

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

SENATE

S. No. 661



SENATE
Office of the Secretary

'19 JUL 22 P 2 :08

Introduced by SENATOR RAMON BONG REVILLA, JR.

RECEIVED BY

AN ACT
MANDATING GOLF CLUBS TO PROVIDE SOCIAL SECURITY AND WELFARE
BENEFITS TO GOLF CADDIES AND OTHER RELATED SERVICE WORKERS
THROUGH A SHARED CONTRIBUTION SCHEME

EXPLANATORY NOTE

From the decision of the Supreme Court in *Manila Golf & Country Club, Inc v. Intermediate Appellate Court*,¹ it is known that there is no employer-employee relationship between golf caddies and the golf courses they work for. As a result, no benefits are regarded in favor of the golf caddies even if they render services for the members of the golf clubs and their guests in the such premises. What is known as the "control test" was deemed to not have been satisfied by the circumstances which the parties in the case presented, therefore making them "independent contractors".

House Bill No. 9160 was approved by the House Committee on Labor and Employment during the last Congress which seeks to remedy the plight of these golf caddies. Under the measure, caddies shall be covered by the Social Security System (SSS), the Home Development Mutual Fund (HDMF), or the PAG-IBIG Fund, and the Philippine Health Insurance Corporation (PhilHealth) upon their accreditation by the golf club management. The payment of SSS and Pag-IBIG monthly contributions shall be jointly shared by the golf caddies and other service workers, and by the Golf Club Management in accordance with existing rules and regulation.

¹ GR 64948, Sept. 27, 1994.

Given the good intent of this legislation, I am filing a similar measure and seeking its immediate passage.


RAMON BONG REVILLA, JR.

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

1 Section 1. *Enlistment of Golf Caddies and Service Workers.* – The management
2 of every golf club shall enlist all regular and accredited golf caddies and golf related
3 workers who are rendering their service to the players of the golf club.

4 Sec. 2. *Social Security System (SSS) and Home Development Mutual Fund (Pag-*
5 *IBIG) Coverage and Payment of Contributions.* – Enlisted golf caddies and other
6 service workers of a golf club shall be covered by the Social Security System (SSS)
7 and Home Development Mutual Fund (Pag-IBIG) upon their enrollment by the golf
8 club management.

9 The payment of SSS and Pag-IBIG monthly contributions shall be jointly shared
10 by the golf caddies and other service workers, and by the Golf Club Management in
11 accordance with existing rules and regulation.

12 Sec. 3. *PhilHealth Coverage.* – The management of a golf club shall ensure
13 PhilHealth coverage for its enlisted caddies and other service workers and to
14 implement a shared monthly contribution.

15 Sec. 4. *Coverage of Contributions.* – The golf club management shall devise
16 and institute a mechanism for the collection of monthly contributions from the caddies
17 and other service workers that will form part of the total monthly contribution for SSS,
18 Pag-IBIG and PhilHealth.

1 Sec. 5. Repealing Clause. – All laws, decrees, executive orders, letters of
2 implementations, rules and regulations or part or parts thereof inconsistent with any
3 provision of this Act are hereby repealed, modified, superseded or amended
4 accordingly.

5 Sec. 6. Effectivity. – This Act shall take effect fifteen (15) days after its
6 publication in the Official Gazette or in at least two (2) national newspapers of general
7 circulation, whichever comes earlier.

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10 *Approved,*