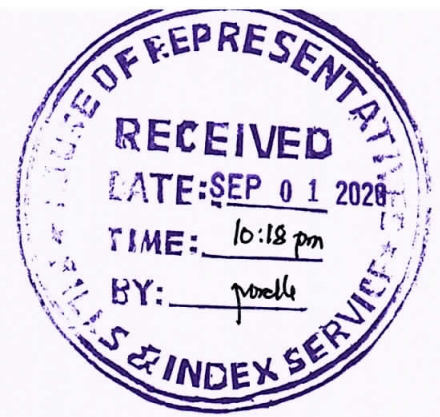


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

Eighteenth Congress  
Second Regular Session

HOUSE BILL NO. 7569



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Introduced by  
**HON. PAOLO Z. DUTERTE, HON. CLAUDINE DIANA D. BAUTISTA, &  
HON. ERIC G. YAP**

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### **EXPLANATORY NOTE**

Our country, along with the rest of the world, has fallen victim to the global COVID-19 pandemic. It has infected our people, decimated our economy, and changed life as we know it. In the Philippines, 189,601 people have been infected and 2,998 individuals have perished from the virus.

At the very center of this battle against the virus stands our country's unyielding nurses who care for the sick bravely risking their own lives. Too many of our courageous medical frontliners have already paid the ultimate price as they tried to save our countrymen during this pandemic. We, as a nation, are in their debt and pledge our immeasurable gratitude for their heroic service.

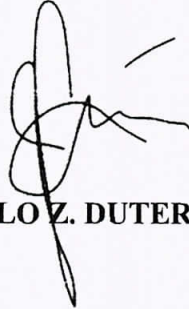
Despite our nurses' gallant efforts, they are still paid considerably less than their counterparts in the public sector around the globe. According to the Bureau of Local Employment of the Department of Labor and Employment, registered nurses receive an average salary of Php9,757 per month. This paltry amount is even less than what a minimum wage earner gets each month.

Recently, the government has declared that nurses in the public service are entitled to a minimum monthly salary equivalent to Salary Grade (SG) 15, depending on the class of the city or municipality. Depending on the step increment, a government employee with SG 15 may receive anywhere from Php19,845 to Php30,531 each month. Although, these amounts are still a far cry from the salaries received by their foreign counterparts, it is a huge improvement in the salaries of nurses working in the public sector. This measure will also aid in addressing the problem of mass emigration of our nurses and health workers, to the detriment of our nation.

This Bill enables the State to step in to protect and improve the financial situation of our nurses who face deadly diseases in privately owned hospitals on a daily basis. They must not be allowed to endure outrageously low salaries and wages. The government,

through the National Wages Productivity Commission of the Department of Labor and Employment, in coordination with the Department of Health, the Philippine Nursing Association, the Philippine Board of Nursing, and other relevant stakeholders, must establish a minimum wage for nurses in private hospitals, taking into account the particular circumstances of their profession and the bed capacity, location, and other pertinent aspects of the hospitals they serve in, with the purpose of establishing a minimum wage at par with their government counterparts.

This Bill is not merely filed to increase the financial benefits of nurses, but to show that the State is supporting our nurses and valuing our healthcare workers as they battle the pandemic and other deadly diseases head-on. This measure is simply the least we can do to support our frontline health workers. As such, earliest approval of this Bill is earnestly sought.



**PAOLO Z. DUTERTE**



**CLAUDINE DIANA D. BAUTISTA**



**ERIC G. YAP**

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**AN ACT**  
**DIRECTING THE NATIONAL WAGES PRODUCTIVITY COMMISSION OF**  
**THE DEPARTMENT OF LABOR AND EMPLOYMENT TO ESTABLISH A**  
**MINIMUM WAGE FOR NURSES IN PRIVATE HOSPITALS.**

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

SECTION 1. *Short Title.* – This Act shall be known as the “Minimum Wage for Nurses in the Private Sector Act of 2020”.

SECTION 2. *Declaration of Policy.* – The State has a duty to ensure that our nurses who, by the nature of their work, are medical front-liners, are provided with adequate remuneration and benefits to compensate them for the dangers they face daily. Moreover, the State must ensure that nurses in the private sector are properly compensated to encourage talented nurses to stay in the country, rather than looking for more lucrative offers in foreign lands.

SECTION 3. *Directing the National Wages Productivity Commission (NWPC) of the Department of Labor and Employment (DOLE) to set an increased minimum wage for nurses in private hospitals.* – The Department of Labor and Employment, through the National Wages Productivity Commission (NWPC), shall set a minimum wage for nurses employed in private hospitals, taking into consideration the following relevant factors:

- (1) The cost of living;
- (2) The wage established for work in the public sector or in other jurisdictions by employers who voluntarily maintain reasonable standards;

- (3) The location of the private hospital;
- (4) The private hospital's bed capacity; and
- (5) Fair return of the employer's capital.

A minimum wage to be established under this Act for nurses in private hospitals shall be that which is as adequate as is economically feasible to maintain the minimum standard of living necessary for the health, efficiency, effectiveness and general well-being of nurses in private hospitals, and must also take into consideration the particular circumstances of private nurses' government counterparts. Additionally, nurses who are receiving salaries higher than the minimum wage that will be set by the NWPC shall be adjusted and increased accordingly.

SECTION 4. *Public hearing requirement before the setting of the minimum wage for nurses in private hospitals.* – Prior to the setting of the minimum wage, a report to the Secretary of Labor and the NWPC shall first be submitted on the recommended minimum wage for nurses in the private sector. Thereafter, notice of the report shall be given to Department of Health (DOH), the Philippine Nursing Association, the Philippine Board of Nursing, as well as other stakeholders including, but not limited to, the Private Hospitals Association of the Philippines, and a public hearing shall be conducted thereon within fifteen (15) days from submission of the report. Notice of any hearing provided for in this section shall be given by publication in such newspapers of general circulation and by such other means as the Secretary of Labor deems reasonably calculated to give general notice to stakeholders/interested parties. The rules of procedure that shall govern the conduct of the public hearings to be held for this purpose shall be determined by the Secretary of Labor.

SECTION 5. *Issuance of the Wage Order by the NWPC.* – Within ten (10) days after the the public hearing, the NWPC shall release an order containing the approved minimum wage based on the result of the public hearing. No such order shall take effect until fifteen (15) days from its publication in a newspaper of general circulation.

SECTION 6. *Benefits.* Nurses working in private hospitals shall be provided all the benefits found under the Labor Code, Magna Carta of Public Health Workers or Republic Act No. 7305, and other relevant laws, government announcements, rules, or regulations, including, but not limited to, overtime pay, night-shift differential, on-call pay,

hazard pay, subsistence allowance, housing allowance, free annual physical examination, and free hospitalization.

SECTION 7. *Penalties.* Any private hospital who violates the provisions of this Act shall pay a fine of not less than One Hundred Thousand Pesos (PhP 100,000.00) and not more than One Million Pesos (PhP 1,000,000.00) for each violation.

Any nurse who is a victim of a violation of this Act shall be entitled to back wages and full payment of unpaid benefits, as well as to the refund of attorney's fees that may have been incurred as a consequence of any attempt by a nurse to enforce his right under this Act.

SECTION 8. *Promulgation of Rules and Regulation.* – The NWPC and DOLE shall promulgate the necessary rules and regulations for the effective enforcement of the provisions of this Act, in coordination with DOH and Philippine Board of Nursing.

SECTION 9. *Separability Clause.* – If any provision is held invalid or unconstitutional, the remainder of the law or provision not otherwise affected shall remain valid and subsisting.

SECTION 10. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 11. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after is publication in at least two (2) newspaper of general circulation.

Approved,