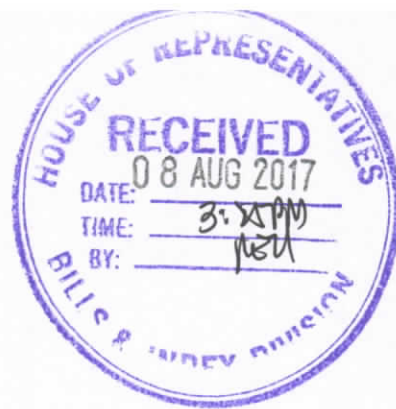




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SEVENTEENTH CONGRESS
Second Regular Session



COMMITTEE REPORT NO. **345**

Submitted by the Committee on Labor and Employment on **08 AUG 2017**
Re: House Bill No. **6152**

Recommending its approval in substitution of House Bill No. 5068

Sponsors: Reps. Randolph S. Ting and Mark O. Go

Mr. Speaker:

The Committee on Labor and Employment, to which was referred House Bill No. 5068, introduced by Rep. Mark O. Go, entitled:

AN ACT

INCREASING THE NORMAL WORK HOURS PER DAY UNDER THE COMPRESSED WORK WEEK SCHEME, AMENDING ARTICLES 83, 87 AND 91 OF PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AS AMENDED

has considered the same and recommends that the attached House Bill No. **6152** entitled:

AN ACT

INCREASING THE NORMAL WORK HOURS PER DAY UNDER A COMPRESSED WORK WEEK SCHEME, AMENDING ARTICLES 83, 87 AND 91 OF PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES

be approved in substitution of House Bill No. 5068, with Reps. Mark O. Go, Deogracias Victor "DV" B. Savellano, Eleanor C. Bulut-Begtang, Ma. Lourdes R. Agabao, Jesus "Boying" F. Celeste, Christopher P. De Venecia, Rodolfo C. Fariñas, Ronald M. Cosalan, Napoleon S. Dy, Leopoldo N. Bataoil, Strike B. Revilla, Marlyn L. Primicias-Agabas, Luisa Lloren Cuaresma, Micaela S. Violago, Randolph S. Ting, Ariel B. Casilao, Teodoro G. Montoro, Leo Rafael M. Cueva, Edwin C. Ong, Vicente S. E. Veloso, Edcel C. Lagman, Peter "Sr. Pedro" M. Unabia, Yedda Marie K. Romualdez, Vilma Santos-Recto and Julieta R. Cortuna as authors thereof.

Respectfully submitted,

RANDOLPH S. TING

Chairman

Committee on Labor and Employment

**THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES**



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

SEVENTEENTH CONGRESS

Second Regular Session

HOUSE BILL NO. 6152

Introduced by Reps. Mark O. Go, Deogracias Victor "DV" B. Savellano, Eleanor C. Bulut-Begtang, Ma. Lourdes R. Agabao, Jesus "Boying" F. Celeste, Christopher P. De Venecia, Rodolfo C. Fariñas, Ronald M. Cosalan, Napoleon S. Dy, Leopoldo N. Bataoil, Strike B. Revilla, Marlyn L. Primicias-Agabas, Luisa Lloren Cuaresma, Micaela S. Violago, Randolph S. Ting, Ariel B. Casilao, Teodoro G. Montoro, Leo Rafael M. Cueva, Edwin C. Ong, Vicente S. E. Veloso, Edcel C. Lagman, Peter "Sr. Pedro" M. Unabia, Yedda Marie K. Romualdez, Vilma Santos-Recto and Julieta R. Cortuna

AN ACT INCREASING THE NORMAL WORK HOURS PER DAY UNDER A COMPRESSED WORK WEEK SCHEME, AMENDING ARTICLES 83, 87 AND 91 OF PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES

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

SECTION 1. Article 83 of the Labor Code of the Philippines, as amended, is hereby amended to read as follows:

"Art. 83. Normal hours of work. - The normal hours of work of any employee shall not exceed eight (8) hours a day[.] **EXCEPT IN CASES WHERE THE ENTERPRISE ADOPTS A COMPRESSED WORK WEEK SCHEME, BUT SHALL NOT EXCEED FORTY-EIGHT (48) HOURS A WEEK.**

EMPLOYEES SHALL BE PERMITTED TO COMPLETE THEIR WORKING HOURS ON A COMPRESSED WORK WEEK SCHEME WHEREBY THE NORMAL WORK WEEK IS REDUCED TO LESS THAN SIX (6) DAYS BUT THE TOTAL NUMBER OF NORMAL WORK HOURS PER WEEK SHALL REMAIN AT FORTY-EIGHT (48) HOURS.

Health personnel in cities and municipalities with a population of at least one million (1,000,000) or in hospitals and clinics with a bed capacity of at least one hundred (100) shall hold regular office hours for eight (8) hours a day, for five (5) days a week, exclusive of time for meals, except where the exigencies of

1 the service require that such personnel work for six (6) days or forty-eight (48)
2 hours, in which case, they shall be entitled to an additional compensation of at
3 least thirty percent (30%) of their regular wage for work on the sixth day. For
4 purposes of this Article, "health personnel" shall include resident physicians,
5 nurses, nutritionists, dietitians, pharmacists, social workers, laboratory
6 technicians, paramedical technicians, psychologists, midwives, attendants and all
7 other hospital or clinic personnel."

8
9 **SEC. 2.** Article 87 of the Labor Code of the Philippines, as amended, is hereby amended
10 to read as follows:

11
12 **"Art. 87. Overtime work.** - Work may be performed beyond eight (8)
13 hours a day **OR FORTY EIGHT (48) HOURS A WEEK** provided that the employee is
14 paid for the overtime work an additional compensation equivalent to [his] **THE**
15 regular wage plus at least twenty-five percent (25%) thereof. Work performed
16 beyond eight (8) hours **OR NUMBER OF HOURS UNDER A COMPRESSED WORK**
17 **WEEK SCHEME** on a holiday or rest day shall be paid an additional compensation
18 equivalent to the rate of the first eight (8) hours **OR NUMBER OF HOURS UNDER**
19 **A COMPRESSED WORK WEEK SCHEME** on a holiday or rest day, plus at least
20 thirty percent (30%) thereof."

21
22 **SEC. 3.** Article 91 of the Labor Code of the Philippines, as amended, is hereby amended
23 to read as follows:

24
25 **" Art. 91. Right to weekly rest day.** – (a) It shall be the duty of every employer,
26 whether operating for profit or not, to provide each of [his] **THE** employees
27 a rest period of not less than twenty-four (24) consecutive hours after every
28 six (6) consecutive normal work days. **IN THE CASE OF A COMPRESSED WORK**
29 **WEEK SCHEME, A REST PERIOD OF NOT LESS THAN FORTY-EIGHT (48) HOURS**
30 **BUT NOT MORE THAN SEVENTY-TWO (72) HOURS, AS THE CASE MAY BE,**
31 **SHALL BE PROVIDED TO THE EMPLOYEES.**

32
33 (b) The employer shall determine and schedule the weekly rest day of
34 [his] **THE** employees subject to collective bargaining agreement and to such
35 rules and regulations as the Secretary of Labor may provide. However, the
36 employer shall respect the preference of employees as to their weekly rest
37 day when such preference is based on religious grounds."

38
39 **SEC. 4.** Rules and Regulations. – The Secretary of Labor and Employment shall
40 promulgate the necessary implementing rules and regulations within ninety (90) days from the
41 effectivity of this Act.

1 **SEC. 5.** Separability Clause.- Should any provision of this Act be declared
2 unconstitutional, the remainder thereof not otherwise affected shall remain in full force and
3 effect.

4
5 **SEC. 6.** Repealing Clause. - All laws, presidential decrees, executive orders,
6 proclamations or administrative regulations that are inconsistent with the provisions of this
7 Act are hereby repealed, amended, or modified accordingly.

8
9 **SEC. 7.** Effectivity. - This Act shall take effect fifteen (15) days after its publication in the
10 Official Gazette or in a newspaper of general circulation.

Approved,

FACT SHEET

House Bill No. **6152**

In substitution of House Bill No. 5068

(As approved by the Committee on May 15, 2017)

“AN ACT INCREASING THE NORMAL WORK HOURS PER DAY UNDER THE COMPRESSED WORK WEEK SCHEME, AMENDING ARTICLES 83, 87 AND 91 OF PRESIDENTIAL DECREE NO. 442, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AS AMENDED”

Introduced by: **REP. MARK O. GO**

Committee referral: **COMMITTEE ON LABOR AND EMPLOYMENT**

Committee Chairperson: **REP. RANDOLPH S. TING**

OBJECTIVES:

- To institutionalize the compressed work week option by increasing the normal working hours per day while reducing the number of work days per week.
- To allow the employers the flexibility in fixing hours of work as to make them compatible with their respective business requirements.
- To promote the employees' need for a balanced work life, promote business competitiveness, work efficiency, labor productivity as well as cost efficiency.

KEY PROVISIONS:

- Amends Article 83 of the Labor Code to permit employees to take the option of observing compressed workweek scheme whereby, the normal work week is reduced to less than six (6) days but the total number of normal work hours per week shall remain at forty-eight (48) hours.
- Amends Article 87 of the Labor Code to provide the employees the corresponding additional compensation on the work rendered beyond the number of hours under a compressed workweek schedule.
- Amends Article 87 of the Labor Code to entitle employees to an additional one (1) or two (2) rest days apart from the given normal rest day depending on the compressed work schedule as determined by the employer.
- Mandates the Secretary of Labor and Employment to promulgate the necessary implementing rules and regulations for its implementation

RELATED LAW:

- Labor Code of the Philippines