

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **5034**



INTRODUCED BY HONORABLE GAVINI "Apol" C. PANCHO

EXPLANATORY NOTE

Education is the cornerstone of the development of any nation. For this reason Article XIV, Section 5.5 of the Philippine Constitution, guarantees that the State to 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.

Furthermore, the Magna Carta for Public School Teachers provides that the salaries of public school teachers shall (1) compare favorably with those paid in other occupations requiring equivalent or similar qualifications, training and abilities (Sec. 15a), and (2) be such as to insure teachers a reasonable standard of life for themselves and their families (Sec. 15b). Additionally, Article II, section 10 of the Constitution similarly provides that "the State shall promote social justice in all phases of national development."

These legal and statutory bases fully give recognition to our school teachers as active partners of the State in ensuring quality education for our children. Corollary thereto, the state bears both a constitutional and social obligation to ensure their economic and personal welfare, among others.

Yet, in as much as we proclaim and acknowledge the sacrifices of our teachers, their contribution to the national development, and even while the Department of Education continuously receives the largest share in the national budget of the country, and that Department of Education secretary Bro. Armin Luistro has said that as prime instruments of education and molders of young minds teachers hold a special place in society, the state has not duly fulfilled its aforementioned obligations and our teachers do not feel that they hold a special place in society, particularly with respect to our contractual teachers.

Due to the scarcity of available plantilla positions in the Department of Education (DepED), many contractual teachers are hired by local governments at lower salaries to fill in the shortage of teachers in our State Universities and Colleges (SUCs).

According to data from the Philippine Association of State Universities and Colleges (PASUC) there were more than thirteen Thousand (13,000) part-time faculty with service contracts in 103 state universities and colleges (SUCs) during

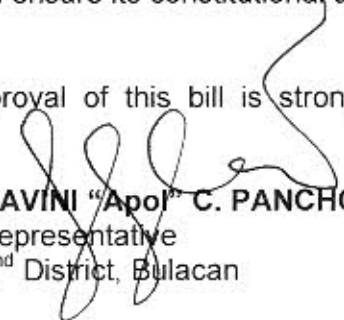
the academic year 2011-2012. This is expected to increase even more with the annual influx of enrollees in our SUCs.

Service contract requires an individual to undertake a specific work or job in the government agency within a specific period not exceeding one year. However service contracts do not establish an employer-employee relationship, making these volunteer teachers denied of benefits such as PERA, Cost of Living Allowance (COLA), Representation and Transportation Allowance (RATA), mid-year bonus, productivity incentive, Christmas bonus and cash gifts. They do not enjoy security of tenure, and coverage by the Government Service Insurance System (GSIS). Having no security of tenure, they are often rehired on the same terms, year in and year out. A very big number of them have been on volunteer status for more than five years at the very least.

Definitely the efforts of our government to upgrade the educational system cannot hope to succeed without the services of these teachers and if we continue to fail in ensuring their welfare.

Currently there is no national legislation to provide for the just and moral compensation of volunteer teachers in our government run schools. This bill seeks to address this need and help guarantee that the State can ensure its constitutional and moral obligations to our contractual teachers in SUCs.

With this purpose in mind, the immediate approval of this bill is strongly requested.



GAVINI "Apol" C. PANCHO
Representative
2nd District, Bulacan

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INTRODUCED BY HONORABLE GAVINI "Apol" C. PANTO

**AN ACT GRANTING BENEFITS TO LONG TIME CONTRACTUAL TEACHERS
AND PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER
PURPOSES**

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

SECTION 1. Short Title. --- *This Act shall be known as "Volunteer Teachers
Benefits Act of 2014".*

SECTION 2. Declaration of Policy. *It is hereby declared that:*

*(a) The State will ensure that education receives the highest priority in
governance, and 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.*

*(b) The State adheres to internationally accepted working conditions for
workers in general, and establishes labor standards for volunteer teachers in
particular, towards decent employment and income, enhanced coverage of social
protection, respect for human security and strengthened social dialogue;*

*(c) The State recognizes the need to protect the rights of volunteer teachers
against abuse and economic exploitation; and*

*(c) The State shall pursue a policy that promotes social justice in all phases of
national development;*

*(e) Towards this end, the State shall guarantee the due benefits and
compensation of contractual teachers in all government run learning institutions in
the country pursuant to this Act.*

SECTION 3. Benefits. *All contractual teachers covered under the provisions of this
Act are entitled to the following benefits:*

(a) Coverage under the Government Service Insurance System (GSIS), the Philippine Health Insurance Corporation (PhilHealth), and the Home Development Mutual Fund or Pag-IBIG, and full entitlement to all the benefits in accordance with the pertinent provisions provided by law. Premium payments or contributions shall be shouldered by both the institution and the volunteer teacher with each proportionate share in the premium payments or contributions, as provided by law.

(b) Christmas Bonus of at least one half (1/2) of what their regular counterparts receive as mandated by law;

(c) An annual service incentive leave of five (5) days with pay: Provided, That any unused portion of said annual leave shall not be cumulative or carried over to the succeeding years. Unused leaves shall not be convertible to cash.

(c) An instructional materials allowance amounting to one thousand five hundred pesos (P1,500.00) per month is hereby provided for volunteer teachers of basic and higher education nationwide including those serving in the alternative learning system of the Department of Education.

(d) Exemption from paying tuition and matriculation fees for his or her continuing education in any state college or university.

SECTION 4. Scope. This Act shall cover all contractual teachers who have been serving in the same capacity for a cumulative period of at least three (3) years in any post-secondary institutions as state universities and colleges (SUCs), local universities and colleges (LUCs), whether nationally or locally funded, including those in technical and vocational schools and alternative learning system of the Department of Education.

SECTION 5. Priority in Budget Allocation. The Government shall appropriate such amount as may be necessary to carry out the objectives of this Act. Provided, that the benefits of contractual teachers shall take priority over non-educational and non-agricultural budgetary allocations.

SECTION 6. Budget Required. The Department of Education (DepEd) with the Commission on Higher Education (CHED) shall come up with a specific programmed budget needed to cover the expenses for the granting of benefits for all contractual teachers covered by this Act for a period of at least five (5) years to allow the Department of Budget and Management (DBM) to make the necessary budgetary adjustments to facilitate the smooth implementation of this Act.

SECTION 7. Appropriation. The initial funding required for the implementation of this Act shall be sourced from the savings of the Executive Branch of the government and other possible sources that may be determined by the Office of the President, and subsequent funds needed shall be included in the General Appropriations Act for the year following the implementation of this Act.

SECTION 8. Implementing Rules and Regulations. Within ninety (90) days after the effectivity of this Act, the DepEd and the CHED, together with the DBM, GSIS, DOLE,

PhilHealth, and the Home Development Mutual Fund or Pag-IBIG, shall promulgate necessary implementing rules and regulations to carry out the purposes of this act.

SECTION 9. Information Program. *The DepEd and the CHED shall, in coordination with the DOLE, the GSIS, the PhilHealth and Pag-IBIG develop and implement a continuous information dissemination program on the provisions of this Act, both at the national and local level, immediately after the enactment of this law.*

SECTION 10. Separability Clause. *If for any reason, any provision of part hereof is declared invalid, the other provisions not affected thereby shall remain in full force and effect.*

SECTION 11. Repealing Clause. – *Any provision of the law, presidential decree, executive orders, rules and regulations contrary to the provision of this Act is hereby repealed, amended or modified accordingly.*

SECTION 12. Effectivity. – *This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.*

Approved,