

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5258

Introduced by
OFW Family Party-List Representative ROY V. SEÑERES

EXPLANATORY NOTE

This bill seeks to humanize the working conditions in shopping malls, department stores, retail stores, stalls and other similar establishments. It is of public knowledge that sales persons and other employees of commercial establishments in the country are arbitrarily required to stand while on duty. This is not only deleterious to the health of workers especially women, it is also inhuman as only animals like carabaos, cows and horses can endure being on their feet even for days.

In view of the foregoing, approval of this bill is most respectfully requested.


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AN ACT
REQUIRING EMPLOYERS, OWNERS AND/OR OPERATORS OF SHOPPING MALLS, DEPARTMENT STORES, RETAIL STORES, STALLS AND SIMILAR ESTABLISHMENTS TO PERMIT THEIR SALES EMPLOYEES TO SIT DOWN AT TIMES WHEN THEY ARE NOT ATTENDING TO CUSTOMERS DURING STORE HOURS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES

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

SECTION 1. Short Title - This Act shall be known as the "Right to Sit Down on the Job Act of 2014".

SEC. 2. Declaration of Policy - This Act shall be in furtherance of provisions of the 1987 Constitution, to wit:

1. Section 11, Article II, as State policy: "The State values the dignity of every human person and guarantees full respect for human rights."
2. Section 15, Article II, provides that: "The State shall protect the right to health of the people and instill health consciousness among them."
3. Section 18, Article II, which provides that: "The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare."
4. Section 14, Article XIII, which provides that: "The State shall protect working women by providing safe and healthful working conditions,

taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation.

SEC. 3. Implementing Rules and Regulations - The secretary of the Department of Labor and Employment shall within sixty (60) days from the effectivity of this Act, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 4. Penalty. - Any employer, owner and/or operator of shopping malls, department stores, stalls and similar establishments found to be violating any provision of this Act shall be given five (5) days to comply and shall be penalized for the first offense with a fine of not less than Fifty Thousand Pesos (Php50,000.00). If the employer, owner and/or operator is found to be in violation for the second time, he/she shall be penalized with a fine of not less than One Hundred Thousand Pesos (Php100,000.00). The penalty to be imposed for the third offense shall be imprisonment of not less than two (2) years but not more than three (3) and/or closure of the establishment involved.

If the offense is committed by a corporation, firm, association, partnership, or other entity, the penalty shall be imposed upon the guilty officer or officers of such establishment or entity.

SEC. 5. Separability Clause. - If any provision of this Act is held invalid or declared unconstitutional, the other provisions which are not affected thereby shall remain valid and subsisting.

SEC. 6. Repealing Clause. - All laws, decrees, presidential proclamations, executive orders, rules and regulations or parts thereof inconsistent herewith, are hereby repealed or modified accordingly.

SEC. 7. Effectivity. - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation, whichever comes first.

Approved,