



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



TWENTIETH (20TH) CONGRESS
First Regular Session
HOUSE BILL NO. **10564**

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

EXPLANATORY NOTE

Workers can meaningfully exercise their rights only when they know and understand them. Yet many employees enter the workplace without adequate information on basic labor standards, including wages, hours of work, statutory benefits, security of tenure, occupational safety and health, freedom of association, grievance procedures, and the remedies available when their rights are violated.

This lack of accessible and reliable information contributes to unequal workplace relations. Workers who are unaware of their rights are less able to identify unlawful practices, raise legitimate concerns, or seek assistance from the proper government agencies. Violations that could have been prevented or resolved at an early stage may consequently persist and develop into more serious labor disputes.

The Constitution, under Section 18, Article II, affirms labor as a primary social economic force and mandates the State to protect the rights and promote the welfare of workers. It further guarantees, under Section 3, Article XIII, the rights of all workers to self-organization, collective bargaining and negotiations, security of tenure, humane conditions of work, a living wage, and participation in policy and decision-making processes affecting their rights and benefits, as provided by law. These constitutional guarantees must be supported by practical measures that enable workers to understand, exercise, and protect their rights in the workplace.

Existing laws already recognize labor education as an important instrument for worker protection. Article 292(h) of the Labor Code directs the Department of Labor and Employment to enlighten and educate workers and employers on their rights and responsibilities. Republic Act No. 11551, or the "Labor Education Act," integrates basic labor rights, workplace relations, and grievance mechanisms into tertiary and technical-vocational education. Other laws likewise require orientation and education on specific workplace concerns, including occupational safety and health and the prevention of workplace harassment.

These measures, however, do not establish a uniform and mandatory labor-rights orientation for workers in the general private sector. A worker may therefore begin and continue employment without receiving sufficient information on the labor standards, workplace protections, complaint procedures, and government remedies applicable to them.

This bill seeks to address this gap by institutionalizing mandatory labor-rights orientation in private establishments. Employers shall ensure that their workers complete an orientation based on standards and modules prescribed or approved by the Department of Labor and Employment. Attendance shall be free of charge and considered compensable working time.

The measure avoids unnecessary administrative burdens by requiring the Department to approve the program, modules, and qualified providers rather than individually certify every worker. Employers or accredited providers shall issue certificates of completion using a form prescribed by the Department and maintain appropriate records for compliance purposes.

The bill also recognizes that micro and small enterprises may lack the personnel, financial resources, and administrative capacity to independently organize and finance the required orientation. They shall therefore be relieved of the obligation to directly conduct or finance the program. Their workers shall nevertheless remain entitled to the same labor education, which the Department shall provide or facilitate without cost to the worker or enterprise.

Workers who have completed substantially equivalent labor education under Republic Act No. 11551 or a Department-approved orientation during previous employment shall not be required to repeat the same general instruction. They shall complete only the portions that remain necessary, including information specific to their new employment and workplace.

The Department may also harmonize the orientation with existing mandatory workplace education programs, provided that all required labor-rights topics are adequately covered and no higher protection under another law is diminished.

By establishing an accessible and proportionate compliance mechanism, this bill protects workers regardless of the size of their employer, promotes informed workplace relations, and encourages voluntary compliance with labor laws.

Labor rights should not exist only on paper. Every worker must possess the knowledge necessary to recognize, exercise, and defend these rights.

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



ELIJAH R. SAN FERNANDO
Representative
KAMANGGAWA PARTYLIST



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AN ACT
INSTITUTIONALIZING MANDATORY LABOR-RIGHTS ORIENTATION FOR
WORKERS IN PRIVATE ESTABLISHMENTS AND PROVIDING A
GOVERNMENT-ASSISTED DELIVERY MECHANISM FOR WORKERS IN
MICRO AND SMALL ENTERPRISES

*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 “**Batas Manggagawa Act**”

SEC. 2. Declaration of Policy. — It is the policy of the State, consistent with Section 18, Article II and Section 3, Article XIII of the 1987 Constitution, and Articles 3 and 292(h) of Presidential Decree No. 442, as amended, otherwise known as the “Labor Code of the Philippines,” to afford full protection to labor, promote the welfare of workers, ensure humane and lawful conditions of work, and enable workers to meaningfully exercise their rights under the Constitution, the Labor Code, and other labor and social legislation.

The State recognizes that knowledge of labor rights and responsibilities is essential to preventing violations, promoting voluntary compliance, resolving workplace

concerns at the earliest opportunity, and maintaining just and harmonious employment relations.

Toward this end, the State shall institutionalize accessible, timely, and practical labor-rights orientation for workers in private establishments and provide an appropriate government-assisted mechanism for workers in micro and small enterprises.

SEC. 3. *Definition of Terms.* — For purposes of this Act, the following terms shall be understood as follows:

(a) **Labor-rights orientation** refers to the introductory education program required under this Act, which provides workers with essential information regarding their rights and responsibilities, basic labor standards, workplace protections, grievance procedures, and available remedies;

(b) **Continuing labor education** refers to subsequent education, information, or refresher activities intended to keep workers informed of material changes in labor laws, regulations, workplace policies, or available mechanisms for redress;

(c) **Approved program** refers to a labor-rights orientation or continuing labor education program whose curriculum, modules, methods, and minimum standards have been approved by the Department;

(d) **Accredited provider** refers to an organization, institution, or individual authorized by the Department to conduct an approved labor-rights education program;

(e) **Micro enterprise** and **small enterprise** refer to enterprises classified as such under Republic Act No. 6977, as amended by Republic Act No. 9501, otherwise known as the “Magna Carta for Micro, Small and Medium Enterprises,” and the classifications periodically prescribed by the Micro, Small and Medium Enterprise Development Council; and

(f) **Certificate of completion** refers to the document issued by the employer, the Department, or an accredited provider that conducted the orientation, using the form prescribed by the Department, confirming that a worker has completed the required orientation or the applicable portions thereof;

SEC. 4. Coverage. — This Act shall apply to all employers and workers in private establishments.

The Department may recognize an orientation required under another law as full or partial compliance with this Act when it substantially covers the prescribed curriculum. Such recognition shall not diminish any higher or more specific standard provided under another law.

SEC. 5. Mandatory Labor-Rights Orientation. — Every covered employer shall ensure that each worker completes a labor-rights orientation within thirty (30) calendar days from the commencement of employment.

The orientation shall:

- (a) Be based on a curriculum and modules prescribed or approved by the Department;
- (b) Be conducted by the employer, the Department, an accredited provider, or another entity authorized by the Department;
- (c) Be delivered in an accessible language and manner reasonably understandable to the workers concerned;
- (d) Be provided without cost to the worker; and
- (e) Be considered compensable working time

The employer shall not delay the hiring, deployment, or commencement of work of an employee solely because the required orientation has not been completed before the first day of employment.

SEC. 6. Recognition of Prior Labor Education. — A worker who has completed substantially equivalent labor education pursuant to Republic Act No. 11551, otherwise known as the “Labor Education Act,” or a Department-approved labor-rights orientation during previous employment shall not be required to repeat the portions already completed.

Prior completion may be established through a certificate, transcript, school or employment record, or other competent evidence recognized by the Department. The worker shall complete only those portions that were not adequately covered,

have become materially outdated, or are specifically applicable to the new employment or workplace.

Notwithstanding the recognition of prior education or orientation, every newly hired worker shall receive information on the worker's terms and conditions of employment, applicable workplace rules and grievance procedures, workplace-specific safety and health risks, and relevant mechanisms for obtaining assistance.

The Department shall prescribe simplified standards and procedures for recognizing prior labor education and orientation.

SEC. 7. *Minimum Content.* — The labor-rights orientation shall include essential information on:

- (a) Basic rights and responsibilities of workers and employers;
- (b) Wages, hours of work, statutory benefits, lawful deductions, and social protection coverage;
- (c) Employment status, security of tenure, disciplinary procedures, termination, resignation, and separation benefits;
- (d) Occupational safety and health;
- (e) Freedom of association, self-organization, collective bargaining, and protection against unfair labor practices;
- (f) Protection against discrimination, harassment, violence, and retaliation; and
- (g) Workplace grievance procedures, dispute-resolution mechanisms, labor inspection, and available government assistance and remedies.

The Department may prescribe supplemental or sector-specific content when necessary.

SEC. 8. *Development, Approval, and Delivery of Programs.* — The Department shall develop standard labor-rights orientation modules that employers may use without charge. Alternative programs may be used only upon prior approval by the Department.

An employer may directly conduct the orientation through a facilitator who satisfies the qualifications prescribed by the Department. In doing so, the employer shall use the approved program and official materials without materially omitting, altering, or misrepresenting their contents.

The Department may accredit qualified workers' organizations, employers' organizations, educational or training institutions, civil society organizations, and other competent persons or entities to conduct the orientation.

The Department shall prescribe reasonable safeguards for employer-conducted orientations, including standards on facilitator qualifications, access to official materials, documentation, worker feedback, and compliance validation..

Where a legitimate labor organization exists in the establishment, the employer shall furnish it with the orientation schedule and materials within a reasonable period before the orientation and allow it to designate an observer, subject to reasonable workplace arrangements.

After notice and opportunity to be heard, the Department may suspend or withdraw an employer's authority to directly conduct the orientation for falsification, material misrepresentation, anti-union or coercive content, repeated failure to cover the prescribed curriculum, retaliation, or another substantial violation of this Act. The employer shall thereafter engage an accredited provider or arrange for the Department to conduct the orientation at the employer's expense.

SEC. 9. *Duties of Employers.* — Every covered employer, except as otherwise provided for micro and small enterprises under Section 11 of this Act, shall:

- (a) Ensure that workers complete the required orientation within the prescribed period;
- (b) Bear the cost of the orientation and allow attendance during compensable working time;
- (c) Use the standard Department program or an approved alternative program and, when directly conducting the orientation, assign a qualified facilitator;
- (d) Issue a certificate of completion when it directly conducts the orientation, or ensure that the Department or accredited provider that conducted the orientation issues the certificate;

- (e) Maintain sufficient records of compliance and make them available during lawful inspection;
- (f) Provide workers with access to the official Department materials and information on available complaint and assistance mechanisms; and
- (g) Refrain from interfering with, discouraging, distorting, or misrepresenting the orientation or any right discussed therein.

The Department shall prescribe a reasonable period for the retention of compliance records.

SEC. 10. *Certification and Proof of Completion.* —The Department shall approve programs, modules, and qualified providers but shall not be required to individually approve or certify the completion record of every worker.

Certificates of completion may be issued in printed or electronic form by the employer, the Department, or the accredited provider that conducted the orientation. The loss, destruction, or non-issuance of a certificate shall not prejudice a worker who can establish completion through other competent evidence.

The collection and processing of personal information under this Act shall comply with Republic Act No. 10173, otherwise known as the “Data Privacy Act of 2012.”

SEC. 11. *Micro and Small Enterprises.* — Micro and small enterprises shall not be required to directly develop, finance, or conduct the labor-rights orientation. Their workers shall nevertheless remain entitled to complete the required orientation within the period prescribed under this Act.

The Department shall provide or facilitate the orientation for such workers without cost to the worker or enterprise through accessible online, regional, local, cluster-based, or other appropriate arrangements. For this purpose, the Department may coordinate with the Department of Trade and Industry, local government units, Public Employment Service Offices, Negosyo Centers, workers’ organizations, employers’ organizations, and accredited providers.

Micro and small enterprises shall register or refer their workers to an available program, allow attendance during compensable working time, retain available proof of completion, and refrain from obstructing or discouraging participation.

The Department shall adopt simplified registration, documentation, and compliance procedures for micro and small enterprises.

SEC. 12. *Harmonization with Existing Programs.* —The Department may authorize the integration of the orientation required under this Act with existing mandatory workplace education or training programs, provided that:

- (a) The prescribed labor-rights content is fully covered;
- (b) Attendance remains free and compensable; and
- (c) The integration does not diminish or replace any higher or more specific standard required under another law.

The Department may develop a unified or modular curriculum for this purpose.

SEC. 13. *Continuing Labor Education.* —The Department may require appropriate refresher or supplemental education when there are material changes in labor laws, employment practices, workplace policies, or sector-specific conditions that directly affect workers.

Such education may be delivered through briefings, digital or printed materials, workplace discussions, or other accessible means prescribed by the Department.

SEC. 14. *Participation of Workers and Workers' Organizations.* — The Department shall consult workers' organizations, employers' organizations, relevant government agencies, and other stakeholders in developing and periodically reviewing the standard curriculum.

Nothing in this Act shall prevent a legitimate labor organization from conducting independent workers' education or providing information on collective bargaining, organizing, grievance handling, and other matters protected by law.

No orientation conducted under this Act shall be used to discourage union membership, interfere with freedom of association, promote an employer-dominated organization, or misrepresent workers' rights.

SEC. 15. *Rights and Protection of Workers.* — Every covered worker shall have the right to receive the required orientation without cost or unlawful deduction and to obtain a copy of the certificate or other proof of completion without charge.

No worker shall be dismissed, discriminated against, harassed, deprived of benefits, or otherwise subjected to an adverse action for attending the orientation, asking questions, reporting a violation, cooperating in an inspection, or exercising any right under this Act.

SEC. 16. *Prohibited Acts.* — It shall be unlawful for any employer, provider, or other person to:

- (a) Charge a worker for the required orientation or make an unauthorized deduction from wages or benefits;
- (b) Deny compensation for attendance;
- (c) Refuse or unreasonably prevent a covered worker from completing the orientation;
- (d) Falsify attendance records, certificates, or other compliance documents;
- (e) Use an unapproved program or falsely represent that a program or provider has been approved or accredited;
- (f) Provide materially false, misleading, coercive, discriminatory, or anti-union information concerning workers' rights; or
- (g) Retaliate or discriminate against a worker for exercising a right under this Act.

SEC. 17. *Visitorial and Enforcement Authority.* — The Secretary of Labor and Employment or the Secretary's duly authorized representatives shall enforce this Act in accordance with Article 128 of the Labor Code of the Philippines, as amended.

The Department may inspect relevant records and materials, interview workers and responsible employer representatives, verify compliance, issue compliance orders, direct the conduct of the required orientation, and order the payment of wages due for uncompensated attendance.

The Department shall provide reasonable compliance assistance and an opportunity to correct a first violation, except in cases involving falsification, retaliation, anti-union conduct, repeated or willful refusal to comply, or another serious violation.

For micro and small enterprises, appropriate technical assistance and access to a government-provided or facilitated orientation shall first be made available before a sanction is imposed for failure to facilitate participation.

SEC. 18. *Administrative Penalties.* — An employer or provider that willfully violates this Act or fails to comply with a final compliance order, after notice and opportunity to be heard, shall be subject to the following administrative fines:

(a) Not less than Five thousand pesos (₱5,000.00) but not more than Ten thousand pesos (₱10,000.00) for the first violation;

(b) Not less than Ten thousand pesos (₱10,000.00) but not more than Twenty thousand pesos (₱20,000.00) for a second violation committed within three (3) years from the finality of the finding of the first violation; and

(c) Not less than Twenty thousand pesos (₱20,000.00) but not more than Fifty thousand pesos (₱50,000.00) for a third or succeeding violation committed within three (3) years from the finality of the finding of the immediately preceding violation.

In determining the fine, the Department shall consider the gravity and duration of the violation, the number of workers affected, the size and capacity of the employer, efforts to comply, and the presence of bad faith, falsification, or retaliation.

A violation covered by a single compliance order shall constitute one offense, regardless of the number of workers affected, unless the person concerned continues to refuse compliance after the period stated in a subsequent final order.

Micro and small enterprises shall not be penalized for failure to directly conduct or finance the orientation. They may be sanctioned only for willful refusal to refer workers, denial of compensable attendance, falsification, obstruction, retaliation, or noncompliance with a final lawful order after receiving compliance assistance.

The penalties under this section shall be without prejudice to the payment of wages or benefits due and to any liability arising under the Labor Code or other applicable laws.

SEC. 19. *Complaints and Remedies.* — A worker, group of workers, legitimate labor organization, or authorized representative may report a violation or request

assistance from the Department through its offices or available complaint and assistance mechanisms.

The Department shall adopt accessible procedures for reporting violations and take reasonable measures to protect complainants and witnesses against retaliation.

Nothing in this Act shall limit any civil, criminal, administrative, or labor remedy available under existing laws.

SEC. 20. *Interagency Coordination and Use of Existing Resources.* — The Department shall coordinate with relevant national government agencies, local government units, Public Employment Service Offices, workers' organizations, employers' organizations, educational institutions, and other qualified entities in implementing this Act.

Implementation shall be undertaken primarily through existing offices, personnel, platforms, labor education programs, and inspection mechanisms. No new office shall be created solely for the implementation of this Act unless authorized by law or provided for in the General Appropriations Act.

SEC. 21. *Appropriations.* — The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the Department. Thereafter, the amounts necessary for its continued implementation shall be included in the annual General Appropriations Act.

SEC. 22. *Implementing Rules and Regulations.* — Within ninety (90) days from the effectivity of this Act, the Secretary of Labor and Employment shall, in consultation with relevant government agencies and stakeholders, promulgate the rules and regulations necessary for its effective implementation.

SEC. 23. *Transitory Provision.* — Workers already employed upon the effectivity of the implementing rules and regulations shall complete the required orientation within one (1) year therefrom, subject to a phased schedule that may be prescribed by the Department.

Employers with existing labor education programs shall be given a reasonable period to obtain recognition or approval of such programs.

For workers in micro and small enterprises, the compliance period shall commence upon the availability of a reasonably accessible Department-provided or facilitated orientation.

SEC. 24. *Non-Diminution Clause.* — Nothing in this Act shall be construed to diminish any right, benefit, protection, or labor education entitlement granted under a collective bargaining agreement, employment contract, company policy, law, or established practice; restrict independent workers' education; or preclude the adoption of more favorable programs or standards.

SEC. 25. *Separability Clause.* — If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SEC. 26. *Repealing Clause.* — All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 27. *Effectivity.* — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,