

NINETEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*Second Regular Session*

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**SENATE**  
S. No. 2489

RECEIVED BY:

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**Introduced by Senator Francis "Tol" N. Tolentino**

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**AN ACT**  
**AMENDING REPUBLIC ACT NO. 10361 OTHERWISE KNOWN AS THE**  
**"DOMESTIC WORKERS ACT" OR "BATAS KASAMBAHAY"**

**EXPLANATORY NOTE**

Domestic workers or kasambahays have been an integral part of every Filipino household. It is through them that a lot of people are able to live comfortably without sacrificing their careers or family lives. Indeed, the significant contributions of kasambahays extends beyond our households unto helping even the economy, yet they remain to be undervalued and still form part of the marginalized sector of our society.

This bill seeks to facilitate full implementation of the provisions of the Batas Kasambahay Law through a clearer and stricter monitoring system – through the establishment of the Kasambahay Registry and Kasambahay Help Desk and/or Hotline; and a more active information dissemination campaign.

In addition, the bill aims to strengthen the current Batas Kasambahay Law by imposing specific criminal liabilities on abusive employers, in order to deter the continuous incidence of abused kasambahays in our country.

With these proposed changes, it is our aim to provide our kasambahays with greater and more guaranteed protection of their rights, to prevent any cases of abuse against them, and to help improve their quality of life for a better future for them and their family.

It is for these reasons that the immediate passage of this bill is earnestly sought.

**FRANCIS N. TOLENTINO**  
Senator



1           **EMPLOYERS SHALL SUBMIT A COPY OF THE EMPLOYMENT**  
2           **CONTRACT TO THEIR RESPECTIVE BARANGAYS WITHIN A PERIOD**  
3           **OF SIX (6) MONTHS FROM THE EMPLOYMENT DATE OF THE**  
4           **KASAMBAHAY.**

5  
6           **EVERY BARANGAY SHALL MAINTAIN A REGISTRY OF**  
7           **KASAMBAHAY TO BE UPDATED EVERY 6 MONTHS. A COPY OF THE**  
8           **UPDATED LIST OF KASAMBAHAYS SHALL BE SUBMITTED, BY ALL**  
9           **BARANGAY CHAIRMAN, TO THE MUNICIPAL OR CITY OFFICE ON OR**  
10          **BEFORE JANUARY 18 OF EACH YEAR. EVERY MUNICIPALITY OR CITY**  
11          **SHALL MAINTAIN A CONSOLIDATED LIST OF ALL KASAMBAHAYS,**  
12          **BASED FROM THE SUBMISSION OF ALL BARANGAYS, AND SHALL**  
13          **TRANSMIT COPIES OF THE UPDATED LIST TO THE DOLE, DSWD, CHR,**  
14          **AND THE PNP.**

15  
16          **A COPY OF THIS ACT AS AMENDED SHALL BE POSTED IN ALL**  
17          **PUBLIC PLACES, IE: BARANGAY HALL, PUBLIC MARKET, PUBLIC**  
18          **PLAZA OR PARK, PARISH, HEALTH CENTERS, AMONG OTHERS; AND**  
19          **IN THE OFFICIAL SOCIAL MEDIA ACCOUNTS OF EACH BARANGAY,**  
20          **MUNICIPALITY, AND CITY.**

21  
22          **SECTION 38. KASAMBAHAY HELP DESK AND/OR HOTLINE. — A**  
23          **KASAMBAHAY HELP DESK AND/OR HOTLINE SHALL ALSO BE**  
24          **MAINTAINED IN EVERY BARANGAY, MUNICIPAL, OR CITY HALL**  
25          **THROUGHOUT THE COUNTRY. IN EVERY BARANGAY, THE**  
26          **KASAMBAHAY HELP DESK AND/OR HOTLINE SHALL BE AVAILABLE**  
27          **24/7, MANNED WITH A TRAINED PERSONNEL OR OFFICER EACH**  
28          **TOUR OF DUTY.**

29  
30          **Section 3.** Article VII of RA No. 10361 shall now become Article VIII and the  
31 sections thereof renumbered accordingly.  
32



1 ~~{Ten Thousand Pesos (P10,000.00)}~~ **ONE HUNDRED THOUSAND PESOS**  
2 **(P100,000.00)** but not more than ~~{Forty Thousand Pesos (P40,000.00)}~~ **TWO**  
3 **HUNDRED FIFTY THOUSAND PESOS (P250,000.00)** without prejudice to  
4 the filing of appropriate civil or criminal action.

5  
6 **b. ANY EMPLOYER OR ANY RELATIVE OR MEMBER OF THE**  
7 **HOUSEHOLD OF THE SAID EMPLOYER WHO SHALL DIRECTLY OR**  
8 **INDIRECTLY, SUBJECT A DOMESTIC WORKER OR "KASAMBAHAY" TO**  
9 **ANY FORM OF ABUSE, PHYSICAL VIOLENCE OR HARASSMENT SHALL**  
10 **SUFFER THE FOLLOWING:**

11  
12 **1. IF NO INJURY WAS CAUSED, OR ONLY MINOR INJURIES**  
13 **WERE CAUSED, THE PENALTY OF IMPRISONMENT**  
14 **RANGING FROM SIX (6) MONTHS AND ONE (1) DAY TO**  
15 **FOUR (4) YEARS AND TWO (2) MONTHS AND A FINE NOT**  
16 **LESS THAN TWO HUNDRED FIFTY THOUSAND PESOS**  
17 **(P250,000.00) BUT NOT MORE THAN FIVE HUNDRED**  
18 **THOUSAND PESOS (P500,000.00);**

19 **2. IF BY REASON OR ON THE OCCASION OF SUCH ABUSE,**  
20 **PHYSICAL VIOLENCE OR HARASSMENT INFLICTED, THE**  
21 **KASAMBAHAY SHALL BECOME DEFORMED, OR SHALL**  
22 **HAVE LOST ANY BODY PART, OR HAVE LOST THE USE**  
23 **THEREOF, THE EMPLOYER OR MEMBER OF THE**  
24 **HOUSEHOLD RESPONSIBLE FOR THE SAME SHALL**  
25 **SUFFER THE PENALTY OF IMPRISONMENT RANGING**  
26 **FROM FOUR (4) YEARS, TWO (2) MONTHS AND ONE (1)**  
27 **DAY TO EIGHT (8) YEARS AND A FINE NOT LESS THAN**  
28 **ONE MILLION PESOS (P1,000,000.00) BUT NOT MORE**  
29 **THAN TWO MILLION PESOS (P2,000,000.00).**

30 **3. IF BY REASON OR ON THE OCCASION OF SAID ABUSE,**  
31 **PHYSICAL VIOLENCE OR HARASSMENT INFLICTED, THE**  
32 **KASAMBAHAY SHALL BECOME INSANE, IMBECILE,**

1 IMPOTENT, OR BLIND, THE EMPLOYER OR MEMBER OF  
2 THE HOUSEHOLD RESPONSIBLE FOR THE SAME SHALL  
3 SUFFER THE PENALTY OF IMPRISONMENT FOR EIGHT (8)  
4 YEARS AND ONE (1) DAY TO TWELVE (12) YEARS AND A  
5 FINE NOT LESS THAN TWO MILLION PESOS  
6 (P2,000,000.00) BUT NOT MORE THAN FOUR MILLION  
7 PESOS (P4,000,000).

8 4. IF BY REASON OR ON THE OCCASION OF THE SAID  
9 ABUSE, PHYSICAL VIOLENCE OR HARASSMENT  
10 INFLICTED, THE KASAMBAHAY DIED, THE PENALTY OF  
11 IMPRISONMENT OF TWELVE (12) YEARS AND ONE (1)  
12 DAY TO TWENTY (20) YEARS AND A FINE NOT LOWER  
13 THAN P5,000,000 SHALL BE IMPOSED.

14  
15 C. ANY NATIONAL OR LOCAL GOVERNMENT OFFICIAL OR  
16 EMPLOYEE WHO SHALL FAIL TO TAKE APPROPRIATE ACTION, ON  
17 ANY REPORTED OR SUSPECTED CASE OF ABUSE ON KASAMBAHAY,  
18 SHALL BE HELD ADMINISTRATIVELY LIABLE AND SHALL SUFFER A  
19 FINE OF NOT LESS THAN ONE HUNDRED THOUSAND PESOS  
20 (P100,000.00) BUT NOT MORE THAN TWO HUNDRED FIFTY  
21 THOUSAND PESOS (P250,000.00). IN ADDITION, THE PENALTY OF  
22 PERPETUAL ABSOLUTE DISQUALIFICATION FROM HOLDING ANY  
23 ELECTIVE OR APPOINTIVE POSITION SHALL LIKEWISE BE IMPOSED  
24 ON SAID GOVERNMENT OFFICIAL OR EMPLOYEE.

25  
26 **Section 7. *Final Provisions.*** – Article X of RA No. 10361 shall now become  
27 Article XI and the sections thereunder shall be renumbered accordingly.

28  
29 **Section 8.** Section 44 shall now become Section 45 and amended to read as  
30 follows:

31  
32 ARTICLE [~~X~~] XI

1                   Xxx

2

3                   SEC. 44. *Repealing Clause.* – [~~All articles or provisions of Chapter III~~  
4 ~~(Employment of Househelpers) of Presidential Decree No. 442, as amended~~  
5 ~~and renumbered by Republic Act No. 10151 are hereby expressly repealed. All~~  
6 ~~laws, decrees, executive orders, issuances, rules and regulations or parts~~  
7 ~~thereof inconsistent with the provisions of this Act are hereby repealed or~~  
8 ~~modified accordingly.] **ALL OTHER LAWS, ACTS, PRESIDENTIAL**  
9 **DECREES, EXECUTIVE ORDERS, PRESIDENTIAL PROCLAMATIONS,**  
10 **ISSUANCES, RULES AND REGULATIONS, OR PARTS THEREOF WHICH**  
11 **ARE NOT CONTRARY TO OR INCONSISTENT WITH ANY PROVISIONS**  
12 **OF THIS ACT SHALL REMAIN IN FULL FORCE AND EFFECT.**~~

13

14 ***Approved,***