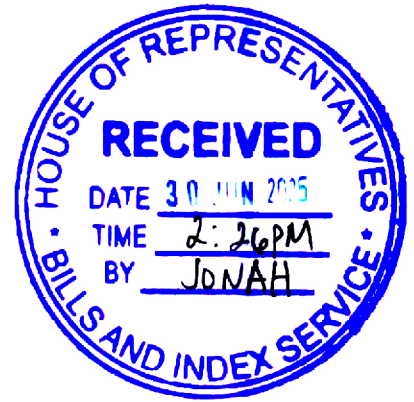


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session



HOUSE BILL No. 573

Introduced by
ACT Teachers Party-List Rep. ANTONIO L. TINIO
and **KABATAAN Party-List Rep. RENEE LOUISE M. CO**

THE EDUCATION SUPPORT PERSONNEL ACT (ESPERA)

EXPLANATORY NOTE

Public and private school teachers are generally overworked and underpaid. They are burdened with non-teaching tasks, and even in instances where they are given only teaching-related tasks, they would need to work overtime to get things done. The lack of sufficient education jobs—plantilla items in the public sector and job openings in the private sector—forces teachers to act as nurses, librarians, encoders, and processors for school data, janitors, security guards, and others, causing them severe overwork and contributes to the decline of quality of education in general.

It is in this context that the Philippines should require schools to hire education support personnel such as teacher aides. A number of countries have been doing it for some time now. This draft bill will help the Philippines do it too. Though the Department of Education has released DepEd Order 32, series of 2020 which in effect, allows public schools to hire education support personnel as needed—a laudable move—it only orders the engagement of Learning Support Aides through contracts of service or job orders.

This short-term engagement of education workers and the vicarious employment and resulting absence of decent work conditions, even exploitation in most cases are some of the concerns raised by Education International (EI), a global union federation representing organizations of teachers and other education employees, launched the first World Education Support Personnel Day on May 16,

2018 during the first conference on Education Support Personnel in Brussels, Belgium.

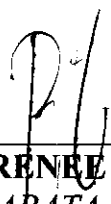
In the said conference, EI adopted the *Declaration on the Rights and Status of Education Support Personnel*. This landmark document affirms that administration of quality education is impossible without teaching assistants; registrars and clerks; school doctors, nurses, and psychologists, guidance counselors; librarians; and the rest of professional, administrative, technical, and general staff working in education sector. Aside from education workers' labor rights, EI also urged that government promote and protect their civil and political rights, such as the right to organize and bargain collectively—which EI partly attributed to outsourcing, labor cost-cutting and austerity measures, and privatization in the education sector.

The proposal furthered in this bill, in particular, the hiring of education support personnel in public and private schools, are steps toward addressing these concerns.

For the foregoing reasons, urgent approval of this bill is sought.



Rep. ANTONIO L. TINIO
ACT Teachers Party-List



Rep. RENEE LOUISE M. CO
KABATAAN Party-List

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Be it enacted by the Senate and the House of Representatives of the Philippines assembled.

SECTION 1. *Short Title.* This Act shall be known as “*The Education Support Personnel Act (ESPERA).*”

SEC. 2. *Declaration of State Policy.* The policy of the State to help teachers in their pursuit of quality education while maintaining a good work-life balance too, is hereby recognized and implemented.

SEC. 3. *Coverage.* This Act shall cover all public and private basic education schools from Kindergarten to Grade 12.

For purposes of this Act, “education support personnel” refers to a wide range of professional, administrative, technical, and general staff working within the education sector such as teaching assistants; school doctors, nurses, and psychologists; registrars and clerks; guidance counselors; librarians; and bus drivers, among others.

SEC. 4. *Mandatory Hiring of Education Support Personnel in Public Schools.* The Department of Education is hereby instructed to open up plantilla positions to hire education support personnel based on each school’s current and projected needs.

To this end, the Department of Education shall work with the Department of Budget and Management to ensure that there is sufficient number of plantilla positions for education support personnel in every public elementary and high school. They

shall likewise endeavor to meet the ideal education support personnel-student population ratios.

SEC. 5. *Hiring of Education Support Personnel in Private Schools.* Subject to the implementing rules and regulations of this Act, the State will help private schools comply with the policy of hiring education support personnel within a reasonable period of time.

SEC. 6. *Funding.* The amounts necessary for the initial implementation of this Act shall be charged against the savings of the Department of Education. Thereafter, the funds shall be provided in the annual General Appropriations Act.

SEC. 7. *Implementing Rules and Regulations.* The Department of Budget and Management and the Department of Education, in consultation with representatives of teachers' organizations, labor unions, labor federations, and private school owners will promulgate the rules and regulations necessary to implement this Act not later than three (3) months from its effectivity.

SEC. 8. *Separability Clause.* If any part or provision of this Act is held unconstitutional or invalid, the other parts or provision hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 9. *Repealing Clause.* All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances, or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 10. *Effectivity Clause.* This Act shall take effect upon its publication in at least two (2) national newspapers of general circulation.

Approved,