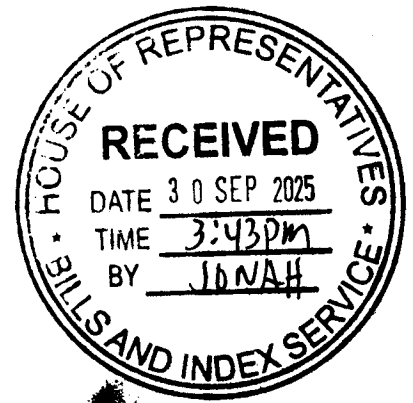




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20th Congress
First Regular Session

House Bill No. **5005**



Introduced by: **REP. ROSALIE "MOMMY ROSE" ANG SALVAME**

EXPLANATORY NOTE

Forest Rangers, known locally as *Bantay Gubat*, are the unsung heroes of environmental protection. They patrol vast forestlands, prevent illegal logging and wildlife poaching, and serve as the frontliners in the fight against climate change. Yet, despite their critical role, they remain among the most underappreciated and undercompensated public servants in the country.

This Magna Carta for Bantay Gubat is not just a policy proposal - it is a moral imperative because of the following reasons, to wit:

1. **Protection and Security of Tenure.** Bantay Gubat face threats from armed groups, illegal loggers and wildlife traffickers. Many are contractual workers with no job security, making them vulnerable to political shifts and administrative changes. A Magna Carta would ensu

re permanent employment status, shielding them from arbitrary dismissal and empowering them to act without fear.

2. **Upgrade to salary Grade 18.** Most Bantay Gubat earn below the poverty line despite performing high-risk, high impact work. Upgrading their salary to Salary Grade 18 would reflect the value of their service and align their compensation with other frontline government workers.

3. **Hazard Allowance.** Bantay Gubat operate in dangerous terrain, often confronting armed violators and enduring extreme weather. A hazard allowance would recognize the physical and psychological risks they endure daily.

4. **Longevity Pay.** Many Bantay Gubat have served for decades with little to no increase in benefits. The provision of longevity pay would reward years of dedicated service and encourage retention of experienced personnel.

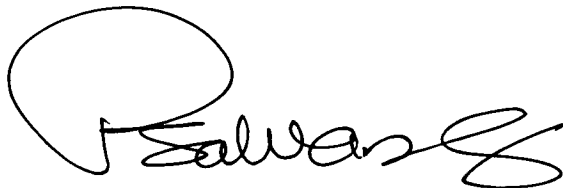
5. **Transportation and Subsistence Allowance.** Bantay Gubat often travel long distances on foot or by motorcycle to remote forest areas. A Magna Carta would guarantee travel and subsistence allowances ensuring they are not forced to shoulder operational costs from their own pockets.

6. Recognition and Just Compensation. Bantay Gubat are instrumental in protecting biodiversity, preventing floods and landslides, and preserving indigenous habitats. Formal recognition through a Magna carta would elevate their status, boost morale and attract future generations to the profession.

7. Environmental Impact. Forest protection is climate action. By safeguarding forests, Bantay Gubat help absorb carbon emissions, regular water cycles, and preserve ecological balance. Investing in their welfare is investing in Earth's future.

The Magna carta for Bantay Gubat is long overdue. It is a declaration that the Philippines values its natural heritage and those who protect it. By enacting this legislation, we honor their courage, secure their future, and strengthen our commitment to environmental stewardship.

Given the importance of this measure, passage of this bill is earnestly sought.

A handwritten signature in black ink, featuring a large, stylized initial 'R' followed by the name 'Salvame' in a cursive script.

HON. ROSALIE "MOMMY ROSE" ANG SALVAME

1st District, Palawan



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MAGNA CARTA FOR BANTAY GUBAT

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

SECTION 1. Title. - This Act shall be known as the "*Magna Carta for Bantay Gubat*".

SECTION 2. Declaration of Policy and Objective. – Bantay Gubat perform a critical role in the protection and preservation of the country's remaining forests and the reforestation of the denuded ones, yet, they lack the necessary employment protection commensurate to their contribution to the protection and development of this very important natural resource. Thus, this Act aims to (a) to promote and improve the social and economic well-being of Bantay Gubat, their living and working conditions and terms of employment; (b) to develop their skills and capabilities; and (c) to recruit and encourage those with proper qualifications to join and remain in government service;

SECTION 3. Duties and Responsibilities. - The following are the duties and responsibilities of Bantay Gubat:

1. Monitor and evaluate plant life, animal life, soil erosion, water quality, forest fire hazards, poaching activities, hunting, logging and mining activities, as well as conduct other scientific activities aimed at the protection and preservation of the country's forests and wildlife;
2. Prepare and submit detailed quarterly reports of activities conducted and make appropriate recommendations under the circumstances;

3. Perform and implement programs and policies geared towards the protection and preservation of the country's forests, including the wildlife found therein, implement reforestation programs and other similar efforts;

4. Coordinate and actively work together with law enforcement agencies, including the Armed Forces of the Philippines, local government units, other relevant government agencies and non-governmental organizations for the strict enforcement and implementation of pertinent environmental laws;

5. Perform such other relevant scientific activities

SECTION 4. Qualifications. - As a minimum qualification, Bantay Gubat must be a Filipino citizen and a resident of the Philippines, of good moral character and a holder of a four-year degree in forestry, biology, environmental science, environmental management, coastal resource management or other similar field of education, provided that they possess appropriate civil service eligibility, subject to the applicability of Republic Act 1080;

SECTION 5. Recruitment. - Upon the effectivity of this Act, the Secretary of the Department of Environment and Natural Resources (DENR) is mandated to immediately develop and prepare a recruitment policy with regard to the selection and appointment of Bantay Gubat in accordance with policies, rules and regulations of the Civil Service Commission and must complete the same within a period of six (6) months. Pending preparation of such recruitment policy, the Secretary is hereby authorized to issue temporary appointments to those currently retained as contractual bantay gubat even if they do not meet the educational qualifications mentioned in the immediately preceding paragraph, provided that such temporary appointment shall not exceed twelve (12) months.

There shall be created a minimum number of bantay gubat positions equivalent to the ratio of one (1) bantay gubat per five hundred (500) hectares of lands classified as forest or timber;

SECTION 6. Performance Evaluation and Merit Promotion. - The Secretary of the DENR, upon consultation with the Civil Service Commission, shall prepare a uniform career and personnel development plan, which shall include provisions on merit promotion, performance evaluation, in-service training grants, job rotation, suggestions and incentive award system. The performance evaluation plan shall consider foremost the improvement of individual employee efficiency and organizational effectiveness: provided, that each employee shall be informed regularly by his or her supervisor of his or her performance evaluation. The merit promotion plan shall be in consonance with rules of the Civil Service Commission;

SECTION 7. Assignment and Transfer. - A bantay gubat shall be assigned in the province or city where such bantay gubat is a resident and may not be reassigned or transferred outside of such geographical location, unless the exigencies of service demand his or her transfer or that he or she voluntarily requested his or her transfer. However, request for transfer or reassignment is not obligatory and may be denied on just and valid reasons or causes;

SECTION 8. Security of Tenure. - A bantay gubat shall enjoy security of tenure and shall not be terminated except for cause or causes provided by law and after due process: provided, that if a bantay gubat is found by the Civil Service Commission to be unjustly dismissed from work, he or she be entitled to reinstatement without loss of seniority rights and to his or her back wages with twelve percent (12%) interest computed from the time his or her compensation was withheld from his/her up to time of reinstatement;

SECTION 9. Discrimination. - A bantay gubat shall not be discriminated against on account of his or her gender, civil status, sexual orientation or preferences, creed, religious or political beliefs and ethnic groupings in the exercise of his or her profession. The same rule shall apply with regard to the selection process leading to the entry into the position of bantay gubat. Any violation by the offending party shall be punished with the administrative penalty of suspension or dismissal from service as the circumstances may warrant;

SECTION 10. Salary Grade and Additional Compensation. - the entry level position of a bantay gubat shall be salary grade 18. Except those deductions allowed and/or required under existing laws or expressly authorized in writing by the bantay gubat concerned, no deductions shall be made from his or her salary.

SECTION 11. Working Hours. - The normal hours of work of a bantay gubat shall not exceed (8) hours a day or forty (40) hours a week. Hours worked shall include: a) all the time during which a bantay gubat is required to be on active duty or to be at a prescribed workplace; and b) all the time during which a bantay gubat is suffered or permitted to work. Where the exigencies of the service so require, any bantay gubat may be required to render service beyond the normal eight (8) hours a day. In such a case, the bantay gubat shall be paid an additional compensation in accordance with existing laws and prevailing practices.

SECTION 12. Working During Rest Day. - Where a bantay gubat is made to work on his or her scheduled rest day, he or she shall be paid an additional compensation in accordance with existing laws. Where a bantay gubat is made to work on any special holiday, he or she be paid an additional compensation in accordance with existing laws. Where such holiday work falls on the bantay gubat's scheduled rest day, he or she shall be entitled to an additional compensation as may be provided by existing laws.

SECTION 13. Night-Shift Differential. – Every bantay gubat shall be paid a night-shift differential of ten percent (10%) of his or her regular wage for each hour of work performed from ten (10) o'clock in the evening to six (6) o'clock in the morning, on top of his or her regular overtime pay;

SECTION 14. Hazard Allowance. - Given the inherent hazards that a bantay gubat has to contend with doing his or her work in the field thereby exposing him or her to physical dangers such bantay gubat shall, by way of additional compensation, be entitled to and paid hazard allowance;

SECTION 15. Subsistence Allowance. - Bantay Gubat shall be entitled to full subsistence allowance of three (3) meals per day while in the field, travel time being counted as time in the field;

SECTION 16. Longevity Pay. – A monthly longevity pay equivalent to five percent (5%) of the monthly basic pay shall be paid to a bantay gubat for every five (5) years of continuous, efficient and meritorious services rendered as certified by the chief of the office concerned, commencing with the service after the approval of this Act.

SECTION 17. Transportation Allowance. - A bantay gubat shall be entitled to transportation allowance going to and from his place of assignment in furtherance of the performance of his or her duties and responsibilities;

SECTION 18. Medical Examination. - Compulsory medical examination shall be provided free of charge to all bantay gubat before entering the service in the Government or its subdivisions and shall be repeated once a year during their tenure of employment: provided, that where medical examination shows that medical treatment and /or hospitalization is necessary for those already in government service, the treatment and /or hospitalization including medicines shall be provided free either in a government or a private hospital by the DENR: provided, further, that the cost of such medical examination and treatment shall be included as automatic appropriation in said entity's annual budget;

SECTION 19. Compensation for Injuries. - Bantay gubat shall be protected against the consequences of employment injuries in accordance with existing laws. Injuries incurred while doing overtime work shall be presumed work-connected.

SECTION 20. Leave Benefits. – Bantay Gubat are entitled to such vacation and sick leaves as provided by existing laws and prevailing practices: provided, that women bantay gubat are entitled to such maternity leaves provided by existing laws and prevailing practices: provided, further, that upon separation of bantay gubat from service, they shall be entitled to all accumulated leave credits with pay.

SECTION 21. Highest Basic Salary Upon Retirement. - Three (3) months prior to his compulsory retirement, the bantay gubat shall automatically be granted one (1)

salary range of grade higher than his or her basic salary and his or her retirement benefit thereafter computed on the basis of his or her highest salary: provided, that he or she has reached the age and fulfilled service requirements under existing laws.

SECTION 22. Right to Self-Organization - Bantay Gubat shall have the right to freely form, join or assist organizations or unions for purposes not contrary to law in order to defend and protect their mutual interests and to obtain redress of their grievances through peaceful concerted activities. Any interference to or violation of this right shall be dealt with administratively and the offending party punished with either suspension or dismissal from service as the circumstances of the case may warrant;

SECTION 23. Prohibited Acts. - Bantay gubat shall have the right to enter, monitor, inspect, examine and evaluate all lands classified as forest or timber even if those lands are covered by valid and existing agreements with private individuals or corporations such as Forest Land Grazing Management Agreement, Special Land Use Agreement and similar other contracts. Toward this end, it shall be unlawful for any person or entity to prevent, interfere, obstruct, hinder, or delay without just, valid and legal cause the performance by the bantay gubat of his or her official functions, including refusal to give him or her entry into the forest land subject of the monitoring, inspection, examination or evaluation.

Any violation hereof shall cause the violator to be meted with the penalty of imprisonment ranging from ten (10) to fifteen (15) years and a fine not exceeding Five Hundred Thousand Pesos (P 500,000.00);

SECTION 24. Rules and Regulations. - The Secretary of the DENR shall formulate and prepare the necessary rules and regulations to implement the provisions of this Act. Rules and regulations issued pursuant to this Section shall take effect thirty (30) days after publication in a newspaper of general circulation;

SECTION 25. Prohibition Against Double Recovery of Benefits. - Whenever other laws provide for the same benefits covered by this Act, the bantay gubat shall have the option to choose which benefits will be paid to him or her. However, in the event that the benefits chosen are less than that provided under this Act, the bantay gubat shall be paid only the difference.

SECTION 26. Transitory Provision. - Individuals currently retained by the government as bantay gubat but do not meet the educational qualifications mentioned in Section 4 above shall be provided by the government through the DENR with free educational training in State Universities and Colleges (SUCs) for them to be able to acquire the necessary educational qualification provided under this Act.

Towards this end, these individuals shall be allowed educational leave for the duration of the term of their schoolings, provided that during semestral breaks, they should report back to work. For the duration of their educational leave, they shall be

entitled to receive the regular salaries and emoluments that they are receiving. They shall also be entitled to reasonable allowances to defray their expenses while in school such as board and lodging, food and transportation expenses. This provision shall be valid only for ten (10) years from the effectivity of this Act and shall automatically expire after such period.

SECTION 27. Appropriation. - The Secretary of the DENR shall, in the first opportunity following the effectivity of this Act, as well as in the subsequent years, include in the DENR's yearly budget submission to Congress the necessary budget estimates to fund in full the intents and purposes of this Act. Failure of the Secretary to do so shall be a cause for him to be punished criminally and administratively under pertinent laws;

SECTION 28. Separability Clause. - If any provision of this Act is declared invalid, the remainder of this Act or any provision not affected thereby shall remain in force and effect;

SECTION 29. Repealing Clause. - All laws, presidential decrees, executive orders and their implementing rules, inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 30. Effectivity. - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved.