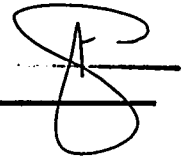


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**SENATE**  
**S.B. No. 1820**

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

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

**EXPLANATORY NOTE**

It is undeniable that the media has played a crucial role in our daily lives and our society as a whole. It has defined and affected how each of us thinks and acts in innumerable ways. Through the everyday and up-to-date news, we get to know the happenings around us at the comforts of our houses, workplaces, vehicles, or wherever we may be; while the media workers risk their own lives being exposed to the perils and hazards outdoor just so we receive our needed information. It keeps us connected with, and aware of, the outside world. Not only that the media has kept us well-informed, it likewise has become the voice of those who cannot speak up for fear of reprisal, and served as bridge between the people and the government.

While we truly recognize media's major influence and the important part that it plays in people's lives; it is unfortunate that the very same people behind it are not receiving the tangible fruits of this recognition which include security of tenure, hazard pay, night shift differential pay, and overtime pay, just to name a few.

Section 18, Article II of the 1987 Constitution states that:

*"The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare."*

To this end, legislative measures are put in place to ensure that the rights of all the members of the labor force are protected and their welfare are promoted.

By reason of the foregoing, this bill being proposed seeks to achieve the following objectives, among others:

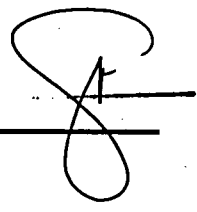
- 1) To ensure that media workers shall be provided with comprehensive benefits package at par with the current benefits enjoyed by those in the labor force both in the government and in the private sector;
- 2) To motivate and encourage media workers to perform their duties as truthful and responsible informers of the people; and
- 3) To ensure the creation of a safe, protected, and atmosphere conducive to a productive, free, and fruitful media work, as well as to guarantee the right of workers to self-organization.

It is high time that we provide the media workers their well-deserved emoluments and protection under the law. Thus, the passage of this bill is earnestly sought.

  
**VICENTE C. SOTTO III**

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

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the "Media Workers' Welfare  
2 Act."

3 **SEC. 2 *Declaration of Policy.*** – It is the declared policy of the State that workers  
4 should be entitled to humane conditions of work and living wage. Consonant with this  
5 principle, this Act shall have the following objectives:

- 6 (a) To ensure that media workers shall be provided with comprehensive benefits  
7 package at par with the current benefits enjoyed by those in the labor force  
8 both in government and the private sector;
- 9 (b) To motivate and encourage media workers to perform their duties as truthful  
10 and responsible informers of the people;
- 11 (c) To ensure the creation of a safe, protected, and atmosphere conducive to a  
12 productive, free, and fruitful media work, as well as to guarantee the right of  
13 workers to self-organization;
- 14 (d) To ensure the observance and implementation of the principles agreed upon in  
15 the International Labor Organization (ILO) Convention No. 190. (Violence and  
16 Harassment Against Workers, 2019); and

1 (e) To ensure that the jobs of media workers in the current exercise of freedom of  
2 press and the exercise of news media shall be free from any form of  
3 harassment.

4 **SEC. 3. Coverage.** – This Act shall cover all media workers and media entities as  
5 defined herein.

6 1. Media Workers shall refer to those who are legitimately engaged in news media  
7 practice, directly or indirectly, whether as a principal occupation or not,  
8 including but not limited to the following: regular employees, project  
9 employees, and independent contractors, among others.

10 2. Media Entities are persons or entities that actively gather information of  
11 potential interest to a segment of the public, turns gathered information into a  
12 distinct work, or distributes that work to an audience within the Philippines, and  
13 otherwise serves the purposes described herein. The term includes media  
14 networks and media operators.

15 **SEC. 4. Minimum Compensation for Media Workers.** – To ensure that media  
16 workers shall be properly compensated, entry-level positions shall receive the  
17 minimum monthly compensation determined by the National Wages and Productivity  
18 Commission (NWPC) and Regional Tripartite Wages and Productivity Boards  
19 (RTWPBs), whichever applies.

20 **SEC. 5. Security of Tenure or Regularization.** – In addition to the existing rights  
21 and benefits accorded to the employee by the Labor Code under P.D. No. 442, as  
22 amended, and subject to existing laws, a media worker shall be deemed a regular  
23 employee after six (6) months of continuous employment, regardless of the nature of  
24 employment. No worker shall be dismissed from one's employment without just or  
25 authorized cause and without procedural due process. The computation of  
26 employment time shall be cumulative in cases where the employee is repeatedly  
27 engaged for shorter periods by the employer to avoid regularization.

1 **SEC. 6. Hazard Pay.** – Media workers required to physically report for work in  
2 dangerous areas, such as strife-torn or embattled areas, distressed or isolated stations,  
3 disease-infested areas or in areas declared under state of calamity or emergency for  
4 the duration thereof which expose them to great danger, contagion, radiation, volcanic  
5 activity/eruption, occupational risks or perils to life as determined by the Presidential  
6 Task Force on Media Security (PTFoMS) in consultation with the Department of Labor  
7 and Employment (DOLE), shall be compensated with hazard pay in an amount of at  
8 least five hundred pesos (PHP500.00) per day, with no diminution, which shall be  
9 computed as follows:

10 *Hazard pay - PHP500 x number of days physically reporting for work in dangerous*  
11 *areas.*

12 The hazard pay of media workers may be increased or subject to change as decided  
13 upon by the Tripartite Council, which shall be created under Section 14 of this Act.

14 Media workers working for government or private media entities who are already  
15 enjoying similar benefit equal or superior to the above amount shall no longer be  
16 entitled to such hazard pay.

17 In addition, the employer shall provide media workers covering the above-mentioned  
18 areas or incidents with basic safety gear and equipment, such as bulletproof vest and  
19 helmets, first-aid kit, fire protection jacket, face shield, medical grade protective  
20 equipment, harness, safety shoes, life vest, and the like.

21 **SEC. 7. Overtime Work and Night Shift Differential Pay.** – Where the exigencies  
22 of the service so require, any media worker may be required to render service beyond  
23 the normal eight (8) hours a day, or between 10:00 o'clock in the evening to 6:00  
24 o'clock in the morning the following day. In such a case, the media worker shall be  
25 paid an additional compensation in accordance with existing laws and duly recognized  
26 industry practices, subject to exemptions set by existing laws.

**SEC. 8. *Mandatory Additional Insurance Benefits for Media Workers.*** – In addition to the existing insurance benefits given to media workers by the Social Security System (SSS), the Government Service Insurance System (GSIS), Home Development Mutual Fund (Pag-Ibig Fund), and the Philippine Health Insurance Corporation (PhilHealth), there shall be an additional insurance coverage to be provided to media workers which shall provide the following minimum benefits:

- 1) Death Benefit of Two Hundred Thousand Pesos (Php 200,000.00) for each media worker who shall perish in the line of duty;
- 2) Disability Benefits of up to Two Hundred Thousand Pesos (Php 200,000.00) for each media worker who shall suffer total or partial disability whether permanent or temporary, arising from any injury sustained in the line of duty; and
- 3) Reimbursement of actual medical expenses up to but not to exceed One Hundred Thousand Pesos (Php 100,000.00) for each media worker who shall be hospitalized or who shall require medical attendance for injuries sustained while in the line of duty.

**SEC. 9. *Equal Access to Public Information Fund.*** – Any government fund obtained from taxpayer's money intended to support the public information campaign of all government branches in the form of official ad placements, notices and the like, shall be deemed as "Public Information Fund". These shall include funds allotted through various public information units of local government units, national government agencies, and all units of the executive, judiciary and legislature from the national level down to their subunits and government owned or controlled corporations.

Subject to existing laws, any media entity shall have equal opportunity and access to such fund through such measure or policy adopted by the government unit concerned specifically designed to ensure such equal access. A media entity must show proof of full payment of all relevant local and national taxes, permits, fees and licenses and the like to be entitled to the provisions of this Act. For transparency, all information surrounding such fund shall be made available to the public pursuant to the Freedom

of Information (FOI) program as established under Executive Order No. 2, Series of 2016.

**SEC. 10. *Compliance.*** – The DOLE, as the primary agency under Administrative Order No. 1 (Series of 2016) tasked to ensure the protection of the life, liberty and security of media workers, shall monitor compliance with the provisions of this Act and shall assume the role of a voluntary grievance mechanism on matters stipulated in Sections 4, 5, 6, 7 and 8 of this Act. The DOLE shall likewise monitor compliance with Section 9 of this Act and assume the role of a voluntary grievance mechanism for any violation thereof. However, nothing in this Act shall be interpreted to add to bureaucratic processes or regulations in order to achieve the objectives as set forth in this Act.

**SEC. 11. *Responsibilities of Media Entities.*** – A Media Entity shall be responsible for all contents released under its name.

**Claims against media workers** – Owners of media entities, including the franchise holder, shall be solidarily liable for any claims against media workers in connection with their work, regardless of the nature of engagement. Any agreement to the contrary shall be void.

**Claims against Blocktimers** – A blocktimer is one who buys airtime from radio and television franchise holders. Blocktimers are bound and must strictly comply with the standards set by the franchise and the generally-accepted and applied broadcast code such as, but not limited to, the one set by the Kapisanan ng mga Brodkaster ng Pilipinas (KBP). Owners of media entities, including the franchise holder, shall be solidarily liable for any claims arising from the content aired by blocktimers, their agents, successors and assigns. Any agreement to the contrary shall be void.

**Claims against Advertisements** – Owners of media entities, including the franchise holder, shall be solidarily liable for any claims arising from the content aired through advertisements. Any agreement to the contrary shall be void.

1 **SEC. 12. *Penal Provision.*** – A fine of thirty thousand pesos (PHP30,000.00) shall be  
2 imposed on a person or entity operating as a job contractor without a license, provided  
3 that said person or entity does not commit any other act described as labor-only  
4 contracting under Article 106 of the Labor Code;

5 A fine shall be imposed on a person or entity operating as a job contractor without a  
6 license and who also commits any of the acts described as labor-only contracting under  
7 Article 106 of the Labor Code. Said fine shall be thirty thousand pesos (PHP30,000.00)  
8 assessed per employee engaged under a labor-only contracting arrangement but not  
9 to exceed the total amount of five million pesos (Php5,000,000.00). In addition, said  
10 person or entity which engages in labor-only contracting shall be barred from applying  
11 for future licenses. This disqualification shall extend to the responsible partners,  
12 directors or officers of the liable partnership, corporation or cooperative;

13 A fine shall be imposed on a licensed job contractor who commits any of the acts  
14 described as labor-only contracting under Article 106 of the Labor Code. The fine shall  
15 be thirty thousand pesos (PHP30,000.00) assessed per employee engaged under a  
16 labor-only contracting arrangement but not to exceed the total amount of five million  
17 pesos (PHP5,000,000.00). In addition, the licensee shall have its operation closed on  
18 the project in which the violation was committed and shall be barred from applying for  
19 licenses in the future. Any succeeding offense committed shall result in the termination  
20 of operations and disqualification of the job contractor. This disqualification shall  
21 extend to the responsible partners, directors or officers of the liable partnership,  
22 corporation or cooperative;

23 A fine shall be imposed on a person or entity which engages fixed-term employees in  
24 violation of Article 295 of the Labor Code. The fine shall be thirty thousand pesos  
25 (PHP30,000.00) assessed per employee engaged under the prohibited fixed-term  
26 arrangement but not to exceed the total amount of five million pesos  
27 (PHP5,000,000.00). The above fines shall be imposed jointly and severally against the  
28 principal employer, and contractor, manpower agency, workers' cooperative or any  
29 other similar entity or their responsible partners, directors or officers engaged in the



1 prohibited arrangements described above. The fines shall be imposed without  
2 prejudice to other damages that may be imposed under the Labor Code and other laws  
3 and regulations.

4 **SEC. 13. *Inclusion in the Curriculum.*** – The provisions of this Act and its  
5 Implementing Rules and Regulations, as well as the Code of Ethics for Media Workers  
6 shall form part of the core subjects in the school curriculum on journalism.

7 **SEC. 14. *News Media Tripartite Council.*** – The DOLE shall initiate the creation of  
8 the News Media Tripartite Council that will serve as a link among various stakeholders,  
9 provide the industry with a platform for both media workers groups and media entities  
10 in the crafting of policy decisions that will affect them and the industry as a whole, and  
11 serve as an avenue to express their aspirations, present their programs or bridge gaps  
12 in cases of conflict among them.

13 **SEC. 15. *Implementing Rules and Regulations.*** – The DOLE in consultation with  
14 other media groups, associations, publishers, guilds and concerned groups, shall  
15 promulgate the Implementing Rules and Regulations (IRR) within six (6) months from  
16 the effectivity of this Act.

17 **SEC. 16. *Separability Clause.*** – If for any reason any provision or section of this  
18 Act is declared unconstitutional or invalid, such portions not affected thereby shall  
19 remain in full force and effect.

20 **SEC. 17. *Repealing Clause.*** – All laws, decrees, executive orders, rules and  
21 regulations inconsistent with the provisions of this Act are hereby repealed or modified  
22 accordingly.

23 **SEC. 18. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after  
24 publication in at least two (2) newspapers of general circulation.

*Approved,*