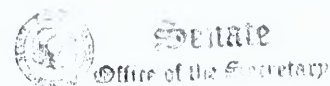
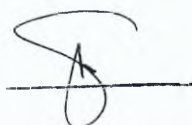


NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



'22 JUL 13 P1 :20

SENATE  
S. No. 496

RECEIVED BY: 

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Introduced by Senator Loren B. Legarda

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**AN ACT  
PROVIDING ENHANCED PROTECTION, SECURITY, AND BENEFITS FOR  
MEDIA WORKERS**

**EXPLANATORY NOTE**

Journalists and media workers have worked as the immediate responders to most, if not all, crucial events and emergencies in every part of the country, whether it be natural calamities, wars, accidents, or the COVID-19 pandemic.

While most were working from home especially during lockdown amid the surge of COVID-19 cases, many journalists had to brave the newsrooms, their studios, the field, and even the hospitals to cover and report the news.

Despite the risks, many journalists and media workers remain economically unprotected. Many of them work on a contractual basis for short periods, deprived of the security of tenure; some even work without contracts at all. Many of them are not given the benefits such as 13<sup>th</sup> month pay, Social Security System (SSS), Pag-IBIG, and Philhealth. With the inadequate protection of their welfare, the prevailing health crisis was conveniently used as justification by the employers to subject the media practitioners to unfair labor practices.

The current age of rampant misinformation emphasizes the crucial role of free

media in guaranteeing the dissemination of factual information. It cannot be denied that just compensation and ensuring labor protection of media workers are vital in protecting the freedom of expression, the freedom of the press, and the right of individuals to access information.

To better protect the media workers from adverse economic effects and the disregard of their labor rights, this bill seeks to establish a secured basic compensation scheme where wages mandated by law, hazard pay, institutionalized benefits, and security of tenure for all media practitioners.

Under the bill, the Department of Labor and Employment is tasked to establish a News Media Tripartite Council which will address the concerns of media workers and monitor the compliance with the provisions of the proposed measure.

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



LOREN LEGARDA



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**AN ACT  
PROVIDING ENHANCED PROTECTION, SECURITY, AND BENEFITS FOR  
MEDIA WORKERS**

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

1 Section 1. *Short Title.* - This Act shall be known as the "Media Workers' Welfare  
2 Act."

3 Sec. 2. *Declaration of Policy.* - It is the policy of the State to promote and  
4 improve the social and economic well-being of media workers, including their living  
5 and working conditions. Towards this end, the State shall provide the necessary  
6 support to ensure that media workers are protected, secured, and well-compensated.

7 Sec. 3. *Objectives.* - This Act shall have the following objectives:

8 a) Ensure that media workers shall, at the minimum, be paid the wages,  
9 allowances, and benefits provided by law to workers;

10 b) Motivate and encourage media workers to be truthful and responsible  
11 sharers of information; and

12 c) Promote an atmosphere that is conducive to productive, free, and fruitful  
13 media work.

14 Sec. 4. *Coverage.* - This Act shall apply to all media workers and media entities  
15 in the private sector.

16 Sec. 5. *Definition of Terms.* - As used in this Act:

17 a) *Blocktimer* refers to one who buys airtime from radio and television

1 franchise holders;

2 b) *Media entities* refer to persons or organizations, including media networks  
3 and operators that actively gather information of potential interest to a  
4 segment of the public, turn collected information into a distinct work or  
5 distribute that work to an audience within the Philippines; and

6 c) *Media workers* refer to those who are legitimately engaged in news media  
7 practice, directly or indirectly, whether as a principal occupation or not.

8 *Sec. 6. Minimum Compensation.* - Media workers shall not receive less than the  
9 applicable minimum wage rate prescribed by the Regional Tripartite Wages and  
10 Productivity Board and shall be entitled to overtime pay and night shift premiums, as  
11 well as other forms of compensation provided by Presidential Decree No. 442, as  
12 amended, otherwise known as the "Labor Code of the Philippines", and other related  
13 laws and issuances.

14 *Sec. 7. Social Security and Welfare Benefits.* - Media workers shall be covered by  
15 the Social Security System, the Home Development Mutual Fund or the Pag-IBIG  
16 Fund, and the Philippine Health Insurance Corporation upon employment. The  
17 payment of monthly contributions shall be jointly shared by the media worker and  
18 the employer, when applicable, in accordance with existing rules and regulations.  
19 Media workers shall also be entitled to retirement benefits as provided under RA No.  
20 11199, otherwise known as the "Social Security Act of 2018".

21 *Sec. 8. Hazard Pay.* - Media workers required to physically report for work in  
22 dangerous areas such as strife-torn or embattled areas, distressed or isolated stations,  
23 disease-infested areas, or in areas declared under a state of calamity or emergency for  
24 the duration thereof which expose them to great danger, contagion, radiation,  
25 volcanic activity or eruption, occupational risks or perils to life as determined by the  
26 Department of Labor and Employment (DOLE), shall be compensated with a hazard  
27 pay in the minimum amount of Five hundred pesos (P500.00) per day, with no  
28 diminution, which shall be computed as follows:

29 
$$\text{Hazard pay} = P500 \times \text{number of days physically reporting for work in dangerous areas}$$

30 The base amount of the hazard pay of media workers may be increased as  
31 decided upon by the News Media Tripartite Council created under Section 15 of this

1 Act.

2 Employers shall also provide media workers covering events in dangerous  
3 areas with basic safety gear and equipment such as bulletproof vests and helmets,  
4 first-aid kits, fire protection jackets, face shields, medical-grade protective equipment,  
5 harnesses, safety shoes, and life vests.

6 Sec. 9. *Mandatory Additional Insurance Benefits.* - Employers shall provide  
7 additional insurance coverage to media workers as follows:

8 a) Death benefit of Two hundred thousand pesos (P200,000.00) for each media  
9 worker who shall perish in the line of duty;

10 b) Disability benefit of up to Two hundred thousand pesos (P200,000.00) for  
11 each media worker who shall suffer total or partial disability, whether  
12 permanent or temporary, arising from any injury sustained in the line of duty;  
13 and

14 c) Medical insurance benefit for each media worker of up to One hundred  
15 thousand pesos (P100,000.00).

16 Sec. 10. *Security of Tenure.* - Media workers shall be deemed as regular  
17 employees after six (6) months from the start of employment, regardless of the nature  
18 of employment. However, the said six (6) months period shall be computed  
19 cumulatively if a media worker is repeatedly engaged for shorter periods. An  
20 employer shall not terminate the services of a media worker except for a just or  
21 authorized cause, and with the observance of procedural due process.

22 Sec. 11. *Settlement of Disputes.* - All labor-related disputes shall be elevated to  
23 the DOLE regional office that has jurisdiction over the workplace.

24 Sec. 12. *Liability of Media Entities.* - Media entities shall be responsible for all  
25 contents released under their name. Owners of media entities or franchise holders  
26 shall be liable for claims arising from gross negligence, malicious acts, and violation  
27 of laws in connection with the work of blocktimers and media workers, regardless of  
28 the nature of engagement, except when the owners of the media entities or the  
29 franchise holders are able to prove that due diligence was exercised or that the fault  
30 is attributable solely to the concerned blocktimer or media worker. Any agreement to  
31 the contrary shall be void.

1           Sec. 13. *Compliance.* - The DOLE shall monitor compliance with the provisions  
2 of this Act.

3           Sec. 14. *Administrative Penalties.* - Violations of the provisions of this Act shall  
4 be subject to applicable penalties provided in Presidential Decree No. 442, as  
5 amended, and other related laws and issuances.

6           Sec. 15. *News Media Tripartite Council.* - The DOLE shall initiate the creation of  
7 the News Media Tripartite Council which shall serve as a link among various  
8 stakeholders, provide a platform where media workers and employers can agree  
9 upon mutually beneficial policies that will promote the interests of the media  
10 industry, and serve as an avenue to express their aspirations, discuss their programs  
11 or settle conflicts.

12           Sec. 16. *Implementing Rules and Regulations.* - Within ninety (90) days from the  
13 approval of this Act, the Secretary of Labor and Employment shall, in coordination  
14 with media groups, associations, publishers, guilds, and other concerned groups,  
15 issue the necessary rules and regulations to implement the provisions of this Act.

16           Sec. 17. *Separability Clause.* - If any part, section, or provision of this Act is  
17 declared invalid or unconstitutional, the other provisions not affected by such  
18 declaration shall remain in full force and effect.

19           Sec. 18. *Repealing Clause.* - All laws, decrees, executive orders, rules, and  
20 regulations inconsistent with the provisions of this Act are hereby repealed or  
21 modified accordingly.

22           Sec. 19. *Effectivity.* - This Act shall take effect fifteen (15) days after its  
23 publication in the Official Gazette or in a newspaper of general circulation.

Approved,