



Introduced by Honorable Ma. Alana Samantha Taliño Santos

AN ACT REQUIRING EMPLOYERS TO INFORM THEIR EMPLOYEES OF THEIR RIGHTS, BENEFITS AND PRIVILEGES UNDER EXISTING LAWS, AND COMPANY POLICIES OR EMPLOYMENT CONTRACTS

EXPLANATORY NOTE

The 1987 Constitution puts primacy upon the rights of workers, mandating that the State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all.¹

Corollary to protecting labor rights is ensuring that laborers are well informed of their rights under law. Knowledge of basic rights empowers individuals to protect themselves against discriminations, and to take advantage of available reliefs and mechanisms for the utmost protection of their rights.

In 2021, Republic Act No. 11551 was passed, putting in place a mechanism to educate future workers, employers, and entrepreneurs, on their rights and responsibilities in promoting harmony in the workplace and social progress in the society.² To inform future members of the working force, all public and private higher education institutions (HEISs) are required to integrate labor education as part of an elective course for tertiary students.³

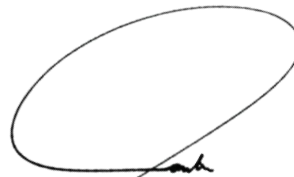
At present, there is no law that places the same mandate upon employers to inform their new hires and present employees about labor rights. Although there are employers who include in their training modules guidance on labor rights, not all employees are well-informed of their rights and benefits under law. Presently, there exist situations where workers remain uninformed about their rights, rendering them susceptible to potential exploitation. When employees lack awareness of their rights, they may easily dismiss irregularities that often occur in the workplace.

¹ CONST. Art XIII, §6.

² Rep. Act. No. 11551, §2. (2021)

³ §4.

This legislation addresses a critical need by mandating that employers educate their employees about their fundamental labor rights. To comprehensively safeguard labor rights, this bill seeks to grant the Department of Labor and Employment the authority to create educational modules on employee rights and to enforce stringent monitoring measures to ensure employers' compliance with this law. By enacting this law, we strive to foster workplace environments that values and upholds the rights of all employees.

A handwritten signature in black ink, consisting of a large, stylized loop followed by a smaller, more intricate flourish.

HON. MA. ALANA SAMANTHA TALIÑO SANTOS
Representative, 3rd District of Cotabato

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

NINETEENTH CONGRESS
Second Regular Session

House Bill No. **9599**

Introduced by Honorable Ma. Alana Samantha Taliño Santos

AN ACT REQUIRING EMPLOYERS TO INFORM THEIR EMPLOYEES OF THEIR RIGHTS, BENEFITS AND PRIVILEGES UNDER EXISTING LAWS, AND COMPANY POLICIES OR EMPLOYMENT CONTRACTS

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

Section 1. ***Title.*** – This Act shall be known as the “*Employee Rights Awareness Act.*”

Section 2. ***Statement of Policy.***– It is hereby the declared policy of the State to provide social protection, promote full employment and an improved quality of life for all. Towards this end, the State shall ensure the regular dissemination to both employers and workers of information on labor rights, benefits and privileges under existing laws, statutes, rules and regulations, and collective bargaining agreements. This is to guarantee full enjoyment of the rights, benefits and privileges accorded to workers.

Section 3. ***Duty of the Employer to Inform His/Her Workers of their Rights, Benefits and Privileges.*** - Every employer shall inform each employee, orally and in writing, in a language known to his/her, on the first day of his/her employment and every time a compensable contingency occurs, of his/her rights, benefits and privileges under existing laws, statutes, rules and regulations, and company policies or employment contracts: Provided, however, That with respect to the worker’s rights, benefits and privileges under a collective bargaining agreement, it shall be the duty of the union concerned to educate its members. Compliance with the above shall be included as an item in the checklist of labor laws standards compliance subject to examination by the labor inspectors of the Department of Labor and Employment (DOLE).

Section 4. ***Duty of the Department of Labor and Employment.*** - In line with the objectives of this Act, the DOLE shall develop the appropriate modules of instructions and other relevant materials relating to employee rights. The DOLE shall ensure that both workers and employers are fully informed about the labor rights, benefits and privileges under existing laws, statutes, and rules and regulations. It is therefore the duty of the DOLE or its appropriate agency to conduct on a regular basis, or at the request of an employer and/or the union, education seminars for both employers and workers. The DOLE may enlist the assistance of all concerned agencies including, but not limited to, the local government units, Social Security System, Home Development Mutual Fund, Philippine Health Insurance Corporation, as well as government and private educational institutions. The DOLE may also coordinate with industry

organizations, chambers, labor federations or centers, and non-governmental organizations in providing free labor education seminars.

The DOLE shall likewise establish a special labor education fund, using the fines collected under Section 5 hereof. This fund shall be utilized solely for the labor education program of the DOLE.

Section 5. ***Penalties.***- Any employer or union who fails or refuses to inform their workers, or members as the case may be, of their rights, benefits and privileges as provided under Section 2 hereof shall be imposed a fine by the Secretary of Labor and Employment of not less than fifty thousand pesos (Php 50,000.00) but not more than one hundred thousand pesos (Php 100,000.00).

Section. 6. ***Implementing Rules and Regulations.*** - The Secretary of Labor and Employment, in consultation with employers' groups, labor groups and concerned government agencies, shall promulgate the necessary rules and regulations to implement the provisions of this Act within three (3) months after its effectivity.

Section 7. ***Repealing Clause.*** -Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent or contrary to the provision of this Act is hereby repealed or modified accordingly.

Section 8. ***Effectivity Clause.*** - This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or a newspaper of general circulation.

Approved