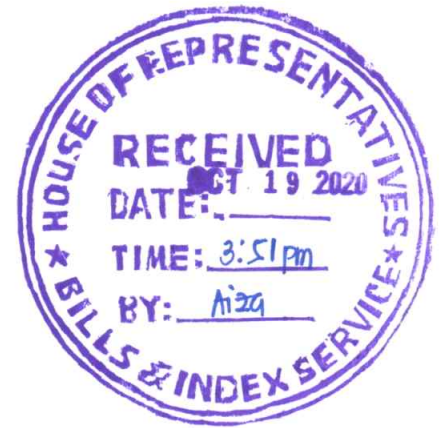


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7903



Introduced by **HON. JOY MYRA S. TAMBUNTING**

EXPLANATORY NOTE

The current minimum wage in Metro Manila in 2020 ranges from five hundred (P500.00) to five hundred thirty-seven pesos (P537.00). This translates to ten thousand seven hundred forty pesos (P10,740.00) of income in a month, considering that they render eight (8) hours of work for five days. For workers in public utility buses, particularly drivers and conductors, this supposed minimum wage is not always adhered to. The prevalent practice is to hire bus drivers and conductors on boundary or commission-based compensation schemes. Commission rates are often dictated by bus operators and owners. Bus drivers and conductors are usually expected to meet daily quotas, so that they may be able to earn additional compensation for the day. In some cases, bus companies also charge bus drivers and conductors for their share for fuel, should they not meet the agreed upon quota.

Even with the implementation of Department of Labor and Employment's Department Order No. 118-12, series of 2012, which established the rules and regulations governing the employment and working conditions of drivers and conductors in the public utility bus transport industry, bus companies have found ways to circumvent the policy and pay drivers and conductors less than what is established in the said Department Order.

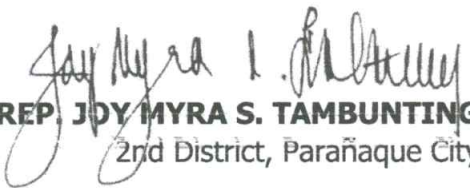
The abovementioned practice is extremely exploitative and endangers the lives of not only the bus drivers and conductors, but also those of the passengers they have on board. In 2019, there is a total of 121,771 road accidents for the whole year, with 372 fatal road incidents recorded. 111 of these incidents took place from 1 am to 5 am. As it is, public utility buses are notorious for vehicular accidents, especially during the 1 am to 5 am window, because most drivers tend to extend their work hours beyond 8 hours so that they may be able to meet quotas which increases their income for the day. Bus drivers also tend to compete with other drivers in getting more passengers so that they can get larger commissions.

Considering the detrimental effects these abusive compensation schemes may cause, it is imperative that the State take necessary steps in putting an end to this practice. Moreover, it is also the State's responsibility to ensure that the rights of public utility bus workers to just, sufficient and livable wages and their right to just and humane working conditions are realized.

This proposed measure seeks to enhance the economic status of bus drivers and conductors by improving the working conditions and terms of employment of public utility bus drivers and

conductors. In the same way, this measure will also promote the general welfare of the riding public by ensuring that they can travel from one point to another safely.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. JOY MYRA S. TAMBUNTING
2nd District, Parañaque City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7903

Introduced by **HON. JOY MYRA S. TAMBUNTING**

AN ACT
PROTECTING THE RIGHTS OF PUBLIC UTILITY BUS DRIVERS AND CONDUCTORS TO
A FIXED MONTHLY SALARY, SECURITY OF TENURE, AND SELF-ORGANIZATION AND
PROVIDING PENALTIES FOR VIOLATIONS THEREOF

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 "Bus Drivers and Conductors' Welfare Act of 2020."

SECTION 2. Declaration of Policy. – It is hereby declared the policy of the State:

- a) To grant just and humane working conditions for public utility bus drivers and conductors;
- b) To secure and safeguard citizens from the risks of vehicular accidents and traffic problems caused by competing and overworked public utility bus drivers;

Towards this end, the State shall endeavor to improve the working conditions and terms of employment of public utility bus drivers and conductors through the recognition and protection of their rights to just and regular wages, security of tenure, and self-organization.

SECTION 3. Coverage. – All persons who have been issued a Certificate of Public Convenience (CPC) to operate a public utility bus service shall pay their PUB drivers and conductors as compensation for work performed a fixed monthly salary which shall not be less than the minimum wage fixed by law, plus benefits and incentives.

SECTION 4. Driver and Conductor Qualifications and Standards. – All operators of public utility bus service shall comply with the driver and conduct qualifications and standards which shall be established by the Land Transportation and Franchising and Regulatory Board (LTFRB) in order to ensure the employment of qualified and experienced drivers and conductors.

SECTION 5. Driving Hours. – All operators of public utility bus service shall require their drivers to observe the following work scheme:

- a. Regular driving hours shall not exceed eight (8) hours inclusive of the rest period;

- b. A two-shift system shall be employed; and
- c. There should be at least one (1) hour rest per working day.
- d. Overtime work may be performed following pertinent provisions of the Labor Code, but must not exceed 12 hours within a 24-hour period.

SECTION 6. Daily Time Record or Trip Report Monitoring System. – All PUH operators shall require their drivers to submit daily time records or trip reports in order to monitor the number of trips made and the number of driving hours worked. A copy of the summary of daily time record or trip report shall be submitted to the L TFRB as a requirement for the annual renewal of registration of the PUB.

SECTION 7. Payment of Monthly Salary. – The monthly salary of PUB drivers and conductors shall not be less than the minimum wage fixed by law. Salaries shall be paid in cash at least once every two (2) weeks and shall be paid directly to the PUB drivers and conductors. Benefits and incentives as stipulated in the Labor Code and related laws, and/or in collective bargaining agreements, shall also be accorded to drivers and conductors.

SECTION 8. Status of Employment. – All public utility bus drivers and conductors, except those under probationary employment, shall be considered regular workers and shall enjoy all the rights and privileges granted to regular workers pursuant to the provisions of the Labor Code.

SECTION 9. Security of Tenure. All public utility bus drivers and conductors shall have the right to security of tenure. – Public utility bus drivers and conductors can only be terminated for just or authorized causes pursuant to the provisions of the Labor Code and subject to the requirements of due process.

SECTION 10. Right to Self-Organization. – All public utility bus drivers and conductors shall enjoy the right to self-organization, and to freely form, join, or assist organizations of their own choice for collective bargaining, for the protection of their interests, and to obtain redress of their grievances through peaceful concerted activities.

SECTION 11. Penalties. – For any violation or circumvention of this Act, the operator of any public utility bus service shall be fined not less than One Hundred Thousand Pesos (P100,000.00) but not more than Two Hundred Thousand Pesos (P200,000.00) and suspension of the franchise to operate.

Provided, that the suspension of the franchise to operate shall only be until such time that the operator has complied and paid the drivers and conductors of their back wages and appropriate benefits.

SECTION 12. Implementing Rules and Regulations. – The Chairman of the Land Transportation Franchising and Regulatory Board (LTFRB) shall, in coordination with the Secretary of Labor and Employment, issue the necessary rules and regulations for the effective implementation of this Act.

SECTION 13. Repealing Clause. – All laws, presidential decrees, executive orders, rules and regulations, and other issuances inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 14. Effectivity. – This Act shall take effect fifteen (15) days after publication :in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,