

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17TH) CONGRESS
Third Regular Session

HOUSE BILL NO. 8826



Introduced by Representative Manuel Monsour T. Del Rosario III

EXPLANATORY NOTE

This proposed Flexible Work Arrangements Bill espouses alternative working arrangements that allow both employer and employee to agree on a beneficial arrangement of work that works best for both parties.

It amends Article 83 of the Labor Code which limits normal hours of work at 8 hours a day for five days.

Under the proposed measure, an employer has an option to implement any type of flexible working arrangement which includes: 1) Compressed Workweek, 2) Gliding or Flexi-Time, and 3) Flexi Holidays Schedule.

In a "Compressed Workweek" arrangement, the employee may opt to reduce the number of days dedicated to work, provided that the worker maintains the minimum number of rendered hours required. The bill sets a minimum of 40 hours a week and a maximum of 48 hours per week.

"Gliding or Flexi-Time" refers to work which may be completed within the establishment but where they can determine their arrival and departure time. It means an employee may choose to start his work at any time he wants but still needs to complete the required work hours per day. Meanwhile, "Flexi Holidays Schedule" is where employees agree to avail the holidays at some other days provided there is no diminution of resulting benefits.

This bill limits the work duration to a maximum of forty-eight (48) hours per week to safeguard the rights, health, and well-being of each employee. With this measure, an employee is given greater liberty to allocate his work hours to the number of days that works best for his situation.

This bill is also one way to decongest traffic and lessen the hassle faced by employees as they may opt not to go to work on a specific workday granting that they have already completed the required work hours.

In view of the foregoing, approval of this bill is fervently sought.


MANUEL MONSOUR T. DEL ROSARIO III

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AN ACT
PROVIDING FOR THE ADOPTION OF FLEXIBLE WORKING HOURS, AMENDING
FOR THIS PURPOSE ARTICLE 83 OF PRESIDENTIAL DECREE NO. 442 (LABOR
CODE OF THE PHILIPPINES, AS AMENDED), 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 “Flexible Working Hours Act of 2018”.

SEC. 2. *Declaration of the Use of Flexible Working Hours as a State Policy.* – It is hereby declared the policy of the State to institutionalize measures aimed at reducing vehicular traffic by reengineering work schedules in both government and private sectors in order to restructure the travel time of commuters without affecting the delivery of public service or the operations of businesses.

SEC. 3. *Amendment.* – Article 83 of the Labor Code of the Philippines, as amended, is hereby further amended to read as follows:

“ARTICLE 83. *Normal hours of work.* - The normal hours of work of any employee shall not exceed eight (8) hours a day[.] **EXCEPT WHEN THE EXIGENCY OF BUSINESS OPERATIONS OR NATIONAL EMERGENCY REQUIRES THE ADOPTION OF ALTERNATIVE WORK ARRANGEMENTS SUBJECT TO CONDITIONS AS MAY BE DETERMINED BY THE SECRETARY OF LABOR AND EMPLOYMENT IN APPROPRIATE REGULATIONS, ENSURING THAT HOURS OF WORK SHALL NOT EXCEED FORTY-EIGHT (48) HOURS A WEEK, AND THE RIGHTS, HEALTH AND WELLBEING OF THE EMPLOYEES ARE PROTECTED.**

“Health personnel in cities and municipalities with a population of at least one million (1,000,000) or in hospitals and clinics with a bed capacity of at least one hundred (100) shall hold regular office hours for eight (8) hours a day, for five (5) days a week, exclusive of time for meals, except where the exigencies of the service require that such personnel work for six (6) days or forty-eight (48) hours, in which case, they shall be entitled to an additional compensation of at least thirty percent (30%) of their regular wage for work on the sixth day. For purposes of this Article, “*health personnel*” shall include resident physicians, nurses,

nutritionists, dietitians, pharmacists, social workers, laboratory technicians, paramedical technicians, psychologists, midwives, attendants and all other hospital or clinic personnel.”

SEC. 4. *Implementing Rules and Regulations.* – The Secretary of Labor and Employment shall promulgate the Implementing Rules and Regulations within ninety (90) days from the effectivity of this Act.

SEC. 5. *Separability Clause.* – If any provision or part of this Act, or the application thereof to any person or circumstances, is held invalid or unconstitutional, the remaining sections of this Act or the application of such provision or part hereof to other persons or circumstance shall remain in full force and effect.

SEC. 6. *Repealing Clause.* – All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 7. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,