

AN ACT FURTHER AMENDING REPUBLIC ACT NUMBERED SIX HUNDRED SEVENTY-NINE, AS AMENDED BY REPUBLIC ACT NUMBERED ELEVEN HUNDRED THIRTY-ONE (RE WOMAN AND CHILD LABOR LAW).

REPUBLIC ACT NO. 6237, June 19, 1971

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

SECTION 1. Section one of Republic Act Numbered Six hundred seventy-nine is hereby amended to read as follows:

"SECTION 1. Employment of children below twelve years of age.½No child below twelve years of age shall be employed or permitted or suffered to work with or without compensation in any shop, factory, commercial, industrial, or agricultural establishment, in any kind of work, including domestic service and street trades; Provided, however, That this paragraph shall not apply to work performed outside school hours in the home or farm enterprise of the child's parent or guardian.

"(a) Children between twelve and fifteen years of age may only be employed to perform light work—½

- Which is not harmful to their health or normal development; and

- Which is not such as to prejudice their attendance in school or to benefit from instructions there given.

"(b) No child between twelve and fifteen years of age shall be employed or permitted or suffered to work with or without compensation on school days in any shop, factory, commercial, industrial or agricultural establishment or any place of labor unless such child knows how to read and write.

"(c) This section shall not apply to work done in vocational, technical, or professional schools, which is essentially of an educative character and is not intended for commercial profit, provided such schools are duly authorized under the law.

"For the purpose of this section, the Secretary of Labor or his duly authorized representative shall specify what forms of employment may be considered light."

SEC. 2. Section two of the same Act is hereby amended to read as follows:

"SEC. 2. Employment of Children below sixteen years of age.—

(a) No child under sixteen years of age shall be employed or permitted or suffered to work½

"(1) in any industrial undertaking or in any branch or division thereof, including½

(aa) mines, quarries and other works for the extraction of minerals from the earth;

(bb) undertakings in which articles are manufactured, transformed, altered, cleaned, repaired, ornamented, finished, adapted for sale, or broken up or demolished;

(cc) undertakings engaged in shipbuilding, or in the generation, transformation or transmission of electricity or motive power of any kind;

(dd) undertakings engaged in building and civil engineering works, including constructional repair, maintenance, alteration and demolition work; and

(ee) undertakings engaged in the transport of passengers or goods by road or sail or by inland waterways, or in the handling of goods at docks, quays, wharves, warehouses, or airports.

"(2) in any shop, factory, industrial establishment or other place of labor;

(aa) as operator of elevators, motorman, or fireman;

(bb) to operate or assist in operating or to clean machinery;

(cc) to work underground or with the use of ramps or scaffoldings; or

(dd) to do any work similar to any of the foregoing.

"(3) in billiard rooms, cockpits, other place where games are played with stakes of money or things worth money, or in a bar, night club, dance hall, stadium or race track, in any kind of work."

SEC. 3. Section five of the same Act is hereby amended to read as follows:

"SEC. 5. Hours of work of children; night work.—

- No child below sixteen years of age shall be employed or permitted to work in any shop, factory, commercial or industrial establishment or other place of labor—

- for more than seven hours a day or forty-two hours weekly; and

- between six o'clock in the afternoon and seven o'clock in the morning of the following day.

- No child who has attained the age of sixteen years but is below the age of eighteen years shall be employed or permitted or suffered to work in any shop, factory, commercial or industrial establishment or other place of work between six o'clock in the afternoon and seven o'clock in the morning of the following day.

"No exception for young persons of either sex to the prohibition of night work shall be allowed except under circumstances and subject to the conditions specified in the International Labor Convention No. 90 on Night Work of Young Persons (Industry) Revised (1948) (Ratified: 1953)."

SEC. 4. Section seven of the same Act, as amended, is further amended to read as follows:

"SEC. 7. Employment of women.—

(a) No women, regardless of age, shall be employed in any shop, factory, commercial or industrial establishment or other place of labor to perform work which requires the employee to work always standing or which involves the lifting of heavy objects.

(b) No woman, regardless of age, shall be employed or permitted or suffered to work, with or without compensation, in any industrial undertaking or branch thereof between ten o'clock at night and ten o'clock in the morning of the following day, except those who are immediate members of the family operating or owning the same. An employer may be exempted from the requirement of this subsection;

"(1) in case of force majeure causing an interruption in the work which was not foreseen and which is not of a recurring character;

(2) by the Secretary of Labor, if he finds, after proper investigation, that the work has to do with raw material or materials in the course of treatment which are subject to rapid deterioration and night work is necessary to preserve such materials from loss; and

(3) by the President of the Philippines, with or without the recommendation of the Secretary of Labor, after consultation with employers and workers' organizations concerned in case of serious emergency where national interest demand the suspension of the night work prohibition for women in particular industry or industries. Such suspension shall be notified by the government to the Director General of the International

Labor Office in its Annual Report on the Application of the Night Work Convention.

"(c) No woman, regardless of age, shall be employed or permitted or suffered fro work, with or without compensation, in any commercial or non-industrial undertaking or branch thereof, other than agricultural, between twelve o'clock midnight and seven o'clock in the morning of the following day, except those who are immediate members of the family owning or operating the same.

"(d) No woman, regardless of age shall be employed or permitted or suffered to work in any agricultural undertaking at night without giving her a period of rest of not less than nine consecutive hours.

The prohibition against night work for women provided for in subsections (b), (c) and (d) hereof shall not apply to—

- (1) women holding responsible positions of a managerial or technical character; and
- (2) women employed in health and welfare services.

"(e) In any shop, factory, commercial, industrial, non-industrial or agricultural establishment or other place of labor where men and women are employed, the employer shall not discriminate against any woman in respect to terms and conditions of employment on account of her sex, and shall pay equal remuneration for work of equal value for both men and women employees.

"(f) No woman, eighteen years or over, shall be allowed or permitted or suffered to work in any shop, factory, commercial or industrial establishment or in any place of labor without granting her a rest period of eleven consecutive hours of work between two working periods."

SEC. 5. This Act shall take effect upon its approval.

Approved, June 19, 1971.

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