

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

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Senate  
Office of the Secretary

24 SEP -4 A8 :41

**SENATE**  
**S. B. No. 2810**

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Introduced by Senator Robinhood Padilla

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**AN ACT**  
**AMENDING REPUBLIC ACT NO. 11313 OTHERWISE KNOWN AS THE**  
**"SAFE SPACES ACT" AND FOR OTHER PURPOSES**

**Explanatory Note**

The passage of Safe Spaces Act or the Bawal Bastos Law in 2019 is undeniably a step in the right direction as this measure is able to set a clear definition of gender-based sexual harassment, which may occur in the streets, public spaces, online, workplaces, and educational or training institutions.

Despite this progress, the recent public hearings of the Senate Committee on Public Information and Mass Media revealed that sexual harassment in the workplace remains active and rampant. It was further observed that employers, particularly large corporations, could easily evade compliance with their obligations under the Safe Spaces Act given the grossly small amount of applicable fines.

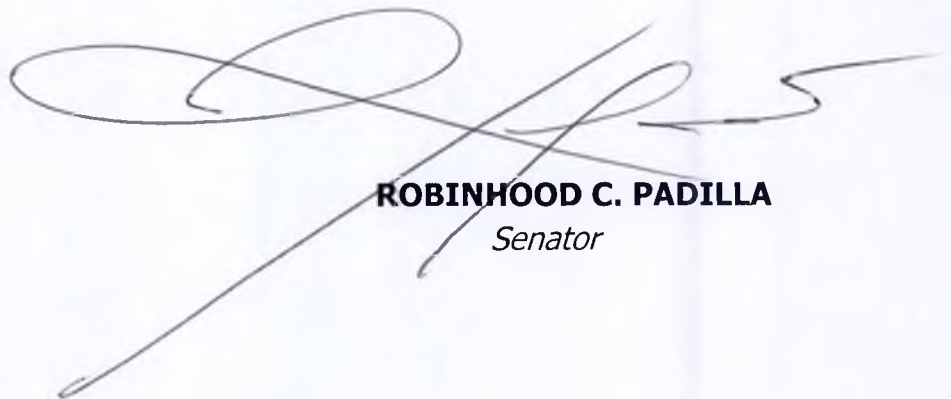
In order to ensure compliance, this representation seeks to amend the said law by imposing heavier penalties. From a fine ranging from five thousand pesos (P5,000.00) to ten thousand pesos (P10,000.00) for an employer's failure to take proper measures to combat gender-based sexual harassment, or failure to create an internal mechanism or a committee on decorum, this measure seeks to increase the amount to an amount no less than one hundred thousand pesos (P100,000.00) but not more than three hundred thousand pesos (P300,000.00).

In the case of failure of the employer to act upon sexual harassment complaints, this measure seeks to impose a penalty ranging from three hundred thousand pesos (P300,000.00) to five hundred thousand pesos (P500,000.00) significantly increasing it from its current penalty of fine in the amount not less than ten thousand pesos (P10,000.00) but not more than fifteen thousand pesos (P15,000.00).

To better achieve the intention of this representation, an amendment is likewise introduced to include an automatic award of exemplary damages in the amount of three hundred thousand pesos (P300,000.00) in the event of conviction.

Finally, recognizing the stigma and social exclusion that go together with coping with the trauma caused by sexual harassment, this measure likewise seeks to increase the prescriptive period for filing a complaint from five (5) years to ten (10) years.

It is for the above-mentioned reasons that the passage of this measure is earnestly sought.



**ROBINHOOD C. PADILLA**  
*Senator*

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**"SAFE SPACES ACT" AND FOR OTHER PURPOSES**

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

1       Section 1. Section 19 of Republic Act No. 11313 otherwise known as the "Safe  
2       Spaces Act" is hereby amended to read as follows:

3               "Section 19. *Liability of Employers.* — In addition to liabilities for  
4       committing acts of gender-based sexual harassment, employers may also be  
5       held responsible for:

6               (a) Non-implementation of their duties under Section 17 of this Act, as  
7       provided in the penal provisions; or

8               (b) Not taking action on reported acts of gender-based sexual  
9       harassment committed in the workplace.

10              Any person who violates subsection (a) of this section, shall upon  
11       conviction, be penalized with a fine of not less than [~~Five~~] **ONE HUNDRED**  
12       thousand pesos (~~₱~~[5]**100,000.00**) nor more than [~~Ten~~] **THREE HUNDRED**  
13       thousand pesos (~~₱~~[1]**300,000.00**).

14              Any person who violates subsection (b) of this section, shall upon  
15       conviction, be penalized with a fine of not less than [~~Ten~~] **THREE HUNDRED**



1 thousand pesos (~~₱~~~~1~~**300,000.00**) nor more than [~~Fifteen~~] **FIVE HUNDRED**  
2 thousand pesos (~~₱~~~~1~~**500,000.00**).

3 **ANY PERSON WHO VIOLATES SUBSECTIONS (A) OR (B) OF**  
4 **THIS SECTION SHALL, UPON CONVICTION, BE MADE LIABLE TO PAY**  
5 **EXEMPLARY DAMAGES IN THE AMOUNT OF THREE HUNDRED**  
6 **THOUSAND PESOS (P300,000.00)”**

7 Sec. 2. Section 36 of Republic Act No. 11313 is likewise amended to read as  
8 follows:

9 “Section 36. *Prescriptive Period.* — Any action arising from the violation  
10 of any of the provisions of this Act shall prescribe as follows:

11 (a) XXX

12 (b) XXX

13 (c) XXX

14 (d) XXX

15 (e) Offenses committed under Sections 16 and 21 of this Act shall  
16 prescribe in [~~five-(5)~~] **TEN (10)** years.”

17 Sec. 3. *Separability Clause.* — If any provision of this Act shall be held  
18 unconstitutional or invalid, the other provisions not otherwise affected shall remain  
19 in full force and effect.

20 Sec. 4. *Repealing Clause.* — All laws, decrees, orders, issuances, and rules  
21 and regulations or parts thereof inconsistent with the provisions of this Act are  
22 hereby repealed or modified accordingly.

23 Sec. 5. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after  
24 its publication in the Official Gazette or in at least two (2) newspapers of general  
25 circulation.

*Approved,*