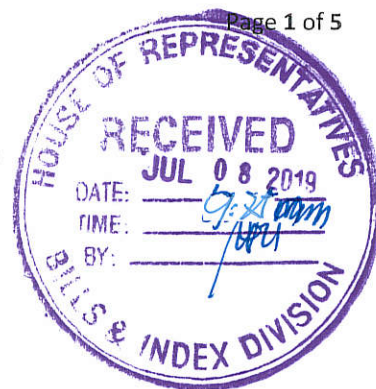


Republic of the Philippines  
HOUSE OF THE REPRESENTATIVES  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL No. 1555**



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**Introduced by REPRESENTATIVES ALFREDO A. GARBIN, Jr. and  
ELIZALDY 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.

**ALFREDO A. GARBIN, Jr.**

A stylized, large handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

**ELIZALDY S. CO**

A handwritten signature in black ink, featuring a large, bold letter 'E' followed by a stylized 'L' and 'S'.

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**EIGHTEENTH CONGRESS**

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HOUSE BILL No. 1555

**Introduced by REPRESENTATIVES ALFREDO A. GARBIN, Jr. and  
ELIZALDY S. CO**

**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 production and processing.

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

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

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

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

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

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

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

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

(e) The right to appeal to designated authorities;

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

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

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

Section 8. *Code of Conduct*. - All agriculture and fishery development workers must be guided by a code of ethics not contrary to law, moral standards, safety, health, public policy and public order. The code of conduct of agriculture and fishery development workers shall be prepared by the Secretary of Agriculture, in consultation with the league of cities/municipalities and the CSC, and shall be issued ninety (90) days 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) hours  
3 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 the  
10 normal eight (8) hours a day, inclusive of Saturdays, Sundays and non-working holidays.  
11 In such case, the agriculture and fishery development worker shall be given an additional  
12 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, series  
17 of 2009, entitled, "Joint Resolution Authorizing the President of the Philippines to Modify  
18 the Compensation and Position Classification System of Civilian Personnel and the Base  
19 Pay Schedule of Military and Uniformed Personnel in the Government, and for Other  
20 Purposes", shall apply in determining the salaries of agriculture and fishery development  
21 workers.

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

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

31       Section 15. *Housing.* - All agriculture and fishery development workers who are on  
32 tour of duty and those who, because of unavoidable circumstances are forced to stay in  
33 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 circumstance  
45 shall government agriculture and fishery development workers join, declare, stage, form  
46 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

46  
47  
48 *Approved.*