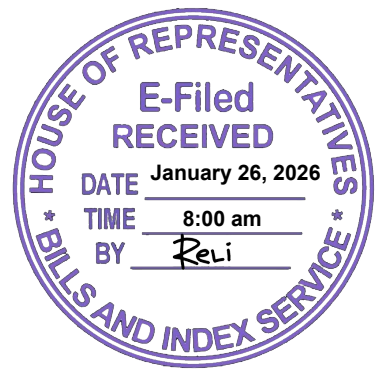


TWENTIETH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 7250

EXPLANATORY NOTE

With the outbreak of the COVID-19 pandemic, “work from home” or telecommuting has been becoming the norm in some, if not most, of the workforce.

With the “work from home” setup, it cannot be denied that there is an increase in the expense of the employee. While there are some companies that pay for these additional expenses, many leave it up to the employee.

Republic Act No. 11165 or the "Telecommuting Act" was enacted last 2018 but there is no provision on additional expenses of employees and it only covers the private sector.

Thus, this bill is filed aimed at amending Republic Act No. 11165 by expanding its coverage to include the public or government sector as government employees also require assistance and by requiring employers to provide their telecommuting employees with a Php 1,000.00 non-taxable allowance per month to answer for the additional cost of utilities from telecommuting.

In view of the foregoing, the immediate passage of this bill is earnestly requested.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

TWENTIETH CONGRESS)
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House Bill No. 7250

AN ACT

EXPANDING THE COVERAGE OF THE TELECOMMUTING ACT AND PROVIDING INCENTIVES FOR TELECOMMUTING EMPLOYEES, AMENDING FOR THE PURPOSE, REPUBLIC ACT NO. 11165, OTHERWISE KNOWN AS THE TELECOMMUTING ACT AND FOR OTHER PURPOSES

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

Section 1. Section 4 of Republic Act No. 11165, otherwise known as the Telecommuting Act, is hereby amended to read as follows:

SEC. 4. Telecommuting Program — An employer in the private **OR PUBLIC** sector may offer a telecommuting program to its employees on a voluntary basis, and upon such terms and conditions as they may mutually agree upon; X X X

Sec. 2. A new section is hereby inserted after Section 8 of Republic Act No. 11165, which shall read as follows:

"SEC 9. INCENTIVES FOR TELECOMMUTING EMPLOYEES. ALL EMPLOYEES WORKING UNDER A TELECOMMUTING PROGRAM SHALL BE ENTITLED TO A NON-TAXABLE TELECOMMUTING ALLOWANCE OF AT LEAST ONE THOUSAND PESOS (P1,000.00) FOR EVERY MONTH SERVED UNDER SUCH AGREEMENT. PROVIDED, THAT, NOTHING IN THIS PROVISION SHALL BE CONSTRUED TO ELIMINATE OR IN ANY WAY DIMINISH SUPPLEMENTS, ALLOWANCES, OR OTHER EMPLOYEE BENEFITS SERVING A SIMILAR PURPOSE BEING ENJOYED AT THE TIME OF THE IMPLEMENTATION OF THIS LAW. PROVIDED FURTHER, THAT, NOTHING IN THIS PROVISION SHALL BE INTERPRETED TO PROHIBIT THE EMPLOYERS OR THE COLLECTIVE BARGAINING AGREEMENT FROM PROVIDING TERMS HIGHER OR MORE FAVORABLE THAN THE ABOVE-MENTIONED RATE. PROVIDED FINALLY, THAT, ALLOWANCES GRANTED BY PRIVATE EMPLOYERS UNDER THIS PROVISION SHALL BE DEDUCTIBLE FOR INCOME TAX PURPOSES."

Sec. 3. All succeeding sections of RA 11165 are hereby renumbered accordingly.

Sec. 4. Penalties. Any violation of the provisions of this Act shall be punished with a fine of not more than One Hundred Thousand Pesos (P100,000.00).

Sec. 5. Implementing Rules and Regulations. —The Department of Labor and Employment, the Department of Finance, and the Bureau of Internal Revenue shall promulgate the rules and regulations to implement this Act within ninety (30) days from the effectivity of this Act.

Sec. 6. Separability Clause. — If any provision or part thereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Sec. 7. Repealing Clause. — Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

Sec. 8. Effectivity Clause. — This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,