



**LEGISLATIVE RESEARCH SERVICE**  
**QUICK NOTES**  
*Second Regular Session, 19<sup>th</sup> Congress*

**2<sup>nd</sup> Public Hearing of the Committee on Justice and Human Rights**

**Chairperson: Sen. Francis “Tol” N. Tolentino**

**5 September 2023, Tuesday, 10:00 a.m., Tañada Room, Senate**

**Re: Inquiry into the Severe Battery and Maltreatment by the Employers of *Kasambahay* Ms. Elvie Vergara Resulting to Her Partial Blindness and Other Injuries**

**Background**

- The Committee, in its relentless pursuit of justice and in order to address certain gaps or deficiencies in our current laws, will delve deeper into the harrowing incident that befell Ms. Elvie Vergara in the hands of her employers, as alleged.
- This *kasambahay* was tragically subjected many times to brutal assaults and now suffers psychological distress, partial blindness, and additional injuries. To worsen Ms. Vergara’s plight, she also claimed that she was not paid for seven years of rendered domestic work.
- The Committee anticipates the attendance of the Ruiz family, Ms. Vergara's employers, to present their perspective on the events that transpired.

**Highlights of the First Public Hearing**

- During the August 22, 2023 public hearing, despite being invited as resource persons, the employers of Ms. Vergara declined to attend the inquiry. An excuse letter sent to the Committee via SMS was then presented by Atty. Andre Mortel, the committee secretary. This led to Senator Estrada’s motion for the issuance of a subpoena against the family of Jerry Ruiz, France Ruiz, and their two children, which was granted by Chairperson Tolentino.
- Ms. Elvie Vergara recounted the physical abuses she suffered from her employers, including how she was punched by France Ruiz, suspended from a hook used by the Ruiz family in their meat business, and kicked and beaten with various objects.
- Referring to the Revised Penal Code's provision on qualified theft, Senator Raffy Tulfo opined this to be discriminatory and anti-poor. This provision subjects domestic workers to a penalty that is two degrees more severe than the standard penalty for theft. Thus, Senator Tulfo announced his intention to introduce a bill that would exclude *kasambahays* from the provisions related to qualified theft.

- Due to the failure of Chairman Jimmy Patal of Barangay 7, Mamburao, Occidental Mindoro, to assist Ms. Vergara when she sought refuge at the barangay hall after escaping from her employers in 2021, Senator Tulfo has called upon the authorities to also press charges against him.
- Chairperson Tolentino underscored to the Department of Labor and Employment (DOLE), the Department of Social Welfare and Development (DSWD), and the Philippine National Police (PNP) Joint Memorandum Circular (JMC) No. 2015-05, signed by these agencies with the Department of the Interior and Local Government (DILG) and the National Bureau of Investigation (NBI), on the rescue and rehabilitation of abused *kasambahays*.<sup>1</sup> He emphasized that the goal of the JMC is to set in place a more unified interagency network to protect the rights of *kasambahay* against abuse, harassment, violence, and economic exploitation.
- The Director for Investigation and Detective Management, Maj. Gen. Eric Noble, stated that the PNP has recorded 40 cases of violations of the Kasambahay Law from 2016 to 2020, 2 cases in 2021, and 2 cases in 2023. He also noted that out of the 44 cases, 21 were amicably settled.

### **Possible Points for Discussion**

1. Formal statement from the Ruiz family addressing the allegations made against them;
2. Inquiry into the existence of a dedicated office within DOLE addressing the concerns of *kasambahays*;
3. Status of the pending cases, as reported by the PNP, in violation of the Kasambahay Law;
4. Continuation of the discussions regarding the implementation progress of the Kasambahay Law; and
5. Refresher training for government bodies responsible for the rescue, recovery, and support of maltreated/abused *kasambahays* in accordance with JMC No. 2015-05.

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<sup>1</sup> Under the JMC No. 2015-05, the DSWD, through the municipal or city social welfare officer, in coordination with concerned barangay officials who are under the DILG's supervision, take charge of the rescue and rehabilitation of abused *kasambahay*, while the DOLE oversees their job placement.