

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Thirteenth Congress
First Regular Session

HOUSE BILL NO. 1976

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Introduced by **Hon. Gerardo J. Espina, Jr.**

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EXPLANATORY NOTE

This bill seeks to protect members of the third sex in all sectors of the labor force both in public and private employment from discrimination in their recruitment, employment, promotion and dismissal by prohibiting such act and providing penalties therefore.

Amidst the protection given by our present laws to both men and women in the labor force a sizable number of employees, had decried certain objectionable practices by employers both in public and private service. One of these practices is the discrimination employed against members of the third sex by their employers in their recruitment, employment, promotion and dismissal of said employees. Considering that members of the third sex are no less capable in their endeavors than any normal man or woman, it would be a better policy that we equalize all opportunities for employment and improvement without discrimination as to the employee's sexual classification.

It is toward this goal of equal opportunity to all members of the labor force both in private and public employment that this bill is being proposed.

Approval of this bill is hereby recommended.


GERARDO J. ESPINA, JR.

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AN ACT

PROHIBITING DISCRIMINATION IN THE RECRUITMENT, EMPLOYMENT, PROMOTION AND DISMISSAL OF ANY MEMBER OF THE THIRD SEX BOTH IN PUBLIC AND PRIVATE EMPLOYMENT AND PROVIDING PENALTIES THEREFOR.

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

SECTION 1. Any provision of existing laws to the contrary notwithstanding, it shall be unlawful for an employer to discriminate against any member of the third sex with regards to their recruitment, employment, promotion and dismissal both in public and private employment.

The provision of the preceding paragraph notwithstanding, only officers and agents of corporations, agencies, departments, associations or partnerships who have actually participated in, authorized or ratified discrimination shall be held criminally liable.

SECTION 2. Any violation of this Act shall be punished with a fine of not less than One Thousand pesos (P1,000) nor more than Ten Thousand pesos (P10,000), or imprisonment of not less than three months nor more than three years, or both such fine and imprisonment at the discretion of the court.

Any provision of law to the contrary notwithstanding, any criminal offense punished in this Act shall be under the concurrent jurisdiction of the Municipal or Regional Trial Court.

SECTION 3. The Commission on Civil Service and Department of Labor shall issue the necessary rules and regulations with regards to their respective jurisdiction for the effective implementation of this Act.

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

Approved.