

### WHAT IF THE EMPLOYER OR HEAD OF OFFICE DID NOT UNDERTAKE ANY ACTION DESPITE HIS/HER KNOWLEDGE OF SEXUAL HARASSMENT ACT/S?

The employer or head of an office, educational or training institution will be held liable for the damages arising from acts of sexual harassment if they are informed by the offended party of the occurrence of such acts, yet no action has been undertaken.

### CAN AN OFFENDED PARTY SEEK REDRESS BY TAKING INDEPENDENT ACTION?

An offended party may take independent action for damages incurred in the act of sexual harassment. She/he may also avail of relief.

### WHAT ARE THE PENALTIES APPLIED TO OFFENDERS?

Any person who violates the provisions of the law shall be penalized by imprisonment of not less than one (1) month nor more than six (6) months, or a fine of not less than Ten thousand pesos (P10,000) nor more than Twenty thousand pesos (P20,000), or both such fine and imprisonment at the discretion of the court.

Any action arising from the violation of the provisions of this Act shall prescribe in three (3) years.

### WHERE DO WE GO FOR HELP?

These are agencies/organizations which are committed to assist sexual harassment victims. They are only a phone call away:

#### **Philippine National Police (PNP)**

Camp Crame, Quezon City  
Tel. No.: (02) 723-0401 to 20; Call/Text 117 (PATROL 117)  
Women and Children's Concern Division (WCCD)  
Tel. No.: (02) 723-0401 loc. 3480, (02) 410-3213  
Mobile No.: (0919) 777-7377 (Aleng Pulis)

#### **Civil Service Commission (CSC)**

Public Assistance and Information Office  
Tel. Nos.: (02) 931-6850; 931-6851

#### **Department of Labor and Employment (DOLE)**

Bureau of Working Conditions  
3rd Floor, Muralla Wing, DOLE Bldg., Intramuros, Manila  
Trunkline: (02) 527-3000 loc. 305 and 306

#### **National Bureau of Investigation (NBI)**

Violence Against Women and Children's Desk (VAWCD)  
Tel. Nos.: (02) 523-8231 loc. 3403; 525-6098

#### **DOJ - Public Attorney's Office**

Tel. Nos.: (02) 929-9010; 929-9436 to 37

#### **Philippine General Hospital (PGH)**

Women's and Children's Desk  
Tel. Nos.: (02) 524-2990; 521-8450 loc. 3816

#### **Women's Crisis Center**

Women and Children Crisis Care & Protection Unit – East Avenue  
Medical Center (WCCCPU-EAMC)  
Tel. Nos.: (02) 926-7744; 922-5235

#### **KALAKASAN**

Tel. Nos.: (02) 735-5555; 735-8303

#### **Sources:**

n Republic Act 7877 Anti-Sexual Harassment Act of 1995, <http://www.pcw.gov.ph>

n A.M. No. 03-03-13-SC *Rule on Administrative Procedure in Sexual Harassment Cases and Guidelines on Proper Work Decorum in the Judiciary*. Supreme Court. December 2004.

# REPUBLIC ACT 7877 THE ANTI-SEXUAL HARASSMENT ACT OF 1995

## *A Briefer*

*"With Funding Assistance from the Office of Senator Pia S. Cayetano"*

*For more information, please contact the*  
**Information Resource Management Division (IRMD)**  
**Philippine Commission Women (PCW)**  
1145 J. P. Laurel St., San Miguel, 1005 Manila, Philippines  
Trunkline: (02) 735-4955 loc. 125; Fax: (02) 736-4449  
E-mail: [edo@pcw.gov.ph](mailto:edo@pcw.gov.ph); [irmd@pcw.gov.ph](mailto:irmd@pcw.gov.ph)  
Website: <http://www.pcw.gov.ph>



PHILIPPINE COMMISSION ON WOMEN

## SOME QUICK INFORMATION

- ❖ RA 7877 addresses the issue of sexual harassment committed in work and education or training environment
- ❖ It was signed into law on February 14, 1995 under former Pres. Fidel Ramos' administration

## WHAT IS SEXUAL HARASSMENT?

Under the law, work, education or training related sexual harassment is...

“committed by an employer, employee, manager, supervisor, agent of the employer, teacher, instructor, professor, coach, trainor, or any other person who, having authority, influence or moral ascendancy over another in a work or training or education environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said Act.”

## HOW IS WORK-RELATED SEXUAL HARASSMENT COMMITTED?

This is done when:

- The sexual favor is made as a condition in the hiring or in the employment, re-employment or continued employment of said individual, or in granting said individual favorable compensation, terms, conditions, promotions, or privileges; or the refusal to grant the sexual favor results in limiting, segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee;
- The above acts would impair the employee's rights or privileges under existing labor laws; or

- The above acts would result in an intimidating, hostile, or offensive environment for the employee.

## WHAT ABOUT EDUCATION OR TRAINING RELATED SEXUAL HARASSMENT?

This is committed:

- Against one who is under the care, custody or supervision of the offender;
- Against one whose education, training, apprenticeship or tutorship is entrusted to the offender;
- When the sexual favor is made a condition to the giving of a passing grade, or the granting of honors and scholarships, or the payment of a stipend, allowance or other benefits, privileges, or considerations; or
- When the sexual advances result in an intimidating, hostile or offensive environment for the student, trainee or apprentice.
  - ❖ A person who directs or induces another person to commit any act of sexual harassment or who cooperates to commit the act, without which the said act would not have been committed, will also be held liable under the law.

## WHAT IS THE DUTY OF THE EMPLOYER OR HEAD OF OFFICE IN A WORK OR EDUCATION/TRAINING ENVIRONMENT?

The employer or head of office is required by the law to prevent the occurrence of sexual harassment acts. If in case acts of sexual harassment were committed, the employer or head of office should:

- Disseminate appropriate rules and regulations which are consulted from and jointly approved by the employees

or students or trainees, through their duly designated representatives. The said rules prescribe the procedure for the investigation of sexual harassment cases and the administrative sanctions applied for such.

- ❖ Administrative sanctions shall not bar prosecution in the proper courts for unlawful acts of sexual harassment.
  - ❖ The said rules and regulations should include guidelines on proper decorum in the workplace and educational or training institutions.
- Create a committee on decorum and investigation of cases on sexual harassment. The committee shall conduct meetings or as the case may be, with officers and employees, teachers, instructors, professors, coaches, trainors and students or trainees to increase understanding and prevent incidents of sexual harassment. It shall also conduct the investigation of alleged cases constituting sexual harassment.
    - ❖ In the case of a work-related environment, the committee shall be composed of at least one (1) representative each from the management, the union, if any, the employees from the supervisory rank, and from the rank and file employees.
    - ❖ In the case of the educational or training institution, the committee shall be composed of at least one (1) representative from the administration, the trainors, teachers, instructors, professors or coaches and students or trainees, as the case may be.
    - ❖ The employer or head of office, educational or training institution shall disseminate or post a copy of RA 7877 to inform all concerned individuals.