



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SEVENTEENTH CONGRESS
First Regular Session



COMMITTEE REPORT NO. 294
31 MAY 2017

Submitted by the Committee on Labor and Employment on _____

Re: House Bill No. **5818**

Recommending its approval in substitution of House Bills Numbered 989, 1353 and 3267

Sponsors: Reps. Randolph S. Ting, Joaquin M. Chipeco Jr., Karlo Alexei B. Nograles and Linabelle Ruth R. Villarica

Mr. Speaker:

The Committee on Labor and Employment, to which were referred House Bill No. 989, introduced by Rep. Joaquin M. Chipeco Jr., entitled:

AN ACT
REGULATING THE PRACTICE OF EMPLOYERS IN POSTING NOTICES OF TERMINATION OF EMPLOYMENT OF FORMER EMPLOYEES IN NEWSPAPERS, SOCIAL MEDIA AND OTHER PUBLIC INFORMATION VENUES

House Bill No. 1353, introduced by Reps. Karlo Alexei B. Nograles and Jericho Jonas B. Nograles, entitled:

AN ACT
REGULATING THE PRACTICE OF EMPLOYERS IN POSTING NOTICES OF TERMINATION OF EMPLOYMENT OF FORMER EMPLOYEES IN NEWSPAPERS, SOCIAL MEDIA AND OTHER PUBLIC INFORMATION VENUES

and House Bill No. 3267, introduced by Rep. Linabelle Ruth R. Villarica, entitled:


AN ACT
REGULATING THE PRACTICE OF EMPLOYERS IN POSTING NOTICES OF TERMINATION OF EMPLOYMENT OF FORMER EMPLOYEES IN NEWSPAPERS, SOCIAL MEDIA AND OTHER PUBLIC INFORMATION VENUES

has considered the same and recommends that the attached House Bill No. 5818,
entitled:

AN ACT
REGULATING THE PRACTICE OF EMPLOYERS IN POSTING
NOTICES OF TERMINATION OF EMPLOYMENT OF FORMER
EMPLOYEES IN NEWSPAPERS, SOCIAL MEDIA, AND OTHER
PUBLIC INFORMATION VENUES

be approved in substitution of House Bills Numbered 989, 1353 and 3267, with Reps. Joaquin M. Chipeco Jr., Karlo Alexei B. Nograles, Jericho Jonas B. Nograles, Linabelle Ruth R. Villarica, Randolph S. Ting, Vicente "Ching" S.E. Veloso, Ronald M. Cosalan, Ricardo T. Belmonte Jr., Kaka J. Bag-ao, Mark O. Go, Makmod D. Mending Jr., Cheryl P. Deloso-Montalla, Tom S. Villarín, Ariel "Ka Ayik" B. Casilao, Dennis C. Laogan, Edwin C. Ong, Peter "Sr. Pedro" M. Unabia, Raul "Boboy" C. Tupas, Joaquin M. Chipeco Jr., Aniceto "John" D. Bertiz III, Vilma Santos-Recto, Mauyag "Jun" B. Papandayan Jr., Angelina "Helen" D.L. Tan, M.D., Eric M. Martinez, Emmeline Aglipay-Villar, Emmi A. de Jesus, Strike B. Revilla, Gus S. Tambunting, Gloria Macapagal-Arroyo, Jose Christopher Y. Belmonte, Aniceto "John" D. Bertiz III, Edcel C. Lagman, Roger G. Mercado and Robert Ace S. Barbers as authors thereof.

Respectfully submitted,


RANDOLPH S. TING
Chairman
Committee on Labor and Employment

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

Seventeenth Congress
First Regular Session

HOUSE BILL NO. 5818

Introduced by Reps. Joaquin M. Chipeco Jr., Karlo Alexei B. Nograles, Jericho Jonas B. Nograles, Linabelle Ruth R. Villarica, Randolph S. Ting, Vicente "Ching" S.E. Veloso, Ronald M. Cosalan, Ricardo T. Belmonte Jr., Kaka J. Bag-ao, Mark O. Go, Makmod D. Mending Jr., Cheryl P. Deloso-Montalla, Tom S. Villarin, Ariel "Ka Ayik" B. Casilao, Dennis C. Laogan, Edwin C. Ong, Peter "Sr. Pedro" M. Unabia, Raul "Boboy" C. Tupas, Joaquin M. Chipeco Jr., Aniceto "John" D. Bertiz III, Vilma Santos-Recto, Mauyag "Jun" B. Papandayan Jr., Angelina "Helen" D.L. Tan, M.D., Eric M. Martinez, Emmeline Aglipay-Villar, Emmi A. de Jesus, Strike B. Revilla, Gus S. Tambunting, Gloria Macapagal-Arroyo, Jose Christopher Y. Belmonte, Aniceto "John" D. Bertiz III, Edcel C. Lagman, Roger G. Mercado and Robert Ace S. Barbers

AN ACT
REGULATING THE PRACTICE OF EMPLOYERS IN POSTING NOTICES OF
TERMINATION OF EMPLOYMENT OF FORMER EMPLOYEES IN NEWSPAPERS,
SOCIAL MEDIA, AND OTHER PUBLIC INFORMATION VENUES

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

1 **SECTION 1. Declaration of Policy.** – It is the policy of the State to protect all
2 workers from abusive acts of employers. Every employer, in publishing notices of
3 termination of employment, must observe good faith, act with fairness, and respect the
4 dignity of its former employees.

5 **SEC. 2. Limitations on the Publication of Notices of Termination of**
6 **Employment.** – No employer in the private sector shall publish notices of termination of
7 employment in newspapers, social media or other public information venues unless
8 upon the concurrence of the following circumstances:

1 a) The subject employee has, based on employee records, committed any
2 of the following acts:

3 1. serious misconduct or willful disobedience by the employee of the lawful
4 orders of the employer or the duly authorized representative of the
5 employer in connection with work;

6 2. gross and habitual neglect of duties by the employee;

7 3. fraud or willful breach by the employee of the trust reposed by the
8 employer or the duly authorized representative of the employer;

9 4. commission of a crime or offense by the employee against the person of
10 the employer or any immediate member of the employer's family or against
11 the person of the duly authorized representative of the employer; and

12 5. other causes analogous to the foregoing.

13 b) The subject employee was an accountable officer or staff, to include the
14 following:

15 1. cashiers

16 2. treasurers

17 3. collection officers

18 4. sales agents or representatives

19 5. management or supervisory employees

20 6. other officers or employees who handle cash, property, stocks and other
21 assets of the employer; and

1 c) The employer has reasonable grounds to believe that the former employee
2 shall cause loss or damage to the property, stocks and other assets of the
3 employer or otherwise compromise the interests of the employer.

4 **SEC. 3. *Penalties.*** – An employer who publishes a notice of termination of
5 employment in a newspaper, social media or other public information venues in violation
6 of Section 2 of this Act shall be liable to pay the aggrieved former employee damages in
7 an amount not less than Ten thousand pesos (P10,000.00) but not more than Fifty
8 thousand pesos (P50,000.00), upon the discretion of the court, without prejudice to the
9 filing of any criminal case.

10 **SEC. 4. *Liability When Committed By Entities Other Than Natural Person.*** –
11 If the violation, as provided for in Section 2 of this Act, is committed by a corporation,
12 trust, firm, partnership, association or other similar entity, the damages shall be imposed
13 against the responsible officer or officers.

14 **SEC. 5. *Repealing Clause.*** – All laws, decrees, executive orders, rules and
15 regulations, and other issuances or parts thereof inconsistent with the provisions of this
16 Act are hereby repealed, modified or amended accordingly.

17 **SEC. 6. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
18 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

FACT SHEET

House Bill No. **5818**

in substitution of House Bills Numbered 989, 1353 and 3267

(As approved by the Committee on February 7, 2017)

"AN ACT REGULATING THE PRACTICE OF EMPLOYERS IN POSTING NOTICES OF TERMINATION OF EMPLOYMENT OF FORMER EMPLOYEES IN NEWSPAPERS, SOCIAL MEDIA, AND OTHER PUBLIC INFORMATION VENUES"

Introduced by: REPS. JOAQUIN M. CHIPECO, KARLO ALEXEI B. NOGRALES AND LINABELLE RUTH R. VILLARICA

*Committee Referral: COMMITTEE ON LABOR AND EMPLOYMENT
Committee Chairperson: REP. RANDOLPH S. TING*

OBJECTIVE:

- To provide equal protection to the rights of companies against any corporate harm by disgruntled employees, and the rights of workers to preserve their integrity and reputation against any undue accusation

KEY PROVISIONS:

- Identifies the instances wherein an employer can post notices of termination of employment in public media
- Penalizes violations of the law with a fine of Ten thousand pesos up to Fifty thousand pesos, at the discretion of the Court without prejudice to filing of a criminal complaint against the violator

RELATED LAW:

- None