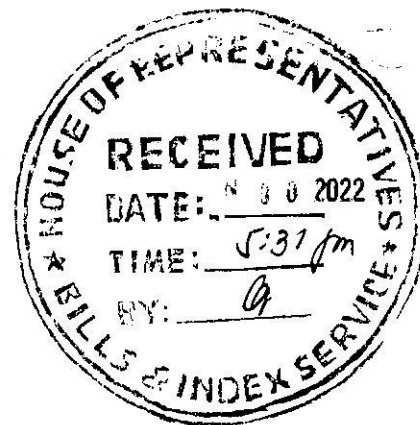


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
1st Regular Session

House Bill No. 454



Introduced by Representatives JEFFREY SORIANO, ERIC G. YAP, PAOLO Z. DUTERTE, EDVIC G. YAP, JOCELYN P. TULFO, and RALPH TULFO

EXPLANATORY NOTE

Section 18, Article II of the 1987 Constitution provides: *"The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare."*

Media workers continue to fulfill their mandate to raise public awareness by delivering timely and accurate news despite being faced by various circumstances. While we have the privilege to be served quality news at the expense of our right to information, media workers are being fronted by different risks and threats, sometimes, even life and death situations. This is evident as we witness the presence of media workers amidst every disaster and especially during the pandemic.

However, despite such sacrifices, there is still a lack of enabling legislation that would codify the promotion of rights and welfare of our media workers. On top of that, an overwhelming number of media workers are also not regularized which undermine their labor rights.

This bill seeks to ensure that our media workers be granted humane conditions of work, living wage, and comprehensive benefits package at par with the current benefits enjoyed by the labor force both in government and the private sector. This measure is geared towards the creation of a safe, protected, and conducive atmosphere for a productive, free, and fruitful media work.

Moreover, this proposed legislation also aims to establish a News Media Tripartite Council which will serve as a link among various stakeholders, provide a platform where media workers and employers can agree upon mutually beneficial policies that will promote the interests of the media industry, and serve as avenue to express their aspirations, discuss their programs or settle conflicts.

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



JEFFREY SORIANO

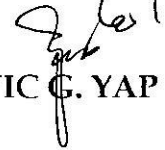


PAOLO Z. DUTERTE



ERIC G. YAP

JOCELYN P. TULFO



EDVIC G. YAP

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AN ACT
PROVIDING ENHANCED PROTECTION, SECURITY, AND BENEFITS FOR
MEDIA WORKERS

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 "Media Workers' Welfare Act".

SEC. 2. *Declaration of Policy.* It is the policy of the State to promote and improve the social and economic well-being of media workers, including their living and working conditions. Towards this end, the State shall provide the necessary support to ensure that media workers are protected, secured, and well compensated.

SEC. 3. *Objectives.* This Act shall have the following objectives:

- a. Ensure that media workers shall, at minimum, be paid the wages, allowances, and benefits provided by law to workers;
- b. Motivate and encourage media workers to be truthful and responsible sharers of information; and
- c. Promote an atmosphere that is conducive to a productive, free, and fruitful media work

SEC. 4. *Coverage.* This Act shall apply to all media workers and media entities in the private sector.

SEC. 5. *Definition of Terms.* As used in this Act:

- a. Blocktimer refers to one who buys airtime from radio and television franchise holders;
- b. Media entities refer to persons or organizations, including media networks and operators that actively gather information of potential interest to a segment of the public, turn collected information into a distinct work or distribute that work to an audience within the Philippines; and
- c. Media workers refer to those who are legitimately engaged in news media practice, directly or indirectly, whether as a principal occupation or not.

SEC. 6. *Minimum Compensation.* Media workers shall not receive less than the applicable minimum wage rate prescribed by the Regional Tripartite Wages and Productivity Board, and shall be entitled to overtime pay and night shift premiums, as well as other forms of compensation provided by the Presidential Decree No. 442, as amended, otherwise known as the "Labor Code of the Philippines", and other related laws and issuances.

SEC. 7. *Social Security and Welfare Benefits.* Media workers shall be covered by the Social Security System, the Home Development Mutual Fund or the PAG-IBIG Fund, and the Philippine Health Insurance Corporation upon employment. The payment of monthly contributions shall be jointly shared by the media worker and the employer, when applicable, in accordance with existing rules and regulations. Media workers shall also be entitled to retirement benefits as provided under RA No. 11199, otherwise known as the "Social Security Act of 2018".

SEC. 8. *Hazard Pay.* Media workers required to physically report for work in dangerous areas such as strife-torn or embattled areas, distressed or isolated stations, disease-infested areas or in areas declared under a state of calamity or emergency for the duration thereof which expose them to great danger, contagion, radiation, volcanic activity or eruption, occupational risks or perils to life as determined by the Department of Labor and Employment (DOLE), shall be compensated with a hazard pay in the minimum amount of Five hundred pesos (P500.00) per day, with no diminution, which shall be computed as follows:

Hazard pay = P500 x number of days physically reporting for work in dangerous areas

The base amount of the hazard pay of media workers may be increased as decided upon by the News Media Tripartite Council created under Section 15 of this Act.

Employers shall also provide media workers covering events in dangerous areas with basic safety gear and equipment such as bulletproof vests and helmets, first-aid kits, fire protection jackets, face shields, medical grade protective equipment, harnesses, safety shoes, and life vests.

SEC. 9. *Mandatory Additional Insurance Benefits.* Employers shall provide additional insurance coverage to media workers as follows:

- a. Death benefit of Two hundred thousand pesos (P200,000.00) for each media worker who shall perish in the line of duty;
- b. Disability benefit of up to Two hundred thousand pesos (P200,000.00) for each media worker who shall suffer total or partial disability, whether permanent to temporary, arising from any injury sustained in the line of duty; and
- c. Medical insurance benefit for each media worker of up to One hundred thousand pesos (P100,000.00).

SEC. 10. *Security of Tenure.* Media workers shall be deemed as regular employees after six (6) months from the start of employment, regardless of the nature of employment. However, the said six (6) months period shall be computed cumulatively if a media worker is repeatedly engaged for shorter periods. An employer shall not terminate the services of a media worker except for a just or authorized cause, and with the observance of procedural due process.

SEC. 11. *Settlement of Disputes.* All labor-related disputes shall be elevated to the DOLE regional office which has jurisdiction over the workplace.

SEC. 12. *Liability of Media Entities.* Media entities shall be responsible for all contents released under their name. Owner of media entities or franchise holder shall be liable for claims arising from gross negligence, malicious acts, and violation of laws in connection with the work of blocktimers and media workers, regardless of the nature of engagement, except when the owners of the media entities or franchise holders are able to prove that due diligence was exercised or that the fault is attributable solely to the concerned blocktimer or media worker. Any agreement to the contrary shall be void.

SEC. 13. *Compliance.* The DOLE shall monitor compliance with the provisions of this Act.

SEC. 14. *Administrative Penalties.* Violations of the provisions of this Act shall be subject to applicable penalties provided in Presidential Decree No. 442, as amended, and other related laws and issuances.

SEC. 15. *News Media Tripartite Council.* The DOLE shall initiate the creation of the News Media Tripartite Council which shall serve as a link among various stakeholders, provide a platform where media workers and employers can agree upon mutually beneficial policies that will promote the interests of the media

industry, and serve as avenue to express their aspirations, discuss their programs or settle conflicts.

SEC. 16. *Implementing Rules and Regulations.* Within ninety (90) days from the approval of this Act, the Secretary of Labor and Employment shall, in coordination with media groups, associations, publishers, guilds and other concerned groups, issue the necessary rules and regulations to implement the provisions of this Act.

SEC. 17. *Separability Clause.* If any part, section or provision of this Act is declared invalid or unconstitutional, the other provisions not affected by such declaration shall remain in full force and effect.

SEC. 18. *Repealing Clause.* All laws, decrees, executive orders, rules, and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 19. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,