

TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

HOUSE BILL No. 6243

Introduced by REPRESENTATIVE CLAUDINE DIANA D. BAUTISTA-LIM

AN ACT
REQUIRING ALL GOVERNMENT AND NON-GOVERNMENT OFFICES AND
ESTABLISHMENTS TO ADOPT POLICIES TO PREVENT AND ADDRESS THE
ACTS OF BULLYING AND OTHER SIMILAR ACTS IN THEIR WORKPLACE

EXPLANATORY NOTE

Workplace bullying is often ignored and frequently dismissed as harmless banter among co-workers. However, multiple studies have documented that workplace bullying is detrimental to workers' productivity and organizational outcomes.¹ In fact, workplace bullying, with its various forms, has far-reaching and lasting impact on the victim and the organization in the long run.

Workplace bullying has been shown to have negative effects on an organization's output and engagement. It increases the risk for legal action, employee attrition, and a decline in job satisfaction. On employees, workplace bullying has been linked to a number of severe adverse long-term consequences, such as mental health conditions like anxiety and depression, post-traumatic stress disorder and, in certain situations, suicide.²

The government needs to ensure that workplaces are safe environments for all employees, regardless of their position. To optimize workplace health, harmony and well-being, it is important that bullying in the workplace is addressed. To do so, this measure proposes to require all government and non-government offices and establishments to adopt policies for the prevention of bullying and other similar acts in

¹ Praslova, L. N. (2023, January 3). *How Bullying Manifests at Work — and How to Stop It*. Harvard Business Review. <https://hbr.org/2022/11/how-bullying-manifests-at-work-and-how-to-stop-it>

² Walker, J. (2017). A quantitative study of the prevalence and impact of workplace bullying amongst first responders . . . *ResearchGate*. <https://doi.org/10.13140/RG.2.2.16406.37441>

their respective workplaces. Through this bill, employers are mandated to establish clear procedures and strategies to address bullying and ensure that such harmful acts are reported and penalized.

This measure also assigns the Department of Labor and Employment and the Civil Service Commission to prescribe appropriate administrative sanctions for non-compliance with the provisions of this Act.

It is hoped that through this bill, oppression in the workplace will be mitigated and harmonious working environments are promoted.

Immediate approval of this measure is fervently sought.


REP. CLAUDINE DIANA D. BAUTISTA-LIM
DUMPER PTDA Partylist

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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 “*Anti-Workplace Bullying Act.*”

Sec. 2. *Adoption of Anti-Workplace Bullying Policies.* – All government and non-government offices, and business establishments, are hereby directed to adopt policies to address the existence of office bullying and other similar acts in their respective institutions. Such policies shall be regularly updated and at a minimum shall include provisions which:

(a) Prohibit following acts:

1. Workplace Bullying – any severe or repeated use by one or more employees of a written, verbal or electronic expression, or a physical act or gesture, or any combination thereof, directed at an employer, co-employee, or any person with whom he/she has professional relations or dealings that has the effect of actually causing or placing the latter in a reasonable fear of physical or emotional harm or damage to his property; creating a hostile work environment for the employer, co-employee, or any person with whom he/she has professional relations or dealing; infringing on the rights of another at work premises; or materially and substantially disrupting the orderly operation of the workplace such as, but not limited to, the following:
 - i. Any act that causes physical or bodily harm;
 - ii. Any act that causes harm to a victim’s psyche and/or emotional and/or moral well-being;

- iii. Any slanderous statement or accusation that causes the victim undue emotional distress like directing foul language or profanity at the target, name-calling, tormenting and commenting negatively on victim's looks, clothes and body; and
 - iv. Cyber-bullying or any bullying done through the use of technology or any electronic means.
- 2. Any abusive acts or behavior which include but are not limited to the following:
 - i. Offering, publishing, distributing, circulating and spreading rumors, false news and information and gossip about, or any act against or direct against an employer, a co-employee, or any person with whom he/she has professional relations or dealings;
 - ii. Disrespecting and devaluing an employer, a co-employee, or any person with whom he/she has professional relations or dealings through disrespectful and devaluing language;
 - iii. Management by threat and intimidation;
 - iv. Stealing credit and taking unfair advantage of an employer, a co-employee, or any person with whom he/she has professional relations or dealings;
 - v. Preventing access to workplace, career, and office opportunities to an employer, a co-employee, or any person with whom he/she has professional relations or dealings; and
 - vi. An act or behavior shall be construed as abusive if it results to any of the following:
 - 1. Destroys or undermines the character, image status, reputation, morale, and credibility of an employer, co-employee, or any person with whom he/she has professional relations/dealings;
 - 2. Discredits, destroys and undermines the work, results of the work, awards, career, vocation, craft, professional status, productivity, performance, and talents of an employer, co-employee, or any person with whom he/she has professional relations or dealings;
 - 3. Causes divisive effects among employees, employers, officers, and other members of the government and non-government organizations, business establishments, their clientele, and any other person engaged by the government and non-government organizations, business establishments in their respective professional capacities.
- (b) Establish clear procedures and strategies for:
 - 1. Reporting acts prohibited under this Act;
 - 2. Responding promptly to and investigating reports of acts, which are prohibited under this Act;
 - 3. Ensuring the protection of the person who reports any of the prohibited acts, provides information during the investigation of the prohibited acts,

or is witness to or has reliable information about any of the prohibited acts;

- (c) Enable employees to anonymously report any of the prohibited acts: *Provided, however,* That no disciplinary administrative action shall be taken against a perpetrator solely on the basis of an anonymous report; and
- (d) Subject the perpetrator/s who knowingly makes a false accusation to disciplinary administrative action.

Sec. 3. Mechanisms to Address Workplace Bullying and other Prohibited Acts.

- (a) The administrative office or officer, human relations office or officer, or any person or office holding comparable role shall be responsible for the implementation and oversight of policies intended to address workplace bullying and other prohibited acts;
- (b) All government and non-government offices and business establishments shall provide their employees a copy of the policies being adopted. Such policies shall likewise be included in the employees' handbook and shall be conspicuously posted on the office walls and website, if there is any;
- (c) Any employee shall immediately report any instance of office bullying and other prohibited acts witnessed, or that has come to one's attention, to the administrative office or officer, human relations office or officer, or any person or office holding a comparable role. Upon receipt of such report, the administrative office or officer, human relations office or officer, or any person or office holding a comparable role, shall promptly investigate;
- (d) If it is determined that bullying or other prohibited acts have occurred, the administrative office or officer, human relations office or officer, or any person or office holding a comparable role, shall:
 - 1. Notify the law enforcement agency if the administrative office or officer, human relations office or officer, or any person or office holding a comparable role believes that criminal charges under the Revised Penal Code may be pursued against the perpetrator;
 - 2. Take appropriate disciplinary administrative action.

Sec. 4. Reportorial Requirements. –

- (a) All non-government offices and business establishments shall inform the Department of Labor and Employment in writing about the policies against anti-Workplace bullying and/or prohibited acts formulated within six (6) months from the effectivity of this Act. Such notification shall likewise be an administrative requirement prior to the operation, creation, or establishment of new non-government offices and business establishments.
- (b) All government offices shall inform the Civil Service Commission in writing about the policies against office bullying or other prohibited acts formulated within six (6) months from the effectivity of this Act.

Sec. 5. *Sanction for Non-Compliance.* – In the rules and regulations to be implemented pursuant to this Act, the Secretary of the Department of Labor and Employment and the Chairperson of the Civil Service Commission shall prescribe the appropriate administrative sanctions on any administrative office or officer, human relations office or officer, or any person or office holding a comparable role, who shall fail to comply with the requirements under this Act. In addition thereto, erring non-government offices and business establishments shall likewise suffer the penalty of suspension of their permits to operate.

Sec. 6. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Department of Labor and Employment and the Civil Service Commission, respectively, shall promulgate the necessary rules and regulations to implement the provisions of this Act.

Sec. 7. *Separability Clause.* – If any portion of this Act is declared unconstitutional or invalid, the portions or provisions which are not affected shall continue to be in full force and effect.

Sec. 4. *Repealing Clause.* – All laws, decrees, executive orders and rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

Sec. 5. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) national newspapers of general circulation.

Approved,