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GUIDELINES ON MARITIME OCCUPATIONAL SAFETY AND HEALTH

Pursuant to Articles 5 and 128 of the Labor Code of the Philippines, as amended, and in compliance with Department Order Nos. 129 and 130, Series of 2013, and Maritime Labour Convention, 2006, the following guidelines are hereby issued to ensure the safety and welfare of seafarers onboard Philippine Registered Ships:

RULE I GENERAL PROVISIONS

SECTION 1. Coverage. - This Guidelines shall apply to all Philippine Registered Ships plying both domestic and international voyages where employer-employee relationship or other forms of engagement exist.

Excluded from the coverage are the following categories of ship:

- a) Warships and naval auxiliaries;
- b) Government ships not engaged in commercial operation; and
- c) Fishing vessels.

SECTION 2. Objective. - This Guidelines aims to promote health and safety protection and prevention of accidents, injuries, diseases or deaths occurring in the course of employment of seafarers onboard ships through compliance with mandatory rules and regulations and standards for the maritime sector.

SECTION 3. Definition of Terms. - As used herein, the following terms shall mean:

- a) **“BOSH”** refers to the DOLE prescribed 40-hour Basic Occupational Safety and Health training or the on-line e-BOSH training, on the prevention of accidents and illnesses arising from work;
- b) **“Crew Accommodation”** includes sleeping rooms, mess rooms, sanitary accommodation, hospital accommodation and recreation accommodation as are provided for the use of the crew;
- c) **“DOH”** refers to the Department of Health;
- d) **“DOLE”** refers to the Department of Labor and Employment;
- e) **“Disabling Injury/Illness”** refers to work injury or an occupational disease which results in death, permanent total disability, permanent partial disability or temporary total disability;
- f) **“Ergonomics”** refers to the science of fitting workplace conditions and job demands to the capabilities of the working population;
- g) **“Gross Tonnage”** refers to the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex I to the International Convention on Tonnage Measurement of Ships, 1969, or any successor Convention. For ships covered by the tonnage measurement interim scheme adopted by the

International Maritime Organization, the gross tonnage is that which is included in the remarks column of the International Tonnage Certificate (1969);

- h) **“Hazardous materials or substances”** refers to substances in solid, liquid or gaseous forms known to constitute poison, fire, explosion or health hazards;
- i) **“Hot work”** refers to any work where flame is used or a source of ignition may be produced;
- j) **“Medicine chest”** refers a container in which an assortment of medicines is stored;
- k) **“Minor Injury”** means an injury/illness for which first aid or medical treatment is provided in the ship which is not disabling;
- l) **“OSHS”** refers to the Occupational Safety and Health Standards of the DOLE;
- m) **“Permanent Total Disability”** shall mean any injury or sickness other than death which permanently and totally incapacitates a seafarer from engaging in any gainful occupation;
- n) **“PMMRR”** refers to Philippine Merchant Marine Rules and Regulations;
- o) **“Seafarer”** refers to any person employed or engaged or works in any capacity on board Philippine registered ships;
- p) **“Safety and Health Officer”** refers to a seafarer designated by the shipowner to implement the ship’s safety and health policies and programs;
- q) **“Ship”** refers to any kind, class or type of craft or artificial contrivance capable of floating in water, designed to be used, or capable of being used, as a means of floating in water transport for the carriage of passengers or cargo, or both, utilizing its own motive power or that of another;
- r) **“Shipowner”** refers to the owner of the ship/shipping enterprise or another organization or person, such as the manager, agent or bareboat charter, who has assumed responsibility for the operation of the ship from the owner who, on assuming such responsibility has agreed to take over the duties and responsibilities imposed on shipowners in accordance with the Maritime Labour Convention, 2006 (MLC, 2006) regardless of whether any other organizations or persons fulfill certain duties or responsibilities on behalf of the shipowner;
- s) **“SOLAS”** refers to the International Convention for the Safety of Life at Sea;
- t) **“Threshold Limit Value”** refers to the airborne concentration of substances and represent conditions under which it is believed that nearly all seafarers may be repeatedly exposed daily without adverse effects;
- u) **“Work Environment”** refers to the conditions of the place of employment maintained for comfort and health of the seafarers;
- v) **“WHO”** refers to the World Health Organization; and
- w) **“Workplace Violence”** refers to any action, conduct, threat or gesture of a person towards an employee in their workplace that can reasonably be expected to cause harm, injury or illness to the seafarer.

SECTION 4. *Duties of Shipowner.* - Every shipowner shall:

- a) Arrange that work in a ship is carried out in a manner that does not endanger the health and safety of any seafarer who is engaged or working in that ship;
- b) Adopt and carry out reasonable procedures and techniques designed or intended to prevent or reduce the risk in the operation or carrying out of the work using acceptable industry standards;
- c) Provide each seafarer health and safety education including awareness campaign and information written in the language which all the seafarers can understand; and
- d) Ensure that the designated Safety and Health Officer had undergone the appropriate training.

SECTION 5. *Duties of Seafarer.* - Every seafarer shall:

- a) Work in accordance with the safety standards and practices established by the shipowner in compliance with the provisions of this Guidelines and generally accepted shipping practices; and
- b) Report unsafe conditions and practices to the designated Safety and Health Officer or to the Safety and Health Committee.

**RULE II
OSH POLICY AND PROGRAM**

SECTION 1. *Occupational Safety and Health Policy and Program.* - The shipowner shall adopt, implement and promote occupational safety and health policies and programs on ships, consistent with this Guidelines and 1996 ILO Code of Practice on Accident Prevention on Board Ship, at Sea and in Port and subsequent versions thereof, to promote the welfare of the seafarers.

The shipowner shall establish a Safety and Health Committee, whether onboard or onshore, to develop and implement the safety and health policy and programs to promote the welfare of the seafarers. Such a committee shall be established onboard a ship on which there is five (5) or more seafarers. A Safety and Health Officer shall be designated by the shipowner to take responsibility for the implementation and compliance with the ship's occupational safety and health policies and programs.

Onboard Safety and Health Committee shall be composed of the Chairman (Master), Secretary (Safety and Health Officer), and Member (Seafarers' Representative).

The Safety and Health Officer shall be a holder of the following certificates:

1. BOSH Certificate issued by DOLE or DOLE Accredited Safety Training Organization; and
2. Approved training in first aid and medical care as required by STCW.

SECTION 2. *Safety Protection and Accident Prevention.* - The shipowner shall ensure that the following shall be observed onboard for safety, protection and accident prevention:

2.1 Confined Space

- a) A seafarer must not enter a confined space without having been issued a work permit.
- b) If a hazardous substance may be produced in a confined space by the work to be performed, the confined space must be ventilated and each seafarer granted access to the confined space must use a respiratory protective device or breathing apparatus.

2.2 Electrical Safety

- a) All testing or work performed on electrical equipment must be in accordance with the Philippine Electrical Standards or its equivalent international standards and must be performed only by a seafarer with required training and skill in electrical work. The seafarer must use insulated protection and tools that will protect him from injury.
- b) If a seafarer is working on or near electrical equipment that is live or may become live, the electrical equipment must be guarded.

2.3 Hot Work Operations

- a) A sufficient number of fire extinguishers shall be provided in the working and adjoining areas.
- b) Hot work must not be performed in a working area where flammable gas, vapour or dust may be present in the atmosphere.
- c) Gas cylinders must be properly placed and securely stored in an upright position.

2.4 Fall Protection System

The shipowner must provide a fall-protection system to every seafarer who is granted access to an unguarded work area that is:

- a) More than two (2) meters above the nearest permanent safe level;
- b) Above any moving parts of machinery or any other surface or thing that could cause injury to a seafarer on contact; or
- c) Above an open hole.

2.5 Materials Handling and Storage

- a) *Use of Mechanical Equipment.* - Where mechanical handling equipment is used, sufficient safe clearance shall be allowed for aisles, at loading docks, through doorways and wherever turns or passage must be made. Aisles and passageways shall be kept clear with no obstruction across or in aisles that could create a hazard. Permanent aisles and passageways shall be appropriately marked.

- b) *Carriage Lifting.* - Every seafarer who is required to handle loads manually should be properly trained. Before lifting and carrying weights, seafarers should first inspect the load as regards its weight, size and shape. The use of Lifting Aids should be encouraged. Attention should be given to sharp edges, protruding nails or splinters, greasy surfaces or any other features which might lead to an accident.
- c) *Secure Storage.* - Storage of material shall not create a hazard. Bag containers, bundle, etc., stored in tiers shall be stacked, blocked, interlocked and limited in height so that they are stable and secured against sliding or collapse.
- d) *Housekeeping.* - Storage areas shall be kept free from accumulation of materials that constitute hazards of tripping, fire, explosion, or pest harborage. Controls for perishable items shall be exercised accordingly and in compliance with existing regulations. As far as practicable, the working surface used by a seafarer must be kept free of grease, oil or any other slippery substance and of any material or object that may create a hazard to a seafarer.

2.6 Fire Prevention, Fire Fighting and Emergency Response

- a) Fire protection equipment must be installed, inspected and maintained on board every vessel in accordance with the Fire Detection and Extinguishing Equipment Regulations of PMMRR and relevant Maritime International Conventions.
- b) Every shipowner must prepare emergency procedures, including evacuation or abandon ship procedures in accordance with the Emergency Drills of relevant conventions and Means of Escape or Regulations VIII/3 of PMMRR and relevant Maritime International Conventions.
- c) Notices that set out the details of the emergency procedures must be posted in conspicuous places that are accessible to every seafarer in the ship.
- d) Every seafarer must be trained and instructed on the procedures to be followed by a seafarer in the event of an emergency, and the location, use and operation of fire protection equipment and emergency equipment provided by the shipowner.
- e) Each ship and manned barge shall carry life jackets accessible to every person on board. In addition, they shall carry a sufficient number of life jackets for persons on watch.
- f) Each ship and manned barge provided with survival crafts without enclosures shall carry at least two thermal protective aids in every craft.

2.7 Personal Protective Equipment

- a) As provided in the Occupational Safety and Health Standards (OSHS), the ship owner shall, at his/her own expense furnish the seafarer with protective equipment for the eyes, face, hands and feet, protective shields and barriers whenever necessary by reason of the hazardous nature of the process or environment, chemical, physical, radiological or other safety hazards capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact.

- b) All personal protective equipment shall be of the approved design and construction appropriate to the exposure and the work to be performed.
- c) The ship owner shall be responsible for the adequacy and proper maintenance of personal protective equipment used in his workplace.
- d) No person shall be subjected or exposed to a hazardous environmental condition without proper protection.

SECTION 3. *Hazard Prevention Program.* - The shipowner shall:

- a) In consultation with the Safety and Health Committee, develop, implement and monitor a program for the prevention of hazards, including ergonomic-related hazards in the workplace that is appropriate to the size of the ship and the nature of the hazards;
- b) Conduct hazard risk evaluation and control including measures to reduce and prevent risk of exposure to harmful chemicals and physical hazards, such as heat, noise and vibration, as well as the risk of injury or disease that may arise from the use of equipment and machinery on board ships; and
- c) Institute measures to monitor work environment, safe work procedures, machine or equipment safety, maintenance, materials handling and the use of appropriate personal protective equipment (PPE).

SECTION 4. *Work Environment Conditions.* - The shipowner shall exert effort to maintain and control the working and living environment in comfortable and healthy conditions for the purpose of promoting and maintaining the health of the seafarers.

4.1 Ventilation

- a) The shipowner shall ensure that suitable atmospheric conditions shall be maintained in workrooms with machineries and other accommodation spaces by either natural or artificial means to avoid insufficient air supply and accumulation of contaminated air.
- b) Excessive heat or cold, sudden variations in temperature, excessive humidity or dryness or objectionable odors shall be controlled for the protection of seafarers from the adverse effects of these hazards.

4.2 Lighting

- a) Lighting standard does not apply to: 1) a vessel of less than 200 gross tonnage; 2) the bridge of a vessel; and 3) the exterior deck of a vessel where lighting levels may create a hazard to navigation.
- b) All areas shall be illuminated by natural light or provided with adequate artificial light.
- c) Every ship shall be equipped with an emergency lighting system that operates automatically in the event of a failure of the lighting system or if the regular power supply is interrupted. This is to provide sufficient illumination to allow the

seafarers to safely exit from confined spaces and proceed through passageways and stairways to the open deck.

- d) The average level of lighting on vessels must not be less than the recommended average level in lux as follows:
1. A minimum of 100 lux shall be provided where slight discrimination of details is essential for areas such as storage area, sanitary facilities, dining area and recreational facilities.
 2. A minimum of 200 lux shall be provided where moderate discrimination of details is essential for areas such as crew accommodation, boiler room, engine rooms, generator rooms, office, and service space at the head of the stairway, ladder, and hatchway.
 3. A minimum of 300 lux shall be provided where close discrimination of details is essential for areas such as galleys and workshops where machine work, repair and medium inspection are conducted.

The lighting level measurements must be carried out by a qualified person.

4.3 Prevention of Noise and Vibration

- a) The level of sound in the workplace must be less than 85 decibels (dB). If it is not reasonably practicable for the shipowner to maintain the level of sound at less than 85 dB, feasible engineering or administrative controls shall be utilized. If such controls fail to reduce a sound within this level, ear protective devices capable of bringing the sound level to permissible noise exposure shall be provided by the ship owner and used by the seafarer.
- b) In a workplace where the level of sound is 85 dB or more, the employer must put signage and warnings to persons entering the workplace.
- c) Accommodation and recreational and catering facilities must be as far as practicable insulated from the engines, steering gear rooms, deck winches, ventilation, heating and air conditioning equipment and other noisy machinery and apparatus.
- d) Working spaces such as the machine shop must be, as far as practicable, insulated from the general engine-room noise and measures must be taken to reduce noise in the operation of machinery.
- e) Accommodation or recreational or catering facilities must not be exposed to excessive vibration.
- f) A seafarer must not be exposed to a continuous level of sound more than 75 decibel in crew.

4.4 Hazardous Substances

- a) All containers with hazardous substances shall be properly labeled in accordance with Globally Harmonized System. No shipowner within the scope of this Rule shall accept any container of hazardous substances for use, handling, storage or disposal on a vessel unless such container is labeled with the following:
1. the trade and chemical name of the substance
 2. the hazardous properties of the substance
 3. hazard statements
 4. precautionary statements

5. manufacturers identity
- b) All hazardous substances for use, handling and storage on a vessel should have Safety Data Sheet (SDS) from the supplier and shall keep a copy of SDS readily available in the ship for information of the seafarers.
 - c) Seafarers shall be given careful instructions if special precautions need to be taken since when operations would produce fumes may be produced and depleted oxygen.
 - d) A seafarer must not be exposed to a concentration of an airborne chemical agent in excess of the threshold limit value for that chemical agent prescribed by the Occupational Safety and Health Standards.

SECTION 5. *Occupational Health.* -

5.1 Occupational Health Program

- a) Occupational Health Program (OHP) aims to prevent accidents, illnesses or deaths and to promote the health of seafarers.
- b) The OHP shall comply with:
 - 1. The required medical examinations of the Department of Health for Seafarers and provide other preventive health services such as immunizations, health awareness campaigns, health programs addressing physical and mental fatigue and the like.
 - 2. DOLE issuances on the prevention and control of HIV/AIDS, hepatitis B, tuberculosis, and the effects of drug and alcohol dependency.

5.2 Medical Care Onboard Ship and Ashore

- a) The shipowner shall provide adequate medical services onboard and shall ensure that seafarers have access, when in port, to out-patient treatment for sickness or injury, hospitalization when necessary, and dental treatment especially in cases of emergency;
- b) The shipowner shall ensure that there is available means of communication for medical advice either by radio or satellite communication;
- c) The shipowner shall instruct the Safety and Health Officer with responsibility for medical care or first aid in the use of the ship's medical guide and shall establish written instructions that provide for the prompt rendering of first aid for any injury, disabling injury, or illness;
- d) The ship Safety and Health Officer shall keep a copy of the instructions readily available for examination by seafarers. In case the ship carries cargoes classified as dangerous, necessary information from the safety data sheets on the nature of the substance, the risks involved, the necessary personal protection equipment required, the relevant medical procedures and specific antidotes shall be made available to seafarers;
- e) Seafarers shall, if possible, report immediately for first aid to a person who holds a first aid certificate if they sustain an injury or become aware that he/she has a disabling injury or illness; and

- f) The Safety and Health Officer shall undergo refresher courses to update on knowledge and applications at approximately five-year intervals and to keep the said Officer abreast of new developments.

5.3 Medicine Chest, Medical Equipment and Medical Guide

- a) The shipowner shall ensure that all ships carry a medicine chest, medical equipment and medical guide which shall be properly maintained and inspected at regular intervals by the Safety and Health Officer. Medicines shall be properly stored and labeled with directions for use and expiry dates;
- b) Medicine chests shall be accessible to seafarers on board ship and shall be clearly identified by a conspicuous sign. The shipowner shall provide and maintain medicines, medical supplies and equipment listed in the Occupational Safety and Health Standards or Maritime First-aid Guide which, as much as possible, shall not be limited to the number of seafarers on board; and
- c) If substance hazardous to skin or eye exists in the ship, shower facilities to wash the skin and/or eye wash facilities to irrigate the eyes shall be provided for immediate use by seafarers, or if it is not practicable to do so, portable equipment shall be provided such as wash basins.

5.4 Medical Records

- a) The shipowner shall keep and maintain records, reports or other documents in a manner that ensures that they are readily available for examination by the ship's health and safety officer;
- b) The seafarer shall have access to medical records at no cost as may be needed; and
- c) The seafarer's medical records are considered confidential and shall be treated by the shipowner as such, and that only upon the expressed approval of the seafarer can the shipowner furnish any copy of the seafarer's medical records to any third party.

5.5 Prevention and Control of HIV/AIDS, Drugs and Alcohol in Ships

Policy and programs on the prevention and control of HIV/AIDS, drugs and alcohol shall be developed and implemented. The policy and program must conform with DOLE Department Order 53-03 (*Guidelines for the Implementation of a Drug-Free Workplace Policies and Programs for Private Sector*) and Department Order 102-10 (*Guidelines for the Implementation of HIV/AIDS Prevention and Control in the Workplace*).

5.6 Violence Prevention in the Workplace.

- a) The ship owner shall develop a workplace violence prevention policy and carry out its obligations in consultation with the seafarers.
- b) The policy shall be posted at a place accessible to all seafarers and shall set out the following shipowners' obligations:
 - 1. To provide a safe, healthy and violence-free work place;
 - 2. To dedicate sufficient attention, resources and time to address factors that contribute to work place violence including, but not limited to, bullying, teasing, and abusive and other aggressive behavior and to prevent and protect against it;
 - 3. To communicate to its seafarers information about factors contributing to work place violence; and

4. To assist seafarers who have been exposed to work place violence.
- c) The shipowner shall conduct in-house seminar on this program to give awareness to seafarers.

5.7 Prevention of Sexual Harassment in the Workplace

Policy and programs on the prevention of sexual harassment in the workplace shall be developed and implemented in conformance with Republic Act 7877, known as the Anti-Sexual Harassment Act of 1995. It is an Act Declaring Sexual Harassment Unlawful in the Employment, Education or Training Environment and For Other Purposes.

It shall be the duty of the shipowner to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment.

RULE III CREW ACCOMMODATION

SECTION 1. *General Accommodation.* – The requirements of this Guidelines on accommodation and recreational facilities shall apply to ships constructed on or after the date when MLC, 2006 comes into force.

For ships constructed before said date, the requirements on the Accommodation of Crews Convention No. 92 and its supplementary provision No. 133, the existing standards on safety and health from the Maritime International Conventions, PMMRR, SOLAS, and ISM Code shall continue to apply to the extent that they are applicable.

The shipowner must ensure that there is adequate headroom in all crew accommodation and the minimum headroom in all crew accommodation where full and free movement is necessary must be at least two hundred three (203) centimeters. Those vessels where the peculiar nature of operations of a ship render impractical the herein regulations on accommodation such as tugboats, tanker-barges, propelled and non-propelled dry cargo barges, or those passing low bridges are exempted provided that full and free movement of seafarers working therein is ensured.

The deck covering in all crew accommodation must:

1. Be kept free of grease, oil or any other slippery substance and any material or object that may create a hazard to an employee; and
2. Have sufficient drainage.

The system of ventilation for sleeping quarters, mess rooms, sanitary spaces, food preparation or canteen, and personal service rooms shall also be controlled so as to maintain the air in a satisfactory condition and to ensure sufficient air circulation at all times.

SECTION 2. *Sleeping Quarters.* – The following provisions shall apply:

- a) Sleeping quarters must not open directly into cargo and machinery spaces, galleys, storerooms, drying rooms or communal sanitary areas. In passenger vessels and in special purpose vessels where arrangements are made for lighting and ventilation, sleeping quarters may be located below the load line, but in no case are they to be located beneath working passageways.

- b) If the size, type or intended service of the vessel renders any other location impractical, sleeping quarters may be located in the fore part of the vessel, but in no case are they to be located forward of the collision bulkhead.
- c) In ships of less than 3,000 gross tonnage other than passenger ships and special purpose ships, sleeping rooms may be occupied by a maximum of two seafarers; the floor area of such sleeping rooms shall not be less than seven (7) square meters.
- d) On passenger ships and special purpose ships, the floor area of sleeping rooms for seafarers shall not be less than:
 - 1) 7.5 square meters in rooms accommodating two persons;
 - 2) 11.5 square meters in rooms accommodating three persons; and
 - 3) 14.5 square meters in rooms accommodating four persons.
- e) For each occupant, the furniture shall include a clothes locker of ample space (minimum of 475 liters) and a drawer that can be locked by the occupant so as to ensure privacy.
- f) Each personal service room and galley must be adequately ventilated to provide at least two changes of air per hour to have adequate supply of air provided for seafarers who normally use the room at any one time.
- g) In sleeping quarters and galleys, the temperature measured one meter above the deck in the center of the room or galley, must be maintained at a level of not less than 18⁰C and, if practicable, not more than twenty-nine degrees celsius (29⁰C).
- h) A seafarer must not be exposed to a continuous level of sound more than 75 dB in crew accommodation.
- i) Separate sleeping rooms shall be provided for men and women.

SECTION 3. *Mess Rooms.* – The following shall apply:

- a) Where a seafarer is required to eat on board a vessel there must be, as far as practicable, a galley or dining area equipped with, at a minimum, the dishes and utensils in sufficient number to accommodate the greatest number of seafarers likely to use them at any one time.
- b) Mess room facilities should consider the size of the ship and the distinctive cultural, religious, and social needs of the seafarers.

SECTION 4. *Sanitation Facilities.* – The following shall apply:

- a) Every ship owner must maintain each personal service room, galley and pantry used by seafarers in a clean and sanitary condition. It must be cleaned at least once every day that it is used.
- b) If a vessel is in operation, an inspection must be made once a week on:
 - 1) the supplies of food and water on the vessel;
 - 2) all spaces and equipment used for the storage and handling of food; and
 - 3) the galley and equipment used for the preparation and service of food.

- c) Each container that is used for solid or liquid waste in a work place must:
 - 1) be equipped with a tight-fitting cover; and
 - 2) be constructed so that it can be easily cleaned and maintained in a sanitary condition.
- d) The seafarer must not use a personal service room for the purpose of storing equipment or supplies unless a closet fitted with a door is provided in that room for that purpose.
- e) Sanitary facilities for vessels engaged in voyages of more than four (4) hours must be equipped with:
 - 1) A minimum of one toilet, one wash basin and shower, provided at a convenient location for every group of not more than six persons who do not have a personal toilet, wash basin or shower.
 - 2) Fresh water running from taps that are clearly marked to indicate whether the water supply is hot or cold.
- f) In passenger ships normally engaged on voyage of not more than four-hour duration, consideration may be given to special arrangements or to a reduction in the number of facilities required.

SECTION 5. *Hospital Accommodation.* – The following shall apply:

- a) The hospital accommodation should be designed so as to facilitate consultation and the giving of medical first aid and to help prevent the spread of infectious diseases.
- b) Sanitary facilities for the exclusive use of the patient should comprise a minimum of one toilet, one washbasin and a shower.
- c) With respect to requirements for hospital accommodation, ships carrying fifteen (15) or more seafarers and engaged in a voyage of more than three days' duration, the separate hospital accommodation is to be used exclusively for medical purposes.

SECTION 6. *Recreational Facilities.* – The shipowner shall provide at no cost to the seafarers:

- a) Recreational facilities, which as a minimum, shall include a book case and facilities for reading, writing and, where practicable, a canteen or other equivalent arrangements;
- b) Sports and equipment such as exercise equipment, table games and deck games, electronic equipment such as radio, television, and video recorder; and
- c) Reasonable access to ship-to-shore telephone communication, e-mail and internet facilities, where available, with any charges for the use of these services being reasonable in amount.

SECTION 7. *Food and Catering.* – The following shall apply:

- a) Every shipowner must ensure that seafarers are provided with potable water for drinking, personal washing and food preparation.
- b) Potable water shall be tested in accordance with WHO guidelines for drinking water quality at least once at intervals of not more than six (6) months. Prior to bunkering potable water at any port, a water quality report should be made available.
- c) The potable water storage tanks shall be cleaned and disinfected at intervals not exceeding one year, or more frequently, if potable water test results indicate contamination.
- d) All seafarers tasked with the responsibility of food handling and preparation shall be trained, qualified and found competent for the position in accordance with the requirements set out by Technical Education and Skills Development Authority (TESDA) training regulations.

RULE IV REPORTORIAL REQUIREMENTS

SECTION 1. *Health and Safety Organization and the Shipowners Work Accident and Illness Report.* – Every shipowner shall:

- a) Submit to the DOLE through its Regional Office the Report on Safety and Health Organization and the Shipowners Work Accident and Illness Report that records the number of accidents, instances of occupational disease and other hazardous occurrences of which the shipowner is aware that have affected any seafarer in the course of employment as the accident occurs. The template for the reports is downloadable at www.dole.gov.ph.

For fatal accidents or permanent total disability cases, the report should be faxed or submitted online to the Bureau of Working Conditions within 24 hours after occurrence of the contingency; otherwise, all other accidents should be reported before the 20th day of the month following the date of occurrence.

- b) Ensure that comprehensive statistics of such accidents and diseases are kept, analyzed and published and that occupational accidents are investigated.
- c) Have a copy of the report of the ship safety and health officer regarding any accident, occupational disease or other hazardous occurrence that may result in the following:
 - 1) Death of a person;
 - 2) Missing seafarer / person;
 - 3) Disabling injury/illness;
 - 4) Loss of consciousness of a seafarer as a result of an electric shock, a toxic atmosphere or an oxygen-deficient atmosphere;
 - 5) Loss of a body member or a part of one or the complete loss of the usefulness of a body member or a part of one;
 - 6) Permanent impairment of a seafarer's body function;
 - 7) Fire or an explosion;
 - 8) Damage to a boiler or pressure vessel that results in fire or the rupture of the boiler or pressure vessel; or
 - 9) Workplace violence.

SECTION 2. *Minor Injury.* - Every shipowner shall keep a record of each minor injury that affects a seafarer in the course of employment. Such record shall contain:

- a) Date, time and location of the occurrence that resulted in the minor injury;
- b) Name of the affected seafarer;
- c) Brief description of the minor injury;
- d) Cause/s of the minor injury; and
- e) Description of the first aid or medical treatment given to the seafarer, if applicable.

RULE V COMPLIANCE AND ENFORCEMENT

SECTION 1. *Compliance and Enforcement.* - All shipowners engaged in domestic and international shipping must comply with the provisions of this Maritime Occupational Safety and Health Guidelines. The enforcement of this Guidelines shall be governed by the applicable provisions of Department Order Nos. 129 and 130.

RULE VI MISCALLENOUS PROVISIONS

SECTION 1. *Regular Review.* - The provisions in this Guidelines shall be regularly reviewed in consultation with the representatives of the shipowners' and seafarers' organizations, and if necessary, revised, to take into account changes in technology and research in order to facilitate continuous improvement in the occupational safety and health policies and programs and to provide a safe occupational environment for seafarers on ships.

SECTION 2. *Penal Provision.* - All violations of the provisions of this Guidelines shall be subject to the applicable penalties provided for in the Labor Code, PD 442 as amended.

SECTION 3. *Transitory Provision.* - All seafarers designated as Safety and Health Officers, currently onboard ships engaged in international voyages or in domestic shipping, without BOSH Certificate and training on first aid and medical care shall be required to secure the necessary training and certification within one (1) year after the effectivity of this Guidelines.

SECTION 4. *Effectivity.* - This Guidelines shall be effective immediately after its publication in a newspaper of general circulation.

Manila, Philippines, 08 August 2013.


ROSALINDA DIMAPILIS-BALDOZ

Secretary

Dept. of Labor & Employment
Office of the Secretary



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