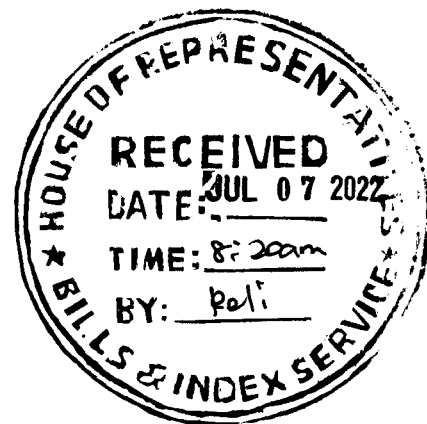


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 1517



Introduced by TUCP Party-List
Rep. RAYMOND DEMOCRITO C. MENDOZA

EXPLANATORY NOTE

The Philippine Constitution affirms "labor as a primary social and economic force" and mandates the State to "protect the rights of workers and promote their welfare." Therefore, Presidential Decree No. 442, otherwise known as the Labor Code of the Philippines, needs to be in step with the State policy to "afford protection to labor," considering jurisprudence and practice.

The Labor Code provisions on probationary employment and security of tenure, among others, have been practiced more on circumvention than compliance. More so in the case of academic personnel in private schools. They have been subjected to the most prolonged probationary period of three (3) years by administrative regulations of education authorities, which is the Commission on Higher Education (CHED) and the Department of Education (DepEd).

The nature of work of academic personnel in private schools and the high qualifications required for the practice of their profession put them at a great disadvantage, aside from the fact that private school academic personnel already have devoted so many years of preparations for their work, including at least four years of college studies, in service training, many seminars and refresher courses and the like.

But, more importantly, the lengthy probationary period of academic personnel has not been seen to better the quality of education. The Program for International Student Assessment (PISA) results show that Filipino students ranked low in reading, math, and science over the years.

Work arrangements, while being responsive to the exacting requirements of the school environment, should be in balance with humane terms and conditions of employment. These should contribute to decent work where workers and their families can live with dignity and improved quality of life.

Hence, this proposed amendment seeks to provide a maximum probationary period equivalent to one (1) school year of very satisfactory service for professors, instructors and teachers, and other academic personnel in private educational institutions to give effect to the policy of protecting workers' rights and promoting their welfare.

The passage of this Bill is earnestly sought.


RAYMOND DEMOCRITO C. MENDOZA
Representative, TUCP Party-List

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session
House Bill No. **1517**

Introduced by TUCP Party-List
Rep. RAYMOND DEMOCRITO C. MENDOZA

AN ACT
FIXING THE PROBATIONARY PERIOD OF EMPLOYMENT OF ACADEMIC
PERSONNEL IN PRIVATE SCHOOLS, AMENDING FOR THE PURPOSE
ARTICLE 296 OF THE RENUMBERED PRESIDENTIAL DECREE NO. 442, AS
AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES

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

Section 1. Probationary period of employment of academic personnel in private schools. – There shall be incorporated after Article 296, formerly Article 281, of the Labor Code a new article to read as follows:

“ARTICLE 296-A. Probationary Period of Academic Personnel in Private Schools. - The probationary period for academic personnel in private schools shall not be more than one (1) academic year of very satisfactory service for basic education, and two (2) consecutive regular semesters of very satisfactory service for tertiary level or three (3) consecutive trimesters of very satisfactory service for those engaged on a trimester basis.

For this purpose, the term “academic personnel” shall include:

- a. Those engaged in actual teaching service, either on full time or part-time basis, including in technical-vocational education and training.
- b. Those who possess certain prescribed academic functions directly supportive of teaching such as:
 - 1) Registrars;
 - 2) Librarians;
 - 3) Guidance Counselors
 - 4) Researchers
 - 5) Other school officials responsible for academic matters.”

Section 3. Separability Provisions. – If any part of this Act is held invalid or declared unconstitutional, the same shall not affect the validity and effectivity of the other parts thereof.

Section 4. Repealing Clause. – All laws, decrees, executive orders, rules and regulations or parts thereof, which are inconsistent with this Act, are hereby repealed, amended or modified accordingly.

Section 5. Effectivity. – This Act shall take effect fifteen (15) days after its publication in at least two newspapers of general circulation.

Approved,