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SENATE
Senate Bill No. 1775

RECEIVED BY: 

Introduced by: **Senator Raffy T. Tulfo**

**"AN ACT REQUIRING ALL GOVERNMENT AND NON-GOVERNMENT OFFICES
AND ESTABLISHMENTS TO ADOPT POLICIES TO PREVENT AND ADDRESS
THE ACTS OF BULLYING AND OTHER SIMILAR ACTS IN THEIR
WORKPLACE "**

Explanatory Note

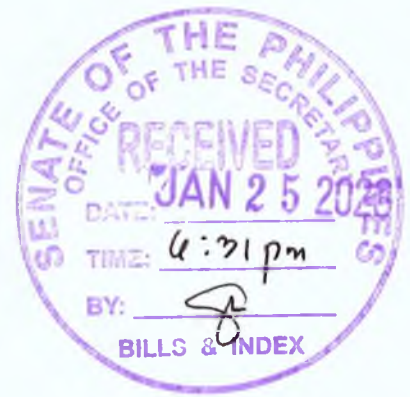
According to the American Psychological Association (APA) bullying refers to an aggressive behavior wherein there is intentional and repeated infliction of harm or inconvenience to another person . Bullying can be inflicted through physical or verbal actions. On the other hand, moral harassment affects both physical and mental health of the victim since it causes stress, anxiety, demoralization and interpersonal conflicts with co- employees in the workplace. Moreover, it can likewise be detrimental to the professional growth and career of the victims. According to a study, 425 out of 1,254 employees of a university reported bullying in their workplace. Needless to say, it is imperative for employers to ensure the physical, mental, and emotional well-being of their employees at their workplace¹ . The efforts of various government agencies in their anti-bullying campaign and the implementation of Republic Act No. 10627 will not be in vain if the same have been primarily integrated in the work environment.

This bill seeks to mandate all offices in the government and private sectors to establish and implement policies and measures to effectively address the incidence of bullying and other similar acts in their respective workplaces.

The passage of this measure is thus earnestly sought.


RAFFY T. TULFO

Senator



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"AN ACT REQUIRING ALL GOVERNMENT AND NON-GOVERNMENT OFFICES AND ESTABLISHMENTS TO ADOPT POLICIES TO PREVENT AND ADDRESS THE ACTS OF BULLYING AND OTHER SIMILAR ACTS IN THEIR WORKPLACE "

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

1 Section 1. Short Title. This Act shall be known as the "*Anti- Office Bullying Act of*
2 *2023*".
3

4 Sec. 2. Adoption of Anti-Office Bullying Policies.

5 All government and non-government offices, and business establishments, are hereby
6 directed to adopt policies to address the existence of office bullying and other similar
7 acts in their respective institutions. Such policies shall be regularly updated and at a
8 minimum shall include provisions which:
9

10 (a) Prohibit the following acts:
11

12 (1) "Office Bullying"-any severe or repeated use by one or more employees of a
13 written, verbal or electronic expression, or a physical act or gesture, or any
14 combination thereof, directed at an employer. co- employee, or any person
15 with whom he/she has professional relations or dealings that has the effect of
16 actually causing or placing the latter in reasonable fear of physical or emotional
17 harm or damage to his property; creating a hostile work environment for the
18 an employer, co-employee, or any person with whom he/she has professional
19 relations or dealings; infringing on the rights of another at work premises; or
20 materially and substantially disrupting the orderly operation of the office; such
21 as, but not limited to, the following:
22

- 23 a. Any act that causes physical or bodily harm;
24 b. Any act that causes harm to a victim's psyche and/or emotional
25 and/or moral well-being;
26 c. Any slanderous statement or accusation that causes the victim

1 undue emotional distress like directing foul language or profanity
2 at the target, name-calling, tormenting and commenting
3 negatively on victim's looks, clothes and body; and
4 d. Cyber-bullying or any bullying done through the use of technology
5 or an electronic means.

6 (2) Any abusive acts or behavior which include but are not limited to the
7 following:

- 8
9 a. Offering, publishing, distributing, circulating and spreading
10 rumors, false news and information and gossip about, or any act
11 against or direct against an employer, a co-employee, or any person
12 with whom he/she has professional relations or dealings;
13 b. Disrespecting and devaluing an employer, a co-employee, or any
14 person with whom he/she has professional relations or dealings
15 through disrespectful and devaluing language;
16 c. Management by threat and intimidation;
17 d. Stealing credit and taking unfair advantage of an employer, a co-
18 employee, or any person with whom he/she has professional relations
19 or dealings;
20 e. Preventing access to workplace, career, and office opportunities to an
21 employer, a co-employee, or any person with whom he/she has
22 professional relations or dealings; and
23 F. An act or behavior shall be construed as abusive if it results to any
24 or all of the following:

- 25
26 I. Destroys or undermines the character, image, status, reputation,
27 morale, and credibility of an employer, a co- employee, or any
28 person with whom he/she has professional relations or dealings;
29 II. Discredits, destroys and undermines the work, results of the
30 work. awards. career, vocation craft professional status,
31 productivity, performance, and talents of an employer, a co-
32 employee, or any person with whom he/she has professional
33 relations or dealings"
34 III. Causes divisive effects among employees, employers, officers,
35 and other members of the government and non-government
36 organizations, business establishments, their clientele, and any
37 other person engaged by government and non-government
38 organizations, business establishments in their respective
39 professional capacities.

40
41 (b) Establish clear procedures and strategies for:

- 42
43 (1) Reporting acts prohibited under this act;
44 (2) Responding promptly to and investigating reports of acts, which are
45 prohibited under this act;
46 (3) Ensuring the protection of the person who reports any of the prohibited
47 acts, provides information during an investigation of the prohibited acts, or is
48 witness to or has reliable information about any of the prohibited

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2 (c) Enable employees to anonymously report any of the prohibited acts. Provided,
3 *However*, That no disciplinary administrative action shall be taken against a
4 perpetrator solely on the basis of an anonymous report; and
5

6 (d) Subject the perpetrator/s who knowingly makes a false accusation to
7 disciplinary administrative action.
8

9 Sec. 3. Mechanisms to Address Office Bullying and/or other Prohibited Acts.
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11 (a) The administrative office or officer, human relations office or officer, or any person
12 or office holding a comparable role shall be responsible for the implementation and
13 oversight of policies intended to address office bullying and other prohibited acts.
14

15 (b) All government and non-government offices and business establishments shall
16 provide their employees a copy of the policies being adopted. Such policies shall
17 likewise be included in the employees' handbook and shall be conspicuously posted
18 on the office walls and website, if there is any.
19

20 (c) Any employee shall immediately report any instance of office bullying and other
21 prohibited acts witnessed, or that has come to one's attention, to the administrative
22 office or officer, human relations office or officer, and/or any person or office holding
23 a comparable role. Upon receipt of such a report, the administrative office or officer,
24 human relations office or officer, or any person or office holding a comparable role,
25 shall promptly investigate.
26

27 (d) If it is determined that bullying and/or other prohibited acts have occurred,
28 administrative office or officer, human relations office or officer, or any person or office
29 holding a comparable role, shall:
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- 31 i. Notify the law enforcement agency if the administrative office or officer,
32 human relations office or officer, and/or any person or office holding a
33 comparable role believes that criminal charges under the Revised Penal
34 Code may be pursued against the perpetrator;
35 ii. Take appropriate disciplinary administrative action;
36

37 Sec. 4. Reportorial Requirements.
38

39 (a) All non-government offices and business establishments shall inform the
40 Department of Labor and Employment in writing about the policies against
41 anti- office bullying and/or other prohibited acts formulated within six (6)
42 months from the effectivity of this Act. Such notification shall likewise be
43 an administrative requirement prior to the operation, creation, or
44 establishment of new non- government offices and business
45 establishments.
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47 (b) All government offices shall inform the Civil Service Commission in writing
48 about the policies against office bullying and/or other prohibited acts
formulated within six (6) months from the effectivity of this Act.

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Sec. 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 administrative 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.

Sec. 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,

Sec.7. Separability Clause.-If, for any reason, any provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force or effect.

Sec. 8. Repealing Clause.- All laws, decrees, orders, rules and regulations or parts thereof. which are inconsistent with or contrary to the provision of this Act are hereby repealed, amended or modified accordingly

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

Approved,