

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

SENATE
S.B. No. 0005

RECEIVED



Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The 1987 Constitution, Article 2, Section 11, provides that:

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

The Constitution, Article 2, Section 18, provides further that:

“The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.”

With these principles in mind, Congress crafted the Anti-Sexual Harassment Act in 1995. The law defines work or training-related sexual harassment as one that can be committed only by “an employer, employee, manager, supervisor or agent of the employer who, having influence or moral ascendancy over another in a work or training environment, demands, requests, or otherwise requires any sexual favor from another.”

However, said definition does not take into consideration customers, guests or clients who sexually harass employees of establishments such as hotels, restaurants, department stores, even hospitals. The law should be amended to include patrons who torment employees of establishments. The law should include situations where a paying customer, client or guest sexually harasses personnel by creating fear on the part of the employee of losing his or her job.

In a news report, the Trade Union Congress of the Philippines (TUCP) revealed that there are cases of sexual harassment committed by physicians against medical representatives of pharmaceutical firms, by customers against salesladies, by guests in hotels and restaurants against waitresses and even housekeeping staff.”

Therefore, in order to address the vacuum in the law, this amendment should be taken into consideration.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
flch

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

SENATE
S.B. No. 3005

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

AN ACT
AMENDING REPUBLIC ACT NO. 7877, ALSO KNOWN AS
THE ANTI-SEXUAL HARASSMENT ACT OF 1995, SECTION 3 ON THE DEFINITION OF
WORK, EDUCATION OR TRAINING -RELATED SEXUAL HARASSMENT

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

SECTION 1. Section 3, first paragraph of Republic Act No. 7877, also known as the Anti-Sexual Harassment Act of 1995 is hereby amended to read as follows:

Section 3. *Work, Education or Training -Related, Sexual Harassment Defined.* - Work, education or training-related sexual harassment is committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainer, CUSTOMER, GUEST, CLIENT or any other person who, having authority, influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said Act.

SECTION 2. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 3. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,

jps/5-18-07