

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 1378

Introduced by Rep. Eulogio "Amang" R. Magsaysay

EXPLANATORY NOTE

Section 1 of Republic Act 4670 otherwise known as the Magna Carta for Public School Teachers declared as the policy of the State *"to promote and improve the social and economic status of public school teachers, their living and working conditions, their terms of employment and career prospects in order that they may compare favorably with existing opportunities in other walks of life, attract and retain in the teaching profession more people with the proper qualifications, it being recognized that advance in education depends on the qualifications and ability of the teaching staff and that education is an essential factor in the economic growth of the nation as a productive investment of vital importance."*

In 1987, the public school teachers were embraced anew, though referring to teachers in general, by a constitutional guarantee, as Section 5 (5), Article XIV (Education) of the 1987 Constitution explicitly provides that: *"The State shall assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment."*

Yet today, our public school educators and education personnel languish in a situation ironic of what they deserve to have as the heralded molders of our youth. The public school educators and education personnel, comprising almost half of all government workers, remain to be one of the lowest paid and most overworked in the country today.

Even with the implementation of Salary Standardization Law 3 where the upgraded salary schedule of government employees ought to take effect last July 1, 2009, the compensation package for educators and education personnel is still not adequate for them to cope with the rapidly rising cost of living.

The low salaries given to our public school educators have been a major disincentive in attracting the best and the brightest students in taking courses that lead to teaching careers. This in turn prevents our education system from producing quality educators who would train future generations of nation builders. It is for the same reason also that the country is losing many of its qualified teaching personnel to more lucrative positions in commerce and industry. For the past years, thousands have migrated abroad for better employment opportunities as well. It is a sad commentary of our times that compensation and low morale have forced them to work even as domestic helpers in other countries, which can provide them with higher salaries and benefits to feed their families.

But while the public school educators and education personnel appear to be "cash-starved" other government workers enjoy plentiful allowances and perks on top of their hefty pay. In particular, the salaries of public school educators and education personnel are lower than their counterparts in the military and police, many of whom do not possess the college degree, qualifications and eligibilities required of them. To illustrate it, Section 11 of Republic Act 6758 or the Salary Standardization Law 1, provides exemptions from the coverage of the law to the uniformed personnel of the Armed Forces of the Philippines and the Integrated National Police as their base pays are prescribed in the salary schedule provided under R.A. No. 6638 or the "DND-AFP Base Pay Law of 1987", and R.A. No. 6648 or the "INP Compensation Structure Act of 1987". Moreover, while RA 6758 has abolished all the existing allowances previously enjoyed by most government employees extending to them though longevity pay in the form of step increments, the law did not only exempt all allowances and fringe benefits of said uniformed personnel from integration with their base pay but also adopted an over-and-above longevity pay based on ten (10) percent of their monthly basic pay for every five (5) years of service.

While we salute our fellows in uniform as protectors of the State, thus giving them due recognition as accorded to them by the Salary Standardization Law, the role of public school educators and education personnel in national development should never be underestimated, and thus should be extended them the same recognition and privilege.

Public schools cater to the bulk of Filipino students whose aspiration of getting at least a basic education has been clinging on the government's support for its realization. Unquestionably, public school educators and education personnel are the indispensable instruments of the government in the delivery of such educational initiatives. While it is indisputable that the nature of an educator's work requires such time and preparations that exact a heavy toll on their physical and mental being, this has become even more demanding and heavier on the part of public school educators as they are increasingly made to undertake activities beyond their normal teaching loads.

This proposed bill provides for the granting of exemption to eligible public school educators and education personnel from the Salary Standardization Law calling for the formulation and implementation of a comprehensive and competitive salary structure, independent from the provisions of the Salary Standardization Law. Such salary structure for public school educators and education personnel must be responsive and effective in cushioning their fixed income from the withheld taxes and other deductions and upgrading their salary levels to a scale that will allow them to cope with the rising costs of living.

The educator is the conserver and conveyor of learning. He/she is nothing less than a person of wisdom tasked with passing on the virtues, skills and competence to the next generation. It is high time that the system restores the educator to the pedestal of dignity he/she rightfully deserves. It is submitted that this initiative of providing a separate compensation structure for public school educators and education personnel would cause a heavy load on our national budget, but if it ensures an improved and invigorated educational system, then it is an investment we should not hesitate to bear.

Hence, for the foregoing reasons, passage of this bill is earnestly sought.



EULOGIO "AMANG" R. MAGSAYSAY

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AN ACT
GRANTING EXEMPTION TO THE PUBLIC SCHOOL EDUCATORS AND
EDUCATION PERSONNEL FROM THE COVERAGE OF REPUBLIC
ACT 6758, OTHERWISE KNOWN AS THE SALARY
STANDARDIZATION LAW AND AUTHORIZING
THE APPROPRIATIONS OF
FUNDS THEREFOR

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

SECTION 1. Declaration of Policy. – It shall be the policy of the State to give highest budgetary priority to education and ensure that the teaching profession will attract and retain its rightful share of the best available talents through the adequate remuneration and other means of job satisfaction and fulfillment. Pursuant to this policy, this Act provides for the granting of exemption to eligible public school educators and education personnel from the Salary Standardization Law with the end view, of enabling the Department of Education to conceptualize a salary structure for public school educators and education personnel that will be responsive and effective in cushioning their fixed income from the withheld taxes and other deductions and upgrading their salary grades to the levels that will allow them to cope with the rising costs of living.

SECTION 2. Eligibility. – All educators with proper employment documents in the government service, with a Bachelor's Degree in Education and passed the Professional Board Examinations for Teachers and all education personnel with permanent status are considered eligible to be covered by this Act.

SECTION 3. Implementing Rules and Regulations. – The Department of Education in consultation with the Department of Budget and Management, the Civil Service Commission and representatives from public national education organizations shall study, analyze, review, revise, adjust, fix and implement a comprehensive and competitive upgrading of salary structure for school educators and education personnel employed in government service, independent from the provisions of the Salary Standardization Law. Provided, that the salary upgrading shall be differentiated in accordance with the educators' and education personnel's qualifications, skills, length of service and other logical bases of segregation. Provided, further, that promotions on the basis of merit and performance evaluation results shall be considered and treated as separate and distinct from the upgrade in salary structure provided for under this Act. Provided, further, that this salary upgrade should be proportionate with the salary scale of employees in government-owned and –controlled corporations and that, the necessary implementing guidelines of this Act shall be issued by the Department of Education, in consultation with the Department of Budget and Management and the Commission on Audit within ninety (90) days from the approval thereof.

SECTION 4. Appropriation. – The amount necessary to effectively implement the provisions of this Act shall be charged against the Department of Education's budget for the year following the approval of this Act. Thereafter, such funds as may be needed for its continuous implementation shall be included in the General Appropriations Act. Income from income generating assets and resources of government-owned and –controlled corporations may be utilized for this purpose.

SECTION 5. Separability Clause. – If for any reason a provision, portion or sections of this Act shall be declared unconstitutional, the remainder shall not be affected thereby.

SECTION 6. Repealing Clause. – All laws, presidential decrees, executive orders, rules and regulations or any part thereof inconsistent with the provisions of this Act are hereby deemed repealed or modified accordingly.

SECTION 7. Effectivity Clause. – This Act shall take effect immediately after its complete publication in two (2) newspapers of general circulation.

Approved,