



Republic of the Philippines

HOUSE OF REPRESENTATIVES

Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **1235**



Introduced by **Representative Jefferson F. Khonghun**

**AN ACT PROVIDING FOR
THE MAGNA CARTA OF BARANGAY EMPLOYEES**

This legislation seeks to establish the Magna Carta of Barangay Employees, fortifying the provisions of the Local Government Code of 1991 pertaining the barangay, its officials and employees.

Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended, states the role of a barangay as, "the basic political unit, the barangay serves as the primary planning and implementing unit of government policies, plans, programs, projects, and activities in the community, and as a forum wherein the collective views of the people may be expressed, crystallized and considered, and where disputes may be amicably settled." The said law recognizes that the role of the barangay entails great responsibility as it acts as a medium for the implementation of the visions of the national government while allowing it to be autonomous when dealing with its constituents. Furthermore, the Code delineates the duties and functions of the barangay officials and its employees, the benefits which they receive, and all other pertinent provisions governing the said unit.

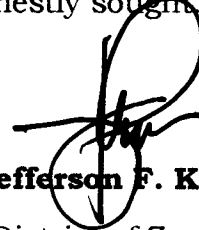
While the Local Government Code still stands, it must be understood that the same is an old law that needs to be revisited. Unfortunately, a 1991 legislation no longer answers for the current plight of barangay employees when it comes to their salaries, incentives, benefits, and allowances.

In 2020, Sultan Kudarat 2nd District Rep. Horacio Suansing and Nueva Ecija 1st District Rep. Estrellita Suansing filed House Bill No. 7296, providing for the regularization and salary standardization of barangay officials. As a counterpart bill, Senator Emmanuel Pacquiao, Sr. has authored **Senate Bill (SB) No. 1956** otherwise known as the "Barangay Officials Salary 2

Standardization Act of 2020”, seeking to amend the Local Government Code to finally give barangay officials and personnel regular salaries and special risk allowance during calamities.

In the same vein, this legislation provides barangay employees with what is properly due them. It is high time that the great responsibility imposed by the said law upon those who serve the barangay be fairly compensated. After all, the barangay officials and employees are entrusted by their constituents to alleviate them from the day-to-day issues and problems, while they, too, have issues and problems that they face on their own. This measure will surely encourage our beloved barangay employees to better their performance and service.

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



Hon. Jefferson F. Khonghun

1st District of Zambales



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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 Magna Carta of Barangay Employees”.

SECTION 2. *Declaration of State Policy.* – Recognizing their vital role in carrying out the basic government services down to the communities, it is the policy of the State to promote the general welfare of the residents of the barangay; to provide sanitary and decent facilities for purpose of utilization, comfort, and security; to create avenues where the residents can air their proposals. In line with this, it is through raising the economic status of the barangay officials and employees that the improvement of their work as the primary implementing unit of government policies will be realized.

**I. BARANGAY OFFICIALS AS REGULAR GOVERNMENT
EMPLOYEES**

SECTION 3. Barangay Officials as Regular Employees. – Section 393 (a) of R.A No. 7160 notwithstanding, the Punong Barangay, members of the Sangguniang Barangay, the Sangguniang Kabataan Chairperson, the Barangay Secretary, and Barangay Treasurer in all barangays are hereby declared regular employees, and as such entitled to fixed salaries, allowances, insurance, medical and dental coverage, retirement benefits, and such other incentives and fringe benefits which under Civil Service laws, rules and regulations, a regular government employee is entitled, unless otherwise provided in this Act.

SECTION 4. *Position Classification and Compensation Scheme for Barangay Officials.* Barangay officials shall be entitled to salaries, benefits or allowances as compensation for services they shall have rendered.

Such position classification and compensation scheme shall conform with the following guidelines:

1. The Position Classification and Compensation Scheme for Barangay Officials shall be comprised of three salary grades, namely:
 - a. Barangay Salary Grade 1 for barangay appointive officials as already provided by law, and other barangay personnel the positions of which are provided for by ordinance of the corresponding barangay;
 - b. Barangay Salary Grade II for barangay elective officials in the Sangguniang Kabataan and Sangguniang Barangay with the exception of the Punong Barangay; and
 - c. Barangay Salary Grade III for Punong Barangay.
2. The minimum monthly salary for the salary grades for barangay officials shall be as follows:
 - a. Barangay Salary Grade I – Fifteen Thousand Pesos (P15,000.00)

- b. Barangay Salary Grade II – Twenty- Five Thousand Pesos (P25,000.00)
- c. Barangay Salary Grade III – Thirty Five Thousand Pesos (P35,000.00)

Provided, That said monthly salaries shall be subject to applicable statutory deductions to enable membership benefits from the government social agencies; provided, further that no barangay official shall suffer reduction, diminution or withdrawal of salaries and benefits already enjoyed by the barangay official or personnel concerned: *Provided finally*, that the budget ceiling for annual personnel services appropriations of fifty-five percent (55%) of the annual income actually realized from local sources during the next preceding fiscal year, as provided in Section 331 (b) of Republic Act No. 7160, as amended, otherwise known as the “Local Government Code of 1991”, shall apply.

3 .As regularized government employees, said barangay official shall likewise be entitled to 13th month pay, and other bonuses as may be provided by law.

SECTION 5. *Review of Benefits and Entitlements.* The DILG shall conduct a regular review, which shall not extend beyond five (5) years at any one time, of the sufficiency and adequacy of the benefits and entitlements of barangay officials and personnel as provided in existing laws, including this Act; *Provided*, That there shall be no reduction, diminution or withdrawal of benefits and entitlements provided hereunder.

I. BENEFITS AND ALLOWANCES OF BARANGAY OFFICIALS

SECTION 6. *Special risk Allowance.* In areas declared by the National Government to be under a state of calamity or emergency, and for the duration thereof, the barangay officials and employees shall be entitled to special risk allowance equivalent to seven percent (7%) of the monthly basic salary based on the classifications provided under Section 4 of this Act.

SECTION 7. *Hazardous Duty Pay.* Barangay employees whose services are urgently essential and who physically report for work in situations where

they are inevitably exposed to health dangers and hazards, such as but not limited to disease-infected places which pose occupational risks, shall be entitled to Php300.00 per day person, chargeable against the local income of the barangay concerned.

SECTION 8. *Special Local Allowances.* Supplemental remunerations, benefits or other entitlements that may be provided by the municipal, city, or provincial governments of the respective barangays shall not be offset by the remunerations, benefits or other entitlements provided for in this Act.

SECTION 9. *Thirteenth Month Pay and Christmas Bonus.* On top their basic salary, barangay officials shall also be entitled to 13th-month pay, and Christmas Bonus of Php 5,000.

SECTION 10. *Representation and Travel Allowance (RATA), Personal Economic Relief Allowances (PERA), Productivity Incentive Bonus (PIB) and Clothing Allowance.* Barangay employees shall not be entitled to receive RATA, PERA, PIB and Clothing Allowance.

II. COMPENSATION FOR BARANGAY VOLUNTEERS

SECTION 11. *Barangay Volunteers.* Barangay volunteers and other barangay workers not covered in Section 4 of this Act shall be entitled to temporary honoraria and other benefits, incentives or allowances as compensation for services rendered in an amount determined and appropriated for by their respective barangays, municipalities, cities or provinces; *provided* that the grant of honoraria shall be subject to availability of funds, and budgetary limitation on personnel services under republic Act No. 7160.

Notwithstanding the provisions set forth in the Local Government Code of the Philippines, for purposes of awarding temporary honoraria and other benefits, incentives or allowances for services rendered, Barangay volunteers shall include:

- a. A group of volunteers who aid barangay officials in the execution and enforcement of barangay ordinances, the

- maintenance of peace and order, and the promotion of public safety;
- b. Sangguniang Kabataan Kagawads, the secretary and the treasurer at the SK level;
- c. Day care workers; and
- d. Members of the *Lupong Tagapamayapa*.

IV. PROVISIONS FOR IMPLEMENTATION

SECTION 12. *Funding Source.* The funding necessary to implement the provisions of this Act shall be appropriated by the National Government under the Annual General Appropriations Act (GAA).

SECTION 13. *Mandatory Review.* – As the need arises or within five (5) years after its effectivity, the Congress shall undertake a mandatory review this Act, with the primary objective of providing a more responsive and accountable local government structure.

SECTION 14. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Department of Internal and Local Government shall promulgate rules and regulations as well as other issuances to effectively carry out the provisions of this Act.

SECTION 15. *Separability Clause.* – Should any part of this Act be declared unconstitutional or invalid, other provisions hereof that are not affected thereby shall continue to be in full force and effect.

SECTION 16. *Repealing Clause.* – All laws, decrees, executives orders, proclamations, rules and regulations, and issuances, or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed, amended or modified accordingly.

SECTION 17. *Effectivity.* – This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in newspaper of general circulation.

Approved,