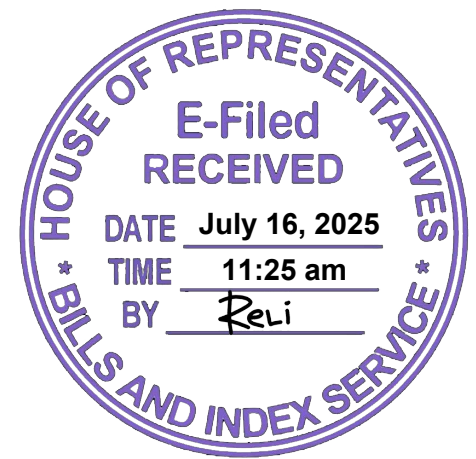


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 1985



Introduced by **HON. MIGUEL LUIS R. VILLAFUERTE, HON. VINCENZO RENATO LUIGI R. VILLAFUERTE, HON. TSUYOSHI ANTHONY G. HORIBATA, AND HON. TERRY L. RIDON**

EXPLANATORY NOTE

Media workers serve as frontliners in ensuring public information, promoting freedom of the press and expression, and upholding democracy. They contribute to shaping public discourse and act as watchdogs in government accountability issues that, at times, jeopardize their safety and security. Despite their significant role in our society and the nature of their work, media workers face a wide array of labor standards and protection issues in the country. These include contractualization, lack of security of tenure, and dangerous working conditions.

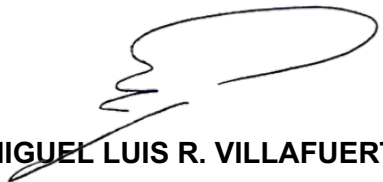
Section 10, Article XVI of the 1987 Constitution provides that “The State shall provide the policy environment for the full development of Filipino capability and the emergence of communication structures suitable to the needs and aspirations of the nation and the balanced flow of information into, out of, and across the country, in accordance with a policy that respects the freedom of speech and of the press.” Further, Section 18, Article II of the same provides that “The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.”

In line with the government’s responsibility to protect Filipino media workers and its effort towards the realization of these constitutional mandates, this proposed measure aims to:

- Ensure that media workers receive a minimum wage, overtime pay, night shift premiums, hazard pay, and other forms of compensation provided in the Labor Code of the Philippines and other related laws and issuances.
- Provide media workers with social security and welfare benefits, as well as mandatory additional insurance benefits such as death benefit, disability benefit, and medical insurance benefit.
- Deem media workers as regular employees after six months from the start of employment.
- Mandate the Department of Labor and Employment to create a News Media Tripartite Council, which will serve as a platform for media workers and their employers to craft mutually beneficial policies and settle conflicts.

This proposed measure was approved on third and final reading by the House of Representatives in the 19th Congress, showing the overwhelming support for improving the welfare of Filipino media workers.

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



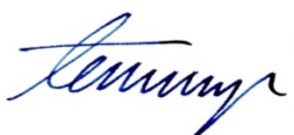
HON. MIGUEL LUIS R. VILLAFUERTE



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**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:

SECTION 1. *Short Title.* – This Act shall be known as the “Media Workers’ Welfare Act.”

SECTION 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.

SECTION 3. *Objectives.* – This Act shall have the following objectives:

- (a) Ensure that media workers shall, at 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 productive, free, and fruitful media work.

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

SECTION 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.

SECTION 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 the Presidential Decree No. 442, as amended, otherwise known as the “Labor Code of the Philippines”, and other related laws and issuances.

SECTION 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 retirement benefits as provided under Republic Act No. 11199, otherwise known as the “Social Security Act of 2018”.

SECTION 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 (P500.00) per day, with no diminution, which shall be computed as follows:

Hazard pay = P500 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 dangerous 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.

SECTION 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 to 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 (P100,000.00).

SECTION 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.

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

SECTION 12. *Liability of Media Entities.* – Media entities shall be responsible for all content released under their name. Owner of media entities or franchise holder 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 franchise holders can 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.

SECTION 13. *Compliance.* – The DOLE shall monitor compliance with the provisions of this Act.

SECTION 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.

SECTION 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 avenue to express their aspirations, discuss their programs or settle conflicts.

SECTION 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.

SECTION 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.

SECTION 18. *Repealing Clause.* – All laws, decrees, executive orders, rules, and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 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,