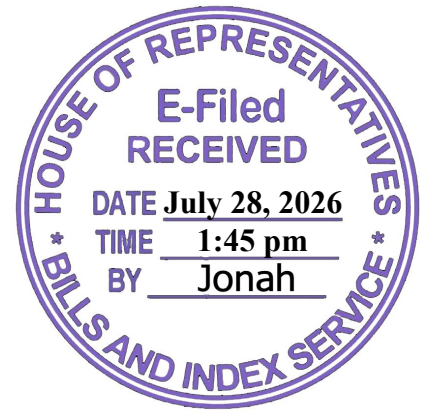


REPUBLIC OF THE PHILIPPINES
20TH Congress
House of Representatives
Second Regular Session



HOUSE BILL NO. 10282

Introduced by Representative ALEXANDER T. PIMENTEL
2nd District of Surigao del Sur

**AN ACT STRENGTHENING THE PROTECTION OF WORKERS' RIGHT TO
OVERTIME, PREMIUM, AND HOLIDAY PAY, AND IMPOSING STIFFER
PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE
PURPOSE THE LABOR CODE OF THE PHILIPPINES**

EXPLANATORY NOTE

Wage theft in the form of unpaid overtime, holiday, and premium pay remains widespread, particularly among contractual and informal-sector workers who fear retaliation for filing complaints. Current penalties are too weak to deter habitual violators, and workers often face lengthy adjudication before recovering what they are legally owed.

This bill increases penalties for withholding overtime and holiday pay, creates a summary claims process for amounts below a defined threshold, and prohibits retaliatory dismissal of employees who assert their rights under this Act.

Respectfully submitted,


REP. ALEXANDER T. PIMENTEL

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

SECTION 1. This Act shall be known as the "Overtime and Holiday Pay Protection Act."

SECTION 2. Declaration of Policy. — The State affirms the right of every worker to just and humane conditions of work, including fair compensation for overtime and work rendered on rest days and holidays.

SECTION 3. Summary Claims Process. — Claims for unpaid overtime, holiday, or premium pay not exceeding Fifty Thousand Pesos (Php50,000.00) per worker shall be resolved through a summary process before the Department of Labor and Employment, with a decision to be rendered within thirty (30) days from filing.

SECTION 4. Anti-Retaliation Clause. — No employer shall dismiss, demote, or otherwise discriminate against any employee for filing a claim, testifying, or assisting in any proceeding under this Act. Any dismissal made within ninety (90) days of such filing shall be presumed retaliatory and the burden of proving a valid cause shall be on the employer.

SECTION 5. Increased Penalties. — Employers found to have willfully withheld overtime, holiday, or premium pay shall pay the unpaid amount plus a penalty equivalent to twenty-five percent (25%) thereof, in addition to any fine imposed under existing labor laws.

SECTION 6. Habitual Violators. — Establishments found liable for violations under this Act three (3) or more times within a five (5)-year period shall be included in a public registry of habitual violators maintained by the Department of Labor and Employment.

SECTION 7. Implementing Rules and Regulations. — The Department of Labor and Employment shall issue implementing rules within sixty (60) days from effectivity.

SECTION 8. Separability Clause. — If any provision of this Act is declared invalid, the other provisions not affected shall remain in force.

SECTION 9. Repealing Clause. — All laws, decrees, executive orders, and issuances inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 10. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.