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REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



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SENATE

RECEIVED BY:

COMMITTEE REPORT NO. 170

Submitted by the Committee on Justice and Human Rights on
NOV 17 2023.

Re: MOTU PROPRIO INQUIRY INTO THE SEVERE BATTERY AND MALTREATMENT
BY EMPLOYERS OF *KASAMBAHAY* MS. ELVIE VERGARA RESULTING TO HER
PARTIAL BLINDNESS AND OTHER INJURIES

Recommending the adoption of the recommendations contained therein and their
immediate implementation.

Sponsor: Senator Francis "Tol" N. Tolentino

MR. PRESIDENT:

The Committee on Justice and Human Rights, which has conducted a *motu proprio* inquiry in aid of legislation, entitled:

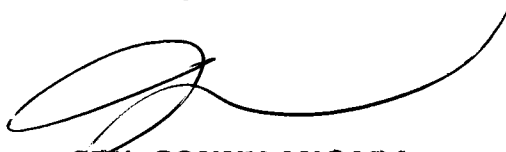
**"MOTU PROPRIO INQUIRY
INTO THE SEVERE BATTERY AND MALTREATMENT BY
EMPLOYERS OF *KASAMBAHAY* MS. ELVIE VERGARA RESULTING
TO HER PARTIAL BLINDNESS AND OTHER INJURIES"**

has considered the same and has the honor to submit its report on its inquiry back to
the Senate, recommending the adoption of the recommendations as contained in this
Report and their immediate implementation.

Respectfully submitted:

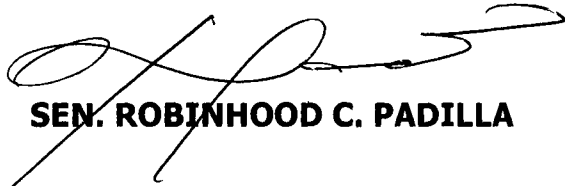


SEN. FRANCIS "TOL" N. TOLENTINO
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SEN. MARK VILLAR

SEN. FRANCIS G. ESCUDERO



SEN. RISA HONTIVEROS

Respectfully submitted:

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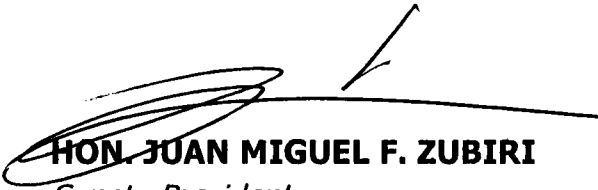
SEN. JOEL VILLANUEVA

Majority Leader



SEN. AQUILINO "KOKO" PIMENTEL III

Minority Leader



HON. JUAN MIGUEL F. ZUBIRI

Senate President

“Human rights rest on human dignity. The dignity of man is an ideal worth fighting for and worth dying for.”

- Robert C. Maynard

PREFATORY STATEMENT

The Philippines is no stranger to receiving news reports of Filipino domestic workers being abused abroad. In Kuwait alone, more than 24,000 cases of violation and abuse of Filipino workers have been reported in the year 2022.¹ As a consistent top source of domestic workers all over the world, we have already seen and heard all kinds of abuses being committed - from the pettiest of imposing excessive work, to not giving the right salary, not feeding the domestic worker properly, physical beatings and sexual abuses, to even the worst of even killing our pitiful workers.

But the seeming frequency of these abuses does not numb us down. On the contrary, each and every reported incident of abuse and maltreatment of Filipino domestic workers abroad stir in us a strong sense of anger and disgust as to how a foreigner could abuse our fellow Filipinos who are just trying to work and make a living for their family. We feel a strong sense of injustice for any inhumane acts done by foreign employers to our lowly domestic workers.

And it is this strong sense of injustice that makes us all the more outraged by the news of a Filipino employer abusing and maltreating her Filipino domestic worker. One cannot fathom what kind of individual would be able to inflict such damage to a fellow Filipino to the point of blindness and literal deformity of the face that is nothing short of stripping her of human dignity.

¹ <https://hir.harvard.edu/overseas-filipino-workers-the-modern-day-heroes-of-the-philippines/>

As the late American journalist Robert C. Maynard has aptly put it - "Human rights rest on human dignity". And indeed, the "dignity of man is an ideal worth fighting for".

COMMITTEE REPORT

I. ANTECEDENT FACTS

1. On 8 August 2023, various news and videos pertaining to the maltreatment of 44-year-old kasambahay Silveria "Elvie" Vergara from Occidental, Mindoro circulated the mainstream media².
2. Based on the interview, Elvie started working for the Ruiz family in 2017. She was treated well in the beginning until the year 2020 when her employers started maltreating her after they accused her of stealing money and putting inedible things on their food. Allegedly, Elvie's employers subjected her to various physical injuries and abuse which resulted in her loss of vision and various physical defects.
3. These allegations were denied by her employers, France and Jerry Ruiz. According to them, they did not harm Elvie in any way and that the injuries sustained may be from Elvie's co-workers whom she constantly fights with. As to her blindness, Jerry Ruiz said that Elvie drank some coffee which resulted to her blindness.
4. In 2021, Elvie managed to escape from her abusive employers; she went to the Barangay hall of Barangay 7 of Mamburao, Occidental Mindoro hoping to get some help. However, the Barangay Chairman returned her to Mr. Jerry Ruiz, believing that the latter would deliver Elvie back to her relatives. Thus, Elvie's

²<https://news.abs-cbn.com/video/news/08/08/23/pagkabulag-ng-kasambahay-isinisi-sa-pananakit-ng-mga-amo>

misery at the hands of the Ruiz family continued and worsened. She was subjected to more abuses and even deprived of her liberty.

5. In May 2023, Elvie was transferred to Batangas City, specifically in the apartment of her employer's daughter, Danica Ruiz. Despite her condition, Elvie was required to do house chores and subjected to further physical abuse, this time from Danica. Through the help of another kasambahay, Maria Fe, Elvie's relatives were informed of Elvie's condition through a social media post. Thereafter, on 28 June 2023, Elvie was eventually rescued by her siblings.
6. On August 4, 2023 Elvie formally filed a complaint against her previous employers, France Garcia Ruiz, Pablo "Jerry" Ruiz, Danica Jerlyn Garcia Ruiz, and 111, together with Police Master Sergeant (PEMS) Maria Eliza "Liza" Palabay³, and Brgy. Chairman Jimmy Patal, for the crime of Serious Illegal Detention under Article 267 of the Revised Penal Code as amended by RA 7659; violation of RA 9208 of the Trafficking of Persons Act; Serious Physical Injuries under Article 263 of the Revised Penal Code; and violation of RA 10361 or the Batas Kasambahay Law, at the Office of the City Prosecutor of Batangas City.

II. MOTU PROPRIO INQUIRY

7. With a strong sense of urgency, and as part of its duty of upholding the basic human rights of any person and in accordance with the Rules of Procedure Governing Inquiries in Aid of Legislation, the Committee on Justice and Human Rights conducted a motu proprio public hearing on the matter in the morning of 22 August 2023.
8. The first hearing was attended by the Department of Justice (DOJ) Undersecretary for Corrections Cluster; the Department of Labor and

³<https://news.abs-cbn.com/video/news/08/09/23/pulis-idinadawit-sa-kaso-ng-pagmamaltrato-ng-kasambahay>

Employment (DOLE) Director for Bureau of Workers with Special Concerns; the Department of Social and Welfare Development (DSWD) Undersecretary and Assistant Secretary for Legislative Affairs; representatives from the Commission on Human Rights (CHR) composed of the OIC Regional Director Region IV-B, the Chief of Legal, Legislative and Linkages Division of the Policy Advisory office, and the Special Investigator Division Chief of the Investigation Office; the members of the Philippine National Police composed of the OIC- Chief of Police of Mamburao Police Station, the Provincial Director of Occidental Mindoro, and the Director of the Directorate for Investigation and Detective Management (DIDM); the Head of the Provincial Social Welfare and Development Office of Occidental Mindoro; the City Social Welfare and Development Officer of Batangas City; four (4) doctors from the Batangas Medical Center who conducted the victim's medical examinations; two (2) of the respondents — the Barangay Captain of Barangay 7 Mamburao Occidental Mindoro and the Police Officer from the Mamburao Police Station.

9. At the onset of the first hearing, the Chairman of the Committee on Justice and Human Rights pointed out that the Committee aims to uncover the truth behind the case of Ms. Elvie Vergara that may have resulted from the lapses in the implementation of the current Batas Kasambahay Law⁴, and make further amendments necessary to strengthen it in order to avoid further cases of abused kasambahays.

10. This initial hearing was followed by three (3) more hearings conducted on the following dates: September 5, 19, and 25, 2023.

11. It is more disheartening to note that the said abuse was done in our country, by perpetrators who are also Filipinos, and that the victim suffered alone for three (3) long years. The Chairman of the Committee on Justice and Human Rights emphasized the need for justice to prevail, not only in the case of Ms.

⁴ Republic Act 10361

Elvie Vergara but for all other Filipino domestic workers who are victims of abuse.

III. ALLEGATIONS OF ELVIE VERGARA

12. Ms. Elvie Vergara narrated the ordeal of her years long sufferings in the hands of her employers – the Ruiz family. From 2020, she was subjected to various forms of abuse for any mistake that she made or even for no apparent reason at all. Despite her severe injuries, she was not afforded any medical treatment nor was she brought to a doctor for a medical checkup. The repetitive maltreatment and negligence to her condition resulted in Elvie’s eventual loss of vision. Ms. Vergara recounted her experience as kasambahay of the Ruiz family in this wise:

MS. S. VERGARA. *Iyong una po, noong—start ko po noong nagtrabaho ako doon, 2017, August 7 iyon. Noong una po, pagpasok ko doon, kabait-bait po sa akin. Noong huli na po, noong—kaunting mali lang po, noong 2020, sinasaktan na po ako. Kaunting mali lang po, sinasaktan na po ako doon. Ang ginagawa po sa akin, itong tainga ko, suntok nang suntok po sa akin. Tapos po iyong—pag kaunting mali po, iyon, tuloy na tuloy po iyong nananakit sa akin, tinatadyakan, hinahampas, tapos po inuuntog sa freezer.*

THE CHAIRPERSON. *Saan po?*

MS. S. VERGARA. *Sa freezer po, nakahigang freezer. Inuuntog po iyong ulo ko sa CR, tapos sa mga dingding, kahit saan po.*

SEN. ESTRADA. *Sino ang unang nanuntok, iyong babae o lalaki na amo?*

MS. S. VERGARA. *Iyon pong babae.*

THE CHAIRPERSON. Ito po ay nagsimula noong 2020, ito na po iyong COVID, pandemic, tama po?

MS. S. VERGARA. Opo.

THE CHAIRPERSON. So, tuluy-tuloy po iyan hangga't—kailan po kayo nawalan ng vision? Kailan kayo nabulag? Kailan kayo nawalan ng paningin?

MS. S. VERGARA. Ito pong kaliwa, kasabay ng tainga ko, noong Pebrero po, 2020 din po.

THE CHAIRPERSON. 2020. Iyong kanan?

MS. S. VERGARA. Iyong pong noong 2021 po.

THE CHAIRPERSON. Hindi kayo pinatingnan sa doktor?

MS. S. VERGARA. Hindi po.⁵

13. Aside from the physical and verbal abuses, Elvie was also deprived of her rights as an employee. Her basic salary was not given from the start of her employment in 2017 up to the time she escaped from Danica's apartment in Batangas nor was she accorded the social benefits mandated by law such as Philhealth, SSS, and Pagibig.

THE CHAIRPERSON. Pinasweldo ba ho kayo?

MS. S. VERGARA. Hindi po, buhat noong nag-start po ako doon.

THE CHAIRPERSON. Kahit piso?

MS. S. VERGARA. Wala po.

THE CHAIRPERSON. Ilang taon kayong nagtrabaho nang walang sweldo?

MS. S. VERGARA. Para pong pitong taon na po...

MS. S. VERGARA. ... Para pong pitong taon na po.

THE CHAIRPERSON. Pitong taon walang suweldo?

⁵ TSN of the Committee on Justice and Human Rights Hearing on August 22, 2023 pp. 22-23

MS. S. VERGARA. *Opo.*⁶

14. Elvie also included Barangay Chairman Jimmy Patal and PEMS Liza Palabay in the complaint filed at the Office of City Prosecutor of Batangas City. According to her, at the time when she was able to escape her employers, she went to the Barangay Hall of Barangay 7, Mamburao, Occidental Mindoro to seek assistance and have her things checked before she left. However, Mr. Patal allegedly called Mr. Jerry Ruiz and returned her back to the custody of her employers. Thus, the abuse and maltreatment continued and worsened thereafter.

MR. PATAL. *Magandang umaga po uli. Si Nanay Elvie po, iyan ay nadatnan ko po sa barangay hall po kasi po kami po noong panahon na iyon nag-iikot po at panahon ng COVID. Nadatnan ko po siya na magutim(?) at talaga pong nakakaawa pong tingnan. So ang una ko pong ano po doon sa tanod kong babae, sabi ko linisan po at palitan ng damit dahil hindi ko po kilala siya. Iyon po ang aming pagkakaano po kay Nanay Elvie. Tapos po—*

SEN. PADILLA. *Nakita ninyo na na mayroon po siyang mga sugat, mga ganoon?*

MR. PATAL. *Wala naman po akong nakita. Basta po siya madungis po. Ang akala ko po ay naligaw na taong-grasa. So iyon pong utos ko sa tanod ko ay linisin po si Nanay Elvie. Tapos, hindi pa po siya— sinasabi ko pa pong ganoon, dumating na po iyong amo niya na si Mr. Ruiz.*

SEN. ESTRADA. *Dumating ang amo niya o tinawagan mo iyong amo niya?*

MR. PATAL. *Hindi po, sir. Hindi po—*

⁶ TSN of the Committee on Justice and Human Rights Hearing on August 22, 2023 pp. 24-26

SEN. ESTRADA. Dito sa salaysay ni Aling Elvie—I am sorry, Senator Padilla. Dito sa salaysay ni Aling Elvie, tinawagan mo iyong amo niya na si Jerry Ruiz.

MR. PATAL. Hindi ko po tinawagan.

SEN. ESTRADA. At sinumbong mo na nandoon si Aling Elvie sa barangay hall?

MR. PATAL. Hindi ko po sinumbong iyon, Senator. Wala pong pagsusumbong. Marami po doon pong mga tao na kasama ko po na kami po naka-duty sa barangay.

SEN. TULFO. Paano nalaman noong amo na nandoon iyong kasambahay?

MR. PATAL. Ano po iyon, nag-iikot po kami. Tamang pagdating po namin sa barangay hall po, nandoon po si Nanay Elvie.

THE CHAIRPERSON. Siguro ang tanong ni Senator Padilla, ano iyong naging hakbangin mo bilang kapitan? Dinala mo ba sa ospital? Pina-checkup mo ba sa municipal health officer kasi COVID noon, alert lahat ng mga doktor natin, mga nurses, hindi ba, sila iyong mga frontliner?

MR. PATAL. Opo.

THE CHAIRPERSON. May paningin na ba ho siya noon o bulag na? Ano ho ang tulong natin?

MR. PATAL. Hindi ko pa rin po—

THE CHAIRPERSON. Kasi sa batas po ni Senator Estrada, iyong Kasambahay Law, naka-register lahat iyong mga kasambahay sa barangay hall.

MR. PATAL. Wala pong naka—

SEN. TULFO. Ma'am Elvie, sabi ninyo po na pumunta kayo sa barangay at nagsumbong. Tama?

MS. S. VERGARA. Opo, totoo po iyon.

SEN. TULFO. Sino po ang sinumbungan ninyo?

MS. S. VERGARA. *Mga kasamahan po niya doon. Tapos nandoon po siya doon sa loob ng city hall. Nasa loob siya.*

SEN. TULFO. *Nasa loob. Sinabi ninyo po na sinasaktan kayo kaya kayo nandoon sa barangay?*

MS. S. VERGARA. *Opo. Sabi ko po paki-check po iyong gamit ko dahil aalis na po ako doon. Nakatakas nga po ako. Doon nga po ako pumunta sa kanya.*

SEN. TULFO. *There is no reason why she would be lying here. Alam mo, Chairman, kung nasa matinong pag-iisip ka, kung tama ka, patas ka, the first thing you should have done is pa-check siya sa doktor, tawagan mo CHR, tawagan mo PNP, sabihin na mayroon ditong mukhang kawawa na kasambahay at tumakbo sa kanyang amo. Ang kanyang reklamo ay sinasaktan siya, etcetera. Iyon dapat ang ginawa mo. Ang ginawa mo sinurender (surrender) mo siya ulit sa amo. Napakawalanghiya mo.*

MR. PATAL. *Sir, excuse po, sir. Hindi ko po isinurender po iyan at lalong hindi po ako tumawag sa amo niya.*

SEN. TULFO. *Kasi ang nangyari naibalik siya ulit sa amo niya. Kasi kung ganoong sitwasyon, kung sa akin—kung ako si barangay chairman, may dumating sa aking kasambahay, kaawa-awa iyong sitwasyon, madungis, sabi mo parang taong-grasa, ipapa-check ko muna sa ospital. Hindi ko muna payagan na sumama sa amo. At pagkatapos, tatawagan ko iyong pulis, CHR, kung sinu-sino pang mga awtoridad, DSWD, para sama-sama mag-imbestiga, social worker. Ang ginawa mo, pinayagan mong makabalik ulit sa kanyang amo.*

MR. PATAL. *Hindi naman po, sir, ganoon ang nangyari talaga po, sir. Marami po akong kasamahan doon sa barangay.*

SEN. TULFO. *Pero sinabi na nga ng kasambahay iyong kanyang sitwasyon na siya ay naglayas, na mayroon siyang dalang mga gamit, tingnan iyong gamit baka mamaya sabihin na nagnakaw ako. You did not do that, right?*

MR. PATAL. *Hindi po. Wala pong nasabi si Nanay Elvie sa totoong buhay po.*

SEN. TULFO. *Sa totoong buhay. Bakit siya magsisinungaling? Bakit siya pumunta sa barangay? Ibig mong sabihin pumunta sa barangay naligaw lang? Basta na lang pumunta sa barangay dahil namamasyal?*

MR. PATAL. *Hindi nga po namin—⁷*

15. Lastly, PEMS Palabay allegedly threatened Elvie that she will be arrested or killed if ever she makes any report against her employers. Thus, she was also included in the complaint filed by Elvie.

SEN. TULFO. *Kasi inireklamo ka at nakita, may probable cause, iyong inireklamo ni Ma'am Elvie kaya ka na-transfer, tama?*

Ganoon ka rin. Kaya lang ikaw hindi ka dapat ma-transfer, dapat ikaw makulong o masibak sa serbisyo.

In your case, inireklamo ka dahil kinampihan mo iyong amo at binantaan mo pa si Ma'am Elvie. Ito iyong sabi sa reklamo, binantaan mo na huwag nang i-report iyong mga employer kung hindi ay siya ay makukulong at papatayin.

MS. PALABAY. *Your Honor, personally po, hindi ko po nakakausap si Elvie po, Your Honor.⁸*

⁷ TSN of the Committee on Justice and Human Rights Hearing on August 22, 2023 pp. 28-34

⁸ TSN of the Committee on Justice and Human Rights Hearing on August 22, 2023 page 49

IV. DEFENSES

16. The aforementioned allegations were vehemently denied by the Ruiz couple during the second hearing of the Committee on Justice and Human Rights on 05 September 2023. Mrs. France Ruiz in particular, inferred that Elvie's injuries were due to her unhygienic behavior and her conflict with co-workers. They maintained that they employed Elvie back in August 2019 contrary to Elvie's statement that she started working for the Ruiz family in 2017.

SEN. ESTRADA. *Saan nanggaling iyong mga sugat niya?*

MS. RUIZ. *Iyong mga sugat niya po, iyon iyong—tamad po siyang maligo minsan. Minsan, inaabot ng apat na araw, limang araw siya maligo. Tapos po, iyong mga sugat-sugat niya na iyan, nakakamot niya.*

SEN. ESTRADA. *Ibig mong sabihin, iyong pagkabulag niya, noong nakita ninyo sa X-ray iyong kaniyang bungo, na deformed na iyong kaniyang ilong, dahil sa pangangamot niya?*

MS. RUIZ. *Hindi po.*

SEN. ESTRADA. *O?*

MS. RUIZ. *Iyon po iyong pag-away nilang magkakasama daw doon sa likod. Late ko na rin po nalaman, Your Honor, na nag-aaway- away pala sila sa likod kapag, halimbawa, magkakasama na sila.⁹*

17. In addition thereto, for withholding Elvie's salary, Mrs. France Ruiz's justification was that Elvie stole cash in the amount of P12,000.00, and a watch from her.

⁹ TSN of the Committee on Justice and Human Rights Hearing on September 05, 2023 page 89

SEN. ESTRADA. *Tinanong ko sa inyo po kanina kung bakit kayo sinasaktan o sinaktan. Ang sabi ninyo, ang sagot ninyo sa akin, mayroon ka daw—allegedly, ang sabi mo, pinagagalitan ka dahil—sinasaktan ka dahil mayroon kang inilalagay kung ano-ano sa pagkain nila.*

MS. S. VERGARA. *Opo.*

SEN. ESTRADA. *Ano pa?*

MS. S. VERGARA. *Iyon pong nagnakaw daw po ako.*

SEN. ESTRADA. *Nagnakaw ka ng—?*

MS. S. VERGARA. *Nang pera at ng relo niya.*

SEN. ESTRADA. *Pera at relo ng ginang?*

MS. S. VERGARA. *Opo.*

SEN. ESTRADA. *Nang babae?*

MS. S. VERGARA. *Opo.¹⁰*

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Totoo bang ninakawan kayo ni Aling Elvie, as you mentioned in the last hearing? Anong ninakaw sa inyo?

MS. RUIZ. *Opo. Iyong 12,000 po na ninakaw niya noong nasa tiyandingan po kami, nasa bahay iyong pera, nasa may bag.*

SEN. ESTRADA. *Allegedly, noong nagnakaw siya, pina-barangay mo ba siya, pinapulis mo ba siya?*

MS. RUIZ. *Hindi po, Your Honor.*

SEN. ESTRADA. *Bakit?*

MS. RUIZ. *Kinausap ko lang. Kinausap ko po siya.*

SEN. ESTRADA. *Anong sinabi mo?*

MS. RUIZ. *Tapos sabi ko po, "Umuwi ka na lang, Ate Elvie, kung ganyan rin lang na ninakawan mo ako." Ang sabi niya po, "Pasensiya ka na Ate, hindi ko na po uulitin.*

¹⁰ TSN of the Committee on Justice and Human Rights Hearing on September 05, 2023 page 136

I-charge na lang po ninyo sa akin." Sabi niya po, Your Honor.

SEN. ESTRADA. *Aling Elvie, totoo ba ang sinasabi ni madam?*

MS. VERGARA. *Hindi po totoo.*

SEN. ESTRADA. *Nagnakaw ba kayo ng 12,000?*

MS. VERGARA. *Hindi po.*

SEN. ESTRADA. *Bakit niya sinabing nagnakaw ka?*

MS. VERGARA. *Hindi ko po alam. Basta po lagi po iyan— lagi niyang sinasabi sa akin, nagnanakaw daw po ako, wala po iyong katotohanan. Kinalkal niya nga po iyong gamit ko, wala naman silang nakuha.¹¹*

18. Aside from theft, Elvie was also accused of putting inedible things, such as pubic hair and rust in the Ruiz' food and water heater.

SEN. ESTRADA. *Okay. Tungkol naman sa paratang na nilalagyan niya ng pubic hair iyong pagkain mo, pinagalitan mo ba si Aling Elvie dahil doon?*

MS. RUIZ. *Your Honor, pinagsabihan ko, "Bakit naman," kako, "Ate Elvie, naglalagay ka ng mga madumi sa pagkain?"*

SEN. ESTRADA. *Ang bait mong magsalita, ano? Sinaktan mo ba siya?*

MS. RUIZ. *Hindi po.*

SEN. ESTRADA. *Huh?*

MS. RUIZ. *Hindi po.*

SEN. ESTRADA. *Ilang beses ba niya ginawa ito, iyong sinasabi mong paglalagay ng pubic hair sa pagkain mo?*

MS. RUIZ. *Maraming beses po.*

¹¹ TSN of the Committee on Justice and Human Rights Hearing on September 19, 2023 pp. 182-183

SEN. ESTRADA. *Ilan?*

MS. RUIZ. *Maraming beses po, kaya po may letter siya sa akin na nilagay.¹²*

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SEN. TULFO. *Tingnan mo ito, makinig ka, Ms. Ruiz. Sabi mo may problema sa pag-iisip, naglalagay ng pako sa heater, naglalagay ng pubic hair sa mga inumin, so hindi nga normal iyong gawaing iyon. Nakakatakot nga. Kung ako, bilang amo, mayroon akong ganoong kasambahay, matatakot ako, baka mamaya lalasunin ako. Hindi ba tama lang? Yes or no?*

MS. RUIZ. *Yes po.*

SEN. TULFO. *Nakakatakot, hindi ba? Kasi baka mamaya lalasunin ka. Darating ang time na lalasunin ka, tama? Kasi baka mamaya, sinumpong, lason ang susunod, imbes na pubic hair, tama? Kaya nakakatakot, tama?*

MS. RUIZ. *May kasama naman po siya sa—*

SEN. TULFO. *Hindi. Basta't nakakatakot iyon. Hindi ba, iyong ganoong gawain.*

SEN. TULFO. *Mahal mo ang anak mo?*

MS. RUIZ. *Opo.*

SEN. TULFO. *Lahat gagawin mo para maprotektahan mo iyong anak mo, tama?*

MS. RUIZ. *Opo.*

SEN. TULFO. *Lalo pa at babae at 15 years old.*

MS. RUIZ. *Opo.*

SEN. TULFO. *So, bakit tinransfer (transfer) mo siya, alam mong may problema sa pag-iisip, naglalagay ng mga kung anu-anong mga dumi sa inumin, bakit mo ita-transfer siya sa anak mo na mahal na mahal mo?*

¹² TSN of the Committee on Justice and Human Rights Hearing on September 19, 2023 page 183

MS. RUIZ. *Nandiyan po si Fe na taga-pagbantay ng aking anak.*

SEN. TULFO. *Regardless, regardless. Hindi mo dapat— Dapat nilalayo mo iyong mga taong may problema sa pag-iisip, ayon sa iyo. Nilagay mo sa anak mo. Baka madisgrasya iyong anak mo. Ang ginawa mo, inilayo mo sa iyo para ilagay sa anak mo. Therefore, hindi totoo iyong sinasabi mo. Kasi kung ako, may problema sa pag-iisip iyong isang kasambahay, granting na magkatulad tayo ng kaunti sa pag-iisip, hindi ko padoktor, hindi ko pauwi, pero hindi ko ita-transfer sa anak ko. Ilalayo ko lahat ng kapahamakan sa anak ko. Matatakot ako. Ikaw, tinransfer (transfer) mo pa, na ayon sa iyo ay may problema sa pag-iisip. So, therefore, nagsisinungaling ka.¹³*

19. Lastly, Mrs. Ruiz insisted that Elvie's loss of vision and other injuries resulted from fights with her co-workers, allegations which said co-workers have denied.

SEN. ESTRADA. *Thank you, Mr. Chair, Senator Bato. Okay, Madam France, sinabi ninyo last hearing na ang bumubogbog kay Aling Elvie ay ang kasamahan niya na pinangalanan ninyo na JM. Tama po ba?*

MS. RUIZ. *Hindi po nambubugbog. Sinuntok lang po iyong kabilang mata niya sa kaliwa. Iba po iyon.*

SEN. ESTRADA. *Nagsumbong ba sa iyo si Aling Elvie na sinaktan siya?*

MS. RUIZ. *Hindi po. Paglabas ko ng kwarto noong umaga, nakita ko lang, bakit may ano iyang mukha mo, 'kako po. Ang sabi po, sinuntok daw. Tinanong ko po silang dalawa*

¹³ TSN of the Committee on Justice and Human Rights Hearing on September 19, 2023 pp. 152-154

bakit 'kako sinuntok mo naman. Kasi sabi niya ginamit iyong gamit ko, ginamit iyong brief ko, ginawang basahan iyong mga damit ko. Iyon po ang sabi sa akin, Your Honor.

SEN. ESTRADA. *JM, sinuntok mo ba?*

MR. TAROMA. *Hindi po.*

SEN. ESTRADA. *Ang sinabi mo kanina sa pahayag mo kanina noong tinatanong kita, natabig mo sa inis mo dahil ginamit iyong damit mo bilang basahan.*

MR. TAROMA. *Opo.*

SEN. ESTRADA. *Pero ang sinasabi nitong amo mo ngayon, sinutok mo sa mukha, tama ba?*

MR. TAROMA. *Hindi po totoo iyon.*

SEN. ESTRADA. *Ha?*

MR. TAROMA. *Hindi po totoo.*

SEN. ESTRADA. *Pinabubulaanan ngayon ni JM.*

MS. RUIZ. *Sinungaling po siya.*

SEN. ESTRADA. *O bakit hindi mo siya tinanggal noong allegedly sinabi ni Aling Elvie na sinuntok siya ni JM?*

MS. RUIZ. *Pinag-usap ko po silang dalawa at humingi naman siya ng pasensiya kay Ate Elvie, pinagbigyan naman po naman ng Ate Elvie kaya pinabayaan ko na po sila tatal magkaayos naman silang dalawa.*

SEN. ESTRADA. *Magkaayos silang dalawa?*

MS. RUIZ. *Opo.*

SEN. ESTRADA. *Okay. Tinanggi ninyo last hearing na sinaktan ninyo si Aling Elvie? May nakita ba kayong pasa o sugat sa anumang parte ng katawan ni Aling Elvie noong panahon na namamasukan siya bilang inyong kasambahay?*

MS. RUIZ. *Your Honor, hindi kasi ako masyadong nakaka-focus sa kusina. Your Honor, doon ako sa tindahan. Basta't ang nakita ko lang po*¹⁴

20. With respect to the children of the spouses Ruiz, the statement of Ms. Danica Ruiz was taken in an executive session, as requested by Mrs. France Ruiz. According to her, since the case became viral, her daughter was criticized and bullied. The Chairman took cognizance of the request guided by the doctrine of the best interest of the child, considering that one is still a minor while the other is 18 years of age.

MS. RUIZ. *Puwede ga pong CICL, iyong executive session, kasi po iyong aking anak, noong sinasabi ng Ate Elvie na sinasaktan siya, at that time po, iyong aking anak is 15 years old po lamang.*

THE CHAIRPERSON. *Okay. There is a manifestation here coming from—manifestation request coming from Mrs. France Garcia Ruiz, the mother of the supposed-to-be child witness, resource person here, the Committee takes cognizance of your request.*

Under our rules, and we are also applying the rules of the Supreme Court, a child witness is defined as any person who, at the time of giving testimony, is below the age of 18 years old. And a child includes one over 18 but is found by the court—we are adopting the rules of the Supreme Court—as unable to fully take care of himself or herself or protect, et cetera, et cetera.

Iyong anak ninyo po ba, ito iyong tinutukoy na naninirahan sa Batangas City?

¹⁴ TSN of the Committee on Justice and Human Rights Hearing on September 19, 2023 pp. 157-159

MS. RUIZ. *Correction po, Your Honor. Si Ate Elvie po, hindi po namin pinagtrabaho sa Batangas.*

THE CHAIRPERSON. *Hindi po, pero nandoon pa ho sa—bahay ninyo po—bahay po ng anak ninyo iyon?*

MS. RUIZ. *Apartment po iyon.*

THE CHAIRPERSON. *Yes, apartment ng anak ninyo na gusto ninyong protektahan ngayon at gusto ninyong magkaroon ng executive session dahil kayo iyong magulang, ayaw ninyong mapahamak iyong anak ninyo.*

The Committee is taking cognizance of your request, and the Committee is aware of the doctrine of the best interest of the child. Kaya nga sinasabi namin, at ito ay sinangayonan ng Department of Justice, iyong pangangalaga—paglipat doon sa anak ninyo, kasi pagagalingin— ay nandoon pa rin iyong abuse; continuing iyong abuse, mula Mindoro hanggang Batangas. Kung hindi siya natukoy ng social media ay palagay zko nandoon pa rin siya sa anak ninyo. Hindi naman siya—kayo pa rin ang nagpapasuweldo, iyong anak ninyo ay nasa ilalim pa rin ng inyong supervision, hindi ba ho?

So, hindi ninyo puwedeng paghiwalayin iyon na iyong nangyari sa Mindoro at nangyari sa Batangas ay magkaiba. Iisa po iyon, dire-diretso po iyon. So, iyong hiling ninyo ngayon ay magkaroon ng executive session para sa inyong anak.

MS. RUIZ. *Yes po, Your Honor.*

THE CHAIRPERSON. *Are there objections on the part of the members of the Committee?*

SEN. DELA ROSA. *Mr. Chair, is the daughter or son of...*

THE CHAIRPERSON. *[off-mike] Daughter, daughter.*

SEN. DELAROSA. *...the daughter of the Ruiz couple still a minor as we speak?*

THE CHAIRPERSON. *Disiotso po pero the Committee, as I have said, is aware of several court decisions na baka maapektuhan itong bata at mangailangan ng tamang supervision. So, the best interest of the child shall be the paramount consideration in all actions undertaken by this Committee, kahit disiotso na pataas.*¹⁵

21. It must be noted that, in the interest of fairness, the Committee Chairman even gave the Spouses Ruiz the opportunity to submit their consolidated memorandum to “ventilate their legal points as raised in the hearings”¹⁶.
22. However, their lawyer did not use such an opportunity extended by the Committee and even responded through an Omnibus Manifestation/Compliance dated 26 September 2023 signed by Atty. Zarina Christine Grabillo Lee for the law firm Ammogao Arugay & Co that “Spouses Ruiz opted not to submit any Memorandum relative to the matter under legislative inquiry.”
23. As for the defense of the Barangay Chairman, Mr. Patal maintained that he did not neglect Elvie nor called her employer. He also denied any relationship with the spouses Ruiz. However, it can be seen in the exchanges with the members of the committee, that, indeed there were lapses on his part in providing the necessary assistance to Elvie:

THE CHAIRPERSON. *Kapitan, wala daw paglilinis?*

MR. PATAL. *Mr. Chair, paano nga po siya malilinis po? Kauupo lang naman po niya, na sinasabihan ko pa lang po iyong aming barangay tanod na babae, dumating na nga po si Mr. Ruiz.*

¹⁵ TSN of the Committee on Justice and Human Rights Hearing on September 19, 2023 pp. 123-125

¹⁶ TSN of the Committee on Justice and Human Rights Hearing on September 25, 2023 pp. 136

THE CHAIRPERSON. Tinawagan mo raw?

MR. PATAL. Hindi po. Wala po akong pangyayaring tumawag po, Nanay Elvie.

SEN. ESTRADA. Papaano nalaman ni Mr. Ruiz na nandoon si Aling Elvie sa barangay hall?

MR. PATAL. Sinusundan na daw po iyon pala noong kanyang amo at nakatakas nga daw po.

SEN. ESTRADA. Paano nga malalaman ni Ruiz—iyong pamilya Ruiz na nasa barangay hall, puwede naman siya iba ang pinuntahan?

MR. PATAL. Sinusundan na daw po iyan noong amo niya kaya—

SEN. TULFO. Ilang minuto, noong pagdating ni Ma'am Elvie at saka pagdating ng amo, ilang minuto ang pagitan?

MR. PATAL. Siguro po, wala pa pong tatlong minuto, sir.

SEN. TULFO. O, so, ibig sabihin, hindi sinusundan. May tumawag. At saka isa pa, of all places sa barangay, bakit sa barangay hall pa siya pupunta? Puwede naman siyang pumunta sa ibang tindahan, puwede siyang pumunta sa kanto, kung saan-saan pang puwedeng tambayan niya, o sa paradahan ng tricycle kasi tumakas nga, hindi ba?

Bakit hindi pumunta sa paradahan ng tricycle, paradahan ng dyip? Bakit sa barangay hall pumunta? Kasi tinawagan mo. Ungas ka talaga.

MR. PATAL. Hindi ko po iyon tinawagan, iyon Senator. Kahit po—

SEN. TULFO. Hindi nga. 'Di ba logic lang ito, logic lang. Ang isang kasambahay na tumakas, hindi usually pupunta sa barangay hall. Okay. Ang iisipin ng mga amo na tumakas ang kasambahay, pupunta iyan sa sakayan ng tricycle, sakayan ng habal-habal, sakayan ng dyip, o bus. Doon pupunta. Doon dapat unang pinuntahan. Hindi.

Agad-agad, pumunta sa barangay kasi may tumawag at ikaw iyon.

MR. PATAL. *Hindi po ako ang tumawag, Mr. Senator.*

THE CHAIRPERSON. *Kapitan, pagkatapos noong pagkakaharap ninyo na iniuwi uli si Aling Elvie sa kanyang amo, nagkaroon ka ba ng pagkakataong mag-follow up, pasyal doon kina Mr. Ruiz, "O, kumusta na iyong nagpunta sa atin? Ano ang kalagayan na niya? Ako, bilang kapitan dito, ako iyong ama ng barangay, gusto kong malaman ang katatayuan noong ma-amos na nagpunta sa atin sa barangay? Ginawa mo iyon?"*

MR. PATAL. *Ang alam ko nga po kasi, maganda naman po iyong dating ni Jerry Ruiz, hindi naman po bastos.*

THE CHAIRPERSON. *Pero ma-amos kamo eh.*

THE CHAIRPERSON. *Pero hindi ka na nag-follow up na bilang ama ng barangay, "Kumusta iyong nagpunta sa amin na—Manong Jerry, nabihisan na ba iyan? Ano bang kalagayan niyan? Nakikita ko, parang bulag na." Walang ganoon?"*

MR. PATAL. *Iyon po ang hindi namin na-follow up. Kasi nga po, ang paalam niya sa amin talaga, na ihahatid na sa pamilya. Ang sabi pa po niya, sa Concepcion niya ihahatid, iyong sinasabi po ni Nanay Elvie.*

THE CHAIRPERSON. *Ihahatid ni Jerry sa pamilya?*

MR. PATAL. *Opo. At ang—*

THE CHAIRPERSON. *So, hindi ka nag-follow up, "Jerry, naihatid mo na ba?"*

MR. PATAL. *Iyon po ang hindi na po. Iyon po ang—*

THE CHAIRPERSON. *May barangay patrol tayo, 'di ba?*

MR. PATAL. *Wala po kaming barangay patrol, lakad lang po kami at saka sarillng motor lang po.*

THE CHAIRPERSON. *So, wala nang pagpa-follow up*

kung naka- uwi o hindi? Nagtaka na lang kayo, magkakaharap ngayon dito, "Nandoon ka pa pala."

MR. PATAL. *Iyon po ang katotohanan, Mr. Chair. Talaga pong ang alam namin, nakauwi na iyan. Kaya po—wala naman pong¹⁷*

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SEN. TULFO. *Ano ang reason bakit siya pumunta sa barangay? There should be a reason bakit iyong isang tao pupunta sa barangay. Ikaw, alam mo naman ang dahilan kung bakit ang isang tao pupunta sa barangay, hindi ba? Give me a reason. Okay. Magsalita ka. Ano ang dahilan bakit—kunwari ikaw, ako si chairman, bakit ka pupunta sa barangay?*

MR. PATAL. *Ang ano ko nga po—*

SEN. TULFO. *Hindi, pakisagot lang. Bakit ka pupunta sa barangay? Kung ako si Chairman tapos ikaw iyong kabarangay ko.*

MR. PATAL. *Alam ko po may kailangan po. Pero po hindi—*

SEN. TULFO. *Exactly. Kaya ka pupunta sa barangay dahil mayroon kang kailangan, mayroon kang isusumbong. Therefore, tama itong sinasabi ni Ma'am Elvie kaya siya pumunta sa barangay dahil mayroon siyang kailangan at iyong kailangan na iyon ay tulong mo.*

MR. PATAL. *Sir, hindi naman po talaga ganoon ang totoong nangyari. Iyon po talaga iyong nangyari.*

SEN. TULFO. *No, kasasabi mo lang sa akin, pupunta ka sa barangay—Kung ikaw si ordinary citizen at ako si chairman, pupunta ka sa barangay—galing na sa bibig mo na pupunta ka sa barangay—ang isang tao pupunta sa barangay dahil may kailangan siya. Kaya lang hindi mo*

¹⁷ TSN of the Committee on Justice and Human Rights Hearing on August 22, 2023 pp. 42-45

inasikaso iyong pangangailangan niya. So, hindi mo siya pinagsilbihan.

MR. PATAL. *Inasikaso ko po, sir. Ang una ko nga pong hakbang pinalilinisahan ko po dahil po panahon ng pandemic.*

SEN. TULFO. *Kaya nga, matapos mo siyang palinisan sana pinadoktor mo. Sana tinawagan mo iyong DSWD; tinawagan mo iyong CHR; tinawagan mo iyong PNP.*

MR. PATAL. *Ayun po naman, sir, ay inasikaso po namin. Hindi pa nga po siya nakakapagsalita, dumating na po iyong kanyang amo at sinabi po niya na sinusundan niya at nakaalis po sa kanilang tindahan.*

SEN. TULFO. *'Di mas lalo noong dumating ang kanyang amo, mas lalo ka dapat magtaka. Sana sinabi mo "Sandali lang." Hindi mo ba sila pinag-usap?*

MR. PATAL. *Wala naman pong naging reaksiyon si Nanay Elvie. Sumama po naman siya ng kusa sa amo niya, eh.¹⁸*

24. Mr. Patal claimed that they never received any report or complaint regarding the alleged maltreatment of the spouses Ruiz on Elvie.

25. As to the allegations against PEMS Liza Palabay, she denied any participation with regards to the case and even said that she was surprised when she heard her name in the news. She also maintained that she is not in any way connected with the spouses Ruiz.

MS. PALABAY. *Iyon po, sir, Your Honor, bale po nalaman ko lang na kinasuhan po ako through doon po sa news.*

THE CHAIRPERSON. *Bakit po? May kinampihan kayo? Kamag- anak ninyo daw iyong Ruiz, ganoon ba?*

¹⁸ TSN of the Committee on Justice and Human Rights Hearing on August 22, 2023 pp. 28-34

MS. PALABAY. *Hindi ko po kamag-anak si Mr. Jerry Ruiz and Mrs. France Ruiz, Your Honor.*

THE CHAIRPERSON. *Kaano-ano ninyo po, kumare?*

MS. PALABAY. *Hindi rin, sir.*

SEN. TULFO. *Hindi nga po, pero bakit ka nga kinasuhan? Hindi mo alam kung bakit ka kinasuhan? Siyempre nakalagay doon sa complaint sheet kung bakit ka kinasuhan?*

MS. PALABAY. *Iyon nga po, sir, iyong nakita ko sa news at nabasa po noong una sa social media na allegedly "Police Officer Liza." Walang buong pangalan ko po, Your Honor.*

SEN. TULFO. *Ma'am Liza, tama?*

MS. PALABAY. *Yes po.*

SEN. TULFO. *Sabi dito, "Dinuro-duro niya ako, tinaasan pa niya ako ng boses. Sabi niya kapag inulit ko pa iyan dadamputin talaga kita. Sabi sa akin ng matabang babae na si Ma'am Liza." And it fits the description.*

MS. PALABAY. *Your Honor, hindi ko po siya nakakausap. Bale nakita ko lang po si Elvie noong before pandemic po na nag-conduct po kami ng mobile patrolling. Sakto po iyong sa tindahan po ni Mr. Ruiz ay may gasolinahan po, Your Honor. Noong nagpapagasolina po kami ng mobile, bumaba po ako ng mobile para bumili po ng prutas. Ngayon, sabi po ni Mrs. France, kiluhan ng prutas po, bumibili po ako ng ubas. Ngayon po bigyan po ng isang kilo si Ma'am Liza. Sinabi po doon sa mga tindera. Ngayon po, pagbayad ko po, dahil tapos na po kaming maggasolina ng mobile, sumakay na po ako. Doon ko po nakita si Elvie na nakaupo po doon sa may tabi ng freezer.*

SEN. TULFO. *Okay. So, bakit siya mag-aakusa sa iyo nito na nanduro ka sa kaniya, nanakot kung hindi naman pala totoo? Ano po ang motibo sa palagay mo?*

MS. PALABAY. *Hindi ko po alam, Your Honor. Kung siya po ay tinakot ko doon sa tindahan, iyon po ay palengke.*

THE CHAIRPERSON. *Police Officer Liza, totoo ba iyon na nagtaas ka ng—kinonfront (confront) mo?*

MS. PALABAY. *Hindi po, sir. Hindi po ako nakakarating, sir, doon sa mismong pintuan noong bahay ni France. Doon lang po ako nakakarating, sir, doon sa pinakalamesa na kung saan doon ako nagbabayad.*

Ako po, pag bumibili ng produkto ng tindahan ng Ruiz, pinakamatagal ko na po, Your Honor, is three minutes. Minsan nga po, iyong motor ko ay hindi ko na pinapatay. Kasi pagbili ko po, Your Honor, nagmamadali po akong umalis dahil du-duty pa po ako at papasok iyong mga anak ko. Iyon po ay mapapatunayan ng mga tindera at tindero doon po. Kasi ang nami-meet ko lang po doon sa palengke, doon sa tindahan ng Ruiz, iyong mga tindera at tindero lang po ni Mr. Ruiz. Pero si Elvie, hindi ko po siya nakikita, kasi nga siya ay kasambahay, nasa likod lang po siya.

SEN. ESTRADA. *So, ano ang tingin mong rason bakit siya gagawa ng istorya?*

MS. PALABAY. *Iyon nga po, Your Honor, hindi ko po alam.*

SEN. ESTRADA. *Imposible naman magsinungaling ito at gumawa ng istorya laban sa iyo. Ano ang makukuha niya?*

MS. PALABAY. *Kasi po sa Mamburao, Occidental Mindoro, Your Honor, kilala po ako doon na pulis po. Twenty-one years na po akong assigned. Ngayon po—*

SEN. ESTRADA. *Regardless. That is irrelevant. Ngayon?*

MS. PALABAY. *Hindi ko po malaman ang dahilan, Your Honor.*¹⁹

V. ISSUES

A. *Whether or not Ms. Vergara was abused by her employers.*

B. *Whether or not the current form of Republic Act No. 10361 or the Batas Kasambahay Law is enough to afford protection to our kasambahays against abusive employers and give justice to Ms. Elvie Vergara.*

VI. FINDINGS

A. *Based on the pieces of evidence presented before the Committee, there is substantial evidence to prove that Ms. Vergara was abused and maltreated by Mrs. Ruiz*

26. It is axiomatic that under the Rules on Evidence a party who alleges a fact has the burden of proving it. A mere allegation is not evidence, and he who alleges has the burden of proving his allegation with the requisite quantum of evidence.²⁰

¹⁹ TSN of the Committee on Justice and Human Rights Hearing on August 22, 2023 pp. 86-93

²⁰ *Spouses Ramos v Obispo*, G.R. No. 193804, February 27, 2013

27. Sec. 1, Rule 131 of the 2019 Amendments of the Revised Rules on Evidence (A.M. No. 19-08-15, May 1, 2020) provides for the rules on burden of proof and evidence. It states that:

"Sec. 1. Burden of proof. - Burden of proof is the duty of a party to present evidence on the facts in issue necessary to establish his or her claim or defense by the amount of evidence required by law. Burden of proof never shifts"
Burden of evidence is the duty of a party to present evidence sufficient to establish or rebut a fact in issue to establish a prima facie case. Burden of evidence may shift from one party to the other in the course of the proceedings, depending on the exigencies of the case.

28. The Rules of Procedure Governing Inquiries in Aid of Legislation of the Senate also states that:

Sec. 10. Rule of Evidence. Technical rules of evidence applicable to judicial proceedings which do not affect substantive rights need not be observed by the Committee.

29. The Committee notes that cases for violation of the crime of Serious Illegal Detention under Article 267 of the Revised Penal Code as amended by RA 7659; violation of RA 9208 of the Trafficking of Persons Act; Serious Physical Injuries under Article 263 of the Revised Penal Code; and violation of RA 10361 or the Batas Kasambahay Law were filed against France Garcia Ruiz, Pablo "Jerry" Ruiz, Danica Jerlyn Garcia Ruiz, and 111, together with Police Master Sergeant (PEMS) Maria Eliza "Liza" Palabay²¹, and Brgy. Chairman Jimmy Patal and that they are now pending with the main office of the National Prosecution Service

²¹<https://news.abs-cbn.com/video/news/08/09/23/pulis-idinadawit-sa-kaso-ng-pagmamaltrato-ng-kasambahay>

(NPS) after being transferred from the Office of the City Prosecutor of Batangas City.

30. The Committee is also aware of the ruling of the Supreme Court that [a] legislative investigation in aid of legislation and court proceedings has different purposes. On one hand, courts conduct hearings or like adjudicative procedures to settle, through the application of a law, actual controversies arising between adverse litigants and involving demandable rights. On the other hand, **inquiries in aid of legislation are, inter alia, undertaken as tools to enable the legislative body to gather information and, thus, legislate wisely and effectively; and to determine whether there is a need to improve existing laws or enact new or remedial legislation, albeit the inquiry need not result in any potential legislation. On-going judicial proceedings do not preclude congressional hearings in aid of legislation. *Standard Chartered Bank (Philippine Branch) v. Senate Committee on Banks, Financial Institutions and Currencies (Standard Chartered Bank)* provides the following reason: [T]he mere filing of a criminal or an administrative complaint before a court or quasi-judicial body should not automatically bar the conduct of legislative investigation. Otherwise, it would be extremely easy to subvert any intended inquiry by Congress through the convenient ploy of instituting a criminal or an administrative complaint. Surely, the exercise of sovereign legislative authority, of which the power of legislative inquiry is an essential component, cannot be made subordinate to a criminal or administrative investigation.²²**

31. Nothing however prevents the Committee from determining the truthfulness of the allegations and recommending the filing of charges when appropriate and necessary.

²² Romero vs Estrada, G.R. No. 174105. April 02, 2009

32. With the foregoing rules in mind, the Committee firmly believes that Ms. Vergara with the corroborating testimonies of other witnesses including the results of the lie detector test has substantially proven her allegations against the Ruiz couple as seen in the discussion below:

Ms. Vergara testimony

33. Elvie's testimony and her material allegations are credible and have been sufficiently corroborated in its material points. Quoting *People vs Sapigao*, the Court said:

"It is well settled that the evaluation of the credibility of witnesses and their testimonies is a matter best undertaken by the trial court because of its unique opportunity to observe the witnesses firsthand and to note their demeanor, conduct, and attitude under grilling examination. These are important in determining the truthfulness of witnesses and in unearthing the truth, especially in the face of conflicting testimonies. For, indeed, the emphasis, gesture, and inflection of the voice are potent aids in ascertaining the witness' credibility, and the trial court has the opportunity and can take advantage of these aids."²³

34. No evidence has been presented or gathered during the committee hearings to indicate that Elvie had any motive to fabricate evidence or give false testimony; her statements cannot therefore be characterized as biased testimony given her consistency in answering all questions without seeking any assistance from her legal counsel. The Court, in the case of *Malcampo- Repollo vs People*²⁴,

²³ G.R. No. 178485, September 4, 2009, 598 SCRA 416, 425-426, cited in *People v. Dion*, id. at 133-134.

²⁴ G. R. No. 246017, November 25, 2020

defined a biased testimony as given by a witness whose relation "to the cause or to the parties is such that [they have] an incentive to exaggerate or give false color to [their] statements, or to suppress or to pervert the truth, or to state what is false."²⁵

As to the Defenses presented

35. The defenses presented by the Spouses Ruiz were not supported by concrete evidence, and their accusations were apparently self-serving and not credible. The allegation of theft was neither supported by any police blotter nor was any complaint filed in their barangay. Only the bare testimonies from the spouses Ruiz were given to support their accusations against Elvie.

36. With regards to the allegation of Elvie putting inedible things on their food, no proof was presented. In fact, despite the said peculiar actions, the spouses Ruiz still kept Elvie in their custody and they even transferred her to the apartment of their 18-year-old daughter. Such action is contrary to human nature and logic - to have your precious child exposed to, or in close proximity to, someone who may be suspected of suffering from mental disorder.

37. **Aside from physical abuse, Elvie was also a victim of non-payment of the social benefits as mandated by the Batas Kasambahay Law.** The responses given by Mrs. Ruiz in her exchange with Senator Raffy Tulfo, i.e.:

SEN. TULFO. ... Now, bakit wala siyang SSS, PhilHealth, Pag- IBIG? At batas iyan. Nasa batas natin iyan. Bakit? Sige, lumapit ka pa. Pabulong ka sa lawyer mo.

MS. RUIZ. Your Honor, iyong mga SS nila na kulang ay may naisampa na po sa amin sa DOLE.

²⁵ *People v. Ulgasan*, 390 Phil. 763, 778 (2000) [Per J. Puno, First Division] citing *People vs. Dones*, 325 Phil. 173 (1996) [Per J. Kapunan, First Division].

SEN. TULFO. *Ano po?*

MS. RUIZ. *Iyong mga SS po nila at saka iyong sinasabi ninyo po na kakulangan na mga benepisyo nila ay may naisampa na sa amin sa DOLE.*

SEN. TULFO. *No, no, no. Bakit hindi mo sila kinuha ng SSS, PhilHealth, Pag-IBIG? Bakit wala sila?*

MS. RUIZ. *Kasi, Your Honor, noong start niya, seven-five; sunod na buwan po agad, mataas agad ang sahod niya, 9,000; hanggang ngayon po, 10,000 na po siya, Your Honor.*

SEN. TULFO. *No. It doesn't matter kahit na isang daang libo ang isahod mo sa kanila, again, nasa batas natin, kailangan may benefits na SSS, PhilHealth, Pag-IBIG ang lahat ng manggagawa, regardless kung magkanong suweldo ang napag-usapan ninyo.*

MS. RUIZ. *Your Honor, kung ano po iyong kulang namin ay nasa DOLE na po iyong aming ano, may ano na po—*

SEN. TULFO. *No. Pakisagot lang. Bakit hindi mo kinunan ng SSS, PhilHealth, Pag-IBIG si Patrick na inaamin mong empleyado mo, na kinon-firm (confirm) niya, "yes, totoo, empleyado ako." So, bakit hindi mo kinunan ng benepisyo, na nasa batas natin iyon? Pakisagot lang.*

Lawyer, bulungan mo pa nang maayos, kulang pa iyong bulong mo. Bulungan mo, kulang iyong bulong mo sa kanya.

Hindi. Pakisagot lang. So, nag-violate ka ng batas by not giving Patrick the benefits—na sinasabi sa batas natin, nakasaad sa batas natin, ang SSS, PhilHealth, Pag-IBIG. Mayroon kang violation, lumabag ka sa batas natin, sa labor law natin.

MS. RUIZ. *Your Honor, iyong kung anuman po iyong pagkukulang namin ay sasagutin naman po namin kasi may kaso naman na sa DOLE.*

SEN. TULFO. *So, ibig sabihin, inaamin mo na lumabag ka sa batas, sa labor law natin? At mayroon ng kaso sa DOLE? Anong ibig sabihing may kaso sa DOLE? Nagdemanda sila sa iyo? Nagreklamo sa DOLE?*

MS. RUIZ. *Iyong kakulangan po namin sa—*

SEN. TULFO. *Hindi. Nagreklamo sila sa DOLE? Tatawagan ko ang DOLE dahil kapag nagsinungaling ka ulit, ipakukulong na kita. Hindi na sa ibaba, kung hindi sa City Jail na, sa maniwala ka sa hindi.*

MS. RUIZ. *May notice of conference na po kami sa DOLE.*

SEN. TULFO. *No, no. Hindi ba, nag-violate ka?*

MS. RUIZ. *Opo.*

SEN. TULFO. *Okay. So, dahil diyan sa violation na iyan, ano iyong natanggap mo mula sa DOLE? Ikaw ba ay pinuntahan ng DOLE o nagreklamo ba sila sa DOLE kaya nakatanggap ka ng notice sa DOLE? Hindi. Siya po dapat magsagot.*

SEN. TULFO. *Ma'am Satumba—Director, mayroon po siyang natanggap daw na notice for violation yata from Labor. Ano ang nag-trigger po noon, bakit ho siya nakatanggap?*

MS. SATUMBA. *Thank you po, Mr. Chair, Your Honor. Noong malaman po namin iyong kuwento ni Ma'am Elvie, nag- motu proprio po ng Inspection ang DOLE MIMAROPA, ang field office namin, noong August 11 at pinag-submit po ng mga proof of compliance iyong ating mga employers. **Kasi base sa findings ay, iyon nga po,***

wala silang records doon sa tindahan, hindi nagbibigay ng SSS, Pag-IBIG, at PhilHealth sa worker, 13th Month Pay, lahat po ng mga benefits.

Naka- schedule po ito, Your Honor, ng dalawang mandatory conference bago mag-issue ng compliance order ang DOLE. September 12 po, hindi sila sumipot, wala pong—at September 19 po ang pangalawang conference. Pagkatapos po ng dalawang conference na iyon po ay mag-i-issue na ng compliance order.

SEN. TULFO. *Okay. So, **in short, lahat ng empleyado nila ay walang benefits at sinadya nila na hindi bigyan ng benefits.** Nalaman ninyo na lamang na wala palang benefits ay dahil noong nagkaroon ng hearing?*²⁶

were clear admissions of her failure to abide by the specific provisions of the RA 10361, to wit:

SEC 25. Payment of Wages. – *Payment of wages shall be made on time directly to the domestic worker to whom they are due in cash at least once a month. The employer, unless allowed by the domestic worker through a written consent, shall make no deductions from the wages other than that which is mandated by law. No employer shall pay the wages of a domestic worker by means of promissory notes, vouchers, coupons, tokens, tickets, chits, or any object other than the cash wage as provided for under this Act.*

²⁶ TSN of the Committee on Justice and Human Rights Hearing on September 25, 2023 pp. 120-123

The domestic worker is entitled to a thirteenth month pay as provided for by law.

SEC 28. Prohibition Against Withholding of Wages.

– It shall be unlawful for an employer, directly or indirectly, to withhold the wages of the domestic worker. If the domestic worker leaves without any justifiable reason, any unpaid salary for a period not exceeding fifteen (15) days shall be forfeited. Likewise, the employer shall not induce the domestic worker to give up any part of the wages by force, stealth, intimidation, threat or by any other means whatsoever.

SEC. 30. Social and Other Benefits. – *A domestic worker who has rendered at least one (1) month of service shall be covered by the Social Security System (SSS), the Philippine Health Insurance Corporation (PhilHealth), and the Home Development Mutual Fund or Pag-IBIG, and shall be entitled to all the benefits in accordance with the pertinent provisions provided by law.*

Premium payments or contributions shall be shouldered by the employer. However, if the domestic worker is receiving a wage of Five thousand pesos (P5,000.00) and above per month, the domestic worker shall pay the proportionate share in the premium payments or contributions, as provided by law.

The domestic worker shall be entitled to all other benefits under existing laws.

38. With regard to non-payment of wages, the Supreme Court ruled in ***Asentista, VS. JUPP & Company, Inc., G.R. No. 229404. January 24, 2018*** that:

"It is a settled labor doctrine that in cases involving non-payment of monetary claims of employees, the employer has the burden of proving that the employees did receive their wages and benefits and that the same were paid in accordance with law. As elucidated in De Guzman v. NLRC, et al.:

It is settled that once the employee has set out with particularity in his complaint, position paper, affidavits and other documents the labor standard benefits he is entitled to, and which he alleged that the employer failed to pay him, it becomes the employer's burden to prove that it has paid these money claims. One who pleads payment has the burden of proving it, and even where the employees must allege non-payment, the general rule is that the burden rests on the defendant to prove payment, rather than on the plaintiff to prove non-payment.

The rule finds merit in view of the fact that the accessibility over the employment records, pertinent personnel files, payrolls, remittances, and other similar documents which will show that overtime, differentials, service incentive leave, and other claims have been paid to the employee is exclusively within the custody and absolute control of the employer. Otherwise, the feasibility of proving non-payment of monetary claims or benefits will hardly result to fruition."

In the matter at hand, the Spouses Ruiz failed to provide evidence to prove payment of the wages of Ms. Elvie as they merely presented a "listahan" of alleged debts of the latter. The Committee even afforded them the opportunity

to ventilate their arguments through a memorandum but this was waived by the couple.

As to the allegations of not providing the benefits mandated by law, i.e., SSS, PhilHealth and Pag-Ibig, the testimony of the representative of DOLE is corroborative of non-payment:

MS. SATUMBA. *Thank you po, Mr. Chair, Your Honor. Noong malaman po namin iyong kuwento ni Ma'am Elvie, nag-motu proprio po ng inspection ang DOLE MIMAROPA, ang field office namin, noong August 11 at pinag-submit po ng mga proof of compliance iyong ating mga employers. Kasi base sa findings ay, iyon nga po, wala silang records doon sa tindahan, hindi nagbibigay ng SSS, Pag-IBIG, at PhilHealth sa worker, 13th Month Pay, lahat po ng mga benefits. Naka- schedule po ito, Your Honor, ng dalawang mandatory conference bago mag-issue ng compliance order ang DOLE. September 12 po, hindi sila sumipot, wala pong-at September 19 po ang pangalawang conference. Pagkatapos po ng dalawang conference na iyon po ay mag-i-issue na ng compliance order.²⁷*

39. In addition, the spouses Ruiz also violated certain Civil Code provisions, particularly Articles 1689, 1690, and 1695:

Art. 1689. *Household service shall always be reasonably compensated. Any stipulation that household service is without compensation shall be void. Such compensation shall be in addition to the house helper's lodging, food, and medical attendance.*

²⁷ TSN of the Committee on Justice and Human Rights Hearing on September 25, 2023 pp. 120-122

Art. 1690. *The head of the family shall furnish, free of charge, to the house helper, suitable and sanitary quarters as well as adequate food and medical attendance.*

Art. 1695. *House helper shall not be required to work more than ten hours a day. Every house helper shall be allowed four days' vacation each month, with pay.*

40. It is worth noting that aside from RA No. 10361, the payment of kasambahays' social benefits – SSS, Pag-Ibig, and PhilHealth, is mandated under the specific provisions of their respective laws.

41. Under Section 28 (e) and (i) of Republic Act No. 11199 or the Social Security Act of 2018 provides for the following penalties:

Section 28. Penal Clause. -

(e) Whoever fails or refuses to comply with the provisions of this Act or with the rules and regulations promulgated by the Commission, shall be punished by a fine of not less than Five thousand pesos (₱5,000.00) nor more than Twenty thousand pesos (₱20,000.00), or imprisonment for not less than six (6) years and one (1) day nor more than twelve (12) years, or both, at the discretion of the court: Provided, That where the violation consists in failure or refusal to register employees or himself, in case of the covered self-employed or to deduct contributions from the employees' compensation and remit the same to the SSS, the penalty shall be a fine of not less than Five thousand pesos (₱5,000.00) nor more than Twenty thousand pesos (₱20,000.00) and imprisonment for not less than six (6) years and one (1) day nor more than twelve (12) years.

(i) Criminal action arising from a violation of the provisions of this Act may be commenced by the SSS or the employee concerned either under this Act or in appropriate cases under the Revised Penal Code: Provided, That such criminal action may be filed by the SSS in the city or municipality where the SSS office is located, if the violation was committed within its territorial jurisdiction or in Metro Manila, at the option of the SSS.

42. Section 25 of Republic Act 9679 of the Home Development Mutual Fund of 2009 provides for the following penalties:

Section 25. Penal Provisions. - *Refusal or failure without lawful cause or with fraudulent intent to comply with the provisions of this Act, as well as the implementing rules and regulations adopted by the Board of Trustees, particularly with respect to registration of employees, collection and remittance of employee- savings as well as employer counterparts , or the correct amount due, within the the time set in the implementing rules and regulations or specific call or extension made by the Fund management shall constitute an offense punishable by a fine of not less than, but not more than twice, the amount involved or imprisonment of not more six (6) years, or both such fine and imprisonment, in the discretion of the court, apart from the civil liabilities and/or obligations of the offender to the delinquent.*

43. On other hand, Section 44(c) (1) of RA No. 7875 as amended by RA No. 10606, provides for the following penalties:

Section 44. Penal Provisions. – Any violation of the provisions of this Act, after due notice and hearing, shall suffer the following penalties:

“(c) Violations of an Employer –

“(1) Failure/Refusal to Register/Deduct/Remit the Contributions – Any employer who fails or refuses to register employees, regardless of their employment status, or to deduct contributions from the employee’s compensation or remit the same to the Corporation shall be punished with a fine of not less than Five thousand pesos (P5,000.00) multiplied by the total number of employees of the firm.

“Any employer or any officer authorized to collect contributions under this Act who, after collecting or deducting the monthly contributions from his employee’s compensation, fails to remit the said contributions to the Corporation within thirty (30) days from the date they become due shall be presumed to have misappropriated such contributions.

Co-workers testimonies

44. Throughout the hearings of the Committee on Justice and Human Rights, the parties involved gave conflicting narratives on what really transpired during Ms. Elvie Vergara's employment with her employers – the Ruiz family. Thus, during the third hearing conducted on 19 September 2023, previous co-workers of Elvie were presented to testify on what they knew and saw. The said former co-workers were: Mr. Jay-ar "Dodong" Diminez, Mr. John Patrick Simbaon, and Mr. John Mark Taroma. All three voluntarily submitted and answered the questions propounded by the members of the committee. They said that Elvie can still see with both eyes when they all worked with her. In addition, they stated that they in fact witnessed how Mrs. France Ruiz maltreated Elvie during the course of her employment. In his statements during the hearing, Mr. Diminez affirmed the fact that during the time that he had worked with Ms. Elvie Vergara, the latter still has her vision, and that he personally witnessed the abuses done unto Ms. Vergara by their employer, Mrs. France Ruiz. These were clearly shown in Mr. Diminez' answers to the Committee:

THE CHAIRPERSON. *Iyong dalawang mata nakakakita pa?*

MR. DIMINEZ. *Opo.*

THE CHAIRPERSON. *Tapos noong umalis ka, nakakakita pa siya?*

MR. DIMINEZ. *Kita ko po.*

THE CHAIRPERSON. *Hindi. Mayroon pa siyang paningin, nakakakita pa siya?*

MR. DIMINEZ. *Oo, mayroon pa po, nakakita siya po.*

THE CHAIRPERSON. *Siya?*

MR. DIMINEZ. *Opo.*

THE CHAIRPERSON. *Ilang mata?*

MR. DIMINEZ. *Dalawa po.*

THE CHAIRPERSON. Dalawang mata. Hindi pa siya bulag?

MR. DIMINEZ. Hindi pa bulag na masyado po.

THE CHAIRPERSON. Kanan. Pero noong nandoon ka, mayroon ka bang pagkakataon na nakitang may nanakit kay Elvie Vergara?

MR. DIMINEZ. Opo.

THE CHAIRPERSON. Nakita mo na sinaktan?

MR. DIMINEZ. Opo.

THE CHAIRPERSON. Sino ang nakita mong nanakit?

MR. DIMINEZ. Si Franz po.

THE CHAIRPERSON. Franz?

SEN. ESTRADA. Iyong babae?

MR. DIMINEZ. Opo.

SEN. ESTRADA. Paano nanakit si Aling France, si Ma'am France? Ano ang ginamit niya, nanuntok ba?

MR. DIMINEZ. Opo, nanuntok.

SEN. ESTRADA. Sarili niyang kamao? Ano pa?

MR. DIMINEZ. Suntok.

SEN. ESTRADA. Saan? Anong parte ng katawan?

MR. DIMINEZ. Sa katawan ho, sa mata po.

SEN. ESTRADA. Sa mata?

MR. DIMINEZ. Opo.

THE CHAIRPERSON. Nino? Nino?

MR. DIMINEZ. Franz po.

SEN. ESTRADA. Noong babae?

MR. DIMINEZ. Opo.²⁸

²⁸ TSN of the Committee on Justice and Human Rights Hearing on September 19, 2023 pp. 30-34

45. Mr. JM Taroma, also a former co-worker of Ms. Vergara, recounted the events that had transpired between Ms. Vergara and Mrs. Ruiz. According to him, noticeable wounds and bruises can be seen on Ms. Vergara. He also personally witnessed how Mrs. Ruiz maltreated Ms. Vergara. It is worth noting that Mr. Taroma affirmed the existence of his two conflicting affidavits submitted to this committee. According to him, Mrs. Ruiz asked him to write those untruthful accusations against Ms. Vergara. The following are Mr. Taroma's statements during his exchange with the members of the committee:

MR. TAROMA. *Noong unang kita ko po sa kanya, may mga sugat-sugat po ang katawan.*

SEN. ESTRADA. *So, naabutan mo noong bagong pasok ka, naabutan mo na mayroong mga pasa?*

MR. TAROMA. *Opo.*

SEN. ESTRADA. *Mga sugat sa kanyang katawan?*

MR. TAROMA. *Opo.*

SEN. ESTRADA. *Anong parte ng katawan, sa mukha ba, sa braso ba, sa binti, sa dibdib, sa likod?*

SEN. ESTRADA. *... sa binti, sa dibdib, sa likod?*

MR. TAROMA. *Sa mukha po at saka po sa leeg, at saka sa kamay.*

SEN. ESTRADA. *Sa mukha, pero hindi pa siya bulag noong araw?*

MR. TAROMA. *Hindi pa po.*

SEN. ESTRADA. *Nakakakita pa siya ng dalawa niyang mata?*

MR. TAROMA. *Opo.*

SEN. ESTRADA. *So, noong nagkakilala kayo, hindi kayo nagkuwentuhan bakit siya nagkaroon ng sugat na ganoon o mga pasa na ganoon?*

MR. TAROMA. *Iyon nga po, sabi niya po binubugbog daw po siya.*

SEN. ESTRADA. *JM, iyong huling tanong ko sa iyo, kailan mo nakitang binubog ni Aling Elvie ni Madam Franz?*

MR. TAROMA. *Simula po noong pumasok po ako.*

SEN. ESTRADA. *Gaano kadalas?*

MR. TAROMA. *Minsan po pag gabi.*

SEN. ESTRADA. *Tuwing gabi?*

MR. TAROMA. *Opo.*

SEN. ESTRADA. *Araw—walang nangyayaring araw? Paano mo nakikitang binubugbog ni Madam France si Aling Elvie?*

MR. TAROMA. *Pag ano po, iyong sarado na po kami.*

SEN. ESTRADA. *Sarado na iyong tindahan?*

MR. TAROMA. *Opo.*

SEN. ESTRADA. *Paano mo nakikita, pumapasok ka ba sa bahay?*

MR. TAROMA. *Pumupunta po ako ng kusina pag natutulog na.*

MR. TAROMA. *Kita ko po binubugbog po siya.*

SEN. ESTRADA. *Paano siya binubugbog? Puwede mo bang i- demonstrate? Paano niya binubugbog? Kunwari ikaw si Madam France.*

MR. TAROMA. *Iyong sinisipa-sipa po, tapos sinasapok iyong ulo.*

SEN. ESTRADA. *Saan niya sinasapok ang ulo? Suntok, suntok?*

MR. TAROMA. *Opo, kamao.*

SEN. ESTRADA. *Kamao, walang instrumento, walang ibang instrumento?*

MR. TAROMA. *Wala po.*

SEN. ESTRADA. *Gaano kadalas? Araw-araw, gabi-gabi?*

MR. TAROMA. *Pag gabi po pag minsang mainit po ang ulo.*

SEN. ESTRADA. *Bakit mainit ang ulo niya?*

MR. TAROMA. *Hindi ko po alam eh.*

SEN. ESTRADA. *So, ibig mong sabihin, halos gabi-gabi sinusuntok niya si Manang Elvie, tama po ba ako? Ha?*

MR. TAROMA. *Opo.*

SEN. ESTRADA. *Okay. Mayroon kang unang salaysay. Mayroon kang unang salaysay sa pulis. Itong salaysay na natanggap ko at binasa ko ay pangalawang salaysay mo na ito?*

MR. TAROMA. *Opo.*

SEN. ESTRADA. *Iyong unang salaysay mo, handwritten, sulat kamay mo?*

MR. TAROMA. *Opo.*

SEN. ESTRADA. *Tama po ba?*

MR. TAROMA. *Opo.*

SEN. ESTRADA. *Bakit ka gumawa ng pangalawang salaysay at binabawi mo iyong unang salaysay mo?*

THE CHAIRPERSON. *Magkaiba. Iyong unang salaysay mo kakaiba doon sa pangalawang salaysay mo na iyong pinirmahan sa CIDG, Mindoro, sa pulis, noong September 12. So, bakit magkaiba? Noong una—ang tanong ni Senator Estrada, eh parang ipinagtatanggol mo si Mrs. France Ruiz. Iyong pangalawa, iba na iyong sinasabi mo. Iyong una bang ginawa mo ay may nagturo sa iyo?*

MR. TAROMA. *Mayroon po.*

THE CHAIRPERSON. *Sino?*

MR. TAROMA. *Si Ate France po.*

THE CHAIRPERSON. Pumirma ka?

MR. TAROMA. Opo.

SEN. ESTRADA. Anong inilahad mo sa unang salaysay mo?

MR. TAROMA. Na ilagay ko daw po na si Ate Elvie ay napasok po sa kuwarto ko.

SEN. ESTRADA. Na pumasok si Aling Elvie sa kuwarto mo?

MR. TAROMA. Opo.

SEN. ESTRADA. Tapos?

MR. TAROMA. At saka po iyong naglalagay po ng kalawang sa heater.

SEN. ESTRADA. Ano pa? Mayroon pa raw naglalagay ng buhok, pubic hair sa pagkain, totoo ba? Siya ang nagdikta noon?

MR. TAROMA. Opo, siya po.

SEN. ESTRADA. Totoo bang mayroong inilalagay si Aling Elvie?

MR. TAROMA. Wala po.

SEN. ESTRADA. So, hindi totoo na—doon sa unang salaysay mo na hindi totoo na sinaktan mo o sinapok mo si Elvie sa mata.

MR. TAROMA. Hindi po.

SEN. ESTRADA. Walang katotohanan?

MR. TAROMA. Wala po.²⁹

46. Other personalities were also presented during the 25 September 2023 hearing. They were also former employees of the Spouses Ruiz – Mr. Paolo “Pawpaw” Toling, Ms. Melinda Magno, Jerwell Rebato, and the garbage collector, Richard

²⁹ TSN of the Committee on Justice and Human Rights Hearing on September 19, 2023 pp.56- 68

Rendon Pinto. Their statements corroborated the allegations of abuse and maltreatment committed by the Ruiz couple as well as the gruesome fate suffered by Ms. Vergara.

47. Despite the short 2-week stint as a worker for the Ruiz, Mr. Paolo "Pawpaw" Toling narrated how Ms. Vergara was maltreated by their employer, Mrs. Ruiz. His personal recollection of events was stated in his affidavit as well as in his testimony during the hearing, to wit:

THE CHAIRPERSON. *So, namasukan ka rin sa mag-asawang Ruiz?*

MR. TOLING. *Opo, sir.*

THE CHAIRPERSON. *Bilang—?*

MR. TOLING. *Bilang assistant lang po.*

THE CHAIRPERSON. *Gaano katagal kang nagtrabaho doon?*

MR. TOLING. *Hindi po, sir. Two weeks lang po akong nagtrabaho doon, sir.*

THE CHAIRPERSON. *Ah, two weeks lang. So, nasaksihan mo ba kung papaano minaltrato si Aling Elvie?*

MR. TOLING. *Opo, sir.*

SEN. TULFO. *Was that first time na nakita ninyo, nasaksihan ninyo iyong paghuhugas niya ng bibig or nakausap ninyo siya at sinabi niya na may ginawa sa kanyang hindi tama si Mrs. Ruiz?*

MR. TOLING. *Hindi po, Your Honor. Nakikita—naririnig din po namin, nakikita din po namin na sinasaktan si Ate Elvie at minumura niya din.*

SEN. TULFO. *Mga ilang beses, sa maalala mo?*

MR. TOLING. *Madalas pong masaktan si Ate Elvie kasi po marami daw po siyang ginagawang kasalanan.*

SEN. TULFO. *Pero sa matatandaan mo lang, lima, more than five, six, more than 10?*

MR. TOLING. *Nasa more than five po siya, sir.*

SEN. TULFO. *Okay, si Mrs. Ruiz na more than five na narinig mo lang—hindi mo nakita ng dalawang mata mo—anong klaseng pananakit ang ginawa nitong si Mrs. Ruiz kay Manang Elvie?*

MR. TOLING. *Iyon pong suntukin si Ate Elvie sa braso niya, sikmuraan, iuntog sa may freezer. Iyan po, ganoon ang ginagawa sa kanya.³⁰*

48. Ms. Melinda Magno’s testimony affirmed the veracity of Ms. Vergara’s statement that she, indeed, started working for the Ruiz family in 2017 contrary to what Mrs. Ruiz has repeatedly stated. In addition, Ms. Magno also shared her bad experience with Mrs. Ruiz when the latter struck her hand with the dull-edge of a bolo knife. This incident prompted her to quit and leave her job. She also mentioned that Ms. Vergara’s current condition was extremely different from the first time that she met her. Aside from these recollections, Ms. Magno relayed to the committee that she was also not given her full salary nor any social benefits mandated by the law. Mr. Jerwell Rebato, Ms. Magno’s son also related the verbal abuse that he experienced, being a minor part-time worker, from Mrs. Ruiz. Clearly, the Spouses Ruiz have repetitively violated the provisions of our existing labor laws. The testimonies of Ms. Magno and Mr. Rebato can be seen in the following exchanges with the members of the committee:

THE CHAIRPERSON. *Nakalagay po rito na nakilala mo—kailan mo nakilala si Manang Elvie Vergara?*

³⁰ TSN Committee on Justice Hearing, 25 September 2023, page 88-93

MS. MAGNO. Nakilala ko po iyan noong 2017.

THE CHAIRPERSON. Sa paanong paraan?

MS. MAGNO. Ako po ay namasukan nang May 2, 2017 po.

THE CHAIRPERSON. Kayo po ay namasukan ng—

MS. MAGNO. May 2 po.

THE CHAIRPERSON. May 2, 2017. Natatandaan ninyo pa. Saan po—bilang ano? Saan po kayo namasukan?

MS. MAGNO. Kay France po.

THE CHAIRPERSON. Hindi mo na maalala kung sino ang nauna.

MS. MAGNO. Opo.

THE CHAIRPERSON. Pero nagkasabay kayo. Anong uri ng trabaho ninyo?

MS. MAGNO. Sa tindahan po.

THE CHAIRPERSON. Saang lugar ito? Mamburao?

MS. MAGNO. Mamburao po, sa Barangay sais po.

THE CHAIRPERSON. Bakit po kayo ay aanim na buwan lamang nagtrabaho sa mag-asawang Ruiz?

MS. MAGNO. Kaya po ako umalis noon, gawa po na tinaga iyong kamay ko. Maigi po at—

THE CHAIRPERSON. Papaano po?

MS. MAGNO. Tinaga po iyong kamay ko. Maigi po at likod ng gulok ang pinangtaga niya sa akin.

THE CHAIRPERSON. Tinaga kayo ng gulok?

MS. MAGNO. Opo.

THE CHAIRPERSON. Malakas?

MS. MAGNO. Opo.

THE CHAIRPERSON. Baliktad, likod, ang sabi ninyo.

MS. MAGNO. Opo, binaliktad. Iyong likod po.

THE CHAIRPERSON. *Saan hong parte? Puwede ninyong—?*

MS. MAGNO. *Dalawang—ginayon ko po iyong kamay ko at dinadakot ko iyong basura, tinaga pong gayon ang kamay—*

MS. MAGNO. *Dinadakot ko po iyong basura nang gayon, tapos iyong pagdakot ko pong gayon, tinaga iyong kamay ko.*

THE CHAIRPERSON. *Bakit ho kayo tatagain?*

MS. MAGNO. *Hindi ko po alam. Wala naman po akong kasalanan.³¹*

SEN. ESTRADA. *Sinusuwelduhan ka ba? Kompleto naman ang suweldo mo? Magkano ang usapan ninyo sa suweldo?*

MS. MAGNO. *Four-five po ang sahod ng isang buwan. Ang ginagawa ko po, nagbabale-bale na lang po ako ng kuwan, pang-ano sa bahay.*

SEN. ESTRADA. *Hindi. Kompleto naman ang suweldo ninyo, binabayad niya?*

MS. MAGNO. *Hindi ko na po nakuwan iyon dahil pag-alis ko po noong buwan ng December, hindi na ako nakipagkuwentahan sa kanya.*

SEN. ESTRADA. *Hindi. Noong nag-umpisa kayong magtrabaho noong May 2, 2017 hanggang December, buo ba ang suweldong ibinabayad sa inyo?*

MS. MAGNO. *Wala po.*

SEN. ESTRADA. *Wala—hindi kayo pinapasuweldo?*

³¹ TSN Committee on Justice Hearing, 25 August 2023, pp. 15-16

MS. MAGNO. *Hindi po. Bale-bale lang po hanggang umalis ako.*

THE CHAIRPERSON. *Pero si Manang Elvie noong una mong nakita, anong itsura niya?*

MS. MAGNO. *Ay, maayos po ang katawan niya, mataba po siya noon...*

THE CHAIRPERSON. *Mataba?*

MS. MAGNO. *...na araw-araw po siyang naliligo. Hindi naman po siya nagpapabaya sa sarili niya.*

THE CHAIRPERSON. *Kakaiba sa itsura ng katabi mo ngayon?*

MS. MAGNO. *Ay, iba po noon, makinis po ang balat niya noon, eh.³²*

xxx

SEN. ESTRADA. *Jerwell, ilang taon ka nagtrabaho doon sa mag- asawa?*

MR. REBATO. *Seventeen po.*

SEN. ESTRADA. *Ilang oras ka nagtatrabaho?*

MR. REBATO. *Ano po, umaga.*

SEN. ESTRADA. *Umaga hanggang?*

MR. REBATO. *Gabi.*

SEN. ESTRADA. *So, mula May hanggang December, alas otso ka ng umaga hanggang magsara iyong tindahan. Tama po ba ako?*

MR. REBATO. *Opo.*

SEN. ESTRADA. *O di, mayroon ng violation iyon dahil menor de edad ito at pinagtatrabaho siya nang mahigit na—palagay ko mahigit na dose oras kayong*

³² TSN Committee on Justice Hearing, 25 September 2023, pp. 9-10; 19-20; 27

nagtatrabaho. Anong uri ng trabaho mo roon, tagakarga, taga-ano, tagabuhat? Anong trabaho mo sa tindahan?

MR. REBATO. *Nagatinda po.*

SEN. ESTRADA. *Ah, nagtitinda ka?*

MR. REBATO. *Opo.*

SEN. ESTRADA. *Okay. Pinagagalitan ka rin ba noong mag-asawa o ni Madam France?*

MR. REBATO. *Minsan po.*

SEN. ESTRADA. *Paano? Minumura ka ba?*

MR. REBATO. *Opo.*

SEN. ESTRADA. *Paano ka minumura at bakit ka minumura?*

MR. REBATO. *Hindi ko po alam, eh.*

SEN. ESTRADA. *Minumura ka dahil hindi mo alam kung anong rason? Baka may ginawa ka naman..*

MR. REBATO. *Wala po.³³*

49. Mr. Richard Rendon Pinto, the garbage collector, affirmed his previous statements in a news interview that he saw Ms. Vergara bruised and wounded on two occasions while he was collecting garbage in their area. He shared the photos of what he had seen during that time which served as proof of the state of Ms. Vergara, during her stay in the household of the Spouses Ruiz. This strengthened Ms. Vergara's claim that she suffered physical abuse wayback 2020. His narration of what transpired at that time is depicted in the following exchanges:

MR. PINTO. *Noong una ko po kasi siyang makita, may mga pasa na siya, may mga sugat, mga gasgas.*

THE CHAIRPERSON. *Kailan mo siya nakita, una?*

³³ TSN Committee on Justice Hearing, 25 August 2023, pp. 31-33

MR. PINTO. *September po iyon, September 15 po—18, 18 po yata.*

SEN. ESTRADA. *Anong taon?*

MR. PINTO. *2020 po.*

THE CHAIRPERSON. *So humahakot kayo ng basura, nakita mo si Manang Elvie—nagdadala ng basura o—?*

MR. PINTO. *Opo, naghihila po.*

THE CHAIRPERSON. *So ano ang kakaibang nangyari noong araw na iyon?*

MR. PINTO. *Lagi lang po siyang nakayuko, eh.*

THE CHAIRPERSON. *Ang itsura ba niya, pareho na rin ngayon?*

MR. PINTO. *Hindi po.*

THE CHAIRPERSON. *Ano ang itsura niya noon?*

MR. PINTO. *Noong nakita ko po siya, may mga sugat na rin siya pero hindi pa po siya bulag.*

THE CHAIRPERSON. *Mataba? Maputi? Anong itsura? Kasi kanina, ang sinasabi—*

MR. PINTO. *Medyo madungis po.*

THE CHAIRPERSON. *So anong kakaiba doon? May taga, may sugat? Ganoon ba?*

MR. PINTO. *Iyon pong mga sugat lang, gasgas.*

THE CHAIRPERSON. *Saan?*

MR. PINTO. *Sa katawan po, sa braso. Sa mukha po, medyo may gasgas po siya sa ganito.*

THE CHAIRPERSON. *May dugo o tuyo na?*

MR. PINTO. *Medyo sariwa pa po noong nakita ko.*

THE CHAIRPERSON. *Nakita mo siya sunod na linggo, anong itsura naman niya?*

MR. PINTO. *May bago po siyang mga sugat na medyo may dugo- dugo.*

THE CHAIRPERSON. *Iyong dating sugat, anong nangyari?*

MR. PINTO. *Medyo tuyo na po siya.*

THE CHAIRPERSON. *Hindi ba, iyong sugat ay nagkakaroon ng, ano ito, langib ba ang tawag doon?*

MR. PINTO. *Opo, langib. May mga ganoon.*

THE CHAIRPERSON. *Natutuklap iyon?*

MR. PINTO. *Opo.*

THE CHAIRPERSON. *So, ibang tama naman nito?*

MR. PINTO. *Medyo iba po iyong panibagong sugat niya na nakita ko.*

THE CHAIRPERSON. *Nagtaka ka?*

MR. PINTO. *Doon na po ako nagtaka.*

THE CHAIRPERSON. *Kinausap mo ba siya?*

MR. PINTO. *Opo, tinatanong ko po siya.*

THE CHAIRPERSON. *Ano ang tanong mo?*

MR. PINTO. *Kung binubugbog po siya doon.*

THE CHAIRPERSON. *Anong sagot sa iyo?*

MR. PINTO. *Medyo matagal pa po bago siya sumagot.*

THE CHAIRPERSON. *Pero sumagot?*

MR. PINTO. *Sumagot po.*

THE CHAIRPERSON. *Ano ang sagot sa iyo?*

MR. PINTO. *Binubugbog po siya doon.³⁴*

50. All these seven witnesses voluntarily gave their respective affidavits to the CIDG Region IV-B and submitted themselves to the questioning of the members of the Committee on Justice and Human Rights. Their statements were consistent with that of Ms. Vergara's version of her story, and fully negated that of the Spouses Ruiz's narration.

³⁴ TSN Committee on Justice Hearing, 25 August 2023, pp. 56, 60

NBI findings on the polygraph examinations conducted

51. Throughout the public hearing, the Ruiz spouses maintained their stand that they did not subject to maltreatment and abuse Ms. Elvie and it was JM and Patrick who inflicted physical injuries unto Elvie. Both JM and Patrick vehemently denied the accusations. Due to the conflicting claims of the personalities involved, Senator Tulfo asked that a Polygraph test be conducted on the Spouses Ruiz, JM Taroma, and Patrick Simbaon.

MR. RUIZ. *Your Honor, totoong wala naman kami talaga pong ginagawang masama. Kasi ang sabi rin ng mga ibang kasamahan, sila rin lang po ang nanuntok kay Elvie po.*

SEN. DELA ROSA. *Sinong ibang kasamahan?*

MR. RUIZ. *Sila Patrick po at saka si JM po.*

SEN. DELA ROSA. *Patrick, JM, totoong kayo ang nanuntok kay Elvie?*

MR. SIMBAON. *Hindi po.*

MR. TAROMA. *Hindi po.*

SEN. DELA ROSA. *So, sino ang nagsinungaling ngayon, kayo o sila?*

MR. TAROMA. *Sila po.*

MR. SIMBAON. *Sila po.*

SEN. DELA ROSA. *Sigurado ka?*

MR. TAROMA. *Opo.³⁵*

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SEN. TULFO. *May hamon lang ako dito, Mr. Chair. Mabilis lang.*

SEN. DELA ROSA. *Yes.*

³⁵ TSN Committee on Justice Hearing, 19 September 2023, page 111

SEN. TULFO. *Nandiyan iyong mga abogado mo, hindi ba? Willing ka ba mag-submit sa isang polygraph test—kayong dalawa, kung nagsasabi kayo ng totoo o hindi?*

THE CHAIRPERSON. *Payag ba kayo? Iyong tanong ni Senator Tulfo, payag ba kayong sumailalim sa isang polygraph test? Yes or no lang iyon.*

THE CHAIRPERSON. *For the information of Senator Tulfo, the National Bureau of Investigation, Polygraph Division, is about to arrive. Papunta na po sila at ready na po sa polygraph.*

SEN. TULFO. *Mr. Chair, in the name of fairness, gusto ko ring mag-lie detector test ilan dito sa kanila, and I am choosing JM and then Patrick Simbaon. Kasi sinabi ni Dodong sa kanyang statement na iyong dalawa ay kasama yata sa pananakit, base dito sa salaysay na ito.*

So, kayong dalawa, yes or no lang, willing kayong mag-submit sa isang polygraph test?

THE CHAIRPERSON. *Unahin natin si JM. JM ang ibig sabihin nito, mayroong isang makina na gagamitin, hindi naman masakit iyon, habang tinatanong kayo ng National Bureau of Investigation at malaman kung kayo ay nagsasabi ng totoo. Payag ba kayo?*

MR. TAROMA. *Opo.*

THE CHAIRPERSON. *Let the records reflect that even without the assistance of counsel, John Mark Taroma alias JM, is willing to undergo a polygraph examination.*

THE CHAIRPERSON. *Patrick Simbaon, payag ka ba na...*

MR. SIMBAON. *Payag po ako.*

THE CHAIRPERSON. *...para malaman kung talagang nagsasabi ng totoo?*

MR. SIMBAON. Opo.³⁶

52. In the recent Supreme Court Decision in the case of ***Philippine Savings Bank Vs. Hazel Thea, G.R. 202049, June 15, 2020*** penned by Justice Reyes, the court held that while the results of a polygraph test cannot be offered in evidence to prove the guilt or innocence of an accused in a crime, it does not mean that it has no weight at all. Unlike in criminal cases where the prosecution is required to establish proof beyond reasonable doubt, the burden of proof in labor cases is merely substantial evidence – that amount of relevant evidence which a reasonable mind might accept as adequate to justify a conclusion.

53. Thus, the Chairman emphasized that the results therefore of a polygraph test may be used in conjunction with the other corroborative evidence to prove an allegation made by a party to a case. ***While not inadmissible as evidence in most courts of law as they are unreliable, the polygraph results may be used as other investigative techniques to determine someone's credibility or honesty for that matter.***

54. As explained during the last hearing on 25 September 2023 by the NBI Polygraph examiners, Mr. Fernan and Mr. Betervo, there are four tracing segments in a polygraph test – average tracing, reaction training, relief tracing, and distortion tracing. An honest answer will reflect in the average tracing segment while lies will cause a deviation from the average segment. Thus, as mentioned by Assistant Director Papa of the NBI, they conducted three series of polygraph examinations in order to establish consistency in the results, the results of which are as follow:

³⁶ TSN Committee on Justice Hearing, 19 September 2023, page 117

a. **POLYGRAPH REPORT NO. 2023-046**³⁷

Results and Opinion: PABLO V. RUIZ' Polygrams indicated to the Examiner that **responses indicative of deceptions** occurred at the following relevant questions:

Nakita mo ba o nakaharap ka ba nang sinaktan o minalytrato ni France (Franilyn Ruiz- asawa mo) si Elvie (Elvira Vergara) mula nang siya ay mamasukan o magtrabaho sa inyo noong August 11, 2019?

— Hindi po.

Iyo bang itinatago o pinagtatakpan ang mga ginawang pananakit o pagmaltrato ni France kay Elvie?

— Hindi po

The Subject, Pablo V. Ruiz, when confronted with the results of the Polygraph Test reported herein offered no explanation to satisfactorily explain the indication of deceptions reported above.

b. **POLYGRAPH REPORT NO. 2023-046- C**³⁸

Results and Opinion: FRANILYN G. RUIZ' Polygrams indicated to the Examiner that **responses indicative of deceptions** occurred at the following relevant questions:

Totoo bang lahat ang mga akusasyon o paratang (pananakit/maltreatment) laban sayo ni Ate Elvie (Elvira Vergara)?

— Hindi po.

³⁷ Dated 21 September 2023

³⁸ Dated 21 September 2023

Ikaw ba mismo ang nanakit o nagmaltrato kay Ate Elvie?

— Hindi po

Iyo bang inutusan si Patrick, JM, ang iyong anak at sinuman para saktan o maltratuhin si Ate Elvie?

— Hindi po

c. POLYGRAPH REPORT NO. 2023-046- B³⁹

Results and Opinion: JOHN MARK P. TAROMA's Polygrams revealed that there were **no specific reactions indicative of deception** to pertinent questions relevant to instant investigation. These questions were:

Sigurado at tiyak bang nakita mo si France (Franilyn Ruiz) na sinasaktan o minamaltrato (binubugbog, tinadyakan, o sinipa, pinalo, sinampal, sinuntok, & etc) si Elvie (Elvira Vergara) mula nang mamasukan o magtrabaho ka sa kanila noong 2021?

— Opo

Totoo at sigurado ka ba na halos araw- araw o gabi- gabi ang ginawang pananakit o pagmaltrato ni France kay Elvie?

— Opo

Ikaw ba ang sumuntok sa mata ni Elvie na naging dahilan ng kanyang pagkabalag?

— Hindi po

³⁹ Dated 21 September 2023

d. **POLYGRAPH REPORT NO. 2023-046- A⁴⁰**

Results and Opinion: JOHN PATRICK C. SAMBAJON'S Polygrams revealed that there were **no specific reactions indicative of deception** to pertinent questions relevant to instant investigation. These questions were:

Totoo at sigurado bang nakita mo si Ate France (Franilyn Garcia Ruiz) na sinasaktan (sinisipa, pinapalo, sinampal, at tinatadyakan) si Ate Elvie (Elvira Vergara) mula nang mamasukan o magtrabaho ka sa kanila noong 2019?

— *Opo*

Totoo ba na palagi (araw- araw o gabi- gabi) mong nakikita na sinasaktan ni Ate France si Elvie?

— *Opo*

Iyo bang sinaktan si Ate Elvie sa utos ni Ate France?

— *Hindi po*

Totoo bang lahat ang mga sinabi mo sa salaysay na iyong binigsa CIDG, Occidental Mindoro

— *Opo*

55. In the case of the spouses Ruiz, **their polygraph test results indicative of deceptions** suggest the likelihood that they lied in answering the specific questions thrown at them. While the two witnesses, JM Taroma and Patrick Simbaon, most likely **answered honestly to the pertinent questions relevant to the investigation, since their results indicate no specific reactions indicative of deception.** The NBI findings during the conduct of the lie detector test were clearly established during the last hearing, as stated as follows:

⁴⁰ Dated 21 September 2023

SEN. ESTRADA. *Okay. So, ibig sabihin dito sa resulta mo, Franilyn Ruiz polygraphs indicated to the examiner that responses indicative of deceptions occurred at the following relevant questions, et cetera, et cetera. Napaliwanag mo sa amin, kay Senator Tolentino, ano ibig sabihin ng "indicative of deception." So, ibig mo bang sabihin, nagsisinungaling si Ginang France?*

MR. FERRAN. *Yes, Your Honor.*

SEN. ESTRADA. *Mr. Betervo, ikaw ang nag-ano kay Mr. Ruiz?*

MR. BETERVO. *Yes, Your Honor.*

SEN. ESTRADA. *So, ibig mong sabihin, nagsisinungaling si Mr. Ruiz?*

MR. BETERVO. *Yes po.*

SEN. ESTRADA. *Paano ninyo iyong nasisiguro na talagang nagsisinungaling?*

MR. BETERVO. *During the actual examination kasi, Your Honor, we conducted three series of the polygraph examination upon the subject. Iyon po rin kasi iyong procedure sa paggamit ng computerized polygraph system, dapat po tatlong series. So, after po noong tatlong series na iyon, tiningnan po namin iyong results, consistent po iyong kanyang reaction doon sa tanong na ibinigay ko sa kanya during the actual test.*

SEN. ESTRADA. *Consistent denial?*

MR. BETERVO. *Yes po, consistent po na nagsisinungaling siya doon sa—*

SEN. ESTRADA. *Uh, consistent na nagsisinungaling?*

MR. BETERVO. *Yes po.*

SEN. ESTRADA. *Pero ang sagot ni Pablo—ang tanong mo, "Nakita mo ba o nakaharap ka ba noong nasaktan o minaltrato ni France si Elvie mula nang siya ay namasukan*

o magtrabaho sa inyo noong August 11, 2019?" Ang sagot niya, "Hindi po." Second question, "Iyon bang tinatago, pinagtatakpan mong ginawang pananakit at pagmamaltrato ni France kay Elvie?" Ang sagot niya, "Hindi po." So, paano mo nalaman na nagsisinungaling?

MR. BETERVO. *Base nga po iyon, Your Honor, sa result na na-record po ng computerized polygraph system po namin.*⁴¹

Medical Examination Results

56. Prior to her employment in the Ruiz family, Ms. Vergara had a normal and healthy appearance, at par with her age. However, the long years of repetitive abuse in the hands of her employer took a great toll on her body and well-being. The current physical condition of Ms. Vergara greatly resembles that of an abused individual, showing various traces of physical injuries due to trauma. Aside from the testimonies of the Ms. Vergara's previous co-workers, the results of the medical examinations conducted by several doctors from the Batangas Medical Center (BatMC) and Philippine General Hospital (PGH) revealed the following medical findings:

1. Batangas Medical Center (BatMC) doctors

Impression:

- Facial fractures, as described.
- Leftward deviation of the nasal septum.
- Ruptured left globe with possible intraocular hematoma formation.

⁴¹ TSN Committee on Justice Hearing, 25 September 2023, pp.228-229

- Non-visualized bilateral lens.
- Complete, minimally displaced fractures are seen in the left 7th to 10th posterior ribs
- Left ear: Mild sensory/neural hearing loss

57. In the discussion with Drs. Cabungcal and Oloroso, **they fully explained that the medical findings from their examination of Ms. Vergara were indicative of physical injuries related to trauma. These findings strongly substantiate the allegations made by Ms. Vergara against her employers.** The aforementioned doctors had this discussion with the Committee members:

MR. CABUNGICAL. *So, we requested for a CT scan just to confirm if there are some findings on the bones. Kasi kung matagal na po ito, hindi natin makikita po sa labas.*

SEN. ESTRADA. *And, indeed, there was?*

MR. CABUNGICAL. *Yes, there was.*

SEN. ESTRADA. *That was only due to trauma?*

MR. CABUNGICAL. *Trauma po, opo.*

SEN. ESTRADA. *Ibig sabihin, pinalo o—*

MR. CABUNGICAL. *Puwedeng aksidente rin po, but not necessarily self-inflicted ito.*

THE CHAIRPERSON. *Tanungin ko iyong ophthalmologist. Doktora Oloroso, iyon bang—kagaya nang sinabi ni Dr. Cabungcal, na-deform lang iyong kanyang skull, iyong kanyang bungo, pero iyon ba ay nakakaapekto rin sa nerves sa mata?*

MS. OLOROSO. *Your Honor, yes po, puwede po. Kasi kapag severe po ang fracture, pupuwede pong madamay iyong globe, iyong pinakabilog ng mata. Actually, iyong left eye niya po, Your Honor, phthisis po siya, meaning, nag-shrink siya. Ang cause po niyan, pupuwede pong*

*nagkaroon ng previous injury before, previous trauma, kaya siya nabutas o kaya siya nag-shrink.*⁴²

SEN. ESTRADA. *How can you differentiate or distinguish iyong date at saka iyong ngayon, the present and the past?*

MR. CABUNGCAL. *Ano po siya medyo magkadikit na po.*

THE CHAIRPERSON. *So, pag dati po, may ilang taon na iyon?*

MR. CABUNGCAL. *Depende po. Usually, pag one year, halos— almost normal. Katulad po nito, nag-heal ito nang sarili. So, may mga gap tayong makikita. Kung inayos po ito, naglagay ng bakal, maganda po iyong hitsura noong bungo niya.*

THE CHAIRPERSON. *Iyon ba ho? Sintido ba ang tawag diyan? So, ano ho ang tingin ninyo diyan, hinataw, pinukpok, nauntog, naaksidente?*

MR. CABUNGCAL. *Puwede po lahat iyon.*

THE CHAIRPERSON. *Iyong pinanggalingan na—trauma ang resulta?*

MR. CABUNGCAL. *Trauma po ang cause.*

MR. CABUNGCAL. *So, sa gilid din po, makikita rin po natin na mayroon din siyang old fractures dito. So, ito po iyong dating ipinakita ko kanina. Iyong naka-front. Dito po sa side, mayroon din po siya dito.*

THE CHAIRPERSON. *Medyo nga tabingi kaunti iyong iyong nose bridge. Itong sa kaliwang pisngi, may itinuturo din si Dr. Cabungcal, may arrow dito. Hindi mo naman nakikita. Sa kaliwang pisngi, ano ang ginawa sa iyo?*

⁴² TSN Committee on Justice Hearing, 05 September 2023, pp. 16-18

Medyo lubog nga ang pisngi mo ngayon. Ayan, ayan. Tama, iyang hinahawakan mo.

MS. S. VERGARA. *Iyon pong pag sinusuntok po nila ako.*

THE CHAIRPERSON. *Sa kaliwang pisngi?*

MS. S. VERGARA. *Opo.*

THE CHAIRPERSON. *So, iyong ginagawa sa iyo, pag inuntog ka sa kanang bahagi ng iyong sintido, sinasabayan din ng suntok sa iyong llong at sinusuntok ka rin sa kaliwang pisngi?*

MS. S. VERGARA. *Opo.*

THE CHAIRPERSON. *So, iisang insidente iyan na ginagawa o sabay-sabay o malimit gawin sa iyo?*

MS. S. VERGARA. *Malimit po. Malimit.*

THE CHAIRPERSON. *Bakit, palagay mo, ginagawa sa iyo iyon?*

MS. S. VERGARA. *Iyon pong lagi pong sinasabing—inuulit po iyong sinasabi sa akin na huwag ko na daw—pag ginawa ko daw po iyong—pag ginagawa ko daw po iyong ginagawa kong naglalagay ng mga...*

THE CHAIRPERSON. *Doctor, ito bang mga araw na ipinapakita mo sa bungo ay dulot ng isang insidente o maraming insidente na nagdulot ng deformities ng kanyang nose bridge, ng kanyang sintido, ng kanyang—Kasi, lubog na iyong kaliwang pisngi.*

Ito ba ho ay isang insidente o maraming insidente, sa inyong pagkakaalam bilang isang eksperto sa pagiging doktor.

MR. CABUNGCAL. *Yes po. Pag masyado pong matindi iyong trauma, puwede pong isang beses. Kaya lang, puwede rin po siyang marami.*

2. Philippine General Hospital (PGH) doctors

Impression:

- Right Eye: Intracameral fibrovascular proliferative membranes, probably from chronic neglected inflammation, as well as corneal leukoma with calcific plaque, incomplete posterior vitreous detachment and vitreous membrane with focal retinal traction by ultrasound
- Left Eye: Phthisis bulbi

58. In addition, the Ophthalmologists from the Philippine General Hospital conclusively noted that Ms. Vergara's left eye was hundred percent blind and only had light perception for the right eye. Again, **trauma was raised as a possible cause for such condition.** Sadly, based on their assessment of Ms. Vergara, the return of her vision on the right eye cannot be guaranteed due to the severe damage it sustained. The explanation of Dr. Poblete coincides with that of Dr. Oloroso's assessment, to wit:

MR. POBLETE. *Pasensiya na po sa technical term. Iyong unang bahagi po, iyong intracameral fibrovascular proliferative membrane, ito iyong nabanggit ko po kanina na parang membrane or balok na nandoon ho sa loob ng mata niya na tumatakip po doon sa pupil or doon sa butas ng mata. At iyong naisip ho namin na posibleng dahilan po noon is a chronic neglected inflammation. Ibig sabihin, matagal na hong nangyayari po ito dahil sa matinding pamamaga na hindi po nagawan ng karampatang lunas kaya ho siya nagkaganoon.*

Bukod ho doon, iyong calcific plaque po, iyong parang kaliskis na crystal ng mata, nasa diagnosis din po. At iyong nakita rin po sa ultrasound na parang may bahagi po ng

retina na natuklap at saka ho iyong lente na wala sa tamang posisyon.

Iyong sa kaliwa, iyon po iyong nabanggit ko na lumiit na ho iyong mata, nag-shrink na po, naging kuiontoy na kaya ho ganoon iyong hitsura. Ang tawag ho doon ay phthisis bulbi.

Xxx

SEN. ESTRADA. *Okay, Doc. With the permission of the Chair. All of these are trauma related, am I right?*

MR. POBLETE. *Trauma is one of the many possible causes, Your Honor.*

SEN. ESTRADA. *What are the other possible causes?*

MR. POBLETE. *Other causes can be from infection, from chronic inflammation, from metabolic causes. And trauma is just one of the least possible causes.*

SEN. ESTRADA. *All right. Mayroon pa ba siyang pag-asang makakita if matuloy itong surgery?*

MR. POBLETE. *We have advised the patient regarding guarded prognosis na ibig sabihin po, kahit gawin ho natin po iyong operasyon dahil matindi na ho iyong damage na tinamasa ng kanang mata, wala pong kasiguraduhan regarding the result of the operation. Na kahit operahan ho natin, hindi natin magagarantiya na makakakita ho siya.*

SEN. ESTRADA. *So, how many percent is she blind? One hundred percent, left and right eye?*

MR. POBLETE. *The left eye, sir, is hundred percent blind, no light perception. However, the right po, mayroon pa siyang naaaninag na hand movement, paggalaw ng kamay at kaya niya pa hong masabi kung saan po iyong direksyon ng llaw, pero malabo na ho talaga.*

Contempt Citation

59. In the course of the public hearings conducted, it was noted that spouses Ruiz, specifically Ms. France Ruiz, continued to lie under oath. This is shown by these exchanges, to wit:

THE CHAIRPERSON. *Ano pong gamot iyon? Anong—Si Mrs. France ang tinatanong ko. Anong gamot po ang ibinigay pag sa ilong?*

MS. RUIZ. *Hindi ko po alam, Your Honor, dahil hindi naman totoo iyong sinasabi ng Ate Elvie.*

SEN. DELA ROSA. *Ikaw, sige ka lang sabi hindi totoo. Kitang- kita na nga iyan, nabasag iyong ilong niya, iyong bridge, hindi pa rin iyan totoo? Tingnan mo, nabasag.*

SEN. DELA ROSA. *Alam mo, masyadong—Ma’am, masyadong contradicting iyong—Marami kang contradiction na statements dito, Mrs. France. Sabi mo kanina two days pa lang sa employment niya sa iyo nakita mo na na may sira siya sa ulo. Tapos ngayon sinabi mo kanina na ipinagkatiwala mo, buong tiwala mo ibinigay mo sa kanya. Very contradicting. Alam mo na sira ulo, buang iyong katulong mo, tapos binigyan mo ng buong pagtitiwala?*

SEN. ESTRADA. *Apat na taon pa na ano, nagsilbi.*

SEN. DELA ROSA. *Four years. So masyadong—halata nagsisinungaling ka. Ako, I can tell you frankly, kahit na i-replay natin iyong—Mr. Chair, marami din, may mga pulis dito imbestigador. I-play mo nga iyong kuwan, iyong kanina, iyong interview niya, iyong Tiktok, Mr. Chair, kung puwede.*

THE CHAIRPERSON. *O sige, pipiliin na lang. Isang tanong lang siguro, Mrs. France. Sabi ninyo iyong panununtok, pananakit ay gawa noong mga empleyado ninyo. Ni-report ninyo sa barangay na imbestigahan, o sa pulis kung sinong kasamahan sa bahay ang gumawa kay Aling Elvie?*

MS. RUIZ. *Wala po, Your Honor.*

THE CHAIRPERSON. *Ah, hindi ninyo ni-report?*

MS. RUIZ. *Itong late ko na lang po nalaman, Your Honor, na ganoon nga po ang nangyari, noong nagsumbong na iyong mga kasamahan po rin nila. Noong sinabi rin lang po nila sa akin.*

THE CHAIRPERSON. *Kaya hindi ninyo na na-report sa pulis?*

SEN. DELA ROSA. *Doon pa lang—ako hindi ako polygraph machine. I am not a polygraph machine, I am not claiming to be a master investigator pero iyong sagot mo lang na iyon, klaro na you are groping for words, naghahanap ka kung anong iimbentuhin mong sasabihin mo. Nakikita ko na doon—klarong-klaro iyon. Alam mo, pag imbestigador ka, you are after the verbal and non-verbal messages that is coming out from your subject. Nakikita, verbal at non-verbal, makikita mo. Iyon lang, Mr. Chair. Gusto ko lang ipakita, i-emphasize na talagang may penchant to lie itong ating resource person na nandito ngayon.*

SEN. ESTRADA. *Mr. Chair, huwag na tayong magpaligoy-ligoy pa dahil panay kasinungalingan na itong sinasabi niya. Mr. Chair, since we have heard the testimonies of the resource persons present here today in the name of JM—JM ano ito?*

SEN. ESTRADA. *Taroma, Patrick Simbaon, and alyas Dodong, and there are a lot of witnesses who want to come out and to testify against Ms. France. And those who are willing to testify who want to come out, like, for example, itong si Paopao and the garbage collector, maybe we can summon them in the next hearing, maybe by next week because we are going to have our recess the week after next.*

And this woman, our resource person, Mrs. France has been giving a lot of inconsistent answers coming from me. And I believe that this woman, Ms. France Ruiz, is the mastermind of everything, of maltreating, of inflicting severe injuries, leading to the total blindness of Aling Elvie. Therefore, Mr. Chair, I move that we cite this woman, Mrs. France Garcia Ruiz, in contempt.

SEN. DELA ROSA. *I second the motion, Mr. Chair.*

THE CHAIRPERSON. *There is a motion here coming from Senator Estrada to cite in contempt Mrs. France Garcia Ruiz, duly seconded by Senator Dela Rosa. And under the rules of the Senate, as confirmed by the Supreme Court, in Balag versus Senate G.R. 234608, July 3, 2018, and other relevant Supreme Court decisions, the Committee may, as affirming likewise, the case of Arnault, cite a resource person in contempt. And the Sergeant-at-Arms may be directed by this Committee to detain the said person cited for contempt.*

Due to this, Senator Jinggoy Estrada moved that the spouses be cited in contempt pursuant to Section 18 of the Rules of Procedure Governing Inquiries in Aid of Legislation, which provides that:

*"The Chairman with the concurrence of at least one (1) member of the Committee may punish or cite in contempt any witness before the Committee who disobeys any order of the Committee or refuses to be sworn or to testify or to answer a proper question by the Committee or any of its members, or **testifying, testifies falsely or evasively**, or who unduly refuses to appear or bring before the Committee certain documents and/or object evidence required by the Committee notwithstanding the issuance of the appropriate subpoena therefor. A majority of all the members of the Committee may, however, reverse or modify the aforesaid order of contempt within seven (7) days. A contempt of the Committee shall be deemed a contempt of the Senate. Such witness may be ordered by the Committee to be detained in such place as it may designate under the custody of the Sergeant-at-Arms until he/she agrees to produce the required documents, or to be sworn or to testify, or otherwise purge himself/herself of that contempt."*

60. After a careful evaluation of all the statements as well as pieces of evidence presented and submitted with the Committee on Justice, it is the submission of this Committee that they are sufficient to establish the indubitable fact that Ms. Vergara was abused and subjected to maltreatment while she was in the employ of the Ruiz household and that she was not paid her salaries and other benefits due her in the course of the said employment.

B. The current law needs to be updated in order to strengthen its provisions and thereby afford more

*protection to
Kasambahays.*

HISTORY OF THE BATAS KASAMBAHAY LAW

61. On 16 June 2011, the International Labour Conference adopted the International Labor Organization (ILO) Convention No. 189 on Decent Work for Domestic Workers (Domestic Workers Convention, 2011), in line with the ILO's commitment to promote decent work for all through the achievement of the goals of ILO Declarations on Fundamental Principles and Rights at Work, and Social Justice for a Fair Globalization as well as other relevant international instruments.

62. In response to this landmark treaty for domestic workers, the Philippines was the second country to ratify the ILO Convention 189 on 05 September 2012.⁴³ Prior to the country's ratification of Convention No. 89, there has been a long-standing clamor from the legislature through various bills filed since 1996 concerning our domestic workers. In 1998, the global community noticed the plight of child household workers as the Philippines launched the Global March Against Child Labor, a worldwide movement instrumental in the approval of ILO Convention 182 on the Worst Forms of Child Labor.⁴⁴ This was based on the data of ILO in 2004 that the estimated number of household or domestic workers in the country ranges from 600,000 to 2.5 million, majority of which are children.⁴⁵ With no social protection benefits, below minimum wage income, and long hours of work, Filipino domestic workers succumb to maltreatments from their abusive employers. One important case that ignited the push for the passage of a law protecting our domestic workers was that of Bonita Baran, a kasambahay who fell victim to maltreatment and physical abuse of her female

⁴³[https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_189191/lang-en/index.htm#:~:text=GENEVA%20\(ILO%20News\)%20%E2%80%93%20The,force%20in%20twelve%20months%27%20time.](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_189191/lang-en/index.htm#:~:text=GENEVA%20(ILO%20News)%20%E2%80%93%20The,force%20in%20twelve%20months%27%20time.)

⁴⁴ <http://musicmediaandculture.blogspot.com/2013/01/philippine-kasambahay-bill-trending.html>

⁴⁵ Id

employer for several years. On 31 July 2012, Senator Jinggoy Ejercito Estrada delivered his privilege speech⁴⁶ prompting a Senate investigation of Baran's case thereby steering the Kasambahay bill into law.

63. Republic Act No. 10361 or the Domestic Workers Act otherwise known as the Batas Kasambahay was enacted on 18 January 2013. The passage of the law came after careful deliberation of the Congress to make this important legislation congruent to the standards set forth by the ILO Convention 189.

64. However, the kasambahay's right to dignified labor has actually been enshrined in the Labor Code since the 1970s by virtue of Presidential Decree No. 442. Article 141 of the decree defines "domestic or household service" as "service in the employer's home which is usually necessary or desirable for the maintenance and enjoyment thereof and includes ministering to the personal comfort and convenience of the members of the employer's household, including services of family drivers." The law states that helpers are entitled to a written contract that will not last for more than two years but may be renewed for such periods as may be agreed upon by parties, minimum wage, lodging, food and medical assistance provided by the household-client and not subtracted from the wage, domestic work of no more than 10 hours a day and four paid vacation days each month. Also, if the helper is below 18 years of age, he or she must be given an opportunity to complete at least an elementary education, the cost of which shall be part of the househelper's compensation unless there is a stipulation to the contrary.⁴⁷

65. On 19 May 2013, the Department of Labor and Employment published the Implementing Rules and Regulations pursuant to RA 10361:

Rule X of the IRR prescribes that any abused kasambahay shall be immediately rescued by a municipal or city social

⁴⁶ https://legacy.senate.gov.ph/press_release/2012/0814_estrada1.asp

⁴⁷ https://lawphil.net/statutes/presdecs/pd1974/pd_442_1974.html

welfare officer in coordination with the concerned barangay officials and law enforcement personnel.

"Abuse" refers to any act or a series of acts committed by an employer or any member of his/her household against any kasambahay which results in or is likely to result in physical, sexual, psychological harm or economic abuse (e.g. withholding of wages), including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty.

Any act of abuse committed against a kasambahay may be reported to any official of the barangay where the abuse occurred, any social worker, any police officer from the Women and Children Protection Desks, or any officer of the Public Employment Service Office (PESO).

Section 5, Rule X of the IRR also states that "At all times, the rescue team shall ensure the full protection of the rights of the abused kasambahay and the accused while under its custody and control."

Moreover, no action or suit shall be brought in any court or before any authority against any social worker, law enforcement officer, person acting in compliance with the lawful order from any of the above for lawful acts done during an authorized rescue operation or investigation or prosecution of an abused case involving a kasambahay.

Meanwhile, the local social welfare and development offices (LSWDOs) shall make available the following services for the abused kasambahay: temporary shelter,

counselling, free legal services, medical or psychological services, livelihood and skills training, among others.

As a way of monitoring, there shall also be a registration system for kasambahay. Section 1 of Rule IX states that every employer shall register a kasambahay under his/her employment in the barangay where his/her residence is located. The Punong Barangay, together with SSS, Pag-IBIG and PhilHealth representatives, shall conduct a common registration of all kasambahay nationwide. A start-up registration shall be held in the city or municipal hall or plaza.

66. The IRR also stipulates mechanisms for settlement and disposition of labor-related disputes. Section 1 of Rule XI states that all labor-related disputes shall be filed before the DOLE Field/Provincial/Regional Offices having jurisdiction over the workplace and shall go through the 30-day mandatory conciliation. Conciliation, an alternative dispute settlement mode, is a non-litigious, less expensive and expeditious mechanism which assists contending parties towards reaching their own mutually-acceptable settlement to the labor dispute.⁴⁸

67. The substantial development brought about by the Batas Kasambahay Law ultimately gave a legal stronghold for the rights of our domestic workers in addition to the principle of social justice afforded to them.⁴⁹

⁴⁸ https://legacy.senate.gov.ph/press_release/2013/0524_estradaj1.asp

⁴⁹ <https://theguidon.com/1112/main/2013/10/the-kasambahay-law-its-precedents-and-its-promises/>

STATUS OF THE IMPLEMENTATION OF THE BATAS KASAMBAHAY LAW

68. RA 10361 or the Batas Kasambahay Law has been lauded as a landmark piece of social legislation since its enactment, with its compliance to international standards up to the benefits it conferred. However, it has also faced several criticisms and struggles throughout its existence due to the loopholes seen that affected the good intentions of the law.⁵⁰

69. Less than a year from its implementation, complaints mostly from employers of the domestic helpers have been raised, particularly in complying with the required social protection benefits and the minimum wage requirements provided under the law. This is in addition to the difficulty in the registration of our domestic workers. After a year from its enactment, a call for the initial assessment of the Batas Kasambahay Law was raised during the 1st Kasambahay Summit on 18 January 2013.⁵¹ It was then realized that the need for further amendment is needed in order to fully achieve the goals intended by the existing law.

70. The implementation of RA 10361 is not within the hands of a single office; Instead an inter-agency approach involving the DOLE, DILG, DSWD, LGUs, HLURB, SSS, PhilHealth, Pag-IBIG, TESDA, DepEd, PNP, NBI, and other NGOs/CSOs are duty bound to realize the provisions of the law. On 29 October 2015, the DSWD, DILG, DOLE, NBI, and PNP crafted and issued the Joint Memorandum Circular No. 2015-002 laying down the protocol on the rescue and rehabilitation of abused kasambahays pursuant to RA 10361.

71. However, as noted in the hearings of this Committee, some agencies involved in the Memorandum Circular were not updated with the said guidelines. The Chairman of the Committee on Justice and Human Rights even reminded the

⁵⁰<https://www.philstar.com/headlines/2013/07/01/960221/jinggoy-critics-give-batas-kasambahay-chance>

⁵¹ https://legacy.senate.gov.ph/press_release/2014/0120_estrada1.asp

representatives of the different agencies about the existence of the Memorandum Circular:

MS. SATUMBA. *So noong August 11 po ay nakarating ito. At may report po sa amin, sir, iyong aming regional director na noong August 12 ay nag-inspect na sila doon sa sari-sari store muna nila France at marami po silang nalaman na hindi nagbibigay nga ng mga SSS, Pag-IBIG, at PhilHealth sa mga workers na nandoon, walang overtime pay, walang 13th month pay, walang records po ng mga employees. Kaya po during the inspection ay wala silang na-gather na data relevant to the previous employment of Ms. Vergara doon sa store.*

Pero, Mr. Chair, iyon aming pong Batangas Provincial Office ay may initial coordination na po sa MSWDO at saka sa kapatid po ni Ma'am Elvie na tutulong po kami. Handa po kaming tumulong para maibalik sa kanya iyong mga suweldo na hindi naibigay sa kanya at pati po for possible livelihood assistance po.

THE CHAIRPERSON. *So pupwede pang mahabol iyon. Let me remind the Department of Labor and Employment, the DSWD, including the Philippine National Police, that there is a joint memorandum circular, MC No. 2015-05, signed by the DOLE, DSWD, DILG, PNP, and National Bureau of Investigation, wherein under the said joint memorandum circular, "The DSWD, through the municipal or social welfare officer, in coordination with the concerned barangay officials who are under the DILG supervision, shall take charge of the rescue and rehabilitation of an abused kasambahay while the DOLE oversees their job replacement. The goal of the MC is to set in place a more unified interagency network to protect the rights of*

kasambahay against abuse, harassment, violence, and economic exploitation.”

Ginagawa po ba ho natin ito? Matagal na ho ito, 2015. Kasama rin kayo kapitan, kasama rin po ang DSWD. Is there a functioning interagency committee reviewing all of these?

MS. SATUMBA. *Sir, as to the interagency mechanism, sir, dito sa—*

THE CHAIRPERSON. *Baka wala pa kayo sa serbisyo noon, 2015. Mayroong circular noon.*

MS. SATUMBA. *Opo. Sir, kailangan po namin siya i-strengthen, sir—iyong mekanismo na iyan.*

THE CHAIRPERSON. *Siguro review-hin ninyo iyon.*

MS. SATUMBA. *Opo.*

THE CHAIRPERSON. *Kasama ang kapitan. Hindi mangyayari ito kung talagang ginagawa. Ito, “The Labor Department establish other related mechanisms on the employment of kasambahay such as wage setting, occupational safety and health, and recruitment regulations to ensure that pertinent provisions of the law are complied with.” Ang problema, pag bago iyong batas ay gagawa kaagad tayo ng implementing rules. Pero pag lumipas ang mahabang panahon ay nagkalimutan na kaya nangyari ito.⁵²*

Xxx

THE CHAIRPERSON. *Kasama po kayo. Siguro i-ano na lang, i- update ito na mag-meeting regularly and to submit reports. Sayang iyong data ng PNP.*

MR. NOBLE. *Oo, sir.*

⁵² TSN Committee on Justice Hearing, 23 August 2023, pages 106-108

72. The clear absence of regular meetings between the DSWD, DILG, DOLE, NBI, and PNP, is indicative of poor coordination between these agencies resulting in insufficient monitoring of kasambahays.

73. In a study entitled "Household Domestic Workers in Puerto Princesa, Palawan: A Case Study" (Lavarias, K., 2023)⁵³, the prevailing problems of the Batas Kasambahay Law, its measures, objectives, strategies, and expected outcome were presented:

1. Lack of monitoring of the implementing unit in their area of jurisdiction and ineffective registration system.
 - a. Intensified campaign for regular inspections of households with employers in the barangays.
 - i. Constant update of the masterlists and closely monitor the households with kasambahays. A twice a month barangay-LGU house visit to check those households with newly hired kasambahays may be done. Through this, the barangay officials can monitor families with kasambahays and provide the data to the DILG, DSWD, DOLE, and other agencies that might need access to such registry.
 - b. Formulate a registration system for the kasambahay in the barangays to determine the location of households with kasambahays.
 1. The assigned personnel will maintain a soft and hard copy of the Masterfile of the registry, for easy tracing and monitoring.

⁵³ <https://ijcrt.org/papers/IJCRT2308439.pdf>

2. Non-compliance of employers with the mandatory benefits for domestic workers.
 - a. In line with the house-to-house visits, assigned barangay officials will conduct interviews of kasambahays and their employers to ensure that the mandated benefits are given and complied with.
3. Unavailability of free livelihood programs and trainings for household employees.
 - a. The government shall create and conduct permanent livelihood programs in the different provinces to offer other vocational trainings for kasambahays.
 - b. This will increase the growth and develop new skills of kasambahays to afford them with other sources of income.
4. Low salary and compensation; and
 - a. A re-evaluation of the salary matrix scheme every 3 years can be done to provide incremental increase of salary and wages.
5. Insufficient financial sustenance
 - a. The government will create a lending company exclusive for house helpers or the establishment of a financial lending institution focused on kasambahays, in order to provide additional financial assistance to the kasambahays.

74. The simplification of processes and procedures can greatly help in the implementation of the Batas Kasambahay Law. Through this, employers will be reluctant to abide by the registration requirements and will never partake with their given obligations.

75. A survey conducted by the DOLE and the Philippine Statistics Authority in 2021 revealed substantial violations of RA 10361 and non-compliance as to implementation of important provisions of the law, to wit:

- About 4% or 49,000 of *kasambahay* are child domestic workers, 4,900 of whom are below 15 years old.
- Only 2.5% or 35,455 of *kasambahay* nationwide have written employment contracts.
- 83% of the 1.4 million *kasambahay* are not covered by any social security benefit.
- Some live-in *kasambahay*, or about 36%, work 7 days a week, without the benefit of a rest day.
- Average monthly salary of *kasambahay* is Php4,141.00, ranging from Php2,681.00 in Bangsamoro Autonomous Region in Muslim Mindanao to Php5,958.00 in the National Capital Region.

DOLE Initiatives

76. In response to these problems and violations, the DOLE enacted Department Order No. 217, s.2020 or "*The Rules and Regulations Governing Recruitment and Placement of Domestic Workers by Private Employment Agencies for Local Employment*", that took effect on 7 January 2021. The aim of which is to ensure compliance with the pertinent provision of the Labor Code including the Batas Kasambahay and its IRR. This is in recognition of the need to protect the rights of kasambahays against abuse, harassment, violence, economic exploitation, and performance of work hazardous to their physical and mental health.⁵⁴ Although during the 23 August 2023 hearing, Ms. Satumba from the DOLE mentioned the lack of data as to the number of abused kasambahays:

⁵⁴<https://accralaw.com/2021/01/19/new-dole-guidelines-for-additional-protection-of-kasambahay/?fbclid=IwAR0t3A7dsoGa-O4WbvnI6i1A9OGWQBfHv6ZUp0KahV2Xxef7eIDiXLCCmmM>

THE CHAIRPERSON. *So mayroon akong datos dito based on the 2020 DOLE and PSA report: 1.4 million Filipinos are working as kasambahays; 4 percent as child domestic workers; 2.5 percent with employment contracts; 83 percent not covered by social security benefit; 36 percent domestic live-in workers, etcetera, etcetera.”*

Ang tanong ko po sa DOLE, mayroon po ba tayong datos dito na ilan na iyong na-abuse kagaya ni Manang Elvie? Kasi kaya lang ito na- highlight lumabas sa diyaryo, nag-Senate hearing tayo. Baka naman iyong ibang walang Senate hearing, hindi natin alam iyong record?

MS. SATUMBA. *Sir, ang mayroon po kaming data, iyong mga request for assistance po na pumupunta sa DOLE pagdating sa unpaid wages.*

THE CHAIRPERSON. *Pagdating sa?*

MS. SATUMBA. *Unpaid wages.*

THE CHAIRPERSON. *Pero iyong sinaktan?*

MS. SATUMBA. *Sir, wala po kaming data na ganoon po.*

THE CHAIRPERSON. *So malaki ang posibilidad na kahit na saktan ay hindi nare-report?*

MS. SATUMBA. *Malamang po, sir. Ang mayroon—⁵⁵*

77. This lack of data and poor monitoring can be attributed to the absence of employment contracts between the kasambahay and the employer. Especially in the rural areas where recruitment and employment are usually done through verbal agreements of the parties involved. The same arrangement can be seen in the case of Ms. Vergara, as stated by Mrs. Ruiz in her response to the question of the Chairman:

⁵⁵ TSN Committee on Justice Hearing, 23 August 2023, page 108

THE CHAIRPERSON. *Matanong ko—Kayo na ang tanungin ko, Mrs. Ruiz. Mayroon ba hong employment contract?*

MS. RUIZ. *Wala po, Your Honor.*

THE CHAIRPERSON. *Wala.*

MS. RUIZ. *At saka hindi po nagtrabaho ang Ate Elvie sa may karnehan, hindi rin nagtrabaho sa tindahan. Isang araw lang po iyon, iyon iyong bagong pasok niya po, Your Honor, na sabi ko tingnan ko kung saan siya—kung marunong siyang magtinda. Isang araw lang po iyon ng August 11, 2019 sa loob ng palengke pero sinuwelduhan ko po iyon siya, iyong isang araw na iyon, tapos continuous na po siya sa kusina.⁵⁶*

DILG Initiatives

78. In 2022, the DILG urged all 42,046 barangays nationwide to institute a registration system for kasambahays and ensure compliance of employers following the low turnout of registration. It was noted that only 3,359 out of the 42,046 barangays nationwide have registered kasambahays. This is indicative that a large percentage is non-compliant with the provision of the law. In their report, Region V provided the most number of barangays that were able to register kasambahays with 627, followed by Region VI with 584, and Region VIII with 499. Other regions only tallied below 200 barangays.⁵⁷ According to the DILG - National Barangay Operations Office (NBOO), 32,902 kasambahays were registered nationwide with 28,149 barangays establishing their Kasambahay Desk and 28,074 barangays with designated Kasambahay Desk Officer, as of June 7, 2022. Likewise reported are the 977 local

⁵⁶ TSN Committee on Justice Hearing, 05 September 2023, page 164

⁵⁷ <https://www.philstar.com/the-freeman/cebu-news/2022/06/22/2190094/most-barangays-found-no-record-domestic-helpers>

government units which have enacted ordinances and resolutions for the implementation of the Batas Kasambahay.⁵⁸

79. The lapses in the implementation of RA 10361 have deterred the full realization of improving the welfare of kasambahays, which even led others to suffer the harsh treatment of their abusive employers despite the protection accorded for them under the law.

Report of the PNP- DIDM on the cases of Violation of Batas Kasambahay Law

80. Report from the Philippine National Police Directorate for Investigation and Detective Management (PNP- DIDM) during the 22 August 2023 Senate Committee on Justice and Human Rights hearing shows a total of forty- four (44) cases involving violation of the Domestic Workers Act. Data from the NCRPO and six (6) Police Regional Offices were presented as follows:

Recap on Violation of Domestic Workers Act (RA 10361), By Year
Period Covered: January 1, 2016 to August 15, 2023

⁵⁸https://pia.gov.ph/press-releases/2022/06/21/dilg-urges-barangays-to-institute-registration-system-for-kasambahays-due-to-low-turnout-of-registered-kasambahays?fbclid=IwAR1GL3uD8DjACTrwUk8i_ivpdNB8pd09mPXxbKu8clqI7ItMcPbmH3g9QzY

81. Majority of cases were noted in NCRPO followed by PRO 10 and PRO 7. However, they failed to provide data from other regional offices in the country. The year 2020 yielded the most number of reported cases with a total of 16 incidents.

PROs	2016	2017	2018	2019	2020	2021	2023	TOTAL
PRO 1					1			1
PRO 3		1		1				1
PRO 5								1
PRO 6					1			1
PRO 7	1			1	1	1		4
PRO 10		2	1	1			1	5
NCRPO	6	6	2	2	13	1	1	31
TOTAL	7	9	3	5	16	2	2	44

PROs	Total # of Incidents	Amicably Settled	CASE STATUS						
			Referred to Prosecutor			Filed in Court			
			Dismissed	Under PI	Total	Pre-Trial	On-Going Trial	Decided - Dismissal	Total
PRO 1	1	1			0				
PRO 3	1			1	1				
PRO 5	1	1			0				
PRO 6	1	1			0				
PRO 7	4	3			0	1			1
PRO 10	5	2		3	3				
NCRPO	31	13	1	10	11	1	5	1	7
TOTAL	44	21	1	14	15	2	5	1	8

82. At present, the status of these 44 cases are: 8 have been filed in court, 14 under preliminary investigation, 13 amicably settled, and 1 case dismissed.

83. Majority of the complaints pertain to the violations of the labor standards provisions of the law followed by incidents of physical injuries, other threats, and harassment.

Physical Injury	Others (Underpayment, Misunderstanding, Incomplete, 885 payment etc)	Other Threats	Harassment	Acts of Lasciviousness	Child Abuse	Sexual Harassment	TOTAL
16	17	5	3	1	1	1	44

PROs	Total No. of Victims	STATUS OF VICTIMS		Total No. of Suspects	STATUS OF SUSPECTS	
		Injured	Unharmed		At-Large	Arrested
NCRPO	33	7	26	31	28	3
PRO1	5	0	5	0	0	0
PRO 10	5	1	4	7	7	0
PRO 3	2	1	1	1	1	0
PRO 5	0	0	0	1	1	0
PRO 6	1	0	1	1	1	0
PRO 7	4	1	3	5	5	0
TOTAL	50	10	40	46	43	3

84. The aforementioned data is underscored given the failure of implementing agencies to fully monitor our kasambahays. Indeed, there are more unreported cases of abuse that go unnoticed or even neglected, as exemplified in the case of Ms. Elvie Vergara.

CHR Statement

85. On 14 September 2023, the Commission on Human Rights (CHR) expressed its support for the move pushing forth the amendment of the Batas Kasambahay

Law. It emphasized that although the law provides for the protection of domestic workers in their employment, the same has not been enough to deter the maltreatment of kasambahays by abusive employers. Amendments must include strengthening the penalties on crimes committed against domestic workers, establishment of emergency hotlines in every barangay for distressed domestic workers, and uplifting the information dissemination about Batas Kasambahay. Further, the CHR also suggests the establishment of Barangay Human Rights Action Centers (BHRACs), based on the Joint Memorandum Circular No.1, s. 2014 of the Department of the Interior and Local Government and CHR, which can launch information campaigns about RA 10361.

86. In cases of abused kasambahays, like in the case of Elvie, other services must also be afforded to them after their rescue such as, temporary shelter, counselling sessions, legal, medical, and psychological services, financial assistance or livelihood, job placement, or even repatriation to her place of origin.

VII. RECOMMENDATIONS

87. After a careful evaluation of the case of Ms. Elvie Vergara together with all the statements made and pieces of evidence submitted before the Committee, the latter, in the exercise of its authority to further strengthen RA 10361 and prevent further abuse and maltreatment of our Kasambahays, hereby recommends the following:

A. Amendment of the Batas Kasambahay Law (RA 10361) to reflect the following policies:

a. Provide for specific criminal liability for abusive employers with corresponding penalties for any death or physical injuries sustained by the Kasambahay resulting from, or sustained in the course of, his or her employment.

88. As provided under Section 37 of RA 10361, ordinary crimes or offenses committed under the Revised Penal Code and other special penal laws, by either party, shall be filed with the regular courts. In addition, as stated under Section 40, any violation of the provisions of the Batas Kasambahay Law declared unlawful shall be punishable with a fine of not less than Ten thousand pesos (P10,000.00) but not more than Forty thousand pesos (P40,000.00) without prejudice to the filing of appropriate civil or criminal action by the aggrieved party.

89. The current version of RA 10361 does not contain any specific penal provisions in case of death or physical injuries of the kasambahay. Instead, the law referred the cases under the realm of the RPC, and for violations of the Batas Kasambahay, the law only provides for fines ranging from P10,000.00 to P40,000.00. Due to lack of specific penal provisions pertaining to cases of abuse, the jurisdiction as to the filing of pertinent criminal cases follows the rules on criminal procedure. Thus, the abused kasambahay must file the criminal complaint where the crime occurred to obtain proper jurisdiction. This puts the kasambahay in a quandary given that he/she will be easily exposed to the perpetrators of the abuse.

90. Clearly specifying the criminal liability and penalty of abusive employers, for the death or physical injuries sustained by any kasambahay, will greatly caution employers from committing any kind of abuse against their helpers. Thus, it is proposed to include the following in the provision on the imposition of penal sanctions on erring employers or members of their household, to wit:

“Any employer who shall willfully or negligently violate the provisions of the Batas Kasambahay Law, shall suffer a fine of not less than P100,000.00 but not more than P250,000.00 without prejudice to the filing of appropriate civil or criminal action.

Any employer or any relative or member of the household of said employer who shall directly or indirectly, subject a domestic worker or "kasambahay" to any form of abuse, physical violence or harassment shall suffer the following:

1. If no injury was caused, or only minor injuries were caused, the penalty of imprisonment ranging from 6 months and 1 day to 4 years and 2 months and a fine not less than P250,000.00 but not more than P500,000.00.
2. If by reason or on the occasion of such abuse, physical violence or harassment inflicted, the kasambahay shall have become deformed, or shall have lost any body part, or shall have lost the use thereof, the employer or member of the household responsible for the same shall suffer the penalty of imprisonment ranging from 4 years, 2 months and 1 day to 8 years and a fine not less than P1,000,000.00 but not more than P2,000,000.00 shall be imposed.
3. If by reason or on the occasion of such abuse, physical violence or harassment inflicted, the kasambahay shall become insane, imbecile, impotent, or blind, the employer or member of the household responsible for the same shall suffer the penalty of imprisonment for 8 years and 1 day to 12 years and a fine not less than P2,000,000.00 but not more than P4,000,000.00 shall be imposed.
4. If by reason or on the occasion of the said abuse, physical violence or harassment inflicted, the kasambahay died, the penalty of imprisonment of 12 years and 1 day to 20 years and a fine not lower than P5,000,000.00 shall be imposed.

Any national or local government official or employee who fails to take appropriate action, on any reported or suspected case of abuse on kasambahay, shall be held administratively liable and shall suffer a fine of not

less than P100,000.00 but not more than P250,000.00. In addition, the penalty of perpetual absolute disqualification from holding any elective or appointive position shall likewise be imposed on said government official or employee.”

b. Make any Local Government Official or employee, whose help has been sought by an abused kasambahay but failed to take action nor document the same, be criminally and administratively liable with corresponding penalty, upon the finding of substantial evidence of his or her negligence and/or omission.

91. Under the IRR of RA 10361, Punong Barangays (PBs) shall be responsible for the Registry of Kasambahay within his/her jurisdiction with each employer registering kasambahays under his or her employment in the barangay of his residence. PBs and barangay officials are integral in realizing the full effect of Batas Kasambahay in the communities. Because registration is crucial for kasambahays to enjoy government-mandated benefits, we need the cooperation of our LGUs to ensure that employers are acting in accordance with our decree. PBs must also update their respective Barangay Registries of Kasambahay; establish Kasambahay Desk; designate Kasambahay Desk Officer; enact Ordinances/Resolutions to implement the Law; and, post Barangays Kasambahay Flow Chart within the barangay premises.

92. However, in the current case of Ms. Elvie Vergara, it was shown during the discussions in the committee hearings that Barangay Chairman Jimmy Patal of Barangay 7, Mamburao, Occidental Mindoro, failed to perform his duty in accordance to what was indicated under the Implementing Rules and Regulations of RA 10361. Moreover, he also failed to provide the necessary assistance expected from a Barangay Chief Executive such as: documenting incidents within the barangay hall, affording help and attention to any person who comes in the barangay hall, and conducting unbiased interviews of parties. Barangay Chairman Patal's admission on his failure to secure statements from

Ms. Vergara and put the incident into a formal blotter were emphasized in the following exchanges:

SEN. TULFO. ...Hindi mo ba kinunan ng statement iyong dalawa? At sabi nga ni Senator Tolentino, para i-blotter iyon kung ano ang pinagsasabi ng dalawa?

MR. PATAL. Iyon po siguro, doon po ako nagkulang, ay talagang tinatanggap ko po. Pero po hindi ko po para-

SEN. TULFO. So ibig sabihin, hindi mo ginawa ang trabaho mo.⁵⁹

Xxx

THE CHAIRPERSON. We'll be asking CHR kung ano iyong mga hakbanging ginawa ng Commission on Human Rights, with the indulgence of Senator Tulfo. Atty. Canapi, nakarating na po sa inyong kaalaman, lahat po ito, well publicized po ito, has there been any steps done by the Commission on Human Rights, Region IV-B?

SEN. TULFO. Doon po sa base sa kanyang mga pinagsasabi, iyong mga hindi niya ginawa na dapat ginawa niya bilang isang barangay chairman, would that suffice para siya ay masampahan ng dereliction of duty na kaso?

MR. CALIBA. As a lawyer, Mr. Chair, I think that could also be a ground.⁶⁰

MR. CALIBA. Pero tinitingnan po namin kasi is the human rights violation. But as to the question, that might be a possible ground, Mr. Chair.

SEN. TULFO. So who will file that case against this barangay chairman, iyong dereliction of duty?

⁵⁹ TSN Committee on Justice Hearing, 23 August 2023, page 71

⁶⁰ TSN Committee on Justice Hearing, 23 August 2023, page 75

MR. CALIBA. *Kami po kasi ang mandato namin is--main mandate is to investigate po.*

SEN. TULFO. *Investigate.*

MR. CALIBA. *That can also be part of the recommendations after the investigation, Mr. Chair.⁶¹*

c. Establishment of a Kasambahay Registry and Kasambahay Help Desk and/or Kasambahay Hotline in every barangay hall, municipal or city hall, and in every municipal, city, or regional offices of DSWD, DOLE.

93. The addition of a new article on the Registry of Kasambahays shall facilitate efficient monitoring of kasambahays in the country. Through the registry, there will be available data on the number and status of kasambahays that can be used in the monitoring, and investigation of suspected or reported cases of abused kasambahays. In addition, a Kasambahay Help Desk and/or Kasambahay Hotline will provide our kasambahays a readily accessible venue for all their grievances, complaints, and reports.

- Under the proposal, employers shall submit a copy of the employment contract to their respective barangays within the period of not more than 6 months from the employment of the kasambahay.
- Every barangay shall maintain a registry of kasambahay to be updated every 6 months. A copy of the updated list of kasambahays shall be submitted, by all barangay chairman, to the municipal or city office on or before January 18 of each year. Every municipality or city shall maintain a consolidated list of all kasambahays, based from the submission of all barangays, and shall transmit copies of the updated list to the DOLE, DSWD, CHR, and the PNP.

⁶¹ TSN Committee on Justice Hearing, 23 August 2023, page 76

- A kasambahay help desk and/or hotline shall also be maintained in every barangay, municipal, or city hall throughout the country. In every barangay, the Kasambahay Help Desk and/or Hotline shall be available 24/7, manned with a trained personnel or officer each tour of duty.

d. Call upon the DSWD, DILG, DOLE, DOJ, CHR, and other involved agencies of the government to strengthen their coordination, through up-to-date agreements and memoranda pertaining to the monitoring of our kasambahays, in order to strictly enforce and implement the Batas Kasambahay Law.

94. City/Municipal Mayors must ensure Punong Barangays' compliance with the law and DILG policies on the registration of kasambahays; monitor and ensure the compliance of their respective Public Employment Service Office (PESO) on the consolidation of Kasambahay-related reports and the subsequent submission of the same to the Department of Labor and Employment (DOLE), copy furnished DILG City/Municipal Field Office.

95. In relation to the Joint Memorandum Circular No. 2015-05, the Commission on Human Rights should be included in implementation and updating of the protocol on the rescue and rehabilitation of abused kasambahays.

96. The JMC No. 2015-05 provides for the protocol on the rescue and rehabilitation of abused kasambahays pursuant to RA 10361. This joint memorandum circular, MC No. 2015-05, was signed by the DOLE, DSWD, DILG, PNP, and National Bureau of Investigation, wherein it was stated that, *"The DSWD, through the municipal or social welfare officer, in coordination with the concerned barangay officials who are under the DILG supervision, shall take charge of the rescue and rehabilitation of an abused kasambahay while the DOLE oversees their job replacement. The goal of the MC is to set in place a*

more unified interagency network to protect the rights of kasambahay against abuse, harassment, violence, and economic exploitation.”

97. As mentioned by the Chairman during the first hearing, the inclusion of the Commission on Human Rights in the interagency network will complete the system and shall further strengthen the goal of protecting the rights of kasambahays:

THE CHAIRPERSON. *Kasama po kayo. Siguro i- update lto na mag-meeting regularly and to submit reports. Sayang iyong data ng PNP.*

MR. NOBLE. *Oo, sir.*

THE CHAIRPERSON. *Magagamit ninyo po iyan. And siguro kung mayroon itong updating, I would suggest that you include—we include the Commission on Human Rights.*

MR. NOBLE. *Yes, sir. Tama iyon.*

THE CHAIRPERSON. *Hindi ba ho, pag isinama mo iyong Commission on Human Rights, eksakto na iyon? Buong-buo na iyon.⁶²*

B. Revisit roles of the PNP Women’s Desk

98. Throughout the years, the PNP Women’s Desk has come a long way and has undergone a series of changes. At present, the Women and Children Protection Center (WCPC) is mandated to operate and investigate cases of Trafficking in Persons, as a specialized Anti– Trafficking Unit of the PNP⁶³, in addition to some of its other functions:

⁶² TSN Committee on Justice Hearing, 22 August 2023, page 115

⁶³ <https://wcpc.pnp.gov.ph/history/>

- Conduct investigation and operations against offenders of violence against women and children (VAWC) and trafficking in persons as well as initiate necessary actions against these offenders, effect their arrest to ensure prompt prosecution;
- Handle cases of battered women and children;
- Conduct rescue operations of victims of violence against women and children (VAWC) as well as victims of trafficking in persons; and
- Conduct relevant information-gathering activities, processing and analyses of gathered information for policy and strategy formulation.⁶⁴

99. The involvement of the WCPC, in coordination with other agencies, in the monitoring of kasambahays shall deter further incidence of abuse. In the same manner, it can provide for an accessible venue for abused women and minor kasambahays.

THE CHAIRPERSON. *Iyon bang ating mga Women's Desk, hindi ito sakop? Pasok din ito?*

MR. NOBLE. *Actually, sir, pasok din. Nandito rin po ang aking ano—*

THE CHAIRPERSON. *So iyong mga Women's Desk ng ating istasyon...*

MR. NOBLE. *Iyon sana.*

THE CHAIRPERSON. *...ay siya dapat ang sasagot nito?*

MR. NOBLE. *Mangalaga, sir.*

THE CHAIRPERSON. *At, attorney, hindi ba ganoon?*

MR. GAMBOL. *Yes. Supposedly, it should be done by the Women's Desk, but according to them, they were referred to the NBI in Batangas City.*

THE CHAIRPERSON. *Who referred?*

⁶⁴ <https://wcpc.pnp.gov.ph/wcpc-functions/>

MS. A. VERGARA. *Sinamahan po ako ng imbestigador ng pulis. Sinamahan po kaming dalawa ng kapatid ko papunta sa NBI. NBI po ng Batangas City.*

THE CHAIRPERSON. *Kasi medyo malayo, babalik-balik pa?*

MS. A. VERGARA. *Opo. Opo.*

THE CHAIRPERSON. *But then again, siguro iyong ating Women's Desk should be strengthened kasama iyong DSWD para iyong mga ganitong uri ng mga insidente— ilalagay siguro namin sa mga proposed amendments how the Women's Desk and the DSWD can play a vital collaborative role in this para mas mabilis. Kasi uulit pa rin ito, huwag naman sana.⁶⁵*

C. Much as the Committee would have wanted to recommend the filing of criminal charges against the Ruiz spouses, we note that there are already cases filed against them before the Office of City Prosecutor of Batangas City which was already transferred to the Department of Justice Central Office, by virtue of Department Order No. 611 dated 06 November 2023.

D. Let a copy of this report be furnished to the Department of Justice (DOJ), Department of Social Welfare and Development (DSWD), Department of Labor and Employment (DOLE), and the Commission on Human Rights (CHR).

100. The horrors experienced by Elvie Vergara could have been cut short and prevented if only the Barangay Chairman of Mamburao did not turn a blind eye when his help was sought by our lowly victim in 2021.

⁶⁵ TSN Committee on Justice Hearing, 22 August 2023, pp 104-105

101. As we now turn to the Courts in seeking justice for the abuses committed to Elvie, the Committee on Justice and Human Rights fervently hopes that these recommendations and proposed changes will achieve its purpose of fortifying the current Batas Kasambahay Law and ensuring that no maltreatment and inhumane acts like these will ever be committed against our kasambahays.

102. Dr. Martin Luther once wisely said that "*no work is insignificant. All labor that uplifts humanity has dignity.*"⁶⁶ As our kasambahays uplift our lives through diligent service and care, it is imperative that we take action and do our part in protecting their rights and treating them with the dignity that they deserve.

END

⁶⁶ <https://www.azquotes.com/quote/1397970?ref=dignity-of-work>