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LABOR ADVISORY 04 -19

Guide for Compliance of Establishments to DO 198-18

In the interest of the service and pursuant to the effective implementation of "Republic Act No. 11058 " *An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties for Violations Thereof*" and its Implementing Rules and Regulations (IRR) issued through Department Order No. 198-18 which took effect on 25 January 2019, covered establishments are hereby advised of the following:

- 1. Classification of Establishments-** The establishment shall be responsible in determining its own level of classification (low risk, medium risk , high risk) based on Hazards Identification and Risk Assessment and Control (HIRAC) conducted by the company. Results of the HIRAC and number of workers shall be the bases for determining the required minimum number of safety officer, OH personnel, medical services and facilities pursuant to Section 14 and Section 15 of the IRR/DO 198-18.
- 2. Appointment of Safety Officer-** The safety officer shall be certified by the company's Human Resource (HR) unit/section based on the qualification requirements such as completion of the prescribed training and minimum years of OSH experience as provided for under Section 14. Thus, the appointment of its own safety officer/s and the appropriate category level of Safety Officer (i.e. Safety Officer 1, Safety Officer 2, Safety Officer 3 and Safety Officer 4) shall be issued by the company.
- 3. Mandatory Workers' OSH Seminar-** Establishments are encouraged to immediately conduct mandatory Workers' OSH Seminar for all workers/employees at no cost to the workers and attendance to such seminar shall be considered as compensable working time. The Training Module for the OSH Workers' Seminar prescribed by the DOLE can be downloaded from BWC website: www.bwc.dole.gov.ph. The mandatory Workers' OSH Seminar may be conducted by the safety officer of the establishment or any DOLE accredited/certified OSH practitioner or consultant.
- 4. OSH Program -** The company may opt to use the OSH Program template prepared by DOLE in compliance with Section 12 which shall be submitted to the DOLE Regional, Provincial, Field or Satellite Office having jurisdiction over the

establishment. Copy of the OSH Program template can be downloaded at BWC website: www.bwc.dole.gov.ph.

5. **OSH Reports** – Employers shall submit to DOLE the following reports:
- a. Employer's Work Accident/Injury Report (WAIR) for work related cases resulting to disabling injuries/conditions.
 - b. Annual Work Accident/Injury Exposure Data Report (AEDR) to be submitted (with or without accident cases) on or before January 30 following the covered year.
 - c. Annual Medical Report (AMR) to be submitted on or before March 31 following the covered year.
 - d. OSH Committee Report (i.e Minutes of meeting at least on a quarterly basis)

For work accident cases which result in serious injuries and/or deaths, the employer or the worker shall immediately notify the nearest DOLE office having jurisdiction over the workplace through the fastest means of communication whichever is available.

All covered employers, contractors, sub-contractors and workers are hereby enjoined to coordinate and perform the required duties and responsibilities as provided for in the OSH Law to ensure a safe and healthful workplace for all.

The DOLE shall provide assistance to establishments through orientation on the OSH Law, preparation of an Action Plan, as required for noted OSH violation/s, and other technical services to facilitate compliance with the OSH Law and other existing OSH Standards.

For your guidance.


SILVESTRE N. BELLO III
Secretary

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