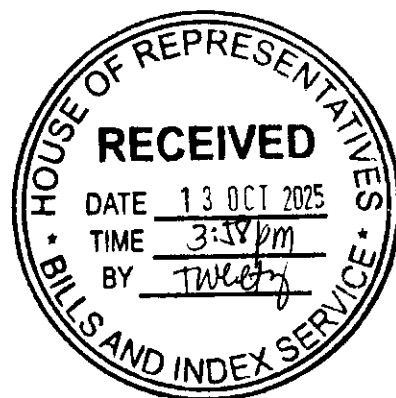




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



TWENTIETH CONGRESS

First Regular Session

House Bill No. **5537**

Introduced by REPRESENTATIVE GERALD CLOYD ALEXIS V. GALANG

EXPLANATORY NOTE

Motorcycles-for-hire as a mode of transportation and delivery transport services as a convenient mode of delivery has been embedded in everyday life of Filipinos. Currently, delivery riders in the Philippines number around 85,000, and in Metro Manila alone, there are 22,000 delivery riders according to the Land Transportation Franchising and Regulatory Board (LTFRB).

Unfortunately, delivery riders and motorcycle-for-hire bikers earn a compensation below minimum wage with take-home pay of P460, according to a 2022 report by the Oxford Internet Institute and the WZB Berlin Social Science Center's research project Fairwork. Riders pay for operational costs such as fuel, maintenance, and internet. Rider's income is also at risk of being further reduced by medical costs should they get into an accident. In 2022, there were 31,124 reported motorcycle-related accidents recorded by the Metro Manila Development Authority. Without comprehensive insurance policy, riders receive only a medical reimbursement after the medical costs are already paid by the rider.

The delivery rider and biker sector's employment status is also in limbo. Grab refers to their delivery riders as "partners" instead of employees. Similar arrangements are made on other online platforms that refer to their riders as independent contractors or freelance businesses. Since riders lack formal recognition as employees, platforms deny the responsibility to give them basic employment rights such as job security, state-mandated social benefits and union representation.

Thus in accordance with the Constitutional mandate of the government to afford protection to labor, promote full employment, and regulate the relations between workers and employers, this bill seeks to empower the members of the delivery rider and biker sector by providing them the much-needed social protection programs guaranteed under the Constitution. May this piece of legislation grant legitimacy to a dignified line of work often overlooked.

It is for this purpose that the urgent passage of this measure is sought.


GERALD GALANG
2nd Legislative District, City of Valenzuela



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Introduced by **REPRESENTATIVE GERALD CLOYD ALEXIS V. GALANG**

**AN ACT PROVIDING FOR A MAGNA CARTA OF DELIVERY RIDERS AND
BIKERS AND FOR OTHER PURPOSES**

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 of Delivery
Riders and Bikers.*”

Sec. 2. Declaration of Policy. — It is the policy of the State to afford protection to
labor, promote full employment, and regulate the relations between workers and employers.
Towards this end, the State shall uplift the life and promote the interest of the members of the
delivery rider and biker sector by recognizing and protecting their rights and their contributions
to the national development.

To achieve this, the State shall provide adequate social protection and mechanisms that
will ensure the maximization of their potential and economic advancement.

Sec. 3. Definition of Terms. —

- a. **Biker** refers to the driver of a bicycle or motorcycle-for-hire.
- b. **Delivery Rider** refers to a person who transports goods, food, or packages from
point of origin to a designated destination, typically using a vehicle like a
bicycle, motorcycle, car, or truck.
- c. **Delivery rider and biker sector** refers to the sector consisting of drivers,
operators and owners of bicycle, motorcycle, car, or truck-for-hire.
- d. **Digital platform** refers to information and communications technology-enabled
mechanisms that connect and integrate producers and users in online
environments where goods and services are requested, developed, and sold, and
data is generated and exchanged.
- e. **Certificate of Public Convenience or CPC** refers to the authority issued by the
Land Transportation Franchising and Regulatory Board (LTFRB) to Motorcycle,
Car or Truck Operators in order that they may authorize bikers and riders to
operate motorcycles, cars, or trucks-for-hire.
- f. **Customer or user** refers to a natural person requesting for services of a bicycle,
motorcycle, car, or truck-for-hire on a digital platform or through other means.

- g. **Passenger** refers to a natural person being transported from point to point by a biker using a motorcycle or car-for-hire.

Sec. 4. Scope of Application. — This Act shall apply to all aspects of the operation of bicycles, motorcycles, cars or trucks-for-hire used as a common carrier for the transportation of passengers and goods.

Sec. 5. Recognition of Delivery Riders and Bikers as Regular Employees. - The operation of delivery riders and bikers shall be recognized as activities which are usually necessary or desirable in the usual business or trade of employers engaged in the transportation and delivery services. As such, the provisions of the Labor Code of the Philippines, particularly on general labor standards and occupational safety and health standards shall apply to work arrangements under this Act. Other provisions of other pertinent laws, rules, and regulations on regular employment shall also be observed.

Sec. 6. Rights of Members of the Delivery Rider and Biker Sector. - Members of the delivery rider and biker sector shall have and enjoy the following rights:

- a. Self-organization to collectively negotiate with government and other entities in the promotion of their welfare and advancement of their interests free from any political interference or favor;
- b. Informed participation in policy-making processes relevant to the concerns of their sector through legitimate organizations;
- c. Safe working conditions and access to medical care services;
- d. Freedom from discrimination, violence, exploitation, or harassment.

Sec. 7. Membership in the Social Security System (SSS), Philippine Health Insurance Corporation (PhilHealth), and Home Development Mutual Fund (HDMF or Pag-IBIG). The SSS, PhilHealth, and Pag-IBIG shall ensure the inclusion of the members of the delivery rider and biker sector to their respective corporations. They shall also ensure that members of the delivery rider and biker sector are informed of the benefits that they are entitled to as members of the SSS, PhilHealth and Pag-IBIG.

Sec. 8. Government Support to members of the Delivery Rider and Biker sector. Concerned government agencies, government financial institutions and other government institutions shall include plans, programs, projects and activities that are supportive of the concerns of the members of the delivery rider and biker sector.

Sec. 9. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, DOTr, including the LTFRB, LTO, DICT, DOLE, and other concerned agencies shall promulgate the necessary rules and regulations for the effective implementation of this Act.

Sec. 10. Appropriations. – The amount necessary to carry out the provision of this Act shall be included in the General Appropriation Act of the year following its enactment into law and thereafter.

Sec. 11. Repealing Clause. – All laws, presidential decrees, issuances, executive orders, letters of instruction, rules or regulations, or parts thereof inconsistent with or contrary to the provisions of this Act are repealed, amended or modified accordingly.

Sec. 12. Separability Clause. – If any part or provision of this Act shall be held to be unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

Sec. 13. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,