



HOUSE OF REPRESENTATIVES

H. No. 5011

BY REPRESENTATIVES DOMOGAN, BANAAG, AMIN, CODILJA AND NOGRALES,
PER COMMITTEE REPORT NO. 1302

AN ACT EXPANDING THE EXCEPTIONS FROM NIGHTWORK PROHIBITION OF WOMEN EMPLOYEES, THEREBY AMENDING ARTICLE 131 OF PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES

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

1 SECTION 1. Article 131 of the Labor Code is hereby amended to read
2 as follows:

3 “ART. 131. *Exceptions.* – The prohibitions prescribed by
4 the preceding Article shall not apply in any of the following
5 cases:

6 (a) In cases of actual or impending emergencies caused
7 by serious accident, fire, flood, typhoon, earthquake, epidemic or

1 other disasters or calamity, to prevent loss of life or property, or
2 in cases of *force majeure* or imminent danger to public safety;

3 (b) In case of urgent work to be performed on
4 machineries, equipment or installation, to avoid serious loss
5 which the employer would otherwise suffer;

6 (c) Where the work is necessary to prevent serious loss
7 of perishable goods;

8 (d) Where the woman employee holds a responsible
9 position of managerial or technical nature, or where the woman
10 employee has been engaged to provide health and welfare
11 service;

12 (e) Where the nature of the work requires the manual
13 skill and dexterity of women workers and the same cannot be
14 performed with equal efficiency by male workers;

15 (f) Where the women employees are immediate
16 members of the family operating the establishment or
17 undertaking; [and]

18 (g) WHERE THE INCREASING DEMANDS FOR WORK
19 PROVIDE EQUAL OPPORTUNITIES TO WORK AT NIGHT; AND

1 [(g)] (H) Under other analogous cases exempted by the
2 Secretary of Labor AND EMPLOYMENT in appropriate
3 regulations.”

4 SEC. 2. *Repealing Clause.* – All other acts, laws, executive orders,
5 presidential issuances, rules and regulations or any part thereof which are
6 inconsistent herewith are hereby deemed repealed or modified accordingly.

7 SEC. 3. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
8 after its publication in the *Official Gazette* or in at least two newspapers of
9 general circulation.

 Approved,

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