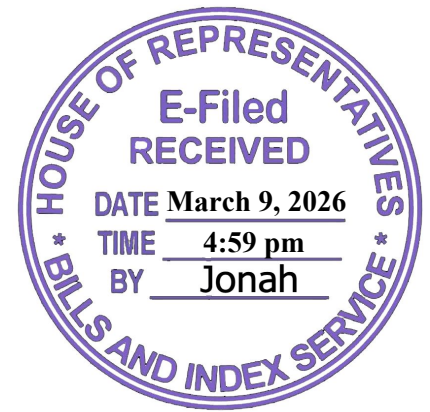


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **8384**



Introduced by **REPRESENTATIVES RAMON JOLO B. REVILLA III, JOHANNE MONICH G. BAUTISTA, ELIJAH RUMBAOA SAN FERNANDO, RODOLFO “OMPONG” M. ORDANES, CHARISSE ANNE C. HERNANDEZ, SARAH JANE I. ELAGO, JOSE MANUEL TADEO “CHEL” I. DIOKNO, PERCIVAL “PERCI” CENDAÑA, DADAH KIRAM ISMULA, KAKA J. BAG-AO, & RENEE LOUISE M. CO**

AN ACT
PROHIBITING DISCRIMINATION IN THE WORKPLACE,
PROVIDING PENALTIES THEREFOR

EXPLANATORY NOTE

Discrimination in the workplace remains a persistent and often underreported concern in the Philippines. According to global recruitment agency Michael Page Philippines in its 2025 Talent Trends Report, approximately 9% of 464 respondents have personally experienced workplace discrimination.¹ More tellingly, a larger 35% of respondents reported witnessing discriminatory acts against colleagues² – an indication that many incidents remain unreported due to fear of retaliation, stigma, or lack of effective grievance mechanisms. These

¹ MichaelPage. Workplace ageism: A top concern despite lower incidence rates in the Philippines. Information retrieved from <https://www.michaelpage.com.ph/recruitment-expertise/employer-insights/workplace-ageism-age-discrimination>. Dated September 2025

² Ibid.

figures, while already significant, likely represent only a fraction of the true scope of the problem.

Workplace discrimination manifests in various forms – ranging from age bias and disability-based exclusion to unequal treatment on the basis of sex, religion, ethnicity, health status, physical features and appearance, and political affiliation, among others. Persistent gender pay gaps, barriers to employment for older workers, prejudicial hiring practices, and discriminatory job advertisements continue to undermine the constitutional guarantee of equal protection and the fundamental right to work. In many instances, qualified individuals are denied opportunities not because of merit, competence, or performance, but because of characteristics unrelated to job requirements.

Beyond its moral and legal implications, discrimination carries substantial economic and social costs. It erodes employee morale, weakens productivity, fuels workplace conflict, and limits innovation. Conversely, studies consistently show that diverse and inclusive workplaces are more dynamic, resilient, and competitive. Organizations that embrace diversity benefit from broader perspectives, improved decision-making, and stronger employee engagement. Equality and inclusion are not merely ideals – they are strategic imperatives in a modern, globally competitive economy.

The Philippines has long signified its commitment to international labor standards, particularly through its adherence to key conventions of the International Labour Organization (ILO), including those addressing discrimination in employment and occupation. As a State Party to these commitments, the Philippines bears the responsibility of translating international principles into concrete, enforceable domestic protections that safeguard the dignity of every worker.

This measure seeks to institutionalize the protection of all employees against discrimination in their workplaces on the account of age, civil status, disability, ethnicity, health status, language, national origin, physical features and appearance, political affiliation or belief, pregnancy or parental status, religion, sex or gender, socioeconomic status, or any other status or characteristic, whether actual or perceived. This bill aims to ensure that employment decisions are based solely on merit, competence, qualifications, performance, and lawful job-related requirements.

In view of the foregoing, the immediate passage of this measure is earnestly sought.



RAMON JOLO B. REVILLA III



JOHANNE MONICH G. BAUTISTA



ELIJAH RUMBAOA SAN FERNANDO



RODOLFO "OMPONG" M. ORDANES



CHARISSE ANNE C. HERNANDEZ



SARAH JANE I. ELAGO



JOSE MANUEL TADEO I. DIOKNO



PERCIVAL "PERCI" CENDAÑA



DADAH KIRAM ISMULA



KAKA J. BAG-AO



RENEE LOUISE M. CO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **8384**

Introduced by **REPRESENTATIVES RAMON JOLO B. REVILLA III, JOHANNE MONICH G. BAUTISTA, ELIJAH RUMBAOA SAN FERNANDO, RODOLFO “OMPONG” M. ORDANES, CHARISSE ANNE C. HERNANDEZ, SARAH JANE I. ELAGO, JOSE MANUEL TADEO “CHEL” I. DIOKNO, PERCIVAL “PERCI” CENDAÑA, DADAH KIRAM ISMULA, KAKA J. BAG-AO, & RENEE LOUISE M. CO**

AN ACT
PROHIBITING DISCRIMINATION IN THE WORKPLACE,
PROVIDING PENALTIES THEREFOR

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Anti-Discrimination in Workplace Act.*”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to uphold the constitutional guarantee of equal protection of the laws and to promote full employment and equality of employment opportunities for all. To this end, the State shall ensure that all persons are afforded dignity, respect, and fairness in the workplace, free from discrimination and harassment.

Consistent with the Philippines' obligations under International Labor Organization (ILO) Convention No. 100 (Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, 1951), ILO Convention No. 111 (Convention concerning Discrimination in Respect of Employment and Occupation, 1958), and ILO Convention No. 122 (Employment Policy Convention, 1964), the State shall eliminate discrimination in employment and occupation and promote equality of opportunity and treatment.

The State recognizes that discrimination may arise from prejudice, stereotypes, stigma, or bias relating to age, civil status, disability, ethnicity, health status, language, national origin, physical features and appearance, political affiliation or belief, pregnancy or parental status, religion, sex or gender, socioeconomic status, or any other status or characteristic, whether actual or perceived, and shall ensure that employment decisions are based solely on merit, competence, qualifications, performance, and lawful job-related requirements.

SEC. 3. *Definitions.* – For purposes of this Act:

- (a) **Discrimination** refers to any distinction, exclusion, restriction, harassment, or preference in employment which has the purpose or effect of nullifying, impairing, or denying equality of opportunity or treatment;
- (b) **Employment** refers to all aspects of the employer-employee relationship in the private sector, including recruitment, hiring, selection, placement, promotion, transfer, training, apprenticeship, probation, compensation, benefits, job assignment, discipline, suspension, demotion, termination, retirement, and other terms and conditions of employment;

(c) **Employer** refers to any person, partnership, corporation, association, labor contractors, or other juridical entity engaged in private business, industry, or enterprise that employs one or more persons, and includes any person acting in the interest of such employer.

(d) **Protected Characteristic** refers to any personal attribute or status which is protected from discrimination under this Act, as follows:

- (i) Age;
- (ii) Civil status;
- (iii) Disability;
- (iv) Ethnicity;
- (v) Health status;
- (vi) Language;
- (vii) National origin;
- (viii) Physical features and appearance;
- (ix) Political affiliation or belief;
- (x) Pregnancy or parental status;
- (xi) Religion;
- (xii) Sex or gender;
- (xiii) Socioeconomic status; or
- (xiv) Any other status or characteristic, whether actual or perceived, that is not directly related to the performance of lawful job-related requirements; and

(e) **Perceived Status** refers to characteristics attributed to a person, whether accurate or not.

- (f) **Publisher** refers to any person or juridical entity that publishes, circulates, disseminates, or otherwise makes available job advertisements or recruitment materials, whether in print, broadcast, online, or digital form, on behalf of or for the benefit of an employer.

SEC. 4. *Prohibited Acts.* – It shall be unlawful for any employer or any person acting on behalf of an employer to:

- (1) Refuse to hire, employ, promote, assign, or retain an employee on the basis of any protected characteristic or perceived status;
- (2) Discriminate in compensation, wages, salary rates, allowances, bonuses, incentives, benefits, training opportunities, promotion, or other privileges of employment on the basis of any protected characteristic or perceived status rather than on merit, competence, seniority, performance, or lawful job-related criteria;
- (3) Limit, segregate, classify, assign, or otherwise treat employees or job applicants in a manner that would deprive or tend to deprive any person of employment opportunities, promotion, compensation, or favorable working conditions on the basis of any protected characteristic or perceived status;
- (4) Publish, circulate, or cause to be published or circulated any job advertisement, announcement, or recruitment material that expresses, directly or indirectly, any preference, limitation, exclusion, or discrimination based on any protected characteristic or perceived status, unless such requirement constitutes a bona fide occupational qualification under this Act;

- (5) Subject an employee to harassment, ridicule, hostility, or a hostile work environment based on protected characteristics or perceived status; or
- (6) Retaliate against any individual who files a complaint or participates in proceedings under this Act.

SEC. 5. *Equal Pay for Work of Equal Value.* – Employees should be given equal pay for work of equal value. To this end:

- (a) Employers shall provide equal remuneration for work of equal value and shall not discriminate in wages, salary rates, allowances, bonuses, incentives, benefits, or other forms of compensation on the basis of any protected characteristic or perceived status;
- (b) Work shall be considered of equal value when it requires substantially comparable levels of skill, effort, responsibility, and working conditions, regardless of job title or classification;
- (c) Any differentiation in compensation shall be permitted only when based on legitimate, objective, and job-related factors, including, but not limited to:
 - (i) A merit-based system;
 - (ii) A system measuring earnings by quantity or quality of production;
 - (iii) A bona fide seniority system; or

(iv) Any other reasonable and demonstrable business-related factor that is applied consistently and without discriminatory intent or effect; and

(d) Employers shall maintain payroll records and job classification standards sufficient to determine compliance with this section, subject to inspection in accordance with the Labor Code and its implementing rules and regulations.

Nothing in this section shall be construed to authorize an employer to reduce the wages of any employee or to prevent collective bargaining agreements from providing more favorable wage standards.

SEC. 6. *Bona Fide Occupational Qualification.* – Nothing in this Act shall prevent an employer from imposing qualifications reasonably necessary for the normal operation of the enterprise, provided such qualifications are lawful, proportionate, reasonable, and directly related to the job.

SEC. 7. *Enforcement and Jurisdiction.* – Complaints alleging administrative violations of this Act shall be filed with the Department of Labor and Employment (DOLE) Regional Office.

The filing of an administrative complaint under this Act shall not preclude the filing of a separate civil action for damages or a criminal action before the appropriate court or authority where warranted.

In cases involving constructive dismissal or discriminatory dismissal, the remedies under Article 294 of the Labor Code on illegal dismissal shall apply,

and such cases may be filed with the National Labor Relations Commission, without prejudice to additional reliefs provided under this Act.

Once a complainant establishes a prima facie case of discrimination, the burden of proof shall shift to the employer to demonstrate that the challenged act or practice was based on lawful, job-related, and non-discriminatory grounds.

SEC. 8. *Administrative Remedies.* – Upon a finding that an employer has committed an act of discrimination in violation of this Act, the DOLE may order any or all of the following remedies:

- (a) Cease-and-desist orders directing the employer to refrain from discriminatory practices;
- (b) Removal or modification of discriminatory policies or practices, including payment of wage differentials, where compensation discrimination is established; and
- (c) Such other reliefs that may be granted by the DOLE within the scope of its authority, as may be just and equitable under the circumstances.

In cases involving systemic or repeated discrimination, the DOLE may order periodic compliance reporting for a specified period.

The grant of remedies under this Act shall not diminish rights or benefits granted under existing labor laws, collective bargaining agreements, or company policies.

SEC. 9. *Penalties.* – For any violation of this Act or its implementing rules and regulations, or for any willful disobedience of the orders of the DOLE pursuant to Section 8 of this Act, the aggrieved employee may, at the employee’s option, file a case before the appropriate court, simultaneously with, or notwithstanding the filing or pendency of, any administrative case under Section 8 of this Act.

Any violation falling under this Section shall be punished with a fine of not less than fifty thousand pesos (Php50,000.00) but not more than Five Hundred Thousand Pesos (Php500,000.00), or imprisonment of not less than three (3) months but not more than two (2) years, or both, at the discretion of the court.

Where the offender is a corporation, partnership, association, or other juridical entity, the responsible officers who knowingly authorized, participated in, or tolerated the violation shall be held liable for their acts.

SEC. 10. *Non-Diminution of Rights.* – This Act does not diminish or extinguish any protection provided under Republic Act No. 9710 (*Magna Carta of Women*), Republic Act No. 10911 (*Anti-Age Discrimination in Employment Act*), Republic Act No. 7277 (*Magna Carta for Disabled Persons*), Republic Act No. 11166 (*Philippine HIV and AIDS Policy Act*), Republic Act No. 11313 (*Safe Spaces Act*), and other related laws addressing discrimination and workplace equality.

SEC. 11. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Department of Labor and Employment, in consultation with relevant government agencies, employer organizations, labor groups, and civil society stakeholders, shall promulgate the implementing rules and regulations for the proper and effective implementation of this Act.

SEC. 12. *Separability Clause.* – If, for any reason, any section or provision of this Act is declared unconstitutional or invalid, the other sections or provisions which are not affected shall continue to be in full force and effect.

SEC. 13. *Repealing Clause.* – All laws, decrees, executive orders, proclamations, rules and regulations or parts thereof inconsistent herewith are repealed, amended or modified accordingly.

SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days from the date of its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,