

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 6111

Introduced by HONORABLE CATALINA C. BAGASINA

EXPLANATORY NOTE

Section 18, Article II of the Constitution affirms labor as a primary social economic force. In furtherance of the constitutional policy of social justice, the State shall afford full protection to labor and promote full employment and equality of employment opportunities for all. It is also the duty of the State to ensure that all persons who are working are able to fully realize the rights, security and benefits provided by law.

It has become a habitual practice of many employers to use the six-month probation period and labor-only contracting to prevent the regularization of employees to evade the responsibility of providing the benefits and privileges of regular employees which are required by law.

This bill seeks to address the inequality by equalizing the rights of regular employees with that of casual, seasonal, project, piecemeal and contractual employees so that any present and future rights, privileges and benefits of regular employees shall also be enjoyed by them.

In view of the foregoing, the passage of this bill is earnestly sought.


CATALINA C. BAGASINA

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

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AN ACT TO EXTEND THE BENEFITS OF REGULAR EMPLOYEES TO ALL
CASUAL, SEASONAL, PROJECT AND CONTRACTUAL EMPLOYEES

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

SECTION 1. Declaration of Principle. It is the State's duty to ensure that all persons who are working are able to fully enjoy all the rights, security and benefits provided by law.

SEC. 2. Equalization of rights. Upon the effectivity of this law, all the rights, privileges and benefits presently being enjoyed and will be enjoyed by regular employees shall be enjoyed by and demandable by all casual, seasonal, project, piecemeal and contractual employees, including but not limited to enrollment in SSS, Pagibig, Philhealth, Employees Compensation, healthcare and medical insurance, voluntary pension plans and other similar schemes; minimum wage rates, overtime pay, holiday pay, night shift differential, 13th month pay, service incentive leaves and other employee benefits.

SEC. 3. Penalties. – Any violation of the foregoing provisions shall be punished with a fine of not less than one hundred thousand pesos (Php100,000.00), or imprisonment of not less than three (3) years nor more than six (6) years, or both, at the discretion of the court, as well as the cessation of the business or trade in which the violation occurred.

If the violation is committed by a juridical person, the penalty shall be imposed upon the President and the Personnel Manager of the corporation,

trust, firm, partnership, association or any other entity, or the owner of the trade or business in which the violation was committed.

SEC. 4. Separability Clause. – If any portion of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

SEC. 5. Repealing Clause. – All laws, acts, decrees, executive orders, rules and regulations or other issuances or parts thereof, which are inconsistent with this Act, are hereby modified and repealed.

SEC. 6. Effectivity Clause. – This Act shall take effect after fifteen (15) days following its publication in two (2) national newspapers of general circulation.

Approved.