

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



Senate
Office of the Secretary

14 JUL 30 P 1:24

SENATE

Senate Bill No. 2332

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT
FURTHER STRENGTHENING THE SOCIAL AMELIORATION PROGRAM IN
THE SUGAR INDUSTRY, AMENDING FOR THIS PURPOSE CERTAIN
PROVISIONS OF R.A. NO. 6982 ENTITLED, "AN ACT STRENGTHENING THE
SOCIAL AMELIORATION PROGRAM IN THE SUGAR INDUSTRY,
PROVIDING THE MECHANICS FOR ITS IMPLEMENTATION, AND FOR
OTHER PURPOSES"

EXPLANATORY NOTE

Republic Act No. 6982, or the Social Amelioration Program in the Sugar Industry was enacted primarily to promote and protect the interest and welfare of workers in the sugar industry in order for them to have a quality and decent living condition. After its enactment twenty three (23) years ago, several provisions of the said law have become outdated and inapplicable to the changing socio economic conditions in the country.

This bill seeks to amend R.A. No. 6982 to make it more attuned to the present needs and concerns of workers in the sugar industry. Salient points of the bill include: (a) conversion into metric system from picul to LKG which is an internationally-accepted unit of measurement; (b) provision of lien of P10.00; (c) inclusion of health, medical and educational projects under the Socio-Economic projects provision; (d) additional members to the Sugar Tripartite Council.

This measure is a counterpart of a bill filed by Congresswoman Lucy Marie Torres-Gomez in the House of Representatives. The immediate passage of this bill is earnestly sought.

JINGGOY EJERCITO ESTRADA
Senator



SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

74 JUL 30 P1:28

SENATE

Senate Bill No. 2332

J.

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT

FURTHER STRENGTHENING THE SOCIAL AMELIORATION PROGRAM IN THE SUGAR INDUSTRY, AMENDING FOR THIS PURPOSE CERTAIN PROVISIONS OF R.A. NO. 6982 ENTITLED, "AN ACT STRENGTHENING THE SOCIAL AMELIORATION PROGRAM IN THE SUGAR INDUSTRY, PROVIDING THE MECHANICS FOR ITS IMPLEMENTATION, AND FOR OTHER PURPOSES"

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

1 **SECTION 1.** Section 3 of R.A. No. 6982, is hereby amended to read, as follows:
2

3 Sec. 3. Composition. THE SUGAR TRIPARTITE COUNCIL SHALL
4 BE COMPOSED OF TWELVE (12) MEMBERS, WITH THE SECRETARY
5 OF LABOR AND EMPLOYMENT OR HIS DULY AUTHORIZED
6 REPRESENTATIVE AS EX-OFFICIO CHAIRMAN; ONE (1)
7 REPRESENTATIVE FROM THE SUGAR REGULATORY
8 ADMINISTRATION, WHO SHALL LIKEWISE SIT IN AN EX-OFFICIO
9 CAPACITY; FOUR (4) REPRESENTATIVES FROM THE PLANTERS'
10 SECTOR; TWO (2) REPRESENTATIVES FROM THE MILLERS'
11 SECTOR; AND TWO (2) REPRESENTATIVES FROM THE MILLERS
12 WORKERS' SECTOR AND TWO (2) REPRESENTATIVES FROM THE
13 FIELD WORKERS' SECTOR, AS MEMBERS.
14

15 THE REPRESENTATIVES FROM THE PLANTERS' SECTOR
16 SHALL BE CHOSEN FROM A LIST OF NOMINEES SUBMITTED BY
17 THE TOP TWO MILLERS FEDERATIONS.
18

19 THE REPRESENTATIVE FROM THE MILL WORKERS AND
20 FIELD WORKERS SECTOR SHALL COME FROM A LEGITIMATE
21 LABOR ORGANIZATION OR UNION OF SUCH MILL OR FIELD
22 WORKERS.
23

24
25 **SEC. 2.** Section 6 of R.A. No. 6982, is hereby amended to read as follows:
26

27 Sec. 6. - District Tripartite Councils. - (a) Whenever necessary, the
28 Secretary of Labor and Employment shall, upon recommendation of the
29 Sugar Tripartite Council, create a District Tripartite Council in each milling

1 district in the Philippines to ensure greater participation by the planters,
2 millers and workers in the social and economic programs and policy
3 determination under this Act. The District Tripartite Council shall consist of
4 seven (7) members composed of the Regional Director of the DOLE as
5 ex-officio Chairman; two (2) representatives from the planters' sector; one
6 (1) representative from millers' sectors as members. THE
7 REPRESENTATIVE FROM THE MILL SECTOR SHALL COME FROM A
8 LEGITIMATE LABOR ORGANIZATION OR UNION OF SUCH MILL OR
9 FIELD WORKERS.

10
11 (b) The representatives from the planters, millers and workers' sectors
12 shall be appointed by the Secretary of Labor and Employment from
13 among the nominees of the planters, millers and workers, respectively, for
14 a term of three (3) years.

15
16
17 **SEC. 3.** Section 7 of R.A. No. 6982, is hereby amended to read as follows:

18
19 Sec. 7. – (a) EFFECTIVE ON SUGAR CROP YEAR 2015-2016, A
20 LIEN OF TEN PESOS (P 10.00) PER LKG, OR FIFTY-KILO BAG OF
21 SUGAR, SHALL BE IMPOSED ON THE GROSS PRODUCTION OF
22 SUGAR TO PRIMARILY AUGMENT THE INCOME OF SUGAR
23 WORKERS, AND TO FINANCE SOCIAL AND ECONOMIC PROGRAMS
24 TO IMPROVE THEIR LIVELIHOOD AND WELL-BEING; *PROVIDED,*
25 THAT THE SECRETARY OF LABOR AND EMPLOYMENT MAY, UPON
26 THE RECOMMENDATION BY THE SUGAR TRIPARTITE COUNCIL,
27 ALLOW THE INCREASE OF NOT MORE THAN ONE PESO (P 1.00)
28 EVERY TWO YEARS FOR A PERIOD OF TEN (10) YEARS FROM THE
29 EFFECTIVITY OF THIS ACT, TAKING INTO CONSIDERATION THE
30 CIRCUMSTANCES ADVERSELY AFFECTING THE COST OF
31 PRODUCING SUGAR AND THE DECLARATION OF POLICY IN THIS
32 ACT.

33
34 The amount herein imposed shall be borne by the sugar planters
35 and millers in proportion to their corresponding milling share and said
36 amounts shall constitute a lien on their sugar quedans and/or warehouse
37 receipts.

38
39
40 **SEC. 4.** Section 9 of R.A. No. 6982, is hereby amended to read as follows:

41
42 Sec. 9. – ANY UNDISTRIBUTED AMOUNT DUE TO THE
43 WORKERS SHALL BE WITHIN THREE (3) MONTHS, BE REMITTED TO
44 AND PLACED IN A SPECIAL FUND TO BE ADMINISTERED BY THE
45 STC FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF
46 REMITTANCE, AFTER WHICH IT SHALL FORFEITED BE ADDED AND
47 TRANSFERRED TO DTC CONCERNED.

48
49 THE DTC SHALL ALLOT FIFTY PERCENT (50%) OF THE SAID
50 FUND TO FINANCE EDUCATIONAL PROGRAMS AND THEIR
51 DEPENDENTS BY DULY ACCREDITED TRAINING CENTERS BY THE
52 TECHNICAL EDUCATION SKILLS AND DEVELOPMENT AUTHORITY
53 (TESDA). THE OTHER FIFTY PERCENT (50%) OF THE SAID FUND
54 SHALL BE ALLOTTED TO FINANCE THE VARIOUS PROJECTS OF THE
55 DTC CONCERNED.

1 **SEC. 5.** Section 10 of R.A. No. 6982, is hereby amended to read as follows:
2

3 Sec. 10. -- Socio-economic Plans and Program; Operation Council.
4

5 (b) TEN PERCENT (10%) FOR THE SOCIO ECONOMIC
6 PROJECTS WHICH SHALL INCLUDE, AMONG OTHERS, HEALTH,
7 MEDICAL AND EDUCATIONAL BENEFITS FOR THE SUGAR
8 WORKERS UNDERTAKEN BY THE BUREAU OF RURAL WORKERS,
9 PLANTERS/MILLERS ORGANIZATIONS, WORKERS ORGANIZATIONS
10 AND OTHER FOUNDATIONS OF SUGAR PLANTERS/MILLERS:
11 *PROVIDED*, THAT EDUCATION BENEFITS SHALL NOT BE LIMITED
12 TO FORMAL EDUCATION BUT ALSO TECHNICAL SKILLS TRAINING
13 AT TRAINING CENTERS DULY ACCREDITED BY THE TESDA.
14

15 (c) TWO AND HALF (2.5%) PERCENT FOR THE WOMEN
16 SUGAR WORKERS IN ADDITION TO EXISTING COLLECTIVE
17 BARGAINING AGREEMENTS: *PROVIDED*, THAT A WOMAN SUGAR
18 WORKER WHO DELIVERS A CHILD OR UNDERGOES THERAPEUTIC
19 ABORTION SHALL BE ENTITLED TO A MATERNITY BENEFIT FOR
20 EVERY SUCH DELIVERY OR THERAPEUTIC ABORTION; *PROVIDED*,
21 *FURTHER*, THAT WOMEN SUGAR WORKERS WHO ARE
22 UNEMPLOYED OR ON LEAVE OF ABSENCE SHALL BE ENTITLED TO
23 THIS MATERNITY BENEFIT WHO, AT THE TIME OF SUCH DELIVERY
24 OR THERAPEUTIC ABORTION, SHALL HAVE HAD A RECORD OF
25 PRIOR SERVICE OF AT LEAST TWO (2) YEARS IN A SUGAR MILL OR
26 SUGAR FARM AND AT LEAST NINETY (90) DAYS OF ACCUMULATED
27 SERVICE DURING EACH CROP YEAR.
28

29 WOMEN SUGAR WORKERS WHO ARE MANAGERIAL
30 EMPLOYEES, ALTHOUGH THEY MAY RECEIVE MATERNITY
31 BENEFITS OR SIMILAR BENEFITS FROM THEIR RESPECTIVE
32 EMPLOYERS, SHALL NOT BE ENTITLED TO THE MATERNITY
33 PROVIDED HEREIN.
34

35 SMALL FARM CULTIVATORS SHALL BE ENTITLED TO THE
36 MATERNITY BENEFITS HEREIN PROVIDED
37

38 (D) TWO AND HALD PERCENT (2.5%) FOR ADMINISTRATIVE
39 EXPENSES OF THE SUGAR TRIPARTITE COUNCILS AND THE
40 BUREAU OF WORKERSS WITH SPECIAL CONCERNS OF THE
41 DEPARTMENT OF LABOR AND EMPLOYMENT IN IMPLEMENTING
42 THIS ACT.
43
44

45 **SEC. 6.** There shall be added a Section 10-A which shall read as follows:
46

47 SEC. 10-A. THE SUGAR WORKERS' MATERNITY BENEFIT FUND.
48

49 a) PURSUANT TO PARAGRAPH (C) OF THE IMMEDIATELY
50 PRECEDING SECTION, THERE SHALL BE A WORKERS'
51 MATERNITY BENEFIT FUND (SWMB) TO BE ADMINISTERED AND
52 MANAGED BY THE DOLE, THROUGH THE BUREAU OF WORKERS
53 WITH SPECIAL CONCERNS AND ALL INCOMES AND INTERESTS
54 THEREOF SHALL BE HELD IN A SPECIAL TRUST ACCOUNT IN AN
55 AUTHORIZED GOVERNMENT DEPOSITORY BANK.
56

1 THE BUREAU SHALL PROVIDE THE SWMB RESERVE FUND TO
2 COVER REGIONAL OFFICES AND SUBSEQUENT RELEASE OF
3 SAID FUND TO THE REGIONAL OFFICES SHALL BE EFFECTED
4 THROUGH FUND REPLENISHMENT.
5

6 b) CONDITION AND REQUIREMENTS FOR ENTITLEMENT. -- A CLAIM
7 FOR MATERNITY BENEFITS SHALL BE FILED WITH THE
8 REGIONAL OR FIELD OFFICE HAVING JURISDICTION OVER THE
9 WORKPLACE OR RESIDENCE OF THE COVERED WOMAN
10 WORKER, UPON RECOMMENDATION BY THE ACCREDITED
11 PLANTERS' ASSOCIATION/COOPERATIVES AND MILLS
12 THROUGH THEIR RESPECTIVE AUTHORIZED
13 REPRESENTATIVE/S, WITHIN THREE (3) YEARS COUNTED FROM
14 THE DATE OF HER DELIVERY OR THERAPEUTIC ABORTION,
15 OTHERWISE THE CLAIM SHALL BE BARRED.
16

17 c) DOCUMENTATION AND REPORTING. IN ADDITION TO THE
18 REQUIRED FINANCIAL REPORTS FOR LIQUIDATION OF CASH
19 ADVANCES ON THE SWMBF, THE REGIONAL OFFICE SHALL
20 SUBMIT THE STATUS OF THE IMPLEMENTATION OF THE
21 PROGRAM ON A MONTHLY BASIS.
22

23 ANY UNUSED PORTION OF THE SWMBF SHALL BE
24 TRANSFERRED AND ADDED TO THE 10% SOCIO ECONOMIC
25 FUND OF THE SPECIFIC MILL DISTRICT FOR THE FOLLOWING
26 CROP YEAR.
27

28
29 **SEC. 7.** There shall be added a Section 10-B which shall be read as follows:
30

31 **Sec.10-B. SUGAR WORKERS' DEATH BENEFIT PROGRAM.**
32

33 a) THERE SHALL BE SUGAR WORKERS' DEATH BENEFIT FUND
34 (SWDBF) TO BE ADMINISTERED AND MANAGED BY THE DOLE,
35 THROUGH THE BUREAU OF WORKERS WITH SPECIAL
36 CONCERNS AND ALL INCOMES AND INTERESTS THEREOF
37 SHALL BE HELD IN A SPECIAL TRUST ACCOUNT IN AN
38 AUTHORIZED GOVERNMENT DEPOSITORY BANK.
39

40 THE BUREAU SHALL PROVIDE THE SWDBF RESERVE FUND TO
41 COVER REGIONAL OFFICES AND SUBSEQUENT RELEASE OF
42 SAID FUND TO THE REGIONAL OFFICES SHALL BE EFFECTED
43 THROUGH FUND REPLENISHMENT.
44

45 b) CONDITIONS AND REQUIREMENTS FOR ENTITLEMENT. -- A
46 DEATH BENEFIT CLAIM SHALL BE FILED WITH REGIONAL
47 OFFICE OR IN ITS PROVINCIAL OFFICE HAVING JURISDICTION
48 OVER THE WORKPLACE OR RESIDENCE OF THE DECEASED
49 COVERED WORKER OF SMALL FARM CULTIVATOR, UPON
50 RECOMMENDATION BY THE ACCREDITED PLANTERS'
51 ASSOCIATION/COOPERATIVES AND MILL THROUGH THEIR
52 RESPECTIVE ACCREDITED REPRESENTATIVES, WITHIN THREE
53 (3) YEARS COUNTED FROM THE DATE OF DEATH OF SUCH
54 COVERED WORKERS, OTHERWISE, THE CLAIM SHALL BE
55 BARRED: PROVIDED, THAT: THE APPLICATION SHALL BE
56 SUPPORTED BY AN AFFIDAVIT EXECUTED BY THE CLAIMANT
57 ATTESTING TO THE RELATIONSHIP WITH THE DECEASED

1 COVERED WORKER OR SMALL FARM CULTIVATOR, AND THE
2 FACT THAT THE CLAIMANT IS THE BENEFICIARY TO THE
3 EXCLUSION OF THE OTHERS.
4

- 5 c) DOCUMENTATION AND REPORTING. IN ADDITION TO THE
6 REQUIRED FINANCIAL REPORT FOR LIQUIDATION OF CASH
7 ADVANCES ON THE SWDBF, THE REGIONAL OFFICE SHALL
8 SUBMIT THE STATUS OF THE IMPLEMENTATION OF THE
9 PROGRAM ON A MONTHLY BASIS.
10

11 ANY UNUSED PORTION OF THE SWDBF SHALL BE
12 TRANSFERRED AND ADDED TO THE 10% SOCIO ECONOMIC
13 FUND OF THE SPECIFIC FUND OF THE SPECIFIC MILL DISTRICT
14 FOR THE FOLLOWING CROP YEAR.
15

16
17 **SEC. 8.** There shall be added a Section 10-C which shall read, as follows:
18

19 **Sec. 10-C. SPECIAL EDUCATION FUND**
20

- 21 a) THERE SHALL BE A SPECIAL EDUCATION FUND TO BE
22 ADMINISTERED AND MANAGED BY THE DOLE, THROUGH THE
23 BUREAU OF WORKERS WITH SPECIAL CONCERNS AND ALL
24 INCOMES AND INTERESTS THEREOF SHALL BE HELD IN A
25 SPECIAL TRUST ACCOUNT IN AN AUTHORIZED GOVERNMENT
26 DEPOSITORY BANK.
27

28 THE BUREAU SHALL RELEASE THE SAID FUND TO THE DTC
29 CONCERNED AND SUBSEQUENT RELEASE OF THE SAID FUND
30 TO THE DTCS SHALL BE EFFECTED THROUGH FUND
31 REPLENISHMENT.
32

- 33 b) CONDITIONS AND REQUIREMENTS FOR ENTITLEMENT. – THE
34 DTC SHALL RELEASE THE SAID FUND TO TESDA-ACCREDITED
35 TRAINING CENTERS UPON SUBMISSION OF PROOF OF
36 QUALIFIED BENEFICIARIES FROM LEGITIMATE SUGAR
37 WORKERS AND THEIR BENEFICIARIES. THE DTC MAY ALSO
38 AWARD SCHOLARSHIP TO SUGAR WORKERS AND THEIR
39 DEPENDENTS FOR PRIMARY, SECONDARY AND TERTIARY
40 EDUCATION IN GOVERNMENT EDUCATIONAL INSTITUTIONS AS
41 MAY BE DETERMINED BY THE SECRETARY UPON
42 RECOMMENDATION BY THE STC.
43
44

45 **SEC. 9.** There shall be added a Section 10-D which shall read, as follows:
46

47 **Sec. 10-D. ANNUAL OPERATION BUDGET PREPARATION,** THE
48 BUREAU OF WORKERS WITH SPECIAL CONCERNS SHALL
49 PREPARE AN ANNUAL OPERATIONAL BUDGET RELATIVE TO THE
50 IMPLEMENTATION OF THIS ACT FOR APPROVAL BY THE
51 SECRETARY UPON RECOMMENDATION OF THE STC AND THE DTC
52 CONCERNED.
53
54

55 **SEC. 10.** The Secretary of Labor and Employment shall implement the sharing
56 as provided herein and, upon consultation with the Sugar Tripartite Council,

1 promulgate such rules and regulations, as may be necessary to carry out the
2 provisions of this Act.

3
4
5 **SEC. 11. *Separability Clause.*** – If any provision of this Act shall at any time be
6 found to be unconstitutional or invalid, the remainder thereof not affected by such
7 declaration shall remain in full force and effect.

8
9
10 **SEC. 12. *Repealing Clause.*** – All laws, decrees, rules or regulations inconsistent
11 with the provisions of this Act are hereby repealed or modified accordingly.

12
13
14 **SEC. 13. *Effectivity Clause.*** – This Act shall take effect after fifteen (15) days
15 following its complete publication in two (2) newspapers of general circulation.

16
17
18
19
20
21 *Approved,*