

EIGHTEENTH CONGRESS )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez*

**4875**

House Bill No. \_\_\_\_\_

EXPLANATORY NOTE

Last June 8, 2019, actor, director and screen legend Eduardo V. Garcia met an accident on the set while filming for GMA 7. He suffered cervical cracks and fractures which resulted in him being in a comatose state for the next 12 days. Unfortunately, he died on June 20, 2019.

His death highlighted the lack of emergency and safety equipment and protocol during filming and the importance of safety protocols on the set of any production sites.

The Department of Labor and Employment (DOLE) subsequently found that GMA-7 committed 3 violations of the Occupational Safety and Health (OSH) Law, namely: not submitting an incident report within 24 hours from the time of the accident; not providing a safety officer; and not providing a first aid responder.

Under this bill, the film, television and theater industry are required to provide a safe workplace for all its workers and employees. Workplace safety and health protocols shall be the primordial objective to eliminate personal injuries, illness or even death from occurring again inside the workplace.

In view of the foregoing, immediate approval of this measure is earnestly requested.

  
RUFUS B. RODRIGUEZ

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House Bill No. 4875

EXPLANATORY NOTE

AN ACT

CREATING AN OCCUPATIONAL SAFETY AND HEALTH STANDARDS ACT (OHSA)  
FOR THE FILM, TELEVISION AND THEATER INDUSTRY OF THE PHILIPPINES, AND  
FOR OTHER PURPOSES

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

**SECTION 1. DECLARATION OF POLICY** – It is hereby a declared policy of the state to safeguard the welfare and security of all personnel and workforce in the film, television and theater industry.

The state recognizes that the labor forces of the film, television and theater industry as a prime social and economic workforce, therefor a safe and healthy workforce is a vital aspect of the nation building.

**SECTION 2. MANDATORY PERSONNEL AND PRODUCTION INSURANCE COVERAGE** – All members of the film, television and theater industry shall be provided with an insurance coverage plan for the following:

- First aid;
- Hazards Materials;
- Communication regarding potentially hazardous procedures;
- Production Plan;
- Stunt Plan;
- Review Plan; and
- Rescue plan

**SECTION 3. STANDARD WORKING HOURS** – Working hours shall be between eight (8) to twelve (12) hours only, this includes the waiting hours in between takes. The working hours vary from the age bracket written below:

- Below 12 years old
- 13-18 years old
- 19 to 59 years old
- 60 years old and above

The Maximum shooting hours shall be 12 hours. The Minimum turnaround time before the next shooting day shall be 12 hours. All working hours shall be stated in writing and properly disseminated in memorandum form to all workers and/or employees.

**SECTION 4. IDENTIFICATION OF SAFETY AND HEALTH HAZARDS IN THE WORKPLACE** - In order to manage workplace health and safety and help prevent accidents and sickness absence, it's important to identify, monitor and reduce the risk associated with workplace hazards.



Workplace hazards are any aspect of work that cause health and safety risks and have the potential to harm.

**SECTION 5. SAFETY AND MEDICAL CHECKLIST AND THE CREATION OF STANDARD OPERATING PROCEDURES (SOP)** – The film, television and theater industry shall formulate a synchronized medical and safety precautionary measures.

- Safety responsibilities and duties; and
- Work refusal process

**SECTION 6. MANDATORY PRESENCE OF SAFETY OFFICERS AND MEDICAL PERSONNEL** – Safety and medical personnel (team) shall be mandatorily deployed to all work places and areas during the entire conduct of working hours.

**SECTION 7. EMERGENCY OPERATIONAL STANDARDS AND PROTOCOL** – The film, television and theater industry shall formulate a systematic protocol for emergency operational scenarios for the following:

- Explosives;
- Pyrotechnics;
- Open frames;
- Smoke and fog;
- Propane use;
- Gasoline Operated Equipment's;
- Electrical safety;
- Transportation concerns;
- Seat Belts, Harnesses, Roll cages;
- Air bags in vehicles;
- Motorcycles;
- Railways and railway crossings;
- Camera cars;
- Process trailers and towed vehicles;
- Camera boom vehicles;
- Camera cranes;
- Working at heights;
- Mobile elevating equipment's;
- Scaffoldings;
- Child performers;
- High fall;
- Skydiving;
- Helicopters;
- Fixed wing aircraft;
- Hot air balloons;
- Underwater stunts and underwater operations;
- Water hazards;
- Water locations, small craft/vessel and/at dockside;
- Working in extreme temperature conditions;
- Location requirements;
- Hair and make-up;
- Multiple dressing rooms;
- Craft services and food catering;
- Carpentry and woodworking;
- Firearms;
- Animal handling;
- Indigenous pests;
- Exotic animals; and
- Industrial and construction regulations

**SECTION 8. ACCIDENT/S IN THE WORKPLACE** – In case of Accident(s) on set, the Corporation or Producer in contract with, shall pay the full hospitalization bill of its worker/employee. In case the worker/employee cannot work because of his/her accident, the Corporation or Producer shall pay for the loss of his means of livelihood until the worker/employee is capable to work again.

**SECTION 9. PENALTIES AND SANCTIONS** – For every violation of this act; or for every failure to comply with, the employer or contractor shall pay a fine of not less than One hundred thousand pesos (₱100,000.00) per day until the violation is corrected, beginning from the date of the violation or the date the compliance order was served.

The amount of the fine imposed shall depend on the gravity, complexity and veracity of the violation committed or damaged cause.

In case of subsequent offenses, the penalty shall be a fine of not less than One million pesos (₱1,000,000.00) per day, and revocation of the franchise to operate.

**SECTION 10. THE DEPARTMENT OF LABOR AND EMPLOYMENT** shall oversee the full implementation, enforcement and sanctions imposed in this act.

**SECTION 11. TRANSITORY PROVISION** – Existing industries, businesses and offices affected by the implementation of this Act shall be given six (6) months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

**SECTION 12. IMPLEMENTING RULES AND REGULATIONS** – The departments and agencies charged, with carrying out the provisions of this Act, shall within ninety (90) days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

**SECTION 13. REPEALING CLAUSE** – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SECTION 14. SEPARABILITY CLAUSE** – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

**SECTION 15. EFFECTIVITY CLAUSE** – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,