

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

NINETEENTH CONGRESS
3rd Regular Session

House Bill No. **11481**



INTRODUCED BY REPRESENTATIVES ERWIN T. TULFO,
EDVIC G. YAP, ERIC GO YAP AND RALPH WENDEL P. TULFO

AN ACT
MANDATING THE PROVISION OF PRAYER BREAKS AND DESIGNATED
PRAYER SPACES FOR MUSLIM EMPLOYEES IN THE PUBLIC AND PRIVATE
SECTORS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Philippine Constitution guarantees religious freedom, emphasizing the need for workplaces to respect and accommodate diverse religious practices. Muslim employees, who observe five (5) daily prayers, often face challenges in fulfilling their religious obligations due to the absence of designated prayer breaks and spaces. This limitation can result in undue hardship and restrict religious expression, impacting their well-being and productivity.

The proposed "**Muslim Workers' Prayer Accommodation Act**" seeks to address this concern by mandating employers to grant reasonable prayer breaks, provide a clean and quiet prayer space with basic amenities, and establish flexible scheduling arrangements in consultation with Muslim employees. By fostering religious inclusivity and aligning with international labor standards, this Act promotes workplace harmony, upholds constitutional rights, and reinforces the nation's commitment to diversity and respect for religious practices.

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


ERWIN T. TULFO


EDVIC G. YAP


ERIC GO YAP


RALPH WENDEL P. TULFO

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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 “**Muslim Workers’ Prayer Accommodation Act.**”

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to uphold and protect the freedom of religion as guaranteed by the Constitution. The State recognizes the significant contributions of Muslim Filipinos to national development and aims to ensure that their religious practices are accommodated in the workplace, fostering a culture of inclusivity and respect for religious diversity.

SECTION 3. *Definition of Terms.* – For purposes of this Act, the following terms shall be defined as follows:

(a) ***Muslim Employee*** – Refers to any person of the Islamic faith who is employed in the public or private sector, regardless of position or rank;

(b) ***Prayer Break*** – Refers to a period of time, not exceeding twenty (20) minutes per break, granted to Muslim employees for the purpose of performing their obligatory prayers (Salah);

(c) ***Designated Prayer Space*** – Refers to a clean and suitable area within the workplace provided by the employer for Muslim employees to perform their prayers;

(d) ***Employer*** – Refers to any person, natural or juridical, employing the services of a Muslim employee, including government agencies, instrumentalities, and government-owned or controlled corporations.

SECTION 4. *Entitlement to Prayer Breaks.* – Muslim employees shall be entitled to prayer breaks during their regular work shifts to accommodate the five (5) obligatory prayers: *Fajr, Dhuhr, Asr, Maghrib, and Isha*. These breaks shall be separate and distinct from regular meal breaks provided by the employer.

SECTION 5. *Scheduling of Prayer Breaks.* – The scheduling of prayer breaks shall be subject to the following guidelines:

(a) The timing of Fajr, Dhuhr, Asr, Maghrib, and Isha prayers shall be determined based on the Islamic prayer timetable applicable to the workplace's location;

(b) Employers shall consult with their Muslim employees to establish a flexible schedule for prayer breaks that minimizes disruption to work operations;

(c) In cases where the nature of work does not permit simultaneous prayer breaks, employers may stagger the breaks to ensure continuity of operations;

(d) Employees shall make reasonable efforts to return to their workstations promptly after completing their prayers;

(e) The entitlement to prayer breaks shall apply to Muslim employees working non-traditional hours, including night shifts or flexible schedules.

Employers shall provide reasonable accommodations to ensure that prayer breaks remain accessible for employees outside the standard eight-hour workday.

SECTION 6. *Provision of Designated Prayer Spaces.* – Employers shall provide a designated prayer space for Muslim employees, which shall meet the following requirements:

(a) The space shall be clean, quiet, and adequately ventilated.

(b) The space shall be of sufficient size to accommodate the number of Muslim employees requiring its use.

(c) The space shall be oriented towards the Qibla (direction of Mecca).

(d) The space shall be equipped with basic amenities such as clean water for ablution (Wudu), prayer mats, and a clock indicating prayer times.

(e) In situations where space is extremely limited, the employer must make a reasonable effort to provide an area, even if not a dedicated room, that allows Muslim employees to perform their prayers with privacy and cleanliness.

SECTION 7. *Compliance and Enforcement.* –

(a) Employers shall comply with this Act and ensure that prayer breaks and designated prayer spaces are provided in good faith and without discrimination;

(b) The Department of Labor and Employment (DOLE) and the Civil Service Commission (CSC), in consultation with the National Commission on Muslim Filipinos (NCMF), shall oversee the implementation of this Act and handle complaints related to non-compliance;

(c) Employers found to be in violation of this Act shall be subject to penalties as prescribed in the Implementing Rules and Regulations (IRR) to be issued by DOLE, CSC, and NCMF.

SECTION 8. *Exemptions and Special Considerations.* –

- (a) Employers in industries where continuous operations are necessary, such as emergency services, healthcare, and security, may implement reasonable accommodations instead of standard prayer breaks to ensure the safety and efficiency of their operations;
- (b) Employers with limited physical space shall make reasonable efforts to provide alternative accommodations for prayer;
- (c) The provisions of this Act shall not infringe upon the rights of non-Muslim employees. Employers shall ensure that prayer breaks do not unfairly burden other employees or disrupt overall work productivity.

SECTION 9. *Implementing Rules and Regulations.* – The Department of Labor and Employment (DOLE), the Civil Service Commission (CSC), and the National Commission on Muslim Filipinos (NCMF) shall promulgate the necessary implementing rules and regulations within ninety (90) days from the effectivity of this Act.

SECTION 10. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SECTION 11. *Repealing Clause.* – All laws, decrees, executive orders, and rules and regulations, or parts thereof which are inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,