



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 3870

Introduced by **HON. JOSEPHINE VERONIQUE "Jaye" R. LACSON - NOEL**
Malabon City, Lone District

EXPLANATORY NOTE

Republic Act No. 7160 otherwise known as Local Government Code of the Philippines was passed into law on October 10, 1991 and entered into force on January 01, 1992 to establish the local government system and defines the powers of the provincial, city, municipal and the barangay governments of the country.

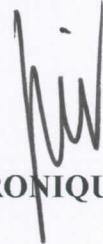
The said law has been in existence and implemented for the past twenty-seven (27) years. However, some of its provisions are no longer attuned to the present situations and conditions due to the changes in the local and national settings. Among the issues identified in the implementation of the law include: (1) the need to strengthen the basic unit of the government, which is the barangay; (2) the need to protect and promote the general welfare of our workers in the barangay; (3) the need for the government to prioritize the barangays through the implementation of programs and projects; and (4) the need to recognise the inevitable role of the barangay and its workers towards nation-building.

This bill covers all barangay workers not duly identified by above-mentioned law including the Tanods, Members of the Lupon Tagapamayapa, Barangay Health Workers and other Barangay Workers.

Therefore, the bill seeks to strengthen the barangay by upholding the pronouncement of the constitution to protect and promote the general welfare of our workers.

It is by providing them with adequate compensation and other benefits to ease their financial burden that we can help create an atmosphere of monetary independence within communities and empower the smallest administrative division of our country to deliver help, rescue and response. Also, the bill seeks to ask the government to prioritise the Barangays through programs and projects to develop a mechanism to improve the services provided by the government through the barangay for our constituents in the grass roots level.

IN VIEW OF THE FOREGOING, approval of this bill is earnestly sought.



JOSEPHINE VERONIQUE "Jaye" R. LACSON - NOEL



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Introduced by **HON. JOSEPHINE VERONIQUE "Jaye" R. LACSON - NOEL**
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**AN ACT PROVIDING
COMPENSATION, MONETARY AND NON-MONETARY BENEFITS TO ALL
BARANGAY OFFICIALS, INCLUDING BARANGAY TANODS, BARANGAY HEALTH
WORKERS, BARANGAY DAY CARE WORKERS, MEMBERS OF THE LUPON NG
TAGAPAMAYAPA AND OTHER BARANGAY VOLUNTEER WORKERS, FURTHER
AMENDING FOR THE PURPOSE SEVERAL PROVISIONS OF REPUBLIC ACT NO.
7160, AS AMENDED, OTHERWISE KNOWN AS THE 'LOCAL GOVERNMENT CODE
OF 1991.'**

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

SECTION 1. Short Title. - This act shall be known as the "Barangay Benefits Act
of 2019."

SECTION 2. Declaration of State Policy. - It is hereby declared the policy of the State to protect the rights of the workers and promote their welfare¹. Through the implementation of mechanisms of protection and promotion for our Barangay Workers, it enhances their socio-economic well-being and their financial independence. Thus, it shall empower and strengthen the barangay through changing the terms of their employment and giving them the security of tenure that they actually deserve.

¹ 1987 Constitution of the Philippines. Article II, Section 18.

In addition, it shall recognise their indispensable role towards nation-building. Through education and training programs of the government, it can actually contribute to make our barangay workers become more skilled, efficient and reliable.

Through all these, the pursuit of our goal to finally capacitate the Barangay as our frontline of rescue and defense can become visible in the national and local statistics.

SECTION 3. *Definition.* - As used in this Act, the following terms shall mean:

- a. ***“Barangay Workers”*** - shall refer to all workers who are not enumerated under Republic Act No. 7160 as amended, otherwise known as the Local Government Code of the Philippines of 1991, including BHWS Lupon Members and BVWs;
- b. ***“Barangay Officials”*** - shall refer to all volunteer workers enumerated under Section 387 (a) of Republic Act No. 7160 as amended, otherwise known as the Local Government Code of the Philippines of 1991, namely the Punong Barangay, Sanggunian Barangay Members, Secretary and Treasurer;
- c. ***“Barangay Tanods”*** - shall refer to all duly appointed members of the tanod brigade consisting of not more than twenty (20) appointees in each Barangay as prescribed under Republic Act No. 7160 as amended, otherwise known as the Local Government Code of the Philippines of 1991;
- d. ***“Barangay Health Workers” or BHWS*** - shall refer to a group of person who has undergone technical enhancement training and seminars through programs implemented by the government or non-government organisation in order to capacitate them to render health care services pursuant to Republic Act No. 7883 or the Barangay Health Workers’ Benefit and Incentives Act of 1995;
- e. ***“Barangay Day Care Workers” or BDCWs*** - shall refer to a group of person who provides supplemental parental care and early childhood enrichment activities and work in day care centre as specified under Republic Act no. 6972 or otherwise known as “Barangay - Level Total Development and Protection of Children Act.”
- f. ***“Members of the Lupon ng Tagapamayaya”*** - shall refer to all members of the constituted Lupon, consisting of not less than ten (10) but not more than (20) as prescribed under Section 399 (a) of Republic Act No. 7160 as amended, otherwise known as the Local Government Code of the Philippines of 1991;

- g. "*Barangay Volunteer Workers*" or *BVWs* - shall refer to all volunteer workers not enumerated under Section 387 of Republic Act No. 7160 as amended, otherwise known as the Local Government Code of the Philippines of 1991 and who's work is not as complex as those previously enumerated;
- h. "*Retiree*" - shall refer to all volunteer workers not enumerated under Section 387

SECTION 4. Education, Training and Skills development Programs - The Local Government Unit and the Civil Service Commission, through different government departments and agencies, shall develop a competency-based education and training curriculum for all Barangay Workers specially for the following:

1. Barangay Tanods - Three (3) months of combat skills and rescue training with the Philippine National Police, Bureau of Fire, the Department of Interior Local Government and the Department of Health;
2. Barangay Health Workers - Aside from the training pursuant to RA No. 7883, the BHWs shall undergo an additional of one (1) month of education and technical skills training with the Department of Health; and
3. Barangay Volunteer Workers - Two (2) Weeks of clerical and administrative learning and training with the help of the Technical Education and Skills Development Authority.

A mandatory continuing community-based education shall be required by the Local Government Unit at least every three (3) years of active service. A curriculum shall be devised in coordination with all the concerned departments of the government.

SECTION 5. Section 387, Chapter Two, Title One of Book III of Republic Act No. 7160 is hereby amended to read as follows:

"Chapter Two - Barangay Officials, WORKERS AND Offices

Saction. 387. Chief Officials, WORKERS and Offices. - (a) There shall be in each Barangay a Punong Barangay, seven (7) Sangguniang Barangay members, the Sangguniang Kabataan chairman, Barangay Secretary, and a Barangay treasurer AND WORKERS CONSISTING OF NOT LESS THAN FIVE (5) BUT NOT MORE THAN THIRTY (30). (b) There shall also be in every Barangay a Lupong Tagapamayaya. The Sangguniang Barangay may form community brigades and create such other positions or offices as may be deemed necessary to carry out the purposes of the Barangay government in accordance with the needs of public service, subject to the budgetary limitations on personal services prescribed under Title Five, Book II of this Code."

SECTION 6. Section 393, Chapter Two, Title One of Book III of Republic Act No. 7160 is hereby amended to read as follows:

“Section. 393. **COMPENSATION AND Benefits of Barangay Officials AND WORKERS.** -

(a) BARANGAY OFFICIALS, MEMBER OF THE LUPONG TAGAPAMAYAPA, BARANGAY TANODS, BARANGAY HEALTH WORKERS, BARANGAY DAY CARE WORKERS AND OTHER BARANGAY WORKERS SHALL RECEIVE MONTHLY COMPENSATION IN ACCORDANCE WITH THE PROVISION OF THIS CODE NOT LESS THAN THE AMOUNTS ENUMERATED AS FOLLOWS:

- i. P 12,000.00 - PUNONG BARANGAY
- ii. P 9,000.00 - SANGGUNIANG BARANGAY
- iii. P 6,000.00 - BARANGAY SECRETARY
- iv. P 6,000.00 - BARANGAY TREASURER
- v. P 5,000.00 - MEMBERS OF THE LUPONG TAGAPAMAYAPA
- vi. P 4,000.00 - TANOD, BARANGAY HEALTH WORKERS, BARANGAY DAY CARE WORKERS AND OTHER BARANGAY WORKERS

(b) (a) Barangay officials, ~~including Barangay tanods, and members of the Lupong Tagapamaya-pa,~~ **BARANGAY TANODS, BARANGAY HEALTH WORKERS, BARANGAY DAY CARE WORKERS AND OTHER BARANGAY WORKERS**, shall receive honoraria, allowances, and such other emoluments as may be authorized by law or Barangay, municipal or city ordinance in accordance with the provisions of this Code, but in no case shall it be less than One thousand pesos (P 1,000.00) per month for the Punong Barangay, ~~and~~ Six hundred pesos (P 600.00) per month for the Sangguniang Barangay members, Barangay treasurer, and Barangay secretary **AND THREE HUNDRED PESOS (P 300.00) PER MONTH FOR THE TANODS, BARANGAY HEALTH WORKERS AND OTHER BARANGAY WORKERS**: Provided, however, That the annual appropriations for personal services shall be subject to the budgetary limitations prescribed under Title Five, Book II of this Code, **PROVIDED, FURTHER, THAT THE SERVICE OF THE BARANGAY TANODS, BARANGAY HEALTH WORKERS , BARANGAY DAY CARE WORKERS AND OTHER BARANGAY WORKERS HAS BEEN MORE THAN SIX (6) MONTHS;**

(c) (b)-The Punong Barangay, the Sangguniang Barangay members, the Barangay treasurer,~~and~~ the Barangay secretary, **MEMBERS OF THE LUPONG TAGAPAMAYAPA, BARANGAY TANODS, BARANGAY HEALTH WORKERS AND OTHER BARANGAY WORKERS** shall also:

- (1) Be entitled to Christmas bonus of at least One thousand pesos (P1,000.00) each, the funds for which shall be taken from the general fund of the Barangay or from such other funds appropriated by the national government for the purpose;

(2) Be entitled, during their incumbency, to insurance coverage which shall include, but shall not be limited to temporary and permanent disability, double indemnity, accident insurance, death and burial benefits, in accordance with Republic Act Numbered Sixty-nine hundred forty-two (R.A. No. 6942), entitled "An Act Increasing the Insurance Benefits of Local Government Officials and Providing Funds Therefor";

(3) Be entitled to free medical care including subsistence, medicines, and medical attendance in any government hospital or institution: Provided, That such hospital care shall include surgery or surgical expenses, medicines, X-rays, laboratory fees, and other hospital expenses;

In case of extreme urgency where there is no available government hospital or institution, the Barangay officials **AND WORKERS** concerned may submit himself for immediate medical attendance to the nearest private clinic, hospital or institution and the expenses not exceeding Five thousand pesos (P5,000.00) that may be incurred therein shall be chargeable against the funds of the Barangay concerned;

BARANGAY OFFICIALS AND WORKERS SHALL BE ENTITLED TO FIFTEEN PERCENT (15%) DISCOUNT AND EXEMPTION FROM VALUE-ADDED TAX ON THE PURCHASE OF MEDICINES ON TOP OF THE DISCOUNTS THAT THEY ARE QUALIFIED TO AVAIL AS PRESCRIBED BY OTHER EXISTING LAWS AND ON THE PROFESSIONAL FEES OF DOCTORS, PHYSICAL THERAPISTS AND PSYCHOLOGISTS.

(4) Be exempted during their incumbency from paying tuition and matriculation fees for their legitimate dependent children attending state colleges or universities. He may likewise avail of such educational benefits in a state college or university located within the province or city to which the Barangay belongs; and

(5) Be entitled to appropriate civil service eligibility on the basis of the number of years of service to the Barangay, pursuant to the rules and regulations issued by the Civil Service Commission.

(6) BE ENTITLED TO TWENTY PERCENT (20%) DISCOUNT ON PUBLIC TRANSPORTATIONS WHILE IN THE PERFORMANCE OF OFFICIAL FUNCTIONS.

(7) BE ENTITLED TO A LUMP SUM RETIREMENT PAY EQUIVALENT TO ONE HALF (1/2) MONTH COMPENSATION IN ACCORDANCE WITH THE PROVISION OF THIS ACT FOR EVERY ONE (1) YEAR OF SERVICE RENDERED, BUT IN NO CASE SHALL EXCEED ONE HUNDRED THOUSAND PESOS (P100,000.00) TO BE TAKEN FROM THE BUDGET OF THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT; PROVIDED, HOWEVER, THAT THE RETIREE IS AT LEAST SIXTY (60) YEARS OF AGE WITH A MINIMUM OF THREE (3) YEARS IN SERVICE AT THE TIME OF THE RETIREMENT.

(d) (e) Elective Barangay officials shall have preference in appointments to any government position or in any government-owned or controlled corporations, including their subsidiaries, after their tenure of office, subject to the requisite qualifications and the provisions of the immediately preceding paragraph.

(e) (f) All duly appointed members of the Barangay tanod brigades, or their equivalent, which shall number not more than twenty (20) in each Barangay, shall be granted insurance or other benefits during their incumbency, chargeable to the Barangay or the city or municipal government to which the Barangay belongs.

(f) (e) All barangay officials who are also indigenous peoples or are from indigenous cultural communities shall also receive the above mentioned compensation, honoraria and benefits.

SECTION 7. *Implementing Rules and Regulations.* - The Department of Interior and Local Government, in consultation with the Liga ng mga Barangays and the Department of Health, shall issue the necessary rules and regulations to implement the Act within ninety (90) days after its approval.

SECTION 8. *Appropriations.* - An allocation of Three Hundred Million (P300,000,000) shall be included in the budget of the Office of the President for the current General Appropriations Act to initially support the policies of this Act. Thereafter, it shall be charged against the current budget of Department of Interior and Local Government.

SECTION 9. *Separability Clause.* - If any provision of this act is subsequently declared invalid or unconstitutional, other provisions hereof which are not affected thereby, shall remain in full force and effect.

SECTION 10. *Repealing Clause.* - All laws, acts, presidential decrees, executive orders, issuances, presidential proclamations, rules and regulations or parts thereof which are contrary to and inconsistent with any provision of this Act are hereby repealed, amended or modified accordingly.

SECTION 11. *Effectivity.* - This act shall take effect fifteen (15) days after its complete publication either in the Official Gazette or in at least two (2) newspaper of general circulation.

Approved,