Rights of employees

The Bureau of Working Conditions, a staff department of the Department of Labor and Employment, compiled a list of Basic Rights that every worker is entitled to. These rights ensure the safety and health of all workers.

1. EQUAL WORK OPPORTUNITIES FOR ALL

The State shall protect labor, promote full employment, provide equal work opportunity regardless of gender, race, or creed; and regulate relations between employees and employers.

2. SECURITY OF TENURE

Every employee shall be assured security of tenure. No employee can be dismissed from work except for a just or authorized cause, and only after due process.

Just cause refers to any wrongdoing committed by an employee; authorized cause refers to economic circumstances that are not the employee’s fault.

3. WORK DAYS AND WORK HOURS

An employee must be paid their wages for all hours worked. If their work hours fall between 10:00 p.m. and 6:00 a.m., they are entitled to night shift pay in addition to their pay for regular work hours. If they work over eight hours a day, they are entitled to overtime pay.

4. WEEKLY REST DAY

A day-off of 24 consecutive hours after six (6) days of work should be scheduled by the employer upon consultation with the workers.

5. WAGE AND WAGE-RELATED BENEFITS

Wage is the amount paid to an employee in exchange for to the service that they rendered to their employer. Wage may be fixed for a given period.

6. PAYMENT OF WAGES

Wages should be paid directly to the employee in cash, legal tender, or through a bank.

Wages shall be given not less than once every two weeks or twice within a month at intervals not exceeding 16 days.

7. FEMALE EMPLOYEES

Women are prohibited from engaging in night work unless the work is allowed by the following rules: industrial undertakings from 10 p.m. to 6 a.m., commercial/non-industrial undertakings from 12 m.n. to 6 a.m., or agricultural takings at night provided that she has had nine consecutive hours of rest.

Welfare facilities, such as separate dressing rooms and lavatories, must be installed at the workplace.

8. EMPLOYMENT OF CHILDREN

The minimum employment age is 15 years of age. Any worker below 15 years of age should be directly under the sole responsibility of parents or guardians provided that work does not interfere with the child’s schooling or development.

The minimum age of employment is 18 years for hazardous jobs, and 15 years for non-hazardous jobs. Hazardous jobs are

9. SAFE WORKING CONDITIONS

Employers must provide workers with every kind of on-the-job protection against injury, sickness or death through safe and healthful working conditions.

10. RIGHTS TO SELF-ORGANIZATION AND COLLECTIVE BARGAINING

Every worker has the right to self-organization, i.e., to form or to join any legitimate workers’ union, free from interference of their employer or the government. All workers may join a union for the purpose of collective bargaining and is eligible for union membership on the first day of their employment.

Collective bargaining is a process between two parties, namely the employer and the union, where the terms and conditions of employment are fixed and agreed upon. In collective bargaining, the two parties also decide upon a method for resolving grievances. Collective bargaining results in a contract called a Collective Bargaining Agreement (CBA).