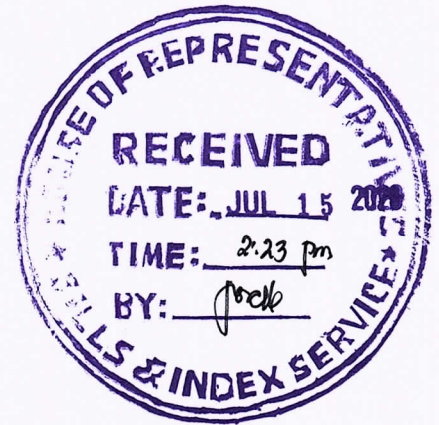


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session
7104
House Bill No. _____



INTRODUCED BY
REP. ALFRED VARGAS

AN ACT
DECLARING A ONE-TIME AMNESTY FOR UNPAID SOCIAL SECURITY
SYSTEM CONTRIBUTIONS, INCLUSIVE OF FEES, FINES, PENALTIES,
INTEREST, AND OTHER ADDITIONS THERETO, BY EMPLOYERS OF
HOUSEHELPERS UNDER REPUBLIC ACT NO. 7655, OTHERWISE
KNOWN AS "AN ACT INCREASING THE MINIMUM WAGE OF
HOUSEHELPERS, AMENDING FOR THE PURPOSE ARTICLE 143 OF
PRESIDENTIAL DECREE NO. 442, AS AMENDED" AND REPUBLIC ACT
NO. 10361, OTHERWISE KNOWN AS "AN ACT INSTITUTING POLICIES
FOR THE PROTECTION AND WELFARE OF DOMESTIC WORKERS," AND
FOR OTHER PURPOSES

EXPLANATORY NOTE

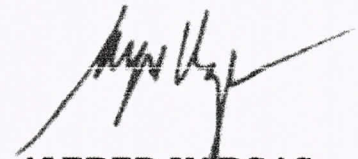
Recent data shows that around 2.033 million Filipinos are employed under private households or are considered domestic workers or "kasambahay" ¹. This constitutes five percent of the employed worker population of the country in 2018. Yet, despite the passage of the Republic Act No. 10361, otherwise known as "An Act Instituting Policies for the Protection and Welfare of Domestic Workers" or the Batas Kasambahay in 2013, only a few of the domestic househelpers are members of the Social Security System (SSS), the Philippines Health Insurance Corporation (PhilHealth), and the Pag-IBIG fund. This also means that the records of househelp employers who complied with the Batas Kasambahay is quite low. The Department of Labor and Employment (DOLE) has urged househelp employers ever since.

¹ Philippine Statistics Authority. July 2018 Labor Force Survey,

The low compliance can be attributed partially to the penalty provision in the Social Security Law. Due to this provision, a large number of employers who wanted to comply with the registration requirements were unable to comply with the law, as they were imposed huge, unpaid SSS contributions and penalties dating way back from 1993.

This bill will provide employers with an opportunity to settle their SSS contribution without any penalties, through a one-time amnesty, thus enabling them to push for compliance without any financial burden, while arming their house-helpers with valuable social security benefits.

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



ALFRED VARGAS

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

EIGHTEENTH CONGRESS

Second Regular Session

House Bill No. 7104

**INTRODUCED BY
REP. ALFRED VARGAS**

AN ACT

DECLARING A ONE-TIME AMNESTY FOR UNPAID SOCIAL SECURITY SYSTEM CONTRIBUTIONS, INCLUSIVE OF FEES, FINES, PENALTIES, INTEREST, AND OTHER ADDITIONS THERETO, BY EMPLOYERS OF HOUSEHELPERS UNDER REPUBLIC ACT NO. 7655, OTHERWISE KNOWN AS "AN ACT INCREASING THE MINIMUM WAGE OF HOUSEHELPERS, AMENDING FOR THE PURPOSE ARTICLE 143 OF PRESIDENTIAL DECREE NO. 442, AS AMENDED" AND REPUBLIC ACT NO. 10361, OTHERWISE KNOWN AS "AN ACT INSTITUTING POLICIES FOR THE PROTECTION AND WELFARE OF DOMESTIC WORKERS," AND FOR OTHER PURPOSES

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

SECTION 1. *Amnesty of Employer's Share in SSS contribution of the Kasambahay.* – Any employer as defined in Section 4(d) of Republic Act No. 10361 or the "Batas Kasambahay" who is delinquent or has not remitted all contributions due and payable to the Social Security Service (SSS) under the Batas Kasambahay or Republic Act No. 7655, otherwise known as "An Act Increasing the Minimum Wage of Househelpers, Amending for the Purpose Article 143 of Presidential Decree No. 442, as Amended," may, within three (3) months from the effectivity of the Implementing Rules and Regulations of this Act, settle all premium payments or contributions without incurring the prescribed penalty provided for in Section 22 of the Republic Act No. 8282 or the "Social Security Law" by remitting a one-time full payment of Five Thousand Pesos (Php5,000.00); *Provided, That* in case the employer fails to remit the said one-time payment within the availment period provided for in this Act, the penalties are deemed re-imposed from the time the contributions

first become due, to accrue until the delinquent account(s) is/are paid in full; *Provided, further,* that employers who have settled arrears in premiums or contributions before the effectivity of this Act shall likewise have their accrued penalties waived.

SECTION 2. Immunities and Privileges. – Those who have availed themselves of the amnesty and have fully complied with all its conditions shall be relieved of any civil, criminal and/or administrative liabilities arising from or incident to the non-payment of the SSS contributions and penalties.

SECTION 3. Implementing Rules and Regulations. – Within thirty (30) days after the effectivity of this Act, the Chairman of the Social Security Commission, in coordination with the Secretary of Labor and Employment, shall issue the necessary rules and regulations for the effective implementation of this Act.

SECTION 4. Separability Clause. – Should any provision of this Act or part hereof be declared unconstitutional, the other provisions or parts not affected thereby shall remain valid and effective.

SECTION 5. Repealing Clause. – All laws, decrees, order, and issuances, or portions thereof, which are inconsistent with the provisions of this Act, hereby repealed, amended, or modified accordingly.

SECTION 6. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

