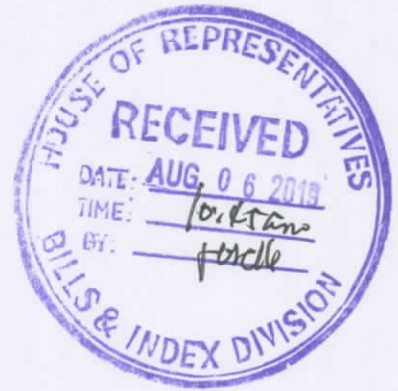


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 3478



Introduced by
BAYAN MUNA Party-List Representatives FERDINAND R. GAITE, CARLOS ISAGANI T. ZARATE, and EUFEMIA C. CULLAMAT, ACT TEACHERS Party-List Representative FRANCE L. CASTRO, GABRIELA Women's Party Representative ARLENE D. BROSAS, and KABATAAN Party-List Representative SARAH JANE I. ELAGO

AN ACT
UPGRADING THE MINIMUM MONTHLY SALARY OF NURSES
TO P30,000 AND PROVIDING THEM WITH OTHER BENEFITS

EXPLANATORY NOTE

This Bill aims to upgrade the minimum salary of nurses, both in public and private sectors, and to ensure that mandated benefits are also provided to encourage them to work in the country instead of going abroad.

Increasing the salaries of nurses was mentioned by President Rodrigo Duterte during his State of the Nation Address on July 22, 2019. He said that it is time for Congress to approve a new Salary Standardization Law that is intended to increase the salaries of national government workers, including teachers and nurses.

Accordingly, Finance Secretary Carlos Dominguez III said that the government had ample resources to finance the new round of salary increases.

Salary upgrading for nurses and other professionals is long overdue.

For decades, nurses were denied of their rightful salaries as mandated by Republic Act No. 9173 or the Philippine Nursing Act of 2002. The law provided for Salary Grade 15 as entry salary grade for public nurses all over the country. This was never implemented, with the government failing to allocate funds for its implementation.

Instead of rectifying this gross neglect, the government through Joint Resolution No. 4 or the Salary Standardization Law III in 2009 pegged the salary grade of nurses to Salary Grade 11. Executive

Order 201 approved in 2016 maintained the Salary Grade 11 as entry level salary grade level for nurses and like the previous salary standardization laws provided measly salary increases.

Defending such callous and unjust actions of the government, Solicitor General Jose Calida said on February 2019 that assigning Salary Grade 15 for nurse 1 position would lead to inequity and wage distortion in medical and allied positions.¹

Such is the same worn out argument used by past and present administrations to deny and block the calls for salary upgrading. Professional bills for pharmacists, medical technicians, and nutritionists were only approved by Congress with the condition that salary upgrading provisions be stricken off. In 2016, President Benigno Aquino III vetoed the Comprehensive Nursing Bill because of the salary upgrading provision.

Nurses in national government hospitals only receive P20,754 per month. Those in devolved hospitals and health facilities receive even less, due to the provision of the Salary Standardization Law allowing lower salaries based on the capacity and classification of the local government units.

But nurses in the private sector receive even much less. According to the Department of Labor and Employment Bureau of Local Employment, the average salary per month of nurses in the private sector is around P10,000 per month. The Filipino Nurses United has documented salaries of nurses as low as P6,000 per month. Such salaries are lower than the mandated minimum wage in the National Capital Region at P537/day or P11,814/month.

The present entry salaries of nurses either in private or public sector are way below the supposed rate for salary grade 15, pegged at P30,531/month, based on the fourth tranche of EO 201. These salaries are likewise way below the family living wage of P1,205/day or P36,150/month for a family of six (6) in the National Capital Region according to IBON Databank.

The salaries of Filipino nurses in the country are much lower than those in the ASEAN countries. In Thailand, a new nurse earns a minimum of 33,772 THB or P55,930. Average Malaysian nurse salary is MYR 6,634 monthly, equivalent to P82,331/month. In Japan, nurses undergoing work-training receive an average monthly salary of 212,970 yen or roughly P100,000. In Korea, monthly salary of a nurse is US \$1,567 or P80,000. In Singapore, average monthly salary for a nurse is S\$D 3,001 or P111,955.

The inadequacy of salaries is further aggravated by inadequacy or non-implementation of benefits as mandated by Republic Act No. 7305 or the Magna Carta of Public Health Workers, such as overtime pay, night shift differential, on call pay, and hazard pay. Nurses in the private sector do not even receive hazard pay.

The situation is made worse with higher prices of goods and services resulting from additional taxes under the Duterte administration's Tax Reform for Acceleration and Inclusion or TRAIN Law.


Such inadequate salaries and benefits of nurses is one of the main reasons why we are losing our nurses to other countries at the expense of adequate and quality services for the Filipino people.

¹ <https://cnnphilippines.com/news/2019/2/26/Solicitor-General-Jose-Calida-nurses-pay.html>

To rectify what has been a gross neglect of the welfare of our nurses, and to prevent the worsening of brain drain, we propose that the minimum salary of nurses be upgraded to P30,000 and adequate benefits be provided for nurses both at the public and private sector.

In this light, the urgent passage of this bill is earnestly sought.


Approved,



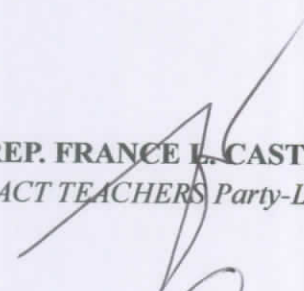
REP. FERDINAND R. GAITE
BAYAN MUNA Partylist



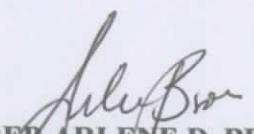
REP. CARLOS ISAGANI T. ZARATE
BAYAN MUNA Partylist




REP. EUFEMIA C. CULLAMAT
BAYAN MUNA Partylist



REP. FRANCE L. CASTRO
ACT TEACHERS Party-List



REP. ARLENE D. BROSAS
GABRIELA Women's Party



REP. SARAH JANE I. ELAGO
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AN ACT
UPGRADING THE MINIMUM MONTHLY SALARY OF NURSES
TO P30,000 AND PROVIDING FOR BENEFITS FOR NURSES

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

SECTION 1. *Short Title.* This Act shall be known as "The Nurses' Salary Upgrading and Benefits Act of 2019."

SECTION 2. *Declaration of Policy.* It is the Government's concern and responsibility to provide adequate remuneration and benefits of health workers to enhance general welfare and to attract and retain its rightful share of talents with the end in view of fulfilling the state policy of providing essential health services to all Filipinos.

SECTION 3. *Raising of the Minimum Salary for Nurses.* The present minimum monthly salary for nurses shall be upgraded to P30,000 or equivalent to salary grade (SG) "15" of the Salary Standardization Law. Salaries of those occupying higher positions shall be adjusted accordingly. The minimum salary shall cover all nurses in public health facilities, whether nationally or locally-funded, and private health facilities and institutions.

SECTION 4. *Benefits.* Nurses in public and private sectors shall be provided with all applicable benefits prescribed under Magna Carta of Public Health Workers or Republic Act No. 7305, including overtime pay, night-shift differential, on-call pay; hazard pay subsistence allowance, housing facility or housing allowance free annual physical examination and free hospitalization.

SECTION 5. *Sanctions.* A fine of not less than five hundred thousand pesos (P500,000,000) and/or imprisonment of not less than one (1) year nor more than two (2) years shall be imposed upon violation of any of the provisions hereof.

Provided that, for violations committed by government agencies, juridical persons, including local government units or any other entity, the head of the agency and Board of Directors or executive officials of the agency shall assume full responsibility.

SECTION 6. *Refund and Compensation.* Any nurse found to have been a victim of violation of any section of this Act shall be entitled to backwages and full payment of unpaid benefits. In addition, he/she shall be entitled to refund of interest and attorney's fees to be paid by the agency if he/she is forced to litigate.

SECTION 7. *Rules and Regulations.* The Department of Health and the Department of Budget and Management shall promulgate the necessary rules and regulations of the provisions of this Act.

SECTION 8. *Appropriation.* The Government shall appropriate such amount as may be necessary to carry out the objectives of this Act. Initial funds required for the implementation of this Act shall be sourced from the General Appropriations Act Miscellaneous Personnel Benefit Fund and other possible sources that may be determined by the Office of the President. The subsequent funds needed for national public health institutions shall be included in the General Appropriations Act in the allotment for the particular facility or institution. For devolved health agencies, funding shall be included in the annual budget allotment for the provincial and district hospitals and local health units.

For private health facilities, funding shall be included in the corporate budget.

SECTION 9. *Constitutionality.* Should any provision of this Act be declared invalid or unconstitutional, the validity or constitutionality of the other provisions shall not be affected thereby.

SECTION 10. *Repealing Clause.* All laws, decrees, letters of instructions, resolutions, orders, ordinances or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed, amended, or modified accordingly.

SECTION 11. *Effectivity.* This Act shall take effect fifteen (15) days after publication in the Official Gazette or in a national newspaper of general circulation.

Approved,