

EIGHTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
*First Regular Session* }

19 JUL 15 10:50

SENATE  
S.B. No. 485

RECEIVED 

---

INTRODUCED BY **SENATOR VICENTE C. SOTTO III**

---

**AN ACT**  
**CREATING A FRIENDLY WORKING ENVIRONMENT FOR WOMEN AND**  
**FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

According to the 2018 statistical resources collected by the Philippine Statistics Office, more than half of employed Filipinos are male, with 25,573,084 or 61.6%. Females, on the other hand, make up 38.4% or 783,317 out of the total number of employed Filipinos.<sup>1</sup> Furthermore, in a study conducted by the World Bank, working women in the Philippines earn just 76 percent of what Filipino men do.

The Organization for Economic Cooperation and Development (OECD) declares that when more women work, economies grow. An increase in female labor force participation—or a reduction in the gap between women’s and men’s labor force participation—results in faster economic growth.

Although women have enjoyed greater equality in Philippine society than in other parts of Southeast Asia<sup>2</sup>, there is still significant room for improvement as far as gender equality in the country is concerned particularly on economic opportunity.

---

<sup>1</sup> <https://www.rappler.com/newsbreak/iq/201448-facts-labor-sector-philippines>

<sup>2</sup> <http://countrystudies.us/philippines/44.htm>

It has been observed that in our country men relegated household chores to women even until today – blaming it on the Spanish influence over the country that women are expected to become caring and nurturing mothers for their own children and take care of most household chores. This situation leads to either women staying at home to be a wife and mother, or be employed and remains to be a wife and mother.

Considering that the State declares the importance of women in nation-building, this proposed measure seeks to encourage unwaged women to be gainfully employed and working women's rights advancement.

The aforementioned purposes shall come into effect through the following salient provisions of this bill, among others:

- 1) Longer maternity leave
- 2) Rights of Pregnant Women
- 3) Rights of Women Working in Manufacturing Firms
- 4) Measures to Avoid Sexual Harassment in the Workplace
- 5) Flexible Work Policies for Working Mother and Female Guardian

Penalties for violations of the provisions contained in this measure are likewise provided to ensure its effective implementation.

It's high time to remove the imbalance between men and women specifically in workplaces, thus the passage of this bill is earnestly recommended.

  
**VICENTE C. SOTTO III**

EIGHTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
*First Regular Session* }

Office of the Secretary  
\*19 JUL 15 A10:50

SENATE  
S.B. No. 485

RECEIVED



---

INTRODUCED BY SENATOR VICENTE C. SOTTO III

---

AN ACT  
CREATING A FRIENDLY WORKING ENVIRONMENT FOR WOMEN AND  
FOR OTHER PURPOSES

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

1 SECTION 1: **Short Title.** – This act shall be known as the “*Friendly*  
2 *Working Environment for Women Act.*”

3 SECTION 2. **Declaration of Policy.** – The State recognizes the role of  
4 women in nation-building, and shall ensure the fundamental equality before  
5 the law of women and men.

6 SECTION 3. **Coverage.** – This Act shall cover women employees in all  
7 private enterprises, but not to managerial employees, field personnel,  
8 members of the family of the employer who are dependent on him for  
9 support, domestic helpers, persons in the personal service of another, and  
10 workers who are paid by results.

11  
12 SECTION 4. **Rights of Pregnant Employee.** – The covered employer  
13 shall guarantee the following rights of a pregnant employee:

- 1 a) No pregnant woman shall be required by her employer to perform any  
2 arduous job, or which involves long hours of standing, or which is in  
3 any way is likely to interfere with her pregnancy or the normal  
4 development of the fetus, or is likely to cause her miscarriage or  
5 otherwise to adversely affect her health;
- 6 b) When a female employee is on her maternity leave, the employer  
7 cannot terminate her services;
- 8 c) Flexible working hours shall be granted to pregnant women for the  
9 whole duration of their pregnancy;
- 10 d) Pregnant women should be given an option to work from home  
11 provided that a certification from her attending physician to that effect  
12 shall be presented prior to the request and reasonable notice be given  
13 to their employer, unless the accommodation would impose an undue  
14 hardship on the employer.

15 SECTION 5. ***Prenatal Care Leave.*** – A covered pregnant employee  
16 having rendered continuous aggregate employment service of at least six (6)  
17 months for the last twelve (12) months shall be entitled to a prenatal care  
18 leave of at least five (5) days but not exceeding 11 days with full pay based  
19 on her gross monthly compensation to be used during pregnancy when  
20 visiting her doctor for prenatal care.

21 In order to avail of this leave, reasonable notice must be given to the  
22 employer and certification to that effect from the physician must be  
23 presented on the day the pregnant employee reported for work after her  
24 consultation with her physician.

25 SECTION 6. ***Proper Treatment of Pregnant or Women Employees***  
26 ***with Related Medical Condition.*** – A covered employer is prohibited from  
27 treating an applicant or worker differently on the basis of pregnancy,  
28 childbirth or a related medical condition.

29 Pregnancy-related medical condition, as herein referred to, shall  
30 include, but not limited to, the following:

- 31 a) fertility treatment(s) and/or family planning;

- 1           b) medical or health conditions or complications that might affect or
- 2           be affected by pregnancy or childbirth (e.g. diabetes, high blood
- 3           pressure, etc.);
- 4           c) miscarriage or conditions arising as a direct or indirect result of
- 5           miscarriage;
- 6           d) stillbirth or conditions arising as a direct or indirect result of
- 7           stillbirth; and
- 8           e) abortion or conditions arising as a direct or indirect result of
- 9           abortion.

10           SECTION 7. ***Accommodations for Women Employees with***  
11 ***Pregnancy-Related Medical Condition.*** – Covered employers are also  
12 required to make reasonable accommodations for employees who have  
13 pregnancy-related medical condition. This may include temporary transfer  
14 to a less strenuous or less hazardous position, if an employee so requests  
15 upon the advice of her attending physician, unless the accommodation  
16 would impose an undue hardship on the employer.

17           SECTION 8. ***Employment of Women.*** – No employer shall refuse to  
18 hire a woman because she's pregnant or because she may become pregnant  
19 in the future, except in cases mentioned in Section 10 (c) of this Act.

20           SECTION 9. ***Rights of Women Working in Manufacturing Firms.*** –  
21 The covered employer shall guarantee the following rights of women in  
22 manufacturing firms:

- 23           a) Women workers may be given the option to be assigned in a day
- 24           shift;
- 25           b) The shift timing of a woman worker cannot be changed without at
- 26           least a 24-hour notice for their shift timing change;
- 27           c) Prohibitions for women workers to work in a hazardous occupation
- 28           that will endanger their lives and limbs, or would prevent them
- 29           from conceiving

1           SECTION 10. **Measures to Avoid Sexual Harassment in the**  
2 **Workplace.** – All covered employers must provide a safe working  
3 environment for women that would deter the commission of sexual  
4 harassment in the workplace such as, but not limited to, the following:

- 5           a) Organize workshops and awareness programs at regular intervals  
6           for sensitizing employees on the issues and implications of  
7           workplace sexual harassment. Separate trainings may be made for  
8           rank and file employees, and supervisory and managerial  
9           employees.

10           The training for rank and file employees should teach employees  
11           what sexual harassment is, explain that employees have a right to  
12           a workplace free of sexual harassment, discuss the complaint  
13           procedure, and encourage employees to avail of the grievance  
14           machinery of the company.

15           The training for supervisory and managerial employees should  
16           educate the managers and supervisors about sexual harassment  
17           and their role in the prevention of such acts, and explain them how  
18           to deal with complaints.

- 19           b) Support women employees when they organize and plan activities  
20           that would aid them to better deal with sexual harassment in the  
21           workplace  
22           c) Monitor and revise the policy and education/information programs  
23           on a regular basis to ensure that it is still effective for the workplace

24           SECTION 11. **Flexible Work Policies for Working Mother and**  
25 **Female Guardian.** – Covered employers shall allow flexible work policies  
26 including, but not limited to, job sharing, telecommuting/teleworking, and  
27 career flexibility for working mother or female guardian with children or  
28 ward/s age/s zero (0) to five (5); provided that the aforementioned  
29 arrangements would not impose an undue hardship on the employer.

30           Job sharing or work sharing is an employment arrangement where  
31 typically two people are retained on a part-time or reduced-time basis to  
32 perform a job normally fulfilled by one person working full-time. In such an

1 arrangement, the compensation is apportioned between the workers sharing  
2 the same job.

3 Telecommuting or teleworking is working from a remote location  
4 outside of a traditional office.

5 SECTION 12. **Penalties.** – Any violation of the provisions of this Act  
6 shall be punished with a fine of not less than One Hundred Thousand Pesos  
7 (P100,000.00) nor more than Five Hundred Thousand Pesos (P500,000.00)  
8 at the discretion of the court.

9 In addition to such penalty, any alien found guilty shall be summarily  
10 deported upon completion of service of sentence.

11 SECTION 13. **Liability of a Juridical Person.** – If the offense is  
12 committed by a corporation, trust, firm, partnership, association or any  
13 other entity, the penalty shall be imposed upon the guilty officer or officers  
14 of such corporation, trust, firm, partnership, association or entity.

15 SECTION 14. **Implementing Rules and Regulations.** – Within six (6)  
16 months from the effectivity of this Act the Department of Labor and  
17 Employment shall promulgate rules and regulations necessary to ensure the  
18 effective implementation of this Act.

19 SECTION 15. **Separability Clause.** - If any provision of this Act is  
20 declared invalid or unconstitutional, other provisions hereof which are not  
21 affected thereby shall continue to be in full force and effect.

22 SECTION 16. **Repealing Clause.** – Section 14-A of Republic Act No.  
23 1166, as amended, and all other laws, presidential decrees or issuances,  
24 executive orders, letters of instruction, administrative orders, rules or  
25 regulations contrary to or inconsistent with any provision of this Act is  
26 hereby amended or modified accordingly.

27 SECTION 17. **Effectivity Clause.** - This Act shall take fifteen (15)  
28 days following its publication in the Official Gazette or in at least two (2)  
29 newspaper of general circulation.

*Approved,*