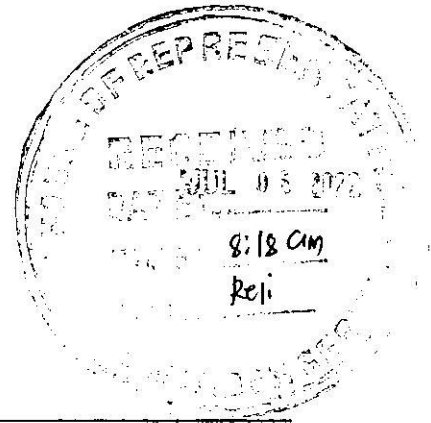


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1337



Introduced by Honorable Representatives
ARLENE D. BROSAS (Gabriela Women's Party);
FRANCE L. CASTRO (ACT Teachers Partylist);
and **RAOUL DANNIEL A. MANUEL (Kabataan Partylist)**

**AN ACT REQUIRING ALL EMPLOYERS TO INSTITUTE SITTING BREAKS DURING
WORK HOURS FOR THEIR FEMALE EMPLOYEES AND WORKERS, AND TO PROVIDE
PROPER SEATS FOR THIS PURPOSE, PROVIDING PENALTIES FOR VIOLATIONS
THEREOF, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Standing continuously for long hours has been shown to be detrimental to a woman's health, especially for pregnant women workers. According to the Institute for Occupational Health and Safety Development (IOHSAD), women who are on their feet for long hours show symptoms of disruption in their regular menstrual cycle, including dysmenorrhea and amenorrhea.

According to studies of the United Kingdom-based Trade Union Council's (TUC) Hazard magazine, spending most of the time standing up puts individuals at greater risk of developing health problems like heart and circulatory problems. This may also lead to chronic heart and circulatory disorders, including hypertension, joint damage, swelling of feet and legs, and varicose veins. It also increases the risk of stroke, congenital disabilities, and other pregnancy-related problems.

Michael B. Bracken, et al., of the Department of Epidemiology and Public Health, Yale University School of Medicine, published a study that showed that women in occupations that require prolonged standing had a greater probability of preterm labor and/or low birth weight deliveries. Of the sample population in the said study, 14.77% had preterm births, and half (or 7.7%) were women in jobs requiring prolonged standing. Also, 13.5% of the mothers in the sample population delivered babies with low birth weight, 5.5% being women who had been standing for long hours.

Moreover, working while standing for a long period of time has been recognized as a vital contributor to decreased workers' performance in the industry. Workers experience occupational injuries, productivity decrement, increased treatment and medical costs, and demoralization. When workers perform jobs requiring prolonged standing, static contraction occurs, particularly in their back and legs, resulting in diminished calf muscle function. This condition leads to discomfort and muscle fatigue. Furthermore, the employers will lose revenue in the form of productivity, workers' compensation, and health treatment costs.

Providing female employees and workers seats at work and allowing them to sit and have a break from continuous standing will help prevent work-related health problems. It will give them much-needed respite, lessen fatigue, and give them quality time with their families when they go home from work.

According to the 2018 Gender Statistics on Labor and Employment, most women, or at least 4.76 million female workers, are involved in the wholesale and retail trade industry. The same survey revealed that 1.4 million women are in the manufacturing industry and 926,000 women are in the accommodation and food service activities. In these sectors, women workers are often required to wear high heels, which exacerbate the health impacts of long hours of standing.

Women workers, whether in the retail, manufacturing, or accommodation and food service sectors, stand up most of the time while working. Moreover, women workers in the service sector are required to smile and deliver friendly and courteous service, which is difficult to do under conditions of pain and discomfort.

Sales personnel are expected to stand up for at least eight (8) hours a day to perform their duties. Factory workers, aiming to reach their production quotas and wanting to earn more than their minimum wage, on the other hand, would rather stand up. They are unaware that this poses serious health problems, especially for women.

Sitting while performing their duties is often misjudged as laziness or rudeness by supervisors and customers. Many workers hesitate to use seats even if these are provided for them because they fear they will be judged wrongly.

This bill seeks to address the protection of female employees/workers from work-related health problems and ensure their well-being by providing them with a safe and healthy working environment.

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



ARLENE D. BROSAS
Gabriela Women's Party



FRANCE L. CASTRO
ACT Teachers Partylist



RAOUL DANNIEL A. MANUEL
Kabataan Partylist

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THEREOF,
AND FOR OTHER PURPOSES**

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

SECTION 1. *Short Title.* This Act shall be known as the "WORKERS' SITTING BREAK ACT."

SECTION 2. *Declaration of Principles.* The State shall ensure the people's right to health. The State shall also guarantee the protection of female employees/workers 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," consistent with the State's recognition of the significant role of women in nation-building as stated in Article II, Section 14, of the 1987 Philippine Constitution.

SECTION 3. *Definition of Terms.* For purposes of this Act, the following terms shall be used:

Proper seat - is any chair, bench, stool, or the like, ergonomically designed for a specific line of occupational workload, provided by the employer, where an employee/worker may be allowed to sit upon.

Woman employee/worker - is any female employed by an employer or labor contractor. It shall also apply to any female working within the business premises of an employer, either hired directly by the latter or the supplied by an agency or directly contracted by the establishment from said agency;

Employer - is any person or entity who employs the services of others and pays them wages or salaries, or one for whom an employee works. It includes owners/proprietors of private businesses, commercial, trade, industrial or service establishments such as, but not limited

to, malls, stores, pharmacies, factories, restaurants, hotels, inns and the like, in whose premises the female employee or female worker as above defined, works at;

Labor contractor - is any person regularly undertaking, with or without compensation, to procure employees for an employer or to procure for employees' opportunities to work for an employer and includes an agent of such person.

Accommodation and food services - is a sector that provides customers with lodging and/or offers prepared meals, snacks, and beverages for immediate consumption. The sector includes both accommodation and food services establishments because the two activities are often combined at the same establishment.

Manufacturing - is a sector where the use of manual and mechanical power, including machines, are employed for large scale production.

Service, shop, and market sales - is a sector that gives personal and protective services including catering, food, demonstration, market, and sell products in retail and wholesale including malls, boutiques, stores, markets, shops, stalls, and other similar establishments.

SECTION 4. *Provision of Proper Seats for Women Employees/Workers.* Every employer and labor contractor shall provide proper seats to every woman employee/worker in the accommodation and food services, manufacturing, and in the service, shop, and market sales sectors.

Women employees/workers shall be given at least twenty (20) minutes paid sitting break for every 2-hour interval during working hours. This provision is without prejudice to women employees/workers who work while sitting.

SECTION 5. *Education and Research Programs.* The Department of Labor and Employment (DOLE) with the Department of Health (DOH) shall:

1. Educate both employers, employees and workers about general Occupational Health and Safety (OHS) standards;
2. Provide active information drive on the dangers of prolonged standing and other seemingly "harmless" daily routine/ activities by workers most especially female employees/workers; and
3. Conduct scientific studies and researches, and come up with corresponding guidelines aimed at minimizing the harmful effects of prolonged standing.

SECTION 5. *Implementing Rules and Regulations.* Within thirty (30) days from the effectivity of this Act, the Secretary of Labor and Employment shall issue and publish the necessary rules and regulations to implement the provisions of this Act.

SECTION 6. *Penalty Provisions.* Any employer or labor contractor found to be violating any provision of this Act shall be given five (5) days to comply and shall be punished for a first offense with a fine of not less than fifty thousand pesos (P50,000.00). If the employer or labor contractor is found to be violating for a second time, he/she shall be punished with a fine of

one hundred thousand pesos (P100,000.00). A third offense on the part of the employer or labor contractor is punishable with closure unless full compliance of this law shall be implemented.

If the offense is committed by a corporation, trust, firm, partnership or association, or any other entity, the penalty shall be impressed upon not only the guilty officer/s of such corporation trust, firm, partnership or association, or any other entity, but also the sole proprietor or the executive committee of the board of the corporation trust, firm, partnership or association, or any other entity.

SECTION 7. *Separability Clause.* If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 8. *Repealing Clause.* All other laws, executive orders, presidential decrees, presidential proclamations, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby amended, modified, or repealed accordingly.

SECTION 9. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of national circulation.

Approved,