

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 3653

Introduced by HON. DAISY AVANCE-FUENTES

Article XIII, Section 3 of the 1987 Constitution provides that *“the State shall afford full protection to labor, local and overseas, organized or unorganized, and promote full employment and equality of employment opportunities for all.”*

It is the view of this representation that said constitutional mandate means that every person must be given a fair chance when seeking employment; that every employer must treat job applicants equally; and that there should be no discrimination among those seeking employment, even on the aspect of past criminal record or conviction.

It is disheartening to note that individuals who have been previously convicted of a crime continue to suffer punishment way after serving their sentences. All too often, persons with criminal records or previous convictions almost immediately get turned down when seeking employment. This situation can be considered nothing short of discrimination, which should not be tolerated. It is time that we rectify the medieval perception that persons with past criminal records are outcasts of society. It is time that we cultivate a new culture, one that provides said individuals with every opportunity to start anew. The stigma that these persons have suffered due to numerous years of imprisonment should not be further compounded by a society that continues to treat them as dangerous elements of our community.

This bill is simple and practical, in the sense that it merely seeks to punish employers who shall discriminate any person who has been previously convicted of a crime but has already served his/her sentence. No appropriation is required for this proposal, just a commitment to outlaw another form of discrimination and assure that all our fallen brethren who have already undergone the appropriate correction will truly have a new lease on life.

Support for the swift passage of this measure is earnestly requested.


DAISY AVANCE-FUENTES

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**FIFTEENTH CONGRESS
First Regular Session**

HOUSE BILL NO. 3653

Introduced by Honorable **Daisy Avance-Fuentes**

**AN ACT
PROHIBITING DISCRIMINATION AGAINST ANY PERSON APPLYING
FOR EMPLOYMENT BY REASON OF SAID PERSON'S PREVIOUS
CRIMINAL CONVICTION**

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

SECTION 1. PROHIBITION AND PENALTY. Any employer who shall discriminate against or turn down an application of any person applying for employment by reason of the person's previous criminal conviction shall be punished with the penalty of imprisonment from one (1) month and one (1) day to six (6) months and cancellation of the business permit.

SECTION 2. IMPLEMENTING RULES AND REGULATIONS. The Department of Labor and Employment (DOLE), in coordination and consultation with the Department of Justice (DOJ), shall issue and publish the rules and regulations necessary for the effective implementation of this Act.

SECTION 3. REPEALING CLAUSE. All laws, orders, decrees, rules and regulations which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed accordingly.

SECTION 4. EFFECTIVITY. This Act shall take effect fifteen (15) days after its publication in Filipino and English in at least two (2) newspapers in general circulation.

APPROVED,