



DILGinsider

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No more age limits in hiring

“Abilidad, hindi edad,” so chanted advocates of anti-age discrimination who are now rejoicing with the new law, Republic Act (RA) 10911 or the Anti-Age Discrimination in Employment Act.

RA 10911 together with at least 28 bills lapsed into law last month after former President Benigno S. Aquino III, whose term ended on June 30, failed to act on it.

RA 101911 prohibits the discrimination against any individual in employment based on his age. It is unlawful for an employer to decline an employment application, and impose early retirement on the basis of such employee's or worker's age, among others.

“This is a welcome legislative development for the Department of the Interior and Local Government (DILG) as we have long been practicing anti-age discrimination in employment,” said Veronica B. Macabate, Officer-in-Charge of the Administrative Service-Personnel Division. “Older employees have an edge in wisdom and experience,” she added.

FAQs on Anti-Age Discrimination in Employment Law*

1. Who are covered?

All employers, labor contractors or subcontractors, labor organizations, and publishers.

2. What are the prohibited acts?

Employer

- Print or publish, or cause to be printed or published, in any form of media, including the internet, any notice of advertisement relating to employment suggesting preferences, limitations, specifications, and discrimination regarding age;
- Require the declaration of age or birth date during the application process;
- Decline any employment application because of the individual's age;
- Discriminate against an individual in terms of compensation, terms and conditions or privileges of employment on account of such individual's age;
- Deny any employee's or worker's promotion or opportunity for training because of age;
- Forcibly lay off an employee or worker because of old age; or
- Impose early retirement on the basis of such employee's or worker's age.

Labor Contractor or Subcontractor

- Refuse to refer for employment or otherwise discriminate against any individual because of age.



Labor Organization

- Deny membership to any individual because of such individual's age;
- Exclude from its membership any individual because of such individual's age; or
- Cause or attempt to cause an employer to discriminate against an individual due to age.

Publisher

- Print or publish any notice of advertisement relating to employment suggesting preferences, limitations, specifications, and discrimination based on age.

3. What are the penalties?

At the discretion of the court

- Fine of P50,000.00 but not more than P500,000.00;
- Imprisonment of not less than 3 months but not more than 2 years;
- If the offense is committed by a corporation, trust, firm, partnership, association or other entity, the penalty shall be imposed upon the guilty officer or officers of such corporation, trust, firm, partnership, association or entity.

4. Which agency will implement RA 10911?

The Department of Labor and Employment (DOLE) shall have the authority to investigate and require the keeping of records necessary for the administration of this Act.

-- Nesreen C. Abdulrauf, PACS-ICRD

* Reference: Office of Taguig City Second District Representative Pia S. Cayetano, the principal author of RA 101911

DILG-CO QUALITY POLICY

We, the DILG Central Office, commit to formulate sound policies and provide effective technical and administrative services to promote excellence in local governance, strengthen local government capacities, and enhance the service delivery of our Regional and Field Offices.