

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
Second Regular Session

House Bill No. 5457



Introduced by Reps. Antonio V. Cuenco, Raul V. Del Mar, Eduardo R. Gullas, Simeon L. Kintanar, Antonio P. Yapha, Jr., Nerissa Corazon S. Soon-Ruiz, Edgardo M. Chatto, Roberto C. Cajes, Eladio M. Jala, Jacinto V. Paras, Emilio C. Macias II, Herminio G. Teves, Orlando A. Fua, Jr.

EXPLANATORY NOTE

Republic Act No. 6972, otherwise known as the “Day Care Law” ensured the total development and protection of children against all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development. Republic Act No. 7883, otherwise known as the “Barangay Health Workers’ Benefits and Incentives Act of 1995” on the other hand, ensured protection and promotion of the right to health of the people and to provide conditions of health empowerment, where each individual down to the barangay levels has access to information and services that will bring about health and well being.

Child care as well as health care demand special skills as well as understanding of and genuine love for the human race. Basic skills among our day care workers do not only include academic skills but most important of all, imparting among our children patriotism for our country. It is paramount for every day care worker to be able to mold our young children to be patriotic, truthful, honest and sincere citizens.

Our barangay health workers have to undergo intensive trainings such as administering first aid to be able to function as volunteer health workers in the different barangays. Considering the lack of professional medical practitioners in the country particularly in the rural areas, their services are henceforth very valuable.

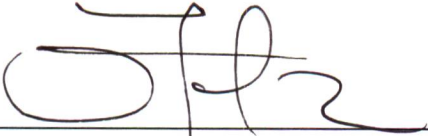
Unfortunately, our so-called “partners” in educating the young members of our citizenry and our volunteer health workers who, more often than not, risk their own safety and health just to render health services in rural areas receive a very meager allowance in the amount ranging from only P500.00 to P2,500.00. Such amount is not compensatory to their expertise and workload.

The proposed measure seeks to improve the social and economic welfare of Day Care and Barangay Health Workers by increasing their monthly compensation and providing adequate incentives and benefits.

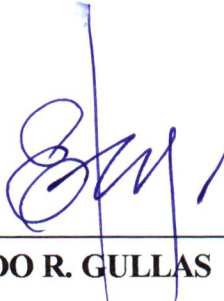
Approval of this bill is therefore earnestly sought.


ANTONIO V. CUENCO

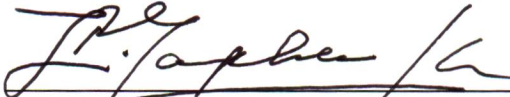
RAUL V. DEL MAR



SIMEON L. KINTANAR



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EUFROCINO H. CODILLA

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**AN ACT INCREASING THE MONTHLY COMPENSATION OF DAY
CARE AND BARANGAY HEALTH WORKERS, PROVIDING FUNDS
THEREFOR
AND FOR OTHER PURPOSES**

*Be it enacted by the House of Representatives and the Senate of the
Philippines in Congress assembled:*

SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of the State to protect, promote and improve the social and economic status of day care and barangay health workers. To this end, the State shall adopt policies that will protect the rights of day care and barangay health workers, and promote and improve their welfare.

SECTION 2. *Coverage.* – This Act shall cover all persons engaged in providing Early Childhood Development in government-sponsored day care centers whose primary function is to assist in the care of the children and provide their social development, education and other needs thru character formation by instilling moral values and molding them to be truthful, honest and sincere citizens.

This Act shall also cover all persons who have undergone training programs under any accredited government and non-government organization and who voluntarily render primarily health care services in the community after having been accredited to function as such by the local health board in accordance with the guidelines promulgated by the Department of Health (DOH) as provided for under Republic Act No. 7883, otherwise known as the “Barangay Health Workers’ Benefits and Incentives Act of 1995”.

SECTION 3. *Compensation.* – Day care workers and barangay health workers shall receive a monthly compensation of not less than Five Thousand Pesos (Php 5,000.00), fifty percent (50%) of which shall be paid by the barangay, and the remaining fifty percent (50%) shall be paid by the city/municipality concerned.

SECTION 4. *Working Hours.* - Day care workers and barangay health workers are required to render service eight (8) working hours a day or a total of forty (40) working hours a week. Provided, that the city/municipal social welfare officer or the city/municipal health officer may require a day care worker or a barangay health worker respectively to render services beyond his/her required working hours during emergency situations such as natural and man-made calamities.

SECTION 5. *Additional Compensation and Allowances.* - Day care workers and barangay health workers shall be provided additional compensation for services rendered beyond the required working hours.

In recognition of their services, all day care workers are likewise entitled to the following incentives and benefits and in the case of barangay health workers, they shall continue to enjoy the incentives and benefits provided for under Sec. 6 of R.A. No. 7883:

- a) Hazard Allowance. - Day care workers assigned to hazardous places to be validated by proper authorities shall be given a hazard allowance in the amount to be determined by the local government unit concerned.
- b) Subsistence Allowance. - Day care workers who render service within the premises of isolated barangay day care centers in times of emergency situations and man-made calamities in order to make their services available at any and all times, shall be entitled to subsistence allowance equivalent to the meals they take in the course of their duty, which shall be computed in accordance with prevailing circumstances as determined by the local government unit concerned.
- c) Educational Incentives. -
 - 1) educational programs which shall recognize years of primary educational service as credits to higher education in institutions with stepladder curricula that will entitle day care workers to upgrade their skills and knowledge for community work or pursue further training as teachers or social services workers;
 - 2) continuing education, study and exposure tours, training, grants, field immersion, scholarships, etc...;
 - 3) scholarship benefits in the form of tuition fees in state colleges to be granted to one child of every day care worker who will not be able to take advantage of the above programs; and
 - 4) other relevant special programs.
- d) Civil Service Eligibility. - A second grade eligibility shall be granted to day care workers who have rendered five years continuous service as such; Provided, that should the day care workers become a regular employee of the government, the total number of years served as day care worker shall be credited to his/her service in computing retirement benefits.
- e) Free Legal Services. - Legal representation and consultation services for day care workers shall be immediately provided by the Public Attorney's office in cases of coercion, interference, and in other civil and criminal cases filed by or

- f) against day care workers arising out of or in connection with the performance of their duties as such.
- g) Free Medical Examination and Treatment. – Pre-employment, and annual medical examinations shall be provided by government hospitals, free of charge, to all day care workers and barangay health workers. Day care workers and barangay health workers suffering from work-related ailments shall be treated free of charge in government hospitals

SECTION 6. *Married Day Care Workers and Barangay Health Workers.* Whenever possible, married couples who are both day care workers or both barangay health workers shall be assigned in the same municipality or city.

SECTION 7. *Transfer of Office.* – No day care worker or barangay health worker shall be transferred from one center to another without his/her prior knowledge and/or consent.

SECTION 8. *Support from Non-Government Organizations.*– Non-government organizations or private volunteer organizations are hereby encouraged to assist the government in the implementation of programs and projects for day care workers and barangay health workers.

SECTION 9. *Implementing Guidelines.* – The Department of the Interior and Local Government (DILG), Department of Social Welfare and Development (DSWD) and the Department of Health (DOH), in consultation with the Department of Budget and Management (DBM), Department of Education (DOEd), Department of Justice (DOJ) and the Civil Service Commission (CSC) and other concerned government agencies and non-government organizations, shall formulate within one hundred eighty (180) days from its effectivity, the necessary implementing guidelines to carry out the provisions of this Act.

SECTION 10. *Separability Clause.* – If any provision of this Act is declared invalid, the remainder of any provision hereof not affected thereby shall remain in force and effect.

SECTION 11. *Repealing Clause.* – All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules or regulations contrary to or inconsistent with the provisions of the Act are hereby repealed, modified or amended accordingly.

SECTION 12. *Effectivity.* – This act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.