

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

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5441



INTRODUCED BY REPRESENTATIVE ARTHUR R. DEFENSOR, JR.

Explanatory Note

This bill entitled the "Barangay Workers Act" seeks to uplift the status and work conditions of the Barangay Workers as the frontline government personnel in the delivery of basic social services in the area of health, nutrition and child care. The Barangay Workers are the Barangay Health Workers, Barangay Nutrition Scholars, Barangay Day Care Workers and the Barangay Service Point Officers. They are collectively referred to in this bill as Barangay Workers to enhance their identity as a whole. Except for the Barangay Nutrition Scholars, who are now referred to in the bill as Barangay Nutrition Officers, the titles of the rest are maintained, as they have been customarily designated.

The objectives of the bill are sought to be achieved by institutionalizing through a piece of legislation the rights and welfare of the Barangay Workers. With this end in view, the bill provides for an administrative development council at the national and local levels for the formulation and implementation of policy and regulation in pursuit of the rights and welfare of the Barangay Workers. Likewise, it provides for Barangay Workers organization that shall serve as a forum for self-determination and empowerment. The bill rests on the following policies, that it likewise seeks to establish:

- (a) The State recognizes the barangay as the basic political unit that plans for, and implements its policies, programs and projects, and is committed to its full development as self-reliant communities and effective partners in nation building;
- (b) The vesting of duty, responsibility, and accountability in local government units shall be accompanied by provision for reasonably adequate resources to discharge their powers and effectively carry-out their functions;
- (c) The effective delivery of basic social services in areas of health, nutrition and child care are essential for the full development of the barangay as the basic political unit;

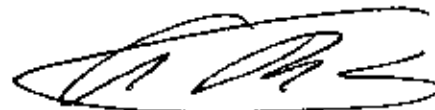
- (d) The State recognizes the fundamental role of the Barangay Workers who are at the forefront in the delivery of basic social services in health, nutrition and child care, and shall ensure that their rights and welfare are fully protected and promoted; and
- (e) The welfare of Barangay Workers is the shared responsibility of the National Government and the local government units, and shall be pursued in line with the national convergence initiatives, and/or similar programs of the government.

The basic strategy is the creation of administrative development councils at the national and local levels for the formulation and implementation of policy and regulation that will govern the Barangay Workers, while their basic rights are provided by law. The bill creates the National Barangay Workers Council (NBWC) at the national level, the Provincial Barangay Workers Council (PBWC) at the provincial level, and the Municipal Barangay Workers Council (MBWC) at the municipal level. The NBWC shall be akin to the National Tripartite Wage Board for workers in the private sector, except that it shall not only formulate and implement policy and regulation on compensation, but likewise in the area of, among others, appointment, qualification, work conditions, training and social benefits. It is meant to be a locally sensitive policy making body, taking into consideration the peculiar conditions in every local government unit, and their relative capacity to provide for sustainable compensation and benefits. The PBWC and MBWC shall be recommendatory to the NBWC, and shall play an important role in the downstream supervision of the Barangay Workers.

The bill provides for institutional organization of the Barangay Workers, with the Municipal Barangay Health Officers Assembly (MBHOA), Municipal Barangay Nutrition Officers Assembly (MBNOA), Municipal Barangay Day Care Workers Assembly (MBDCWA) and Municipal Barangay Service Point Officers Assembly (MBSPOA), at the municipal level, and on the one hand, the Provincial Barangay Health Officers Assembly (PBHOA), Provincial Barangay Nutrition Officers Assembly (PBNOA), Provincial Barangay Day Care Workers Assembly (PDCWA) and Provincial Barangay Service Point Officers Assembly (PBSPOA), at the provincial level. These barangay workers' assemblies shall serve as primary organizations, with adequate financial support, for coordinated implementation of the government programs on health, nutrition, child care, and such other related social services, and as a forum for protection of the rights and promotion of the welfare of the Barangay Workers. The Municipal Barangay Workers Board (MBWB) and the Provincial Barangay Workers Board (PBWB) are created composed of the Presidents of the respective barangay workers' assemblies, as coordinating bodies to the MBWC and PBWC in policy and program formulation and recommendation.

At present the employment and service delivery of the Barangay Workers are governed, at least in part, by scattered pieces of legislation. The Barangay Health Workers are governed by Republic Act No. 7883, or "Barangay Health Workers Benefits and Incentives Act of 1995". The Barangay Nutrition Scholars, are governed by Presidential Decree No. 1569, entitled "Strengthening the Barangay Nutrition Program by Providing for a Barangay Nutrition Scholar in Every Barangay, Providing Funds Therefor, and for Other Purposes". The Barangay Day Care Workers, are governed by Presidential Decree No. 1567, "Establishing a Day Care Center in Every Barangay and Appropriating Funds Therefore". While the Barangay Service Point Officers are under Presidential Decree No. 79, the "Revised Population Act of the Philippines".

These scatter pieces of legislation, as they would provide for the Barangay Workers are rather outdated, and not as relevant as may be desired for more effective and motivated delivery of basic services in the area of health, nutrition and child care.

A handwritten signature in black ink, appearing to read 'A. Defensor, Jr.', enclosed within a large, loopy oval shape.

HON. ARTHUR R. DEFENSOR, JR.
3rd District of Iloilo

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5441

Introduced by: Representative ARTHUR R. DEFENSOR, JR.

THE BARANGAY WORKERS ACT

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

Section 1. Title. – This Act shall be known as “The Barangay Workers Act”.

Section 2. *Declaration of Policies.* – It is declared that:

- (a) The State recognizes the barangay as the basic political unit that plans for, and implements its policies, programs and projects, and is committed to its full development as self-reliant communities and effective partners in nation building;
- (b) The vesting of duty, responsibility, and accountability in local government units shall be accompanied by provision for reasonably adequate resources to discharge their powers and effectively carry-out their functions;
- (c) The effective delivery of basic social services in areas of health, nutrition and child care are essential for the full development of the barangay as the basic political unit;
- (d) The State recognizes the fundamental role of the Barangay Workers who are at the forefront in the delivery of basic social services in health, nutrition and child care, and shall ensure that their rights and welfare are fully protected and promoted; and
- (e) The welfare of Barangay Workers is the shared responsibility of the National Government and the local government units, and shall be pursued in line with the national convergence initiatives, and/or like similar programs of the government.

Section 3. Objectives. – This Act has the following objectives:

- (a) To institutionalize the status of Barangay Workers, by establishing their rights, and providing for their welfare;
- (b) To provide an administrative development council at the national and local levels for the formulation and implementation of policy and regulation in pursuit of the rights and welfare of the Barangay Workers; and
- (c) To provide for an organization that shall serve as a forum for self-determination and empowerment.

Section 4. Definitions. – For purposes of this Act:

- (a) “Barangay Worker” refers to individuals duly appointed as Barangay Health Workers, Barangay Day Care Workers, Barangay Nutrition Officers, and Barangay Service Point Officers, who provide health, nutrition, day care, and other related social services in the barangays;
- (b) “Barangay Health Worker” refers to a barangay based worker appointed and accredited by the government, has undergone the required training, in accordance with law and regulations, and responsible for primary health care services in the barangay;
- (c) “Barangay Nutrition Officer” refers to a barangay based worker appointed and accredited by the government, has undergone the required training, in accordance with law and regulations, and responsible for delivering nutrition and related services in the barangays;
- (d) “Barangay Day Care Worker” refers to a barangay based worker appointed and accredited by the government, has undergone the required training, in accordance with law and regulations, and responsible for the operation of day care centers in the barangays; and
- (e) “Barangay Service Point Officer” refers to a barangay based worker appointed and accredited by the government, has undergone the required training, in accordance with law and regulations, and responsible for the implementation of reproductive health care and population management programs, including the gathering of data, of the government in the barangays.

Section 5. Rights of Barangay Workers. – The State guarantees the following rights of Barangay Workers:

- (a) **Security of Tenure** – Barangay workers shall have security of tenure, and shall continue to serve unless removed in accordance with civil service laws;
- (b) **Right to Compensation.** – Barangay workers shall have the right to a just compensation for services rendered;
- (c) **Right to Administrative and Logistical Support.** – Barangay Workers shall have the right to the necessary administrative and logistical support for the effective performance of their functions;

- (d) Right to Training – Barangay Workers shall have the right to training for accreditation under the relevant government programs;
- (e) Right to Health Services – Barangay Workers shall have the right to health services, including entitlement to full coverage in government health insurance programs;
- (f) Right to Government Scholarship – Barangay Workers, including their legitimate spouses and dependents shall have the right to financially assisted education in state colleges and universities;
- (g) Right to Organize – Barangay Workers shall have the right to organize to protect their rights and promote their welfare.

Section 6. National Barangay Workers Council. - There is hereby created the National Barangay Workers Council (NBWC), which shall be attached to the Department of Interior and Local Government (DILG) for policy and program coordination, composed of the Secretary of the DILG, as *ex-officio* chairman, the Secretary of the Department of Health (DOH), the Secretary of the Department of Social Services and Development (DSWD), the President of the League of Provinces, the President of the League of Municipalities of the Philippines (LMP), and the President of the *Liga ng Barangay*.

Section 7. Powers and Functions of the National Barangay Workers Council. - The NBWC shall have the following powers and functions:

- (a) To act as a national consultative and advisory body to the President and Congress on matters relating to the barangay health, nutrition, day care, and other related social services;
- (b) To formulate and/or approve policies and regulations on the employment and functions of the Barangay Workers in the following areas:
 - (i) Appointment; *Provided that* – a Barangay Worker shall be appointed by the NBWC, upon the recommendation of the Provincial Barangay Workers Council;
 - (ii) Qualification; *Provided that* - a Barangay Worker should be a *bona fide* resident of the barangay for at least one year before appointment, and shall have undergone the required training;
 - (iii) Compensation; *Provided that* – compensation for the barangay workers shall be established by the local barangay workers councils, and shall be adequate as is economically feasible to support standards of living necessary for the health and general well-being of the Barangay Workers, within the context of the nature of services rendered, and as economically viable as the government can sustain; *Provided further that* – compensation of the Barangay Workers shall be appropriated from the funds of the respective provinces, municipalities, barangays, and the Departments under which they perform their respective functions, under a sharing scheme as may be determined by the NBWC;
 - (iv) Working Conditions; *Provided that* – administrative and logistical support for the Barangay workers shall be a shared responsibility of, and provided by, the National Government, the province, the municipality and the barangay;
 - (v) Training; *Provided that* – training of Barangay Workers shall be undertaken by the concerned Department, and in accordance with the relevant government

programs on health, nutrition, child care, and such other related social services; and

- (vi) **Social Benefits; *Provided that*** – Barangay workers shall be entitled to the benefits granted to barangay officials under Section 393 (b) (2), (4) and (5) of Republic Act No. 7160; ***Provided further that*** – Barangay Workers shall be enrolled in the National Health Insurance Program as instituted by Republic Act No. 7875, and the premium and standard monthly contributions shall be paid by the National Government and local government units in accordance with a sharing scheme as may be determined by the NBWC; ***Provided finally that*** – Barangay Workers shall be given preferential access to credit granted under the relevant programs of government finance institutions.
- (c) To undertake studies and surveys, and to collect data on health, nutrition, day care, and other related social services in the barangays, necessary for the attainment of its functions and objectives, and to support the data requirements of the government;
- (d) To review and approve the programs of the local barangay workers councils, consistent with national development plans;
- (e) To call, from time to time, national conferences of Barangay Workers; and
- (f) To exercise technical and administrative and operational supervision over the Provincial Barangay Workers Councils; and
- (g) To exercise such powers and functions, as may be necessary to implement this Act.

The NBWC shall be assisted by a Secretariat to be headed by an Executive Director and two (2) Deputy Directors, who shall be appointed by the President of the Philippines, upon the recommendation of the Secretary of the DILG.

The Executive Director shall have the same rank, salary, benefits and other emoluments as that of the Department Assistant Secretary, while the Director shall have the same rank, salary, benefits and other emoluments as that of a Bureau Director.

Section 8. *Provincial Barangay Workers Council.* - There are hereby created the Provincial Barangay Workers Councils (PBWC/s), composed of the Provincial Governor, as *ex-officio* chairman, the Provincial Health Officer, the Provincial Social Welfare and Development Officer, the Provincial Chapter President of the LMP and the Provincial Chairman of the Liga ng Barangay, and which shall have the following powers and functions:

- (a) To formulate policies and programs, recommendatory to the NBWC, on the employment and work conditions of the Barangay Workers, and such other areas consistent with, and in pursuit of, the mandate of the NBWC;
- (b) To exercise administrative and operational supervision over the Municipal Barangay Workers Councils; without prejudice to the power of supervision of the Province over the Municipality under Republic Act No. 7160; and
- (c) To organize and convene the Provincial Barangay Workers Assembly.

Section 9. *Municipal Barangay Workers Council.* – There are hereby created the Municipal Barangay Workers Councils (MWBC/s), composed of the Municipal Mayor, as *ex-*

officio chairman, the Municipal Rural health Officer, the Municipal Social Welfare and Development Officer, and the Municipal President of the Liga ng Barangay, which shall have the following powers and functions:

- (a) To formulate policies and programs, recommendatory to the PBWC, on the employment and work conditions of the Barangay Workers, and such other areas consistent with, and in pursuit of, the mandate of the NWBC;
- (b) To exercise administrative and operational supervision over the Punong Barangays in the implementation of government programs on health, nutrition, child care, and such other related basic social services, by the Barangay Workers; without prejudice to the power of supervision of the Municipality over the Barangay under Republic Act No. 7160; and
- (c) To organize and convene the Barangay Workers Assembly.

Section 10. *Municipal Barangay Workers Assembly.* – There shall be in each municipality a Municipal Barangay Health Officers Assembly (MBHOA), Municipal Barangay Nutrition Officers Assembly (MBNOA), Municipal Barangay Day Care Workers Assembly (MBDCWA) and Municipal Barangay Service Point Officers Assembly (MBSPOA), which shall serve as the primary organizations for the implementation of the government programs on health, nutrition, child care, and such other related social services, and for the protection of the rights and promotion of the welfare of the Barangay Workers. Such municipal barangay workers' assemblies shall each have a President, Vice President, Secretary and Treasurer, and shall have the power to formulate its constitution and by-laws to govern its functions and activities.

Section 11. *Municipal Barangay Workers Board.* - Each municipality shall have a Municipal Barangay Workers Board (MBWB), composed of the Presidents of the respective municipal barangay workers' assemblies, and shall be convened by the MBWC for policy and program recommendation, without prejudice to the power of the MBWC to convene and/or organize the totality of Barangay Workers of the municipality in pursuit of its functions.

Section 12. *Provincial Barangay Workers Assembly.* – There shall be in each Province a Provincial Barangay Health Officers Assembly (PBHOA), Provincial Barangay Nutrition Officers Assembly (PBNOA), Provincial Barangay Day Care Workers Assembly (PDCWA) and Provincial Barangay Service Point Officers Assembly (PBSPOA), which shall be composed of the respective municipal barangay workers' assemblies. Each of provincial barangay workers' assembly shall organize and shall have a President, Vice President, Secretary and Treasurer, and shall have the power to formulate its constitution and by-laws to govern its functions, in coordination with their respective municipal counterparts.

Section 13. *Provincial Barangay Workers Board.* There shall be a Provincial Barangay Workers Board (PBWB) composed of the Presidents of the respective provincial barangay workers' assemblies, and shall be convened by the PBWC for policy and program recommendation, without prejudice to the power of the PBWC to convene and/or organize the totality of Barangay Workers of the province in pursuit of its functions.

Section 14. *Funding Requirements.* – The funding requirements for the implementation of this Act shall be charged against the National Government, except as otherwise provided herein; *Provided that* - the NBWC shall be funded by the member Departments, the PBWC and PBWB, by the concerned province, the PBHOA, PBNOA, PDCWA and PBSPOA, by the concerned province and Liga ng Barangay, the MBWC and MBWB, by the concerned municipality, the MBHOA, MBNOA, MBDCWA and MBSPOA, by the concerned municipality and Liga ng Barangay,

Section 15. *Repealing Clause.* – All laws, ordinances, rules and regulations, other issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly; *Provided that* – nothing in this Act shall taken to diminish benefits for Barangay Workers provided under existing laws.

Section 16. *Separability Clause.* – If, for any reason, any section or provision of this Act is declared unconstitutional or invalid, the other sections or provisions not affected shall remain in full force and effect.

Section 17. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in a national newspaper of general circulation.