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# BASIC PRINCIPLES OF PHILIPPINE LABOR LAW

THE 12TH SYMPOSIUM ON INTERNATIONAL CIVIL  
AND COMMERCIAL LAWS AND PRACTICES OF LABOR  
IN SOUTHEAST ASIA'S FOUR COUNTRIES

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9 OCTOBER 2025

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THE PHILIPPINES**

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# LABOR IN THE PHILIPPINES

**KUA SY & YEUNG LAW OFFICES**

Unit 2302 Corporate Finance Plaza,  
Ruby Road cor. Topaz Road, Ortigas Center,  
Pasig City, 1605 Metro Manila, Philippines

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# SECURITY OF TENURE

Why is it so important in the Philippines?

# IS THE LAW PRO-LABOR?

Article 4 of the Labor Code –  
Construction In Favor Of Labor Practices

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EMPLOYMENT TYPOLOGIES

EXCEPTIONS IN EMPLOYMENT

TERMINATIONS

# EMPLOYMENT PRACTICES

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EMPLOYMENT TYPOLOGIES

# REGULAR EMPLOYMENT

Enjoys full security of tenure.



EXCEPTIONS IN EMPLOYMENT

❖ **PROBATIONARY EMPLOYMENT**

Employment under evaluation

❖ **PROJECT EMPLOYMENT**

Employment for a specific project

❖ **TERM EMPLOYMENT**

Employment for a fixed period of time



EXCEPTIONS IN EMPLOYMENT

❖ **SEASONAL EMPLOYMENT**

Employment for a specific season

❖ **CASUAL EMPLOYMENT**

Incidental and not necessary to the usual business of the employer



TERMINATION OF EMPLOYMENT

# JUST CAUSES

SERIOUS MISCONDUCT

WILLFUL DISOBEDIENCE

GROSS & HABITUAL NEGLIGENCE OF DUTIES

FRAUD OR WILLFUL BREACH OF TRUST  
/ LOSS OF CONFIDENCE

COMMISSION OF CRIME OR OFFENSE

ANALOGOUS CAUSES



# JUST CAUSE TERMINATION PROCEDURE

## NOTICE TO EXPLAIN

Must specify the acts committed and the rule violated.

## ADMINISTRATIVE CONFERENCE

Face to face meeting to give the employee a chance to explain themselves

## NOTICE OF TERMINATION

Notice informing the employee of his termination

INSTALLATION OF LABOR-SAVING DEVICE

REDUNDANCY

RETRENCHMENT

CLOSURE DUE TO SERIOUS FINANCIAL LOSS

SIMPLE CLOSURE

EMPLOYEE DISEASE OR ILLNESS

TERMINATION OF EMPLOYMENT

# AUTHORIZED CAUSES



# AUTHORIZED CAUSE TERMINATION PROCEDURE

30 DAYS NOTICE TO DOLE

30 DAYS NOTICE TO EMPLOYEE

PAYMENT OF  
SEPARATION PAY



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*How are disputes between employers and employees resolved through the legal process?*

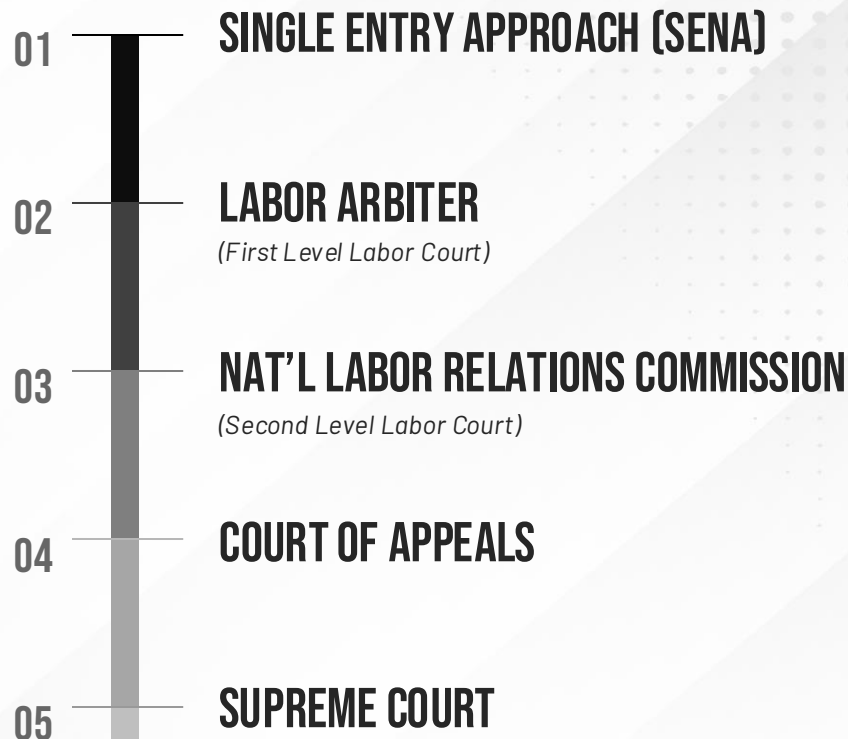
# LABOR LITIGATION

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# PROCESS OF LABOR LITIGATION



# GRIEVANCE MACHINERY

How are disputes resolved if a union is present?

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*How can a business protect its property and trade techniques?*

# PROTECTION OF TRADE SECRETS

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# WHAT IS A TRADE SECRET?

A trade secret means a **plan, process, formula, mechanism, or compilation** of information known only to the owner and trusted employees, **not patented but commercially valuable.**

## PROTECTION OF TRADE SECRETS

# LEGAL FRAMEWORK

### INTELLECTUAL PROPERTY CODE

Recognizes the protection of undisclosed information or trade secrets as part of intellectual property rights.

### PHILIPPINE CIVIL CODE

Governs obligations and contracts, which are the primary mode of enforcing confidentiality of trade secrets.

### REVISED PENAL CODE

Penalizes revealing secrets with abuse of office by a manager or employee who learns secrets of their principal and then discloses them.

# THE EMPLOYER'S RESPONSIBILITY

What are the reasonable steps to guard the secrecy of sensitive information, including limiting access, using physical and electronic security measures, and monitoring information use

PROTECTION OF TRADE SECRETS  
**LEGAL TOOLS USED**

**NON- DISCLOSURE  
AGREEMENTS**

**NON- COMPETE  
AGREEMENTS**



# THANK YOU!

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