

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

NINETEENTH CONGRESS
First Regular Session

House Bill No. 8446



INTRODUCED BY REPRESENTATIVES RALPH WENDEL P. TULFO
AND JOCELYN P. TULFO

AN ACT INSTITUTING POLICIES TO PREVENT AND ADDRESS ACTS OF
BULLYING AND OTHER SIMILAR ACTS IN THE WORKPLACE

EXPLANATORY NOTE

This bill seeks the institution of anti-bullying policies in government and non-government offices, including business establishments to protect our workforce's right to respect and dignity in the workplace.

Enshrined under Section 18, Article II and Section 3, Article XIII of the 1987 Constitution is the responsibility of the State to protect the rights of workers and afford them full protection, being entitled to security of tenure, humane conditions of work and a living wage.

Office bullying is commonly overlooked by many and considered part of the norm. This has become a systematic problem to many government and private offices in the country, with office bullying silently tormenting many Filipinos, often causing physical and mental distress.

While a law aiming to adopt policies against bullying through Republic Act No. 10627 or the Anti-Bullying Act has already been enacted, this only covers bullying in elementary and secondary schools.

Adopting policies against bullying in the workplace would ensure every Filipino worker's right to just and humane working conditions, mutual respect amongst employees and their employers, and dignity in their work will be observed.

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

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2nd District of Quezon City

JOCELYN P. TULFO
Representative
ACT-CIS Partylist

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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 “Anti-Bullying in the Workplace Act”.

SEC. 2. Declaration of Policy. – It is the policy of the State to protect the rights of the workforce and promote their welfare recognizing labor as a primary economic force. It is also the responsibility of the State to afford full protection to labor, local and overseas, whether organized or unorganized.

Towards this end, the State shall enact laws to ensure the promotion of the overall welfare and the physical and mental well-being of our workforce and their protection against abuse, harassment, violence or economic exploitation.

SEC. 3. Adoption of Anti-Bullying Policies. – All government and non-government offices are hereby directed to adopt policies to address the existence of office bullying and other similar acts in their respective institutions. Such policies shall be regularly updated and shall include provisions which:

(a) prohibit the following acts:

- (1) *Office Bullying* – any severe or repeated use by one or more employees of a written, verbal, or electronic expression or a physical act or gesture, or any combination

thereof, directed at an employer, co-employee, or any person with whom he/she has professional relations or dealings which infringes on the rights of another at work premises; or has the effect of actually causing or placing the latter in reasonable fear of physical or emotional harm or damage to his property creating a hostile environment for the employee; or materially and substantially disrupting the work process or the orderly operation of an institution or business; such as, but not limited to any of the following:

(i) Any unwanted physical contact between a person to an employer or co-employee causing physical or bodily harm notwithstanding any action that may be taken by the victim under the Revised Penal Code or the Civil Code of the Philippines;

(ii) Any act that causes harm to a victim's psyche and/or emotional and/or moral well-being;

(iii) Any slanderous statement or accusation that causes the victim undue emotional distress like directing foul language or profanity at the target, name-calling, tormenting, and commenting negatively on victim's looks, clothes, and body;

(iv) Gender-based bullying, or any act that humiliates or excludes a person on the basis of perceived or actual sexual orientation and gender identity; and

(v) Cyber-bullying, or any bullying done through the use of technology or any electronic means.

(2) any abusive act or behavior which includes, but is not limited to, the following:

(i) Offering, publishing, distributing, circulating, or spreading rumors, false news and information, gossip about, or any act against or directed against an employer, a co-employee, or any person with whom he/she has professional relations or dealings;

(ii) Disrespecting and devaluing an employer, a co-employee, or any person with whom he/she has professional relations or dealings through disrespectful and devaluing language;

(iii) Exercising management by threats and intimidation;

(iv) Stealing credit and taking unfair advantage of an employer, a co-employee, or any person with whom he/she has professional relations or dealings; and

(v) Preventing access to workplace, career, and office opportunities to an employer, a co-employee, or any person with whom he/she has professional relations or dealings.

An act or behavior shall be construed as abusive if it results to any or all of the following:

1. Destroys or undermines the character, image, status, reputation, morale, and credibility of an employer, a co-employee, or any person with whom he/she has professional relations/dealings;

2. Discredits, destroys, and undermines the work, results of the work, awards, career, vocation, craft, professional status, productivity, performance and talents of an employer, a co-employee, or any person with whom he/she has professional relations/dealings; and

3. Causes divisive effects among employees, employers, or officers and other members of the government and non-government organizations, business establishments, their clientele and any other person engaged by government and non-government organizations and business establishments in their respective professional capacities.

(b) establish clear procedures and strategies for:

(1) Reporting acts prohibited under this Act;

1 (2) Responding promptly to and investigating reports of acts which are prohibited under
2 this Act; and

3
4 (3) Ensuring the protection of the person who reports any of the prohibited acts,
5 provides information during an investigation of the prohibited acts, or is witness to
6 or has reliable information about any of the prohibited acts.

7
8 (c) enable employees to anonymously report any of the prohibited acts; *Provided*, however,
9 that no disciplinary administrative action shall be taken against a perpetrator solely on
10 the basis of an anonymous report; and

11
12 (d) subject to the perpetrator/s who knowingly make/s a false accusation to disciplinary
13 administrative action.

14
15 **SEC. 4. Mechanisms to Address Office Bullying and/or Other Prohibited Acts. -**
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17 (a) The administrative office or officer, human relations office or officer, or any person or
18 office holding a comparable role, shall be responsible for the implementation and
19 oversight of policies intended to address office bullying and other prohibited acts.
20

21 (b) All government and non-government offices or establishments shall provide their
22 employees with a copy of the anti-bullying policies to be adopted. Such policies shall
23 likewise be included in the employees' handbook and shall be conspicuously posted on
24 the office walls and website, if there is any.
25

26 (c) Any employee shall immediately report any instance of office bullying and other
27 prohibited acts he/she has witnessed or that has come to his/her attention, to the
28 administrative office or officer, human relations office or officer, and/or any person or
29 office holding a comparable role. Upon receipt of such report, the administrative office
30 or officer, human relations office or officer, or any person or office holding a comparable
31 role shall promptly investigate.
32

1 (d) If it is determined that bullying and/or other prohibited acts have occurred, the
2 administrative office or officer, human relations office or officer, or any person or office
3 holding a comparable role shall:

4
5 (i) notify the appropriate law enforcement agency if the administrative office or
6 officer, human relations office or officer, and/or any person or office holding a
7 comparable role believes that criminal charges under the Revised Penal Code
8 may be pursued against the perpetrator; and
9

10 (ii) take appropriate disciplinary administrative action.
11

12 **SEC. 5. Reportorial Requirements. -**
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14 (a) All non-government offices or business establishments shall furnish and inform the
15 Department of Labor and Employment (DOLE) in writing about the policies against anti-
16 office bullying and/or other prohibited acts formulated within six (6) months from the
17 effectivity of this Act. Such notification shall likewise be an administrative requirement
18 prior to the operation, creation, or establishment of new non-government offices and
19 business establishments.
20

21 (b) All government offices shall furnish and inform the Civil Service Commission (CSC) in
22 writing about the policies against office bullying and/or other prohibited acts formulated
23 within six (6) months from the effectivity of this Act.
24

25 (c) Appropriate trainings and seminars to disseminate the anti-bullying policies shall be
26 conducted by the government, non-government offices, or business establishments to its
27 employees.
28

29 **SEC. 6. Sanctions for Non-Compliance. -** In the rules and regulations to be implemented
30 pursuant to this Act, the Secretary of the DOLE and the Chairman of the CSC shall prescribe the
31 appropriate administrative sanctions on any administrative office or officer, relations office or
32 officer, or any person or office holding a comparable role, who shall fail to comply with the
33 requirements under this Act. In addition thereto, erring non-government offices and business
34 establishments shall likewise suffer the penalty of suspension of their permits to operate.

1
2 **SEC. 7. *Implementing Rules and Regulations.*** – Within ninety (90) days from the effectivity
3 of this Act, the DOLE and the CSC, respectively, shall promulgate the necessary rules and
4 regulations to implement the provisions of this Act.

5
6 **SEC. 9. *Separability Clause.*** – If any provision or part thereof is held invalid or
7 unconstitutional, the remaining provisions not affected thereby shall continue to be in full force
8 and effect.

9
10 **SEC. 10. *Repealing Clause.*** – Any law, presidential decree or issuance, executive order, letter
11 of instruction, administrative order, rule or regulation contrary to or inconsistent with the
12 provisions of this Act is hereby repealed, modified, or amended accordingly.

13
14 **SEC. 11. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the
15 Official Gazette or in a newspaper of general circulation.

16
17 Approved,