agencies shall regularly convene to monitor the effective implementation of this Act as well as programs and projects to prevent and eliminate the incidence of injury, sickness or death in all workplaces.

SEC. 32. *Implementing Rules and Regulations.* - The DOLE, in coordination with agencies concerned, shall formulate its rules and regulations within ninety (90) days after the effectivity of this Act.

SEC. 33. *Separability Clause.* - If any part, section or provision of this Act shall be held invalid or unconstitutional, the other provisions not affected by such declaration shall remain in full force and effect.

SEC. 34. *Repealing Clause.* - All laws, acts, decrees, executive orders, rules and regulations or other issuances or parts thereof, which are inconsistent with this Act, are hereby modified and repealed.

SEC. 35. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of national circulation.

Approved.