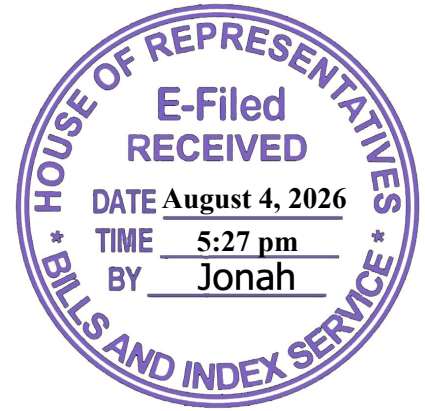


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
Second Regular Session



HOUSE BILL NO. 10597

Introduced by:

HON. CHRISTOPHERSON “COCO” M. YAP

AN ACT
PROVIDING ENHANCED PROTECTION, SECURITY, AND BENEFITS FOR MEDIA WORKERS

EXPLANATORY NOTE

A free and independent press is one of the pillars of a democratic society. Every day, media workers risk their safety to bring timely and truthful information to the Filipino people. They report from disaster areas, conflict zones, crime scenes, and other dangerous situations so that the public remains informed. Yet despite the vital role they play, many media workers continue to face low and delayed pay, insecure employment, lack of benefits, unsafe working conditions, and inadequate protection for themselves and their families.

While existing labor laws provide important safeguards, many media workers remain unprotected because they are hired under short-term contracts, freelance arrangements, or other informal work setups that deny them the benefits and security they rightfully deserve. This bill seeks to ensure that media workers are treated fairly by requiring written contracts, guaranteeing at least the minimum wage and mandatory benefits for employees, providing social security coverage, and promoting safe and decent working conditions. It also requires employers to provide hazard pay, insurance, safety equipment, and emergency support for media workers assigned to dangerous areas, while recognizing their right to refuse assignments that pose an imminent and serious threat to their lives.

At the same time, the measure firmly upholds the constitutional guarantee of press freedom. It does not regulate or interfere with editorial decisions, nor does it impose

liability simply because news is published or broadcast. Instead, it protects media workers from harassment, discrimination, and retaliation while encouraging cooperation among government, media organizations, employers, and workers through a News Media Tripartite Council that will recommend industry standards, safety measures, and better workplace practices without controlling media content.

Protecting media workers means protecting the public's right to know. When journalists and other media professionals are given fair treatment, decent working conditions, and adequate protection, they are better able to perform their duty of delivering accurate, timely, and responsible news. By promoting both the welfare of media workers and the independence of the press, this measure strengthens democracy and serves the best interests of every Filipino.

In view of the foregoing, **ug sa ngalan sa SERBISYONG TINUORAY**, the undersigned respectfully requests the immediate passage of this measure.


CHRISTOPHERSON "COCO" M. YAP
Representative, Second District of Southern Leyte

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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 “*Media Workers’ Welfare Act.*”

SECTION 2. Declaration of Policy. — It is the policy of the State to afford full protection to labor, promote full employment and equality of employment opportunities, and ensure decent, safe, and humane working conditions for all media workers.

The State recognizes the essential contribution of media workers to the exercise of freedom of speech and of the press, the people’s right to information, public accountability, and democratic governance. The State shall therefore promote the welfare, safety, professional independence, and social protection of media workers, without interfering with editorial judgment or imposing prior restraint on legitimate media work.

This Act shall be implemented consistently with the freedom of speech and of the press and the policy environment for the development of communication structures under Article XVI, Section 10 of the 1987 Constitution.

SECTION 3. Objectives. — This Act shall have the following objectives:

- (a) Ensure that media workers shall, at minimum, be paid the wages, benefits, and protections provided by labor and social legislation;
- (b) Protect media workers from unsafe working conditions, harassment, discrimination, abuse, and economic exploitation;
- (c) Promote employment security, professional development, and social protection in the media industry;
- (d) Safeguard the editorial independence, ethical responsibilities, and professional integrity of media workers; and
- (e) Encourage a productive, free, responsible, and diverse media environment.

SECTION 4. Coverage. — This Act shall apply to media workers and media entities in the private sector, including those engaged on a regular, probationary, temporary, project, fixed-term, casual, freelance, or independent-contractor basis, whenever they perform media work within the Philippines.

This Act shall not diminish the rights and protections granted by the Labor Code, as amended, Republic Act No. 11058, Republic Act No. 7877, Republic Act No. 11313, Republic Act No. 11036, Republic Act No. 10380, or other applicable laws.

News media and documentary productions are covered by this Act. The coverage of movie and television workers shall be governed by Republic Act No. 11996 and its implementing rules, without prejudice to benefits under this Act that are more favorable to the worker. The implementing rules shall prevent duplication of benefits.

SECTION 5. Definition of Terms. — As used in this Act:

- (a) **Blocktimer** refers to a person or entity that purchases or is granted airtime from a broadcast station or franchise holder for the production, programming, or airing of a media program;
- (b) **Employer** refers to any person or entity that exercises control over the means, manner, and conditions of a media worker's performance, or that is otherwise considered an employer under the Labor Code, as amended;

- (c) **Independent Contractor** refers to a media worker who operates an independent business, is free from the control of the media entity as to the means and methods of performing the work, and is not economically dependent on a single media entity, subject to applicable law and jurisprudence;
- (d) **Line of Duty** refers to an act or assignment performed in connection with, and within the scope of, the media worker's employment or engagement, including travel reasonably necessary for the performance of the assignment;
- (e) **Media Entity** refers to any person or organization, whether for profit or not, that gathers, produces, edits, publishes, broadcasts, transmits, or distributes news, public-affairs, documentary, or other journalistic content to the public through print, broadcast, online, mobile, or other communication platforms;
- (f) **Media Worker** refers to any person who, whether as a principal occupation or otherwise, performs editorial, journalistic, technical, production, research, photographic, videographic, sound, transmission, digital, administrative, or support work directly related to the gathering, production, editing, publication, broadcast, transmission, or distribution of media content; and
- (g) **Dangerous Area** refers to an area officially declared or determined by the Department of Labor and Employment (DOLE), in coordination with the appropriate government agencies, as presenting substantial and reasonably foreseeable risks of armed conflict, terrorism, civil disturbance, disaster, epidemic, hazardous exposure, or other serious danger to life, health, or personal safety.

SECTION 6. Written Contract and Disclosure of Status. — Every media entity or employer shall execute a written contract with every media worker before the commencement of work or engagement.

The contract shall state, in a language and form understandable to the media worker:

- (a) The parties and their addresses;
- (b) The position, duties, and place or places of work;
- (c) The nature and duration of the employment or engagement;

- (d) The applicable compensation, fees, allowances, and payment schedule;
- (e) Working hours, rest periods, overtime arrangements, and leave benefits;
- (f) Social security, insurance, and other statutory benefits;
- (g) Occupational safety and health measures;
- (h) Grievance and dispute-resolution procedures; and
- (i) Any exclusivity, confidentiality, intellectual-property, or non-compete provision.

No contract shall be used to evade the rights of a media worker under labor and social legislation. Any ambiguity shall be resolved in favor of the worker, without prejudice to applicable law.

SECTION 7. Minimum Compensation and Statutory Benefits. — A media worker classified as an employee shall receive not less than the applicable minimum wage and shall be entitled to overtime pay, night-shift differential, holiday pay, service incentive leave, 13th-month pay, and other benefits provided by law.

A media worker classified as an independent contractor shall receive the compensation or professional fee agreed upon in the written contract. The compensation shall not be used to circumvent applicable minimum labor standards when the worker is, in substance, an employee under the Labor Code.

All compensation and fees shall be paid within the period agreed upon in the contract and, in no case, through an arrangement that unlawfully withholds or forfeits wages or professional fees.

SECTION 8. Social Security and Welfare Coverage. — Media workers who are employees shall be registered with, and covered by, the Social Security System, the Home Development Mutual Fund or Pag-IBIG Fund, and the Philippine Health Insurance Corporation in accordance with law. The employer and worker shall share the required contributions in accordance with existing laws and regulations.

Independent contractors shall be facilitated in their registration and coverage under the SSS, Pag-IBIG, and PhilHealth programs and shall be responsible for their contributions, unless the written contract or applicable law provides otherwise.

Nothing in this Act shall reduce benefits under Republic Act No. 11199, otherwise known as the “Social Security Act of 2018,” or other applicable social-protection laws.

SECTION 9. Occupational Safety and Health. — Every employer or media entity shall provide a safe and healthful workplace and shall comply with Republic Act No. 11058 and its implementing rules and regulations.

Before assigning a media worker to a Dangerous Area, the employer or media entity shall:

- (a) Conduct a documented risk assessment;
- (b) Provide appropriate training, safety protocols, communication systems, transportation, protective equipment, and emergency procedures;
- (c) Provide reasonable medical, evacuation, and extraction arrangements;
- (d) Ensure access to psychological first aid and appropriate mental-health support after traumatic assignments; and
- (e) Allow the media worker to decline or withdraw from an assignment when the risk is imminent, serious, and not reasonably mitigated.

No media worker shall be penalized, dismissed, or discriminated against for making a good-faith safety complaint or refusing an assignment presenting an imminent and serious danger.

SECTION 10. Hazard Pay. — A media worker required to physically report for work in a Dangerous Area shall receive hazard pay of not less than **Five Hundred Pesos (P500.00) for every day** of actual work or assignment in the area.

The hazard pay shall be in addition to wages, fees, overtime pay, allowances, and other benefits. It shall not be considered part of, or credited against, the minimum wage.

The amount shall be adjusted by the DOLE, after consultation with the News Media Tripartite Council, to reflect changes in the cost of living, the nature of the risk, and prevailing occupational-safety standards.

SECTION 11. Safety Equipment. — The employer or media entity shall provide, at no cost to the media worker, safety equipment appropriate to the assignment, including, when necessary, ballistic or protective vests, helmets, first-aid kits, fire-resistant clothing, respiratory or medical protective equipment, safety shoes, harnesses, life vests, communication devices, and other equipment prescribed by the DOLE.

The equipment shall be properly maintained, periodically inspected, and replaced when no longer safe or effective.

SECTION 12. Insurance and Work-Related Benefits. — Every employer or media entity shall provide, at no cost to the media worker, insurance coverage for work-related death, injury, disability, and medical expenses arising from an assignment.

The minimum coverage shall be:

- (a) **Death benefit:** Two Hundred Thousand Pesos (P200,000.00);
- (b) **Permanent total disability benefit:** Two Hundred Thousand Pesos (P200,000.00);
- (c) **Permanent partial disability benefit:** A proportionate amount based on the degree of disability, but not less than the amount payable under applicable law; and
- (d) **Medical-expense benefit:** One Hundred Thousand Pesos (P100,000.00).

The benefits under this Section shall be without prejudice to benefits under the Employees' Compensation Program, SSS, PhilHealth, life or accident insurance, or other applicable laws. Temporary disability and medical benefits shall be provided in accordance with existing labor and social-protection laws.

SECTION 13. Security of Tenure and Protection Against Evasion. — A media worker who is an employee shall enjoy security of tenure in accordance with the Labor Code, as amended.

Repeated, successive, or substantially continuous engagements shall not be used to defeat the worker's status, tenure, or statutory benefits. A project, fixed-term, or freelance designation shall be respected only when it is genuine, voluntarily agreed upon, and not established to circumvent labor standards or security of tenure.

Nothing in this Act shall automatically convert a genuine independent contractor into an employee. The existence of an employment relationship shall be determined under applicable law, including the established tests of employment.

SECTION 14. Non-Discrimination, Harassment, and Retaliation. — No media worker shall be discriminated against on account of age, sex, gender, gender identity or expression, sexual orientation, race, color, descent, national or ethnic origin, religion, political belief, disability, union membership, employment status, or lawful exercise of press or labor rights.

Every media entity shall adopt policies and procedures addressing sexual harassment, gender-based sexual harassment, workplace violence, bullying, discrimination, and retaliation, consistent with Republic Act No. 7877, Republic Act No. 11313, Republic Act No. 11036, and other applicable laws.

SECTION 15. Freedom of Association and Editorial Independence. — Media workers shall have the right to self-organization, to form, join, or assist labor organizations, and to engage in collective bargaining or other lawful concerted activities in accordance with law.

No employer or media entity shall interfere with legitimate editorial judgment, compel a media worker to fabricate or knowingly disseminate false information, or retaliate against a media worker for refusing to perform an unlawful act. This Section shall not be construed to create immunity from liability for violations of law or recognized professional and ethical standards.

SECTION 16. Responsibility for Media Content. — A media entity shall establish reasonable editorial, fact-checking, safety, and complaints procedures for content released under its name.

Nothing in this Act shall impose strict or vicarious civil or criminal liability upon a media worker, editor, publisher, broadcaster, blocktimer, media entity, owner, or franchise holder solely by reason of the content's publication or broadcast. Liability shall be determined under the Constitution, applicable laws, and controlling jurisprudence, upon proof of the acts and elements required by law.

An employment or engagement contract shall not waive or transfer liability imposed by law, nor shall it require a media worker to indemnify an employer for liability arising from the employer's own fraud, gross negligence, willful misconduct, or violation of law.

SECTION 17. Grievance and Dispute Settlement. — Labor standards, occupational safety and health, and employment-related disputes shall be brought before the DOLE, the National Labor Relations Commission, or the appropriate agency or tribunal having jurisdiction under existing law.

The DOLE shall promote conciliation and mediation as preferred means of resolving disputes, without impairing the worker's right to file the proper action before the agency or tribunal with jurisdiction.

SECTION 18. News Media Tripartite Council. — The DOLE shall establish a News Media Tripartite Council composed of representatives of the DOLE, media workers, employers, media entities, and other relevant stakeholders.

The Council shall:

- (a) Recommend policies and standards for the protection and professional development of media workers;
- (b) Recommend periodic adjustments to hazard pay and minimum insurance benefits;
- (c) Develop model employment and engagement contracts;
- (d) Recommend occupational safety and health protocols for media assignments;
- (e) Facilitate consultation and voluntary dispute settlement; and
- (f) Monitor industry conditions and submit an annual report to Congress.

The Council shall not exercise editorial control, regulate lawful speech, or interfere with the constitutional independence of the press.

SECTION 19. Compliance and Enforcement. — The DOLE shall monitor and inspect compliance with this Act, subject to the Labor Code, Republic Act No. 11058, and other applicable laws.

The DOLE may issue compliance orders, require the production of employment and insurance records, and impose administrative sanctions in accordance with law. The exercise of authority under this Act shall respect applicable rules on inspection, due process, confidentiality, and freedom of the press.

SECTION 20. Prohibited Acts and Penalties. — Any person who willfully violates this Act, or who retaliates against a media worker for exercising rights under this Act, shall be subject to the applicable civil, administrative, and criminal liabilities under the Labor Code, Republic Act No. 11058, Republic Act No. 7877, Republic Act No. 11313, Republic Act No. 11036, and other applicable laws.

The DOLE shall prescribe graduated administrative penalties for violations, taking into account the gravity, frequency, duration, and consequences of the violation, without prejudice to the worker's right to recover unpaid wages, benefits, damages, and attorney's fees under applicable law.

SECTION 21. Appropriations. — The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the DOLE. Thereafter, such sums as may be necessary shall be included in the annual General Appropriations Act.

SECTION 22. Implementing Rules and Regulations (IRR). — Within ninety (90) days from the effectivity of this Act, the Secretary of Labor and Employment, in consultation with media workers, media entities, employers, labor organizations, publishers, broadcasters, digital-media organizations, and other concerned stakeholders, shall promulgate the implementing rules and regulations.

The implementing rules shall, among other matters, prescribe:

- (a) The standards for determining Dangerous Areas;
- (b) Minimum safety, training, insurance, and emergency-response requirements;
- (c) Procedures for registration, inspection, complaints, and enforcement;
- (d) Model employment and engagement contracts; and

(e) Rules preventing the duplication or diminution of benefits under other laws.

SECTION 23. Separability Clause. — If any part, section or provision of this Act is declared invalid or unconstitutional, the other provisions not affected by such declaration shall remain in full force and effect.

SECTION 24. Repealing Clause. — All laws, decrees, executive orders, rules, regulations, issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 25. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,