

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. **5471**

Introduced by CIBAC Party-List Representatives
Eduardo 'Bro. Eddie' C. Villanueva and Domingo C. Rivera

AN ACT
ALLOWING THE ADOPTION OF ALTERNATIVE WORK
ARRANGEMENTS, AMENDING FOR THE PURPOSE PRESIDENTIAL
DECREE NO. 442, OTHERWISE KNOWN AS THE LABOR CODE OF
THE PHILIPPINES, AS AMENDED

EXPLANATORY NOTE

The rapid technological advancement through the years brought not only changes in various industries, but also the emergence of new challenges in the labor force. Given the further intricacy of work, adopting flexible work arrangements has become a necessity.

In a new research conducted by Flex Strategy Group in 2018, a number of benefits of remote work flexibility on employees and the workplace were outlined such as 45 percent of workers communicated better, 60 percent became more productive, and many said that the arrangement prevented burnout.¹

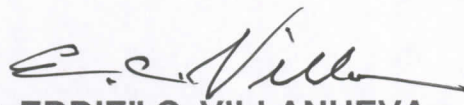
This research is but one of all other studies that attest how workplace flexibility provides mutually beneficial arrangement of work for both the employees and employers—employees become efficient in their work obligations given their respective situations and employers are able to accommodate the uniqueness in the backgrounds and capacities of its employees without compromising their productivity.

¹ 2018 Research Report. High Performance, Flexible Work Culture. Retrieved from:
<https://flexstrategygroup.com/wp-content/uploads/2018/08/FlexStrategyGroupReportUpdateAug2018-1.pdf>. (date last accessed: August 12, 2019)


Given the proven benefits of flexible work arrangements, this bill yearns to institutionalize the adoption of voluntary work arrangements if national emergency requires or as mutually agreed upon by the employer and the employee. This bill further emphasizes that the adoption of voluntary work arrangements shall not result in the diminution of the existing benefits of the employees, and that the existing laws on the payment of overtime pay, night shift differential, and other benefits shall not be violated.

Through this measure, employers and employees are given greater liberty to agree on work arrangements that would best fit their needs and preferences.

Hence, the immediate passage of this bill is earnestly sought.



HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA



HON. DOMINGO C. RIVERA

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

1 **SECTION 1.** A new Article 83-A is hereby inserted in the Philippine Labor Code, as
2 amended, to read as follows:
3

4 "ARTICLE 83-A. *ADOPTION OF VOLUNTARY WORK ARRANGEMENT.* –
5 WHEN NATIONAL EMERGENCY REQUIRES OR THE PARTIES MUTUALLY
6 AGREE, THE EMPLOYER AND THE EMPLOYEE MAY ADOPT A VOLUNTARY
7 WORK ARRANGEMENT: *PROVIDED*, THAT HOURS OF WORK SHALL NOT
8 EXCEED FORTY-EIGHT (48) HOURS A WEEK: *PROVIDED, FURTHER*, THAT
9 IT SHALL NOT RESULT IN THE DIMINUTION OF EXISTING BENEFITS AND
10 THE RIGHT TO OVERTIME PAY CONSISTENT WITH ARTICLE 87 OF THE
11 LABOR CODE, NIGHT SHIFT DIFFERENTIAL, AND OTHER BENEFITS SHALL
12 NOT BE VIOLATED."
13

14 **SECTION 2. *Rules and Regulations.*** – The Secretary of Labor and Employment, in
15 consultation with relevant stakeholders shall promulgate the necessary implementing
16 rules and regulations within sixty (60) days from the effectivity of this Act.
17

1 **SECTION 3. *Separability Clause.*** – If any part of this Act shall be held
2 unconstitutional or invalid, other parts not otherwise affected thereby shall remain in
3 force and effect.

4
5 **SECTION 4. *Repealing Clause.*** – All laws, decrees, resolutions, orders, or
6 ordinances or parts thereof inconsistent with this Act are hereby repealed, amended
7 or modified accordingly.

8
9 **SECTION 5. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
10 publication in the Official Gazette or in one newspaper of general circulation.

11
12
13 **Approved,**