

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session
HOUSE BILL NO. 10317



Introduced by REP. MARIA LOURDES ACOSTA-ALBA

EXPLANATORY NOTE

The agriculture sector is still considered as one of the pillars of the Philippine economy. The country has a total land area of 30 million hectares for which 13 million hectares (43%) are devoted to crops, livestock, and inland fisheries production. About 10.26 million individuals or 25.44 percent of the labor force are coming from the agriculture sector. However, as other industries post average growth rates of seven to eight percent, agriculture has only shown an average growth of 1 percent. Further, statistics show that there is a decline in the sector's contribution to the GDP from about 35 percent GDP contribution in 1986 to 9.28 percent in 2018.

Through the years, the agriculture sector has been beset with persistent and impending challenges resulting in low farm incomes, low rural employment, lack of food security, and meager agricultural competitiveness. These challenges identified were the aging farmers and declining interest of youth in agriculture, globalization and Association of Southeast Asian Nations (ASEAN) Economic Integration, the impacts of climate change and the low resilience of agricultural livelihoods from shocks, the effects of the Rice Tariffication Law, the emerging Fourth Industrial Revolution (4IR), and the weak devolution of extension functions and services to the LGUs. Further, the emergence of health and safety emergencies, such as the coronavirus (COVID-19) pandemic, poses a serious threat not only to ensuring food security but also to the continuous implementation and carrying out of agricultural activities and livelihoods.

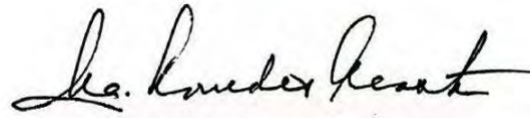
Despite these challenges, stakeholders of the National Extension System for Agriculture and Fisheries (NESAF), particularly the government, continues to prioritize and implement programs and projects aimed to help farmers and fisherfolk, in which agricultural extension plays an important role. Agricultural extension involves all activities that provide relevant information and services needed and demanded by farmers and fisherfolk to assist them in developing their own technical, organizational, and management skills and practices to improve their livelihoods and well-being (GFRAS, 2010). It has a critical role to ensure that the flow of information reaches farmers and fisherfolk for them to have options and realize for themselves what needs to be done to improve their productivity, resilience, and competitiveness. This further leads to improving their communities, contributing to increasing food security, and boosting economic growth and development.

At the forefront of these extension interventions are the agricultural extension workers (AEWs), considered as the drivers that enable inclusive growth and development for the agriculture sector¹. However, since the devolution of agricultural extension services to the LGUs through the enactment of the Local Government Code of 1991, several resources, governance, and politics-related issues and concerns led to a generally demoralized AEWs. This affects their ability to professionally deliver frontline extension services, thus, affecting the performance of the agriculture sector and impeding the potential benefits agricultural extension interventions can deliver to farmers and fisherfolk. Further, the lack of financial allocation for delivery of extension programs and services, partly due to the non-prioritization of agriculture in some LGUs, has led to AEWs experiencing functional and professional inequalities.

AEWs are dismayed because of the low salaries and compensation, the non-assurance of security of tenure, and lack of a structured career development path.² With the limited workforce, AEWs are transformed from commodity or subject matter specialists into generalists.³ Unlike in previous years where they worked as a team in a barangay composed of a farm management technician, home management technician, rural youth development officer, plant pest control officer, livestock technician, and fishery technologist, nowadays an AEW is expected to be both a rice technician and an animal expert. Worse, some are given assignments or designations not related to their respective expertise as a market collector, library in charge, the Mayor's executive assistant, or holding Committee positions as members of the Bids and Awards Committee, Inspector, and the like. Available and vacated positions are either demolished or filled-up by individuals that have limited or any credentials, experiences, and background in agriculture.

Considering these scenarios, this bill seeks to improve the economic and social well-being of AEWs. This is to unlock their full potential and maximize their role in the better and more effective delivery of agricultural programs and services in their localities. More so, the experience brought about by the coronavirus pandemic in the country highlighted the importance of the agriculture sector, especially the need to have available and affordable food for all and the achievement of household food security. It is certain that to help in the achievement of these, AEWs should play a crucial role as well. Thus, this bill acknowledges and strengthens the importance of the AEWs' contributions to agricultural development and modernization by affirming their rights and privileges, providing an enabling work environment and support system, strengthening a mechanism for career development and professionalization, and instituting appropriate compensation through a viable evaluation and reward systems.

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



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¹ Philippine Development Plan (PDP) Overall Strategic Framework 2017-2022

² ATI National Extension Agenda and Programs 2017-2022

³ Ani. P. and Correa A. (2016) Agricultural Extension Policies in the Philippines: Towards Enhancing the Delivery of Technological Services

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Introduced by Rep. MARIA LOURDES ACOSTA-ALBA

**AN ACT PROVIDING FOR A MAGNA CARTA FOR
AGRICULTURAL EXTENSION WORKERS**

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

ARTICLE I GENERAL PROVISIONS

SEC. 1. ***Title.*** – This Act shall be known as the “**Magna Carta for Agricultural Extension Workers.**”

SEC. 2. ***Declaration of Policy.*** – The goals of the national economy are to be more equitable in the distribution of opportunities, income, and wealth; a sustained increase in the number of goods and services produced by the nation for the benefit of the people; and expanding productivity as the key to raising the quality of life for all, especially the underprivileged.

The State shall promote economic growth and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources, and which are competitive in both domestic and foreign markets. In pursuit of these goals, all sectors of the economy and all regions of the country shall be given the optimum opportunity for development.

Thus, it is hereby declared as a policy of the State to enable those who belong to the agriculture and fisheries sector to participate and share in the fruits of development and growth in a manner that utilizes the nation’s resources most efficiently and sustainably possible.

The State shall give priority to promoting science, technology, human resource development, and farmers’ development as essentials for national development and progress. This can be achieved through well-motivated, committed, and performing agricultural extensionworkers (AEWs).

In this regard, the State shall ensure the continuous improvement in the economic and social well- being of AEWs as well as their enabling environment, working conditions, and employment status. The State shall likewise develop their skills, knowledge, practices, orientation, and capabilities so that they will be more responsive and effective in providing the necessary services to accelerate the development and modernization of the Philippine

agriculture and fisheries sector.

SEC. 3. **Definition of Terms.** –

- a. **Agricultural and Biosystems Engineer** – shall refer to a person who is registered and licensed to practice agricultural and biosystems engineering and who holds a valid certificate of registration and professional identification card from the Board of Agricultural and Biosystems Engineering and the PRC in accordance with Republic Act (RA) No. 10915 also known as the “Philippine Agricultural and Biosystems Engineering Act of 2016.”
- b. **Agricultural Extension** – shall refer to all different activities that provide the information and services needed and demanded by farmers, fisherfolk, and other actors to assist them in developing their own technical, organizational, and management skills and practices to improve their livelihoods and well-being. It coverstraining, farm and business advisory, demonstration, and information and communication support services.
- c. **Agricultural Extension Workers (AEWs)** – also known as *agricultural development workers*; shall refer to all persons who are engaged in agriculture and fisheries employed in the Department of Agriculture including its bureaus and attached agencies, agri-related national government agencies (NGAs), government- owned and controlled corporation (GOCCs), local government units (LGUs), state universities and colleges (SUCs), and other concerned government institutions.
- d. **Agricultural Services** – shall refer to the wide range of agricultural development activities such as the provision of assistance and resources in the production, processing, and marketing of agricultural and aqua-cultural and marine products to farmers, fisherfolk, and other agriculture-related actors; the conducted location-specific agricultural researches and assist in making available the appropriate technology arising out of and disseminating information on basic research on crops and animals, prevention and control of plant and animal diseases and pests, and other agricultural matters which will maximize productivity; the establishment and extension services of demonstration farms or aquaculture and marine products; and the enforcement of rules and regulations relating to agriculture and aquaculture.
- e. **Agricultural Technician** – shall refer to a trained or skilled individual who has at least completed two years of studies in college and certified as trained in specific agri- related courses by the Agricultural Training Institute (ATI) or Technical Education and Skills Development Authority (TESDA) in performing activities such as plant nursery propagator, plant or livestock breeder, livestock health service provider, farm mechanic, agricultural machinery operator, nursery workers, farm laborer, and other agri-related jobs in agricultural production, processing, and marketing.
- f. **Agricultural Technologist** – shall refer to a person who is a graduate of a four (4) year course in agriculture or other agriculture allied courses and with a valid license issued by PRC performing activities such as assisting farmers in any of the segments along the value chain for agricultural sector from planning, cultivating, harvesting, and storing.

- g. ***Agriculturist*** – shall refer to a person who is a graduate of a bachelor’s degree program in agriculture or any related programs performing any of the specialized activities such as agronomy, horticulture, animal husbandry, crop protection (entomology, plant pathology, weed science), plant breeding, soil science, agricultural economics, agricultural business and marketing, and agricultural extension who can provide scientific, technical, and policy advice in implementing programs that would promote agricultural development and who has been issued a certificate of registration and professional license by the Board and the Professional Regulation Commission (PRC) in accordance with the Rules and Regulations Implementing PRC Resolution No. 2000-663.
- h. ***Aquacultural/Fishery Technician*** – shall refer to a trained or skilled individual who has at least completed two years of studies in college, trained and assessed, and issued NCII certificate by TESDA in performing activities on farm aquaculture and fisheries management, production, processing, and marketing.
- i. ***Aquacultural Technologist/Fisheries Professional*** – shall refer to a person who is a graduate of a four (4) year course in fisheries and other related courses, technically qualified and competent to practice the fisheries profession and who has been issued a Certificate of Registration and Professional Identification Card by the Professional Regulatory Board of PRC in accordance with RA No. 11398 also known as the Philippine Fisheries Profession Act.
- j. ***Veterinarian*** – shall refer to a natural person who has been registered and issued a valid Certificate of Registration and Professional Identification Card by the Professional Regulatory Board of Veterinary Medicine in accordance with RA No.9268 also known as “The Philippine Veterinary Medicine Act of 2004.

SEC. 4. ***Coverage.*** - This act shall cover all AEWs of the government holding permanent, casual, and contractual appointments as issued by the CSC from the NGAs, GOCCs, SUCs, LGUs and shall include agricultural and biosystems engineers, veterinarians, agriculturists, fisheries professional, agricultural/aquacultural/fishery technologists, agricultural/ aquacultural/fishery technicians, and allied agricultural professionals such as fertilizer specialists, farm and home economists, and development communication specialists.

ARTICLE II ORGANIZATIONAL STRUCTURE AND POSITIONS

SEC. 5. ***Re-Classification of Position and Parenthetical Titles and Compensation*** – The State shall promote and ensure that AEWs in the government are accorded with appropriate position and parenthetical titles, with equivalent salary compensation, and opportunities for promotions in accordance with their duties, responsibilities, and qualifications. For this purpose, the Department of Budget and Management (DBM) in coordination with the Civil Service Commission (CSC), Department of Agriculture (DA) through the ATI, Department of Interior and Local Government (DILG), Commission on Higher Education (CHED), and Securities and

Exchange Commission (SEC)-recognized national associations of AEWs shall review the existing functions, responsibilities, position titles and qualifications of the AEWs employed at the DA, LGUs, SUCs, and concerned government agencies, and match them with appropriate position titles and compensation:

Provided, That the following benchmark corresponding position titles of AEWs with salary grades may be used.

Positions and Parenthetical Titles for LGUs:

Position and Parenthetical Titles	Salary Grade
<i>Agricultural Development:</i>	
Agricultural Technician I	6
Agricultural Technician II	8
Agricultural Technologist	10
Agriculturist I	11
Agriculturist II	15
Senior Agriculturist	18
Supervising Agriculturist	22
Chief Agriculturist	24
Municipal Agriculturist I	24
City Agriculturist I	25
City Agriculturist II	26
Provincial Agriculturist	26
<i>Fisheries Development:</i>	
Aquacultural/Fishery Technician I	6
Aquacultural/Fishery Technician II	8
Aquacultural/Fishery Technologist	10
Aquaculturist I	11
Aquaculturist II	15
Senior Aquaculturist	18
Supervising Aquaculturist	22
Chief Aquaculturist	24
<i>Veterinary:</i>	13
Animal Feed Control Officer	
Biological and Feed Products Inspector	8
Livestock Inspector I	6
Livestock Inspector II	8
Livestock Inspector III	11
Meat Inspector I	6
Meat Inspector II	8
Meat Inspector III	11
Meat Control Officer I	13
Meat Control Officer II	16
Senior Meat Control Officer	19
Supervising Meat Control Officer	22
Chief Meat Control Officer	24
Veterinarian I	13

Veterinarian II	16
Veterinarian III	19
Veterinarian IV	22
Veterinarian V	24
Veterinarian VI	26
Veterinarian VII	28
City Veterinarian	25
Provincial Veterinarian	26
<i>Agricultural and Biosystems Engineer:</i>	
Engineer I/Agricultural and Biosystems Engineer I	12
Engineer II/Agricultural and Biosystems Engineer II	16
Engineer III/Agricultural and Biosystems Engineer III	19
Engineer IV/Agricultural and Biosystems Engineer IV	22
Engineer V/Agricultural and Biosystems Engineer V	24

The positions occupied by the AEWs at the LGU level shall be upgraded or reclassified into the appropriate level under the Agriculturist, Agricultural and Biosystems Engineer, Aquaculturist, and Veterinarian positions based on the need of the LGUs

Positions and Parenthetical Titles for SUCs:

Positions and Parenthetical Titles	Salary Grade
<i>Agricultural Development:</i>	
Agricultural Technician I	6
Agricultural Technician II	8
Agricultural Technologist	10
Agriculturist I	11
Agriculturist II	15
Senior Agriculturist	18
<i>Fisheries Development:</i>	
Aquacultural/Fishery Technician I	6
Aquacultural/Fishery Technician II	8
Aquacultural/Fishery Technologist	10
Aquaculturist I	11
Aquaculturist II	15
Senior Aquaculturist	18

<i>Veterinary:</i>	
Veterinarian I	13
Veterinarian II	16
Veterinarian III	19
<i>Agricultural and Biosystems Engineer:</i>	
Engineer I/Agricultural and Biosystems Engineer I	12
Engineer II/Agricultural and Biosystems Engineer II	16
Engineer III/Agricultural and Biosystems Engineer III	19

Any of these positions may be adopted and shall be lodged under the SUC's extension office or any equivalent unit handling agricultural extension services.

SEC. 6. *Appropriate Staffing Structure and Mandatory Positions.* – LGUs shall follow at least the minimum organizational structure and staffing pattern to be established by the DA through the ATI in consultation with the DILG, CSC, and DBM. This shall be in accordance with the provisions under Sections 325(a) and 331(b) of the Local Government Code (LGC) of 1991 (RA No. 7160), the DBM's relevant local budget circulars on the guidelines on personal services, and the memorandum circulars of the CSC on competency-based recruitment and qualifications standards.

Further, the creation of the following positions subject to the applicability, context, and requirements of the LGUs is hereby made mandatory in addition to the prescribed positions under the LGC of 1991:

- Provincial Agricultural and Biosystems Engineer
- Provincial Agriculturist
- Provincial Veterinarian
- Provincial Aquaculturist
- City Agriculturist
- City Agricultural and Biosystems Engineer
- City Veterinarian
- City Aquaculturist
- Municipal Agriculturist
- Municipal Agricultural and Biosystems Engineer
- Municipal Veterinarian
- Municipal Aquaculturist

Provided, That in the case of the fourth to sixth (4th-6th) class LGUs, a financial subsidy shall be provided by the National Government to augment the hiring of personnel services for the above mentioned mandatory positions: *Provided further*, That the funding requirement shall be determined by the DA and incorporated in its subsequent annual appropriations in accordance to relevant DBM guidelines and rulings on the subject matter.

SEC. 7. *Recruitment and Qualifications.* – The selection and appointment of AEWs in government shall be in accordance with the merit and fitness principles: *Provided*, That these individuals possess the appropriate qualification standards as set forth by the CSC, such as civil service eligibility or professional license, educational qualification, skills, competencies, and experiences. All agriculture and fisheries units, offices, and institutions that provide agricultural services are encouraged to be headed either by a registered Agriculturist, Agricultural and Biosystems Engineer, Aquaculturist/Fisheries Professional, or Veterinarian.

Existing AEWs classified as Job Orders (JOs) and/or Contract of Service (COS) shall be given priority in the appointment by their agencies/offices to vacant positions: *Provided*, That these individuals meet the appropriate eligibility and other qualification requirements for the position.

SEC. 8. ***Salaries and Wages of AEWs.*** – The salaries and wages of AEWs shall be standardized across levels and be comparable with similar positions of national employees without prejudice to the provision of additional staff benefits by concerned LGUs where their finances warrant.

In determining the salaries of AEWs, the provisions of RA No. 11466 dated January 8, 2020, entitled, “An Act Modifying the Salary Schedule for Civilian Government Personnel and Authorizing the Grant of Additional Benefits, and for Other Purposes,” shall apply in consultation with the DBM.

ARTICLE III CAREER DEVELOPMENT AND PROFESSIONALIZATION

SEC. 9. ***Professionalization of the Agricultural Extension Services.*** – The State shall support the career development and continuous professionalization of AEWs by providing the necessary capability building for them to be able to properly perform their duties, functions, and responsibilities.

SEC. 10. ***Training, Other Capacity-Building Activities, and Scholarship Program.*** – The DA through ATI and other relevant NGAs shall continue to develop and implement training programs for AEWs focusing on all aspects of their duties, functions, and responsibilities to ensure the proper delivery of agriculture and fisheries extension programs and services. Local and foreign scholarship programs will be provided and/or outsourced by the DA through the ATI to further improve AEWs’ knowledge and skills and thereby ensure better work management, efficiency, and effectiveness. On scholarships, an AEW is allowed to attend and participate in degree programs for local scholarships and seminars, conferences, symposiums, study, and observation tours for foreign grants and scholarships. All of these shall be in adherence to the criteria and standards set under the Philippine Qualifications Framework (PQF) in accordance with RA 10968 or the Philippine Qualifications Framework (PQF) Law.

Further, the DA through the ATI shall coordinate with the PRC to strengthen its partnership and establish an arrangement that will facilitate the easier accreditation of ATI trainings for AEWs to have corresponding Continuing Professional Development (CPD) units for the renewal of their licenses in accordance to RA No. 10912 also known as the “Continuing Professional Development (CPD) Act of 2016.”

SEC. 11. ***Training Equivalency Program.*** – AEWs shall have the opportunity for an alternative mechanism for professional career development. This will be through the conversion of training units earned from trainings, other capability-building activities, and non-degree programs provided by government and non-government agencies, into credited units to complete a formal academic degree for baccalaureate or post-baccalaureate programs and/or for the course applied for, in accredited academic institutions or universities consistent with CHED’s relevant policies, standards, and guidelines on the Expanded Tertiary Education Equivalency and Accreditation Program.

SEC. 12. ***Scientific Career System*** – AEWs shall be included in the coverage of the

Scientific Career System (SCS) in which qualified AEWs, involved in scientific and technological activities defined as “all systematic activities which are closely concerned with the generation, advancement, dissemination, and application of scientific and technical knowledge in all fields of natural science and technology,” may avail the benefits and incentives provided by the system and be conferred with the appropriate Scientist rank.

SEC. 13. ***Human Resources Development.*** – The DA through the ATI, upon consultation with the CSC and SEC recognized national associations of AEWs, shall prepare a comprehensive national Agriculture and Fisheries Extension (AFE) Human Resource Development Plan (HRDP) applicable to all AEWs in the country. This shall detail a merit-based career path of all AEWs that will allow them, regardless of assignment or location in government, to move vertically in the promotion system. This shall also be reviewed and updated from time to time to ensure its relevance.

Applicable government and non-government institutions and agencies will be tapped to conduct researches or studies in aid of the development and continuous updating of the AFE Human Resource Development Plan covering areas such as, but not limited to:

- a. Upgrading of working conditions, adequate facilities and resources to render quality agricultural service, and standards for a quality extension service delivery to clients;
- b. AEWs opportunities for professional growth and the enhancement of potentials and experiences to create a sense of self-worth and dignity in their work;
- c. Mechanism for democratic consultation;
- d. Incentives, rewards, and recognition mechanism for AEWs;
- e. Organizational structure, staffing patterns, reclassification of positions and salaries to correct the disparity vis-a-vis other professions; and
- f. Allocation of funds for the participation of AEWs relevant capacity building activities.

Further, the AFE HRDP shall be connected, aligned, and in accordance with the content and provisions of the CSC-approved agency Merit Selection Plan and CSC existing rules and regulations on appointments and other human resource actions.

SEC. 14. ***Code of Professional Conduct and Ethics.*** – Within six months from the effectivity of this Act, the DA through the ATI in consultation with the DILG, CHED, CSC, and SEC-recognized national associations of AEWs shall formulate a Code of Professional Conduct and Ethics for AEWs in conformity with the law, morals, safety, health, public policy, and public order. The copies of the Code shall be provided to all agencies/offices of AEWs where it is accessible for their use and reference.

ARTICLE IV ALLOWANCES, INCENTIVES, AND BENEFITS

SEC. 15. ***Reiteration of Existing Allowances and Compensations.*** – All AEWs shall be entitled to the following standard and specific-purpose allowances and compensations in accordance with existing laws and government-issued policies and as provided in this law:

- a. ***Representation Allowance and Travelling Allowance*** – All AEWs appointed and designated to managerial positions shall be entitled to a Representation Allowance and Travelling Allowance (RATA) equivalent to the rate allowed by the DBM’s Budget Circular Memorandum on the Amended Rules and Regulations on the Grant

of Representation and Transportation Allowances and as prescribed under the Total Compensation Framework of the Compensation and Position Classification System established under RA No. 6758.

- b. **Daily Travel Expenses** – The authorized amount to cover expenses for local and foreign travel, which consists of costs for accommodation or lodging, including the taxes and service charges, meals, and incidental expenses, including the cost for transportation and reasonable miscellaneous expenses while at the destination or place of assignment, as prescribed in Executive Order (EO) No. 77, Series of 2019, Prescribing Rules and Regulations and Rates of Expenses and Allowances for Official Local and Foreign Travels of Government Personnel.
- c. **Daily Subsistence Allowance** – An allowance given to pay for food equivalent to three meals per day when the AEW is required to render services away from his usual place of work and that daily travel expense is not possible. This shall be computed following the prevailing circumstances as prescribed in EO No. 77, Series of 2019.
- d. **Transportation Expenses** – The actual fares of authorized modes of transportation, whether via land, sea, and air, for official local and foreign travels from the permanent official station to the destination or place of assignment and back, as prescribed in EO No. 77, Series of 2019 and *Provided*, That the expense is not claimed and reimbursed through the Daily Travel Expense.
- e. **Overtime Pay** – The monetary payment for rendered service beyond normal work hours, inclusive of Saturdays and Sundays and non-working holidays in which additional compensation shall be provided following Joint Circular of the CSC and DBM on Policies and Guidelines on Overtime Services and Overtime Pay for Government Employees and as allowed by the applicable provisions of the Government Accounting Manual (GAM).
- f. **Uniform/Clothing Allowance** – All AEWs shall be entitled to a minimum amount of clothing allowance annually, which amount shall be adjusted as needed, following the rules and regulations on the grant of uniform and clothing allowance (Uniform/Clothing Allowance) to civilian government personnel and provisions under GAM.
- g. **Honorarium** – A form of remuneration for services rendered beyond the established workload of AEWs whose broad and superior knowledge and expertise contribute to agricultural productivity and innovativeness; *Provided*, it is not sourced from within the same agency or institution and consistent with DBM Budget Circular 2007-1 and other localized rules and regulations on the matter.

SEC. 16. **Additional Incentives for AEWs.** – Incentives for AEWs shall be in the form of, but not limited to, the following:

- a. **Special Hardship Allowances** – All AEWs shall be compensated with a special hardship allowance equivalent to up to thirty percent (30%) of the monthly basic salary. These shall be those assigned in remote and depressed areas, strife-torn or embattled areas, distressed or isolated stations, or in areas declared under the state of calamity or emergency for the duration thereof in which physical hardship, discomfort, or distress are present and/or are tasked to perform a hazardous duty

which exposes them to great danger, occupational risks or perils of life.

- b. **Longevity Pay** –A longevity pay equivalent to five per centum (5%) of an AEW's basic pay shall be provided for every five years of continuous, efficient, and meritorious service rendered, as certified by the chief of the concerned agency, following the Rules and Regulations on the Grant of Compensation for Government Personnel.
- c. **Anniversary Bonus** – This is an incentive to be given to AEWs on their agencies/LGUs' milestone anniversaries, to recognize their participative efforts in and contribution to the agencies/LGUs' continuing and/or viable existence following DBM's budget circulars on the Implementation Guidelines on the Grant of Anniversary Bonus to Officials and Employees of Government Entities.
- d. **Performance Bonus** – A form of remuneration given to AEWs for performance that exceeds established financial and operational targets in a given fiscal year following with the provisions of the AEWs' agency PRAISE and the guidelines on the Grant of Performance-based Bonus (PBB).
- e. **Awards and Recognitions** – A form of non-monetary incentive given to AEWs whose services in management, administration, policymaking, and support contribute to the efficient and effective implementation of the agricultural and fisheries programs and services of the government in a given fiscal year.

SEC. 17. **Reiteration of Existing and Additional Benefits for AEWs.** –Benefits accessible for AEWs shall be in the form of, but not limited to, the following:

- a. **Medical Examination** – AEWs shall be subjected to a compulsory medical examination free of charge before the assumption of office, and shall be repeated not less than once a year during the AEWs' professional life. In case that the medical examination shows that medical treatment and/or hospitalization is necessary, the same shall be provided free by the government entity paying the salary of the AEWs, provided it is work-related and/or work acquired.

Further, in regions where medical facilities are scarce, AEWs may obtain elsewhere the necessary medical care with the right to be reimbursed for their traveling expenses by the government entity concerned.

- b. **Insurance Coverage** – AEWs shall be provided with annual health insurance coverage as the case may warrant. This shall include visits to primary care physicians and specialists, hospitalization, emergency care, complete physical examination, routine laboratory, vision, and dental examination, and other indicated examination in accordance with the RA No. 11223 known as the Universal Health Care Act.
- c. **Compensation for Injuries** – AEWs shall be compensated for work-related injuries endured based on the guidelines and policies set by the Employees Compensation Commission (ECC) and in accordance with existing laws. The effects of the physical and nervous strain on the AEWs' health shall be recognized as a compensable occupational disease and in case of injury, while performing his/her

duty, the agency concerned will shoulder the balance of the hospitalization bill after deducting the GSIS and PhilHealth support. This will be in accordance with the rules on Employees' Compensation and RA No. 4119 known as the Workmen's Compensation Act.

- d. ***Provision of Counsel*** – In case of a suit from clients arising from a recognized lawfully duty-related implementation of statutory/legal requirements, the AEW shall be afforded by counsel during the duration of all court-related proceedings. AEWs should be assisted for free by the legal officer/unit of their agency or from the Public Attorney's Office (PAO) in accordance with the Rules Implementing the Code of Conduct and Ethical Standards for Public Officials and Employees.
- e. ***Study Leave.*** AEWs shall be entitled to a study leave not exceeding six (6) months with pay: *Provided*, That the AEW had rendered at least two (2) years of service in his/her agency/office/unit and has met the qualifications and requirements under the CSC guidelines and their local policies on study leave. *Provided, further*, That AEWs under a full-time study/scholarship grants shall adhere to other specific requirements and eligibility consistent with the guidelines and operating procedures in the administration of foreign and local scholarship programs for government.
- f. ***Indefinite Leave.*** – AEWs shall be granted with an indefinite sick leave of absence in case that the nature of the illness demands a long treatment that covers periods of at least one year or more: *Provided*, That he/she obtains clearance from the head of agency/office/unit. Leave without pay not exceeding one year may be granted, in addition to the vacation and/or sick leave earned by the AEW following the provisions under the Omnibus Civil Service Rules on Leave.

SEC. 18. ***Set of Minimum and Maximum Allowable Incentives, Allowances, and Benefits.*** – The DA through the ATI in coordination with the CSC, DBM, and the assistance of relevant stakeholders shall develop a set of criteria and standards and implementation guidelines for setting the minimum and maximum allowable incentives allowances, and benefits as well as their corresponding amount, subject to the approval of the CSC and the DBM.

SEC. 19. ***Prohibition Against Double Benefits*** – AEWs who are already receiving the same incentives under any other law shall not be allowed to avail of the same benefits specified in this Act unless they submit in writing their intention to withdraw the benefits already being received and opt for those herein provided.

ARTICLE V RIGHTS AND PRIVILEGES

SEC. 20. ***Transfer or Geographical Reassignment.*** – Except in the interest of public service, no transfer or geographical reassignment shall be made or effected without written notice to the AEW concerned thirty (30) days before the date of transfer or reassignment stating therein the reason therefor, *Provided*, that if the AEW concerned disagrees with the order of transfer or reassignment, he/she may appeal said order in which the transfer or reassignment shall be held in abeyance pending appeal: *Provided further*, That reassignment coinciding with any local or national election shall be made in compliance with Election Code: *Provided, finally*, That all necessary transfer expenses for the AEWs and his/her immediate family brought about by the reassignment shall be paid for by the concerned government agency once the transfer is finally approved. This shall be in accordance with the Rules on Appointments

and Other Human Resource Actions.

Further, whenever possible, the proper authorities shall take all steps to enable married couples, both of whom are AEWs, to be employed or assigned in the same locality.

SEC. 21. ***Right to Join an Organization.*** – AEWs shall have the right to freely join professional organizations for purposes not contrary to law, to protect their mutual interests, and to seek remedy or compensation from grievance through peaceful concerted activities.

SEC. 22. ***Freedom from Interference or Coercion.*** – It shall be unlawful for any person and/or entity to commit any of the following acts of interference or coercion:

- a. to require a condition of employment that the AEWs shall join an organization;
- b. to discriminate, encourage or discourage membership in any professional organization of his choice;
- c. to demote or dismiss an AEW on account of political affiliation;
- d. to prevent an AEW from carrying out his/her duties and functions, be subjected to harassment and interference, or to penalize him/her for any lawful action performed in that capacity; and
- e. to perform acts that will dismiss the independence and freedom of the organization to direct its affairs.

SEC. 23. ***Consultation.*** – The government shall consult with professional agricultural workers' organizations and SEC-recognized national associations of AEWs in formulating policies to govern their welfare and security.

SEC. 24. ***Security of Tenure.*** – An AEW holding a permanent position shall not be terminated except for just cause/s provided for under the Civil Service Rules and after due process: *Provided*, That in the event he/she is found to be exonerated as ruled by Courts and as verified by the CSC, he/she shall be entitled to reinstatement without loss of seniority rights and back wages with a twelve percent (12%) interest to be computed from the time compensation has been withheld up to the reinstatement. In cases, however, where the AEW does not desire to be reinstated, he/she shall be entitled to back wages and separation pay with twelve percent (12%) interest. This shall be in accordance with Section 2.2, Article IX-B of the 1987 Constitution and strengthened further by RA 6656.

SEC. 25. ***Highest Basic Salary Upon Retirement*** – Three (3) months before compulsory retirement, an AEW shall automatically be granted one (1) salary grade higher than his/her basic salary and his/her retirement benefits thereafter, computed based on his/her highest salary: *Provided*, That an AEW fulfilled the service requirements in accordance to the implementing rules and regulations on the retirement, pay, pensions, gratuities, and other benefits of retiring government employees and RA No. 10154.

SEC. 26. ***No Understaffing and/or Overloading.*** – There shall be no understaffing and/or overloading of work among AEWs. The workload should be equitably distributed among the AEWs of an agency/office/unit. The ratio of AEW to clients and/or barangay shall be considered to ensure the quality of agricultural service at all times. *Provided*, That the concerned agency shall allocate the necessary funds for the hiring of additional AEWs consistent with the provision of Section 6 of this Act.

The DA through the ATI shall facilitate the development of the criteria and standards for the ratio of AEW to clients and/or barangay. This shall depend on the thrust and priority, income

class, and other relevant characteristics of the LGU.

SEC. 27. ***Normal Hours of Work.*** – The normal working hours for an AEW shall not exceed eight (8) hours a day or forty (40) hours per week following the Policy on Government Working Hours for Government Officials and Employees and as specified in the provision of EO No. 292: Provided, however, That when the exigencies of the service so require, any AEW may be required to render more than eight (8) hours upon payment of additional compensation at the same rate as his/her regular remuneration.

SEC. 28. ***Discrimination Prohibited.*** – No discrimination shall be exercised, threatened, or promised against or in favor of any person examined or to be examined or employed by reason of his/her political or religious opinions or affiliations, sex, sexual orientation, and gender identity, civil status, age, disability, or ethnicity.

SEC. 29. ***Safeguards in Administrative Proceedings/Disciplinary Procedure.*** – Every AEW shall enjoy equitable safeguards at each stage of any disciplinary procedure following the Rules on Administrative Cases in the Civil Service and shall have:

- a) The right to be informed, in writing, of the charges;
- b) The right to full access to evidence in the case against him/her;
- c) The right to defend himself/herself and to be defended by a representative of his/her choice and/or by his/her organization, adequate time being given to the AEW for the preparation of his defense;
- d) The right to be given adequate time to prepare his/her case;
- e) The right to appeal to designated authorities;
- f) The right to cross-examine witnesses and to processes for the presentation of witnesses;
- g) The right to reimbursement for reasonable expenses incurred in his/her defense in case of exoneration or dismissal of charges; and such other rights as provided by other national agencies and LGUs to their respective officers and employees to ensure fairness and impartiality in prosecution.

Further, No publicity shall be given to any disciplinary action being taken against an AEW during the pendency of his/her case.

SEC. 30. ***Service Engagement of Retired AEWs.*** – Retired AEWs who opted to retire or be separated from the service as a result of the rationalization efforts of their agency/office/unit cannot re-enter in service for a period of five (5) years after retirement in accordance with DBM guidelines on the filling of positions/hiring of personnel under EO No. 366. *Provided*, That a retired AEW under any existing law, who, in the judgment of the head of the organization possesses technical qualifications and expertise, the capability to undertake specific extension-related activities, and is in good health and condition, may be hired or tapped on a contractual basis and/or honorarium basis without refunding the unexpired portion of the gratuity and accumulated leave benefits received from the government: *Provided further*, That no qualified AEWs is available to undertake said extension activity and that the engagement is of short duration not exceeding six (6) months on a daily basis.

The services of an AEW who is due for compulsory retirement may be extended for a maximum period of five (5) years: *Provided*, That the programs and project in which he/she is involved is within the priority mentioned in the National Extension Agenda and Programs and is identified as strategic to the growth and development of the agriculture and fisheries sector as certified by the DA Secretary: *Provided, further*, That the AEW is still mentally and

physically fit to complete the project: *Provided, finally*, That the request for extension of services shall be submitted to the Civil Service Commission for approval at least three (3) months prior to the date of the compulsory retirement of the AEWs. The services rendered during the period of extension shall be credited as part of government service, and such shall entitle the AEW to leave credits and other benefits.

ARTICLE VI OUTPUT-ORIENTED EVALUATION AND REWARD SYSTEM

SEC. 31. ***Performance Evaluation and Merits and Rewards System.*** – The DA through ATI shall develop and implement an output-oriented evaluation system of performance in accordance with Section 88.2 of RA 8435 or the Agriculture and Fisheries Act (AFMA) of 1997. This system shall serve as a basis in determining deserving AEWs to be provided with appropriate merits and rewards based solely on their level of achievements, performances, and demonstration of exemplary job responsibilities. The criteria shall be based on the following:

- a. Innovativeness and creativity resulting in productive activities;
- b. Actual performance and accomplishment of established targets;
- c. Extraordinary performance and exemplary quality of achievements in agriculture, giving rise to new or innovative techniques and productive results;
- d. Quality of work and consistency of performance for at least two (2) consecutive rating periods; and
- e. Anticipated risks by the nature of the work area or place of assignment.

ARTICLE VII MISCELLANEOUS PROVISIONS

SEC. 32. ***Establishment of an AEW Registry.*** – an AEW Registry shall be established by the DA through the ATI to help in the monitoring of this Act and to properly account the available human resource for the provision of agricultural programs and services in the country at different levels.

Such other rights as provided by other national agencies and LGUs to their respective officers and employees to ensure fairness and impartiality in prosecution.

Further, No publicity shall be given to any disciplinary action being taken against an AEW during the pendency of his/her case.

SEC. 30. ***Service Engagement of Retired AEWs.*** – Retired AEWs who opted to retire or be separated from the service as a result of the rationalization efforts of their agency/office/unit cannot re-enter in service for a period of five (5) years after retirement in accordance with DBM guidelines on the filling of positions/hiring of personnel under EO No. 366. *Provided*, That a retired AEW under any existing law, who, in the judgment of the head of the organization possesses technical qualifications and expertise, the capability to undertake specific extension-related activities, and is in good health and condition, may be hired or tapped on a contractual basis and/or honorarium basis without refunding the unexpired portion of the gratuity and accumulated leave benefits received from the government: *Provided further*, That no qualified AEWs is available to undertake said extension activity and that the engagement is of short duration not exceeding six (6) months on a daily basis.

The services of an AEW who is due for compulsory retirement may be extended for a maximum

period of five (5) years: *Provided*, That the programs and project in which he/she is involved is within the priority mentioned in the National Extension Agenda and Programs and is identified as strategic to the growth and development of the agriculture and fisheries sector as certified by the DA Secretary: *Provided, further*, That the AEW is still mentally and physically fit to complete the project: *Provided, finally*, That the request for extension of services shall be submitted to the Civil Service Commission for approval at least three (3) months prior to the date of the compulsory retirement of the AEWs. The services rendered during the period of extension shall be credited as part of government service, and such shall entitle the AEW to leave credits and other benefits.

ARTICLE VIII OUTPUT-ORIENTED EVALUATION AND REWARD SYSTEM

SEC. 31. ***Performance Evaluation and Merits and Rewards System.*** – The DA through ATI shall develop and implement an output-oriented evaluation system of performance in accordance with Section 88 of RA No. 8435 or the Agriculture and Fisheries Act (AFMA) of 1997. This system shall serve as a basis in determining deserving AEWs to be provided with appropriate merits and rewards based solely on their level of achievements, performances, and demonstration of exemplary job responsibilities. The criteria shall be based on the following:

- f. Innovativeness and creativity resulting in productive activities;
- g. Actual performance and accomplishment of established targets;
- h. Extraordinary performance and exemplary quality of achievements in agriculture, giving rise to new or innovative techniques and productive results;
- i. Quality of work and consistency of performance for at least two (2) consecutive rating periods; and
- j. Anticipated risks by the nature of the work area or place of assignment.

ARTICLE IX MISCELLANEOUS PROVISIONS

SEC. 32. ***Establishment of an AEW Registry.*** – an AEW Registry shall be established by the DA through the ATI to help in the monitoring of this Act and to properly account the available human resource for the provision of agricultural programs and services in the country at different levels.

SEC. 33. ***Monitoring and Evaluation.*** – The DA through the ATI shall monitor the implementation of the provisions of this Act in coordination with representatives of the DILG, CSC, CHED and SEC recognized national associations of AEWs: *Provided*, That the DA through the ATI shall submit an annual report on the status of implementation of this Act to the appropriate committees of the House of Representatives and the Senate.

SEC. 34. ***Prohibition Against Diminution and/or Elimination.*** – Nothing in this law shall be construed to eliminate or in any way diminish the rights and benefits of AEWs at the time of the effectivity of this Act.

SEC. 35. ***Implementing Rules and Regulations.*** – The DA through the ATI in consultation with the DBM, CSC, DILG, CHED, and SEC recognized national associations of AEWs shall formulate and prepare the implementing rules and regulations of this Act. This shall be promulgated six months after the effectivity of this Act.

SEC. 36. ***Penal Provisions.*** – Any person who shall willfully interfere with, restrain or coerce any AEW in the exercise of his/her rights or shall violate any of the provisions of this Act shall upon conviction, shall be punished by a fine of not less than Twenty thousand pesos (P20,000.00) but not more than Forty thousand pesos (P40,000.00) or imprisonment of not more than one year, or both, at the discretion of the court.

If the offender is a public official, the court, in addition to the penalties provided in the preceding paragraph, may subject him/her to any applicable administrative and criminal charges which may lead to his/her disqualification from office.

SEC. 37. ***Funding.*** – The amount necessary to carry out the provision of this Act shall be included in the General Appropriations Act under the DA of the year following its enactment into law and every year thereafter. The funds shall come from at least one percent (1%) of the national gross value added (GVA) as specified in the AFMA of 1997 and other pertinent laws, policies, and guidelines.

SEC. 38. ***Separability Clause.*** – If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall continue to be in full force and effect.

SEC. 39. ***Repealing Clause.*** – All laws, decrees, orders, rules, regulations, and or other issuances and parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 40. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

APPROVED,