

Holiday Pay and the Monthly-Paid Employee: Resolving issues and Prescribing Guidelines

Roel A. Refran

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A fair day's wage for a fair day's labor. More than just a play of words, the adage takes form in the Labor Code provisions ensuring that a worker be adequately compensated for his labor. Hours of work, minimum wage, overtime compensation, service incentive leave, night shift differential, and holiday pay are but among the benefits that the worker is granted by law.

The right of the worker to holiday pay only underscores the inescapable reality that he is not a machine, that respite from work is imperative to maintain the well-being of the worker — a well-being that translates into greater productivity in the workplace. Thus, the law assures the worker of pay for the regular holidays, even if he does not work on those days.

The holiday provisions of the Labor Code are relatively few in number and either “limited in scope” or “narrow in breadth” if not attuned to the contemporary legal issues long waiting to be answered. The basic policy of favoring the worker is undisputed, but its implementation leaves much to be desired.

Against this backdrop, the Author endeavors to revisit the legal issues relating to the monthly-paid employee. The end desired is to arrive at resolutions of the legal issues in a manner most in keeping with the policy that all doubts in the law are to be liberally construed in favor of labor.