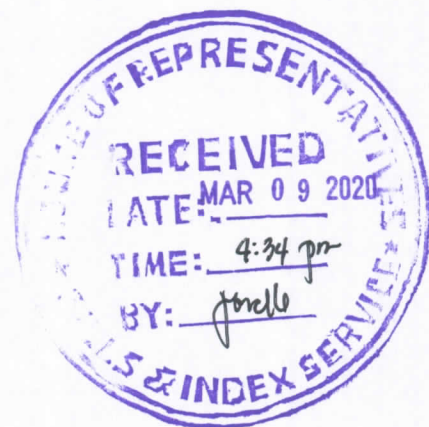




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6521

Introduced by Representative **ADOLPH EDWARD G. PLAZA**
2ND District, Agusan del Sur

Explanatory Note

Bullying, as defined by United Nations, is intentional and aggressive behavior occurring repeatedly against a victim where there is real or perceived power imbalance, and where the victim feels vulnerable and powerless to defend oneself. It can be physical aggression, verbal such as derogatory taunts and insults, relational such as spreading rumors and exclusion from a group, or any combination thereof. The Psychological Association of the Philippines has further defined that bullying also includes harassment and extortion, and cyber-bullying.

While it is true that Congress has already enacted a law addressing this problem through Republic Act No. 10627 otherwise known as the Anti-Bullying Act of 2013, it is unfortunately focused on preventing school-level bullying. However, bullying, violence and any form of harassment do not happen only in school. Often disregarded and ignored, it occurs within offices and workplaces and has detrimental effect not just to victimized worker, but also to their co-workers and families, as well as for organization and society as a whole. In the absence of any measures addressing this

concern, employers are failing to take responsibility for its prevention and correction.

This bill seeks to mandate that all government and non-government offices and establishments to adopt policies and plans to address and prevent workplace bullying, harassment and violence.

In view of these circumstances, passage of this bill is earnestly sought.



EDDIEBONG G. PLAZA
2ND District, Agusan del Sur

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House Bill No. **6521**

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“AN ACT
MANDATING ALL GOVERNMENT AND NON- GOVERNMENT OFFICES AND
ESTABLISHMENTS TO ADOPT POLICIES AND PLANS TO ADDRESS AND
PREVENT WORKPLACE BULLYING AND VIOLENCE”

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 “Workplace Bullying and Violence Prevention Act of 2020”.

SECTION 2. Adoption of Workplace Bullying and Violence Prevention Policy and Plan. – All government and non-government offices, and business establishments, are hereby mandated to develop and implement a workplace bullying and violence prevention policy and plan to address and prevent the existence of workplace bullying, violence, and other similar acts in their respective institutions. Such policies and plans shall be regularly updated and at a minimum shall include provisions which:

a. Prohibit the following acts:

1. Workplace Bullying and Violence – any severe or repeated use by one or more employees of a written, verbal or electronic

expression, or a physical act or gesture, or any combination thereof, directed at an employer, co- employee, or any person with whom he/she has professional relations or dealings that has the effect of actually causing or placing the latter in reasonable fear of physical or emotional harm or damage to his property; creating a hostile work environment for the employer, co-employee, or any person with whom he/she has professional relations or dealings; infringing on the rights of another at work premises; or materially and substantially disrupting the orderly operation of the office; such as, but not limited to, the following:

- i. Any act that causes physical or bodily harm;
- ii. Any act that causes harm to a victim's psyche and/or emotional and/or moral well-being;
- iii. Any slanderous statement or accusation that causes the victim undue emotional distress like directing foul language or profanity at the target, name-calling, tormenting and commenting negatively on victim's looks, clothes and body, and
- iv. Any act or statement which tends to discriminate or treat unfairly the victim by reason of his/her disability, sexual orientation, or gender identity;

2. Any abusive acts or behaviour which includes, but not limited to, the following:

- i. Offering, publishing, distributing, circulating and spreading rumors, false news and information and gossip about, or any act against or direct against an employer, a co-employee; or any person with whom he/she has professional relations or dealings;
- ii. Disrespecting and devaluing an employer, a co-employee, or any person with whom he/she has professional relations or dealings through disrespectful and devaluing language;
- iii. Management by threat and intimidation;

- iv. Stealing credit and taking unfair advantage of an employer, a co-employee, or any person with whom he/she has professional relations or dealings;
- v. Smart-shaming and mocking the idea, work or any intellectual pursuit of an employer, co-employee or any person with whom he/she has professional relations or dealings;
- vi. Preventing access to workplace, career, and office opportunities to an employee, a co-employee, or any person with whom he/she has professional relations or dealings; and
- vii. An act or behaviour shall be construed as abusive if it results to any or all of the following:
 - a. Destroys or undermines the character, image, status, reputation, morale, and credibility of an employer, a co-employee, or any person with whom he/she has professional relations or dealings;
 - b. Discredits, destroys and undermines the work, results of the work, awards, career, vocation, craft, professional status, productivity, performance, and talents of an employer, a co-employee, or any person with whom he/she has professional relations or dealings;
 - c. Causes divisive effects among employees, employers, officers, and other members of the government and non-government organizations, business establishments, their clientele, and any other person engaged by government and non-government organizations, business establishments in their respective professional capacities.

b. Establish procedures for:

1. Reporting acts prohibited under this Act;
2. Responding promptly to and investigating reports of acts, which are prohibited under this Act;
3. Ensuring the protection of the employee or any person for reporting, seeking or providing assistance during an investigation of the prohibited acts, or is a witness to or has reliable information about any prohibited acts from discrimination or retaliation;

c. Enable employees to anonymously report any of the prohibited acts; *Provided, however,* That no disciplinary administrative action shall be taken against a perpetrator solely on the basis of an anonymous report; and

d. Subject the perpetrator/s who knowingly makes a false accusation to disciplinary administrative action.

SECTION 3. Mechanism to Address Workplace Bullying, Violence and/or other Prohibited Acts.

a. The administrative office or officer, human relations office or officer, or any person or office holding a comparable role shall be responsible for the implementation and oversight of policies intended to address bullying and other prohibited acts.

b. All government and non-government offices and business establishments shall provide their employees a copy of the policy and plan being implemented. Such policies and plans shall likewise be made available at all times and shall be included in the employee's handbook, annual trainings and education.

c. Any employee shall immediately report any instance of office bullying and other prohibited acts witnessed, or that has come to one's attention, to the person or office holding a comparable role. Upon receipt of such report, the administrative officer or officer, human relations office or

officer, or any person or office holding a comparable role, shall promptly investigate.

d. If it is determined that bullying and/or other prohibited acts have occurred, administrative office or officer, human relations office or officer, or any person or office holding a comparable role, shall:

i. Notify the law enforcement agency if the administrative office or officer, human relations office or officer, and/or any person or office holding a comparable role believes that criminal charges under the Revised Penal Code or any special penal laws may be pursued against the perpetrator.

ii. Take appropriate disciplinary administrative action;

SECTION 4. Reportorial Requirements.

a. All non-government offices and business establishments shall inform the Department of Labor and Employment in writing about the policies against workplace bullying, violence and/or other prohibited acts formulated within six (6) months from the effectivity of this Act. Such notification shall likewise be an administrative requirement prior to the operation, creation, or establishment of new non-government offices and business establishments.

b. All government offices shall inform the Civil Service Commission in writing about the policies against workplace bullying, violence and /or other prohibited acts formulated within six (6) months from the effectivity of this Act.

SECTION 5. Sanction for Non-compliance. - In the Rules and Regulations to be implemented pursuant to this Act, the Secretary of the Department of Labor and Employment and the Chairman of the Civil Service Commission shall prescribe the appropriate sanctions on any administrative office or officer, human relations office or officer, or any person or office holding a comparable role, who shall fail to comply with the requirements under this Act. In addition thereto, erring non-government offices and business establishments shall likewise suffer the penalty of suspension of their permits to operate.

SECTION 6. Implementing Rules and Regulations. - Within ninety (90) days from the effectivity of this Act, the Department of Labor and Employment and the Civil Service Commission, respectively, shall promulgate the necessary rules and regulations to implement the provisions of this Act.

SECTION 7. Separability Clause. - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 8. Repealing Clause. - All laws, presidential decrees or issuances, executive orders, letter of instructions, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 9. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspaper of general circulation.

Approved.