

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5243



Introduced by **HON. BRIAN RAYMUND S. YAMSUAN**

AN ACT
INSTITUTIONALIZING THE GRANT OF VACATION SERVICE CREDITS TO
PUBLIC SCHOOL TEACHERS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The 1987 Constitution declares that the “State shall assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment.”¹

Consistent with this constitutional mandate, the legislature enacted Republic Act No. 4670 or The Magna Carta for Public School Teachers in 1966. This crucial law sought to improve the living and working conditions of teachers by, among others, limiting their working hours and providing for additional compensation for activities performed outside of the teachers’ normal duties.

Indeed, the workload of public school teachers has significantly expanded beyond classroom duties. The Department of Education’s (DepEd) 2018 Teacher Workload Balance Study found that teachers handle about 50 administrative and ancillary tasks more suited for administrative staff.² Many teachers also report frequently exceeding the eight-hour workday limit to complete their responsibilities.³ Additionally, the DepEd found that due to new technologies and approaches to teaching, teachers have been required to attend capacity-building training, seminars, and workshops beyond

¹ 1987 Constitution, Article XIV, Section 5.

² Second Congressional Commission on Education (2025). *Fixing the Foundations: A matter of national survival, EDCOM II year two report*. Congress of the Philippines.

³ *Id.*

the required eight-hour work day.⁴

In recognition of the administrative burdens and overwhelming workload of public school teachers, the DepEd has issued Department Orders on the grant of vacation service credit to teachers.⁵ In 2024, the DepEd doubled the allowable vacation service credits of teachers from 15 days to 30 days.⁶

To build on the momentum of these initiatives, this bill proposes to institutionalize the grant of vacation service credits to teachers for (1) teacher ancillary tasks and teaching-related assignments performed by teachers beyond the eight hours of work per day during school days; (2) services rendered for authorized activities conducted during weekends, non-working holidays, and long periods with no classes, including Christmas break and semestral breaks; and (3) teaching overload that is not compensated by teaching overload pay provided under RA No. 4670.

This measure acknowledges that teachers are not entitled to the usual vacation and sick leave credits, but only to proportional vacation pay based on the number of days which they have served during the school year.⁷ This bill thus aims to properly compensate the essential work that teachers do beyond their regular working hours. It is high time to institutionalize the grant of these vacation service credits by incorporating them in the Magna Carta for Public School Teachers.

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


BRIAN RAYMUND S. YAMSUAN
Representative
2nd District of Parañaque

⁴ Department of Education, Department Order No. 13, series of 2024.

⁵ *Id*

⁶ Marcelo, Elizabeth. DepEd doubles allowable vacation service credits of teachers. Philstar. Available at <https://www.philstar.com/nation/2024/09/28/2388464/deped-doubles-allowable-vacation-service-credits-teachers>.

⁷ Civil Service Commission, Memorandum Circular No. 9, series of 2012.

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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 “Vacation Service Credits for Teachers Act.”

SECTION 2. Declaration of Policy. – It is the policy of the State to promote the living and working conditions of public school teachers, recognizing their indispensable role in the advancement of education in the country. The State further acknowledges that public school teachers may be required to render services or join activities outside of actual classroom teaching and should therefore be properly compensated. Towards this end, the State shall provide vacation service credits to public school teachers as part of its commitment to their general welfare and professional dignity.

SECTION 3. – Section 2 of Republic Act No. 4670 is hereby amended as follows

Section 2. ~~Title-Definition~~ **COVERAGE.** This Act shall be known as the "Magna Carta for Public School Teachers" and shall apply to all public school teachers except those in the professorial staff of state colleges and universities.

~~As used in this Act, the term "teacher" shall mean all persons engaged in classroom teaching, in any level of instruction, on full-time basis, including guidance counselors, school librarians, industrial arts or vocational instructors, and all other persons performing supervisory and/or administrative functions in all schools, colleges and universities operated by~~

~~the Government or its political subdivisions; but shall not include school nurses, school physicians, school dentists, and other school employees.~~

SECTION 4. – There is hereby added Section 2-A of Republic Act No. 4670, which shall read follows:

SECTION 2-A. DEFINITION OF TERMS. AS USED IN THIS ACT, THE FOLLOWING TERMS ARE DEFINED AS FOLLOWS:

- (a) TEACHER - SHALL MEAN ALL PERSONS ENGAGED IN CLASSROOM TEACHING, IN ANY LEVEL OF INSTRUCTION, ON FULL-TIME BASIS, INCLUDING GUIDANCE COUNSELORS, SCHOOL LIBRARIANS, INDUSTRIAL ARTS OR VOCATIONAL INSTRUCTORS, AND ALL OTHER PERSONS PERFORMING SUPERVISORY AND/OR ADMINISTRATIVE FUNCTIONS IN ALL SCHOOLS, COLLEGES AND UNIVERSITIES OPERATED BY THE GOVERNMENT OR ITS POLITICAL SUBDIVISIONS; BUT SHALL NOT INCLUDE SCHOOL NURSES, SCHOOL PHYSICIANS, SCHOOL DENTISTS, AND OTHER SCHOOL EMPLOYEES.**
- (b) TEACHER ANCILLARY TASKS - REFER TO WORK INCIDENTAL TO THE TEACHERS' NORMAL TEACHING DUTIES, INCLUDING BUT NOT LIMITED TO CURRICULUM PLANNING, CURRICULUM DELIVERY AND PEDAGOGY, ASSESSMENT OF LEARNER'S PROGRESS, AND HOMEROOM GUIDANCE AND MANAGEMENT.**
- (c) TEACHING-RELATED ASSIGNMENTS - REFER TO TASKS RELATED TO TEACHING AND ACADEMIC LEARNING WHICH SUPPORT LEARNER DEVELOPMENT. THESE TASKS ARE PERFORMED BY TEACHERS IN CONSIDERATION OF THEIR PROFESSIONAL EXPERTISE AND EXPERIENCE.**
- (d) TEACHING OVERLOAD - REFERS TO THE ACTUAL CLASSROOM TEACHING IN EXCESS OF THE PRESCRIBED SIX (6) HOURS OF ACTUAL CLASSROOM TEACHING IN A DAY. THE TEACHING OVERLOAD SHALL NOT EXCEED TWO (2) HOURS A DAY OR TEN (10) HOURS A WEEK.**
- (e) VACATION SERVICE CREDITS (VSC) - REFER TO THE LEAVE CREDITS EARNED BY PUBLIC SCHOOL TEACHERS FOR SERVICES RENDERED DURING ACTIVITIES AUTHORIZED BY PROPER AUTHORITIES DURING WEEKENDS, NON-WORKING HOLIDAYS, AND LONG PERIODS WITH NO CLASSES (E.G., SEMESTRAL BREAKS, CHRISTMAS BREAK), TEACHING**

**ANCILLARY TASKS AND TEACHING-RELATED ASSIGNMENTS
BEYOND EIGHT HOURS A DAY DURING THE REGULAR SCHOOL
YEAR, AND TEACHING OVERLOAD.**

SECTION 4. – There is hereby added Section 14-A of Republic Act No. 4670, which shall read follows:

SECTION 14-A. GRANT OF VACATION SERVICE CREDITS. – THE FOLLOWING ACTIVITIES PERFORMED BY PUBLIC SCHOOL TEACHERS SHALL BE COMPENSATED THROUGH THE GRANT OF VSC:

- (a) TEACHER ANCILLARY TASKS AND TEACHING-RELATED ASSIGNMENTS PERFORMED BY TEACHERS BEYOND THE EIGHT HOURS OF WORK PER DAY DURING SCHOOL DAYS.**
- (b) SERVICES RENDERED DURING AUTHORIZED ACTIVITIES CONDUCTED DURING WEEKENDS, NON-WORKING HOLIDAYS, AND LONG PERIODS WITH NO CLASSES, INCLUDING CHRISTMAS BREAK AND SEMESTRAL BREAKS.**
- (c) TEACHING OVERLOAD THAT IS NOT COMPENSATED BY TEACHING OVERLOAD PAY PROVIDED UNDER SECTION 13 OF REPUBLIC ACT NO. 4670.**

ONE HOUR OF SERVICE RENDERED FOR THE ABOVE-LISTED ACTIVITIES SHALL BE EQUIVALENT TO NOT LESS THAN 1.25 HOURS OF VSC. THE NUMBER OF DAYS OF VSC GRANTED TO TEACHERS SHALL NOT BE MORE THAN 30 DAYS FOR ONE CALENDAR YEAR, EXCLUSIVE OF THE NUMBER OF DAYS OF CONVERTED TEACHING OVERLOAD DUE TO INSUFFICIENCY OF FUNDS.

ACCUMULATED VSC SHALL BE USED TO OFFSET ABSENCES OF A TEACHER DUE TO ILLNESS, OR TO OFFSET PROPORTIONAL DEDUCTION IN THE VACATION SALARY DUE TO ABSENCES FOR PERSONAL REASONS, OR LATE APPOINTMENT FOR THE COMPUTATION OF PROPORTIONAL VACATION PAY.

THE UNUSED ACCRUED VSC ARE CONVERTIBLE TO THEIR MONETARY EQUIVALENT AT THE END OF THE YEAR.

SECTION 5. Implementing Rules and Regulations. – The Department of Education (DepEd), in consultation with the Civil Service Commission and Department of Budget

and Management, shall promulgate the implementing rules and regulations (IRR) within ninety (90) days from the effectivity of this Act. The non-issuance of the IRR shall not hinder the implementation of this Act.

SECTION 6. Appropriations. – The amount necessary for the implementation of this Act shall be charged against the appropriations of the DepEd in the year following its enactment into law. Thereafter, sums necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SECTION 7. Separability Clause. - Should any provision of this Act be declared unconstitutional, the remaining parts not affected thereby shall remain valid and operational.

SECTION 8. Repealing Clause. — All laws, decrees, orders, circulars, issuances, rules and regulations and parts thereof which are inconsistent with this act are hereby repealed, amended or modified accordingly.

SECTION 9. Effectivity. — This act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two (2) newspapers of general circulation in the Philippines.

Approved,