Submitted by the Committee on Labor and Employment on DEC 04 2020
Re: House Bill No. 8140
Recommending its approval in substitution of House Bill No. 2476
Sponsors: Reps. Enrico A. Pineda, Raymond Democrito C. Mendoza and Rowena Niña O. Taduran

Mr. Speaker:

The Committee on Labor and Employment, to which was referred House Bill No. 2476, introduced by Reps. Rowena Niña O. Taduran, Jocelyn P. Tulfo and Eric G. Yap, entitled:

AN ACT
PROVIDING ENHANCED PROTECTION, SECURITY AND BENEFITS FOR MEDIA WORKERS

has considered the same and recommends that the attached House Bill No. 8140, entitled:

AN ACT
PROVIDING ENHANCED PROTECTION, SECURITY, AND BENEFITS FOR MEDIA WORKERS

P. Bustos, Rico B. Geron, Macnell M. Lusotan, Alberto "Bobby" D. Pacquiao, Amihilda J. Sangcopan, Jose "Bong" J. Teves Jr., Mark O. Go and Ruth Mariano-Hernandez as authors thereof.

Respectfully submitted,

ENRICO A. PINEDA  
Chairperson  
Committee on Labor and Employment

THE HONORABLE SPEAKER  
HOUSE OF REPRESENTATIVES  
QUEZON CITY
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 8140
(in substitution of House Bill No. 2476)


AN ACT
PROVIDING ENHANCED PROTECTION, SECURITY, AND BENEFITS FOR MEDIA WORKERS

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

SECTION 1. Short Title. — This Act shall be known as the "Media Workers' Welfare Act".

SEC. 2. Declaration of Policy. — It is the policy of the State to promote and improve the social and economic well-being of media workers, including their living and working conditions. Towards this end, the State shall provide the necessary support to ensure that media workers are protected, secured, and well-compensated.
SEC. 3. Objectives. – This Act shall have the following objectives:

a) Ensure that media workers shall, at the minimum, be paid the wages, allowances and benefits provided by law to workers;

b) Motivate and encourage media workers to be truthful and responsible sharers of information; and

c) Promote an atmosphere that is conducive to a productive, free, and fruitful media work.

SEC. 4. Coverage. – This Act shall apply to all media workers and media entities in the private sector.

SEC. 5. Definition of Terms. – As used in this Act:

a) *Blocktimer* refers to one who buys airtime from radio and television franchise holders;

b) *Media entities* refer to persons or organizations, including media networks and operators that actively gather information of potential interest to a segment of the public, turn collected information into a distinct work or distribute that work to an audience within the Philippines; and

c) *Media workers* refer to those who are legitimately engaged in news media practice, directly or indirectly, whether as a principal occupation or not.

SEC. 6. Minimum Compensation. – Media workers shall not receive less than the applicable minimum wage rate prescribed by the Regional Tripartite Wages and Productivity Board, and shall be entitled to overtime pay and night shift premiums, as well as other forms of compensation provided by Presidential Decree No. 442, as amended, otherwise known as the “Labor Code of the Philippines”, and other related laws and issuances.

SEC. 7. Social Security and Welfare Benefits. – Media workers shall be covered by the Social Security System, the Home Development Mutual Fund or the Pag-IBIG Fund, and the Philippine Health Insurance Corporation upon employment. The payment of monthly contributions shall be jointly shared by the media worker and the employer, when applicable, in accordance with existing rules and regulations. Media workers shall also be entitled to retirement benefits as provided under RA No. 11199, otherwise known as the “Social Security Act of 2018”.

SEC. 8. Hazard Pay. – Media workers required to physically report for work in dangerous areas such as strife-torn or embattled areas, distressed or isolated stations, disease-infested areas or in areas declared under a state of calamity or emergency for the duration thereof which expose them to great danger, contagion, radiation, volcanic activity or eruption, occupational risks or perils to life as determined by the Department of Labor and Employment
shall be compensated with a hazard pay in the minimum amount of Five hundred pesos (₱500.00) per day, with no diminution, which shall be computed as follows:

\[ \text{Hazard pay} = \text{₱500} \times \text{number of days physically reporting for work in dangerous areas} \]

The base amount of the hazard pay of media workers may be increased as decided upon by the News Media Tripartite Council created under Section 15 of this Act.

Employers shall also provide media workers covering events in dangerous areas with basic safety gear and equipment such as bulletproof vests and helmets, first-aid kits, fire protection jackets, face shields, medical grade protective equipment, harnesses, safety shoes, and life vests.

**SEC. 9. Mandatory Additional Insurance Benefits.** – Employers shall provide additional insurance coverage to media workers as follows:

a) Death benefit of Two hundred thousand pesos (₱200,000.00) for each media worker who shall perish in the line of duty;

b) Disability benefit of up to Two hundred thousand pesos (₱200,000.00) for each media worker who shall suffer total or partial disability, whether permanent or temporary, arising from any injury sustained in the line of duty; and

c) Medical insurance benefit for each media worker of up to One hundred thousand pesos (₱100,000.00).

**SEC. 10. Security of Tenure.** – Media workers shall be deemed as regular employees after six (6) months from the start of employment, regardless of the nature of employment. However, the said six (6) months period shall be computed cumulatively if a media worker is repeatedly engaged for shorter periods. An employer shall not terminate the services of a media worker except for a just or authorized cause, and with the observance of procedural due process.

**SEC. 11. Settlement of Disputes.** – All labor-related disputes shall be elevated to the DOLE regional office which has jurisdiction over the workplace.

**SEC. 12. Liability of Media Entities.** – Media entities shall be responsible for all contents released under their name. Owners of media entities or franchise holders shall be liable for claims arising from gross negligence, malicious acts, and violation of laws in connection with the work of blocktimers and media workers, regardless of the nature of engagement, except when the owners of the media entities or the franchise holders are able to prove that due diligence was exercised or that the fault is attributable solely to the concerned blocktimer or media worker. Any agreement to the contrary shall be void.
SEC. 13. Compliance. – The DOLE shall monitor compliance with the provisions of this Act.

SEC. 14. Administrative Penalties. – Violations of the provisions of this Act shall be subject to applicable penalties provided in Presidential Decree No. 442, as amended, and other related laws and issuances.

SEC. 15. News Media Tripartite Council. – The DOLE shall initiate the creation of the News Media Tripartite Council which shall serve as a link among various stakeholders, provide a platform where media workers and employers can agree upon mutually beneficial policies that will promote the interests of the media industry, and serve as an avenue to express their aspirations, discuss their programs or settle conflicts.

SEC. 16. Implementing Rules and Regulations. – Within ninety (90) days from the approval of this Act, the Secretary of Labor and Employment shall, in coordination with media groups, associations, publishers, guilds and other concerned groups, issue the necessary rules and regulations to implement the provisions of this Act.

SEC. 17. Separability Clause. – If any part, section or provision of this Act is declared invalid or unconstitutional, the other provisions not affected by such declaration shall remain in full force and effect.

SEC. 18. Repealing Clause. – All laws, decrees, executive orders, rules, and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 19. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,
FACT SHEET

House Bill No. 8140

(In substitution of HB 2476, approved by the Committee on September 18, 2020)

AN ACT

PROVIDING ENHANCED PROTECTION, SECURITY, AND BENEFITS FOR MEDIA WORKERS


Committee Referral: COMMITTEE ON LABOR AND EMPLOYMENT
Committee Chairperson: HON. ENRICO A. PINEDA

OBJECTIVES:

- Ensure that media workers shall, at the minimum, be paid the wages, allowances and benefits provided by law to workers
- Motivate and encourage media workers to be truthful and responsible sharers of information
- Promote an atmosphere that is conducive to a productive, free, and fruitful media work
SALIENT FEATURES:

- Covers all media workers and entities in the private sector
- Assures security of tenure to media workers after the probationary work period of six (6) months of continuous work
- Reiterates the grant of financial and other benefits as provided by P.D. 442, as amended, otherwise known as the "Labor Code of the Philippines"
- Affords additional insurance coverage to media workers aside from the social welfare benefits already enjoyed under the programs of the Social Security System, the Home Development and Mutual Fund or Pag-IBIG Fund, and the Philippine Health Insurance Corporation
- Mandates the Department of Labor and Employment as the agency in charge of monitoring compliance with the provisions of this Act
- Penalizes erring media entities and workers who violate the provisions of this Act
- Creates a News Media Tripartite Council that shall serve as a link among stakeholders, provide a platform where media workers and employers can agree upon mutually beneficial policies that will promote the interests of the media industry, and serve as an avenue to express their aspirations, discuss their programs or settle conflicts.

RELATED LAW:

- PD 442, as amended, otherwise known as the "Labor Code of the Philippines"