

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



'22 AUG -8 P 1 :32

SENATE

S. No. 1084

RECEIVED BY: _____

Introduced by Senator Jinggoy Ejercito Estrada


**AN ACT
PROVIDING FOR A MAGNA CARTA OF AGRICULTURAL DEVELOPMENT
WORKERS**

EXPLANATORY NOTE

The Filipino farmers and the agricultural development workers are the key players in the agricultural sector, which require government support and assistance. In particular, the agricultural development workers (agriculturists, veterinarians, technologists and other agricultural engineers, aquaculturists extension workers, home extentionists, nutritionists, agricultural technologists and other agricultural technicians) provide the service in the countryside necessary for modernizing Philippine agriculture.

At present, the weak and fragmented agricultural service delivery operating within the Department of Agriculture (DA) and the Local Government Units (LGU) hampers the implementation of government agricultural development programs. One of the causes of this problem is that the LGUs are financially constrained to hire the needed agricultural development workers and provide them with the necessary support. It is also unfortunate that the Local Government Code of 1991 makes the agricultural positions in the municipal and city levels optional and not mandatory. Moreover, the position of Municipal, City, Provincial Agricultural Engineer and Provincial Fishery Officer were not even created although these services are essential in accelerating agricultural modernization.

Furthermore, agricultural development workers in the government deserve appropriate position titles, adequate remuneration and other incentives to ensure the responsive and effective delivery of services to the agricultural and fisheries sector. The bill seeks to address these concerns. Hence, passage of this bill is earnestly sought.



JINGGOY EJERCITO ESTRADA



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**AN ACT
PROVIDING FOR A MAGNA CARTA OF AGRICULTURAL DEVELOPMENT
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 Section 1. *Short Title.* - This Act shall be known as the "*Magna Carta of*
2 *Agricultural Development Workers*".

3 Sec. 2. *Declaration of Policy.* - It is hereby declared a policy of the State to
4 accelerate the development and modernization of Philippine agriculture and improve
5 economic and social well-being of agricultural development workers as well as their
6 working conditions and employment status. The State shall likewise develop their
7 skills, knowledge, orientation and capabilities so that they will be more responsive and
8 effective in providing the necessary services for countryside development.

9 Sec. 3. *Definition of Terms.* - As used in this Act, the following terms shall be
10 defined as follows:

11 a) *Agricultural Development Workers.* - shall mean all persons who are
12 engaged in agricultural development activities, and all persons employed
13 in the Department of Agriculture (DA) including its bureaus and attached
14 agencies. Local government units (LGUs) and concerned government
15 and private institutions, and shall include aquaculturists, veterinarians,
16 agricultural engineers, nutritionists, agricultural extension workers,

1 agricultural technicians and operators, allied agricultural professionals,
2 administrative and support personnel employed regardless of their
3 employment status.

4 b) *Agriculturist* - shall refer to a person who is a graduate of a four (4) year
5 course in agriculture or any related course performing any of the
6 specialized activities such as agronomy, horticulture, animal
7 husbandry, entomology, plant pathology, plant-breeding, agricultural
8 economics, agricultural extension and marketing.

9 c) *Veterinarian* - shall refer to a person registered with the Professional
10 Regulatory Commission (PRC) performing professional activities on
11 veterinary services such as disease prevention control, animal health
12 care, etc.

13 d) *Agricultural Engineer* - shall refer to a person registered with the PRC
14 performing engineering activities in agriculture, particularly in area of
15 farm power and machinery, irrigation and drainage, soil and water
16 conservation, agricultural buildings and infrastructure, agricultural
17 processing and post-harvest facilities.

18 e) *Aquaculturist* - shall refer to a person who is a graduate of a four (4)
19 year course in fishery and aquaculture and fishery and processing.

20 f) *Nutritionist* - shall refer to a person registered with the professional
21 Regulation Commission performing activities related to dietary and
22 proper nutrition.

23 g) *Agricultural Technician* - shall refer to a trained or skilled agricultural
24 worker but not necessarily a college graduate, performing activities such
25 as plant nursery propagator, plant breeder, farm mechanics, etc.

26 h) *Agricultural Extension Worker* - shall refer to an agriculturist,
27 veterinarian, agricultural engineer, aquaculturist or home extensionist
28 who helps farmers and fishermen in the promotion of agricultural and
29 fishery development plan, programs and projects through the use
30 of extension methodologies, concepts and principles.

1 **ARTICLE II**

2 **AGRICULTURAL SERVICES CAREER DEVELOPMENT**

3 *Sec. 4. Professionalization of Agricultural Services.* - The State shall support the
4 development and professionalization of agricultural services by providing the
5 necessary compensation and benefits to various agricultural development workers
6 based on their duties, responsibilities and qualifications. For this purpose, the Civil
7 Service Commission (CSC) in coordination with the Department of Agriculture (DA),
8 Department of Interior and Local Government (DILG) and the recognized national
9 associations of agricultural development workers shall review the existing functions,
10 responsibilities, position titles and qualifications of the agricultural development
11 workers employed at the DA, local government units (LGUs) and concerned
12 government agencies, and match them with appropriate position titles and
13 compensation: *Provided,* That the following benchmark position titles of and
14 agricultural development workers with corresponding salary grades shall be used.

15	Position	Salary Grade
16	Agricultural Technician I	10
17	Agriculturist I	12
18	Aquaculturist I	12
19	Agricultural Engineer I	13
20	Nutritionist I	12
21	Veterinarian I	13
22	Agricultural Technologist	13
23	City Agricultural Engineer	24
24	City ,Veterinarian	24
25	City Agriculturist	24
26	City Fishery Officer	24
27	Municipal Agriculturist	24
28	Municipal Veterinarian	24
29	Municipal Agricultural Engineer	24
30	Municipal Fishery Officer	24
31	Provincial Agricultural Engineer	26
32	Provincial Agriculturist	26

1	Provincial veterinarian	26
2	Provincial Fisher Officer	26

3 *Sec. 5. Mandatory Positions of Agricultural Development* - The creation of the
4 following positions is hereby made mandatory in addition to the prescribed positions
5 under the Local Government Code of 1991:

- 6 a) Provincial Agricultural Engineer
- 7 b) Provincial Agriculturist
- 8 c) City Agriculturist
- 9 d) City Agricultural Engineer
- 10 e) City Veterinarian
- 11 f) City Fishery and Aquacultural Officer
- 12 g) Municipal Agriculturist
- 13 h) Municipal Agricultural Engineer
- 14 i) Municipal Veterinarian
- 15 j) Municipal Fishery and Aquacultural Officer

16 *Provided,* That in the case of fourth (4th) class LGUs, financial subsidy shall be
17 provided by the National Government for the personnel services needed in the hiring
18 of the above mentioned mandatory positions: *Provided, further,* That the funding
19 requirement shall be incorporated in the subsequent annual appropriations of the DA.

20 *Sec. 6. Recruitment and Qualifications.-* The selection and appointment of
21 agricultural development workers shall be in accordance with the merit and fitness
22 principles: *Provided,* That he/she has the appropriate civil eligibility and/or
23 professional license, educational qualification, skills and experiences.

24 *Sec. 7. Performance Evaluation and Merit Promotion.* - The Secretary of
25 Agriculture, upon consultation with the CSC and the recognized national associations
26 of agricultural development workers shall prepare a uniform career and personnel
27 development plan applicable to all agricultural development workers. Such career and
28 personnel development plan shall include provisions on merit promotion, performance
29 evaluation, and in service training grants, job rotation and incentive awards system.

30 *Sec. 8. Transfer or Geographical Reassignment of Agricultural Officers and*
31 *Employees.* - No transfer of geographical reassignment shall be made or effected
32 without a written notice to the agricultural development workers concerned stating

1 therein the reasons the reasons: *Provided*, That the said written notice shall be made
2 thirty (30) days prior to the date of transfer or reassignment: *Provided, further*, That
3 if the employees concerned disagrees with the order of transfer or reassignment,
4 he/she may appeal said order with the CSC or the Department of Labor and
5 Employment (DOLE), as the case shall be held in abeyance: *Provided, furthermore*,
6 That no transfer and/or reassignment whatsoever shall be made three (3) months
7 prior to any local or national elections: *Provided, finally*, That the necessary expenses
8 of the transfer and/or reassignment of the agricultural worker or employee and his/her
9 immediate family shall be paid by the Government.

10 Sec. 9. *Security of Tenure.* – An agricultural worker holding a permanent
11 position shall not be terminated except for cause: *Provided*, That in the event the
12 agricultural development worker is found to be unjustly dismissed by the CSC, he/she
13 shall be entitled to reinstatement without loss of seniority rights and back wages with
14 twenty percent (20%) interest to be computed from the time compensation is withheld
15 up to reinstatement.

16 However, if the agricultural worker does not desire to be reinstated, he/she
17 shall be entitled to back wages and separation pay with twenty percent (20%) interest.

18 Sec. 10. *Discrimination Prohibited.* – An agricultural worker shall not be
19 discriminated by reason of creed, sex, political belief, civil status, and ethnic grouping
20 in the exercise of his/her profession.

21 Sec. 11. *No Understaffing and/or Overloading of Agricultural Workers.* – There
22 shall be no understaffing and/or overloading of agricultural workers. The ratio of staff
23 to clientele shall be such as to reasonably effect a sustained quality of agricultural
24 service at all times without overworking and agricultural development workers and
25 over-extending their services.

26 Only qualified professional and eligible agricultural workers shall occupy the
27 agriculturist and other agriculture-related positions in all government agricultural
28 agencies and institutions and/or government-owned and controlled corporations;
29 Provided, that the government shall allocate the necessary funds for the hiring of
30 additional agricultural development workers in cases of over loading of personnel in
31 specific areas of assignment.

1 Sec. 12. *Safeguards in Administrative Proceedings.* – In every administrative
2 proceeding, an agricultural worker shall have:

- 3 a) The right to be informed of the charges;
- 4 b) The right to full access to evidence against him/her;
- 5 c) The right to defend himself/herself through counsel of his/her choice;
- 6 d) The right to be given adequate time to prepare his/her case, which shall
7 in no case exceed twenty (20) days;
- 8 e) The right to appeal to designated authorities;
- 9 f) The right to cross-examine witnesses and to process for the production
10 of witnesses;
- 11 g) The right to reimbursement for reasonable expenses incurred in his/her
12 defense in case of exoneration or dismissal of the charges; and
- 13 h) Such other rights provided by other national agencies and LGUs to their
14 respective officers and employees to ensure fairness and impartiality in
15 prosecution.

16 Sec. 13. *Code of Conduct.* – All agricultural workers must be guided by a code
17 of ethics not contrary to law, morals, safety, health, public policy and public order.
18 The code of conduct of agricultural workers shall be prepared by the Secretary of DA
19 in consultation with the recognized national associations of agricultural development
20 workers.

21 Sec. 14. *Normal Hours of Work.* – The normal hours of work of an agricultural
22 worker shall not exceed eight (8) hours a day of forty (40) hours a week. Hours of
23 work shall include:

- 24 a) the time the agricultural worker is required to be in active duty or to be
25 at a prescribe workplace;
- 26 b) the time which an agricultural worker is permitted to work;
- 27 c) the time, which an agricultural worker is required to work in place than,
28 prescribed workplace.

29 Sec. 15. *Overtime Work* -Where the exigencies of the service so require, any
30 agricultural development worker, whether in government or non- government service,
31 may be required to render service beyond normal eight (8) hours a day, inclusive of
32 Saturdays and Sundays and non- working holidays. In such, cases, the agricultural

- 1 c) Performance Bonus – form of remuneration given to agricultural development
- 2 workers for performance that exceeds established targets; and,
- 3 d) Other incentives that the DA and LGU may establish.

4 Sec. 20. *Other Compensation and Benefits.* - All agricultural development

5 workers shall be entitled to the following additional compensation and benefits:

6 a) *Representation Allowance and Travelling Allowance* - All Provincial / City

7 /Municipal Agriculturists, Veterinarians, Agricultural Engineers, and Fishery

8 Officers shall be entitled to Representation Allowance and Travelling Allowance

9 (RATA) equivalent to the Department Heads of the LGUs.

10 b) *Hazard Allowance* - All agricultural development workers assigned in difficult

11 areas, strife-torn or embattled areas, distressed or isolated stations,

12 animal/plant/fisher breeding stations, plant nurseries, plantations and

13 demonstration farms, laboratories specifically those handling x-ray,

14 radioisotopes, chemicals, etc. , sea- bored patrols, construction and installation

15 of agricultural infrastructure projects, and other areas declared under a state

16 of calamity *or* emergency which exposes them to great danger, occupational

17 risks of perils of life shall be compensated with hazard allowance equivalent to

18 at least twenty percent (20%) of the monthly basic salary.

19 c) *Subsistence Allowance* - All agricultural development workers who are required

20 to a render services in the communities, institutions, animal and plant breeding

21 nurseries, plantations and demonstration farms and other banner programs and

22 projects of the DA in order to make their services available at all times shall be

23 entitled to full daily subsistence allowance of three (3) meats, which shall be

24 computed in accordance with the prevailing circumstances.

25 d) *Longevity Pay* - A longevity pay equivalent to five percent (5%) of the monthly

26 basic pay equivalent to five percent (5%) of the monthly basic pay shall be paid

27 to an agricultural worker for every three (3) years of continuous efficient and

28 meritorious services rendered.

29 e) *Clothing Allowance* - All agricultural development workers shall be entitled to a

30 clothing allowance in accordance with the approved laws and regulations or as

31 mandated by law.

- 1 f) *Housing* - All agricultural development workers who are on tour of duty and
2 those who, because of unavoidable circumstances, are forced to stay in the
3 institution or community with living quarters for free: *Provided*, That if such
4 living quarters are not available; the workers shall housing allowance: *Provided*,
5 *further*, That said allowance shall be reviewed periodically and adjusted for
6 inflation.
- 7 g) *Compensation for injuries* - Agricultural development workers shall be protected
8 against work- related injuries in accordance with the Labor Code as the case
9 may be.
- 10 h) *On- Call Pay* - In cases of "on-call" status, the agricultural development worker
11 shall be entitled to an On- Call" pay equivalent to fifty percent (50%) of higher
12 regular wage. "On- Call" status refers to a condition When agricultural office or
13 employee is called upon to respond to an urgent or immediate need or relief
14 work during emergencies such that the agricultural worker cannot utilize his/her
15 time for personal need: *Provided*, That no agricultural worker shall be placed
16 in an "On-Call" Status beyond seven (7) days.
- 17 i) *Motor and Vehicle Loan* -All agricultural development workers shall be entitled
18 to avail of the motor and vehicle loan of the Department of Agriculture. The
19 government shall provide adequate budgetary support for this purpose.

20 **ARTICLE IV**

21 **MISCELLANEOUS PROVISIONS**

22 **Sec. 21. *Right to Join an Organization.*** - Agricultural development workers shall
23 have the right to freely join organizations or unions for purposes not contrary to law,
24 in order to protect their mutual interests and to seek redress of grievance through
25 peaceful activities.

26 **Sec. 22. *Freedom from interference or Coercion.*** - It shall be unlawful for a
27 person to commit any of the following acts of interference or coercion:

- 28 a) to require a condition of employment that the agricultural development worker
29 shall join an organization or union;
- 30 b) to discriminate in order to encourage or discourage membership in any
31 agricultural development workers organization or union;

- 1 c) to prevent an agricultural development worker from carrying out his/her duties
- 2 and functions in his/her organization or union or to penalize him/her for any
- 3 lawful action performed in that capacity;
- 4 d) to harass or intimidate an agricultural development worker or prevent him/her
- 5 for performing duties and functions; and,
- 6 e) to perform acts that will dismiss the independence and freedom of the union
- 7 or organization to direct its own affairs.

8 *Sec. 23. Consultation.* - The DA shall consult professional and agricultural
9 workers organization or unions in formulating policies to govern the welfare and
10 security of the agricultural development workers.

11 *Sec. 24. Human Resources Development.* - The government and non-
12 government agencies shall conduct human resource development and management
13 study in the following areas:

- 14 a) Types and amount of facilities and resources to render quality agricultural
- 15 service to the clientele;
- 16 b) Venue and opportunities for the agricultural development workers to grow and
- 17 develop their potentials and develop a sense of self-worth and dignity in their
- 18 work;
- 19 c) Mechanism for democratic consultation;
- 20 d) Ways and means of giving rank-and-file agricultural development workers
- 21 viable opportunities for education, personal growth and development; and,
- 22 e) Staffing patterns and standards of welfare for agricultural development workers
- 23 welfare to ensure that they receive quality care.

24 *Sec. 25. Rules and Regulations.* - The Secretary of the DA, in consultation with
25 DOLE, CSC, NLRC, and DILG and the national organizations of agricultural
26 development workers shall formulate and prepare necessary rules and regulations in
27 implementing the provisions of this Magna Carta.

28 *Sec. 26. Monitoring and Implementation.* - The Secretary of the DA shall create
29 a Monitoring Committee, which shall monitor the implementation of the provision of
30 this Act. The committee shall be composed of representatives of the DA, DILG, CSC
31 and the recognized national associations of agricultural development workers:
32 *Provided,* That the Secretary of Agriculture shall submit semi-annual reports on the

1 status on the implementation of this Act to the Committee of Agriculture and Food of
2 the House of Representatives and the Senate.

3 *Sec. 27. Penal Provisions.* - Any person who shall willfully interfere with, restrain
4 or coerce any agricultural development worker in the exercises of his/her rights or
5 shall violate any of the provisions of this Act shall upon conviction, be punished by a
6 fine if not less than Twenty thousand pesos (P20,000.00) but not more than Forty
7 thousand pesos (P40,000.00) or imprisonment of not more than one (1) year, or both,
8 at the discretion of the court.

9 If the offender is a public official, the court, in addition to the penalties provided
10 in the preceding paragraph, shall impose the additional penalties of disqualification
11 from office of such offending public official.

12 *Sec. 28. Funding.* – The amount necessary to carry out the provisions of this
13 Act shall be included in the General Appropriations Act of the year following its
14 enactment into law and every year thereafter.

15 *Sec. 29. Separability Clause.* – If any provision or provision of this Act is
16 declared unconstitutional or invalid, the remainder of this Act or any provisions not
17 affected thereby shall remain in force and effect.

18 *Sec. 30. Repealing Clause.* – Any law, presidential decrees or issuance,
19 executive orders, letter of instruction, administrative order, rule, or regulation contrary
20 to or inconsistent with the provisions of this Act are hereby repealed, modified or
21 amended accordingly.

22 *Sec. 31. Effectivity.* – This Act shall take effect fifteen (15) days from the date
23 of its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,