

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

HOUSE BILL NO. 491

Introduced by Jose G. Solis

EXPLANATORY NOTE

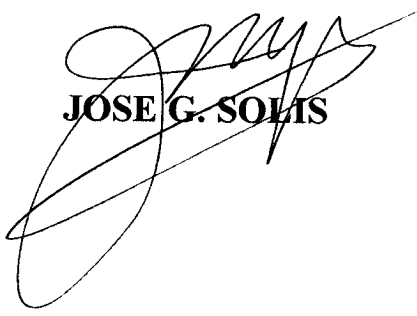
This bill seeks to penalize employers, which discriminate against a person for an opportunity to be employed by reason of non-related work requirements.

Section 3, Article XIII of the Constitution mandates the State to afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all.

More often than not, the above constitutional provision has been violated. Some private companies are imposing certain requirements which for some are almost impossible to comply. An example is the height requirement when the position to be filled up or work to be done does not require whether one is tall or short. Among these companies are the fast food chains and department stores. Such discrimination is so common and widespread, and seemingly so unchallenged, that goes on unabated in spite of the obviously pernicious effects on the economic stature of shorter individuals, if not the economic well being of the whole country. This flagrant discrimination regarding height is unfair to shorter individuals particularly when the height of the individual is irrelevant to the work required. It is insulting and inhumane toward individuals who are of shorter stature for no fault of their own, projects a psychologically damaging view of height in a country where many individuals fall below the minimal height requirements of some agencies.

Likewise, other unfair discrimination's such as age, skin color, and other physical attributes, which are work-unrelated features, exist in providing employment opportunity to our fellowmen. This group should also be protected. This way, the economy may become increasingly a meritocracy that reward merit and hard work, instead of relying on certain vain values regarding "appearance."

To promote fairness, equality and justice in employment opportunities, approval of the bill is earnestly recommended.



JOSE G. SOLIS

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AN ACT
PENALIZING DISCRIMINATION AGAINST WORK APPLICANTS

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. It shall be unlawful for any company, agency, institution, industry, including hotels, restaurants and similar establishments to discriminate against any person for employment by reason of height, skin color, physical feature and age: Provided, that the nature of the work to be done requires such limitations.

SEC. 2. Any person, company, agency, institution, hotel, restaurants or similar establishments which shall require its applicants any physical attribute which is not related to the work to be done shall be penalized by a fine of not less than fifty thousand pesos (P50,000.00) nor more than one hundred thousand pesos (P100,000.00) for the first offense, and in addition

to fine, revocation or cancellation of business permit or license for the second offense.

SEC. 3. All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 4. This Act shall take effect upon its approval.