



S E N A T E

S. No. 2505*

PREPARED BY THE COMMITTEES ON LABOR, EMPLOYMENT
AND HUMAN RESOURCES DEVELOPMENT; AND PUBLIC
INFORMATION AND MASS MEDIA, WITH SENATORS
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AN ACT PROTECTING THE WELFARE OF WORKERS
IN THE MOVIE AND TELEVISION INDUSTRY

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

1 SECTION 1. *Short Title.* – This Act shall be known as
2 the “Eddie Garcia Law”.

3 SEC. 2. *Declaration of Policy.* – It is the declared
4 policy of the State to accord full protection to labor and
5 promote full employment and equality of employment
6 opportunities for all. The State recognizes the economic,
7 social, and cultural contributions to nation-building of
8 workers in the movie and television industry. Towards this

1 end, the State shall promote and strengthen observance of
2 decent work, comprehensive social protection coverage to
3 all sectors of the industry, including the self-employed, the
4 free exercise of the right to self-organization and to
5 collectively bargain, the development and competitiveness
6 of the industry, and skills upgrading in all sectors of the
7 industry.

8 Accordingly, a review of the working conditions in the
9 industry shall be undertaken regularly to ensure that
10 workers are provided opportunities for gainful employment
11 or work engagements and decent income, and are protected
12 from abuse, harassment, hazardous working conditions,
13 and economic exploitation.

14 SEC. 3. *Coverage.* – This Act applies to all workers
15 engaged in the movie and television industry regardless of
16 functions, roles, positions, or status.

17 SEC. 4. *Definition of Terms.* – As used in this Act:

18 (a) *Employer* or *principal* refers to any person,
19 natural or juridical, including contractor or subcontractor,

1 who engages or hires the services of a worker in the movie
2 and television industry;

3 (b) *Force majeure* refers to an unforeseeable or
4 unavoidable event that interrupts a television or movie
5 production and prevents workers from fulfilling their
6 obligations relative to the production;

7 (c) *Lock-in* refers to a condition or instruction where
8 a movie and television production requires the workers to
9 remain within the workplace for twenty-four (24) hours or
10 more on a continuous basis;

11 (d) *Movie and television industry* refers to any market
12 of sound and visual components primarily produced,
13 distributed, and exhibited for commercial purposes in
14 movie and television including any related online or digital
15 platform. It includes, but is not limited to, movie and
16 television network stations, production outfits, airtime
17 contractors, and other necessary and related industry
18 activities and services;

1 (e) *Worker* refers to an employee hired by the
2 employer or an independent contractor engaged by the
3 principal to render services for the movie and television
4 industry; and

5 (f) *Workplace* refers to any location under the direct or
6 indirect control of the employer or principal where the
7 movie and television content is produced and where
8 workers need to be present or to go to by reason of their
9 work.

10 SEC. 5. *Protection of Workers.* – The worker shall be
11 protected by their employers or principal in the workplace,
12 and shall implement the hours of work, wages and other
13 wage-related benefits, social security and welfare benefits,
14 basic necessity, health and safety, working conditions and
15 standards, and insurance, as provided in this Act,
16 Presidential Decree No. 442 or the “Labor Code of the
17 Philippines”, as amended, Republic Act No. 11058, entitled
18 “An Act Strengthening Compliance with Occupational

1 Safety and Health Standards and Providing Penalties for
2 Violations Thereof”, and other applicable laws.

3 SEC. 6. *Agreement or Employment Contract.* – The
4 worker and the employer or principal shall execute an
5 agreement or an employment contract in a language or
6 dialect understood by both parties before the
7 commencement of service.

8 SEC. 7. *Content of the Agreement or Employment*
9 *Contract.* – The employer or principal shall provide the
10 worker a copy of the duly signed agreement or employment
11 contract which shall include the following:

- 12 (a) Job position and status;
- 13 (b) Job description;
- 14 (c) Period of employment or engagement;
- 15 (d) Details of compensation and other workers’
16 benefits including rate, method, and schedule of payment
17 which shall be paid at intervals not exceeding sixteen (16)
18 days, unless otherwise agreed upon by the parties;
- 19 (e) Authorized deductions, if any;

- 1 (f) Hours of work; and
- 2 (g) Grievance mechanism.

3 SEC. 8. *Non-Discrimination Against Workers.* – No
4 agreement or employment contract shall discriminate
5 against a worker who has contracts or projects with other
6 production outfits unless exclusivity is specified in the
7 contract, nor shall any person perform any act involving
8 preference based on race, color, descent, national or ethnic
9 origin, or religion, which has the purpose or effect of
10 nullifying the recognition, enjoyment, or exercise on an
11 equal footing of any human right or fundamental freedom:
12 *Provided,* That exclusivity shall be reasonable in
13 accordance with law.

14 SEC. 9. *Hours of Work.* – The hours of work of the
15 worker shall be based on the terms and conditions set in
16 the agreement or employment contract and other
17 stipulations thereto signed with the employer or principal.

18 The hours of work shall be eight (8) hours a day,
19 which can be extended to a maximum of fourteen (14)

1 hours, exclusive of meal periods. In no case shall the total
2 number of work hours be more than sixty (60) hours in a
3 week. It shall be applicable to all workers, except for
4 minors whose working hours shall be in accordance with
5 the pertinent provisions of Republic Act No. 7610 or the
6 “Special Protection of Children Against Child Abuse,
7 Exploitation and Discrimination Act”, as amended by
8 Republic Act No. 9231.

9 However, for workers requiring special effects
10 makeup such as prosthetics, the first two (2) hours of the
11 application of such makeup shall not be considered as
12 working hours.

13 Hours of work shall include the following:

14 (a) Waiting time where the worker is required to stay
15 within the premises of the workplace;

16 (b) The time during which the worker is required to
17 work, including time spent on ocular work, pre-production,
18 and post-production activities; and

1 (c) Travel to and from out-of-town projects: *Provided*,
2 That the worker cannot gainfully utilize the travel time for
3 one's own personal purpose, need or benefit.

4 If a scheduled shoot is cancelled less than eight (8)
5 hours immediately preceding its approved schedules, all
6 workers engaged for the day shall be compensated.
7 Workers may not be compensated in cases of cancellation
8 due to *force majeure*.

9 The employer or principal shall give notice to the
10 worker of any engagement related to the contracted service
11 not less than twenty-four (24) hours ahead of the schedule.

12 The employer or principal shall provide a rest period
13 of not less than ten (10) hours between the end of work on
14 one (1) day and the beginning of work on the next day. This
15 also applies to locked-in shoots.

16 For work beyond eight (8) hours a day, the worker
17 shall be entitled to overtime pay unless it is already
18 incorporated in the agreement or employment contract
19 which stipulates a higher compensation. A worker shall

1 also be entitled to night shift differential unless the same
2 is incorporated in the agreement or employment contract
3 which stipulates a higher compensation.

4 SEC. 10. *Transportation Expenses.* – The employer or
5 principal shall provide transport service to and from out-of-
6 town projects or shall reimburse transportation expenses
7 incurred by the worker unless the same is already
8 incorporated in the agreement or employment contract
9 which stipulates a higher compensation.

10 SEC. 11. *Wages.* – The minimum wage of a worker
11 shall not be less than the applicable minimum wage in the
12 region where the worker is hired. Wages shall be paid on
13 time, as agreed upon in the contract, directly to the
14 worker. The employer or principal shall not make any
15 deductions from the wages unless otherwise agreed upon
16 by the parties or required or allowed by law. The employer
17 or principal shall at all times provide the worker with a
18 copy of the payslip containing the amount paid, and
19 indicating all deductions made, if any.

1 SEC. 12. *Social Security and Welfare Benefits.* – All
2 workers shall be covered by and entitled to the benefits
3 provided by the Social Security System (SSS), the Home
4 Development Mutual Fund or the Pag-IBIG Fund, and the
5 Philippine Health Insurance Corporation (PhilHealth), in
6 accordance with law. However, employers are not
7 precluded from providing social welfare benefits to the
8 workers.

9 Independent contractors shall be solely responsible
10 for their contributions for the aforementioned social
11 security systems.

12 SEC. 13. *Basic Necessities.* – The employer or
13 principal shall provide for the basic necessities of the
14 worker as follows:

15 (a) Adequate and nutritious meals, with due
16 consideration to the workers' health and religion;

17 (b) Sufficient and readily accessible supply of safe
18 drinking water;

1 (c) Accessible, clean, enclosed, and person with
2 disability (PWD)-friendly toilets and other sanitary
3 facilities whether on location or not. The number of
4 comfort facilities for a given number of workers shall be in
5 conformity with the requirements of the Department of
6 Health;

7 (d) Private and separate dressing rooms for men and
8 women, whether on location or not, with adequate
9 provisions for the proper safekeeping of the workers'
10 valuables;

11 (e) Safe, clean, comfortable, and properly ventilated
12 holding areas with emergency exits;

13 (f) Free, safe, and adequate accommodation if
14 services are required to be rendered in an out-of-town
15 location; and

16 (g) Safety officers and dedicated vehicles for
17 emergency purposes in the production whether on out-of-
18 town location or not.

19 SEC. 14. *Standard of Treatment.* – The employer or
20 principal shall not subject or allow the workers to be

1 subjected to any kind of abuse, physical violence or
2 harassment, or any act that degrades the dignity of the
3 worker. The employer or principal shall set in place
4 policies, rules, and regulations to prevent sexual
5 harassment in the workplace in conformity with the
6 provisions of Republic Act No. 7877 or the “Anti-Sexual
7 Harassment Act of 1995”, Republic Act No. 11313 or the
8 “Safe Spaces Act”, and Republic Act No. 11036 or the
9 “Mental Health Act”. Such policies, rules, and regulations
10 shall include procedures for the resolution of any conflict
11 involving sexual harassment.

12 SEC. 15. *Health and Safety.* – The employer or
13 principal shall strictly comply with the occupational safety
14 and health standards provided in Republic Act No. 11058
15 and Section 25 of Republic Act No. 11036.

16 The employer shall timely notify the Department of
17 Labor and Employment (DOLE) Regional, Provincial, or
18 Field Office with the production location and schedule. In
19 cases of violations of occupational health and safety

1 standards, the employer, contractor or subcontractor shall
2 be jointly and solidarily liable.

3 The safety officer of the employer or principal shall
4 conduct a risk assessment of the workplace or location of
5 production to identify and eliminate or control any
6 potential hazard to the workers.

7 For this purpose, the DOLE shall, in consultation
8 with workers' organizations and groups, employers or
9 principals, agencies, and field experts, formulate the
10 manual and facilitate its thorough distribution to all
11 relevant stakeholders.

12 SEC. 16. *Upskilling and Reskilling of Workers.* – The
13 Technical Education and Skills Development Authority
14 (TESDA) shall, in collaboration with relevant government
15 agencies and various stakeholders, develop and implement
16 a system of continuing skills upgrading, reskilling, and
17 training of workers in the movie and television industry.

1 SEC. 17. *Employment of Minors.* – The employer or
2 principal shall strictly adhere to the provisions of Republic
3 Act No. 7610 as amended by Republic Act No. 9231.

4 SEC. 18. *Insurance.* – All workers shall be adequately
5 insured by the employer or principal, at no cost to the
6 worker, for work-related accidents or death in every movie
7 and television production.

8 SEC. 19. *Duties and Responsibilities of the Employer*
9 *or Principal.* – It is the duty of the employer or principal of
10 the movie and television industry to:

11 (a) Comply with the laws, rules and regulations
12 regarding occupational safety and health in every movie
13 and program being produced;

14 (b) Promote safety and provide safe working
15 conditions;

16 (c) Provide and maintain at all workplaces
17 appropriate first aid and medical supplies and services;

18 (d) Only engage workers who are appropriately
19 trained to perform their jobs;

1 (e) Ensure that all workers who may be affected by a
2 potential hazard are made aware of the existence of the
3 hazard to which they may be exposed in the course of
4 production, as well as other safety and health concerns;

5 (f) Ensure that all sets and locations have been
6 properly assessed for any potential safety and health
7 issues and that proper remedies and safeguards are
8 implemented to deal with any of these issues;

9 (g) Ensure that all environmental or structural
10 hazards identified are adequately and properly addressed
11 and corrected;

12 (h) Ensure that the use of proper safeguards and
13 means of personal protection includes a careful check of all
14 new and relocated equipment before it is placed in
15 operation;

16 (i) Require that any necessary safety equipment and
17 protective devices are being used or worn;

18 (j) Provide safety information which shall include,
19 but not limited to, emergency numbers of nearest
20 hospitals, fire stations and similar establishments;

1 emergency personnel in the workplace; and location of
2 safety, fire and first aid equipment; and

3 (k) Conduct a two (2) to five (5) -minute meeting with
4 all workers every start of the shooting day to define safety
5 and health issues.

6 SEC. 20. *Right to Self-organization and Collective*
7 *Bargaining.* – Workers in the movie and television
8 industry shall have the right to form, join, or assist in the
9 formation of a labor organization of their own choosing for
10 purposes of collective bargaining, for mutual aid benefit,
11 and to engage in concerted activities which are not
12 contrary to law.

13 SEC. 21. *Contractor and Subcontractor.* – The
14 provisions of DOLE issuances on contracting and
15 subcontracting arrangement shall apply in the movie and
16 television industry.

17 Acting as a labor contractor or engaging in the
18 “cabo” system, or otherwise engaging in any activity
19 prohibited by law shall constitute grounds for cancellation

1 of the registration of any person, group of persons, or labor
2 group.

3 SEC. 22. *Settlement of Disputes.* – Upon the
4 exhaustion of the conciliation and mediation, all
5 unresolved grievances shall be elevated to the appropriate
6 agency having jurisdiction over the issue. In cases of
7 independent contractors, any dispute shall be resolved by
8 the trial courts having jurisdiction therein.

9 SEC. 23. *Movie and Television Industry Tripartite*
10 *Council.* – There shall be a Movie and Television Industry
11 Tripartite Council comprised of government
12 representatives and representatives from the employers or
13 principals and workers in the movie and television
14 industry. The Council shall serve as a continuing forum
15 for tripartite advisement and consultation with the
16 industry stakeholders on policies and programs pursuant
17 to the provisions of Republic Act No. 10395, otherwise
18 known as “An Act Strengthening Tripartism, Amending for
19 the Purpose Article 275 of Presidential Decree No. 442, as

1 Amended, Otherwise known as the Labor Code of the
2 Philippines”.

3 SEC. 24. *Penalties.* – Any person who violates any
4 section of this Act shall be fined as follows:

5 (a) Up to One hundred thousand pesos (P100,000.00)
6 for the first offense;

7 (b) Up to Two hundred thousand pesos (P200,000.00)
8 for the second offense; and

9 (c) Up to Five hundred thousand pesos (P500,000.00)
10 for the third and succeeding offenses.

11 These fines are without prejudice to the imposition of
12 other penalties under other laws.

13 If the violation is committed by a corporation, trust or
14 firm, partnership, association or any other entity, the fines
15 shall be imposed upon the entity’s responsible officers,
16 including, but not limited to, the executive producer,
17 producer, production manager, and business unit manager.

18 SEC. 25. *Rights to Remuneration.* – The rights of a
19 worker over intellectual property, consisting of the

1 worker's performance on all movie and television
2 production, shall at all times be protected and secured
3 pursuant to the provisions of Republic Act No. 8293 or the
4 "Intellectual Property Code of the Philippines", as
5 amended. Nothing herein shall prevent the worker from
6 agreeing to transfer all intellectual property rights in favor
7 of the employer or principal, with regard to the work
8 product arising from their relationship and/or engagement.
9 Unless otherwise stipulated or provided in the contract
10 between the worker and the employer or principal, a
11 worker shall enjoy additional remuneration consistent with
12 Section 206 of Republic Act No. 8293 for every subsequent
13 use or broadcasting of such performance or intellectual
14 property.

15 SEC. 26. *Information and Education Campaign.* –
16 The Intellectual Property Office of the Philippines, the
17 DOLE, the Philippine Information Agency, and other
18 pertinent national government agencies shall implement
19 and initiate the information and education campaign on
20 the protection of the intellectual property rights of workers

1 in the movie and television industry, as enshrined in
2 Republic Act No. 8293.

3 SEC. 27. *Effect on Existing Company Policies and*
4 *Contracts or Collective Bargaining Agreements (CBAs).* –

5 The minimum benefits provided in this Act shall be
6 without prejudice to any existing company policy, contract
7 or CBA providing better terms and conditions of
8 employment. Furthermore, nothing in this Act shall
9 diminish the benefits under existing laws currently
10 enjoyed by the worker.

11 SEC. 28. *Implementing Rules and Regulations.* –

12 Within a non-extendible period of ninety (90) days from the
13 effectivity of this Act, the Secretary of the DOLE, in
14 consultation with the Council, other concerned government
15 agencies, nongovernment organizations, and other
16 stakeholders, shall promulgate the necessary rules and
17 regulations for the effective implementation of this Act.

18 SEC. 29. *Suppletory Clause.* – The provisions of
19 Presidential Decree No. 442, as amended, Republic Act No.

1 11058, and other applicable laws shall have supplementary
2 application to this Act.

3 SEC. 30. *Construction in Favor of Labor.* – All doubts
4 in the implementation and interpretation of the provisions
5 of this Act, including its implementing rules and
6 regulations, shall be resolved in favor of labor.

7 SEC. 31. *Separability Clause.* – If any provision of
8 this Act is held unconstitutional, the remainder thereof not
9 otherwise affected shall remain in full force and effect.

10 SEC. 32. *Repealing Clause.* – All laws, decrees,
11 executive orders, rules and regulations and other issuances
12 or parts thereof which are inconsistent with this Act are
13 hereby repealed, amended or modified accordingly.

14 SEC. 33. *Effectivity Clause.* – This Act shall take
15 effect after fifteen (15) days following the completion of its
16 publication either in the *Official Gazette* or in a newspaper
17 of general circulation.

Approved,