

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7 JUL -3 112:02

SENATE

RECEIVED BY: 

S. BILL NO. 753

Introduced by Senator Antonio F. Trillanes IV

EXPLANATORY NOTE

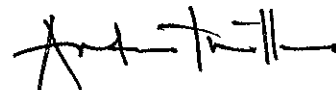
The current minimum wage for workers is still well below the ten thousand pesos (P10,000.00) mark. This is despite of the fact that the minimum cost of living for an average family of five (5), as determined by the National Statistics Office (NSO), is already pegged at thirteen thousand two hundred pesos (P13,200.00) per month.

Our workers and employees have, for many years, been clamoring for the enactment of a legislated across-the-board wage increase in the amount of one hundred twenty five pesos (P125.00) per day.

The undersigned believes that it is high time we consider granting this request in order to bridge the gap between what our workers are receiving and what they need to be able to properly provide for their families' needs.

This proposed wage increase will definitely increase the purchasing power of workers and their families. The same may in fact help boost consumption which may ultimately redound to the benefit of capitalists and business owners in the form of higher sales and better profits.

Accordingly, the passage of this bill is earnestly sought.

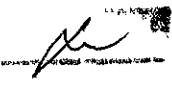


ANTONIO F. TRILLANES IV

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AN ACT
PROVIDING FOR A P125.00 DAILY ACROSS-THE-BOARD INCREASE
IN THE SALARY RATES OF EMPLOYEES AND WORKERS IN THE
PRIVATE SECTOR AND FOR OTHER RELATED PURPOSES.

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

SECTION 1. Short title. – This Act shall be known as "*The P125.00 Daily Across-the-Board Wage Increase Act*".

SEC. 2. Declaration of State Policy. – It is hereby declared to be the policy of the State to alleviate the living conditions of the ordinary Filipino through policies that provide for a decent and humane standard of living and improved quality of life, particularly of the working class; to ensure the right of labor to its just share in the fruits of production; to guarantee the workers' right to a living wage; and to promote social justice through the adoption of measures calculated to ensure the well-being and economic security of all the members of the community.

SEC. 3. Across-the-Board Wage Increase. – In line with the declared policy under this Act, all employers in the private sector, whether agricultural or nonagricultural, regardless of capitalization and number of employees shall pay their workers an across-the-board wage increase in the sum of One hundred twenty-five pesos (P125.00) a day to be paid in the following manner:

(a) Beginning January 1, 2008, an additional Forty-five pesos (P45.00) a day;

(b) Beginning January 1, 2009, an additional Forty pesos (P40.00) a day; and

(c) Beginning January 1, 2010, an additional Forty pesos (P40.00) a day.

SEC. 4. Non-chargeability of prior increases. – No wage increase shall be credited as compliance with the increase prescribed herein unless expressly provided under valid collective bargaining agreements: Provided, That such wage increase was granted in anticipation of the legislated across-the-board wage increase under this Act; Provided, further, that such where such increase is less than the prescribed increase under this Act, the employer shall pay the difference.

Such increases shall not include anniversary wage increases, merit wage increases and those resulting from the regularization or promotion of employees.

SEC. 5. Non-diminution of other benefits. – Nothing in this Act shall be construed to reduce any existing allowance and benefit of any form under existing laws, decrees, issuances, executive orders and any contract or agreement between workers and employers.

SEC. 6. Inspection by the DOLE. – The Department of Labor and Employment (DOLE) shall, after approval of this Act, conduct inspection of the payroll and other financial records kept by the company or business to determine whether the workers are paid the prescribed across-the-board wage increase and other benefits granted by law. In unionized companies, establishments or businesses, the inspection should be carried out in the presence of a worker representing the workers in the said company.

SEC. 7. Penalties. – Any person, corporation, trust, firm, partnership, association or entity violating any provision of this Act shall be punished by a fine of not less than Twenty-five thousand pesos (P25,000.00) nor more than One hundred thousand pesos (P100,000.00) or imprisonment of not less than two years nor more than four years, or both such fine and imprisonment at the discretion of the court: Provided, That if the violation is committed by a corporation, trust or firm, association or any other entity, the penalty of imprisonment shall be imposed upon the entity's responsible officers including, but not limited to, the president, vice president, chief executive officer, general manager, managing director or partner.

The employer concerned shall be ordered to pay an amount equivalent to double the unpaid benefits owing to the employees: Provided, That payment of indemnity shall not absolve the employer from the criminal liability imposable under this Act: Provided, further, That any person convicted under this Act shall not be entitled to the benefits provided for under the Probation Law.

SEC. 8. Implementing Rules and Regulations. – The Secretary of Labor and Employment shall promulgate the necessary rules and regulations to implement this Act.

SEC. 9. Severability. – If any provision or part of this Act or the application thereof to any person or circumstance is held invalid or unconstitutional, the remainder of this Act or the application of such provision or part thereof to other persons or circumstances shall not be affected thereby.

SEC. 10. Repealing Clause. – All laws, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 11. Effectivity. – This Act shall take effect within fifteen (15) days after its publication in the Official Gazette or in at least two newspapers of general circulation, whichever comes earlier.

Approved,