

SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Third Regular Session )



15 NOV 24 P3:44

SENATE  
S. No. 3012

RECEIVED BY: 

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
AMENDING REPUBLIC ACT NO. 7877, ALSO KNOWN AS THE ANTI-SEXUAL  
HARASSMENT ACT OF 1995, SECTION 3 ON THE DEFINITION OF WORK,  
EDUCATION OR TRAINING-RELATED SEXUAL HARASSMENT

EXPLANATORY NOTE

The Constitution, Article 2, Section 11 provides that:

The State values the dignity of every human person and guarantees full respect for human rights.

The Constitution, Article 2, Section 18 further provides that:

The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.

With these principles in mind, Congress crafted the Anti-Sexual Harassment Act in 1995. The law defines work or training-related sexual harassment as one that can be committed only by "an employer, employee, manager, supervisor or agent of the employer who, having influence or moral ascendancy over another in a work or training environment, demands, requests or otherwise requires any sexual favor from another."

However, said definition does not take into consideration customers, guests or clients who sexually harass employees of establishments such as hotels, restaurants, department stores, even hospitals. There have been reported cases where sexual harassment was committed by physicians against medical representatives, by customers against salesladies, and more commonly, by hotel or restaurant guests against housekeeping staff and waitresses.

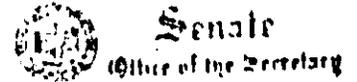
There is indeed a vacuum in a law which must be addressed. The law should be amended to include patrons who torment employees of establishments, including situations where a paying customer, client or guest sexually harasses personnel by creating fear on the part of the employee of losing his or her job. Hence, this proposed amendment.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
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<sup>1</sup> This bill was originally filed in the Thirteenth Congress, Third Regular Session.

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

1 SECTION 1. Section 3, first paragraph of Republic Act No. 7877, also known as  
2 the Anti-Sexual Harassment Act of 1995 is hereby amended to read as follows:

3 SECTION 3. *Work, Education or Training-Related, Sexual Harassment*

4 *Defined.* – Work, education or training-related sexual harassment is  
5 committed by an employer, employee, manager, supervisor, agent of the  
6 employer, teacher, instructor, professor, coach, trainor, **CUSTOMER,**  
7 **GUEST, CLIENT** or any other person who, having authority, influence or  
8 moral ascendancy over another in a work or training or education  
9 environment, demands, requests or otherwise requires any sexual favor  
10 from the other, regardless of whether the demand, request or requirement  
11 for submission accepted by the object of said Act.

12 SECTION 2. *Repealing Clause.* – All laws, decrees, orders, and issuances, or  
13 portions thereof, which are inconsistent with the provisions of this Act, are hereby  
14 repealed, amended or modified accordingly.

1 SECTION 3. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
2 publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/rapt13November2015