

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 25 P 2:11

SENATE
S. No. 861

RECEIVED BY

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
REQUIRING ALL GOVERNMENT AND NON-GOVERNMENT OFFICES AND
ESTABLISHMENTS TO ADOPT POLICIES TO PREVENT AND ADDRESS THE
ACTS OF BULLYING AND OTHER SIMILAR ACTS IN THEIR WORKPLACE**

EXPLANATORY NOTE

Republic Act No. 10627 of 2013 defined bullying as "any severe or repeated use ... of a written, verbal or electronic expression, or a physical act or gesture, or any combination thereof, directed at another... that has the effect of actually causing or placing the latter in reasonable fear of physical or emotional harm or damage to his property..." This is our initial effort against bullying in educational institutions.

This bill seeks to expand protection against bullying by ensuring that workplaces are free from such detriment. Bullying in the workplace can cause physical, mental and emotional harm, as well as long-term career problems. Bullying in the workplace is often ignored and overlooked by both employers and co-employees, but its consequences are not only on the victim's emotional health but it also affects his productivity and morale.

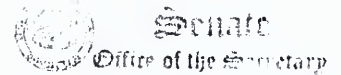
This proposal requires all government and non-government offices and establishments to adopt policies to prevent and address the acts of bullying and other similar acts in the workplace. It mandates establishments to establish clear procedures and strategies to ensure that acts of bullying are reported and are

penalized. More so, it tasks the Department of Labor and Employment and the Civil Service Commission to prescribe the appropriate sanctions on any administrative sanctions for non-compliance with the provisions of this Act.

This bill seeks to achieve a more peaceful and tranquil professional environment towards a more productive economy. In light of this, consideration of this proposal is earnestly sought.


RAMON BONG REVILLA, JR.

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

1 Section 1. *Short Title.* – This Act shall be known as the “*Anti-Office Bullying Act*
2 *of 2022.*”

3 Sec. 2. *Adoption of Anti-Office Bullying Policies.* – All government and non-
4 government offices, and business establishments, are hereby directed to adopt policies
5 to address the existence of office bullying and other similar acts in their respective
6 institutions. Such policies shall be regularly updated and at a minimum shall include
7 provisions which:

8 (a) Prohibit following acts:

9 1. Office Bullying – any severe or repeated use by one or more
10 employees of a written, verbal or electronic expression, or a physical
11 act or gesture, or any combination thereof, directed at an employer,
12 co-employee, or any person with whom he/she has professional
13 relations or dealings that has the effect of actually causing or placing
14 the latter in reasonable fear of physical or emotional harm or damage
15 to his property; creating a hostile work environment for the
16 employer, co-employee, or any person with whom he/she has
17 professional relations or dealing; infringing on the rights of another

1 at work premises; or materially and substantially disrupting the
2 orderly operation of the office; such as, but not limited to, the
3 following:

- 4 i. Any act that causes physical or bodily harm;
 - 5 ii. Any act that causes harm to a victim's psyche and/or
6 emotional and/or moral well-being;
 - 7 iii. Any slanderous statement or accusation that causes the victim
8 undue emotional distress like directing foul language or
9 profanity at the target, name-calling, tormenting and
10 commenting negatively on victim's looks, clothes and body;
11 and
 - 12 iv. Cyber-bullying or any bullying done through the use of
13 technology or any electronic means.
- 14 2. Any abusive acts or behaviour which include but are not limited to
15 the following:
- 16 i. Offering, publishing, distributing, circulating and spreading
17 rumors, false news and information and gossip about, or any
18 act against or direct against an employer, a co-employee, or
19 any person with whom he/she has professional relations or
20 dealings;
 - 21 ii. Disrespecting and devaluing an employer, a co-employee, or
22 any person with whom he/ she has professional relations or
23 dealings through disrespectful and devaluing language;
 - 24 iii. Management by threat and intimidation;
 - 25 iv. Stealing credit and taking unfair advantage of an employer, a
26 co-employee, or any person with whom he/she has
27 professional relations or dealings;
 - 28 v. Preventing access to workplace, career, and office
29 opportunities to an employer, a co-employee, or any person
30 with whom he/she has professional relations or dealings; and
31 vi. An act or behaviour shall be construed as abusive if it results
32 to any or all of the following:

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1. Destroys or undermines the character, image status, reputation, morale, and credibility of an employer, a co-employee, or any person with whom he/she has professional relations/dealings;
2. Discredits, destroys and undermines the work, results of the work, awards, career, vocation, craft, professional status, productivity, performance, and talents of an employer, a co-employee, or any person with whom he/she has professional relations or dealings;
3. Causes divisive effects among employees, employers, officers, and other members of the government and non-government organizations, business establishments, their clientele, and any other person engaged by government and non-government organizations, business establishments in their respective professional capacities.

(b) Establish clear procedures and strategies for:

1. Reporting acts prohibited under this Act;
2. Responding promptly to and investigating reports of acts, which are prohibited under this Act;
3. Ensuring the protection of the person who reports any of the prohibited acts, provides information during an investigation of the prohibited acts, or is witness to or has reliable information about any of the prohibited acts;

(c) Enable employees to anonymously report any of the prohibited acts: *Provided, however,* That no disciplinary administrative action shall be taken against a perpetrator solely on the basis of an anonymous report; and

(d) Subject the perpetrator/s who knowingly makes a false accusation to disciplinary administrative action.

Sec. 3. Mechanisms to Address Office Bullying and/or other Prohibited Act. —

1 (a) The administrative office or officer, human relations office or officer, or any
2 person or office holding a comparable role shall be responsible for the
3 implementation and oversight of policies intended to address office bullying
4 and other prohibited acts;

5 (b) All government and non-government offices and business establishments shall
6 provide their employees a copy of the policies being adopted. Such policies
7 shall likewise be included in the employees' handbook and shall be
8 conspicuously posted on the office walls and website, if there is any.

9 (c) Any employee shall immediately report any instance of office bullying and
10 other prohibited acts witnessed, or that has come to one's attention, to the
11 administrative office or officer, human relations office or officer, and/or any
12 person or office holding a comparable role. Upon receipt of such a report, the
13 administrative office or officer, human relations office or officer, or any person
14 or office holding a comparable role, shall promptly investigate.

15 (d) If it is determined that bullying and/or other prohibited acts have occurred,
16 administrative office or officer, human relations office or officer, or any person
17 or office holding a comparable role, shall:

18 a. Notify the law enforcement agency if the administrative office or officer,
19 human relations office or officer, and/or any person or office holding a
20 comparable role believes that criminal charges under the Revised Penal
21 Code may be pursued against the perpetrator;

22 b. Take appropriate disciplinary administrative action.

23 *Sec. 4. Reportorial Requirements. —*

24 (a) All non-government offices and business establishments shall inform the
25 Department of Labor and Employment in writing about the policies against
26 anti-office bullying and/or other prohibited acts formulated within six (6)
27 months from the effectivity of this Act. Such notification shall likewise be an
28 administrative requirement prior to the operation, creation, or establishment
29 of new non-government offices and business establishments.

30 (b) All government offices shall inform the Civil Service Commission in writing
31 about the policies against office bullying and/or other prohibited acts
32 formulated within six (6) months from the effectivity of this Act.

1 *Sec. 5. Sanction for Non-Compliance.* — In the rules and regulations to be
2 implemented pursuant to this Act, the Secretary of the Department of Labor and
3 Employment and the Chairman of the Civil Service Commission shall prescribe the
4 appropriate administrative sanctions on any administrative office or officer, human
5 relations office or officer, or any person or office holding a comparable role, who shall
6 fail to comply with the requirements under this Act. In addition thereto, erring non-
7 government offices and business establishments shall likewise suffer the penalty of
8 suspension of their permits to operate.

9 *Sec. 6. Implementing Rules and Regulations.* — Within ninety (90) days from
10 the effectivity of this Act, the Department of Labor and Employment and the Civil
11 Service Commission, respectively, shall promulgate the necessary rules and
12 regulations to implement the provisions of this Act.

13 *Sec. 7. Separability Clause.* — If any provision or part hereof, is held invalid or
14 unconstitutional, the remainder of the law or the provision not otherwise affected shall
15 remain valid and subsisting.

16 *Sec. 8. Repealing Clause.* — All laws, presidential decrees or issuances,
17 executive orders, letter of instructions, administrative order, rule or regulation contrary
18 to, or inconsistent with the provisions of this Act is hereby repealed, modified or
19 amended accordingly.

20 *Sec. 9. Effectivity* - This Act shall take effect fifteen (15) days after its
21 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,