


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

SECRETARY

7 DEC 11 1953

SENATE  
S. B. No. 1953

RECEIVED BY: 

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Introduced by Senator Ramon Bong Revilla, Jr.

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#### EXPLANATORY NOTE

Article 287 of Presidential Decree No. 442 or the Labor Code of the Philippines provides for the retirement benefits of employees

As held in *Aquino vs. NLRC*, GR. No. 87653, 11 February 1992, the retirement benefits are intended to help the employee enjoy the remaining years of his life, lessening the burden of worrying for his financial support, and are a form of reward for his loyalty and service to the employer\*.

In relation to the above article is Article 288 which provides for the penalties of violators of the Article 287.

However, the penalties as provided for in Article 288 are lenient. As a tool to help safeguard the noble objective embodied in Article 287, there is a need to provide for stricter penalties in Article 288. Thus, the need to amend this provision.

In view of the above, the passage of this measure is earnestly sought.

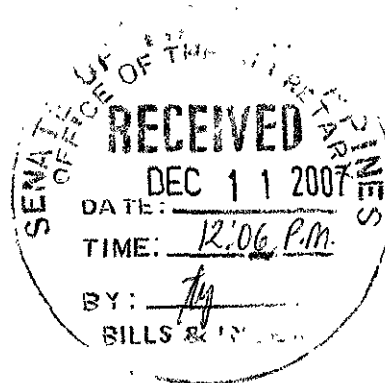
  
RAMON BONG REVILLA, JR.

\*Poquiz, Salvador A. *Labor Relations Law With Notes and Comments*. Manila: REX Bookstore, Inc., 2006, p. 402.

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**AN ACT AMENDING ARTICLE TWO HUNDRED EIGHTY-EIGHT OF PRESIDENTIAL DECREE 442, OTHERWISE KNOWN AS THE "LABOR CODE OF THE PHILIPPINES" AND FOR OTHER PURPOSES**

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

**SECTION 1.** Article 288 of Presidential Decree No. 442, otherwise known as the "Labor Code of the Philippines" is hereby amended as follows:

"ART. 288. Penalties – Except as otherwise provided in this Code, or unless the acts complained of hinges on a question of interpretation or implementation of ambiguous provisions of an existing collective bargaining agreement, any violation of the provision of this Code declared to be unlawful or penal in nature shall be punished with a fine of not less than **TEN THOUSAND PESOS (P10,000.00)** [One Thousand Pesos (P1, 000.00) ] **nor more than THIRTY THOUSAND PESOS (P30, 000.00)** [Ten Thousand Pesos (P10, 000.00) ] or imprisonment of not less than **ONE YEAR** [three months] **nor more than SIX** [three] years, or both such fine and imprisonment at the discretion of the court.

In addition to such penalty, any alien found guilty shall be summarily deported upon completion of service of sentence.

Any provision of law to the contrary notwithstanding any criminal offense punished in this Code shall be under the concurrent jurisdiction of the Municipal or City Courts and the **REGIONAL TRIAL COURT** [Courts of First Instance]."

**SEC. 2. Repealing Clause** – All provisions of laws, orders, decrees, including rules and regulations inconsistent herewith are hereby repealed and/or modified accordingly.

**SEC. 3. Effectivity** – This Act shall take effect fifteen (15) days following publication in two (2) newspapers of general circulation.

Approved,