

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



Senate
Office of the Secretary

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SENATE

S.B. NO. 1577

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Introduced by Senator Ramon Bong Revilla, Jr.

**AN ACT
PROVIDING ENHANCED PROTECTION, SECURITY, AND BENEFITS FOR
MEDIA WORKERS**

EXPLANATORY NOTE

The Constitution guarantees the freedom of the press. It recognizes the invaluable role of the free press to a vibrant, working democracy and to the overall development of our society.

Journalists and media workers risk their life and limb to perform their duty to inform the public and deliver the meaningful stories that need to be known. At many times, they have proven to be frontliners and first responders to various emergencies like calamities, accidents, and war, to bring the condition of the affected areas and its residents. Especially in this time of the pandemic, their work bears an added risk of contracting the disease, and extra burden brought by strict travel restrictions and health protocols. Moreover, their profession becomes especially crucial to counter the proliferation of fake news and disinformation in this digital age and massive use of social media platforms.

This bill seeks to promote and ensure the welfare of the media and entertainment workers, such as the field reporters, news writers, cameramen, and photographers, among others, through institutionalized social security benefits, insurance coverage, hazard pay, security of tenure and minimum compensation. It aims to respond to the various labor issues reported in the print, broadcast and online media industry, and protect the basic rights of journalists as workers.

This measure also seeks to create the News Media Tripartite Council which will serve as a platform among different stakeholders where media workers and their employers can come together to discuss mutually beneficial policies and resolve their issues.

Passage of this bill is earnestly sought.



RAMON BONG REVILLA, JR.



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AN ACT
PROVIDING ENHANCED PROTECTION, SECURITY, AND BENEFITS FOR
MEDIA AND ENTERTAINMENT WORKERS

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 “Media and
2 Entertainment Workers’ Welfare Act.”
- 3 Sec. 2. *Declaration of Policy.* – It is the declared policy of the State to accord
4 full protection to labor and promote full employment and equality of employment
5 opportunities for all. Pursuant to the 1987 Constitution, all workers shall be guaranteed
6 the right to self-organization, collective bargaining and negotiations, and peaceful
7 concerted activities. They shall also be entitled to security of tenure, humane
8 conditions of work, and living wage. They shall participate in policy and decision-
9 making processes affecting their rights and benefits as may be provided by law. To
10 this end, workers in the media and entertainment industry shall:
- 11 a) Have the right to a safe and healthful workplace, a safe atmosphere
12 conducive to free and fruitful media and entertainment work, and
13 freedom from any harassment, consistent with the Constitutional
14 guarantee of the freedoms of speech, press, and expression; and
- 15 b) Have all the rights accorded to workers in accordance with Philippine
16 laws, ratified international labor standards, conventions, and other
17 relevant instruments.

1 Sec. 3. *Coverage.* – This Act shall apply to all media and entertainment industry,
2 as defined herein.

3 (a) *Media and Entertainment Workers* include:

- 4 1. Workers who are engaged in the pursuit of information gathering,
5 production, report, and distribution of media, directly or indirectly,
6 whether as a principal occupation or otherwise, such as, but not
7 limited to, reporters, journalists, correspondents, broadcast news
8 analysts, writers and authors, editors, and photographers; and
- 9 2. Workers in the audio-visual production, such as, but not limited to,
10 director, assistant director, director of photography, production
11 designer, production manager/unit production manager, location
12 manager, technical crew, department heads, department crew, on-
13 camera performers, and talents; and

14 (b) *Media and Entertainment Industry* consists of persons, whether natural or
15 juridical, engaged in film, television, radio broadcast, print, or theater
16 productions.

17 Sec. 4. *Minimum Compensation.* – Media workers shall not receive less than
18 the applicable minimum wage rate prescribed by the Regional Tripartite Wages and
19 Productivity Board, and shall be entitled to overtime pay and night shift premiums, as
20 well as other forms of compensation provided by Presidential Decree No. 442, as
21 amended, otherwise known as the "*Labor Code of the Philippines*" and other related
22 laws and issuances.

23 Sec. 5. *Social Security and Welfare Benefits.* – Media workers shall be covered
24 by the Social Security System (SSS), the Home Development Mutual Fund or the Pag-
25 IBIG Fund, and the Philippine Health Insurance Corporation upon employment. The
26 payment of monthly contributions shall be jointly shared by the media worker and the
27 employer, when applicable, in accordance with existing rules and regulations. Media
28 workers shall also be entitled to retirement benefits, as provided under Republic Act
29 No. 11199, otherwise known as the "*Social Security Act of 2018.*"

30 Sec. 6. *Hazard Pay.* – Media workers required to physically report to work in
31 dangerous areas such as strife-torn or embattled areas, distressed or isolated stations,
32 disease-infested areas or in areas declared under a state of calamity or emergency for

1 the duration thereof, which expose them to great danger, contagion, radiation,
2 volcanic activity or eruption, occupational risks or perils to life as determined by the
3 Department of Labor and Employment (DOLE), shall be compensated with a hazard
4 pay in the minimum amount of equivalent to twenty five percent (25%) of their basic
5 daily wage.

6 Employers shall also provide media workers covering events in dangerous areas
7 with basic safety gear and equipment such as bulletproof vests and helmets, first-aid
8 kits, fire protection jackets, face shields, medical grade protective equipment,
9 harnesses, safety shoes, and life vests.

10 Micro and small enterprises, as defined under Republic Act No. 6977, as
11 amended, otherwise known as the "*Magna Carta for Micro, Small, and Medium*
12 *Enterprises*", may, upon proper application with the DOLE, apply for an exemption
13 for the grant of hazard pay.

14 **Sec. 7. Mandatory Additional Insurance Benefits.** – Employers shall provide
15 additional insurance coverage to media workers as follows:

- 16 a) Death benefit of Two hundred thousand pesos (P200,000.00) for each
17 media worker who shall perish in the line of duty;
- 18 b) Disability benefit of up to Two hundred thousand pesos (P200,000.00) for
19 each media worker who shall suffer total or partial disability, whether
20 permanent or temporary, arising from any injury sustained in the line of
21 duty; and
- 22 c) Medical insurance benefit for each media worker of up to One hundred fifty
23 thousand pesos (P150,000.00).

24 **Sec. 8. Occupational Safety and Health (OSH) Standards.** – All entities in the
25 media and entertainment industry shall comply with the provisions of Republic Act No.
26 11058, otherwise known as "*An Act Strengthening Compliance with Occupational*
27 *Safety and Health Standards and Providing Penalties for Violations Thereof.*" For this
28 purpose, the media or entertainment entity who is in charge of, or manages, controls,
29 or supervises the work being undertaken, and who has direct or indirect control over
30 the workplace shall undertake the following:

- 1 a) Observance of occupational safety and health standards, in accordance
- 2 with laws and pertinent rules and regulations of the Department of Labor
- 3 and Employment (DOLE);
- 4 b) Mandatory presence of OSH personnel;
- 5 c) Creation of safety and Health Committee, as provided under Republic
- 6 Act No. 11058;
- 7 d) Conduct of safety operation;
- 8 e) Provision of first aid;
- 9 f) Provision of personal protective equipment;
- 10 g) Conduct of risk assessment;
- 11 h) Preparation of an Emergency Preparedness and Response Plan;
- 12 i) Provision of adequate sanitary and privacy provisions; and
- 13 j) Such other requirements as may be necessary, taking into consideration
- 14 the risks and/or hazards involved in the workplace and the nature of the
- 15 work to be performed.

16 In all cases, workers shall have the right to refuse unsafe work in accordance
17 with law.

18 For the avoidance of doubt, compliance with OSH regulations shall be equally
19 applicable to contractors/subcontractors and block timers, or those who buy airtime
20 from radio and television franchise holders.

21 *Sec. 9. Settlement of Disputes.* – All labor-related disputes shall be elevated to
22 the DOLE regional office which has jurisdiction over the workplace.

23 *Sec. 10. Compliance.* – The DOLE shall monitor compliance with the provisions
24 of this Act.

25 *Sec. 11. Administrative Penalties.* – Violations of the provisions of this Act shall
26 be subject to applicable penalties provided in President Decree No. 442, as amended,
27 and other related laws and issuances.

28 *Sec. 12. News Media Tripartite Council.* – The DOLE shall initiate the creation
29 of the News Media Tripartite Council, which shall serve as a link among various
30 stakeholders, provide a platform where media workers and employers can agree upon
31 mutually beneficial policies that will promote the interests of the media industry, and

1 serve as an avenue to express their aspirations, discuss their programs or settle
2 conflicts.

3 *Sec. 13. Implementing Rules and Regulations (IRR).* – Within ninety (90) days
4 from the approval of this Act, the Secretary of Labor and Employment shall, in
5 coordination with media groups, associations, guilds and other concerned groups,
6 issue the necessary rules and regulations to implement the provisions of this Act.

7 *Sec. 14. Separability Clause.* – If any provision or part hereof is held invalid or
8 unconstitutional, the remainder of the law or the provision or part not otherwise
9 affected thereby shall remain in full force and effect.

10 *Sec. 15. Repealing Clause.* – Any law, presidential decree or issuance, executive
11 order, letter of instruction, administrative order, rule, or regulation contrary to, or
12 inconsistent with, the provisions of this Act are hereby repealed, modified, or amended
13 accordingly.

14 *Sec. 16. Effectivity.* – This Act shall take effect fifteen (15) days after its
15 publication either in the *Official Gazette* or in at least two (2) newspapers of general
16 circulation in the Philippines.

Approved,