

SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session



Senate
Office of the Secretary

'17 MAY 30 P5:17

SENATE
S.B. NO. **1484**

RECEIVED BY: _____

Introduced by Senator Maria Lourdes Nancy S. Binay

**AN ACT ENSURING JOB SECURITY TO WORKING WOMEN WHO ARE
VICTIMS OF VIOLENCE, AMENDING FOR THE PURPOSE REPUBLIC ACT
NO. 9262**

EXPLANATORY NOTE

Republic Act No. 9262, which is regarded as a landmark legislation in the protection of women's rights, states that:

"It is hereby declared that the State values the dignity of women and children and guarantees full respect for human rights. The State also recognizes the need to protect the family and its members particularly women and children from violence threats to their personal safety and security.

Towards this end, the State shall exert efforts to address violence committed against women and children in keeping with the fundamental freedoms guaranteed under the Constitution and the provisions of the Universal Declaration of Human Rights, the Convention on the Rights of the Child and other international human rights instruments of which the Philippines is a party."

Since its enactment in 2004, several cases have been filed against abusive persons and various protection orders were issued to safeguard women victims under the Act.

It has come to our attention however, that a growing number of women victims who are productively employed at the time of the abuse or reporting of the abuse, end up losing their jobs while in the process of recovery or during the time when they were actively prosecuting and/or defending their cases in court. It appears that certain employers have used the absences of the women victims from work as basis to terminate them for poor performance and other related reasons that can be considered as just cause for termination under the Labor Code.

The insensitive acts of employers in terminating women employees who are victims of abuse under this Act, is another form of abuse, which current laws cannot adequately address. The law must come to the succor of these helpless women to uphold the State Policy declared under RA No. 9262.

In view of the foregoing, the passage of this bill is earnestly recommended

A handwritten signature in dark ink, appearing to read 'MLNB', is positioned above the printed name.

MARIA LOURDES NANCY S. BINAY
Senator

SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session



Senate
Office of the Secretary

17 MAY 30 P5:17

SENATE
S.B. NO. 1484

RECEIVED BY:

Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT ENSURING JOB SECURITY TO WORKING WOMEN WHO ARE
VICTIMS OF VIOLENCE, AMENDING FOR THE PURPOSE REPUBLIC ACT
NO. 9262

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

SECTION 1. A Section 6-A is hereby inserted into Republic Act No. 9262 as follows:

"SECTION 6-A PROHIBITED ACTS OF EMPLOYERS

IT IS HEREBY DECLARED UNLAWFUL FOR ANY EMPLOYER TO DISMISS A
WOMAN EMPLOYEE WHO IS KNOWN TO THE EMPLOYER AS A VICTIM
UNDER THIS ACT, UNDER THE FOLLOWING GROUNDS:

(1) FOR ABSENCES INCURRED IN THE PROSECUTION/DEFENSE OF HER
CASE UNDER THIS ACT, OR DURING HER MEDICAL/PSYCHOLOGICAL
TREATMENT; OR

(2) FOR POOR OR UNSATISFACTORY PERFORMANCE WHILE IN THE
PROSECUTION/DEFENSE OF HER CASE UNDER THIS ACT, OR DURING
HER MEDICAL/PSYCHOLOGICAL TREATMENT.

ANY EMPLOYER FOUND TO HAVE BEEN GUILTY OF ANY OF THE
FOREGOING ACTS SHALL BE PUNISHED WITH IMPRISONMENT FOR
THIRTY (30) DAYS AND SHALL BE LIABLE TO PAY THE WOMAN
EMPLOYEE FOR THE SUM OF NOT LESS THAN TWO HUNDRED
THOUSAND PESOS (P200,000.00) NOR MORE THAN FIVE HUNDRED
THOUSAND PESOS (P500,000.00) WITH SUBSIDIARY IMPRISONMENT IN
CASE OF INABILITY TO PAY BUT IN NO CASE TO EXCEED SIX (6)
MONTHS.

A DISMISSAL ON ANY OF THE GROUNDS MENTIONED HEREIN SHALL
AUTOMATICALLY BE CONSIDERED BY THE LABOR ARBITER AS ILLEGAL
DISMISSAL UNDER THE LABOR CODE. IT SHALL BE UNDERSTOOD THAT

1 THE LIABILITY OF THE EMPLOYER HEREIN IS SEPARATE FROM HIS
2 LIABILITY UNDER THE LABOR CODE AND OTHER SPECIAL LAWS.”
3

4 **SECTION 2. *Effectivity.*** This Act shall take effect fifteen (15) days after its complete
5 publication in at least two (2) newspapers of general circulation.
6

7 *Approved,*