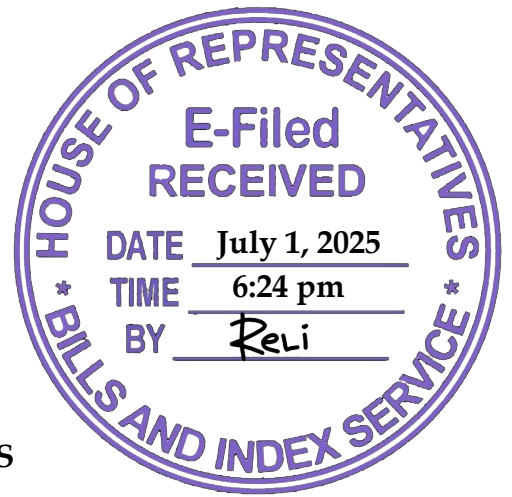




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 1047



Introduced by 4Ps Partylist Representative
JC M. ABALOS

EXPLANATORY NOTE

The Republic Act No. 11313, otherwise known as the Safe Spaces Act, is a crucial step towards protecting individuals from gender-based violence and harassment. The law has provided a framework for addressing gender-based street harassment and online sexual harassment, which have been prevalent issues in the country.

While the law expanded the legal protection for individuals experiencing gender-based violence and harassment, there are concerns that the corresponding penalties provided therein are no longer sufficient to deter offenders. As it stands, the impossible penalties for sexual harassment committed in the workplace and within educational and training institutions are those outlined in R.A. 7877 or the Anti-Sexual Harassment Act of 1995. Unfortunately, these penalties are no longer sufficient vis-à-vis the evolving nature of sexual harassment and gender-based violence.

As such, there is a need to reevaluate the existing penalties and consider putting in place penalties that better reflect the severity of the offense that shall deter potential offenders. By doing so, the Philippines can ensure that its laws regarding sexual harassment remain up-to-date and effective in protecting individuals from gender-based violence and harassment in the workplace and educational settings. It will also encourage individuals to report incidents of harassment and hold perpetrators accountable for their actions.

This bill proposes amendments to R.A. 11313 to help strengthen its implementation and enforcement, thus, ensuring that individuals are protected from gender-based harassment and violence and, ultimately, toward creating safe spaces for all Filipinos.

This bill underscores a simple truth: that every individual – whether in the workplace or in schools – deserves respect, safety, and dignity. Inappropriate jokes, sexist remarks, catcalling, and unwanted gestures, often dismissed by some as mere humor or joke, can create discomfort, diminish self-worth, and negatively impact productivity in the workplace or school environment. None of these behaviors should be tolerated in our offices, schools, or any public space. Yet, many individuals, particularly women and members of the LGBTQIA++ community, continue to experience these violations.



JC M. ABALOS
Representative
4Ps Partylist



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**AN ACT PROVIDING PENALTIES FOR GENDER-BASED SEXUAL
HARASSMENT IN THE WORKPLACE AND IN EDUCATIONAL AND
TRAINING INSTITUTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT
NO. 11313, OTHERWISE KNOWN AS THE "SAFE SPACES ACT"**

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

SECTION 1. Republic Act No. 11313 is hereby amended by inserting the following new sections after Section 19 thereof:

"SECTION 19-A. PENALTIES FOR GENDER-BASED SEXUAL HARASSMENT IN THE WORKPLACE. - THE THE PENALTY OF PRISION CORRECCIONAL IN ITS MAXIMUM PERIOD, OR A FINE OF NOT LESS THAN TWO HUNDRED FIFTY THOUSAND PESOS (P250,000.00) BUT NOT MORE THAN FIVE HUNDRED THOUSAND PESOS (P500,000.00), OR BOTH, AT THE DISCRETION OF THE COURT, SHALL BE IMPOSED UPON ANY PERSON FOUND GUILTY OF ANY GENDER-BASED SEXUAL HARASSMENT UNDER THIS ARTICLE.

IF THE PERPETRATOR IS THE HEAD OF THE WORKPLACE OR ORGANIZATION, THE APPOINTMENT OF SUCH PERSON SHALL BE DEEMED REVOKED UPON CONVICTION. AN ALIEN WHO COMMITS GENDER-BASED SEXUAL HARASSMENT IN THE WORKPLACE

SHALL BE SUBJECT TO DEPORTATION PROCEEDINGS AFTER SERVING A SENTENCE AND/OR PAYMENT OF FINES.

“SECTION 19-B. PENALTIES FOR FOMENTING, PROMOTING, OR EXHORTING SEXUAL HARASSMENT, MISOGYNISTIC, TRANSPHOBIC, HOMOPHOBIC, AND SEXIST SLURS BY PUBLIC AND GOVERNMENT OFFICIALS AND EMPLOYEES. – ANY PUBLIC OFFICIAL OR GOVERNMENT EMPLOYEE WHO IS FOUND GUILTY OF FOMENTING, PROMOTING, OR EXHORTING ACTS OF SEXUAL HARASSMENT, MISOGYNISTIC, TRANSPHOBIC, HOMOPHOBIC, AND SEXIST SLURS, EITHER VERBALLY, IN WRITING, OR THROUGH DIGITAL OR SOCIAL MEDIA PLATFORMS SHALL BE PENALIZED AS FOLLOWS:

- 1) THE FIRST OFFENSE SHALL BE PUNISHED BY A MINIMUM FINE OF ONE HUNDRED THOUSAND PESOS (P100,000.00) TO TWO HUNDRED THOUSAND PESOS (P200,000.00), MANDATORY SUSPENSION FROM PUBLIC OFFICE OR EMPLOYMENT FOR A PERIOD OF NOT LESS THAN SIX (6) MONTHS WITHOUT PAY, AND MANDATORY COMPLETION OF A GENDER-SENSITIVITY AND ANTI-HARASSMENT TRAINING PROGRAM, CERTIFIED BY AN ACCREDITED INSTITUTION.**
- 2) THE REPEAT OFFENSE SHALL BE PUNISHED BY A MINIMUM FINE OF TWO HUNDRED THOUSAND PESOS (P200,000.00) TO THREE HUNDRED THOUSAND PESOS (P300,000.00), MANDATORY DISMISSAL FROM OFFICE, ALONG WITH DISQUALIFICATION FROM HOLDING ANY PUBLIC POSITION, WHETHER ELECTIVE OR APPOINTIVE, FOR A PERIOD OF NOT LESS THAN FIVE (5) YEARS; AND A PERMANENT RECORD OF THE OFFENSE ON PUBLIC SERVICE CREDENTIALS AND PROHIBITION FROM RECEIVING BENEFITS TIED TO THE OFFICE.**
- 3) THE OFFENDER IN ALL CASES UNDER THIS SECTION SHALL BE REQUIRED TO ISSUE A PUBLIC APOLOGY TO THE AFFECTED INDIVIDUALS AND THE GENERAL PUBLIC, ACKNOWLEDGING THE MISCONDUCT AND REAFFIRMING A COMMITMENT TO UPHOLDING THE SAFE SPACES ACT'S PRINCIPLES.**

COMPLAINTS AND FINDINGS UNDER THIS SECTION SHALL BE REFERRED TO THE CIVIL SERVICE COMMISSION OR THE OFFICE

OF THE OMBUDSMAN FOR MONITORING AND ENFORCEMENT OF THESE PENALTIES.

ANY ACTION ARISING FROM THE VIOLATION OF THIS SECTION SHALL PRESCRIBE IN FIVE (5) YEARS.

THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT, THE CIVIL SERVICE COMMISSION, AND OTHER RELEVANT AGENCIES SHALL PROMULGATE THE IMPLEMENTING RULES AND REGULATIONS OF THIS SECTION AND THE MECHANISMS FOR REPORTING, INVESTIGATING, AND PENALIZING PUBLIC OFFICIALS AND GOVERNMENT EMPLOYEES WHO VIOLATE THIS PROVISION."

SEC. 2. The same Act is further amended by inserting the following new Section after Section 23 thereof:

"SECTION 23-A. PENALTIES FOR GENDER-BASED SEXUAL HARASSMENT IN EDUCATIONAL AND TRAINING INSTITUTIONS. - THE PENALTY OF PRISION CORRECCIONAL IN ITS MAXIMUM PERIOD, OR A FINE OF NOT LESS THAN TWO HUNDRED FIFTY THOUSAND PESOS (P250,000.00) BUT NOT MORE THAN FIVE HUNDRED THOUSAND PESOS (P500,000.00), OR BOTH, AT THE DISCRETION OF THE COURT SHALL BE IMPOSED UPON ANY PERSON FOUND GUILTY OF ANY GENDER-BASED SEXUAL HARASSMENT UNDER THIS ARTICLE.

IF THE PERPETRATOR IS THE HEAD OF THE EDUCATIONAL OR TRAINING INSTITUTION OR ORGANIZATION, THE APPOINTMENT OF SUCH PERSON SHALL BE DEEMED REVOKED UPON CONVICTION. AN ALIEN WHO COMMITS GENDER-BASED SEXUAL HARASSMENT IN AN EDUCATIONAL OR TRAINING INSTITUTION SHALL BE SUBJECT TO DEPORTATION PROCEEDINGS AFTER SERVING A SENTENCE AND/OR PAYMENT OF FINES."

SEC. 3. If any provision of this Act is found unconstitutional or invalid, the other provisions not affected by such declaration shall remain in full force and effect.

SEC. 4. All laws, decrees, executive orders, presidential issuances, and other administrative rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 5. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,