

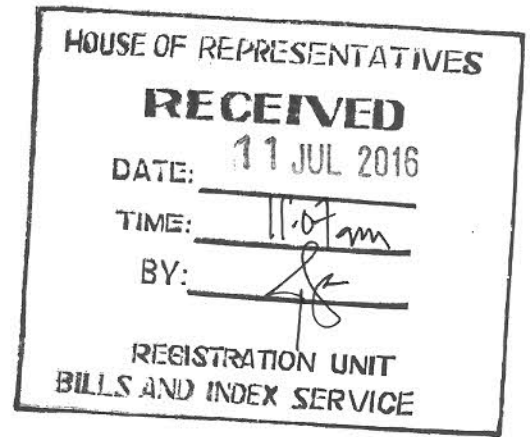


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Seventeenth Congress

First Regular Session

House Bill No. 1345



Introduced by **HON. ROMEO M. ACOP**

EXPLANATORY NOTE

Children and the youth constitute our greatest human resource for in their hands lies the future of our nation. In recognition of this vital role of the youth in nation-building, the Constitution mandates the State to promote and protect their physical, moral, spiritual, intellectual and social well-being. The education of our children must begin at the earliest possible age. The first opportunity, outside of the family, occurs when pre-school children are left to the care and custody of day care workers in day care centers.

Thus, day care workers are in the forefront of the education and character formation of our children. They provide our children not only substitute care while in their custody, but as well as social development training and basic pre-school education. Discharging such important and delicate function, day care workers in return deserve better government attention with respect to the protection and promotion of their rights and welfare. However, the current plight of day care workers indicates conditions of abject poverty and long years of government neglect. They do not enjoy security of tenure and are deprived of benefits enjoyed by other government employees mandated by law.


Section 9 of Article II of the Constitution directs the State to promote a just and dynamic social order that will free the people from poverty

through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.

This proposed measure seeks, among other things, to upgrade the salaries of day care workers, provide them with benefits due them and to grant them with security of tenure. As public servants, they should be entitled to social benefits provided for under existing laws and to compensation commensurate to their duties and responsibilities.

This bill has been passed on Third Reading by the House of Representative and was transmitted to the Senate for its concurrence during the 16th Congress. However, due to lack of material time, the measure was not finally enacted into law.

For the foregoing reasons, the immediate passage of the bill is earnestly urged.


ATTY. ROMEO M. ACOP MNSA
Representative
2nd District, Antipolo City



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AN ACT
INSTITUTING THE MAGNA CARTA OF DAY CARE WORKERS AND
PROVIDING FUNDS THEREFOR

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

SECTION 1. Title. – This Act shall be known as the “*Magna Carta of Day Care Workers*”.

SECTION 2. Declaration of State Policy.– The State recognizes the vital role of children and youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. Towards this end, the State shall adopt policies that will improve the social and economic welfare of day care workers who provide pre-school education and social development services to children.

SECTION 3. Coverage.– This Act covers all day care workers, also referred to as Child Development Workers in *Republic Act No.10410*, otherwise known as *The Early Years Act (EYA)*, herein defined as persons

primarily engaged in the provision of early child development services and programs such as care, social development, education, protection, and other needs of children aged four (4) years old and below in all government-sponsored day care centers.

SECTION 4. *Plantilla Positions and Security of Tenure in Day Care Centers.* – At least one (1) Day Care Worker I and one (1) Day Care Worker II plantilla positions shall be created in all day care centers nationwide. As plantilla position holders, day care workers shall be appointed under permanent status and shall be protected and governed by Civil Service rules and regulations. No day care worker shall be removed or transferred from office without just cause, due process, or prior consultation with the concerned day care worker.

SECTION 5. *Recruitment and Selection/Creation of Special Selection Board.* – Upon publication and posting by the local Human Resource Management Office (HMRO) of vacant permanent day care worker positions in particular day care centers, all qualified applicants shall submit their application together with complete requirements to the *Punong Barangay* who shall forthwith transmit the same to the HMRO for preliminary evaluation: *Provided*, That all qualified incumbent day care workers hired under casual, contractual, and job order employment status shall automatically be considered candidates and given priority for appointment to permanent day care worker positions.

A Special Personnel Selection Board (SPSB) for day care worker positions shall be created to screen candidates and create a pool of ten (10) qualified applicants for possible appointment to the subject positions. The SPSB shall be composed of the Local Social Welfare and Development Officer as chair, the *Punong Barangay*, Local Health Officer, Human Resource Management Officer, and local government unit (LGU) first level employees' representative as members.

The Local Chief Executive, as the appointing authority, shall exercise sound discretion in selecting from the SPSB-recommended pool the most qualified for appointment to the day care worker position in a particular day care center.

SECTION 6. Qualifications, Positions and Salary Grade. – A day care worker possessing the following qualifications shall be hired to the position of Day Care Worker I, and entitled to Salary Grade Six (6):

- 1) Must be of legal age: *Provided*, That day care workers legitimately serving as such upon the passage of this Act who are above seventeen (17) years old but below eighteen (18) years old, shall continue to serve as such and are qualified to be covered under this Act; *Provided further*, That their retention had been recommended by their direct supervisor.
- 2) Must have completed at least two (2) years of college education: *Provided*, That day care workers who have no college education upon the effectivity of this Act shall be given two (2) years within which to complete equivalent training to be able to continue in the service, in accordance with Section 9 of this Act. The necessary training courses shall be prescribed by the Department of Social Welfare and Development (DSWD).
- 3) Must be certified by the DSWD or DSWD-deputized entities to have complied with existing requisites and trainings in early childhood care and development;
- 4) Must not have been convicted by final judgment of any crime; and,
- 5) Must not have a pending case in relation to *Republic Act No. 7610*, otherwise known as *Special Protection on Children Against Child Abuse*.

A daycare worker who possesses all the above qualifications, has at least five (5) years of working experience as such, and has completed more than twelve (12) hours of relevant training, shall be hired as Day Care Worker II, and entitled to Salary Grade Eight (8).

Qualifications and exceptions applicable to this Section shall be subject to conditions imposed by the Civil Service Commission (CSC).

