

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
First Regular Session



HOUSE BILL NO. 1904

Introduced by Honorable Mark O. Go

EXPLANATORY NOTE

This bill seeks to amend Articles 83, 87 and 91 of Presidential Decree No. 442 providing for a compressed work week scheme that would benefit both the employees and employers in response to the rapidly changing technological and economic landscapes.

The concept of compressed work arrangement refers to alternative arrangements or schedules other than the traditional or standard work hours and work week. Through this method, the normal work week is reduced to less than six days but the total number of normal work hours per week shall remain at 48 hours. This concept can be adjusted accordingly in cases where the normal work week of the company is five days.

Currently, the Department of Labor and Employment (DOLE) through its department orders has allowed some companies to go on a compressed workweek scheme. These arrangements give employers and employees flexibility in fixing hours of work compatible with business requirements and the employees' need for a balanced work-life.

This proposed measure seeks to institutionalize the compressed work week scheme as it proves to promote competitiveness, efficiency and productivity both in the labor and industry. It is likewise important to emphasize that with the implementation of these voluntary work arrangement, there would be no diminution of benefits received by the employees.

In view of the foregoing, the approval of this bill is earnestly sought.


MARK O. GO

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HOUSE BILL NO. 1904

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**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, OTHERWISE KNOWN AS THE LABOR CODE OF
THE PHILIPPINES, AS AMENDED**

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

SECTION 1. Article 83 of the Labor Code, 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. THIS IS WITHOUT PREJUDICE TO FIRMS WHOSE NORMAL WORK WEEK IS FIVE (5) DAYS, OR A TOTAL OF FORTY (40) HOURS BASED ON THE NORMAL WORK DAY OF EIGHT (8) HOURS. 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 the service require that such personnel work for six (6) days or forty-eight (48) hours, in which case, they shall be entitled to an additional compensation of at least thirty percent (30%) of their regular wage for work on the sixth day. For purposes of this Article, “health personnel” shall include resident physicians, nurses, nutritionists, dietitians, pharmacists, social workers, laboratory technicians, paramedical technicians, psychologists, midwives, attendants and all other hospital or clinic personnel.”

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

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

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

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

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

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

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

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

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

Approved,