Republic of the Philippines
DEPARTMENT OF LABOR AND EMPLOYMENT
Intramuros, Manila

DEPARTMENT OF LABOR AND EMPLOYMENT

BAGONG PILIPINAS

CERTIFICATION INTERNATIONAL ISO 9001:2015

PAB ACCREDITED QMS CERTIFICATION BODY

DEPARTMENT ORDER NO. 251
Series of 2025

DOLE-AS 22APR'25 8:08

NEW IMPLEMENTING RULES AND REGULATIONS OF ARTICLE 133 [135] OF THE LABOR CODE, AS AMENDED BY REPUBLIC ACT NO. 6725, OTHERWISE KNOWN AS "AN ACT STRENGTHENING THE PROHIBITION ON DISCRIMINATION AGAINST WOMEN WITH RESPECT TO TERMS AND CONDITIONS OF EMPLOYMENT," AND AS RENUMBERED BY REPUBLIC ACT NO. 10151"

Pursuant to the rule-making authority of the Secretary, Department of Labor and Employment (DOLE), this Department Order is hereby issued as the new implementing rules and regulations of Article 133 [135] of the Labor Code, as amended by Republic Act No. 6725 and as renumbered by Republic Act No. 10151, as follows:

Section 1. Coverage. These Rules shall apply to any act of discrimination, as defined herein, committed by an employer against a woman employee with respect to terms and conditions of employment solely on account of her sex.

Section 2. Definition of terms. As used in these Rules and unless the context indicates otherwise:

(a) ***"Compensation"*** *or* ***"remuneration"*** includes the ordinary, basic or minimum wage or salary or compensation and any additional emoluments or benefits whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment.

(b) ***"Discrimination"*** means any distinction, exclusion or preference made on the basis of sex which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

(c) ***"Equal remuneration for men and women workers for work of equal value"*** refers to rates of remuneration determined or established without discrimination based on sex. It includes equal remuneration for equal, the same, or similar work, and encompasses work that is of an entirely different nature, which is nevertheless of equal value.

Section 3. Acts of discrimination. - The following are acts of discrimination:

(a) Payment of a lesser compensation, including wage, salary or other form of remuneration and fringe benefits, to a female employee as against a male employee, for work of equal value.

Lesser compensation or remuneration to a female employee in relation to a male employee shall not be considered as being contrary to the principle of equal remuneration for work of equal value when:

i. The different rates correspond, without regard to sex, to differences in the work to be performed, as determined by an appraisal or any other form of practical and reasonable evaluation of objective compensable factors required to perform the work.

ii. While the work performed by a male and female may be of equal value, the difference between the rates of pay is based on such objective factors as length of service, seniority, location or geographical area of employment, or any factor other than sex, and the factors on which the difference is based would normally justify a difference in rates of pay.

U.P. LAW CENTER
OFFICE of the NATIONAL ADMINISTRATIVE REGISTER
Administrative Rules and Regulations
REGISTERED
MAY 07 2025
ONAR Registration
TIME: 815 BY: NR25-0501
4072624

CERTIFIED TRUE/XEROX COPY:
ROVIANNE S. TEJADA
Administrative Officer V
AS, GSD-Records Section
DEPT. OF LABOR AND EMPLOYMENT

(b) Favoring a male employee over a female employee with respect to security of tenure, promotion, training opportunities, study and scholarship grants and other privileges and non-monetary benefits solely on account of their sexes.

Section 4. Complaints over acts of discrimination; jurisdiction. – Pursuant to Article 224 of the Labor Code, as amended, complaints including those accompanied with money claims based on any act of discrimination as defined herein, shall be under the original and exclusive jurisdiction of the Labor Arbiter, except:

(a) When the complaint arises from the interpretation or implementation of a collective bargaining agreement or enforcement of a company personnel policy, in which case jurisdiction shall be with the voluntary arbitrator or panel of voluntary arbitrators pursuant to Articles 224 (c) and 274 of the Labor Code, as amended;

(b) When the alleged discriminatory act is submitted by the parties to the voluntary arbitrator or panel of voluntary arbitrators pursuant to Article 275 of the Labor Code, as amended;

(c) When the alleged discriminatory act is subsumed under the compulsory arbitration power of the Secretary of Labor and Employment or the National Labor Relations Commission under Article 278 (g) of the Labor Code, as amended; or

(d) When the alleged discriminatory act is established through the exercise of the visitorial power of the Secretary of Labor and Employment or duly authorized representative pursuant to Article 128 (b) of the Labor Code, as amended, and the facts constituting the alleged act is supported by documentary proofs considered in the course of inspection.

Complaints falling under the exclusive and original jurisdiction of the Labor Arbiter shall be subject to mandatory conciliation pursuant to Article 234 of the Labor Code, as amended, and its implementing rules and regulations.

Section 5. Criminal and other actions. - Criminal liability for the willful commission of any of the unlawful acts referred to in Article 133 [135] and Section 3 of these Rules shall be penalized as provided for in Articles 303 and 304 of the Labor Code, as amended; provided that the institution of any criminal action under these Rules shall not bar the aggrieved employee from filing an entirely separate and distinct action for money claims, which may include claims for damages and other affirmative reliefs. The actions hereby authorized shall proceed independently of each other.

Section 6. Superseding clause. The Implementing Rules and Regulations of Article 133 [135] issued under the unnumbered DOLE Department Order dated 16 January 1990 and all rules and regulations, department orders, and other issuances inconsistent herewith are superseded or modified accordingly.

Section 7. Effectivity. These Rules shall take effect fifteen (15) days after publication in a newspaper of general circulation.

Manila, Philippines, April 21 2025.

BIENVENIDO E. LAGUESMA
Secretary

Department of Labor and Employment
Office of the Secretary

"066004"

№25-0501

CERTIFIED TRUE/XEROX COPY:

ROVIANNE S. TEJADA
Administrative Officer V
Assistant Records Section
DEPT. OF LABOR AND EMPLOYMENT