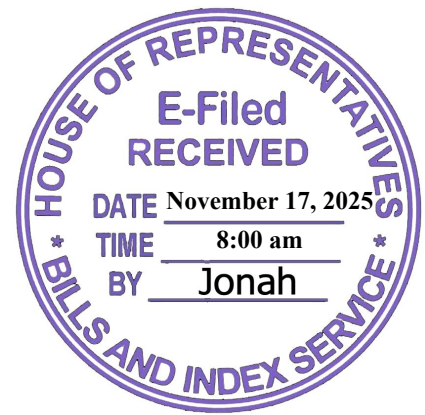


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5987



Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

EXPLANATORY NOTE

The State, under Article II, Section 18 of the 1987 Constitution, “affirms labor as a primary social economic force,” thus pledging to “protect the rights of workers and promote their welfare.” In connection, under Article XIII, Section 3, the State is mandated with guaranteeing “full protection to labor,” in terms of securing: 1) “the rights of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law”; 2) workers’ “entitle[ment] to security of tenure, humane conditions of work, and a living wage”; and 2) workers’ right to “participate in policy and decision-making processes affecting their rights and benefits as may be provided by law.”

However, the half of the Philippine labor force that belongs to the informal sector has not been given the necessary protection and aid:¹

The informal economy plays a significant and crucial role in job and income generation particularly in situations where there is high unemployment, inequality and poverty. Persons who would otherwise be unemployed or without livelihood take refuge in the informal economy especially in developing countries that have a large and rapidly growing labour force. This is due to the “relative ease of entry and low requirements for education, skills, technology and capital” in most economic units and activities in the informal economy. In the Philippines, the Informal Sector Survey in 2008 estimated the number of persons employed in the informal sector to be at 15.68 million, which comprise 72.5 percent of non-agricultural employment.⁵ In addition, persons in informal employment outside the informal sector are estimated at 2.49 million, which comprise 11. percent of non-agricultural employment.

While the informal economy provides reasonable economic opportunities to some, most workers in the informal economy are exposed to unsafe working conditions; are not provided adequate skill training; do not have security of tenure; have lower and irregular incomes; and lack collective bargaining and representation rights. This

¹ Philippine Commission on Women, “Magna Carta of Workers in the Informal Economy,” available at <https://pcw.gov.ph/magna-carta-of-workers-in-the-informal-economy-2/>.

is because workers and economic units in the informal economy are not covered or insufficiently covered by social protection, occupational safety and health, and labour protection policies and programs.” As such, most people enter the informal economy out of the need for survival, rather than as an option or a choice.

At the same time, workers in the informal economy are not a homogenous group and, therefore, have differentiated needs and face varying levels of vulnerability. Women, in particular, who bear most of the burden of reproductive responsibilities or unpaid care work, tend to end up in the informal economy or take informal work arrangements. This is because the informal economy offers them greater flexibility, autonomy and geographic proximity to do paid work while fulfilling domestic duties.” Women in the informal economy, however, are mostly confined in low income activities, such as unpaid family work, industrial home work and street vending; have limited opportunities for organization and representation; and are inadequately covered by social protection especially in times of illness, disability, work injury, maternity, unemployment, and old age.

The very nature of the informal economy, where most workers and economic units are not recognized nor registered, makes it also difficult and costly to collect statistics on its size, composition and contribution to the national economy. The invisibility in national statistics and the inadequacy of information on the informal economy limit the basis of government and other duty bearers for planning and programming to appropriately address the issues and concerns of workers and economic units in the informal economy. (citations omitted)

The International Labour Organization (ILO) itself noted this problem:²

The informal economy consists of independent, self-employed small-scale producers and distributors of goods and services. Workers in this sector are for the most part not covered by the country’s labour laws and regulations. Proxy measurement and related indicators for the informal economy include the vulnerable employment rate, defined as the share of own-account and contributing family workers in total employment.

In the Philippines, the Labor Force Survey data indicated that 38.3 per cent of those employed are in vulnerable forms of employment. This means nearly two out of five workers are less likely to have formal work arrangements and access to social protection and are more at risk during a crisis or shock.

The problems plaguing workers in the informal sector have been magnified by the COVID-19 pandemic. The IBON Foundation has stated that the measures used

² International Labour Organization, “Informal economy in the Philippines,” available at <https://www.ilo.org/manila/areasofwork/informal-economy/lang--en/index.htm>.

to address the pandemic “threaten[] to displace nearly 11 million workers and informal sector earners”:³

IBON estimated that the lockdown will potentially displace some 11 million workers and informal sector earners. This was computed using the latest available 2018 labor force survey (LFS) data and approximating the impact of the lockdown guidelines announced last night by Cabinet Secretary and Inter-Agency Task Force (IATF) spokesperson Karlo Nograles.

Sec. Nograles said that only private establishments providing basic necessities and production related to food and medicines will be allowed to operate. Exceptions explicitly stated include business process outsourcing (BPO) firms and export-oriented industries. All establishments still operating will be required to adopt a strict skeletal workforce. Notably, mass public transport will be suspended spanning buses, jeepneys, tricycles and trains to restrict the movement of the population. Classes and school activities are suspended at all levels. Most work in the Executive branch is also suspended.

IBON correspondingly estimated varied degrees of displacement from the outright suspensions, not being covered by exceptions, a skeletal workforce, and a drop in customer traffic. Given the structure of economic activity, the biggest number of affected jobs are going to be in the following sectors: 2.4 million construction jobs (assuming almost all affected); 2.4 million wholesale and retail trade jobs (50% affected); 1.5 million transport and storage jobs (75%); 891,000 accommodation and food service jobs (75%); and 832,000 other service jobs (50%).

These are followed by: 731,000 information & communication and administrative & support service jobs (50% affected); 618,000 manufacturing jobs (25%); 395,000 agricultural jobs (assuming 10% affected from a skeletal workforce in agricultural establishments); 381,000 real estate and professional, scientific & technical jobs (assuming almost all affected); 360,000 education jobs (50%); 269,000 arts, entertainment and recreation jobs (assuming almost all affected); and conservatively 132,000 public sector jobs (10% affected assuming continued pay but a skeletal workforce).

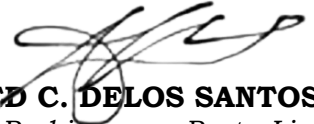
The relatively least amount of potential displacements is in: 95,000 financial jobs (25% affected); 34,000 health and social work jobs (10%); 24,000 mining and quarrying jobs (25%); and 10,000 utility jobs (10%).

The group said that any disruptions in the livelihoods of displaced workers and informal sector earners will have grave consequences. There are approximately 14.3 million families in Luzon. IBON initially estimated that 3.9 million of these families have a monthly income of around Php11,000 or less, 2.2 million of between

³ IBON Foundation, “Luzon lockdown threatens livelihoods of 11M workers, informal sector earners,” March 17, 2020, available at <https://www.ibon.org/luzon-lockdown-threatens-livelihoods-of-11m-workers-informal-sector-earners/>.

Php11,000-15,000, and 2.3 million of between Php15,000-20,000. These 8.4 million families of around 32.5 million Filipinos have very low incomes and little savings.

Poor and low-income families are the most at risk from even short-term disruptions in earnings, said the group. Many among the 4.5 million families in Luzon with monthly incomes between Php11,000-20,000 even risk being pushed into poverty without expedient government support.



ALFRED C. DELOS SANTOS

Representative, Ang Probinsyano Party-List

Republic of the Philippines
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Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

AN ACT
PROVIDING FOR A MAGNA CARTA FOR WORKERS IN THE INFORMAL
ECONOMY AND FOR OTHER PURPOSES

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

Chapter I
COMMON PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “Magna Carta for Workers in the Informal Economy.”

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to:

- a) Promote a just and dynamic social order that shall ensure the prosperity and independence of the nation, and free the people from poverty through policies that provide adequate social services, promote decent and environmentally sound and full employment, a rising standard of living, and an improved quality of life for all;
- b) Protect, promote, and fulfill the rights of every worker, including gender equity, non-discrimination, the right to self-organization, just and humane conditions of work, access to social protection programs and services, access to justice, security of and in the workplaces, and the right to represent their organizations in a continuing process of consultation, social dialogue, and tripartite bodies; and
- c) Establish an integrated and coherent policy, at all levels of government, of formalization of informal economic units and informal economy workers, and make them visible in all relevant national and local statistics.

SECTION 3. *Coverage.* – This Act shall apply to all workers and economic units, including enterprises, entrepreneurs, and households in the informal economy, in particular:

- a) The self-employed workers, own-account workers and employers, members of cooperatives, and members of other social and solidarity economy units;

- b) Home-based workers or contributing family workers, irrespective of whether they work in economic units in the formal or informal economy;
- c) Employees holding informal jobs in or for formal enterprises, or for economic units in the informal economy, including those in contract arrangement and/or in supply chains, or as paid domestic workers employed by households;
- d) Workers in unrecognized or unregulated employment relationships;
- e) Agricultural workers or fisherfolk in unrecognized or unregulated agricultural or farming endeavors and fishing activities; and
- f) Non-regular domestic workers.

SECTION 4. *Definition of Terms.* – As used in this Act, the following terms shall mean:

- a) **Informal Economy.** – All economic activities by workers and economic units that are, in law or practice, not covered or are insufficiently covered by formal arrangements;
- b) **Economic Units in the Informal Economy.** – Include, but are not limited to, units that employ hired labor, units that are owned by individuals working on their own account, either alone or with the help of contributing family workers, cooperatives and other social and solidarity economy units, and informal work that may be found across all sectors of the economy, in households, as well as public and private spaces;
- c) **Informal Economy Workers' organization.** – A group of informal sector workers, whether formally constituted or otherwise, that are organized with the primary objective of promoting the rights and welfare of workers in the informal economy;
- d) **Informal Employment.** – Employment arrangement in the formal or informal sector or in households that exists based on either casual employment, kinship, or personal and social relations, with no formal guarantees on legal protection and social benefits;
- e) **Own-account Worker.** – Workers who, working on their own account or with one or more partners, hold the type of job defined as a self-employed job and have not engaged, on a continuous basis, any employee to work for them during the reference period;
- f) **Security of an in the Workplace.** – Right of every worker and informal economic units to an enabling environment that guarantees and protects the spaces to undertake their work, including the right to be safe in one's own work space, security of tenure, and freedom from discrimination, risk, danger, doubt, anxiety, or fear of being removed, evicted, or prevented from working;
- g) **Social Protection.** – Policies and programs that seek to reduce poverty and vulnerability to risks and enhance the social status of the marginalized by promoting and protecting the livelihood and employment, protecting against hazards and sudden loss of income, and improving people's capacity to manage risk, as well as all other interventions that support communities, households, and individuals, both women and men, and realizing their rights as citizens through their full participation in decision-making affecting, or which may affect, their access to and control over resources necessary to maintain and sustain a decent and secure life.
- h) **Social and Solidarity Economic Units.** – Enterprises and organizations, including cooperatives as defined under Republic Act No. 9520 ("Philippine Cooperative Code of 2008"), mutual benefit societies, associations, foundations, and social enterprises which produce goods, services, and

knowledge that meet the needs of the community they serve, through the pursuit of specific social and environmental objectives and the fostering of solidarity.

Chapter II **RIGHTS AND BENEFITS**

SECTION 5. *Rights and Benefits of Workers in the Informal Economy.* – Workers in the informal economy shall be entitled to all the rights accorded to workers by the Philippine Constitution, the Labor Code of the Philippines, as amended, and relevant international human rights instruments and international labor standards. Accordingly, the State shall guarantee all workers in the informal economy the following:

- a) Right to security of, and in, the workplace;
- b) Right to make a living by work freely chosen or accepted;
- c) Right to just and favorable conditions of work, including provision for work-life balance, child care, and other facilities;
- d) Right to a living wage and equal remuneration for work of equal value without distinction of any kind, especially for women who shall be guaranteed equal wages for work similar or equivalent to those done by men;
- e) Right to equal opportunity for promotion, subject to no other considerations than seniority and competence;
- f) Right to safe and healthy working conditions safeguarding general, occupations, and reproductive health;
- g) Right to basic services, including affordable medical care, reproductive and other health services, low-cost housing, water, sanitation, cheap and affordable electricity, and efficient and effective transportation system;
- h) Right to rest, leisure, and reasonable limitation of working hours;
- i) Right to maternity and paternity benefits, as provided for by law;
- j) Right to equal access to education, skills training, and economic resources to develop self-reliance, especially for the youth, without any discrimination;
- k) Right to self-organization and to collectively negotiate with government and other entities in the promotion of their welfare and in the advancement of their interests, free from any political interference;
- l) Right to adequate food, clothing, shelter, and standard of living, and the continuous improvement of such standard;
- m) Right to be free from any form of discrimination, violence, exploitation, including sexual exploitation, harassment, abuse, and any form of inhumane treatment which debases, degrades, or demeans the intrinsic worth and dignity of the worker as a human being;
- n) Right to accessible social protection and safety nets, labor market programs, and social welfare interventions such as social security, health care, and insurance;
- o) Right to participate in policy- and decision-making processes and social dialogue, including access to information and resources relevant to the promotion and protection of their rights and welfare; and
- p) Right to equal and equitable access to justice for redress of grievances, including alternative dispute resolution processes.

SECTION 6. *Rights and Benefits of Own-Account Workers.* – In addition to the rights of workers in the informal economy, own-account workers, as well as informal

economic units, being the working poor's primary instruments to address and overcome poverty, shall be accorded preferential rights by the State over the following:

- a) Infrastructure support, such as farm to market roads, common, affordable, and secure workplaces and facilities, merchandising centers, farmers' markets or bagsakan with proper storage facilities, and inventory bulk-buying centers;
- b) Policy support to ensure the unimpeded transport of their produce or products;
- c) Policy support to promote and protect locally-produced products and services, including enhancement of the local value chain;
- d) Ease and facilitation of access to markets, including capacity-building to access e-marketing facilities that will especially remove middlemen in the transaction and facilitating the sale of produce or products directly to consumers;
- e) Access to affordable, appropriate, and adequate financial services, including, among others, collateral-free and gender-balanced credit at low interest;
- f) Access to appropriate and adequate machinery, equipment, and other technologies, with the end view of increasing productivity and growth;
- g) Protection from unjust dislocation from places where economic activities are conducted, observing the policy of "relocation before demolition";
- h) Measures against racketeering, extortion, and harassment, by both State and non-State elements;
- i) Common workplaces, shared facilities, product development and technology support, and adequate and affordable marketing facilities;
- j) Freedom from deprivation of property without valid cause and due process of law; and
- k) Affordable and customized social security and insurance programs.

SECTION 7. *Rights of Legitimate Organization of Workers in the Informal Economy or Employment.* – Workers in the informal economy or employment may organize into unions, cooperatives, social and solidarity economic units' organizations, and mutual benefit associations. Organization of workers in the informal economy or employment shall register with the Department of Labor and Employment and shall have the right to:

- a) Freely function and act as the representatives of their members in policy and decision-making processes, collective negotiations, tripartite bodies and consultations, multi-sectoral and other similar bodies;
- b) Establish, join, or affiliate with national federations or confederations and international trade union organizations;
- c) Access information from concerned government institutions and other parties that are pertinent to the protection and promotion of the rights and welfare of their members;
- d) Own property, whether real or personal, for the use and benefit of their organization and members;
- e) Sue and be sued under their registered name; and
- f) Undertake all other activities, not contrary to law, designed to benefit their organizations and members.

SECTION 8. *Assistance to Organizations of Workers in the Informal Economy.*
– The State shall encourage and support the formation of organizations among the

marginalized farmers, fisherfolk, women, and workers in the informal economy or employment, whether in manufacturing, agriculture, transport, retail, services, or home-based enterprises.

Towards this end, all national government agencies, government financial institutions, and local government units' plans, programs, and policies shall foster an atmosphere conducive to the exercise of the right to self-organization of the workers in the informal economy. Such policies shall also facilitate and promote access to credit, skills training, and inputs at lower cost. Those policies shall also be geared towards assisting such workers in obtaining fair prices for their produce or products and ensuring uninterrupted supply chain for the efficient, effective, and economical transport of their products to consumers.

Chapter III

SECURITY IN THE WORKPLACE OF WORKERS IN THE INFORMAL ECONOMY OR EMPLOYMENT

SECTION 9. *Designation of Workplaces.* – Local Government Units (LGUs), in coordination with legitimate organization of workers in the informal economy and their members, affected communities, and other relevant groups, shall identify, designate, and design a system of assignment on the following:

- a) Productivity and merchandising centers as viable workplaces for informal workers, which may include markets and vacant areas near markets, vacant public spaces and other spaces which may be a private property that the LGU may acquire, lease, or negotiate with legitimate organization of workers in the informal economy for lease under a memorandum of agreement; and
- b) Routes, terminals, and specific lanes for small transport workers.

SECTION 10. *Policy on Eviction and Demolition.* – Workers in the informal economy or employment shall not be evicted from their homes and workplaces without any legal grounds, as provided under Republic Act No. 7279 ("Urban Development and Housing Act of 1992"). They shall also be provided with the same or similar livelihood opportunities, adequate water and electricity, and decent conditions of living in accordance with law. Logistical viability for the displaced shall be given priority in the course of determining the relocation sites or areas.

SECTION 11. *Policy on Confiscation of Materials and Impounding of Vehicles.* – In cases where demolition or eviction is warranted by appropriate court order, the public officer or government agency that conducted the same shall ensure non-violence and shall issue an itemized receipt of all products, goods, and other materials seized or confiscated from vendors and other affected workers in the informal economy or employment. In no event shall these products be destroyed or discarded in the course of such demolition or eviction.

Tricycles, pedicabs, and other modes of transportation shall not be impounded for violations of license, registration, or traffic regulations unless the said vehicles were utilized in the conduct of criminal activities. In cases of violation of traffic regulations, a traffic violation ticket shall be issued to the erring driver without impounding his/her vehicle.

SECTION 12. *Policy on Relocation of Vending Sites.* – Before any public market is closed, sold, or demolished, all market vendors shall first be relocated by the LGU

to a temporary or new public market. Notice of the intention to close, sell, or demolish any public market shall be made to all concerned vendors at least sixty (60) days before the actual transfer or relocation to another market site. Within the sixty (60) days before the actual transfer or relocation to another market site. Within the sixty-day period after issuance of notice, the LGU shall conduct consultations with affected vendors on the relocation site and implementation of the relocation.

Vendors, ambulant or otherwise, occupying or selling in public places not previously designated as vending sites shall be provided notice of transfer at least fifteen (15) days before the actual transfer to the designated vending site. The fifteen (15)-day notice shall likewise apply to vendors granted with permits but whose workplaces are withdrawn from the list of allowable vending sites. Any change in the list of allowable vending sites shall only be done after consultation with the affected vendors.

In the event that a new public market is constructed in place of an old one, market vendors with stalls displaced from their workplaces shall be given priority in the assignment of stalls in the new market.

SECTION 13. *Policy on Relocation of Terminals and Change of Route.* – Relocation of designated terminals for tricycles, pedicabs, jeepneys, and other similar modes of transportation and any change of route shall not be arbitrarily carried out without prior notice and consultation with the drivers and/or transport groups concerned, legitimate organizations of workers, affected community, and other relevant sectors. The relocation of terminals and change of route shall be implemented through an ordinance, the enactment of which shall be subject to the required consultations and notice of intention as provided in the immediately preceding section.

Chapter IV

SOCIAL PROTECTION FOR THE INFORMAL SECTOR

SECTION 14. *Formalization of the Social Protection Floor.* – The State shall support, sustain, enhance, or institutionalize the social protection floor initiative through convergence of the resources of various agencies of the government for continuous social security and health insurance subsidies to vulnerable and other informal workers, as well as initiate programs for the unemployed, children, and older persons based on applicable and ever improving standards.

SECTION 15. *Social Welfare Efforts.* – The Department of Social Welfare and Development (DSWD), in coordination with the Department of Labor and Employment, shall consolidate social welfare efforts to address the needs of the workers in the informal economy, including direct assistance, policy development, and community engagement for the workers.

SECTION 16. *Role of the Department of Labor and Employment.* – The DOLE shall engage in labor market interventions that shall provide adequate protection for the workers in the informal economy and ensure timely and immediate action for labor concerns, as well as job generation, and other pertinent concerns.

SECTION 17. *Social Safety Nets.* – Social safety nets provided or implemented by the DOLE, DSWD, Department of Agriculture (DA), and other government agencies shall be made accessible to all workers in the informal economy and to their legitimate organizations.

SECTION 18. *Social Insurance.* – Social insurance programs, including Social Security, Pag-ibig (Home Development Mutual Fund), and PhilHealth, shall, as far as practicable, be fully available to workers of the informal economy consistent with Section 14 hereof. For this purpose, policies and mechanisms for their full utilization and benefit shall be formulated by the SSS, HDMF, and PhilHealth.

Chapter V
LABOR STANDARDS AND ENFORCEMENT OF LABOR LAWS FOR WORKERS IN THE INFORMAL ECONOMY

SECTION 19. *Applicability of the Provisions of the Labor Code.* – The provisions of the Labor Code shall apply where an employer-employee relationship exists between an employer and a worker in the informal economy.

SECTION 20. *Prohibited Acts Specific to Workers in the Informal Economy.* – The following are deemed prohibited:

- a) Non-compliance with Minimum Labor Standards and Occupational Health and Safety Standards. The terms and conditions of employment of workers in the informal economy shall not be lower than the minimum standards set by law. The lack of formality of the work arrangement between the employer and the worker or intermittency of work shall not mean the absence of an employment relationship in the informal economy, it is sufficient that there is control on how the work is to be done at the time of the engagement or economic dependence of the worker on the employer is present.

In all cases, the employment agreement shall be explained to the worker and attested to by a representative from the DOLE or LGU or an elected Barangay official in the city or municipality where the worker is designated to work.

- b) Recruitment or Finders' Fees. Regardless of whether the worker was sourced either through an employment agency or a third party, workers in the informal economy shall neither be charged nor levied a recruitment fee or finders' fee by the aforementioned employment agency or third party.
- c) Hazardous Work and Conditions. Workers shall not be engaged to do hazardous work, activity, or undertaking, or be exposed to hazardous working conditions. The rights of all workers under Republic Act No. 11058 ("An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties for Violations Thereof") shall be respected.
- d) Interference and Coercion. Any person is prohibited from committing any of the following acts of interference and coercion:
 - 1) Preventing any worker from upholding or exercising his/her rights;
 - 2) Preventing any worker from joining or assisting organization for purposes not contrary to law;
 - 3) Preventing any worker from carrying out his/her duties or functions in an organization, or to penalize the same for any lawful action performed in that capacity;

- 4) Harassing, threatening, coercing, or intimidating any worker that result in preventing him or her from performing his/her duties and functions;
 - 5) Transferring, penalizing, or terminating the services of a worker without valid or legal ground; and
 - 6) Other acts calculated to diminish the independence and freedom of workers' organization to direct its own affairs.
- e) Non-compliance with Republic Act No. 7610, as amended by Republic Act No. 9231, in the employment of minors. In cases where minors are contracted or hired to render work or services in any informal economic activity, the DOLE and the LGU or duly elected Barangay official where the work is to be done shall ensure compliance with Republic Act No. 7610, as amended by Republic Act No. 9231. The employer of the minors shall also provide them with access to at least elementary or secondary education, either through traditional schooling or alternative learning systems.

SECTION 21. *Visitorial and Enforcement Power of the Secretary of Labor and Employment.* – In pursuit of the exercise of the visitorial power of the Secretary of Labor under Article 128 of the Labor Code of the Philippines, as amended, employment and other work engagement in the informal economy shall be included in the scope of the Secretary's visitorial power.

Chapter VI

POLICY COORDINATION AND DEVELOPMENT

SECTION 22. *Function of National Economic Development Authority.* – The Committee on Social Development of the National Economic Development Authority (NEDA) shall develop policies and programs that shall institutionalize and strengthen informal economy workers and the informal economy units.

SECTION 23. *Informal Economy Initiatives of Local Development Council.* – The Local Development Councils of all provinces, cities, and municipalities shall establish a body of coordination, registration, and assistance for workers in the informal economy within their respective jurisdictions.

The Local Development Councils shall also form a sectorial or functional committee that shall facilitate the registration of informal economy workers.

Chapter VII

REGISTRATION OF INFORMAL ECONOMY WORKERS

SECTION 24. *Registration.* – The DSWD, in coordination with the Department of Interior and Local Government (DILG), Department of Information and Communications Technology (DICT), DOLE, and other appropriate government agencies, shall establish a system of registration of workers in the informal economy, all economic units and informal economy organizations, associations.

The national and local governments shall review, revalidate, and reassess such database as a tool for national and local planning and for other purposes every two (2) years.

The registry of economic units shall take into account the different sub-classifications in terms of asset size, number of workers, social insurance provided, statutory benefits and wages, industry, geography, premises, sex, ethnicity,

vulnerability, and roles and functions. That database shall also indicate informal economic units which may be categorized as livelihood enterprises and entrepreneurial or growth-oriented informal businesses.

Chapter VIII FINAL PROVISIONS

SECTION 25. *Penal Provision.* –

- a) Any person who shall willfully interfere with, restrain, or coerce a worker in the exercise of his/her rights or shall in any manner commit any act in violation of any of the provision of this Act shall, upon conviction, be punished by a fine of not less than Twenty Thousand Pesos (PhP 20,000.00) or imprisonment of one (1) to six (6) years or both fine and imprisonment at the discretion of the Court.
- b) If the offender is a public official, the Court, in addition to the penalties provided in the preceding paragraph, may impose the additional penalty or disqualification from public office.
- c) Any person who violates Section 11 of this Act (Policy on Confiscation of Materials and Impounding of Vehicles) shall be liable. Nothing herein shall prohibit the aggrieved workers in the informal economy from initiating a criminal or civil action against the responsible person or officer.
- d) Failure to implement Sections 12 (Policy on Relocation of Vending Sites) and 13 (Policy on Relocation of Terminals and Change of Routes) shall render the responsible official/s administratively liable pursuant to Republic Act No. 7160 and other applicable laws, without prejudice to any civil or criminal cases that may be filed against such erring official/s.
- e) If a private institution/company is found to have violated any provisions of this Act, its business shall be suspended or revoked at the discretion of the Court.

SECTION 26. *Implementing Rules and Regulations (IRR).* – The DOLE, DILG, DSWD, and the NEDA, in coordination with other concerned agencies and stakeholders, shall formulate the implementing rules and regulations within 180 days from the effectivity of this Act.

SECTION 27. *Repealing Clause.* – All laws, executive orders, presidential decrees or issuances, letters of instruction, administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 28. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the provisions not affected shall continue to be in full force and effect.

SECTION 29. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,