

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



'22 JUL 11 P6:31

SENATE
S. No. 280

RECEIVED

Introduced by SENATOR JINGGOY EJERCITO ESTRADA

**AN ACT
PROVIDING FOR ADDITIONAL BENEFITS AND PROTECTION TO PUBLIC
UTILITY VEHICLE DRIVERS THROUGH THE IMPLEMENTATION OF A
COMPREHENSIVE ASSISTANCE PROGRAM**

EXPLANATORY NOTE

Section 9, Article II of the 1987 Constitution states that, "*The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living and an improved quality of life for all.*" Further, Section 18 of Article II also states that, "*The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.*"

The transport sector, particularly the Public Utility Vehicle (PUV) drivers continues to be one of the most neglected sectors in the country. For instance, most bus drivers and conductors plying in Metro Manila do not have basic daily wages and do not have an eight-hour working day. In fact, most of these drivers earn on a commission basis while some earn from a "boundary" scheme which only aggravates their poor working conditions.

This measure seeks to provide additional benefits and protection to all PUV drivers to raise the standard of living of drivers and their families. As such, PUV drivers shall be covered in the Social Security System, the Philippine Health

Insurance Corporation, the Home Development Mutual Fund and the Employees Compensation Commission. Livelihood and credit assistance will also be available to help augment their family income. PUV drivers will also be required to undergo continuing safety education and skills development training to enhance driving competencies and road safety rules.

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



JINGGOY EJERCITO ESTRADA

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*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 "*Comprehensive*
2 *Assistance Program for Public Utility Vehicle Drivers Act*".

3 Sec. 2. *Declaration of Policy.* – It is the policy of the State to affirm labor as a
4 primary social force. It shall protect the rights of workers and promote their welfare.

5 Sec. 3. *Coverage.* – Public Utility Vehicle (PUV) drivers are hereby included in
6 the coverage of Presidential Decree No. 442, otherwise known as the Labor Code of
7 the Philippines.

8 Sec. 4. *Additional Benefits.* – All PUV drivers shall be covered by the Social
9 Security System (SSS), the Philippine Health Insurance Corporation (PHILHEALTH),
10 the Home Development Mutual Fund or PAG-IBIG and Employees Compensation
11 Commission (ECC) in accordance with the guidelines and be entitled to all benefits
12 provided by law.

13 The PUV operators are hereby mandated to pay the equivalent amount of the
14 monthly contribution paid for by the PUV drivers.

15 Sec. 5. *Livelihood and Credit Assistance.* - The Office of the Transport
16 Cooperative under the Land Transportation Office, in coordination with the
17 Cooperative Development Authority and other concerned agencies shall be tasked to

1 formulate and implement a comprehensive Livelihood and Credit Assistance Program
2 for all PUV drivers to improve their socio-economic condition.

3 *Sec. 6. Continuing Safety Education and Skills Development Training.* – The
4 Technical Education and Skills Development Authority (TESDA), in coordination with
5 the Department of Transportation (DOTr) shall undertake a Continuous Education
6 and Skills Development Training Program for PUV drivers to enhance their basic and
7 advanced driving competencies, maintenance procedures, driving preparation and
8 post-driving procedure, road safety rules and accident response procedure.

9 All PUV drivers shall be required to undergo safety re-training every two years
10 as a prerequisite in the renewal of driver's license.

11 *Sec. 7. Appropriation.* - Such sums as may be necessary for the initial
12 implementation of this Act shall be taken from the current appropriations of the
13 agency concerned. Thereafter, the fund to carry out the provisions of this Act shall
14 be included in the annual General Appropriations Act (GAA).

15 *Sec. 8. Penalties.* – Failure of the PUV corporations and/or operators,
16 including the President, Chief Operating Officer and the Board of Directors, to
17 comply with the provisions, shall subject them to imprisonment of not less than six
18 (6) months nor more than one (1) year or a fine of not less than Fifty thousand
19 pesos (P50,000.00) not more than One hundred thousand pesos (P100,000.00)
20 without prejudice to any civil or administrative liability which may also arise
21 therefrom.

22 *Sec. 9. Implementing Rules and Regulations.* – The Department of
23 Transportation (DOTr) and the Department of Labor and Employment (DOLE), in
24 collaboration with other government agencies charged with the implementation of
25 the provisions of this Act shall, within a period of thirty days (30) days from the date
26 of the effectivity of this Act, promulgate the necessary implementing rules and
27 regulations.

28 *Sec. 10. Separability Clause.* – If any provision, or part hereof, is held invalid
29 or unconstitutional, the remainder of the law or the provision not otherwise affected
30 shall remain valid and subsisting.

31 *Sec. 11. Repealing Clause.* – Any law, presidential decree or issuance,
32 executive order, letter of instruction, administrative order, rule or regulation contrary

1 to or inconsistent with, the provisions of this Act is hereby repealed, modified, or
2 amended accordingly.

3 *Sec. 12. Effectivity Clause.* – This Act shall take effect fifteen (15) days after
4 its publication in at least two (2) newspapers of general circulation.

Approved,