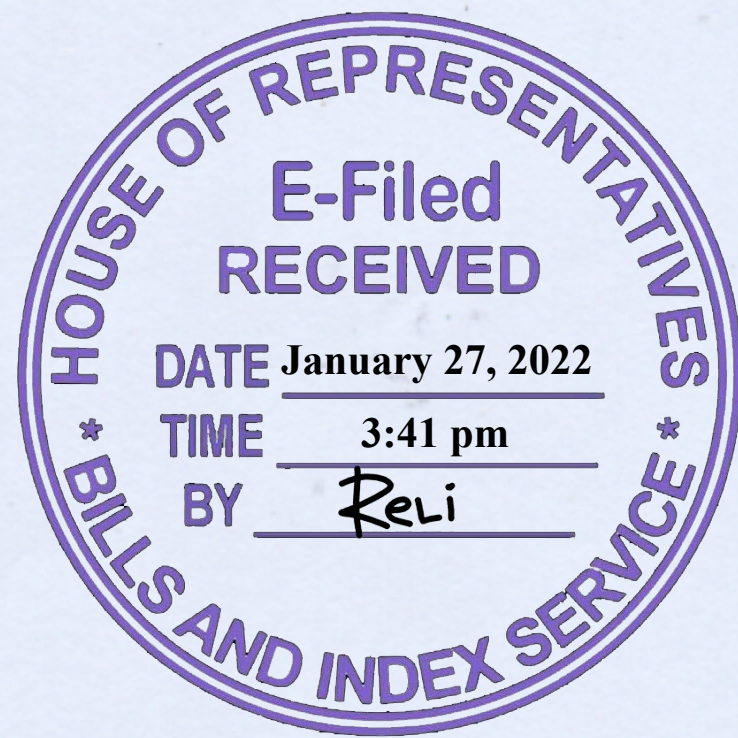


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

EIGHTEENTH CONGRESS  
Third Regular Session

House Bill No. **10717**



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Introduced by Honorable Joaquin M. Chipeco, Jr.

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#### EXPLANATORY NOTE

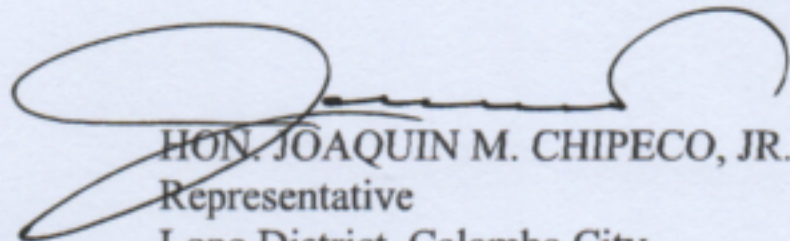
Even prior to the onslaught of the COVID-19 pandemic against world communities, there has been a movement in some national jurisdictions, particularly European, to recover, maintain and promote a healthy work-life balance for the working man. The advent of instant messaging and many other means of speedy communications has gradually eroded the personal space of the individual employee. The ascendancy of the digital technology, triggered to a great extent by the pandemic, has practically blurred the delicate line between the home and the workplace so much so that many employees have been reduced to an "on call" status at practically any time of the day.

Studies therefore have shown that under the "new normal", many workers, particularly those who are on a work-from-home arrangement basis end up rendering work beyond the maximum hours of work provided under the law. This emerging trend does not augur well for mental health of the employees, not to mention family solidarity.

While acknowledging certain exceptions based on the nature of work and tasks deemed emergency or as urgent, this bill seeks to uphold the letter and the spirit of our labor laws which is to respect mandated rest hours for our workers and prohibit the various forms of abuses in that connection.

This is a counterpart measure to Senator Francis Tolentino's Senate Bill No. 2475 or the Workers' Rest Law.

On the basis of the foregoing reasons, the immediate passage of this bill is earnestly sought.

  
HON. JOAQUIN M. CHIPECO, JR.  
Representative  
Lone District, Calamba City



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**AN ACT**  
**PROMOTING THE WELFARE OF EMPLOYEES BY DEFINING REST**  
**HOURS, PROVIDING PENALTIES FOR ANY VIOLATION THEREOF, AND**  
**FOR OTHER PURPOSES**

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

SECTION 1. *Short Title.* – This Act shall be known as the “Workers’ Rest Law.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to protect and promote the health of the people and instill health consciousness among them. The State shall protect the rights of workers to privacy and personal time, and promote their welfare.

SEC. 3. *Coverage.* – The provisions of this Act shall apply to employees in all establishments and undertakings whether for profit or not, but not to field personnel, domestic helpers, persons in the personal service of another, and workers who are paid by results.

“Field personnel” shall refer to non-agricultural employees who regularly perform their duties away from the principal place of business or branch office of the employer and whose actual hours of work in the field cannot be determined with reasonable certainty. The term shall not include employees who are on a work-from-home arrangement and telecommuting employees as defined by Republic Act No. 11165, or the “Telecommuting Act”.



SEC. 4. *Hours of Work.* – The normal hours of work of an employee shall not exceed eight (8) hours a day, unless otherwise provided under Presidential Decree No. No. 442, as amended, or the “Labor Code of the Philippines”.

The hours of work of employees under a compressed workweek arrangement shall not exceed twelve (12) hours a day.

SEC. 5. *Rest Hours.* – Any period other than the hours of work shall be considered as rest hours of an employee.

An employee may not be compelled to render overtime work unless otherwise allowed by Section 89 of the Labor Code of the Philippines or unless the employee freely gives their written consent to render overtime work.

Any waiver of the right to rest hours or any advance consent to perform overtime work as a condition in the hiring or employment, re-employment, or continued employment shall be void, and the employee shall be entitled to the payment of penalty provided in paragraph 1, Section 6 of this Act for the hours worked.

SEC. 6. *Prohibitions During Rest Hours.* – During rest hours, and unless the employee gives their consent as required by this Act, the employer, manager, supervisor, or any of their agents, is prohibited from:

1. Requiring the employee to work;
2. Requiring the employee to be on duty, to travel, or be at a prescribed place for work or work-related activities, such as attending seminars, meetings, team-building and other similar activities; or
3. Contacting the employee for work and work-related purposes through phone, e-mail, message, and other means of communication, unless it is for the purpose of notifying the employee of the necessity of rendering emergency or urgent work as provided under Article 89 and Article 92 of the Labor Code of the Philippines.

Employees may not be penalized by the employer for not opening or answering communications received during rest hours.

SEC. 7. *Penalties.* – Any person violating the provisions of this Act shall pay the employee One Thousand Pesos (P1,000.00) per hour of work rendered in violation of this Act, or a fraction thereof. For purposes of this paragraph, substantial evidence is sufficient to prove the violation and number of hours worked.

If any of the acts enumerated in Section 5 of this Act is attended with violence, threats, or intimidation, the offender shall be punished for Grave Coercion under Article 286 of Act No. 3815, or the “Revised Penal Code,” with the penalty next higher in degree imposed.



If, as a result of asserting their rights under this Act, the employee is limited, segregated, or classified in any way that would discriminate, deprive, or diminish their employment opportunities, or otherwise adversely affect said employee, the offender shall be penalized with imprisonment of not less than one (1) month nor more than six (6) months, and a fine of not less than One Hundred Thousand Pesos (P100,000.00).

If the offense is committed by a corporation, trust, firm, partnership, association, or any other juridical entity, the penalty shall be imposed upon the guilty officer or officers of such corporation, trust, firm, partnership, association, or entity.

SEC. 8. *Separability Clause.* – If any part hereof is held invalid or unconstitutional, the remainder of this Act not so affected shall remain valid and subsisting.

SEC. 9. *Repealing Clause.* – Any law, presidential decree, or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with this Act is hereby repealed, modified, or amended accordingly.

SEC. 10. *Effectivity.* - This Act shall take effect fifteen (15) days following completion of its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,