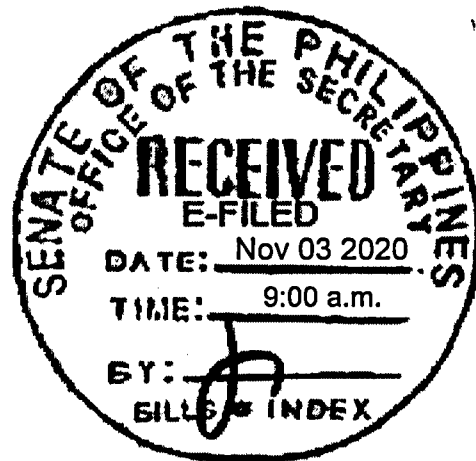


EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session

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SENATE

P.S. Res. No. 561

Introduced by SENATOR RAMON BONG REVILLA, JR.

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE IMPLEMENTATION OF REPUBLIC ACT NO. 10361 ENTITLED, "AN ACT INSTITUTING POLICIES FOR THE PROTECTION AND WELFARE OF DOMESTIC WORKERS", WITH THE END IN VIEW OF ENSURING THAT THE KASAMBAHAYS ARE PROTECTED FROM ABUSE AND MALTREATMENT OF THEIR EMPLOYERS

1 WHEREAS, the Philippine Constitution provides under Article II Section 18 that,
2 "The State affirms labor as a primary social economic force. It shall protect the rights
3 of workers and promote their welfare";

4 WHEREAS, the Philippines is a signatory to International Labour Organization
5 (ILO) Convention 189 or the "Domestic Workers Convention, 2011" which was ratified
6 by our country on 05 September 2012;

7 WHEREAS, Republic Act No. 10361, otherwise known as the "Domestic Workers
8 Act" or "Batas Kasambahay" was enacted into law on January 18, 2013 and serves as
9 the enabling law of Domestic Workers Convention, 2011;

10 WHEREAS, at the time when RA 10361 was enacted into law, the estimated
11 total number of local kasambahays in the country is between 1.9 million to 2.5. million.

12 WHEREAS, "Batas Kasambahay", which was enacted sixteen (16) years after it
13 was first introduced, is a landmark legislation because it recognized for the first time
14 the rights and welfare of domestic workers similar to the workers in the formal sector;

15 WHEREAS, Article I, Section 2 (c) of RA 10361 provides that, "The State
16 recognizes the need to protect the rights of domestic workers against abuse,

1 harassment, violence, economic exploitation and performance of work that is
2 hazardous to their physical and mental health”;

3 WHEREAS, Article II, Section 5 of the said law ensures the standard of
4 treatment for kasambahays by providing that “the employer or any member of the
5 household shall not subject a domestic worker or ‘kasambahay’ to any kind of abuse
6 nor inflict any form of physical violence or harassment or any act tending to degrade
7 the dignity of a domestic worker”;

8 WHEREAS, to provide remedy to abused domestic workers, Article IV Section
9 31 of the law provides for their rescue and rehabilitation;

10 WHEREAS, since the enactment of RA 10361, various concerned government
11 agencies led by the Department of Labor and Employment (DOLE) has been issuing
12 relevant guidelines and operationalizing various services for its effective
13 implementation;

14 WHEREAS, these agencies, in partnership with the civil society, has also been
15 working together in launching activities for information dissemination and
16 empowerment of kasambahays;

17 WHEREAS, on 29 October 2015, the Department of Social Welfare and
18 Development (DSWD), the Department of the Interior and Local Government (DILG),
19 Department of Labor and Employment (DOLE), the National Bureau of Investigation
20 (NBI), and the Philippine National Police (PNP) issued Joint Memorandum Circular No.
21 2015-002 which laid down the “Protocol on the Rescue and Rehabilitation of Abused
22 Kasambahay Pursuant to Republic Act No. 10361 entitled An Act Instituting Policies
23 for the Protection and Welfare of Domestic Workers”;

24 WHEREAS, while there are mechanisms and systems in place to ensure their
25 protection, there are still many untold stories of violence, exploitation and harassment
26 of our kasambahays that do not reach the ambits of our authorities;

27 WHEREAS, some of them are shrouded in fear, others choose to be silent
28 victims because they opt to keep their jobs to be able to earn a living for their families,
29 while others are still not informed of their rights and the assistance that the
30 government can provide them;

31 WHEREAS, recently, the Department of Foreign Affairs (DFA) recalled the
32 Philippine Ambassador to Brazil Marichu Mauro who was caught on video repeatedly

1 maltreating her 51-year old Filipina household service staff inside the diplomatic
2 residence;

3 WHEREAS, the household staff was physically abused on various occasions
4 which is a clear violation of her rights under the Kasambahay Law;

5 WHEREAS, the fact that the perpetrator in the abovementioned case is a
6 government official who was entrusted to serve our people should strengthen the
7 resolve of our government agencies to strictly and justly implement the law;

8 WHEREAS, there is a need to ensure that kasambahays who are in similar
9 situation will be promptly attended to;

10 WHEREAS, a review and analysis of the mechanisms and systems being
11 implemented by various government agencies will be helpful in ensuring that
12 employers comply with the provisions of the Kasambahay Law;

13 Now, therefore, be it

14 RESOLVED BY THE SENATE, as it is hereby resolved, To direct the Senate
15 Committee on Labor, Employment and Human Resources Development to Conduct an
16 inquiry, in aid of legislation, on the implementation of Republic Act No. 10361 entitled,
17 "An Act Instituting Policies for the Protection and Welfare of Domestic Workers", with
18 the end in view of ensuring that the kasambahays are protected from abuse and
19 maltreatment of their employers.

20 *Adopted,*


RAMON BONG REVILLA, JR.