

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

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **1283**



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 being 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. 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 welfares 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:

- (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 of 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. Also, there is a City Barangay Workers Council for highly urbanized cities (CBWC). 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/CBWC 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 creation of Barangay Workers assemblies. 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 fora for protection of the rights and promotion of the welfare of the Barangay Workers. On the one hand, Barangay Workers' boards are likewise created composed of the presidents of the respective barangay workers' assemblies, as coordinating bodies to the PBWC/CBWC and MBWC 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 Therefor". While the Barangay

Service Point Officers are under Presidential Decree No. 79, the "Revised Population Act of the Philippines".

These scattered 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 stylized, handwritten signature in black ink, likely belonging to Hon. Arthur R. Defensor, Jr. The signature is fluid and cursive, with a prominent initial 'A' and 'D'.

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

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THE BARANGAY WORKERS ACT

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

1 Section 1. *Title.* - This Act shall be known as "The Barangay Workers Act".
2

3 Section 2. *Declaration of Policies.* - It is declared that:
4

5 (a) The State recognizes the barangay as the basic political unit that
6 plans for, and implements its policies, programs and projects, and
7 is committed to its full development as self-reliant communities
8 and effective partners in nation building;
9

10 (b) The vesting of duty, responsibility, and accountability in local
11 government units shall be accompanied by provision for
12 reasonably adequate resources to discharge their powers and
13 effectively carry-out their functions;
14

15 (c) The effective delivery of basic social services in areas of health,
16 nutrition and child care are essential for the full development of
17 the barangay as the basic political unit;
18

19 (d) The State recognizes the fundamental role of the Barangay Workers
20 who are at the forefront in the delivery of the basic services in
21 health, nutrition and child care, and shall ensure that their rights
22 and welfare are fully protected and promoted; and
23

24 (e) The welfare of Barangay Workers is the shared responsibility of the
25 National Government and the local government units, and shall be
26 pursued in line with the national convergence initiatives, and/or
27 similar programs of the government.

28
29 Section 3. *Objectives.* - This Act has the following objectives:
30

- 31 (a) To institutionalize the status of Barangay Workers, by establishing
32 their rights, and providing for their welfare;
33
34 (b) To provide an administrative development council at the national
35 and local levels for the formulation and implementation of policy
36 and regulation in pursuit of the rights and welfare of the Barangay
37 Workers;
38
39 (c) To provide for organizations that shall serve as fora self-
40 determination and empowerment.
41

42 Section 4. *Definitions.* - For purposes of this Act:
43

- 44 (a) "Barangay Worker/workers" refers to individuals duly appointed
45 as Barangay Health Workers, Barangay Day Care Workers,
46 Barangay Nutrition Officers, and Barangay Service Point Officers,
47 who provide health, nutrition , day care, and other related social
48 services in the barangays;
49
50 (b) "Barangay Health Worker" refers to a barangay based worker
51 appointed and accredited by the government, has undergone the
52 required training in accordance with law and regulations, and
53 responsible for primary health care services in the barangay;
54
55 (c) "Barangay Nutrition Officer" refers to a barangay based worker
56 appointed and accredited by the government, has undergone the
57 required training in accordance with law and regulations, and
58 responsible for delivering nutrition and related services in the
59 barangays;
60
61 (d) "Barangay Day Care Worker" refers to a barangay based worker
62 appointed and accredited by the government, has undergone the
63 required training in accordance with law and regulations, and
64 responsible for the operation of day care centers in the barangays;
65 and
66
67 (e) "Barangay Service Point Officer" refers to a barangay based
68 worker appointed and accredited by the government, has
69 undergone the required training in accordance with law and
70 regulations, and responsible for the implementation of
71 reproductive health care and population management programs,
72 including the gathering of data, of the government in the
73 barangays.

74 Section 5. *Rights of Barangay Workers.* - The State guarantees the following
75 rights of Barangay Workers:
76

- 77 (a) Security of Tenure - Barangay workers shall have security of
78 tenure, and shall continue to serve unless removed in accordance
79 with civil service laws;
80
- 81 (b) Right to Compensation - Barangay workers shall have the right to a
82 just compensation for services rendered;
83
- 84 (c) Right to Administrative and Logistical Support. - Barangay
85 Workers shall have the right to the necessary administrative and
86 logistical support for the effective performance of their functions;
87
- 88 (d) Right to Training - Barangay Workers shall have the right to
89 training for accreditation under the relevant government programs;
90
- 91 (e) Right to Health Services - Barangay Workers shall have the right to
92 health services, including entitlement to full coverage in
93 government health insurance programs;
94
- 95 (f) Right to government scholarship - Barangay Workers, including
96 their legitimate spouses and dependents shall have the right to
97 financially assisted education in State colleges and universities; and
98
- 99 (g) Right to Organize - Barangay Workers shall have the right to
100 organize to protect their rights and promote their welfare.
101

102 Section 6. *National Barangay Workers Council.* - There is hereby created the
103 National Barangay Workers Council (NBWC), which shall be attached to the
104 Department of Interior and Local Government (DILG) for policy and program
105 coordination, composed of the Secretary of the DILG as *ex-officio* chairman, the
106 Secretary of the Department of Health (DOH), the Secretary of the Department of
107 Social Services and Development (DSWD), the National President of the League of
108 Provinces, and the National President of the League of Cities.
109

110 Section 7. *Powers and Functions of the National Barangay Workers Council.* -
111 The NBWC shall have the following powers and functions:
112

- 113 (a) To act as a national consultative and advisory body to the President
114 and Congress on matters relating to barangay health, nutrition, day
115 care, and other related social services;
116
- 117 (b) To formulate and/or approve policies and regulations on the
118 employment and functions of the Barangay Workers in the
119 following area:

- (1) Appointment; *Provided that* - a Barangay Worker shall be appointed by the NBWC, upon the recommendation of the Provincial/City Barangay Workers Council;
- (2) Qualification; *Provided that* - a Barangay Workers should be a *bona fide* resident of the barangay for at least one year before appointment, and shall have undergone the required training;
- (3) Compensation; *Provided that* - compensation for the barangay workers shall be established by the local barangay workers councils, subject to the approval of the NBWC, and shall be adequate as 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;
- (4) Working Conditions; *Provided that* - administrative and logistical support for the Barangay Workers shall be a shared responsibility of logistical, and provided by, the National Government, the province, the municipality and the barangays;
- (5) 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
- (6) 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, administrative and operational supervision over the Provincial/City 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 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 is hereby created the Provincial Barangay Workers Council (PBWC/s), and the City Barangay Workers Council (CBWC/s) in the case of highly urbanized cities, composed of the Provincial Governor/City Mayor, as *ex-officio* chairman, the Provincial/City Health Officer, the Provincial/City Social Welfare and Development Officer, the Provincial Chapter President of the League of Municipalities of the Philippines and the Provincial/City Chairman of the Liga ng Barangay, which shall exercise 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 NWBC;
- (b) To exercise administrative and operational supervision over the

Municipal Barangay Workers Councils; without prejudice to the power of supervision of the Province/City over the Municipality/Barangay under Republic Act No.7160; and

- (c) To organize and convene the Provincial/City Barangay Workers Assembly.

Section 9. *Municipal Barangay Workers Council* - There is hereby created the Municipal Barangay Workers Council (MWBC/s), composed of the Municipal Mayor, as *ex-officio* chairman, the 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 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 the 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 on 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/city a Municipal/City Barangay Health Officers Assembly (MBHOA/CBHOA), Municipal/City Barangay Nutrition Officers Assembly (MBNOA/CBNOA), Municipal/City Barangay Day Care Workers Assembly (MBDCWA/CBDCWA) and Municipal/City Barangay Service Point Officers Assembly (MBSPOA/CBSPOA), which shall serve as 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/city 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/city shall have a Municipal/City Barangay Workers Board (MBWB/CBWB), composed of the Presidents of the respective municipal/city barangay workers' assemblies, and shall be convened by the MBWC/CBWC for policy and program recommendation, without prejudice to the power of the MBWC/CBWC to convene and/or organize the totality of Barangay Workers of the municipality/city in pursuit of its functions.

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

267
268 Section 13. *Provincial Barangay Workers Board* - There shall be a Provincial
269 Barangay Workers Board (PBWB) or City Barangay Workers Board (CBWB), in the
270 case of highly urbanized cities, composed of the Presidents of the respective
271 provincial/city barangay workers' assemblies, and shall be convened by the
272 PBWC/CBWC for policy and program recommendation, without prejudice to the
273 power of the PBWC/CBWC to convene and/or organize the totality of Barangay
274 Workers of the province in pursuit of its functions.

275
276 Section 14. *Funding Requirements.* - The funding requirements for the
277 implementation of this Act shall be charged against the National Government,
278 except as otherwise provided herein; *Provided that* - the NBWC shall be funded by
279 the member Departments, the PBWC/CBWC and PBWB/CBWB, by the concerned
280 province/city, the PBHOA/CBHOA, PBNOA/CBNOA, PDCWA/CDCWA and
281 PBSPAO/CBSPAO, by the concerned province/city and Liga ng Barangay, the
282 MBWB, by the concerned municipality and Liga ng Barangay.

283
284 Section 15. *Repealing Clause.* - All laws, ordinances, rules and regulations,
285 other issuances or parts thereof which are consistent with this Act are hereby
286 repealed or modified accordingly; *Provided that*- nothing in this Act shall be taken
287 to diminish benefits for Barangay Workers provided under existing laws.

288
289 Section 16. *Separability Clause.* - If, for any reason, any section or provision
290 of this Act is declared unconstitutional or invalid, the other sections or provisions
291 not affected shall remain in full force and effect.

292
293 Section 17. *Effectivity* . - This Act shall take effect fifteen (15) days after its
294 publication in a national newspaper of general circulation.

295
296 Approved.