

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session



House Bill No. 9298

Introduced by **REP. JUMEL ANTHONY I. ESPINO**

AN ACT
PROVIDING FOR AN UPGRADE IN THE MINIMUM WAGE OF
NURSES AND ALLIED MEDICAL AND HEALTH WORKERS IN ALL
PRIVATE HOSPITALS AND HEALTH INSTITUTIONS

EXPLANATORY NOTE

The COVID-19 pandemic highlighted the need for nurses and allied medical workers greatly and urgently, not only in the Philippines but also worldwide.

Our nurses and allied medical and health workers have been at the frontline in this fight against the Covid virus, some have sacrificed their time from their families and loved ones, some even losing their lives in the process. For over a year now, our nurses and allied medical workers have worked tirelessly to save lives and protect our communities from contacting this infectious disease. However, even if our nurses and allied medical workers are essential parts of our preparation and response to health challenges, we have not strengthened our nursing and allied medical workers especially in promoting their job through proper compensation. Even the Department of Labor and Employment has recognized this shortcoming and has recommended that an increase in the salary rate of nurses and other medical workers in the private sector should be immediately addressed.

Last year, (2020), Republic Act 11466 was signed into law raising the salaries of government nurses from Salary Grade 11 (about P22,000) into Salary

Grade 15 (about P 32,000). Their counterpart in the private sector, however are still receiving a miniscule salary of about P 10,000 and below.

This poor compensation and working condition often motivate Filipino nurses and allied medical workers to seek employment overseas as they need to support their families. Medical workers' migration has depleted our healthcare workforce and has created a severe problem for our health system.

This bill seeks to improve the compensation situation of our nurses and allied medical workers in private hospitals and healthcare institutions in our country. It will also help turn the tide against the emigration of our health professionals and strengthen our healthcare workforce and health care system.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

A stylized, handwritten signature in black ink, appearing to read 'Jumel' followed by a flourish.

HON. JUMEL ANTHONY I. ESPINO

2nd District, Pangasinan

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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 " Upgrade of Minimum Wage for Nurses And Allied Medical Workers In Private Hospitals and Health Institutions Act of 2021"

SECTION 2. Declaration of Policy. — It is hereby declared the policy of the State to ensure that the general welfare of Filipino health workers is promoted through adequate compensation and benefits as they provide quality and essential health services for all Filipinos. The government should likewise ensure that nurses and allied medical workers in the private sector are properly remunerated in order to encourage them to work locally and retain them to serve in the health sector.

SECTION 3. Coverage. — This Act shall cover all private nurses and allied medical workers in all private hospitals and health facilities and institutions.

SECTION 4. Upgrading the Salary Rate of Nurses and Allied Medical Workers in Private Hospitals and Health Institutions. - The minimum wage for private nurses and allied medical workers in all private hospitals and health institutions shall be upgraded to the rate comparable to the wage received by their respective public sector counterparts as set by Republic Act 11466. The

Department of Labor and Employment through the National Wages Productivity Commission shall set the minimum wage for nurses and allied medical workers in all the private hospitals and health institutions.

SECTION 5. Benefits. — The benefits received by nurses and allied medical workers working in private hospitals or health institutions under the Labor Code, Republic Act 7305 or the Magna Carta of Public Health Workers, relevant laws, department orders, collective bargaining agreements, company benefits and other government announcements shall not be denied or be construed as diminished by this Act.

SECTION 6. Penalty. — Any private hospital or health institution who violates the provisions of this Act shall be fined by not less than Five Hundred Thousand Pesos (Php 500,000.00) but not more than One Million Pesos (P 1,000,000) for each violation of this Act.

Furthermore, any nurse or allied medical worker who is a victim of the violation of this Act shall be entitled to back wages, unpaid benefits and refund of attorney's fees that the nurse or medical worker incurred in enforcing the claims under this Act.

SECTION 7. - Separability Clause. — Any portion or provisions of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions and provisions hereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SECTION 9. Repealing Clause. — All laws, decrees, executive orders, proclamations and administrative regulations, or any parts thereof inconsistent with the provisions of this Act are hereby revoked, repealed or modified accordingly.

SECTION 10. Effectivity. — This Act shall take effect fifteen (15) days after its publication in at least two (2) national papers of general circulation or in the Official Gazette.

Approved,