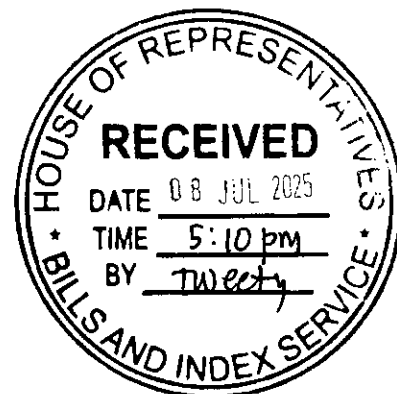




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 1605



Introduced by Ako Bicol Partylist Representative Alfredo A. Garbin Jr.

EXPLANATORY NOTE

It is undeniable that the media has played a crucial role in our daily lives and our society as a whole. It has defined and affected how each of us thinks and acts in innumerable ways. Through the everyday and up-to-date news, we get to know the happenings around us at the comforts of our houses, workplaces, vehicles, or wherever we may be; while the media workers risk their own lives being exposed to the perils and hazards outdoors just so we receive our needed information. It keeps us connected with and aware of the outside world. Not only has the media kept us well-informed, it has likewise become the *voice* of those who cannot speak up for fear of reprisal and served as a bridge between the people and the government.

While we truly recognize media's major influence and the important part that it plays in people's lives; it is unfortunate that the very same people behind it are not receiving the tangible fruits of this recognition which include security of tenure, hazard pay, night shift differential pay, and overtime pay, just to name a few. While we truly recognize media's major influence and the important part that it plays in people's lives; it is unfortunate that the very same people behind it are not receiving the tangible fruits of this recognition which include security of tenure, hazard pay, night shift differential pay, and overtime pay, just to name a few.

Section 18, Article II of the 1987 Constitution states that:

"State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare."

To this end, legislative measures are put in place to ensure that the rights of all the members of the labor force are protected and their welfare is promoted.

By reason of the foregoing, this bill, being proposed seeks to achieve the following objectives, among others:

- 1) To ensure that media workers shall be provided with a comprehensive benefits package at par with the current benefits enjoyed by those in the labor force, both in the government and in the private sector;
- 2) To motivate and encourage media workers to perform their duties as truthful and responsible informers of the people; and
- 3) To ensure the creation of a safe, protected, and atmosphere conducive to a productive, free, and fruitful media work, as well as to guarantee the right of workers to self-organization.

It is high time that we provide the media workers their well-deserved emoluments and protection under the law. Thus, the passage of this bill is earnestly sought.

A handwritten signature in black ink, consisting of a series of loops and a long vertical stroke at the bottom.

ALFREDO A. GARBIN JR.

Representative
Ako Bicol Partylist



Republic of the Philippines
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HOUSE BILL NO. **1605**

Introduced by Ako Bicol Partylist Representative Alfredo A. Garbin Jr.

**AN ACT PROVIDING ENHANCED PROTECTION, SECURITY, AND
BENEFITS FOR MEDIA WORKERS**

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

SEC. 1. Short Title. - This Act shall be known as the "Media Workers' Welfare Act".

SEC. 2. *Declaration of Policy.* - It is the policy of the State to promote and improve the social and economic well-being of media workers, including their living and working conditions. Towards this end, the State shall provide the necessary support to ensure that media workers are protected, secured, and well-compensated.

SEC. 3. *Objectives.* - This Act shall have the following objectives:

- a) Ensure that media workers shall, at the minimum, be paid the wages, allowances and benefits provided by law to workers;
- b) Motivate and encourage media workers to be truthful and responsible sharers of information; and
- c) Promote an atmosphere that is conducive to a productive, free, and fruitful media work.

SEC. 4. *Coverage.* - This Act shall apply to all media workers and media entities in the private sector.

SEC. 5. *Definition of Terms.* - As used in this Act:

- a) Blocktimer refers to one who buys airtime from radio and television franchise holders;

- b) Media entities refer to persons or organizations, including media networks and operators that actively gather information of potential interest to a segment of the public, turn collected information into a distinct work or distribute that work to an audience within the Philippines; and
- c) Media workers refer to those who are legitimately engaged in news media practice, directly or indirectly, whether as a principal occupation or not.

SEC. 6. Minimum Compensation. - Media workers shall not receive less than the applicable minimum wage rate prescribed by the Regional Tripartite Wages and Productivity Board, and shall be entitled to overtime pay and night shift premiums, as well as other forms of compensation provided by Presidential Decree No. 442, as amended, otherwise known as the "Labor Code of the Philippines", and other related laws and issuances.

SEC. 7. Social Security and Welfare Benefits. - Media workers shall be covered by the Social Security System, the Home Development Mutual Fund or the Pag-IBIG Fund, and the Philippine Health Insurance Corporation upon employment. The payment of monthly contributions shall be jointly shared by the media worker and the employer, when applicable, in accordance with existing rules and regulations. Media workers shall also be entitled to benefits as provided under RA No. 11199, otherwise known as the "Social Security Act of 2018"

SEC. 8. Hazard Pay. - Media workers required to physically report for work in dangerous areas such as strife-torn or embattled areas, distressed or isolated stations, disease-infested areas or in areas declared under a state of calamity or emergency for the duration thereof which expose them to great danger, contagion, radiation, volcanic activity or eruption, occupational risks or perils to life as determined by the Department of Labor and Employment (DOLE), shall be compensated with a hazard pay in the minimum amount of Five hundred pesos (Php 500.00) per day, with no diminution, which shall be computed as follows:

Hazard pay = Php 500 x number of days physically reporting for work
 in dangerous areas

The base amount of the hazard pay of media workers may be increased as decided upon by the News Media Tripartite Council created under Section 15 of this Act.

Employers shall also provide media workers covering events in hazardous areas with basic safety gear and equipment, such as bulletproof vests and helmets, first-aid kits, fire protection jackets, face shields, medical-grade protective equipment, harnesses, safety shoes, and life vests.

SEC. 9. Mandatory Additional Insurance Benefits. - Employers shall provide additional insurance coverage to media workers as follows:

- a) Death benefit of Two hundred thousand pesos (P200,000.00) for each media worker who shall perish in the line of duty;
- b) Disability benefit of up to Two hundred thousand pesos (P200,000.00) for each media worker who shall suffer total or partial disability, whether permanent or temporary, arising from any injury sustained in the line of duty; and
- c) Medical insurance benefit for each media worker of up to One hundred thousand pesos (Php 100,000.00).

SEC. 10. *Security of Tenure.* - Media workers shall be deemed as regular employees after six (6) months from the start of employment, regardless of the nature of employment. However, the said six (6) months period shall be computed cumulatively if a media worker is repeatedly engaged for shorter periods. An employer shall not terminate the services of a media worker except for a just or authorized cause, and with the observance of procedural due process.

SEC. 11. *Settlement of Disputes.* - All labor-related disputes shall be elevated to the DOLE regional office that has jurisdiction over the workplace.

SEC. 12. *Liability of Media Entities.* - Media entities shall be responsible for all contents released under their name. Owners of media entities or franchise holders shall be liable for claims arising from gross negligence, malicious acts, and violation of laws in connection with the work of blocktimers and media workers, regardless of the nature of engagement, except when the owners of the media entities or the franchise holders are able to prove that due diligence was exercised or that the fault is attributable solely to the concerned blocktimer or media worker. Any agreement to the contrary shall be void.

SEC. 13. *Compliance.* - The DOLE shall monitor compliance with the provisions of this Act.

SEC. 14. *Administrative Penalties.* - Violations of the provisions of this Act shall be subject to applicable penalties provided in Presidential Decree No. 442, as amended, and other related laws and issuances.

SEC. 15. *News Media Tripartite Council* - The DOLE shall initiate the creation of the News Media Tripartite Council which shall serve as a link among various stakeholders, provide a platform where media workers and employers can agree upon mutually beneficial policies that will promote the interests of the media industry, and serve as an avenue to express their aspirations, discuss their programs or settle conflicts.

SEC. 16. *Implementing Rules and Regulations.* - Within ninety (90) days from the approval of this Act, the Secretary of Labor and Employment shall, in coordination with media groups, associations, publishers, guilds, and other concerned groups, issue the necessary rules and regulations to implement the provisions of this Act.

SEC. 17. Separability Clause. - If any part, section, or provision of this Act is declared invalid or unconstitutional, the other provisions not affected by such declaration shall remain in full force and effect.

SEC. 18. Repealing Clause. - AU laws, decrees, executive orders, rules, and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 19. Effectivity - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,