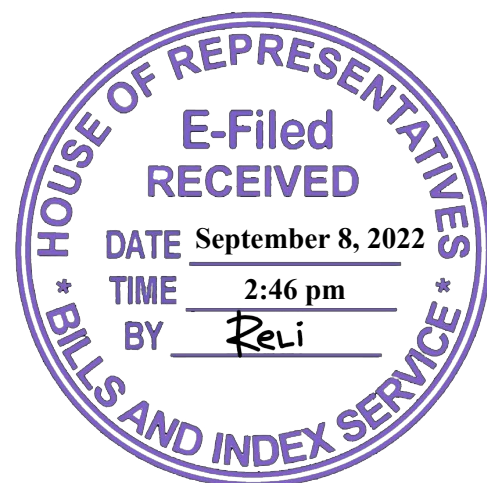


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session



HOUSE BILL No. 4599

Introduced by
ACT Teachers Party-List Rep. FRANCE L. CASTRO,
GABRIELA Women's Party Rep. ARLENE D. BROSAS,
and **KABATAAN Party-List Rep. RAOUL DANNIEL A. MANUEL**

AN ACT
INCREASING THE MINIMUM SALARY OF NURSES IN THE PUBLIC AND
PRIVATE SECTOR

EXPLANATORY NOTE

Nurses are the most numerous professionals in most hospitals. On duty for 8-12 hours, they care for the sick 24/7, at the risk of their very own lives. They are considered “heroes” in the fight against the COVID-19 pandemic. Their commitment to service and the nursing profession have cost them their very own lives. Yet, our Filipino nurses are among the least paid compared to their counterparts in other countries.

Filipino registered nurses earn the least compared to their peers in the Southeast Asian region based on a 2020 study by iPrice Group. Filipino nurses only earn around ₱40,381 per month, 57% less than their peers in Vietnam, where nurses are paid ₱62,200 per month.

Based on data from the Economic Research Institute-Powered Company Salary Expert, nurses in other countries earn much more. Nurses earn a monthly pay of ₱236,000 in Singapore, ₱97,000 in Malaysia, and ₱83,000 in Thailand.

The government has been oblivious to the situation of nurses. Calls and demands of nurses for higher salaries and salary upgrading fell on deaf ears and were even openly opposed by the Department of Budget and Management (DBM) despite having a clear provision in Republic Act 9173 or *Philippine Nursing Act of 2002*. Save for minimal salary increases provided by the Salary Standardization Laws, which are only for the public sector, no program or law from the past and present administration ever increased the salary of

nurses.

Worse, in 2016, former President Benigno Aquino III vetoed the *Comprehensive Nursing Bill* because of the provision for Salary Grade 15 for public sector nurses.

On October 8, 2019, the Supreme Court declared as valid Section 32 of Republic Act 9173 or the *Philippine Nursing Act*, which states that “the minimum base pay of nurses working in public health institutions shall not be lower than salary grade 15.” On December 13, 2019, the Supreme Court released the final and executory decision.

It took 18 long years of struggle by our health workers for the nurses to be accorded their rightful salaries as mandated by RA 9173. From ₱22,316/month (Salary Grade 11) under the SSL IV, it was finally upgraded to ₱32,053/month under the first tranche of the SSL V. In 2022 under SSL V, the entry salary for nurses (nurse 1) in the public sector is ₱32,097/month.

However, the DBM, through Budget Circular 2021-2, excluded nurses employed in government-owned and -controlled corporations (GOCCs) and government financial institutions (GFIs) covered by RA 10149 or the GOCC Act of 2001. The Budget Circular also excluded nurses hired without employee-employer relationship and funded from non-Personnel Services appropriations/budgets. The said employees, including nurses, are exempted from RA 6758 and are implementing their respective Compensation and Position Classification System (CPCS). Moreover, salary adjustment of contractuels and casuals are dependent on availability of funds.

While nurses in the public and private sector perform the same tasks and are exposed to the same risks, private sector nurses ironically are in a worse situation. According to the Department of Labor and Employment Bureau of Local Employment, the entry-level registered nurse receives a monthly salary of ₱8,000 to ₱13,500, while hospital-hired nurses earn only ₱9,757.

Some private sector nurses are even paid only ₱5,000 to ₱10,000 per month, with salaries pegged at the minimum daily wage in the region. These are far below the ₱570/day minimum wage or ₱12,397.50/month¹ for workers in the National Capital Region.

Furthermore, private sector nurses are not given benefits, such as hazard pay, subsistence pay and other benefits enjoyed by their counterparts in the public sector. Even during the COVID-19 pandemic, very few private facilities provide hazard pay to the nurses and other health workers. Benefits like special risk allowance and COVID-19 hazard pay were belatedly extended to the private sector nurses through the *Bayanihan to Recover As One Act* or Bayanihan 2 only when numerous COVID-related deaths among the health workers, including nurses, were reported.

In 2018, according to NEDA, ₱42,000 per month is needed by a family of five to live decently. With the measly salaries they are receiving, nurses could not afford their families' basic needs.

¹ Computed by multiplying with 261 days, then dividing it by 12 months

No wonder most Filipino nurses would rather work abroad despite the risks and hazards, and deployment ban.

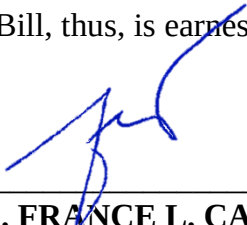
It is simply unreasonable for the government to expect nurses to stay and serve yet refuse to provide them with adequate salaries, benefits, job security and protection. It is not right for the government to demand that nurses stay in our country and render service when it could not fulfill its basic responsibility to provide security of tenure, humane working conditions and a living wage to workers including the nurses as enshrined in the 1987 Constitution.

It is high time we truly and concretely recognize the role and contribution of our nurses who are providing care and saving lives not only during the COVID-19 pandemic. We have to care for and protect our nurses and health workers, so they can provide care and services to the Filipino people.

During the 15th Congress, Bayan Muna Rep. Teddy Casiño filed House Bill 5230, which seeks to increase the salary grade of nurses in the public sector from SG 11 to 15. It was refiled during the 16th, 17th, and 18th Congresses. For the salary increase of private nurses, Bayan Muna Reps. Ferdinand Gaite, Carlos Zarate, Eufemia Cullamat, ACT Teachers Rep. France Castro, Gabriela Women's Party Rep. Arlene Brosas, and Kabataan Partylist Rep. Sarah Elago filed HB 7851 during the 18th Congress.

In line with the clamor to increase the minimum salary of nurses in both the public and private sectors, this Bill is being refiled to increase the monthly salary of nurses to ₱50,000, regardless of employment status and agency classification.

The urgent passage of this Bill, thus, is earnestly sought.



Rep. FRANCE L. CASTRO
ACT Teachers Party-List



Rep. ARLENE D. BROSAS
GABRIELA Women's Party



Rep. RAOUL DANNIEL A. MANUEL
KABATAAN Party-List

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AN ACT
INCREASING THE MINIMUM SALARY OF NURSES IN THE PUBLIC AND
PRIVATE SECTOR

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

SECTION 1. *Short Title.* – This Act shall be known as “*The Salary Increase for Nurses Act of 2022.*”

SEC. 2. *Declaration of Policy.* – It is the Government's concern and responsibility to provide adequate remuneration and benefits of health workers to enhance general welfare and to attract and retain its rightful share of talents with the end in view of fulfilling the state policy of providing essential health services to all Filipinos.

SEC. 3. *Coverage.* – The minimum salary shall cover all nurses in public and private health facilities, whether regular, or non-regular, including contractual, contract of service, job-order, casual, and project-based: *Provided, That,* the minimum salary for nurses shall apply in all public health facilities regardless of nurses' employment status and agency classification:

- (a) whether regular, or non-regular, including contractuales, contract of service, job-order, casuals, co-terminus, project-based and outsourced; and
- (b) whether nationally or locally-funded, including Government-Owned and Controlled Corporations (GOCCs), Government Financial Institutions (GFIs), and Local Government Units regardless of classification.

SEC. 4. *Minimum Salary for Nurses.* – The present minimum monthly salary for nurses shall be equivalent to Fifty thousand pesos (₱50,000) per month or equivalent to salary grade (SG) 19 of the Salary Standardization Law, as amended. The Job Grade and salary levels of nurses employed in GOCCs/GFIs covered by Republic Act 10149 shall also be upgraded and shall be equivalent to the SG 19 under the current Salary Standardization Law: *Provided*, That the minimum salary shall be increased and adjusted accordingly based on Nurse 1 salary in the public sector; *Provided further*, That salaries of those occupying higher positions shall be adjusted accordingly; *Provided finally*, That for micro, small and medium health facilities, the principal employer may apply for a subsidy program for the salary upgrade of its nurses for a maximum period of three (3) years, subject to the implementing rules and regulations of this Act.

SEC. 5. *Sanctions.* – A fine of not less than Five hundred thousand pesos (₱500,000,000.00) and/or imprisonment of not less than one (1) year nor more than two (2) years shall be imposed upon violation of any of the provisions hereof: *Provided*, That for violations committed by agencies, juridical persons, or any other entity, the head of the agency and Board of Directors or executive officials of the agency shall assume full responsibility.

SEC. 6. *Refund and Compensation.* – Any nurse found to have been a victim of violation of any section of this Act shall be entitled to backwages and full payment of unpaid benefits. In addition, he/she shall be entitled to refund of interest and attorney's fees to be paid by the agency if he/she is forced to litigate.

SEC. 7. *Rules and Regulations.* – The Department of Health and the Department of Labor and Employment, in consultation with relevant stakeholders, shall promulgate the necessary rules and regulations of the provisions of this Act.

SEC. 8. *Appropriations.* – The Government shall appropriate such amounts as may be necessary to carry out the objectives of this Act. Initial funds required for the implementation of this Act shall be sourced from the General Appropriations Act Miscellaneous Personnel Benefit Fund and other possible sources that may be determined by the Office of the President. The subsequent funds needed for national public health institutions shall be included in the General Appropriations Act in the allotment for the particular facility or institution. For devolved health agencies, funding shall be included in the annual budget allotment for the provincial and district hospitals and local health units: *Provided*, That should certain Local Government Units have insufficient funds, they may request for a subsidy from the National Government; *Provided further*, That GOCCs shall include in their respective corporate budget the funds necessary to implement the upgraded salaries of nurses.

SEC. 8. *Separability Clause.* – Should any provision of this Act be declared invalid or unconstitutional, the validity or constitutionality of the other provisions shall not be affected thereby.

SEC. 9. *Repealing Clause.* – All laws, decrees, letters of instructions, resolutions, orders, ordinances or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed, amended, or modified accordingly.

SEC. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after publication in the Official Gazette or in a national newspaper of general circulation.

Approved,