



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH (20TH) CONGRESS
First Regular Session

HOUSE BILL NO. **10561**



Introduced by KAMANGGAGAWA Partylist
Representative **ELIJAH R. SAN FERNANDO**

EXPLANATORY NOTE

The protection of workers from deceptive hiring processes is firmly grounded in Philippine law. The 1987 Constitution, under Article XIII, Section 3 directs the state to “afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all.” Consistent with this constitutional mandate, the Labor Code recognizes “recruitment and placement” to include “promising or advertising for employment, locally or abroad” under Article 13, placing job advertisements within the scope of labor regulation. It further prohibits, under Article 34(b), the furnishing or publication of “any false notice or information or document in relation to recruitment or employment,” reflecting the State’s unwavering commitment to ensuring honesty and transparency in employment advertising.

Although existing laws prohibit false or misleading recruitment advertisements, they do not impose a general affirmative duty upon employers and other publishers of job advertisements to disclose the essential terms and conditions of employment. Consequently, job advertisements are legally permitted to omit material information—such as the salary range, employment status, work arrangement, work location, or identity of the employer. This burdens the applicants with incurring unnecessary time, transportation expenses, and opportunity costs before obtaining information essential to make sound employment decisions. Furthermore, the Labor Code’s regulatory framework primarily governs recruitment and placement activities and does not establish uniform transparency standards applicable to private-sector employment advertisements published by ordinary employers, digital job platforms, labor contractors, and other entities engaged in modern recruitment practices.

In the current digital age, the proliferation of online job boards, social media hiring posts, and third-party recruitment platforms has made it inevitable for job seekers to encounter advertisements that purposely omit or provide misleading material employment information designed to induce applications. Such practices put jobseekers at a grave risk of being exposed to exploitative arrangements such as disguised contractualization or “endo,” and in some instances become channels for illegal recruitment, scams, and other predatory schemes. In 2024 alone, the Cybercrime Investigation and Coordinating Center (CICC) received 10,004 cybercrime complaints involving nearly ₱198 million in reported losses. Among the recurring forms of online fraud identified by the CICC were with employment-related scams.¹

Addressing these deficiencies, this bill establishes a uniform and transparent standard for all private-sector job advertisements, regardless of the manner they are published, whether in print, broadcast, or digital media, and regardless of whether the publisher is an employer, a recruitment or placement agency, a labor contractor, or a digital job platform. It prescribes minimum disclosure requirements for every covered job advertisement, prohibits deceptive hiring practices, and provides appropriate administrative and, where warranted, criminal penalties for violations.

By requiring employers and recruiters to disclose material employment information at the earliest stage of recruitment, this bill empowers jobseekers to make informed decisions, promotes fair competition among employers, reduces unnecessary recruitment costs, and fosters a labor market founded on transparency, honesty, accountability, and good faith – consistent with the constitutional policy of affording full protection to labor and promoting decent, secure, and dignified work for every Filipino.

In solidarity with the working class, the passage of this bill is earnestly sought.



ELIJAH R. SAN FERNANDO
Representative
KAMANGGAGAWA PARTYLIST

¹ Philippine News Agency, "CICC warns public vs. online job scams," February 18, 2025, <https://www.pna.gov.ph/articles/1243101>



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AN ACT
MANDATING INFORMATION TRANSPARENCY IN JOB ADVERTISEMENTS
AND JOB POSTINGS, PRESCRIBING MINIMUM DISCLOSURE
REQUIREMENTS, PROHIBITING DECEPTIVE HIRING PRACTICES, AND
PROVIDING PENALTIES THEREFOR

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 “*Job Posting Niyo, Ayusin Niyo Act.*”

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to protect and promote the rights and welfare of workers, including job applicants, by ensuring a transparent, fair, and accountable labor market. The State shall ensure that job advertisements and other employment opportunities contain complete, accurate, and truthful information sufficient to enable applicants in making informed employment decisions and to safeguard them from deceptive, misleading, fraudulent, and other unfair recruitment practices.

Toward this end, the State shall require private employers, licensed recruitment and placement agencies, labor contractors, and other private entities engaged in the publication or dissemination of job advertisements to disclose material terms and conditions of employment in a clear, complete, and truthful manner. It shall likewise prohibit false, misleading, or deceptive job advertisements and ensure the effective enforcement of standards that uphold honesty, good faith, and fairness in recruitment processes, consistent with the constitutional policy of affording full

protection to labor and promoting decent work.

SEC. 3. Coverage. – This Act shall apply to all private employers, recruitment and placement agencies, labor contractors and subcontractors, digital job platforms, and any person or entity that publishes, disseminates, or advertises private-sector employment opportunities for local employment or for the overseas employment of Filipino workers.

This Act shall not apply to employment opportunities in the national government, local government units, government-owned or controlled corporations, constitutional commissions, state universities and colleges, and other government instrumentalities, which shall remain governed by the Constitution, existing civil service laws, the Administrative Code of 1987, and other applicable laws, rules, and regulations.

SEC. 4. Definition of Terms. – For purposes of this Act, the following terms shall be defined as follows:

- (a) *Applicant.* – refers to any individual who applies for, responds to, or otherwise seeks employment through a job advertisement, regardless of whether a formal application has been completed or submitted.
- (b) *Deceptive Hiring Practice.* – refers to any act, representation, concealment, or omission made in connection with a job advertisement or the recruitment process that is false, misleading, fraudulent, or likely to deceive a reasonable applicant as to the material terms and conditions of employment, including but not limited to the acts enumerated in Section 6 of this Act.
- (c) *Digital Job Platform.* – refers to any website, mobile application, social media account or page, online marketplace, or other electronic or digital medium, utilized to publish or disseminate job advertisements to the public, whether operated by the employer, a recruitment agency, or a third-party service provider.
- (d) *Employment Status.* – refers to the nature or classification of employment being offered, including regular, probationary, project, seasonal, fixed-term, or other lawful forms of employment recognized under the Labor Code of the Philippines, as amended, and applicable laws, rules, and jurisprudence. A job advertisement that uses the term "contractual" shall clearly specify the corresponding lawful classification of employment being offered for purposes of this Act.

- (e) *Job Advertisement*. — refers to any announcement, listing, publication, posting, notice, or other form of advertisement, in any form of media, including print, broadcast, electronic, or digital, that publicizes applications for one or more employment opportunities, regardless of the term used to describe the position, arrangement, or manner of engagement offered, including but not limited to postings made by recruitment or placement agencies, direct employers, or online job platforms and portals.
- (f) *Material Terms and Conditions of Employment*. — refer to the essential information relating to an offered position that is required under Section 5 of this Act to enable an applicant to make an informed decision on whether to apply for or accept employment.
- (g) *Private Employer*. — refers to any natural or juridical person, whether domestic or foreign, engaged in business, trade, industry, profession, or any lawful enterprise, that employs or seeks to employ workers for private-sector employment, whether local or overseas, and publishes or causes the publication of a job advertisement, either directly or through a licensed recruitment or placement agency.
- (h) *Salary Range*. — refers to the reasonable minimum and maximum rate of compensation that a private employer, acting in good faith, reasonably expects to pay for the advertised position at the time the job advertisement is published, whether expressed as a monthly, daily, hourly, or other applicable rate of pay, exclusive of mandatory statutory benefits unless otherwise expressly stated.
- (i) *Work Arrangement*. — refers to the manner and location by which work is to be performed, including whether the position is on-site, remote, hybrid, field-based, or telecommuting pursuant to Republic Act No. 11165 and its implementing rules and regulations, and includes the general work schedule or shift, where applicable.

SEC. 5. *Mandatory Disclosure Requirements in Job Advertisements.* — All private-sector job advertisements, regardless of the medium through which they are published, shall clearly and conspicuously disclose the following material terms and conditions of employment:

- (a) The correct position title and a general description of the duties and responsibilities of the position;
- (b) The true and correct identity of the actual private employer, or, where the advertisement is published by a recruitment entity or digital job platform on

behalf of an employer, a clear statement that it is acting on behalf of a principal, with the principal's identity to be disclosed to the applicant no later than the initial interview, unless prohibited by law or by national security regulations;

- (c) The employment status being offered, using the terms recognized under the Labor Code and its implementing rules;
- (d) The pre-employment requirements, examinations, training obligations, probationary standards, and associated costs;
- (e) The work arrangement, including whether the position is on-site, remote, hybrid, or field-based;
- (f) The salary range for the position, which shall not be substituted with vague terms such as “competitive salary” or “negotiable” in lieu of an actual range;
- (g) The specific work location or, in the case of remote work, the jurisdiction from which the applicant may be required to render service;
- (h) The minimum qualifications, licenses, or certifications required for the position; and
- (i) Such other information as the Department of Labor and Employment (DOLE) may prescribe in the implementing rules and regulations of this Act.

The disclosure requirements under this Section shall be made available to the applicant prior to or at the time of application, and in no case later than the initial interview.

SEC. 6. *Prohibition on Deceptive Hiring Practices.* – It shall be unlawful for any private employer, recruitment entity, labor contractor, or digital job platform to engage in any of the following deceptive hiring practices:

- (a) Publishing a job advertisement containing false, misleading, or inaccurate information regarding the position, salary, employment status, work arrangement, identity of the private employer, or any other material term or condition of employment required to be disclosed under Section 5 of this Act;
- (b) Using a job advertisement as a means of soliciting personal, financial, or sensitive information from applicants for purposes unrelated to legitimate recruitment;

- (c) Advertising a position that does not exist, is not vacant, or is not reasonably expected to become vacant within a reasonable period of time, for the purpose of gathering applicant information, building a talent database, or any other purpose not disclosed to the applicant;
- (d) Requiring or collecting any form of payment, fee, or deposit from an applicant as a condition for the processing or consideration of an application, except as may be authorized under existing laws governing recruitment for local and overseas employment; and
- (e) Such other analogous acts as the DOLE may identify in the implementing rules and regulations of this Act.

SEC. 7. *Responsibilities of Digital Job Platforms.* – Digital job platforms shall adopt reasonable and adequate measures to ensure that job advertisements published or hosted on their platforms are compliant with the disclosure requirements indicated in Section 5 and do not contain any of the deceptive hiring practices prohibited under Section 6. Upon receipt of a verified complaint or upon its own initiative, a digital job platform shall, within the period prescribed in the implementing rules and regulations, take down or suspend a noncompliant job advertisement.

Nothing in this Section shall be construed to make a digital job platform liable for the content of a job advertisement posted by a third party solely by reason of hosting or publishing such advertisement, provided that the platform has complied with its obligations under this Act, including the adoption of the reasonable and adequate measures required under the preceding paragraph, and has acted promptly upon notice of noncompliance in accordance with this Act.

SEC. 8. *Responsibilities of Recruitment and Placement Agencies.* – Recruitment and placement agencies and labor contractors shall ensure that all private-sector job advertisements published by them or on their behalf comply with the disclosure requirements under Section 5, without prejudice to the applicable provisions of the Labor Code, the rules and regulations of the Department of Migrant Workers, and other applicable laws governing local and overseas recruitment.

SEC. 9. *Complaint and Enforcement Mechanism.* – Any aggrieved applicant or any person that has reasonable grounds to believe that a job advertisement violates the provisions of this Act may file a complaint with the Regional Office of the DOLE having jurisdiction over the principal place of business of the entity concerned or, where applicable, the workplace to which the job advertisement pertains. The DOLE shall investigate and act upon complaints pursuant to its powers under this Act and, where applicable, its visitorial and enforcement powers under Article 128 of the

Labor Code, as amended, and the procedures to be prescribed in the implementing rules and regulations of this Act.

SEC. 10. *Administrative Penalties.* – Any private employer, recruitment entity, labor contractor, or digital job platform found to have violated Section 5 or Section 6 of this Act shall, after due notice and hearing, be liable for the following administrative penalties, without prejudice to any civil or criminal liability that may arise from the same act:

- (a) For the first offense, a fine of not less than Fifty thousand pesos (₱25,000.00) but not more than One hundred thousand pesos (₱100,000.00), and a written warning;
- (b) For the second offense, a fine of not less than One hundred thousand pesos (₱100,000.00) but not more than Three hundred thousand pesos (₱300,000.00); and
- (c) For the third and subsequent offenses, a fine of Three hundred thousand pesos (₱300,000.00), and, where applicable, suspension or revocation of any license, accreditation, permit, or authority to recruit or operate as a recruitment entity or digital job platform, as may be applicable.

SEC. 11. *Role of the Department of Labor and Employment.* – The DOLE shall be the lead agency responsible for the implementation, monitoring, and enforcement of this Act. It shall, among others, receive and act on complaints, conduct inspections and inquiries, issue compliance orders, impose administrative penalties, and coordinate with the Department of Trade and Industry, the Department of Migrant Workers, and other concerned agencies as may be necessary for the effective implementation of this Act.

SEC. 12. *Non-Diminution of Benefits.* – Nothing in this Act shall be construed to diminish, reduce, or otherwise limit the rights, benefits, and protections already enjoyed by workers and applicants under the Labor Code, existing laws, and applicable rules and regulations.

SEC. 13. *Appropriations.* – The initial amount necessary for the implementation of this Act shall be charged against the current budget of the Department of Labor and Employment. Thereafter, such sums as may be needed for the continued implementation of this Act shall be included in the annual General Appropriations Act (GAA).

SEC. 14. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the Department of Labor and Employment, in coordination with the Department of Trade and Industry, Department of Migrant Workers, and

such other concerned agencies as may be necessary, shall promulgate the implementing rules and regulations for the effective implementation of this Act.

SEC. 15. *Repealing Clause.* – All laws, decrees, executive orders, implementing rules and regulations, issuances, or any part thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 16. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the remaining parts or provisions hereof not affected thereby shall remain in full force and effect.

SEC. 17. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication, in English and Filipino, in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,