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

RECEIVED BY: 

SENATE

S.B. No. 1401

INTRODUCED BY SENATOR RISA HONTIVEROS

AN ACT

DECLARING JANUARY 18 OF EVERY YEAR A SPECIAL NON-WORKING HOLIDAY FOR ALL KASAMBAHAY IN THE ENTIRE COUNTRY. THE ACT SHALL BE CALLED AS "NATIONAL KASAMBAHAY DAY" OR "ARAW NG KASAMBAHAY"

EXPLANATORY NOTE

The passage of the R.A. 10361 or the Domestic Workers Act (Kasambahay Law) on 18 January 2013 was a big step by government to recognize domestic workers' rights and welfare as it came after we adopted and ratified International Labor Organization (ILO) Convention No. 189 or the Decent Work for Domestic Workers Convention the year prior. The Kasambahay Law thus accords due respect to our Kasambahays and grants them protection from abusive employers as well as being placed in poor working conditions.

At present, an estimated 1.4 million domestic workers provide services to millions of households and families who are in dire need of help to do various domestic chores and concerns – such as cooking, laundry, taking care of children, among others¹. Without help from domestic workers, heads of families working in the formal sector will have a difficult time or will not be able to go to work to earn a living.

In commemoration of the enactment of the Kasambahay Law, this bill seeks to acknowledge and to thank all the invaluable work and services of kasambahay. The declaration of the national holiday for all kasambahay shall be a work free day for them in order for them to enjoy the celebration and be able to participate in the activities organized by the Department of Labor and Employment (DOLE).


RISA HONTIVEROS
Senator

¹ https://nwpc.dole.gov.ph/press_room/dole-and-psa-survey-1-4-million-kasambahays-in-the-country-72-on-live-out-arrangement/

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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 "National Kasambahay
2 Day" or "Araw ng Kasambahay"

3 Sec. 2. *Declaration of Policies.* – It is hereby declared that the State shall protect
4 the workers, promote full employment and provide equal opportunities regardless of sex,
5 race and religious belief, and regulate policies and relations between workers and
6 employers. The State shall also guarantee the rights of the workers to self-organization,
7 collection bargaining, security of tenure, and just and humane working conditions. As
8 stated in the ILO Convention 189 or the Decent Work for Domestic Workers Convention
9 which was ratified by the Philippine government in May 2012, it is the responsibility of
10 the State to recognize the significant contribution of domestic workers to the local and
11 global economy, which includes increasing paid job opportunities for women and men
12 with family responsibilities, greater scope for caring for ageing populations, children and
13 persons with disability and among others.

14 Sec. 3. *Definition.* – For purposes of this Act, the following definitions shall apply:

15 (a) Domestic worker or "kasambahay" as defined in R.A. 10361 refers to any
16 person engaged in domestic work within an employment relationship such
17 as, but not limited to the following: general house help, nursemaid or
18 "yaya", cook, gardener, or laundry person, but shall exclude any person
19 who performs domestic work only occasionally or sporadically and not on
20 an occupational basis

21 Sec. 4. *National Kasambahay Day or Araw ng Kasambahay.* – In recognition of the
22 contribution of domestic workers to Filipino families and society in general, January 18 of

1 every year shall be declared as a Special Non-Working Holiday for all kasambahays and
2 shall be known as National Kasambahay Day or Araw ng Kasambahay.

3 In the event that this day falls on their rest day, the employer shall pay the corresponding
4 payment of salary or compensation for his/her kasambahays who will be required to work
5 on this day, in compliance with the relevant provisions in the R.A. 10361 or the Domestic
6 Workers Act of 2013.

7 *Sec. 5. Role of Relevant Government Agencies in the Implementation.* – The
8 Department of Labor and Employment (DOLE), Philippine Information Agency and other
9 concerned agencies shall formulate plans for the implementation of this Act.

10 *Sec. 6. Effectivity.* – This Act shall take effect fifteen (15) days after its publication
11 in the Official Gazette or in a newspaper of general circulation.

Approved,