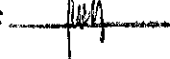


FOURTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )

7 JUN 30 P4:00

SENATE  
S.B. No. 221

RECEIVED BY: 

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Introduced by Senator Loren Legarda

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#### EXPLANATORY NOTE

This bill mandates the inclusion of day care workers among public health workers who have certain rights and privileges under the law.

Republic Act No. 7305 or the "*Magna Carta of Public Health Workers*" is the law governing the rights and privileges of public health workers in the country. Under the said law, public health workers are defined as all persons who are engaged in health and health-related work, and all persons employed in all hospitals, sanitarium, health centers, rural health units, barangay health stations, clinics and other health-related establishments owned and operated by the Government or its political subdivisions with original charters and shall include allied health professional, administrative and support personnel employed regardless of their employment status.

This law does not include day care workers whose positions are created under Republic Act No. 6972 or An Act Establishing a Day Care Center in Every Barangay, Instituting Therein a Total Development and Protection of Children Program, Appropriating Funds Therefor, and for Other Purposes. Said law provides that barangay day care workers in accredited day care centers shall receive a monthly allowance of not less than five Hundred Pesos (P500.00) to be charged to the annual appropriations of the Department of Social Welfare and Development. Since the decentralization of basic health and social services in 1990, the local government unit is directly responsible for the management and operation of day-care centers and the compensation of day care workers.

As of 2000, there were 32,787 day-care centers in 41,943 barangays all over the country. This is an improvement from year 1998 when 26.7 per cent of the barangays did not have day care centers. Day care workers are not only confined in taking care of their wards. They likewise assist the Department of Social Welfare and Development (DSWD) during calamities and facilitate the referral of cases of child abuse to the Department. The compensation provided for by law is no longer commensurate to the tasks they perform and the responsibilities they hold.

This bill addresses that need by amending Sections 3 and 22 of Republic Act No. 7305 to include day care workers under the enumeration on who are public health workers. This would effectively address the meager allowance presently received by day care workers and give them the recognition that has long been due them.

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

  
LOREN LEGARDA  
Senator

FOURTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
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7 JUN 30 P4:05

SENATE  
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Introduced by Senator Loren Legarda

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**AN ACT**  
**TO UPHOLD THE RIGHTS AND PROMOTE THE WELFARE OF DAY CARE**  
**WORKERS BY CONSIDERING THEM PART OF PUBLIC HEALTH WORKERS,**  
**AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7305 OTHERWISE**  
**KNOWN AS MAGNA CARTA OF PUBLIC HEALTH WORKERS**

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

**SECTION 1.** Section 3 of Republic Act No. 7305, otherwise known as the "Magna Carya of Public Health Workers", are hereby amended to read as follows:

*"SEC. 3. Definition.* - For purposes of this Act, "health workers" shall mean all persons who are engaged in health and health-related work, and all persons employed in all hospitals, sanitarium, health infirmaries, health centers, rural health units, barangay health stations, **DAY CARE CENTERS**, clinics and other health-related establishments owned and operated by the Government or its political subdivisions with original charters and shall include medical, allied health professional, administrative and support personnel employed regardless of their employment status.

**SECTION 2.** Section 22 of Republic Act No. 7305, otherwise known as the "Magna Carya of Public Health Workers", are hereby amended to read as follows:

*"SEC. 22. Subsistence Allowance.* - Public health workers who are required to render service within the premises of hospitals, sanitarium, health infirmaries, main health centers, rural health units and barangay health stations, **DAY CARE CENTERS** or clinics, and other health-related establishments in order to make their services available at any and all times, shall be entitled to full subsistence allowance of three (3) meals which may be computed in accordance with prevailing circumstances as determined by the Secretary of Health in consultation with the Management Health Workers' Consultative Councils, as established under Section 33 of this Act: *Provided,* That representation and travel allowance shall be given to rural health physicians as enjoyed by municipal agriculturists, municipal planning and development officers and budget officers.

**SEC. 3. Separability Clause.** - If any provision of this Act is declared invalid, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC. 4. *Repealing Clause.* - All laws, presidential decrees, executive orders and their implementing rules, inconsistent with the provisions of this act are hereby repealed, amended or modified accordingly.

SEC. 5. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.