

**[ DOLE DEPARTMENT CIRCULAR NO. 1, S. 2009,  
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**GUIDELINES ON OCCUPATIONAL SAFETY AND HEALTH IN THE  
SHIPBUILDING, SHIP REPAIR AND SHIPBREAKING INDUSTRY**

Pursuant to the rule-making authority of the Secretary of Labor and Employment under Article V of the Labor Code, as amended, and to ensure the protection and welfare of workers employed in the shipbuilding, ship repair and shipbreaking industry, the following Guidelines are hereby issued for the guidance of and compliance by all concerned.

*SECTION 1. Objective* - The present Guidelines enjoin all parties - government units, employers and workers, OSH practitioners and other concerned sectors - to actively strive to control and eliminate hazards and risks inherent in shipbuilding, ship repair and shipbreaking and related activities. Through these guidelines, individual or collective measures will be instrumental in preventing work-related accidents and injuries, thereby, safeguarding the health of workers, encourage their motivation and productivity, reduce cost for treatment, rehabilitation or compensation and raise the profitability of establishments.

*SECTION 2. Coverage* - These guidelines shall apply to all establishments, workplaces, operations and undertakings in the shipbuilding, ship repair and shipbreaking industries.

*SECTION 3. Definition of Terms* - As used in these guidelines, the following terms shall mean:

1. Shipbuilding - means the construction of a vessel including the installation of machinery and equipment. Work in the shipbuilding includes constructing, assembling, installing, cleaning, painting, outfitting and testing.
2. Ship repair - means any repair of vessel including but not restricted to alterations/conversions, installations, cleaning, and maintenance.
3. Shipbreaking - means any breaking down of a vessel's structure for the purpose of scrapping the vessel, including the removal of equipment or any component part of a vessel.
4. Principal - refers to the owner or CEO/COO/Manager with overall responsibility for the management of establishments and their workplaces, projects, operations and/or activities in the shipbuilding, ship repair and shipbreaking industry.
5. Contractor or sub-contractor-refers to any person or entity engaged in a legitimate contracting or sub-contracting arrangement for the execution

of work under the general supervision of the principal in shipbuilding, ship repair and shipbreaking industry.

6. Standards - refers to the Occupational Safety and Health Standards or OSHS which is a set of Rules issued by the Department of Labor and Employment (DOLE) which mandates the adoption and use of appropriate practices, means, methods, operations or processes, and working conditions reasonably necessary to ensure safe and healthful employment.

7. Worker - refers to a person, carrying out activities under the supervision of a principal, contractor and/or sub-contractor.

*SECTION 4. Duties and Responsibilities* - (1) Each Principal and Contractor/Sub-Contractor covered by the provisions of these Guidelines shall:

a. furnish his workers a place of employment free from hazardous conditions that are likely to cause death, illness or physical harm to his workers;

b. give complete job safety instructions to all his workers;

c. use only approved devices tested by the Occupational Safety and Health Center (OSHC) and equipment tested by TESDA or accredited testing organizations in his workplace;

d. shall at his own expense, furnish his workers with personal protective equipment by reason of the hazardous work process or environment, chemical or radiological or any other hazards capable of causing injury, or impairment in the function of any part of the body;

e. register with the DOLE Regional Office where he is located pursuant to Rule 1020 of the OSH Standards and D.O. 18-02 (*Contracting and Sub-Contracting Arrangements*); and

f. the principal shall have overall responsibilities in all OSH matters, the contractor shall actively support the OSH policies and programs of the former by implementing applicable OSH programs in their respective workplaces.

(2) Every worker shall:

a. cooperate with the Principal and Contractor/Sub-Contractor in carrying out the provisions of these Guidelines and the Standards.

b. report to his supervisor any work hazard that may be discovered in his workplace.

c. shall make proper use of all safeguards and safety devices furnished in accordance with the provisions of the Standards for his protection and that of others, and shall follow all instructions given by the Principal and Contractor/ Sub-Contractor in compliance with the provisions of the Standards.

(3) It shall be the duty of any person, including any builder or contractor or others who conduct business in any establishment or workplace, to comply with the

provisions of these Guidelines and Standards and all regulations of the employer as well as with subsequent issuances of the Secretary.

*SECTION 5. OSH Policy and Program* - It shall be mandatory for every shipbuilding, ship repair and shipbreaking principal to formulate an OSH policy and program in accordance with the relevant provisions of the Labor Code of the Philippines (LCP) and the Rules of the Occupational Safety and Health Standards (OSHS). Such policy and program shall cover the workplaces, projects and operations under the direct responsibility of the principal as well as related activities of contractors/sub-contractors.

*SECTION 6. OSH Committees* - To ensure that the OSH policy and program are being formulated and implemented in line with established regulations and with the requirements of the shipbuilding, ship repair and shipbreaking operations, an OSH Committee shall be established according to Rule 1040 of the OSH Standards with the following membership:

- a. CEO or Project Manager as the chairperson ex officio;
  - b. Safety and Health Officers;
  - c. Safety and health representatives from each sub-contractor;
  - d. Occupational Health Physicians, Nurses and First Aiders; and
  - e. Workers' representatives including union members if organized
- Members of the Safety and Health Committee shall, as far as practicable, be present at the workplaces whenever work is being undertaken.

Each contractor/sub-contractor is required to have his/her own safety and health committee.

*SECTION 7. Cost for Implementing OSH Program and other Activities* - The cost of implementing OSH Management System and OSH Program for the shipbuilding, ship repair or shipbreaking workplaces shall be provided by the employer's principal and/or contractor/sub-contractor provided that said costs shall be a separate pay item duly quantified in the project's contract documents.

*SECTION 8. Safety Personnel* - Principals and contractors/sub-contractors shall employ Safety and Health Personnel as follows:

- a. a full time safety officer, with overall responsibility for the management of the OSH Program; who shall monitor and inspect health and safety aspect of the workplaces and assist government inspectors in the conduct of inspection and accident investigations;
- b. depending on the size of the workforce at a given workplace, additional Safety and Health Officer/s shall be designated under the direct supervision of the Safety and Health Officer of the principal; and
- c. one additional Safety and Health Officer must be assigned for every additional ten (10) units of heavy equipment assigned to the workplace.

Contractors and sub-contractors shall provide for Safety Officer/s at the workplaces under their direct responsibility.

All full-time Safety and Health Officers must be accredited by the DOLE Regional Office concerned.