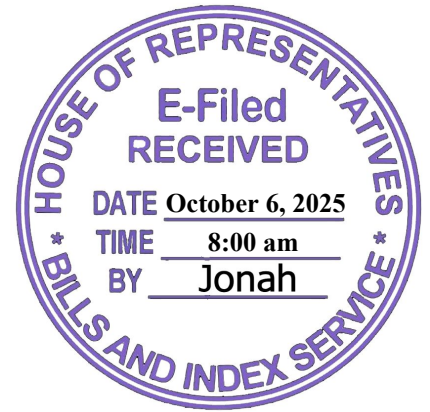


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Resolution No. 326



Introduced by
KABATAAN Party-list Rep. RENEE LOUISE M. CO,
ACT Teachers Party-list Rep. ANTONIO L. TINIO, and
Gabriela Women's Party Rep. SARAH JANE I. ELAGO

A RESOLUTION
DIRECTING THE COMMITTEE ON LABOR AND EMPLOYMENT TO
CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO OCCUPATIONAL
SAFETY AND HEALTH VIOLATIONS AND LABOR RIGHTS ABUSES
COMMITTED BY BUSINESS PROCESS OUTSOURCING (BPO) COMPANIES
IN CEBU FOLLOWING THE 30 SEPTEMBER 2025 EARTHQUAKE

WHEREAS, Article II, Section 18 of the 1987 Constitution mandates 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;

WHEREAS, Article XIII, Section 3 further provides that the State shall guarantee the rights of all workers to self-organization, collective bargaining and negotiations, and peaceful concerted activities, including the right to strike in accordance with law, as well as security of tenure, humane conditions of work, and a living wage;

WHEREAS, Republic Act No. 11058, or the "Occupational Safety and Health Standards Act," declares it the policy of the State to provide a safe and healthful workplace for all working people by instituting occupational safety and health standards and ensuring compliance therewith;

WHEREAS, Section 2 of RA 11058 explicitly recognizes the right of workers to refuse unsafe work without fear of reprisal, a fundamental protection designed to prevent injury, illness, and death in the workplace;

WHEREAS, on 30 September 2025, a significant earthquake with a 6.9 magnitude struck Cebu, Philippines, causing widespread structural damage, aftershocks, and grave concern for public safety and infrastructure integrity;

WHEREAS, in the immediate aftermath of the earthquake, numerous employees of Business Process Outsourcing (BPO) companies in Cebu reported being subjected to unsafe working conditions and coercive labor practices that violated their rights under RA 11058 and the Labor Code;

WHEREAS, several major BPO firms operating in Cebu were identified in complaints received by the BPO Industry Employees Network (BIEN), showing that these practices are not isolated incidents but industry-wide problems within the sector;

WHEREAS, between 01 and 02 October 2025, BIEN documented reports of systematic violations, including:

- a) Employees being forced to report to work or log in remotely despite ongoing aftershocks and imminent danger;
- b) Employees being compelled to choose between their safety and their livelihood due to the enforcement of a "No Work, No Pay" policy that created a coercive environment;
- c) Employees being ordered to enter buildings with visible structural damage, including cracks in walls and ceilings, falling debris, and compromised structural integrity, without being presented with adequate safety inspection reports or clearances from competent authorities;
- d) Employees being required to mark their attendance before evacuating the building during the earthquake, thereby delaying evacuation and endangering lives;
- e) Employees being instructed to save their work and restart their computers before evacuating, prioritizing data preservation over human safety;
- f) Workers being prohibited from leaving the building after the earthquake, threatened with penalties including termination, and forced to extend their shifts despite fear and trauma;
- g) Pregnant women and other vulnerable employees being pressured to continue working despite heightened risks to their health and safety;
- h) Employees experiencing anxiety attacks and trauma-related distress while having inadequate or absent provision of first aid, psychological support or assistance from the management; and
- i) Employees not being provided with hazard pay or any form of compensation for working under dangerous conditions;

WHEREAS, these reports indicate widespread ignorance among BPO employees of their "Right to Refuse Unsafe Work" under RA 11058, suggesting systematic failure by employers to inform workers of their rights and by the Department of Labor and Employment (DOLE) to enforce such information dissemination;

WHEREAS, the repeated disregard of Occupational Safety and Health (OSH) standards during the earthquake demonstrates not only the weakness of existing enforcement mechanisms, but also the vulnerability of workers when forced to rely on individual complaints rather than collective action;

WHEREAS, international conventions and Philippine labor law both affirm the right of workers to Freedom of Association (FOA) and to form and join organizations of their own choosing, recognizing that only organized workers with genuine representation can ensure compliance with OSH standards and prevent retaliation;

WHEREAS, the coercive environment that forces BPO workers to choose between their livelihood and their safety underscores the necessity of strengthening workers' organizations, unions, and OSH committees with authentic worker participation, as individual workers acting alone remain highly vulnerable to reprisal;

WHEREAS, numerous workers expressed fear of retaliation, surveillance, and harassment from management after raising concerns about unsafe conditions, revealing a climate of intimidation that deters employees from asserting their rights;

WHEREAS, workers and their representatives have raised concerns that the exposure of company names connected to reported violations may result in retaliation, surveillance, and harassment against employees perceived to be whistleblowers, further proving the need for secure reporting mechanisms and collective protection;

WHEREAS, the absence of established unions, Labor-Management Councils (LMCs), or other genuine worker-led mechanisms in the BPO industry—despite employing over 1.8 million Filipinos—meant that workers had no safe avenue to raise grievances during the emergency, leaving them at the mercy of unilateral company directives;

WHEREAS, the systemic and industry-wide nature of these violations further proves that the protection of worker safety cannot be left to voluntary compliance by employers, but must instead be anchored in collective rights, robust enforcement by government, and guaranteed protection for worker organizations;

WHEREAS, the documented practices of these BPO companies reflect a "business-as-usual" mentality that prioritizes client service-level agreements, operational continuity, and profit margins over the constitutional right of workers to life, safety, and dignity;

WHEREAS, the BPO industry in the Philippines has long operated under a regime of "self-regulation" and minimal government oversight, resulting in widespread contractualization, wage suppression, union-busting, and now, as evidenced by the 30 September earthquake response, flagrant disregard for worker safety during disasters;

WHEREAS, only organized workers empowered through genuine unions and protected by the right to Freedom of Association can effectively monitor, demand, and enforce compliance with occupational safety and health standards, yet BPO companies routinely engage in union-busting and intimidation of workers who attempt to organize;

WHEREAS, the absence of functioning Occupational Safety and Health Committees with genuine worker representation in most BPO workplaces violates the letter and spirit of RA 11058 and leaves workers defenseless against management decisions that prioritize profit over safety;

WHEREAS, the experiences of BPO workers in Cebu following the 30 September 2025 earthquake expose the urgent need for stronger legislative protections, rigorous enforcement mechanisms, and comprehensive reform of labor standards in the BPO industry;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the House of Representatives direct the Committee on Labor and Employment to conduct an immediate inquiry, in aid of legislation, into the occupational safety and health violations and labor rights abuses committed by Business Process Outsourcing (BPO) companies in Cebu during and after the 30 September 2025 earthquake, with particular focus on the systemic and industry-wide practices documented by BIEN and any other firms found to have engaged in similar practices;

BE IT FURTHER RESOLVED, that the House of Representatives urge the Department of Labor and Employment (DOLE) to:

- a) Conduct urgent, unannounced safety inspections of all BPO sites in Cebu and other earthquake-affected areas to determine structural integrity and compliance with RA 11058;

- b) Launch formal investigations into reports of forced return-to-work despite imminent danger, coercive "No Work, No Pay" policies, denial of the right to refuse unsafe work, among other labor rights violations;
- c) Impose the maximum administrative sanctions, fines, and penalties under RA 11058 and the Labor Code against companies found to have violated occupational safety and health standards, with findings to be made public and violators to be named;
- d) Issue immediate work-stoppage orders for any BPO facility that has not obtained clearance from the Office of Civil Defense, the Department of Public Works and Highways, or other competent structural engineers certifying the safety of the building; and
- e) Ensure that no worker shall be subjected to retaliation, harassment, or termination for exercising their right to refuse unsafe work, for filing complaints, or for participating in worker organizations;

BE IT FURTHER RESOLVED, that the House of Representatives urge the DOLE and all relevant agencies to strengthen compliance with and enforcement of Occupational Safety and Health Standards by:

- a) Ensuring full protection of workers' right to refuse unsafe work without fear of reprisal, termination, or economic penalty, and holding employers criminally and administratively liable for retaliation;
- b) Requiring the establishment of functioning Occupational Safety and Health Committees with genuine, elected worker representation in all BPO workplaces, with committee decisions binding on management;
- c) Providing transparency on which BPO companies have established functioning OSH Committees with genuine worker representation, certified Safety Officers, and updated inspection or safety reports; and
- d) Guaranteeing that no workplace resumes operations after a disaster until cleared safe by the appropriate government authorities, and prohibiting any "self-certification" by employers;

BE IT FURTHER RESOLVED, that the House of Representatives affirm that any industry-wide investigation and remedial action shall not rely solely on management reports, but must include worker testimony and participation, recognizing that organized workers are essential to ensuring compliance with OSH standards;

BE IT FURTHER RESOLVED, that House of Representatives reject the "business-as-usual" approach adopted by BPO companies during disasters and condemns both corporate disregard for worker safety and government neglect in enforcing safety standards and protecting workers' welfare during times of crisis;

BE IT FURTHER RESOLVED, that the House of Representatives support the constitutional right of workers to Freedom of Association and collective action, recognizing that only organized workers empowered through independent unions can effectively ensure compliance with OSH standards and other labor rights, and calls on government to guarantee these rights without interference, union-busting, or red-tagging;

BE IT FURTHER RESOLVED, that the House of Representatives direct the Committee on Labor and Employment to recommend stronger legislative measures, including:

- a) Amendments to RA 11058 to criminalize gross OSH violations that lead to death, serious injury, or deliberate endangerment of workers, with imprisonment and substantial fines for responsible corporate officers;
- b) Significant increases in administrative fines and penalties for OSH violations, with fines scaled to company revenue to ensure deterrent effect;
- c) Institutionalization of paid disaster leave for all workers during calamities, with compensation borne by employers and not deducted from existing leave credits; and
- d) Mandatory submission and public disclosure of Business Continuity Plans (BCPs) by all BPO companies, with such plans required to prioritize worker safety over client service obligations and subject to review and approval by DOLE;

BE IT FINALLY RESOLVED, that the House of Representatives immediately legislate the Magna Carta for BPO Workers, which shall enshrine worker safety, disaster preparedness, security of tenure, living wages, union rights, and social protection as fundamental, non-negotiable protections in the BPO industry.

Adopted,


REP. RENEE LOUISE M. CO
KABATAAN Party-list


REP. ANTONIO L. TINIO
ACT Teachers Party-list


REP. SARAH JANE I. ELAGO
Gabriela Women's Party