

29 January 2024

Hon. JUANITO VICTOR C. REMULLA
Provincial Governor
Province of Cavite
Cavite Provincial Capitol Building
Trece Martires, Cavite

Dear Gov. Remulla,

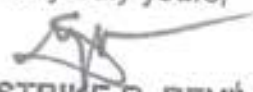
Good day!

In compliance with Art. 59 (b) (1) Rule XII of Administrative Order 270, Series of 1992, this is to respectfully resubmit the attached Executive Order issued by the undersigned, for your review and appropriate action, to wit:

EO NO.	DATE	TITLE
39-2024	January 29, 2024	AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 326-2023, OR "AN ORDINANCE REQUIRING ALL COVERED ESTABLISHMENTS AND ON-GOING PROJECTS/ ACTIVITIES IN THE CITY OF BACOR, CAVITE TO DESIGNATE AND ENSURE THE PRESENCE OF SAFETY OFFICERS IN THE WORKPLACE."

Thank you.

Very truly yours,


STRIKE B. REVILLA
City Mayor

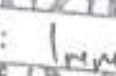
 Office of the Mayor
Strike B. Revilla



SBR20240685



PROVINCE OF CAVITE
OFFICE OF THE PROVINCIAL GOVERNOR
(046) 419-2311

RECEIVED
BY: 
TIME: 10:21 DATE: FEB 12 2024

Address: Bacoar Government Center, Bacoar Blvd. Brgy. Bayanan City of Bacoar, Cavite
Trunkline: 434-1111 Website: www.bacoar.gov.ph



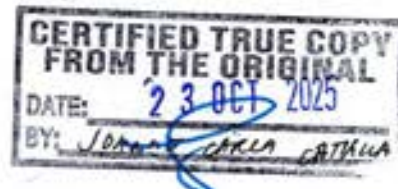
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Republic of the Philippines
Province of Cavite

CITY OF BACOOR

Office of the Mayor



EXECUTIVE ORDER No. 39 - 2024
Series of 2024

AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 326-2023, OR "AN ORDINANCE REQUIRING ALL COVERED ESTABLISHMENTS AND ON-GOING PROJECTS/ ACTIVITIES IN THE CITY OF BACOOR, CAVITE TO DESIGNATE AND ENSURE THE PRESENCE OF SAFETY OFFICERS IN THE WORKPLACE."

WHEREAS, Section 16 of Republic Act No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare...xxx;

WHEREAS, the Sangguniang Panlungsod enacted and passed City Ordinance No. 326-2023, entitled **"AN ORDINANCE REQUIRING ALL COVERED ESTABLISHMENTS AND ON-GOING PROJECTS/ ACTIVITIES IN THE CITY OF BACOOR, CAVITE TO DESIGNATE AND ENSURE THE PRESENCE OF SAFETY OFFICERS IN THE WORKPLACE."**;

WHEREAS, the City Government of Bacoor recognizes the need to issue an Implementing Rules and Regulations pertinent to the above-mentioned Ordinance;

WHEREAS, the Office of the City Mayor of Bacoor, in coordination with the concerned city government offices, issued the above-mentioned Implementing Rules and Regulations that shall govern the said Ordinance.

NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacoor, Cavite, by virtue of the powers vested in me by law, do hereby order for the adoption and implementation of the Implementing Rules and Regulations of City Ordinance No. 326-2023 herein attached.

Section 1. Implementing Rules and Regulations (IRR). Attached herein is the Implementing Rules and Regulations of City Ordinance No. 326-2023 which shall form part of this Executive Order. This shall be known as the **"Implementing Rules and Regulations of Ordinance Requiring All Covered Establishments and On-Going Projects/ Activities in the City Of Bacoor, Cavite to Designate and Ensure The Presence of Safety Officers in the Workplace."**

All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly. Strict compliance and observance of this IRR by all city government officials and employees is hereby ordered.

E.O. No. 39 - 2024
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Province of Cavite
CITY OF BACOOR
Office of the Mayor



Section 2. Repealing Clause. All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked, or amended accordingly.

Section 3. Separability Clause. In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

Section 4. Effectivity Clause. This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked, or amended accordingly.

SO ORDERED.

Done this 29th day of January 2024 in the City of Bacoor, Province of Cavite.


STRIKE B. REVILLA
City Mayor

 Office of the Mayor
Strike B. Revilla



E.O. No. 39 - 2024
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Province of Cavite

CITY OF BACOR

Office of the Mayor

**CERTIFIED TRUE COPY
FROM THE ORIGINAL**

DATE: 23 OCT 2023
BY: Dante C. C. C. C.

**THE IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 326-2023, ENTITLED "AN
ORDINANCE REQUIRING ALL COVERED
ESTABLISHMENTS AND ON-GOING PROJECTS/
ACTIVITIES IN THE CITY OF BACOR, CAVITE TO
DESIGNATE AND ENSURE THE PRESENCE OF
SAFETY OFFICERS IN THE WORKPLACE."**

RULE I – GENERAL PROVISIONS

SECTION 1. TITLE.

This Implementing Rules and Regulations (IRR) shall be known and cited as the "Implementing Rules and Regulations of City Ordinance No. 326-2023".

SECTION 2. PURPOSE.

This Implementing Rules and Regulations are promulgated to prescribe a framework for effectively implementing and enforcing City Ordinance No. 326-2023, Series of 2023.

SECTION 3. CONSTRUCTION.

This Implementing Rules and Regulations (IRR) shall be liberally construed to carry out the policies embodied herein. In their interpretation and application, the provisions of this IRR shall be held to be the minimum requirements for the protection of the public and shall be construed to achieve the purposes for which this IRR was adopted.

This Implementing Rules and Regulations shall interfere with, abrogate, and annul any other ordinance, rule, order, memorandum, or guideline prevailing in the City of Bacor prior to its approval that is inconsistent with the provisions of this IRR. Where any provision of this IRR imposes restrictions different from those imposed under other provisions of this IRR, the provision that is more restrictive or that imposes higher standards shall be controlled.

**THE IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 326-2023**

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RULE II – DECLARATION OF POLICY

SECTION 4.

The City of Bacoor affirms labor as a primary social and economic force and that a safe and healthy workforce is an integral aspect of nation-building.

The City of Bacoor shall ensure a safe and healthful workplace for all working people by affording them full protection against all hazards in their work environment. It shall ensure that 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.

RULE III – COVERAGE

SECTION 5. COVERAGE

This shall apply to establishments, project sites, including Philippine Economic Zone Authority (PEZA) accredited establishments, and all other covered workplaces where work is undertaken in all branches of economic activity.

This Implementing Rules and Regulations shall also cover contractors and subcontractors including those engaged in public sector projects. Contractor workers should follow the OSH policy and program of the establishment where they are assigned.

RULE IV – DEFINITION OF TERMS

SECTION 6. DEFINITION OF TERMS. — The following terms shall be defined as follows:

1. **Covered Workplace** – refers to establishments, projects, sites, and all other places where work is undertaken wherein the number of employees, nature of operations, and risk or hazard involved in the business require compliance from Republic Act No. 11058, City Ordinance No. 326-2023, and its Implementing Rules and Regulation.
2. **Employer** – refers to any person, natural or juridical, including the principal employer, contractor, or subcontractor, who directly or indirectly benefits from the employee's services.





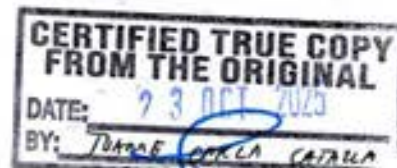
3. **General Safety and Health Inspection** – refers to an examination of the work environment, including the location and operation of machinery other than those covered by technical safety audits, adequacy of workspace, ventilation, lighting, conditions of the work environment, handling storage or work procedures, protection facilities, and other possible sources of safety and health hazards in the workplace.
4. **Occupational Safety and Health Standards** – refer to the Occupational Safety and Health Standards issued by the Secretary of Labor and Employment, pursuant to Articles 168 and 171, Chapter 2, Title I of Book Four of Presidential Decree No. 442, as amended, otherwise known as the Labor Code of the Philippines, and such other standards as may be issued pursuant to RA 11058.
5. **Safety Officer** – refers to any employee or officers of the company trained by the Department of Labor and Employment (DOLE) and tasked by the employer to implement an occupational safety and health program and ensure that it is in accordance with the provisions of OSH standards.

RULE V – THE SAFETY OFFICER

SECTION 7. SAFETY OFFICER

The following provisions shall be enforced in relation to the qualifications and appointment of safety officers:

1. To ensure that all safety and health programs are duly followed and enforced, proponents of or owners of ongoing projects, especially those involving construction, renovation, electrical, mechanical, or plumbing repair, shall designate a Safety Officer who shall always be present within the designated premises during the entire duration of the activity to guarantee the workforce's protection and safety.
2. The Safety Officers of all workplaces must possess the necessary training and experience requirements.
3. The number and qualification of safety officers shall be proportionate to the total number of workers and equipment, the size of the work area, the classification of the workplace, and such other criteria as required by the OSH standards.
4. The safety officer shall be required to undergo the prescribed DOLE-BOSH training orientation or course, advanced occupational safety



training courses, and/or other OSH-related training or learning as necessary to perform their duties and responsibilities effectively.

5. In the case of a contractor or subcontractor, at least one (1) safety officer must be deployed at each specific area of operations to oversee the management of the OSH program of its own workforce.0

SECTION 8. DUTIES AND FUNCTIONS OF THE SAFETY OFFICER.

In conformity with Republic Act No. 11058, the Safety Officer shall have the following duties and functions:

1. Ensure compliance with Occupational Safety and Health Standards laws, rules and regulations, ordinances, and policies;
2. Oversee the overall management of the safety and health program;
3. Frequently monitor and inspect any health or safety aspect of the operation being undertaken with the participation of supervisors and workers;
4. Assist government inspectors in the conduct of health and safety inspection at any time whenever work is being performed or during the conduct of an accident investigation by providing necessary information and OSH reports as required by the OSH standards and
5. Issue Work Stoppage Order, when necessary, based on the requirements and procedures provided by the OSH standards.

RULE VI – DUTIES AND RESPONSIBILITIES OF EMPLOYERS, WORKERS, AND OTHER PERSONS

SECTION 9. DUTIES OF EMPLOYERS. — In conformity with RA 11058, every employee, contractor, or subcontractor, if any, and any person who manages, controls, or supervises the work being undertaken shall:

1. Furnish the workers a place of employment free from hazardous conditions that are causing or more likely to cause death, illness, or physical harm to the workers;



2. Give complete job safety instructions or orientation to the workers, especially to those entering the job for the first time, including those relating to familiarization with their work environment;
3. Inform the workers of the hazards associated with their work, health risks involved or to which they are exposed, preventive measures to eliminate or minimize the risks, and steps to be taken in cases of emergency;
4. Use only approved devices and equipment in the workplace;
5. Comply with OSH standards, including training and medical examination and, where necessary, provision of protective and safety devices such as personal protective equipment (PPE) and machine guards;
6. Allow workers and their safety and health representatives to participate actively in the process of organizing, planning, implementing, and evaluating the safety and health program to improve safety and health in the workplace;
7. Provide, where necessary, measures to deal with emergencies and accidents, including first-aid arrangements;
8. Comply with all reportorial requirements of the OSH standards and
9. Register the establishment of DOLE as provided under the OSH standards.

SECTION 10. DUTIES OF WORKER. — Every worker, to ensure compliance with OSH standards, shall:

1. Participate in capacity-building activities on safety and health and other OSH-related topics and programs;
2. Proper use of all safeguards and safety devices furnished for worker's protection and that of others;
3. Comply with instructions to prevent accidents or imminent danger situations in the workplace;
4. Observe prescribed steps to be taken in cases of emergency, including participation in the conduct of national or local disaster drills and

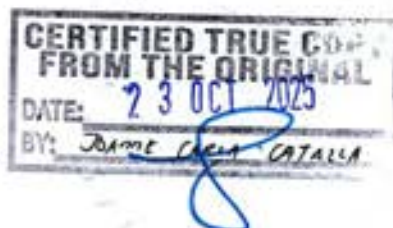




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5. Report any work hazard that may be discovered in the workplace to the immediate supervisor or any other responsible safety and health personnel.

SECTION 11. DUTIES OF OTHER PERSONS.

It shall be the duty and responsibility of any person, including the builders or contractor who visits, builds, renovates, or installs devices or conducts business in any establishments or workplace, to comply with the provisions of RA 11058 and all other laws and regulations by the Department of Labor and Employment and the City Government of Bacoor.

Whenever two (2) or more undertakings are engaged in activities simultaneously in one workplace, all concerned shall collaborate and cooperate to ensure compliance with OSH standards and regulations.

RULE VII – ENFORCEMENT OF OCCUPATIONAL SAFETY AND HEALTH STANDARDS

SECTION 12. VISITORIAL AND INSPECTION OF THE COVERED WORKPLACE.

— The City Government of Bacoor, through its Department of Public Safety and the Bacoor Disaster Risk Reduction Management Office, shall have the authority to enforce the mandatory OSH standards and conduct a random or spot inspection to check the presence of the safety officer in the covered workplace to ensure compliance with this Implementing Rules and Regulations.

SECTION 13. PRESUMPTION OF GUILT. — In cases of injury, accidents, or death caused by an unsafe and unhealthy working condition in the absence of any safety officer within the covered workplace, the employer, project owner, contractor or subcontractor, if any, and any person who manages, controls or supervises the work being undertaken, shall be presumed negligent and shall be jointly and solidarily liable to the employee.

SECTION 14. PENALTIES. — Any violation of this Implementing Rules and Regulations shall be punishable as follows:





1. For first-time offenders: an administrative fine of Five Thousand Pesos (Php5,000.00) per covered workplace who failed to deploy any safety officer at any time shall be imposed against those who violated any provision/s of this IRR.
2. For second-time offenders: the penalty of imprisonment of ten (10) to thirty (3) days and an administrative fine of Five Thousand Pesos (Php 5,000.00) per covered workplace who failed to deploy any safety officer at any time shall be imposed against those who violated any provision/s of this IRR.
3. For third-time offenders, the penalty of imprisonment is six (6) months to one (1) year, ten (10) to thirty (30) days, and an administrative fine of Five Thousand Pesos (Php 5,000.00) per covered workplace that failed to deploy any safety officer at any time shall be imposed against those who violated any provision/s of this IRR.
4. For succeeding offenders: permanent closure of the establishments, projects, sites, and all other places where work is being undertaken which failed to deploy any safety officer at any time shall be imposed against those who violated any provision/s of this IRR.
5. In case any violation of this IRR is committed by a partnership, corporation, association, or any other juridical person, the partner, president, director, or manager who shall consent to or shall knowingly tolerate such violation shall be directly liable and responsible for the act of the safety officer and shall be criminally liable as co-principal.
6. In case the offender is a government official or employee, in addition to the above penalties, a formal complaint shall be initiated before the Human Resource Development and Management Department and is deemed automatically dismissed from office and permanently disqualified from holding any elective or appointive position.

RULE VIII - MISCELLANEOUS PROVISIONS

SECTION 15. REPEAL.

All orders, implementing rules, and regulations inconsistent with the IRR are expressly repealed or modified.

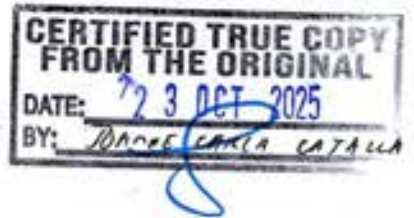




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SECTION 16. SEPARABILITY.

In case any provision of this IRR is declared void by a court of law, the remaining provisions of this IRR, not affected by the said judicial declarations, shall remain valid and enforceable.

SECTION 17. EFFECTIVITY.

This IRR shall take effect immediately upon its approval.

THE IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 326-2023

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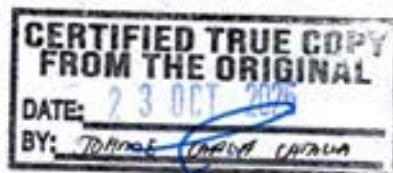
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Office of the Mayor



**THE IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 326-2023, ENTITLED "AN
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SECTION 3. CONSTRUCTION.

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This Implementing Rules and Regulations shall interfere with, abrogate, and annul any other ordinance, rule, order, memorandum, or guideline prevailing in the City of Bacoor prior to its approval that is inconsistent with the provisions of this IRR. Where any provision of this IRR imposes restrictions different from those imposed under other provisions of this IRR, the provision that is more restrictive or that imposes higher standards shall be controlled.

**THE IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 326-2023**

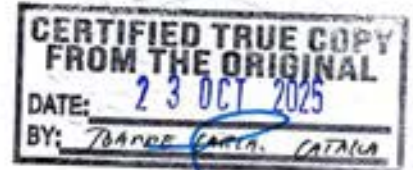
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RULE III – COVERAGE

SECTION 5. COVERAGE

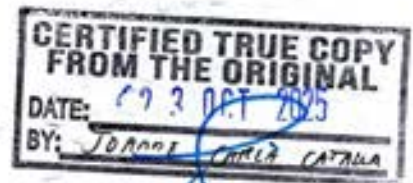
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2. **Employer** – refers to any person, natural or juridical, including the principal employer, contractor, or subcontractor, who directly or indirectly benefits from the employee's services.



3. **General Safety and Health Inspection** – refers to an examination of the work environment, including the location and operation of machinery other than those covered by technical safety audits, adequacy of workspace, ventilation, lighting, conditions of the work environment, handling storage or work procedures, protection facilities, and other possible sources of safety and health hazards in the workplace.
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RULE V – THE SAFETY OFFICER

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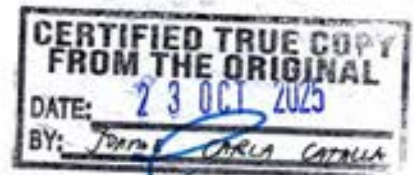
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2. The Safety Officers of all workplaces must possess the necessary training and experience requirements.
3. The number and qualification of safety officers shall be proportionate to the total number of workers and equipment, the size of the work area, the classification of the workplace, and such other criteria as required by the OSH standards.
4. The safety officer shall be required to undergo the prescribed DOLE-BOSH training orientation or course, advanced occupational safety



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training courses, and/or other OSH-related training or learning as necessary to perform their duties and responsibilities effectively.

5. In the case of a contractor or subcontractor, at least one (1) safety officer must be deployed at each specific area of operations to oversee the management of the OSH program of its own workforce.0

SECTION 8. DUTIES AND FUNCTIONS OF THE SAFETY OFFICER.

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2. Oversee the overall management of the safety and health program;
3. Frequently monitor and inspect any health or safety aspect of the operation being undertaken with the participation of supervisors and workers;
4. Assist government inspectors in the conduct of health and safety inspection at any time whenever work is being performed or during the conduct of an accident investigation by providing necessary information and OSH reports as required by the OSH standards and
5. Issue Work Stoppage Order, when necessary, based on the requirements and procedures provided by the OSH standards.

RULE VI – DUTIES AND RESPONSIBILITIES OF EMPLOYERS, WORKERS, AND OTHER PERSONS

SECTION 9. DUTIES OF EMPLOYERS. — In conformity with RA 11058, every employee, contractor, or subcontractor, if any, and any person who manages, controls, or supervises the work being undertaken shall:

1. Furnish the workers a place of employment free from hazardous conditions that are causing or more likely to cause death, illness, or physical harm to the workers;

THE IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 326-2023

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Trunkline: 434-1111 Website: www.bacoor.gov.ph



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2. Give complete job safety instructions or orientation to the workers, especially to those entering the job for the first time, including those relating to familiarization with their work environment;
3. Inform the workers of the hazards associated with their work, health risks involved or to which they are exposed, preventive measures to eliminate or minimize the risks, and steps to be taken in cases of emergency;
4. Use only approved devices and equipment in the workplace;
5. Comply with OSH standards, including training and medical examination and, where necessary, provision of protective and safety devices such as personal protective equipment (PPE) and machine guards;
6. Allow workers and their safety and health representatives to participate actively in the process of organizing, planning, implementing, and evaluating the safety and health program to improve safety and health in the workplace;
7. Provide, where necessary, measures to deal with emergencies and accidents, including first-aid arrangements;
8. Comply with all reportorial requirements of the OSH standards and
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1. Participate in capacity-building activities on safety and health and other OSH-related topics and programs;
2. Proper use of all safeguards and safety devices furnished for worker's protection and that of others;
3. Comply with instructions to prevent accidents or imminent danger situations in the workplace;
4. Observe prescribed steps to be taken in cases of emergency, including participation in the conduct of national or local disaster drills and



5. Report any work hazard that may be discovered in the workplace to the immediate supervisor or any other responsible safety and health personnel.

SECTION 11. DUTIES OF OTHER PERSONS.

It shall be the duty and responsibility of any person, including the builders or contractor who visits, builds, renovates, or installs devices or conducts business in any establishments or workplace, to comply with the provisions of RA 11058 and all other laws and regulations by the Department of Labor and Employment and the City Government of Bacoor.

Whenever two (2) or more undertakings are engaged in activities simultaneously in one workplace, all concerned shall collaborate and cooperate to ensure compliance with OSH standards and regulations.

RULE VII – ENFORCEMENT OF OCCUPATIONAL SAFETY AND HEALTH STANDARDS

SECTION 12. VISITORIAL AND INSPECTION OF THE COVERED WORKPLACE.

— The City Government of Bacoor, through its Department of Public Safety and the Bacoor Disaster Risk Reduction Management Office, shall have the authority to enforce the mandatory OSH standards and conduct a random or spot inspection to check the presence of the safety officer in the covered workplace to ensure compliance with this Implementing Rules and Regulations.

SECTION 13. PRESUMPTION OF GUILT. — In cases of injury, accidents, or death caused by an unsafe and unhealthy working condition in the absence of any safety officer within the covered workplace, the employer, project owner, contractor or subcontractor, if any, and any person who manages, controls or supervises the work being undertaken, shall be presumed negligent and shall be jointly and solidarily liable to the employee.

SECTION 14. PENALTIES. — Any violation of this Implementing Rules and Regulations shall be punishable as follows:



1. For first-time offenders: an administrative fine of Five Thousand Pesos (Php5,000.00) per covered workplace who failed to deploy any safety officer at any time shall be imposed against those who violated any provision/s of this IRR.
2. For second-time offenders: the penalty of imprisonment of ten (10) to thirty (3) days and an administrative fine of Five Thousand Pesos (Php 5,000.00) per covered workplace who failed to deploy any safety officer at any time shall be imposed against those who violated any provision/s of this IRR.
3. For third-time offenders, the penalty of imprisonment is six (6) months to one (1) year, ten (10) to thirty (30) days, and an administrative fine of Five Thousand Pesos (Php 5,000.00) per covered workplace that failed to deploy any safety officer at any time shall be imposed against those who violated any provision/s of this IRR.
4. For succeeding offenders: permanent closure of the establishments, projects, sites, and all other places where work is being undertaken which failed to deploy any safety officer at any time shall be imposed against those who violated any provision/s of this IRR.
5. In case any violation of this IRR is committed by a partnership, corporation, association, or any other juridical person, the partner, president, director, or manager who shall consent to or shall knowingly tolerate such violation shall be directly liable and responsible for the act of the safety officer and shall be criminally liable as co-principal.
6. In case the offender is a government official or employee, in addition to the above penalties, a formal complaint shall be initiated before the Human Resource Development and Management Department and is deemed automatically dismissed from office and permanently disqualified from holding any elective or appointive position.

RULE VIII - MISCELLANEOUS PROVISIONS

SECTION 15. REPEAL.

All orders, implementing rules, and regulations inconsistent with the IRR are expressly repealed or modified.

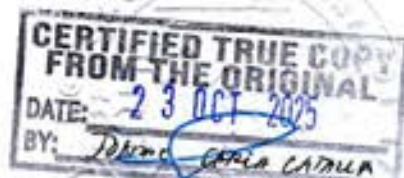




Republic of the Philippines
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SECTION 16. SEPARABILITY.

In case any provision of this IRR is declared void by a court of law, the remaining provisions of this IRR, not affected by the said judicial declarations, shall remain valid and enforceable.

SECTION 17. EFFECTIVITY.

This IRR shall take effect immediately upon its approval.

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