

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 4477

Introduced by HONORABLE EMIL L. ONG

EXPLANATORY NOTE

Based on the study conducted by the International Labour Organization (ILO), throughout the world, around 215 million children work, many full-time. They do not go to school and have little or no time to play. Many do not receive proper nutrition or care. They are denied the chance to be children.

The estimated number of household (or domestic) workers in the Philippines ranges from 600,000 to 2.5 million (ILO 2004). Of the estimated 2.5 million household workers, Visayan Forum, an NGO concerned with the plight of household workers, estimates that 1 million are children.

Nowadays, househelpers tend to be very young, usually aged 15-17 years old. Perhaps, the second largest group of working children, next to agricultural workers, is household helpers. Thus, making them vulnerable to various kinds of abuse, as their workplaces are the private homes of their employers, and their work are hidden from public view.

The draft *Kasambahay* Bill proposed by ILO provides for the prohibition on the employment of children of *kasambahay*, below 18 years of age, to work as *kasambahay*, consistent with Republic Act No. 9231.

In view of the foregoing, and in order to provide special protection to minors below 18 years of age who are vulnerable to all forms of abuse and other conditions prejudicial to their development, the minimum employable age of househelpers, whether on full or part-time basis, should be increased to 18 years old. Hence, approval of this bill is earnestly sought.


EMIL L. ONG
Representative
2nd District, Northern Samar

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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House Bill No. 4477

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AN ACT
INCREASING THE MINIMUM EMPLOYABLE AGE OF HOUSEHELPERS TO 18 YEARS OF
AGE, THERBY AMENDING FOR THIS PURPOSE ARTICLE 141 OF PRESIDENTIAL
DECREE NO. 442 (PD 442), AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE
OF THE PHILIPPINES

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

SECTION 1. Article 141 of Presidential Decree No. 442, as amended, otherwise known as the Labor Code of the Philippines, is hereby further amended to read as follows:

"ART. 141. COVERAGE – This Chapter shall apply to all persons rendering services in household for compensation, **WHETHER ON FULL OR PART-TIME BASIS.**

"Domestic or household service" shall mean services in the employer's home which is usually necessary or desirable for the maintenance and enjoyment thereof and includes ministering to the personal comfort and convenience of the members of the employer's household, including services of family drivers.

"ART. 141-A. MINIMUM EMPLOYABLE AGE OF HOUSEHELPERS. –
NO PERSON OF EITHER SEX, BELOW EIGHTEEN (18) YEARS OF AGE,
SHALL BE EMPLOYED AS HOUSEHELPERS."

"ART. 141-B. PROHIBITION ON EMPLOYMENT OF CHILDREN OF
HOUSEHELPERS – THE EMPLOYMENT OF CHILDREN OF
HOUSEHELPERS WHO LIVE UNDER THE EMPLOYER'S ROOF SHALL NOT

BE ALLOWED. IN NO CASE SHALL THE CHILDREN OF HOUSEHELPERS, BELOW 18 YEARS OLD, BE EMPLOYED OR PERMITTED TO WORK AS HOUSEHELPERS.

SECTION 2. Separability Clause. – If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 3. Repealing Clause. – All laws, executive orders, presidential decrees, presidential proclamations, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 4. Effectivity Clause. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation

APPROVED,