

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
20TH CONGRESS
First Regular Session



House Bill No. 6059

Introduced by: **REP. JOEL R. CHUA**

EXPLANATORY NOTE

The news, media, and entertainment industries play an indispensable role in shaping public discourse, preserving culture, and providing timely and accurate information essential to a democratic society. Yet, the workers who sustain these sectors continue to face hazardous employment arrangements, unsafe working conditions, inadequate compensation, and a lack of institutional support and protection.

This bill seeks to establish a **Magna Carta for News, Media, and Entertainment Workers** to guarantee their fundamental rights, ensure fair and safe working conditions, and protect their welfare. It provides for minimum labor standards taking into account the risks and realities of their industry.

The measure also affirms the rights of media workers in both public and private sectors, consistent with constitutional guarantees of free speech, press freedom, and humane working conditions. By establishing clear protections and ensuring accountability among employers, this proposed law strengthens the vital role of media and entertainment workers in nation-building.

In recognition of their indispensable contribution, approval of this legislative measure is earnestly sought.


JOEL R. CHUA

Representative, 3rd District, Manila

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AN ACT
ESTABLISHING THE MAGNA CARTA FOR NEWS, MEDIA AND
ENTERTAINMENT WORKERS, PROVIDING FOR THEIR RIGHTS,
BENEFITS, AND PROTECTION, AND FOR OTHER PURPOSES

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 "Magna Carta for News, Media, and Entertainment Workers.

Section 2. *Declaration of Policy* - It the policy of the State to accord full protection to labor and promote full employment and equality of employment opportunities for all. All workers shall also be entitled to security of tenure, humane conditions of work, and a living wage. To this end, workers in the news, media, and entertainment industry shall:

- a.) Have the right to a safe and healthful workplace, a safe atmosphere conducive to free and fruitful media and entertainment work, and freedom from any harassment, consistent with the Constitutional guarantee of the freedoms of speech, press, and expression; and
- b.) Have all the rights accorded to workers in accordance with Philippine laws, ratified international labor standards, conventions, and other relevant instruments.

Section 3. *Coverage* - This Act shall cover all workers in news, media, and entertainment industry, as defined herein.

- a.) News, Media, and Entertainment Workers shall include:
 - (i) Workers who are engaged in the pursuit of information gathering, production, report, and distribution of media, directly or indirectly, whether as a principal

occupation or otherwise, such as, but not limited to, reporters, journalists, correspondents, broadcast news analysts, writers and authors, editors, and photographers; and

- (ii) Workers in the audio-visual production, such as, but not limited to, director, assistant director, director of photography, production designer, production manager/unit production manager, location manager, technical crew, department heads, department crew, on-camera performers, and talents; and
- (iii) Media and Entertainment Industry consists of persons, whether natural or juridical, engaged in film, television, radio broadcast, print, live performance or theater productions.

Section 4. *Mandatory Written Contract* - Prior to the commencement of any work, it shall be mandatory for the worker and the media or entertainment entity to enter into a written contract detailing the terms of their engagement. The contract shall be in a language understood by both parties and shall, at the minimum, contain the following provisions:

- a.) Itemization of all work and/or services to be provided by the worker and the terms and conditions of the engagement;
- b.) The rate and method of compensation, the date on which salaries and/or wages shall be paid, or mechanisms by which such due date shall be determined, subject to applicable laws, rules and regulations;
- c.) The name and registered address of all parties, and in the case of a foreign or foreign-based entity, the name and address of the local agent or representative, or any duly acknowledged representative based in the Philippines; and
- d.) Other terms and conditions that govern the performance of the mutual obligations of the parties that are not contrary to law, morals, good customs, public order, or public policy.

In case of failure to enter into a written agreement, the media or entertainment entity or the hiring party shall be liable for a fine ranging from Ten Thousand Pesos (Php10,000.00) to One Hundred Thousand Pesos (Php 100,000.00), depending on the amount of the agreement involved. Provided, That in the absence of a written agreement, any written exchange or proof of submission and receipt of the completed task, work or service subject of the engagement, whether electronic or printed, shall be sufficient basis for collection of compensation or payment; Provided, finally, That the absence of a written agreement shall not be a bar to the

collection of compensation and/or payment for the services or work rendered by the media or entertainment worker.

Section 5. *Compensation and Terms of Work* - Regardless of the nature of engagement, the compensation and related benefits of media and entertainment workers shall not be lower than the minimum standards, as provided by laws.

Section 6. *Hours of Work* - The normal hours of work shall not exceed eight (8) hours, except when the exigencies of the service so require. In such a case, the maximum hours of work shall not exceed sixteen (16) hours in any twenty-four (24)-hour period.

However, for elderly workers, the maximum hours of work shall not exceed twelve (12) hours per day, while work hours of children shall adhere to the provisions of Republic Act No. 7610 or the "Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act", and Republic Act No. 9231 or the "Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child Act".

All hours spent by workers required or suffered to be on standby and are restricted to the confines of the workplace or work premises or are required or engaged to wait shall be considered hours worked and compensable waiting time.

Section 7. *Overtime Work and Night Shift Differential Pay* - In all cases, media and entertainment workers shall be entitled to, in accordance with law or applicable collective bargaining agreement, whichever is higher, overtime pay for work rendered beyond the eight (8) hours normal work per day and to nightshift differential for work rendered between 10:00 o'clock in the evening to 6:00 o'clock in the morning the following day.

Section 8. *Occupational Safety and Health (OSH) Standards* - All entities in the news, media and entertainment industry shall comply with the provisions of Republic Act No. 11058, otherwise known as "An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties for Violations Thereof." For this purpose, the media or entertainment entity who is in charge of, or manages, controls, or supervises the work being undertaken, and who has direct or indirect control over the workplace shall undertake the following:

- a.) Observance of occupational safety and health standards, in accordance with law and pertinent rules and regulations of the Department of Labor and Employment (DOLE);
- b.) Mandatory presence of OSH personnel;

- c.) Creation of Safety and Health Committee, as provided under Republic Act No. 11058;
- d.) Conduct of safety operation;
- e.) Provision of first aid;
- f.) Provision of personal protective equipment;
- g.) Conduct of risk assessment;
- h.) Preparation of an Emergency Preparedness and Response Plan;
- i.) Provision of adequate sanitary and privacy provisions; and
- j.) Such other requirements as may be necessary, taking into consideration the risks and/or hazards involved in the workplace and the nature of the work to be performed.

In all cases, workers shall have the right to refuse unsafe work in accordance with law. Furthermore, compliance with OSH regulations shall be equally applicable to contractors/subcontractors and block timers, or those who buy airtime from radio and television franchise holders.

Section 9. Hazard Pay - Media workers that are 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 state of calamity or health emergency, which expose them to great danger, contagion, radiation, volcanic activity/eruption, occupational risks or perils to life and limb shall be provided with hazard pay, in an amount equivalent to at least twenty-five percent (25%) of their basic daily wage or compensation.

Micro and small enterprises, as defined under Republic Act No. 6977, as amended, otherwise known as the "Magna Carta for Micro, Small, and Medium Enterprises", may, upon proper application with the Department of Labor and Employment (DOLE), apply for an exemption for the grant of hazard pay.

Section 10. Additional Insurance Benefits for Media Workers - Within two (2) years from the effectivity of this Act, the DOLE, Department of Finance, National Economic Development Authority, Social Security System, Government Service Insurance System, Employees' Compensation Commission, and other relevant government agencies shall study the feasibility and submit a plan for the implementation of providing additional insurance benefit to workers in the media

and entertainment industry. As far as practicable, the additional benefits shall include the following minimum benefits:

- a.) Death Benefit of Two Hundred Thousand Pesos (Php 200,000.00) for each media worker who shall perish in the line of duty;
- b.) Disability Benefits of up to Two Hundred Thousand Pesos (Php 200,000.00) 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.) Reimbursement of actual medical expenses up to, but not to exceed, One Hundred Thousand Pesos (Php 100,000.00) for each media worker who shall be hospitalized or who shall require medical attendance for injuries sustained while in the line of duty.

Provided, That nothing herein shall be construed as a limitation for the parties to agree to additional insurance coverage beyond the insurance benefits provided by law; Provided finally, That the foregoing amounts shall be adjusted every three years for inflation and other factors.

Section 11. *Media Workers in the Public Sector* - The Civil Service Commission shall issue the appropriate rules and regulations applicable to media workers in the public sector to ensure compliance with the rights and privileges granted to media workers under this Act, subject to applicable laws, rules and regulations governing workers in the public sector.

Media workers in the government service not otherwise covered by the Civil Service laws, rules, and regulations shall be entitled to the benefits provided under this Act.

Subject to the provisions of the Constitution and applicable civil service laws, rules, and regulations, government media entities shall prioritize the appointment to regular plantilla positions of incumbent casual, contract of service, or job order employees who have rendered exemplary and outstanding service.

Section 12. *Implementing Rules and Regulations* - The DOLE, in consultation with appropriate government agencies and relevant stakeholders, shall promulgate the Implementing Rules and Regulations (IRR) within 120 days from the effectivity of this Act.

Section 13. *Separability* - If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall continue to be in full force and effect.

Section 14. *Repealing Clause* - All laws, executive orders, and administrative orders or parts thereof inconsistent with any provision of this Act are hereby repealed or amended accordingly.

Section 15. *Effectivity Clause* - This Act shall take effect fifteen (15) days after its publication in the online version of the Official Gazette or in two (2) newspapers of general circulation or with an established internet website presence.

Approved,