

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4810

Introduced by **HONORABLE LANI MERCADO-REVILLA**

EXPLANATORY NOTE

The Constitution, Article II, Section 14, provides:

“The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.”

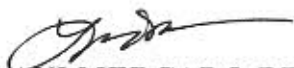
Under Article 130 of Presidential Decree No. 442 otherwise known as the Labor Code of the Philippines, as amended, night work for women employees is generally prohibited in industrial and commercial undertakings. However, there are some exceptions as provided for under Article 131 of the same Code. In addition to the six (6) exceptions specifically enumerated in Article 131, where women employees are allowed to work during night time, the Secretary of Labor is allowed, in analogous cases, to exempt women employees from the said provision. Nonetheless, even if women workers are exempted from working at night, female workers suffer a burdensome process of securing the necessary paper work and permits at the various bureaus of the Department of Labor and Employment (DOLE) as well as offices attached to it before she can embark on a night shift.

The provisions of the Labor Code are not only discriminatory provisions against women workers but are already outdated and obsolete. It is high time that these unconstitutional and discriminatory provisions against women be repealed because they have no place in a state where the fundamental equality of women and men are recognized and ensured.

Many women work at night particularly those who work in the call center industry. At present, there are 788 call centers scattered in 20 locations in the country making the Philippines as one of the top business process outsourcing country in the world. According to the Asia Sentinel, Filipinas dominate call center jobs by up to 59.3 percent. It is therefore imperative that we accord to women the same rights and privileges that we accord to men.

Women should no longer be viewed as mere housewives who are expected to stay at home to take care of their husbands and their children, but should be regarded as taxpayers who should be given protection and support by the state as they actualize themselves as individuals and in the process help in propping the Philippine economy as they go about in their duties as a daughter, wife, mother and grandmother.

The immediate passage of this bill is thus earnestly requested.


REP. LANI MERCADO-REVILLA
2nd District, Cavite

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**AN ACT REPEALING ARTICLES 130 AND 131 OF PRESIDENTIAL DECREE
NUMBER FOUR HUNDRED FORTY-TWO (P.D. NO. 442), AS AMENDED,
OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES**

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

Section 1. Articles 130 and 131 of the Labor Code, as amended, are hereby repealed.

Section 2. This Act does not in any manner repeal, amend or modify other provisions of the Labor Code, as amended.

Section 3. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,