

CHANROBLES PUBLISHING COMPANY

COMMONWEALTH ACT NO. 444

EIGHT HOUR LABOR LAW

SECTION 1. The legal working day for any person employed by another shall be of not more than eight hours daily. When the work is not continuous, the time during which the laborer is not working and can leave his working place and can rest completely shall not be counted.

SECTION 2. This Act shall apply to all persons employed in any industry or occupation, whether public or private, with the exception of farm laborers, laborers who prefer to be paid on piece work basis, domestic servants and persons in the personal service of another and members of the family of the employer working for him.

SECTION 3. Work may be performed beyond eight hours a day in case of actual or impending emergencies caused by serious accidents, fire, flood, typhoon, earthquake, epidemic, or other disaster or calamity in order to prevent loss of life and property or imminent danger to public safety; or in case of urgent work to be performed on the machine, equipment, or installations in order to avoid a serious loss which the employer would otherwise suffer, or some other just cause of a similar nature; but in all such cases the laborers and employees shall be entitled to receive compensation for the overtime work performed at the same rate as their regular wages or salary, plus at least twenty-five per centum additional.

In case of national emergency the Government is empowered to establish rules and regulations for the operation of the plants and factories and to determine the wages to be paid the laborers.

SECTION 4. No person, firm, or corporation, business establishment or place or center of labor shall compel an employee or laborer to

work during Sundays and legal holidays, unless he is paid an additional sum of at least twenty-five per centum of his regular remuneration: Provided however, That this prohibition shall not apply to public utilities performing some public service such as supplying gas, electricity, power, water, or providing means of transportation or communication.

SECTION 5. Exemption from the provisions of sections two, and three hereof may be granted by the Secretary of labor in the interest of the public, or if, in his opinion, such exemption is justifiable either because the organization or nature of the work requires it, or because of lack or insufficiency of competent laborers in a locality or because the relieving of laborers must be done under certain conditions, or by reason of any other exceptional circumstances or conditions of the work or industry concerned; but when such exemption is granted employees and laborers will be paid at least twenty-five per centum in addition to their regular salaries or wages for the time in excess of eight hours.

SECTION 6. Any agreement or contract between the employer and the laborer or employee contrary to the provisions of this Act shall be null and void ab initio.

SECTION 7. Any violation of this Act by the employer or person having direct control and supervision over the work shall be punished by a fine of not more than one thousand pesos, or by imprisonment for not more than one year, or both.

SECTION 8. Acts Numbered Forty-one hundred and twenty-three and Forty-two hundred and forty-two of the former Philippine Legislature are repealed.

SECTION 9. This Act shall take effect upon its approval.

APPROVED: June 3, 1939