

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20th CONGRESS
First Regular Session

HOUSE BILL NO. **3159**



Introduced by REP. JUAN CARLOS "ARJO" C. ATAYDE

AN ACT
PROVIDING FOR A WORKING TIME FLEXIBILIZATION IN THE PRIVATE
SECTOR AND FOR OTHER PURPOSES, THEREBY AMENDING ARTICLE 83,
85 AND 87 OF PRESIDENTIAL DECREE FOUR HUNDRED FORTY-TWO (PD
NO. 442), AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF
THE PHILIPPINES

The workplace is in a constant state of evolution. The development of modern technology has allowed us to form communities from employees physically distant from each other and work with colleagues from different time zones. Some jobs are now capable of being performed in a compressed workweek setting, giving more days in which, the employees can spend more time resting and spending time with their families.

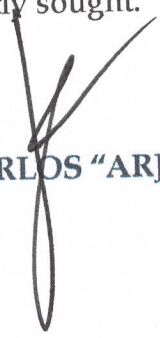
Compressed workweeks can also help our economy by promoting domestic tourism and increase patronage in local businesses.

This bill seeks to recognize compressed workweek arrangements and amend Article 83 of the Labor Code by making an exception to the normal eight hours of work a day, when the exigency of business operations requires the adoption of a mutually agreed upon voluntary work arrangement between the employer and the employee.

Under the proposal, a compressed workweek shall be permissible provided that working hours shall not exceed ten hours a day with no reduction of existing benefits. This shall encourage negotiation among the employer and employees on working time flexibility and other related agreements subject to the labor standards still being regulated by the Department of Labor and Employment.

This measure is filed in furtherance of the policy of the State to promote not only higher levels of productivity but also the welfare of workers. It is perceived that a flexible work schedule will allow employees to achieve work-life balance which will make them more energized, satisfied, fulfilled and productive.

With this representation's belief that an alternative working arrangement or flexible working schedule is a necessity and that every Filipino worker deserves to have this statutory right, the passage of this bill is earnestly sought.



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AN ACT

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6

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

7 SECTION 1. Article 83 of Presidential Decree No. 442, otherwise known as the
8 Labor Code of the Philippines is hereby further amended by adding the following
9 paragraph to read as follows:

10 "Article 83. Normal Hours of Work - xxx

11 "xxx

12 "HOWEVER, THE WORKWEEK OF EMPLOYEES MAY
13 BE SHORTENED OR COMPRESSED BY EXTENDING
14 THEIR NORMAL DAILY WORKING HOURS WHICH
15 SHALL IN NO CASE EXCEED TEN (10) HOURS A DAY,
16 BUT NOT MORE THAN 48 HOURS A WEEK, SUBJECT
17 TO SUCH CONDITIONS AS MAY BE DETERMINED BY
18 THE SECRETARY OF LABOR AND EMPLOYMENT IN

1 REGULATIONS FOR THE PROTECTION OF THE
2 INTEREST OF THE EMPLOYEES."

3 SEC. 2. Article 85 of the same Code is likewise amended by adding a new
4 paragraph to read as follows:

5 "Article 85. Meal Periods - xxx

6 "IN CASE THE MEAL PERIOD IS LESS THAN SIXTY (60)
7 MINUTES AND CONSENTED TO BY THE EMPLOYEE,
8 IT SHALL BE DEEMED PART OF THE WORKING
9 HOURS IN A DAY."

10 SEC. 3. Article 87 of the same Code is likewise amended by inserting a new
11 paragraph to read as follows:

12 "Article 87. Overtime Work. - xxx

13 "IN CASE OF VALID COMPRESSED WORKWEEK AS
14 PROVIDED HEREIN, THE OVERTIME PAY SHALL BE
15 PAID FOR WORK IN EXCESS OF HIS ALLOWABLE
16 WORK HOURS IN A DAY."

17 SEC. 4. *Separability Clause.* - Any portion or provision of this Act that is declared
18 unconstitutional shall not have the effect of nullifying other portions or provisions
19 hereof as long as such remaining portions can still subsist and be given effect in their
20 entirety.

21 SEC. 5. *Repealing Clause.* - All laws, ordinances, rules, regulations, other
22 issuances or parts thereof, which are inconsistent with this Act, are hereby repealed
23 or modified accordingly.

24 SEC. 6. *Effectivity.* - This Act shall take effect after fifteen (15) days following
25 its publication in the official Gazette or in a newspaper of general circulation.

26 *Approved,*