



LEGISLATIVE RESEARCH SERVICE
KEY POINTS OF PLENARY PROCEEDINGS
Second Regular Session, 19th Congress

Session No. 35
Tuesday, 5 December 2023

1. Proposed Senate Resolution No. 877 under Committee Report No. 174

Resolution Concurring in the Ratification of International Labour Organization Convention No. 190 Or The “Convention Concerning the Elimination of Violence and Harassment in the World of Work (ILO C190)

Sponsor: Sen. Imee R. Marcos

Sponsorship Speech of Senator Marcos

Senator Marcos sought for the ratification of ILO Convention 190. According to the Senator, violence and harassment at work is one of the most widespread and pervasive human rights violations in the world. It threatens equal opportunity, destroys human dignity, and finally degrades the entire society in which such violence against workers persists.

The Senator stated that ILO Convention No. 190 and the accompanying Recommendation No. 206 is the first treaty to recognize the fundamental right of everyone to a world of work free from violence and harassment. It provides the first internationally agreed single definition of violence and harassment at work, defining it as a range of unacceptable behaviors and practices that aim at, result in, or are likely to result in physical, psychological, sexual, or economic harm, and includes gender-based violence and harassment.

She further mentioned that the convention protects the entire world of work, covering not only places where workers perform work-related activities, whether in the immediate physical workplace or even during work-related trips, trainings, or events, employer-provided accommodation doing virtual work, and when commuting to and from work.

Senator Marcos urged her colleagues to conduct a comprehensive review of the existing labor and anti-discrimination laws in order to immediately address the glaring gaps in the country’s regulatory framework.

Cosponsorship Speech of Senator Villanueva

Senator Villanueva emphasized that ILO C190 is significant to everyone for a number of reasons. He mentioned the recorded labor and welfare cases from January to July last year: 65,136 in Riyadh; 43,225 in Kuwait; 29,049 in Malaysia. Each number represents a Filipino migrant worker who faced maltreatment, mistreatment, contract violation, contract substitution sexual harassment, or rape, among others.

According to the Senator, violence and harassment has been an endemic and persistent concern globally. In the Philippines, 60% of our workers had experienced violence and harassment in the workplace. ILO C190 not only recognizes this reality but also highlights the importance of prevention, protection, and redressal mechanisms.

The Senator emphasized that harmonizing the country's local legislation with the obligations under ILO C190 is a step towards realizing a world where everyone can contribute and thrive without the fear of violence or harassment and where dignity reigns supreme.

Cosponsorship Speech of Senator Cayetano (P)

According to Senator Cayetano (P), the existing laws that are intended to protect women from violence are the Magna Carta of Women, the National Consciousness Day for the Elimination of VAWC, Special Protections Against Online Sexual Abuse and Exploitation of Children Law, Raising the Age of Statutory Rape, Anti-Photo and Video Voyeurism Act, Expanded Anti-Trafficking in Persons Act, Anti-Mail Order Spouses Act, Anti-Age Discrimination and Employment Act, and Responsible Parenthood and Reproductive Health Law.

The Senator further averred that the ratification of ILO C190 will serve as a catalyst for more changes to address problems. Likewise, it will allow the country to address various SDGs: SDG 5, gender equality; SDG 10, reduced inequalities; SDG 16, peace, justice, and strong institution; SDG 17 on partnership for the goals; and sustainable cities because women need to be safe in their neighborhoods.

Cosponsorship Speech of Senator Hontiveros

Senator Hontiveros expressed her delight that the ratification process for ILO C190 has commenced, which is an achievement and another milestones to celebrate.

According to the Senator, concurring with ILO C190 will propel women's empowerment, enhance labor productivity, and foster peaceful industrial relations. It will also support the Philippine government's effort to implement the recommendations of the ILO High-Level Tripartite Mission to address violations of labor rights and freedom of association.

Cosponsorship Speech of Senator Legarda

Senator Legarda expressed her support on the ratification of ILO C190. According to her, this significant international treaty holds unparalleled importance in advancing the protection of workers against violence and harassment in the workplace, inclusive of gender-based discrimination.

The Senator added that ILO C190 marks a pivotal milestone as the first international instrument to explicitly recognize the fundamental right of every individual to be free from violence and harassment in the world of work. This landmark convention extends its protective mantle to all workers irrespective of their employment status, thereby infusing the sphere of labor with comprehensive safeguards against gender-based violence and discrimination.

Manifestation of Senator Villanueva that Senator Estrada be made cosponsor of P. S. Res. No. 877

Cosponsorship Speech of Senator Estrada

According to Senator Estrada, under ILO C190, the scope of protection extends to persons in training, including interns and apprentices, workers whose employment have been terminated, volunteers, jobseekers, and job applicants. The ratification of said treaty will reinforce the commitment of the Philippine government to promote and protect the rights of Filipino workers here and abroad. It will also uphold the right of every individual to a working environment that is free from discrimination, violence, and harassment.

Manifestation of Senator Padilla

Senator Padilla underscored the significance of ratifying ILO C190, highlighting its role in carrying forward the historical struggle of our Katipuneros for the well-being of our labor force. This sentiment aligns with the commemoration of the December 5 mutiny of Filipino soldiers in Intramuros.

Approved on Second Reading

2. Senate Bill No. 2455 under Committee Report No. 153

An Act Revitalizing and Strengthening the Self-Reliant Defense Posture Program and Promoting the Development of a National Defense Industry Pursuant Thereto and Providing Funds Therefor

Sponsor: Sen. Jinggoy Ejercito Estrada

The period of interpellations was closed.

3. Senate Bill No. 2432 under Committee Report No. 118

An Act Defining the Crimes of Agricultural Economic Sabotage, Providing Penalties Therefor, Creating the Anti-Agricultural Economic Sabotage Council, Repealing Republic Act No. 10845 or the Anti-Agricultural Smuggling Act Of 2016, and for Other Purposes

Sponsor: Sen. Cynthia A. Villar

Amendments of Senator Escudero

Senator Escudero proposed an amendment on page 5, line 28 after the word “rice” and a comma (,), insert a phrase EXCEPT PALAY which Senator Villar (C) declined. According to Senator Villar, palay is understood to be included, as it is the raw form of rice.

4. Consideration of Committee Report No. 170

C. R. No. 170 – Motu Propio Inquiry into the Severe Battery and Maltreatment by Employers of Kasambahay Ms. Elvie Vergara Resulting to her Partial Blindness and other Injuries

Sponsor: Sen. Francis N. Tolentino

Sponsorship Speech of Senator Tolentino

Senator Tolentino reported the findings on the alleged battery and maltreatment of Ms. Elvie Vergara to advocate the protection and empowerment of a crucial yet often overlooked segment of the society—the *kasambahays*.

The Senator emphasized that despite the presence of laws protecting the welfare of domestic workers, the *kasambahays* still face challenges that threaten their rights and well-being. He further stated that it is not a case of simple maltreatment and physical abuse against a *kasambahay*; it showed the lack of initiative and apathy of some towards their fellowmen.

Senator Tolentino recommended to amend the Batas Kasambahay Law (RA 10361) to reflect provisions providing specific criminal liability for abusive employers with corresponding penalties for any death or physical injuries sustained by the *kasambahay* resulting from or sustained in the course of his or her employment.

The Senator also recommended to make any local government official or employee, whose help has been sought by an abused *kasambahay* but failed to take action nor document the same, be criminally and administratively liable with the corresponding penalty upon the finding of substantial evidence of his or her negligence and/or omission.

In addition, he recommended to establish a Kasambahay Registry and Kasambahay Help Desk and/or Kasambahay Hotline in every barangay hall, municipal or city hall, and in every municipal, city, or regional office of the DSWD and the DOLE.

Furthermore, he called upon the DSWD, the DILG, the DOLE, the DOJ, the CHR, and other involved agencies of the government to strengthen their coordination, through up-to-date agreements and memoranda pertaining to the monitoring of *kasambahays*, in order to strictly enforce and implement the Batas Kasambahay Law.

The Senator likewise emphasized the need to revisit the role of the Philippine National Police, especially the PNP Women's Desk.

Motion of Senator Villanueva that the cosponsorship speech of Senator Estrada on C.R. No.170, be inserted into the Record

5. Senate Bill No. 2505 under Committee Report No. 175

An Act Protecting the Welfare of Workers in the Movie and Television Industry

Sponsor: Sen. Jinggoy Ejercito Estrada

Sponsorship Speech of Senator Estrada

Senator Estrada asserted that the proposed measure stemmed from the unfortunate incident during a television shooting that led to the tragic demise of veteran actor Eddie Garcia in 2019.

The Senator emphasized that the proposed measure aims to ensure that workers, especially those who work behind the cameras and work tirelessly, are provided opportunities for gainful employment and decent incomes and are protected from abuse, extended working hours, harassment, hazardous working conditions, and economic exploitation.

He further mentioned that the bill includes specific provisions on social welfare benefits and insurance for work-related incidents or deaths that would provide the much-needed security and protection in an industry known for its unpredictable nature.

Under the proposal, normal work hours shall be 8 hours a day, up to a maximum of 14 hours, exclusive of meal periods, or a total of 60 hours in a week. Workers aged 60 years and above shall be allowed, under exceptional circumstances as defined by the Tripartite Council, to work beyond 8 hours to 14 hours a day. Workers shall also be governed by an employment contract to protect their interest, which shall include, among others, pertinent details about the job and its description, as well as the work hours and commensurate rate or any applicable benefits.

Senators Poe and Zubiri were made coauthors, and Senators Revilla, Lapid, and Padilla were made cosponsors

Cosponsorship Speech of Senator Revilla

Senator Revilla underscored the significance of every role, be it that of an actor, stuntman, crew member, cameraman, production assistant, or makeup artist, in contributing to economic development and enhancement of our culture.

The Senator expressed his full support on the measure to ensure safe and secure working conditions within the movie industry, as well as advocating for the strict implementation of occupational safety and health standards.

Senator Revilla emphasized that a larger conflict looms ahead—the challenge posed by artificial intelligence of AI. While technology itself may not be an adversary, it is crucial for us to step ahead. The technology that gives us convenience, also has a sharp end that could kill the industry if not managed.

Cosponsorship Speech of Senator Tolentino

Senator Tolentino stated that the measure is crucial not just for the movie industry but for the wellbeing of actors— for their personal and professional success, the quality of their work, and the overall health of the entertainment industry.

According to the Senator, the Eddie Garcia bill is important mainly for these reasons: performance quality; longevity and career; creativity and innovation; promotion of a good workplace culture; enhancement of the public image of the movie industry; and ensuring the wellbeing of actors and actresses which is a matter of ethical and legal responsibility.

Cosponsorship Speech of Senator Padilla

Senator Padilla stated that the proposed measure aims to uphold the legacy established by former President Joseph Estrada regarding the MOWELFUND, which provided significant advantages for individuals employed in the movie industry.

7. Privilege Speech of Senator Legarda

Senator Legarda delivered a privilege speech highlighting the significance of the 28th Conference of the Parties to the UN Framework Convention on Climate Change (COP28), which was recognized as the most crucial global conference addressing climate change.

The Senator emphasized that COP28 is where the fate of the planet, the people, and the future are negotiated. Hence, the Senate must recognize the significance of the task at hand and the responsibility it entails.

She urged all members to actively monitor the COP28 negotiations, for it will shape the development agenda for the next years and decades.

According to Senator Legarda, on the opening day of COP28, the parties agreed to operationalize the loss and damage fund, a lifeline for vulnerable developing nations, like

the Philippines, that are grappling with the urgent need to avert, minimize, and address the profound impacts of climate change.

Senator Legarda pointed out that there is a need to work closely with each other—the government, private sector, civil society groups, and national technical experts—with emphasis on speed and scaled-up strategies that only a whole-of-nation approach can achieve.

The Sixth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC), according to the Senator, informs the people that we are lagging in terms of climate action and investments needed to reach our global climate partners.

In closing, she urged the Filipino people to view the challenges of climate change as opportunities for renewal and advancement, and called upon the nations to honor their commitments, especially in climate financing.

Manifestation of Senator Hontiveros

Senator Hontiveros stated that one of the civil society participants at the COP28, Aksyon Klima Pilipinas, wrote and had set a meeting with the DENR in order to clarify some questions, resolve some issues, and to be able to work better together. She inquired whether Senator Legarda has knowledge if the meeting proceeded.

Senator Legarda responded that she is not privy to such meeting, but will find out as soon as possible if such meeting transpired. She reiterated that the government leaders, cannot do it alone. It has to be a whole-of-nation, whole-of-country, if not, whole-of-planet approach.

Motion of Senator Villanueva that the privilege speech of Senator Legarda and the manifestations thereon be referred to the Committee on Environment, Natural Resources and Climate Change

The session was adjourned at 7:08 pm.