

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

OFFICE OF THE CLERK

10 JUL 13 A9:20

SENATE

S.B. No. 1348

RECEIVED BY

Introduced by Senator Loren Legarda

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 otherwise known as the "*Magna Carta of Public Health Workers*" is the law governing the rights and privileges of public health workers in the country. Under 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."

However, this law does not include our noble 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, local government units are 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


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

OFFICE OF THE SECRETARY

10 JUL 13 A9:20

SENATE

S.B. No. 1348

RECEIVED BY: 

Introduced by Senator Loren Legarda

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:*

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

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

13
14 **SEC. 2.** Section 22 of Republic Act No. 7305, otherwise known as the "Magna
15 Carta of Public Health Workers", is hereby amended to read as follows:

16
17 "SEC. 22. *Subsistence Allowance.* - Public health workers who are
18 required to render service within the premises of hospitals, sanitarium,
19 health infirmaries, main health centers, rural health units and
20 barangay health stations, **DAY CARE CENTERS** or clinics, and other
21 health-related establishments in order to make their services available

22 at any and all times, shall be entitled to full subsistence allowance of
23 three (3) meals which may be computed in accordance with prevailing
24 circumstances as determined by the Secretary of Health in consultation
25 with the Management Health Workers' Consultative Councils, as
26 established under Section 33 of this Act: *Provided*, That representation
27 and travel allowance shall be given to rural health physicians as
28 enjoyed by municipal agriculturists, municipal planning and
29 development officers and budget officers.

30

31 **SEC. 3. *Separability Clause.*** - If any part of this Act should hereafter be
32 declared unconstitutional or invalid, such other parts hereof not otherwise affected
33 thereby shall continue in full force and effect.

34

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

38

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

41

42 Approved,