

NINETEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
*First Regular Session* )

SENATE  
S. No. 48



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**Introduced by SENATOR JINGGOY EJERCITO ESTRADA**

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**AN ACT  
REGULATING THE COMPENSATION OF PUBLIC UTILITY BUS DRIVERS AND  
CONDUCTORS BY REQUIRING BUS OPERATORS TO PAY THEM FIXED  
MONTHLY SALARIES AND PROVIDING PENALTIES FOR VIOLATIONS  
THEREOF**

**EXPLANATORY NOTE**

It has been almost normal to hear media reports of traffic jams and vehicular accidents involving buses. We often hear of provincial buses plunging into cliffs or crashing into poles. Many accidents involve competing buses, each trying to outdo each other in getting more passengers. Sometimes, the accidents are caused by tired and sleepy drivers who are forced to work for more than 16 hours a day.

Poor working conditions and unfair boundary or commission-based systems are at the root of these accidents. Drivers and conductors are pushed to compete with other buses to get more passengers. They are often forced to work graveyard shifts, with some driving for almost 20 hours a day.

Majority of Metro Manila bus lines gives drivers a commission of nine percent (9%) from the gross collection while conductors receive seven percent (7%). Thus bus owners or operators are the ones who set the commission rate for drivers and conductors. Not meeting the quota for the day would deprive them of the coveted bonus or worse, half of the cost of gasoline will be deducted from their collections and their commission would be computed based on the remaining amount. At present,

most bus drivers and conductors work three to five days a week, eight hours or more a day while relievers work less than three days a week. They work less than five days a week but almost without rest to the detriment of the passengers.

The National Wages and Productivity Commission issued NWPC Guidelines No. 01, Series of 2019 regarding "Revised Operational Guidelines on the Adoption of Part Fixed, Part Performance-Based Compensation Scheme in the Public Bus Transport Industry" which covers all public utility bus owners and/or operators employing drivers and conductors.

This bill seeks to legislate the regulation of the compensation of public utility bus (PUB) drivers by requiring the operators of PUBs to grant fixed salaries as well as fixed working hours. A simple computation will show that drivers currently earning P900 a day and working more than 12 hours a day for three days a week will receive almost the same income based on the minimum wage for working eight hours a day for six days a week. The difference is that under this proposed act, drivers will get enough rest while operators will spend almost the same amount for salaries.

With the assurance of fixed salaries on a regular basis, PUB drivers and conductors will no longer be pressured to compete or be forced to work beyond humane working hours. Serious accidents and traffic problems involving those buses will therefore be significantly lessened.

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

  
**JINGGOY EJERCITO ESTRADA**

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**THEREOF**

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

1           Section 1. *Short Title.* – This Act shall be known as the “*Bus Drivers and*  
2 *Conductors Compensation Act*”.

3           Sec. 2. *Declaration of Policy.* – It is hereby declared policy of the State to grant  
4 just and humane working conditions for bus drivers and conductors as well as secure  
5 and safeguard and safeguard citizens from risks of vehicular accidents and traffic  
6 problems caused by competing and overworked bus drivers. Towards this end, the  
7 State shall regulate the compensation of public utility bus (PUB) drivers by requiring  
8 bus owners or operators to pay them fixed monthly salaries.

9           Sec. 3. *Coverage.* – All persons who have been issued a Certificate of Public  
10 Convenience (CPC) to operate a public utility bus service shall pay their PUB drivers  
11 and conductors as compensation for work performed a fixed monthly salary which  
12 shall not be less than the minimum wage fixed by law, plus benefits and incentives.

13           Sec. 4. *Driver and Conductor Qualifications and Standards.* – All operators of  
14 public utility bus service shall comply with the driver and conductor qualifications and  
15 standards which shall be established by the Land Transportation Franchising and

1 Regulatory Board (LTFRB) in order to ensure the employment of qualified and  
2 experienced drivers and conductors.

3       Sec. 5. *Driving Hours.* – All operators of public utility bus service shall  
4 require their drivers to observe the following work scheme:

- 5       a. The driving hours shall not exceed eight (8) hours inclusive of the rest  
6       period;
- 7       b. A two-shift system shall be employed; and
- 8       c. There should be at least one (1) hour rest per working day.

9       Sec. 6. *Daily Time Record or Trip Report Monitoring System.* – All PUB  
10 operators shall require their drivers to submit daily time records or trip reports in order  
11 to monitor the number of trips made and the number of driving hours worked. A copy  
12 of the summary of daily time record or trip report shall be submitted to the LTFRB as  
13 a requirement for the annual renewal of registration of the PUB.

14       Sec. 7. *Payment of Monthly Salary.* – The monthly salary of PUB drivers and  
15 conductors shall not be less than the minimum wage fixed by law. Salaries shall be  
16 paid in cash at least once every two (2) weeks and shall be paid directly to the PUB  
17 drivers and conductors. Benefits and incentives as stipulated in the Labor Code and  
18 related laws, and/or in collective bargaining agreements, shall also be accorded to  
19 drivers and conductors.

20       Sec. 8. *Status of Employment.* – Years of employment shall be accounted for  
21 upon the change in schemes and contracts.

22       Sec. 9. *Penalties.* – For any violation of this Act, the operator of any public  
23 utility bus service shall be fined not less than One Hundred Thousand Pesos  
24 (P100,000.00) but not more than Two Hundred Thousand Pesos (P200,000.00) and  
25 suspension of the franchise to operate. Provided, that the suspension of the franchise  
26 to operate shall only be until such time that the operators has complied and paid the  
27 drivers and conductors of their back wages and appropriate benefits.

28       Sec. 10. *Implementing Rules and Regulations.* – The Chairman of the Land  
29 Transportation Franchising and Regulatory Board (LTFRB) shall, in coordination with  
30 the Secretary of Labor and Employment, issue the necessary rules and regulations for  
31 the effective implementation of this Act.

1           Sec. 11. *Repealing Clause.* – All laws, presidential decrees, executive orders,  
2 rules and regulations, and other issuances inconsistent with the provisions of this Act  
3 are hereby repealed or modified accordingly.

4           Sec. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
5 complete publication in the Official Gazette or in at least two (2) newspapers of  
6 national circulation.

*Approved,*