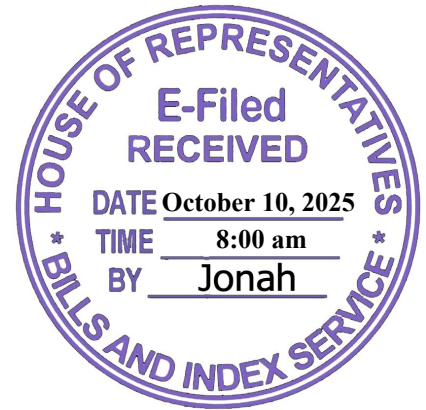




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



House Bill No. 5434

Introduced by CIBAC Party-List Representative
EDUARDO “BRO. EDDIE” C. VILLANUEVA

EXPLANATORY NOTE

Article II, Section 14 of the 1987 Constitution affirms that “The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.” In line with this mandate, landmark measures such as the Magna Carta of Women (Republic Act No. 9710) and the Labor Code of the Philippines have been enacted to safeguard women from discrimination. Yet, persistent disparities in employment, opportunity, and income reveal that these protections remain incomplete.

This bill seeks to expand the scope of prohibited discriminatory acts against women, particularly in employment-related contexts, and to dismantle systemic barriers that restrict women’s full and equal participation in the workforce and public life.

Global and domestic data highlight the depth of the problem. The World Economic Forum’s Global Gender Gap Report 2024 shows that the global gender gap stands at 68.5%, with full parity projected to take 134 years at the current pace. Economic participation is even more concerning, with only 60.5% of the gap closed and 152 years needed to achieve equality.¹ While the Philippines ranks 25th out of 146 countries in the 2024 Gender Gap Index,² the April 2025 Labor Force Survey reveals stark domestic realities: women’s labor force participation is only 52.5%, compared to 73.1% for men—a 20.6-point gap.³

¹ World Economic Forum. Global Gender Gap Report 2024. Published 11 June 2024. Available at <https://www.weforum.org/publications/global-gender-gap-report-2024/digest/> (Accessed on 1 July 2025).

² Philippine Institute for Development Studies (PIDS). Philippines Improves in 2023 World Gender Equality Ranking. Published 23 June 2024. Available at: <https://www.pids.gov.ph/details/news/in-the-news/philippines-improves-in-2023-world-gender-equality-ranking>

³ Philippine Statistics Authority. Labor Force Survey. Published 6 June 2025. Available at: <https://psa.gov.ph/statistics/labor-force-survey/latest-press-release>

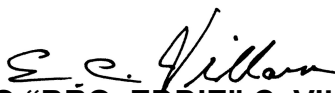
Wage disparities are also significant. A Philippine Institute for Development Studies (PIDS) analysis shows that women earn just 71.6% of men's average income,⁴ mirroring global trends where women earn 77 cents for every dollar earned by men. The World Bank's Women, Business and the Law 2024 further underscores the structural dimension, with 3.9 billion women worldwide still facing legal barriers to full economic participation.⁵

Beyond pay gaps and participation, discrimination often overlaps with deeper harm. An International Labour Organization (ILO) survey in 2022 found that nearly half of those who experienced gender-based discrimination also suffered violence and harassment at work. Among women, 50.9% reported such experiences, a rate significantly higher than that of men.⁶

These realities demonstrate that existing laws fall short of addressing the full spectrum of discrimination faced by women—in hiring, promotion, compensation, benefits, job security, and access to leadership roles. Discrimination is no longer confined to overt denial of opportunities; it is also embedded in unconscious bias, structural inequality, glass ceilings, and workplace cultures that silence victims of harassment and retaliation.

This proposed measure strengthens legal protections by expanding the list of prohibited acts of discrimination and introducing criminal penalties for violations. It affirms that the fight for women's equality must go beyond recognition, translating into enforceable rights, equal treatment, and full access to opportunities.

For these reasons, the immediate passage of this bill is earnestly sought.


EDUARDO "BRO. EDDIE" C. VILLANUEVA

⁴ Philippine Institute for Development Studies (PIDS). Gender Wage Gap Estimates in the Philippines (as cited in official policy briefs, 2024).

⁵ World Bank. Women, Business, and the Law 2024. Published 4 March 2025. Available atn <https://wbl.worldbank.org/en/wbl>

⁶ International Labour Organization. Experiences of Violence and Harassment at Work: A Global First Survey. Published 2 December 2022. Available at https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_863095.pdf



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HOUSE BILL NO. 5434

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AN ACT
EXPANDING THE PROHIBITED ACTS OF DISCRIMINATION AGAINST WOMEN
ON THE BASIS OF SEX, AMENDING FOR THE PURPOSE ARTICLES 135 AND
137 OF P.D. NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR
CODE OF THE PHILIPPINES

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

1 **SECTION 1.** Article 133 [135] of Presidential Decree No. 442, as amended,
2 otherwise known as the Labor Code of the Philippines, is hereby amended to read as
3 follows:
4

5 "ARTICLE 135. Discrimination Prohibited. - It shall be unlawful for any employer
6 to discriminate against any woman employee with respect to terms and conditions of
7 employment solely on account of her sex. The following are acts of discrimination:
8

9 (a) Payment of a lesser compensation, including wage, salary or other
10 form of remuneration and fringe benefits, to a female employee as against
11 a male employee, for work of equal value; [and]
12

13 (b) Favoring a male employee over a female employee with respect to
14 promotion, **ASSIGNMENT**, training opportunities, study and scholarship
15 grants solely on account of their sexes[.]; **AND**
16

17 **(C) FAVORING A MALE EMPLOYEE OVER A FEMALE EMPLOYEE**
18 **WITH RESPECT TO DISMISSAL OF PERSONNEL OR THE**
19 **APPLICATION OF ANY RETRENCHMENT, REDUNDANCY OR SIMILAR**
20 **POLICY OF THE EMPLOYER SOLELY ON ACCOUNT OF THEIR SEXES**
21 **AND REPRODUCTIVE FUNCTION AND POTENTIAL.**
22

23 Criminal liability for the willful commission of any unlawful act as provided in this
24 Article or any violation of the rules and regulations issued pursuant to Section 2 hereof
25 shall be penalized as provided in Articles 303 and 304 of this Code: Provided, That

1 the institution of any criminal action under this provision shall not bar the aggrieved
2 employee from filing an entirely separate and distinct action for money claims, which
3 may include claims for damages and other affirmative reliefs. The actions hereby
4 authorized shall proceed independently of each other."

5
6 **SEC. 2.** Article 135 [137] of the Labor Code is hereby amended to read as
7 follows:

8
9 "ARTICLE 137. Prohibited Acts. - (a) It shall be unlawful for any
10 employer:

11
12 (1) To deny any woman employee the benefits provided for in this Chapter
13 or to discharge any woman employed by him for the purpose of preventing
14 her from enjoying any of the benefits provided under this Code;

15 (2) To discharge such woman on account of her pregnancy, or while on
16 leave or in confinement due to her pregnancy;

17 (3) To discharge or refuse the admission of such woman upon returning to
18 her work for fear that she may again be pregnant [*]; OR

19 **(4) TO DENY ANY WOMAN THE BENEFITS OF EMPLOYMENT OR**
20 **OTHER STATUTORY BENEFITS UNDER OUR LAWS BY REASON OF**
21 **HER SEX.**

22
23 **ANY EMPLOYER WHO COMMITS OR ATTEMPTS IN ANY**
24 **MANNER TO COMMIT ANY OF THE ACTS PROHIBITED UNDER THIS**
25 **ARTICLE OR ANY RULE OR REGULATION ISSUED PURSUANT**
26 **THERETO SHALL, IN ADDITION TO OTHER PENALTIES AS MAY BE**
27 **PROVIDED BY LAW, UPON CONVICTION, BE PUNISHED BY A FINE**
28 **OF UP TO FIFTY THOUSAND PESOS (P50,000.00): PROVIDED, THAT**
29 **THE CONVICTION OR ACQUITTAL OBTAINED BY THE EMPLOYER**
30 **SHALL NOT BE A BAR TO THE FILING BY THE FEMALE EMPLOYEE**
31 **OF A CIVIL SUIT FOR THE PAYMENT OF SALARIES OR BENEFITS**
32 **DUE HER.**

33
34 **ANY EMPLOYEE OR PERSON WHO WILLFULLY AIDS OR ABETS**
35 **IN THE COMMISSION OF THE ACTS PROHIBITED HEREIN OR WHO**
36 **CAUSES THE COMMISSION OF ANY SUCH ACTS BY ANOTHER**
37 **SHALL BE LIABLE IN THE SAME MANNER AS THE EMPLOYER."**

38
39 **SEC. 3. Implementing Rules and Regulations.** - Within thirty (30) days from
40 the effectivity of this Act, the Secretary of Labor and Employment, in consultation with
41 the Tripartite Industrial Peace Council and other relevant stakeholders, shall issue the
42 necessary rules and regulations to implement the provisions of this Act.

43
44 **SEC. 4. Separability Clause.** - If any portion or provision of this Act is declared
45 unconstitutional, the remainder hereof or any provisions not affected thereby shall
46 remain in force and effect.

47
48 **SEC. 5. Repealing Clause.** - Any law, presidential decree or issuance, executive
49 order, letter of instruction, rule, or regulation inconsistent with the provisions of this Act
50 is hereby repealed or modified accordingly.

1 **SEC. 6. Effectivity.** - This Act shall take effect fifteen (15) days after its complete
2 publication in the Official Gazette or in a newspaper of general circulation.
3
4 *Approved,*