


THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session

6 DEC -6 P2:43

RECEIVED BY: 

SENATE

S. B. No. 2556

Introduced by SENATOR RAMON BONG REVILLA, JR.

EXPLANATORY NOTE

The Constitution mandates that the State shall "affirm labor as a primary social economic force and shall protect the rights of workers and promote their welfare."

Protection stems first from the complete information and understanding of the terms of employment. Unfortunately, there is a lack of mechanisms that would ascertain that workers are well-informed and properly guided on what their rights, benefits and privileges are under existing laws and company policies or employment contracts.

For instance is the low percentage of availed benefits under the Employees Compensation Program (ECP). The Honorable Leonardo A. Quisumbing, former Secretary of the Department of Labor and Employment, affirmed that out of 250,000 workers who suffer work-related accidents or illnesses yearly, only about 147,000 have availed of the benefits covered by the ECP. Furthermore, contributory to the considerably low number of claimed benefits is the law's provision which states that, "uninformed workers who do not file claims lose their right to compensation following a prescriptive period of three (3) years."

Evidently, there is a dire need for information dissemination to workers of their rights, benefits and privileges. Such could be best achieved through close cooperation among the government, employers, labor unions and other concerned groups.

In view of the above, this bill intends to require the employers to inform their employees both at their engagement and at the time a particular contingency occurs of the benefits available for them. This bill also aims that education programs for workers be regularly held to be conducted by the Department of Labor and Employment, with the support of other government agencies, industry organizations, labor unions and non-government organizations.

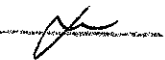
Thus, the early passage of this bill is earnestly sought.


RAMON BONG REVILLA, JR.

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**AN ACT REQUIRING EMPLOYERS TO INFORM THEIR EMPLOYEES OF
THEIR RIGHTS, BENEFITS AND PRIVILEGES UNDER EXISTING LAWS,
AND COMPANY POLICIES OR EMPLOYMENT CONTRACTS**

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

SECTION 1. *Statement of Policy.*- It is hereby the declared policy of the State to provide social protection, promote full employment and an improved quality of life for all. Towards this end, the State shall ensure the regular dissemination to both employers and workers of information on labor rights, benefits and privileges under existing laws, statutes, rules and regulations, and collective bargaining agreements. This is to guarantee full enjoyment of the rights, benefits and privileges accorded to workers.

SEC. 2. *Duty of the Employer to Inform His/Her Workers of their Rights, Benefits and Privileges.* - Every employer shall inform each employee, orally and in writing, in a language known to him/her, on the first day of his/her employment and everytime a compensable contingency occurs, of his/her rights, benefits and privileges under existing laws, statutes, rules and regulations, and company policies or employment contracts: *Provided*, however, That with respect to the worker's rights, benefits and privileges under a collective bargaining agreement, it shall be the duty of the union concerned to educate its members.

Compliance with the above shall be included as an item in the checklist of requirements subject to examination by the labor inspectors of the Department of Labor and Employment (DOLE).

SEC. 3. *Duty of the Department of Labor and Employment to Conduct Labor Education Seminars.* - In line with the objectives of this Act, the DOLE shall ensure that both workers and employers are fully informed about the labor rights, benefits and privileges under existing laws, statutes, and rules and regulations. It is therefore the duty of the DOLE or its appropriate agency to conduct on a regular basis, or at the request of an employer and/or the union, education seminars for both employers and workers.

The DOLE may enlist the assistance of all concerned agencies including, but not limited to, the local government units, Social Security System, Home Development Mutual Fund, Philippine Health Insurance Corporation, as well as government and private educational institutions. The DOLE may also coordinate with industry organizations, chambers, labor federations or centers, and non-governmental organizations in providing free labor education seminars.

The DOLE shall likewise establish a special labor education fund, using the fines collected under Section 4 hereof. This fund shall be utilized solely for the labor education program of the DOLE.

SEC. 4. *Penalties.* – Any employer or union who fails or refuses to inform his/her workers, or members as the case may be, of their rights, benefits and privileges as provided under Section 2 hereof shall be imposed a fine by the Secretary of Labor and Employment of not less than fifty thousand pesos (P50,000.00) but not more than one hundred thousand pesos (P100,000.00).

SEC. 5. *Implementing Rules and Regulations.* – The Secretary of Labor and Employment, in consultation with employers' groups, labor groups and concerned government agencies, shall promulgate the necessary rules and regulations to implement the provisions of this Act within three (3) months after its effectivity.

SEC. 6. *Separability Clause.* – If any part, section, or provision of this Act shall be held invalid or unconstitutional, the other provisions shall not be affected thereby.

SEC. 7. *Repealing Clause.* – All laws, decrees, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 8. *Effectivity.* – This Act shall take effect (15) days after its complete publication in the *Official Gazette* or in at least two (2) newspapers of national circulation.

Approved,