

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

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **3267**



Introduced by HON. LINABELLE RUTH R. VILLARICA
4TH DISTRICT, BULACAN

EXPLANATORY NOTE

The State must protect and preserve the integrity and reputation of employees, pursuant to the constitutional mandate of upholding the dignity of every human person and guarantee respect for human rights even as it protects the rights of companies against corporate harm by disgruntled employees.

Presently, however, there is no law that prohibits the publication of notices of termination of employment through social media or in newspapers where we see boxed-in public announcements that give the impression that former employees have been guilty of misconduct. This is tantamount to violating the constitutional right of an accused on the presumption of innocence unless proven otherwise.

This bill identifies instances wherein employers can post notices of termination of employment in public media and impose penalties for violations.

Support for the enactment of this measure is earnestly requested.


REP. LINABELLE RUTH R. VILLARICA

Republic of the Philippines
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House Bill No. 3267

Introduced by HON. LINABELLE RUTH R. VILLARICA
4TH DISTRICT, BULACAN

AN ACT
REGULATING THE PRACTICE OF EMPLOYERS IN POSTING NOTICES OF
TERMINATION OF EMPLOYMENT OF FORMER EMPLOYEES IN NEWSPAPERS,
SOCIAL MEDIA AND OTHER PUBLIC INFORMATION VENUES

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

SECTION 1. *Declaration of Policy.* – It is the policy of the State to protect all workers from abusive acts of employers. Every employer, in publishing notices of termination of employment, must observe good faith, act with fairness, and respect the dignity of its former employees.

SEC. 2 *Limitations of the Publication of Notices of Termination of Employment.* – No employer in the private sector shall publish notices of termination of employment in newspapers, social media and other public information venues unless upon the occurrence of the following factors:

- (a) the subject employee has, based on employee records, committed any of the following acts:
 - 1. serious dishonesty;
 - 2. grave misconduct;
 - 3. falsification of documents;
 - 4. conviction of a crime involving moral turpitude; or
 - 5. analogous acts.
- (b) the subject employee was an accountable officer or staff, to include the following:
 - 1. cashiers;
 - 2. treasurers;
 - 3. collection officers;

4. sales agents or representatives;
 5. other officers or employees who handle cash, property, stocks and other assets of the employer; and
- (c) the employer has reasonable grounds to believe that the former employee shall cause loss or damage or otherwise compromise the interests of the employer.

SEC. 3. *Penalties.* – An employer who publishes a notice of termination of employment in a newspaper, social media or other public information venues in violation of Section 2 of this Act shall be liable to pay the aggrieved former employee damages in an amount not less than ten thousand pesos (Php 10,000.00) but not more than fifty thousand pesos (Php 50,000.00) at the discretion of the court, without prejudice to the filing of any criminal case.

SEC. 4. *Liability when committed by Entities other than Natural Persons.* – If the violation is committed by a corporation, trust, firm, partnership, association or other similar entity, the damages shall be imposed against its guilty officer or officers.

SEC. 5. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations and other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,