

75 JAN 29 P3:56

SENATE

S. B. No. 2596

RECEIVED BY: 

INTRODUCED BY SENATOR SONNY M. ANGARA

**AN ACT
REGULATING THE PRACTICE OF EMPLOYERS IN POSTING NOTICES OF
TERMINATION OF EMPLOYMENT OF FORMER EMPLOYEES IN NEWSPAPERS,
SOCIAL MEDIA AND OTHER PUBLIC INFORMATION VENUES**

EXPLANATORY NOTE

This bill was originally filed as House Bill 4628 by Second District of Laguna Representative Joaquin M. Chipeco Jr. during the 16th Congress. It has been referred to the Committee on Labor and Employment and has been passed on Third Reading as House Bill 5287 last December 15, 2014.

With the bill's thrusts in protecting the rights of private individuals and promoting responsible use of traditional and new media, the undersigned fully supports this endeavor from the House of Representatives.

Over the recent years, the pace of technology and social media usage in the country has been steadily accelerating. Access to information has never been easier with today's availability of the internet. People are connecting and consuming more information today. According to 2014 Global Web Index statistics, the Philippines has the fastest growing internet population in the world— experiencing 531 percent growth in the last five years.¹

Social media has also given the people freedom that we've never experienced before. With such freedom and unconstrained venues for expression, responsible use of such must be given important consideration. In newspapers, which can be easily converted to online media, we see boxed-in public announcements that give the impression that subject former employees have been guilty of misconduct.

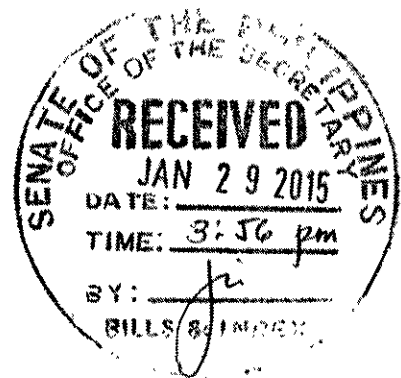
This bill seeks to balance the rights of companies against any corporate harm by disgruntled employees, and the rights of workers to preserve their integrity and reputation and at the same time, promoting the responsible use of media. It is high time for our laws to advance towards the direction of promoting responsible social media use.

Article 2, Section 11 of the 1987 Constitution stipulates that, "the State values the dignity of every human person and guarantee full respect for human rights". This bill identifies instances wherein employers can post notices of termination of employment in public media and penalizes the violations stated in the bill. The government shall protect all workers from abusive acts of employers. Every employer, in publishing notices of termination of employment, must observe good faith, act with fairness, and respect the dignity. With such measure, the promotion of responsible media usage is pushed.

Approval of this measure is therefore earnestly requested.


SENATOR SONNY M. ANGARA

¹ <https://www.globalwebindex.net/blog/internet-turns-25>



SENATE

S. B. No. 2596

INTRODUCED BY SENATOR SONNY M. ANGARA

AN ACT
REGULATING THE PRACTICE OF EMPLOYERS IN POSTING NOTICES OF
TERMINATION OF EMPLOYMENT OF FORMER EMPLOYEES IN NEWSPAPERS,
SOCIAL MEDIA AND OTHER PUBLIC INFORMATION VENUES

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

1 **SECTION 1. Declaration of Policy.** – It is the policy of the State to protect all
2 workers from abusive acts of employers. Every employer, in publishing notices of
3 termination of employment, must observe good faith, act with fairness, and respect the
4 dignity of its former employees.
5

6 **SEC. 2. Limitations on the Publication of Notices of Termination of**
7 **Employment.** – No employer in the private sector shall publish notices of termination of
8 employment in newspapers, social media and other public information venues unless
9 upon the concurrence of the following factors:

10
11 (a) the subject employee has, based on employee records, committed any of the
12 following acts:

- 13 1. serious dishonesty;
- 14 2. grave misconduct;
- 15 3. falsification of documents;
- 16 4. conviction of a crime involving moral turpitude; or
- 17 5. analogous acts.

18
19 (b) the subject employee was an accountable officer or staff, to include the
20 following:

- 21 1. cashiers
- 22 2. treasurers
- 23 3. collection officers
- 24 4. sales agents or representatives
- 25 5. other officers or employees who handle cash, property, stocks and other
26 assets of the employer; and

27
28 (c) the employer has reasonable grounds to believe that the former employee
29 shall cause loss or damage or otherwise compromise the interests of the employer.
30

31 **SEC. 3. Penalties.** – An employer who publishes a notice of termination of
32 employment in a newspaper, social media or other public information venues in violation
33 of Section 2 of this Act shall be liable to pay the aggrieved former employee damages in
34 an amount not less than Ten thousand pesos (P10,000.00) but not more than Fifty
35 thousand pesos (P50,000.00), upon the discretion of the court, without prejudice to the
36 filing of any criminal case.
37

38 **SEC. 4. Liability When Committed By Entities Other Than Natural Person.** –
39 If the violation is committed by a corporation, trust, firm, partnership, association or other
40 similar entity, the damages shall be imposed against its guilty officer or officers.
41

1 **SEC. 5. *Repealing clause.*** - All laws, decrees, executive orders, rules and
2 regulations and other issuances or parts thereof inconsistent with the provisions of this
3 Act are hereby repealed, modified or amended accordingly.

4
5 **SEC. 6. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
6 publication in the Official Gazette or in a newspaper of general circulation.

7
8
9 Approved,