


THIRTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session

6 JUN -7 P3:57

RECEIVED BY: 

SENATE

S. No. 2345

INTRODUCED BY SEN. MANNY VILLAR

EXPLANATORY NOTE

Section 2 of Article III of the Constitution declares as State policy that:

"The State values the dignity of every human person and guarantees full respect for his human rights."

Further, Article 147 of the Labor Code of the Philippines, as amended, provides that employer shall treat the househelper in a just and humane manner. In no case shall physical violence be used upon the househelper. In order to further support the plight of our househelpers, who are often victimized by their own employers, there is a need to impose heavier penalties on certain offenses committed by employers or immediate members of their families, against their hapless househelpers.

On this note, the attached bill proposes that the crimes of less serious physical injuries under Article 265 and qualified seduction under Article 337 of the Revised Penal Code, when committed by employers or immediate members of their families against househelpers under their employ, be given heavier penalties.


Accordingly, the approval of this bill is earnestly sought.


MANNY VILLAR

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**AN ACT
DEFINING AS QUALIFIED FELONIES CERTAIN FELONIES
COMMITTED BY EMPLOYERS OR IMMEDIATE MEMBERS OF THEIR
FAMILY AGAINST HOUSEHELPERS UNDER THEIR EMPLOY**

Be ^{it} enacted by the Senate and House of Representatives of the
Philippines in congress assembled:

SECTION 1. ***Declaration of Policy.***— It is hereby declared the policy of the State to value the dignity of every human person and guarantees full respect for human rights of persons who render services in and about their employers' home and which services are usually necessary or desirable for the maintenance and enjoyment thereof, and ministers exclusively to the personal comfort and enjoyment of their employers' families..

Thus, the Senate, in promoting the dignity to the househelpers, is hereby defining as qualified felonies certain felonies committed by an employer and members of his immediate family against the person, property, and chastity of househelpers.

SECTION 2. In line with the declared policy of this Act, Article 265 of the Revised Penal Code are hereby amended to read as follows:

“Art. 265. ***Less serious physical injuries.***— Any person who shall inflict upon another physical injuries not described in the

preceding articles, but which shall incapacitate the offended party for labor for ten days or more, or shall require medical assistance for the same period, shall be guilty of less serious physical injuries and shall suffer the penalty of *arresto mayor*.

“Whenever less serious physical injuries shall have been inflicted with the manifest intent to kill or offend the injured person, or under circumstances adding ignominy to the offense in addition to the penalty of *arresto mayor*, a fine not exceeding five hundred pesos (Php 500.00) shall be imposed.

“Any less serious physical injuries inflicted upon the offender's parents, ascendants, guardians, curators, teachers, or persons of rank, or persons in authority, shall be punished by *prision correccional* in its minimum and medium periods, provided that, in the case of persons in authority, the deed does not constitute the crime of assault upon such person.

“THE PENALTY OF *PRISION CORRECCIONAL* IN ITS MINIMUM PERIODS SHALL LIKEWISE BE IMPOSED IF ANY LESS SERIOUS PHYSICAL INJURIES SHALL BE INFLICTED BY AN EMPLOYER OR OTHER MEMBERS OF HIS FAMILY UPON HIS EMPLOYEE OR HOUSEHELPER.”

SECTION 3. Article 337 of the Revised Penal Code are hereby amended to read as follows:

“Art. 337. **Qualified seduction.**— The seduction of a virgin over twelve years and under eighteen years of age, committed by any person in public authority, priest, [home-servant] HOUSEHELPER, EMPLOYER OF A HOUSEHELPER OR IMMEDIATE MEMBERS OF SUCH EMPLOYER'S FAMILY, domestic, guardian, teacher, or any person who, in any capacity,

shall be entrusted with the education or custody of the woman seduced, shall be punished by *prision correccional* in its minimum and medium periods.

“The penalty next higher in degree shall be imposed upon any person who shall seduce his sister or descendant, whether or not she be a virgin or over eighteen years of age.

“Under the provisions of this Chapter, seduction is committed when the offender has carnal knowledge of any of the persons and under the circumstances described herein.”

SECTION 4. ***Effectivity***.— This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved.