

HOUSE OF REPRESENTATIVES
HOUSE BILL NO. **3482**

INTRODUCED BY HONORABLE RENO G. LIM

EXPLANATORY NOTE

This bill envisions more rational approach in the present wage structure. The institutionalization of compensable hourly rate in the computation of statutory minimum wage means new work competencies, retooling of skills, and mainstreaming the development of knowledge-based manpower capacities that would reenergize and enable employees and workers to cope with new requirements and expectations at the workplace. The enactment of this bill will not only encourage productivity but also situate the present wage structure at par with the practices abroad.

In this age of globalization where competition is the norm and the primordial concerns are profits and survival, we cannot isolate productivity of our human resources from emerging opportunities.

More so, the State affirms labor as a primary social economic force. It shall protect the right of workers and promote their welfare.

It is in this light that immediate passage of this bill is earnestly sought.


RENO G. LIM



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14TH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES
HOUSE BILL NO. 3482

INTRODUCED BY HONORABLE RENO G. LIM

AN ACT
INSTITUTIONALIZING COMPENSABLE HOURLY RATE IN THE
COMPUTATION OF STATUTORY MINIMUM WAGE OF EMPLOYEES AND
WORKERS AND FOR OTHER PURPOSES

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

1 SECTION 1. *Short Title.* This Act shall be known as the Minimum Hourly
2 Wage Rate Act of 2008.

3 SEC. 2. *Declaration of Policy.* It is the policy of the State to
4 promote a just and dynamic social order that will ensure the prosperity and independence
5 of the nation and free the people from poverty through policies that provide adequate
6 social services, promote full employment, a rising standard of living, and an improved
7 quality of life for all.

8 SEC. 3. *Payment of Wage Rate.* Every employer shall pay to each of
9 his employees or workers who in any workweek is engaged in commerce or in the
10 production of goods for commerce, or is employed in an enterprise engaged in commerce
11 or in the production of goods for commerce wages on an hourly rate basis; *provided* that,
12 in no case the hourly rate shall not be lower than fifty (50.00) pesos. *Provided* further,
13 that provisions of this Act shall not apply to the following persons if they qualify for
14 exemption under the condition set forth herein:

- 15 (a) Managerial employees;
16 (b) Officers or members of a managerial staff;

17 (c) Domestic servants and persons in the personal service of another if they
18 perform such services in the employer's home which are usually necessary
19 or desirable for the maintenance and enjoyment thereof, or minister to the
20 personal comfort, convenience, or safety of the employer as well as the
21 members of his employer's household;

22 (d) Workers who are paid by results, including those who are paid on piece-
23 work, *takay, pakyaw*, or task basis; Non-agricultural field personnel if they
24 regularly perform their duties away from the principal or branch office of
25 place of business of the employer and whose actual hours of work in the
26 field cannot be determined with reasonably certainty; and

27 (e) Government employees whether employed by the National Government or
28 any of its political subdivisions, including those employed in government-owned and/or
29 controlled corporations. *Provided finally*, Except as otherwise provided, no
30 employer shall employ any of his employees for a workweek longer than forty (40) hours
31 unless such employee receives compensation for his employment in excess of the hours
32 above specified at a rate not less than the statutory wage plus at least 25 percent thereof.

33 SEC. 4. *Coverage* The provisions of this Act shall apply to all
34 employees in all establishments and undertakings, whether operated for profit or
35 not.

36 SEC. 5. *Implementing Rules and Regulations.* - The Department of
37 Budget and Management (DBM), Department of Labor and Employment
38 (DOLE), Civil Service Commission (CSC), National Economic Development
39 Authority (NEDA) and other appropriate government agencies shall promulgate
40 rules and regulations necessary for the effective implementation of this Act.

41 SEC. 6. *Repealing Clause.* - All other laws, decrees, orders, issuances
42 and rules and regulations or parts thereof inconsistent with this Act are hereby amended
43 or repealed accordingly.

44 SEC.7. *Separability Clause.* - The provisions of this Act are hereby
45 declared to be separable and, in the event any of such provisions is declared
46 unconstitutional, the order provision which is not affected thereby shall remain in full
47 force and effect.

48 SEC.8. *Effectivity.* - This Act shall take effect fifteen (15) days after its
49 complete publication in at least two (2) newspapers of general circulation.

50 Approved,