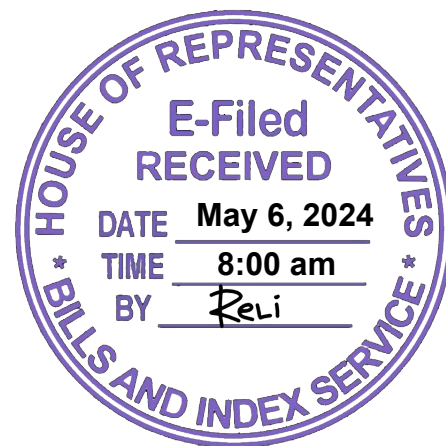


1 Republic of the Philippines
2 **HOUSE OF REPRESENTATIVES**
3 Quezon City, Metro Manila
4 Nineteenth Congress
5 Second Regular Session
6
7



8 **House Bill No. 10319**
9

10 **Introduced by Hon. EDUARDO "BRO. EDDIE" C. VILLANUEVA**

13 **EXPLANATORY NOTE**

14
15
16
17 Section 9, Article 2 of the Constitution mandates the promotion of a
18 just and dynamic social order to ensure national prosperity and
19 independence, freeing people from poverty through policies guaranteeing
20 adequate social services, full employment, rising living standards, and
21 improved quality of life for all citizens.

22 Regional Wages and Productivity Boards, established under
23 Republic Act No. 6727, set minimum wages for private sector workers.
24 Before this law, Congress had authority to determine minimum wages. In
25 setting wages, the Boards consider various factors, including workers'
26 needs, employers' capacity to pay, industry standards, and national
27 development requirements.

28 Presently, workers in the National Capital Region (NCR) receive the
29 highest daily nominal wage of Php570.00, while the lowest, Php316.00, is
30 in the Bangsamoro Autonomous Region in Muslim Mindanao for non-
31 agricultural sectors, and Php533.00 and Php306.00 for agricultural
32 sectors in the same region.

33 Despite these rates, the gap between workers' wages and the
34 estimated family living wage widens. As of January 2023, a family in NCR
35 needs Php1,161 daily, almost double the highest minimum wage in the
36 region.

37 Labor groups, including the Trade Union Congress of the
38 Philippines and Partido ng Manggagawa, demand a wage hike amid
39 record-high inflation. In February 2023, inflation hit 8.6%, raising prices of
40 basic goods and services significantly.

However, the Regional Wages and Productivity Boards are legally restricted, issuing new wage orders once yearly unless extraordinary economic circumstances arise. Reports suggest the boards are reviewing economic indicators.

Given the urgency, a legislated wage increase of Php100.00 across the board for private sector workers is proposed. This increase aims to alleviate wage erosion caused by inflation, covering essential expenses such as food, water, fuel, electricity, clothing, transportation, rent, communications, and personal needs.

E. C. Villan

EDUARDO “BRO. EDDIE” C. VILLANUEVA
Representative
CIBAC Partylist

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2 Republic of the Philippines
3 **HOUSE OF REPRESENTATIVES**
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8 **HOUSE BILL NO. 10319**
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11 Introduced by CIBAC Party-List Representative
12 **EDUARDO “BRO. EDDIE” C. VILLANUEVA**
13

14
15 **AN ACT**
16 **PROVIDING FOR A ONE HUNDRED PESOS (P100.00) DAILY**
17 **MINIMUM WAGE INCREASE FOR EMPLOYEES AND WORKERS IN**
18 **THE PRIVATE SECTOR**
19

20 *Be it enacted by the Senate and House of Representatives of the*
21 *Philippines in Congress assembled:*
22

23 **SECTION 1. Short Title.** - This Act shall be known as the “P100 Daily
24 Minimum Wage Increase Act of 2024”.
25

26 **SEC. 2. Declaration of Policy.** - It is a policy of the State to alleviate
27 the living conditions of the ordinary Filipino through policies that provide
28 for a decent and humane standard of living and improved quality of life,
29 particularly of the working class by ensuring the right of labor to its just
30 share in the fruits of production, to guarantee the workers' right to a living
31 wage, and to promote social justice through the adoption of measures
32 calculated to ensure the well-being and economic security of all members
33 of the community.
34

35 **SEC. 3. Wage Increase.** - The daily rate of all minimum wage workers
36 in the private sector, regardless of employment status, including those in
37 contractual and sub-contractual arrangements, whether agricultural or
38 non-agricultural, shall be increased by One hundred pesos (P100.00)
39 upon the effectivity of this Act. Nothing in this Act shall prevent the
40 respective Regional Tripartite Wages and Productivity Boards to grant
41 additional increases to the workers and employees on the basis of their
42 determination pursuant to Republic Act No. 6727, otherwise known as the
43 "Wage Rationalization Act", as amended.

1
2 **SEC. 4. *Correction of Wage Distortion.*** - Where a wage distortion
3 occurs as a result of the increase in minimum wage under this Act, the
4 employer and the union, or the employer and the workers, in the absence
5 of a union, shall negotiate to correct the distortion in accordance with the
6 provisions of Article 124 of Presidential Decree No. 442 or the "Labor
7 Code of the Philippines", as amended, and other existing laws, rules and
8 regulations.

9
10 **SEC. 5. *Non-Chargeability of Prior Increases.*** - No wage increase
11 shall be credited as compliance with the increase prescribed herein unless
12 expressly provided under valid collective bargaining agreements:
13 Provided, that such wage increase was granted in anticipation of the
14 minimum wage increase under this Act: Provided, further, That where
15 such increase is less than the prescribed increase under this Act, the
16 employer shall pay the difference. Such increases shall not include
17 anniversary wage increases, merit wage increases and those resulting
18 from the regularization or promotion of employees.

19
20 **SEC. 6. *Non-Diminution of Other Benefits.*** - Nothing in this Act shall
21 be construed to reduce any existing allowance and benefit of any form
22 under existing laws, decrees, issuances, executive orders, and any
23 contract or agreement between workers and employers.

24
25 1) The DOTr, through the LTO, shall oversee and ensure the
26

27 **SEC. 7. *Inspection by the Department of Labor and Employment***
28 **(DOLE).** - The DOLE shall conduct inspection of payroll and other financial
29 records kept by the company or business to determine whether the
30 workers are paid the prescribed minimum wage increase and other
31 benefits granted by law. The said inspection may take place at any time
32 of the day or night, whenever work is being undertaken. In unionized
33 companies, the DOLE inspectors shall always be accompanied by the
34 president or any responsible officer of the recognized bargaining unit or of
35 interested union in the conduct of the inspection. In non-unionized
36 companies, establishments or businesses, the inspection should be
37 carried out in the presence of a workers' representative.

38
39 **SEC. 8. *Penalties.*** - Any person, corporation, trust, firm, partnership,
40 association or entity violating any provision of this Act shall be punished
41 by a fine of not less than Fifty thousand pesos (P50,000.00) but not more
42 than One hundred thousand pesos (P100,000.00) plus moral damages for
43 each affected worker and the costs of litigation including attorney's fees,

1 or imprisonment of not less than two (2) years nor more than four (4)
2 years, or both at the discretion of the court: Provided, That if the violation
3 is committed by a corporation, trust or firm, association or any other entity,
4 the penalty of imprisonment shall be imposed upon the entity's
5 responsible officers including, but not limited to, the president, vice
6 president, chief executive officer, general manager, managing director or
7 partner.

8
9 The employer concerned shall be ordered to pay an amount
10 equivalent to double the unpaid benefits owing to the employees:
11 Provided, That the payment of indemnity shall not absolve the employer
12 from the criminal liability imposable under this Act: Provided, further, that
13 any person convicted under this Act shall not be entitled to the benefits
14 provided for under the Probation Law.

15
16 In case a fine and/or indemnity is decreed by the National Labor
17 Relations Commission (NLRC) against person/s who violated the
18 provisions of this Act and cannot be immediately satisfied because of the
19 refusal to pay, or in case of the unavailability or inadequacy of funds, the
20 bank deposits, financial interests and other personal property not capable
21 of manual delivery in the possession or control of third parties of the owner
22 in case of sole proprietorship or the assets of the corporation, association
23 or any other entity, shall be garnished. If such properties are not enough,
24 movable and immovable properties may be levied to fully satisfy the
25 imposed fines and/or indemnities.

26
27 Failure on the part of any corporation, trust or firm, partnership,
28 association or any other entity to comply with the provisions of this Act
29 shall be a ground for non-renewal
30 of business permits.

31
32 **SEC. 9. *Construction in Favor of Labor.*** - All doubts in the
33 implementation and interpretation of the provisions of this Act, including
34 its implementing rules and regulations, shall be resolved in favor of labor.

35
36 **SEC. 10. *Implementing Rules and Regulations.*** - The Secretary of
37 Labor and Employment shall promulgate the necessary rules and
38 regulations for the effective implementation of this Act.

39
40 **SEC. 11. *Separability Clause.*** - If any provision of this Act is held
41 unconstitutional, the remainder thereof not otherwise affected shall
42 remain in full force and effect.

1 **SEC. 12. *Repealing Clause.*** - All laws, decrees, executive orders,
2 rules and regulations and other issuances or parts thereof which are
3 inconsistent with this Act are hereby repealed, amended or modified
4 accordingly.

5
6 **SEC. 13. *Effectivity Clause.*** - This Act shall take effect after fifteen
7 (15) days following the completion of its publication either in the Official
8 Gazette or in a newspaper of general circulation.

9
10
11 **Approved,**