

Republic of the Philippines  
HOUSE OF THE REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

HOUSE BILL No. 525

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Introduced by HON. RODEL M. BATOCABE, HON. ALFREDO A. GARBIN, Jr. and  
HON. CHRISTOPHER S. CO

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#### EXPLANATORY NOTE

This bill seeks the passage of the Magna Carta for Agriculture and Fishery Development workers which will serve to improve their economic and social well-being.

The agriculture industry remains one of the main contributors to the country's GDP, with an average contribution of about 16% each year. However, recent statistics showed that there is a decline from about 35% GDP contribution in 1986 to only about 11% in 2014. The development and improvement of the agriculture industry in the Philippines should be a primary focus of the State.

While agriculture remains a crucial sector in the Philippines for reducing poverty, workers in the agriculture and fisheries sector continue to be among the lowest paid in country. Consequently, only around 300,000 or less than one percent of the estimated 38 million total labor force in the country work in the agriculture and fisheries sector, according to the 2015 Labor Force Survey Estimate of the PSA.

In the interest of promoting sustainable development of the Philippines through an improved agriculture and fisheries industry, workers in these sectors must be given the corresponding assistance by the State. Once enacted into law, this bill will provide agriculture and fisheries development workers with the adequate benefits and services to improve their economic and social standing.

Accordingly, the swift passage of this bill is earnestly sought.



RODEL M. BATOCABE



ALFREDO A. GARBIN, Jr.



CHRISTOPHER S. CO

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**AN ACT PROVIDING FOR A MAGNA CARTA OF AGRICULTURE AND  
FISHERY DEVELOPMENT WORKERS**

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

SECTION 1. *Title.* - This Act shall be known as the "*Magna Carta of Agriculture and Fishery Development Workers*".

Section 2. *Declaration of Policy.* - It is hereby declared the policy of the State to accelerate the development and modernization of Philippine agriculture and improve the economic and social well-being of agriculture and fishery development workers as well as their working condition and employment status. The State shall likewise develop their skills, knowledge, orientation and capabilities so that they will become more responsive and effective in providing the necessary services for countryside development.

Section 3. *Definition of Terms.* - As used in this Act, the following terms shall be construed to mean as follows:

(a) *Agricultural engineer* shall refer to a person registered with the Professional Regulation Commission (PRC) performing engineering activities in agriculture, particularly on areas of farm power and machinery, irrigation and drainage, soil and water conservation, agricultural buildings and infrastructure, agricultural processing and post-harvest facilities.

(b) *Agricultural extension worker* shall refer to an agriculturist, veterinarian, agricultural engineer, aquaculturist, nutritionist or home extensionist who helps farmers and fishermen in the promotion of agricultural and fishery development plans, programs and projects through the use of extension methodologies, concepts and principles.

(c) *Agricultural technician* shall refer to a trained or skilled agricultural worker but not necessarily a college graduate, performing activities such as plant nursery propagator, plant breeder and farm mechanic.

(d) *Agriculture and fishery development workers* shall refer to all persons who are engaged in agriculture and fishery development activities and all persons employed in the Department of Agriculture (DA) including its bureaus and attached agencies, local government units (LGUs) and concerned government institutions, and shall include aquaculturists, veterinarians, agricultural engineers, agricultural extension workers, agricultural technicians and operators, and allied agricultural professionals employed regardless of their employment status. They are graduates of either agriculture, fisheries, animal science, animal husbandry or any other related course from a recognized college or university and are holders of appropriate civil service eligibility or its equivalent.

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

(f) *Aquaculturist* shall refer to a person who is a graduate of a four (4)-year course, either in fisheries and aquaculture, or fishery product ion and processing.

1 (g) *Nutritionist* shall refer to a person registered with the PRC performing  
2 activities related to dietary and proper nutrition.

3 (h) *Veterinarian* shall refer to a person registered with the PRC performing  
4 professional activities in line with the practice of veterinary medicine such as animal  
5 health, disease prevention and control.

6 SECTION 4. *Coverage.* - This Act shall cover all eligible agriculture and fishery  
7 development workers, agricultural practitioners in government and all those  
8 promoted/appointed as provincial/municipal/city agriculturist and as department heads of  
9 the LGUs under Republic Act No. 7160, otherwise known as the Local Government  
10 Code of 1991: *Provided.* That the Civil Service Commission (CSC), as the case may be,  
11 develops and administers specialized examination for purposes of providing appropriate  
12 eligibilities to positions.

13 Section 5. *Recruitment and Qualifications.* - The position of municipal or city  
14 agriculturist shall be mandatory in LGUs which are predominantly adaptable or engaged  
15 in agriculture as determined by the LGU concerned. In areas more adaptable to  
16 commercial/industrial purposes, the creation of said positions shall be subject to the  
17 approval of the sanggunian concerned. The selection and appointment of agricultural  
18 officers/employees shall be in accordance with the merit and fitness principle: *Provided,*  
19 That he/she is an eligible agriculture/fishery officer and/or employee.

20 Section 6. *Transfer or Geographical Reassignment of Agriculture and Fishery*  
21 *Development Workers.* - Except in the interest of public service, no transfer or  
22 geographical reassignment shall be made or effected without a written notice to the  
23 agriculture and fishery development workers concerned stating therein the reasons for  
24 such: *Provided.* That said written notice shall be made thirty (30) days prior to the date of  
25 transfer or reassignment: *Provided, further,* That if the agriculture and fishery  
26 development worker concerned believes that there is no justification for the transfer  
27 and/or reassignment, one may appeal one's case to the CSC, which shall cause one's  
28 reassignment to be automatically held in abeyance until it rules on the matter: *Provided,*  
29 *furthermore,* That transfer or reassignment coinciding with any local or national election  
30 shall be made in compliance with the Election Code and other existing laws and rules:  
31 *Provided, finally,* That the necessary expenses for the relocation and/or reassignment of  
32 the agriculture and fishery development worker or employee and one's immediate family  
33 shall be paid for by the government.

34 Section 7. *Safeguards in Administrative Proceedings.* - In every administrative  
35 proceeding, an agriculture and fishery development worker shall have:

36 (a) The right to be informed of the charges in writing;  
37 (b) The right to full access to the evidence in the case;  
38 (c) The right to defend himself/herself or to be defended by a counsel of his/her  
39 choice;

40 (d) The right to be given adequate time to prepare his/her defense, which shall in  
41 no case exceed twenty (20) days;

42 (e) The right to appeal to designated authorities;

43 (f) The right to confront witnesses presented against him/her and summon  
44 witnesses in his/her behalf;

45 (g) The right to reimbursement of reasonable expenses incurred in his/her  
46 defense in case of exoneration or dismissal of the charges; and

47 (h) Such other rights provided by other national agencies and LGUs to its  
48 respective officers and employees so as to ensure fairness and impartiality in the  
49 proceedings.

50 Section 8. *Code of Conduct.* - All agriculture and fishery development workers  
51 must be guided by a code of ethics not contrary to law, moral standards, safety, health,  
52 public policy and public order. The code of conduct of agriculture and fishery  
53 development workers shall be prepared by the Secretary of Agriculture, in consultation  
54 with the league of cities/municipalities and the CSC, and shall be issued ninety (90) days  
55 after the effectivity of this Act.

1       Section. 9. *Normal Hours of Work.* - The normal hours of work of any agriculture  
2 and fishery development worker shall not exceed eight (8) hours a day or forty (40)  
3 hours a week. Hours of work shall include:

4       (a) The time during which the agriculture and fishery development worker is  
5 required to be on active duty or to be at a prescribed workplace; and

6       (b) The time during which an agriculture and fishery development worker is  
7 required to work in a place other than the prescribed workplace.

8       Section 10. *Overtime Work.* - Where the exigencies of the service so require, any  
9 agriculture and fishery development worker may be required to render service beyond  
10 the normal eight (8) hours a day, inclusive of Saturdays, Sundays and non-working  
11 holidays. In such case, the agriculture and fishery development worker shall be given an  
12 additional compensation in accordance with existing laws.

13       Section 11. *Married Agriculture and Fishery Development Worker.* - Whenever  
14 possible, the proper authorities shall take steps to enable married couples, both of whom  
15 are public workers, to be employed or assigned in the same city/municipality.

16       Section 12. *Basic Compensation.* - The provisions of Joint Resolution No. 4,  
17 series of 2009, entitled, "Joint Resolution Authorizing the President of the Philippines to  
18 Modify the Compensation and Position Classification System of Civilian Personnel and  
19 the Base Pay Schedule of Military and Uniformed Personnel in the Government, and for  
20 Other Purposes", shall apply in determining the salaries of agriculture and fishery  
21 development workers.

22       Section 13. *Other Benefits.* - All agriculture and fishery development workers  
23 shall be entitled to merit and other personnel and career development programs, hazard  
24 pay, clothing allowance and other privileges and benefits subject to the pertinent  
25 provisions of Joint Resolution No.4, series of 2009.

26       Section 14. *Retirement Benefits.* - All agriculture and fishery development  
27 workers shall be entitled to terminal pay: *Provided, however,* That the number of years  
28 rendered by the devolved personnel in the national level shall be paid by the DA upon  
29 retirement including the corresponding accrued leave credits, while the services  
30 rendered to the LGUs shall be paid by the LGU concerned.

31       Section 15. *Housing.* - All agriculture and fishery development workers who are  
32 on tour of duty and those who, because of unavoidable circumstances are forced to stay  
33 in the regional/field office/agency, community, etc., shall be entitled to free living quarters  
34 within the regional/field office/agency. If such quarters are not available, they shall be  
35 entitled to housing allowance as may be determined by the appropriate government  
36 agencies concerned: *Provided,* That the rate shall be periodically adjusted for inflation.

37       Section 16. *Compensation from Injuries.* - Agriculture and fishery development  
38 workers shall be protected against work-related injuries in accordance with the Civil  
39 Service Law. Injuries incurred while doing overtime work shall be presumed work-  
40 connected.

41       Section 17. *Right to Join Organizations.* - Agriculture and fishery development  
42 workers shall have the right to freely join any organization or union for purposes not  
43 contrary to law, in order to defend and protect their mutual interest and to obtain redress  
44 of grievances through peaceful concerted activities: *Provided,* That under no  
45 circumstance shall government agriculture and fishery development workers join,  
46 declare, stage, form any strike or cessation of services.

47       Section 18. *Freedom from interference of Coercion.* - It shall be unlawful for any  
48 person to commit any of the following acts of interference or coercion:

49       (a) To require as condition for employment that the agriculture and fishery  
50 development worker shall not join an agricultural organization or union;

51       (b) To discriminate in order to encourage or discourage membership in any  
52 agriculture and fishery development workers' organization or union;

53       (c) To prevent an agriculture and fishery development worker from carrying out  
54 one's duties and functions in the agricultural work organization or union or to penalize  
55 him/her for any lawful action performed in that capacity;

56       (d) To harass and interfere with the intention of intimidating or preventing the  
57 agriculture and fishery development worker from performing his/her duties and functions;  
58 and



(e) To perform acts calculated to diminish the independence and freedom of the union or organization to direct its own affairs.

Section 19. *Consultation.* - The DA shall consult professional and agricultural work organizations or unions in formulating policies to govern the welfare and security of agriculture and fishery development workers.

Section 20. *Human Resource Development.* - The DA shall conduct human resource development and management studies and make recommendations for appropriate action by the concerned LGU in collaboration with the Department in the following areas:

(a) Development and maintenance of adequate facilities and resources to enable agriculture and fishery development workers to render effective services to clientele;

(b) Creation of opportunities for agriculture and fishery development workers to grow and develop their potentials and to experience a sense of worth and dignity in their work;

(c) Development and continuing improvement of mechanisms for democratic consultation;

(d) Ways and means of enabling rank-and-file agriculture and fishery development workers to attain viable education opportunities for personal growth and development; and

(e) Constant review and implementation of staffing patterns and qualification standards for agriculture and fishery development workers to ensure that farmers and fisherfolks receive quality services.

Section 21. *Rules and Regulations.* - Pursuant to Joint Resolution No. 4, the Department of Budget and Management (DBM) is authorized to issue the necessary guidelines, rules and regulations on the grant of Magna Carta benefits authorized for agriculture and fishery development workers to determine those that may be categorized in the total compensation framework.

Section 22. *Penal Provisions.* - Any person who shall willfully interfere with, restrain or coerce any agriculture and fishery development worker in the exercise of one's right or shall in any manner commit any act in violation of any of the provisions of this Act shall, upon conviction, be punished by a fine of not less than Twenty thousand pesos (P20,000.00) but not more than Forty thousand pesos (P40,000.00) or imprisonment of not more than one (1) year, or both, at the discretion of the court. If the offender is a public official, the court, in addition to the penalties provided in this paragraph, may impose the additional penalty of disqualification from office.

Section 23. *Funding.* -The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and every year thereafter.

Section 24. *Separability Clause.* - If any provision of this Act is declared unconstitutional or invalid, the other provisions thereof not affected thereby shall continue to be in full force and effect.

Section 25. *Repealing Clause.* - All laws, decrees, orders, rules and regulations or issuances inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 26. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

*Approved.*