

FREQUENTLY ASKED QUESTIONS (FAQ) on DO 198-18

1. **Question:** Who will certify safety officer?

Answer:

Pursuant to Labor Advisory No. 04-19, Safety Officer shall be certified by the company's Human Resource (HR) Unit/Section based on the qualification requirements as provided for under Section 14 of DO 198-18 which include completion of the prescribed training on OSH and the required minimum years of experience in OSH, as applicable.

2. **Question:** Can the safety officer be outsourced?

Answer:

No. Safety Officer as certified by the company must be a regular/organic employee or officer of the company who has knowledge on the operation of the company and tasked to oversee the overall management of the OSH program in coordination with the OSH committee.

3. **Question :** Can the safety officer perform other tasks or do multi-tasking?

Answer:

Yes, the company can either designate a safety officer from any of the regular employee, supervisor or manager or employ a safety officer to perform the functions as provided for in the OSH law. However, for the designated safety officer, the company shall ensure that appropriate time shall be devoted by the designated safety officer in the performance of the required functions as safety officer.

4. **Question:** How to determine the number and type/level of safety officer/s required for a company?

Answer:

The required number and type or level of safety officer (SO1, SO2 SO3, SO4) shall be based on the number of workers and the company's risk category (low risk, medium risk, high risk). Please refer to the table on the minimum number of safety officers and risk classification under Section 14 of DO 198.

5. **Question:** Does a company with many branches employing one (1) worker only per branch/ area need to designate a safety officer per branch/area.

Answer:

A roving employee/officer of the company, if any, may be designated as safety officer to oversee, monitor and coordinate implementation of OSH program of the company. A joint OSH Committee (if these establishments are found in malls or multi-tenanted buildings) may likewise be organized for the effective implementation of the company's OSH program.

6. **Question:** How can the company comply with the required safety officer given that the company does not have any qualified safety officer?

Answer:

The company may enter into contract or engaged the services of an accredited Practitioner or accredited SO3 or accredited Consultant or accredited SO4 for a maximum of one (1) year.

7. **Question:** What are the new classifications of establishments and who will determine establishments' classification?

Answer:

Previous classification of establishments as non-hazardous, hazardous and highly hazardous will now be classified based on the risk category such as low risk, medium risk or high risk. The establishment shall be responsible in determining its own level of classification based on the HIRAC developed by the company's safety officer.

A HIRAC table or matrix is prepared for a major task or operation of a company. Companies may have several levels of risk ranging from low-risk to moderate to high risk which could provide priority actions to eliminate or minimize the risk levels identified.

8. **Question:** For clinic to be established in the workplace, how many clinic beds are required?

Answer:

The company may be allowed to maintain a maximum of two (2) clinic beds onsite with corresponding measures in attending to the health conditions of the patients. A maximum of 1-2 hours stay of the patient in the clinic may be observed and

the company must ensure that patients are properly attended to and should be sent immediately to the nearest hospital, as necessary or be sent home upon clearance.

9. Question: Can the Mandatory Workers 8 hours OSH seminar be conducted on-line?

Answer:

Yes, The manner of conducting the required 8 hour OSH training for the workers through on line or other means (face to face) is allowed as long as it adheres with the prescribed module to achieve its objectives. The necessary components in the effective conduct of the mandatory training on OSH for workers must be integrated in the company's online training platform to include immediate feedback mechanism/ validation to ascertain learning of the participants. Monitoring of re-entry plan as an important part of the training module must also be included as a post training activity.

10. Question: Should the Does the mandatory Worker's OSH Seminar be taken in 8 continuous hours (1 whole day)?

Answer:

Not necessarily. The company has the option and flexibility in the conduct of this training. It can be conducted on a broken time schedule or staggered basis but should be completed not longer than 2 weeks week per participant upon commencement of training.

11. Question: Are Safety Officer required to be accredited by the DOLE?

Answer:

No Accreditation is required for OSH personnel working in any establishment or workplace.

However, should those OSH personnel wanting to be engaged with Safety Training Organizations or STOs as resource speaker/trainer then DOLE- Accreditation is required.

12. Question: Who are authorized to conduct the mandatory Worker's OSH Seminar and who are required to attend?

Answer:

The company's safety officer is recommended to conduct the mandatory Workers 8 hours OSH seminar. They are familiar with the hazards and risks in the companies and will provide relevant and practical information. They shall also

provide the company policies on OSH that workers should know and follow. However, companies may also engage the service of any accredited SO3 or SO4 (accredited practitioner or consultant) using the prescribed module.

All workers are required to undergo the mandatory workers OSH seminar which shall be jointly participated by workers and employers. A certificate of attendance to the Workers' OSH Seminar, attendance sheet and other documents as proof of compliance shall be presented during conduct of inspection for validation.

13. Question: Is there a required timeline in the conduct of the mandatory Worker's OSH Seminar?

Answer:

Although the law and IRR does not specify a definite time period for the conduct of the Workers OSH Seminar, it is highly recommended that company's conduct this as soon as possible. Assistance in the development of the prescribed module may be provided by the DOLE.

14. Question: Does the mandatory Worker's OSH Seminar be taken annually?

Answer:

No. Said mandatory training should be taken one time only. However, the company must provide other OSH related trainings to the workers as part of the company's OSH program implementation and shall be at no cost to the worker and considered as compensable working time.

DOLE DO 198 required quarterly re-orientation for high risk activities; and a re-orientation should also follow after changes in operations and production.

15. Question: Where can OSH personnel get the required Basic OSH training?

Answer:

OSH Personnel must undergo the prescribed BOSH training required of them to the DOLE-Accredited Safety Training Organizations. (www.oshc.dole.gov.ph)

16. Question: Can OSH related trainings conducted by non-DOLE-Accredited Safety Training Organization be accepted?

Answer: Yes, but only for additional trainings required, but NOT for the prescribed trainings for OSH Personnel which should be done by the DOLE-Accredited STOs.

17. Question: Can a company with HMO or with MOA with the nearest hospital still be required to provide a medical clinic/first aid treatment room in the workplace?

Answer:

Yes, Section 15 of D0198-18 states that “*Every employer covered by this Rule shall provide his/her workers medical services and facilities and shall not be an excuse by employer from maintaining in his/her workplace a first-aid treatment room or clinic for workers*”. Thus, medical clinic or first aid treatment room within the workplace is required together with the required OH personnel and facilities.

MOA with the nearest hospital is only applied in lieu of the required hospital or dental clinic in the workplace employing more than 1,000 workers, wherein the hospital or dental clinic is located not more than five (5) kilometers away from the workplace and accessible in not more than twenty-five (25) minutes travel time. The agreement with the hospital shall cover the treatment of workers in cases of emergency.

Likewise, having an HMO or MOA is not an equivalency/replacement also of the required OH personnel on site.

18. Question: Can the OH nurse or safety officer be designated as first-aider?

Answer:

Yes, OH nurse or safety officer may be designated as first aider as long as he/she has a first-aider Certificate issued by the Philippine Red Cross (PRC) and other organizations recognized by DOLE like Department of Health (DOH), Bureau of Fire (BFP) and Technical Education Skills Development Authority (TESDA) .

19. Question: Are OH personnel required to be full time?

Answer:

OH personnel may be part-time or full-time based on the level of risks and number of employees. They may also be outsourced.

20. Question: Is OSH Committee required for company with less than 10 employees?

Answer:

Yes, OSH Committee is required for all covered workplaces to ensure that the safety and health program is observed and enforced. Section 13 of DO 198 provides:

(a) For establishments with less than (10) workers and low risk establishments with ten (10) to fifty (50) workers – A SO1 shall establish an OSH Committee composed of the following:

Chairperson: Company Owner or manager

Secretary: Safety Officer of the Workplace, who may also be the owner, manager
or his/her designated representative

Member: At least one (1) worker