

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. 5541



Introduced by BAYAN MUNA
Reps. NERI J. COLMENARES and CARLOS ISAGANI T. ZARATE

AN ACT
UPGRADING THE MINIMUM MONTHLY SALARY OF NURSES
TO P25,000 AND PROVIDING FOR BENEFITS FOR NURSES

EXPLANATORY NOTE

This bill aims to upgrade the minimum salary of nurses both in public and private sectors and to ensure that mandated benefits are provided to encourage them to work in the country instead of going abroad.

The Philippine Nursing Act of 2002 or Republic Act No. 9173 provided for Salary Grade 15 as entry salary grade for public nurses all over the country. This was never implemented, with the government failing to allocate funds for its implementation.

Joint Resolution No. 4 or the Salary Standardization Law III passed in year 2009 pegged the salary grade of nurses to Salary Grade 11, altogether denying the nurses of the salary they should have received since 2002.

This unjust situation is further aggravated by inadequate or non-implementation of benefits as mandated by Magna Carta of Public Health Workers or Republic Act No. 7305, such as overtime pay, night shift differential, on call pay, and hazard pay.

The family living wage for a family of six in the National Capital Region according to IBON Foundation is P1,086 per day or P32,580 per month. The present entry salary of nurses in the public sector is way below at P18,549 based on the Salary Standardization Law III. Nurses in private sector receive a pitiful P6,000-P9,000 per month, which is even lower than the mandated wage in National Capital Region at P 466/day¹ or P 10,252/month.

The salaries of Filipino nurses in the country are way below most of ASEAN countries. In Thailand, an incoming Filipino nurse earns 40,000 baht or P54,360². Average Malaysian nurse salary is RM 28,130 annually or RM 2,348 monthly, equivalent to P28,485/month³. In Japan, nurses undergoing work-training

¹ www.bles.dole.gov.ph/publications/.../statistical%20tables/pdf/tab24.pdf, January 2015.

² <http://www.bangkokpost.com/print/410343/>, computed at 1 baht=

³ http://www.payscale.com/research/MY/Job=Staff_Nurse/Salary, computed at 1 RM = Php 12.13

receive an average monthly salary of 130,000 yen to 220,000 yen or roughly P66,000 and P113,000⁴. In Korea, monthly salary of a nurse is US \$ 1,504 or P66,552⁵. In Singapore, average monthly salary for a nurse is SGD 3,001 or P97,631⁶.

With these huge differences in salaries of nurses, brain drain will surely worsen with the full implementation of ASEAN Economic Community in December 2015.

To rectify what has been a gross neglect of the welfare of our nurses, and to prevent the worsening of brain drain, we propose that the minimum salary of nurses be upgraded to P25,000, roughly equivalent to that of salary grade 15 under the Salary Standardization Law III, and that provision of benefits be strictly implemented.

In this light, the passage of this bill is earnestly sought.

Approved,



Rep. NERI J. COLMENARES
Bayan Muna Party-list



Rep. CARLOS ISAGANI T. ZARATE
Bayan Muna Party-list

⁴ <http://www.gmanetwork.com/news/story/289623/pinoyabroad/news/japan-eyes-more-filipino-nurses-caregivers>

⁵ <http://www.worldsalaries.org/professionalnurse.shtml>, computed at US \$=PhP44.25

⁶ <http://www.salaryexplorer.com/salary-survey.php?loc=196&loctype=1&job=874&jobtype=>, Conversion rate PHP/SGD = 32.533

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

SECTION 1. *Short Title.* This Act shall be known as “The Nurses’ Salary Upgrading and Benefits Act of 2015.”

SECTION 2. *Declaration of Policy.* It is the Government’s concern and responsibility to provide adequate remuneration and benefits of health workers to enhance general welfare and to attract and retain its rightful share of talents with the end in view of fulfilling the state policy of providing essential health services to all Filipinos.

SECTION 3. *Raising of the Minimum Salary for Nurses.* The present minimum monthly salary for nurses shall be upgraded to P25,000. Salaries of those occupying higher positions shall be adjusted accordingly. The minimum salary shall cover all nurses in public health facilities, whether nationally or locally-funded, and private health facilities and institutions.

SECTION 4. *Benefits.* Nurses in public and private sectors shall be provided with all applicable benefits prescribed under Magna Carta of Public Health Workers or Republic Act No. 7305, including overtime pay, night-shift differential, on-call pay; hazard pay subsistence allowance, housing facility or housing allowance free annual physical examination and free hospitalization.

SECTION 5. *Sanctions.* A fine of not less than five hundred thousand pesos (P500,000,000) and/or imprisonment of not less than one (1) year nor more than two (2) years shall be imposed upon violation of any of the provisions hereof.

Provided that, for violations committed by government agencies, juridical persons, including local government units or any other entity, the head of the agency and Board of Directors or executive officials of the agency shall assume full responsibility.

SECTION 6. *Refund and Compensation.* Any nurse found to have been a victim of violation of any section of this Act shall be entitled to backwages and full payment of unpaid benefits. In addition, he/she shall be entitled to refund of interest and attorney’s fees to be paid by the agency if he/she is forced to litigate.

SECTION 7. *Rules and Regulations.* The Department of Health and the Department of Budget and Management shall promulgate the necessary rules and regulations of the provisions of this Act.

SECTION 8. *Appropriation.* The Government shall appropriate such amount as may be necessary to carry out the objectives of this Act. Initial funds required for the implementation of this Act shall be sourced from the General Appropriations Act Miscellaneous Personnel Benefit Fund and other possible sources that may be determined by the Office of the President. The subsequent funds needed for national public health institutions shall be included in the General Appropriations Act in the allotment for the particular facility or institution. For devolved health agencies, funding shall be included in the annual budget allotment for the provincial and district hospitals and local health units.

For private health facilities, funding shall be included in the corporate budget.

SECTION 9. *Constitutionality.* Should any provision of this Act be declared invalid or unconstitutional, the validity or constitutionality of the other provisions shall not be affected thereby.

SECTION 10. *Repealing Clause.* All laws, decrees, letters of instructions, resolutions, orders, ordinances or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed, amended, or modified accordingly.

SECTION 11. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,