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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

HOUSE JOINT RESOLUTION No. 24

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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

JOINT RESOLUTION
APPROPRIATING FUNDS FOR THE IMPLEMENTATION
OF SALARY GRADE 15 FOR NURSES IN THE GOVERNMENT PURSUANT TO
REPUBLIC ACT NO 9173 OR THE PHILIPPINE NURSING ACT OF 2002

WHEREAS, Section 32 of the Republic Act No 9173 or the Philippine Act of 2002 states that:

“SEC. 32. *Salary.* — In order to enhance the general welfare, commitment to service and professionalism of nurses, the minimum base pay of nurses working in the public health institutions shall not be lower than salary grade 15 prescribed under Republic Act No. 6758, otherwise known as the “Compensation and Classification Act of 1989”: *Provided*, That for nurses working in local government units, adjustments to their salaries shall be in accordance with Section 10 of the said law”;

WHEREAS, on June 1, 2009 and June 2, 2009, the House of Representatives and the Senate, respectively, adopted Joint Resolution No. 4 which authorized the President “to Modify the Compensation and Position Classification System of Civilian Personnel and the Base Pay Schedule of Military and Uniformed Personnel in the Government, and for Other Purposes.” Joint Resolution No 4 which was thereafter approved by President Gloria Macapagal-Arroyo modifies RA 9173;

WHEREAS, on June 17, 2009, President Arroyo issued Executive Order No 811, which adopted “(t)he First Tranche of the Modified Salary Schedule of Civilian Personnel and Base Pay Schedule of Military and Uniformed Personnel in the Government, as well as the Modified Position Classification System Pursuant to Senate and House Representatives Joint Resolution No. 4, s. 2009. Section 6 of EO 811 mandated that the salary grade (SG) for the

1 position "Nurse I" be increased from SG 10 to SG 11. The salary grade for nurses under EO
2 811 is way below the salary grade for nurses under RA 9173, which is SG 15;

3 **WHEREAS**, on October 8, 2019, the Supreme Court declared as valid Section 32 of the
4 Philippine Nursing Act or Republic Act No. 9173 which states that "the minimum base pay
5 of nurses working in public health institutions shall not be lower than salary grade 15";

6 **WHEREAS**, the Court ruled that Joint Resolution No. 4 (s. 2009), being a mere resolution,
7 cannot amend or repeal a prior law such as RA 9173 or the Philippine Nursing Act. The same
8 applies to Executive Order 811, which is not a law, but an executive directive;

9 **WHEREAS**, for seventeen years, nurses were provided with salaries below what was
10 lawfully and rightfully due them. Due to inadequate salaries and benefits, more nurses are
11 seeking better opportunities abroad, aggravating the severe understaffing in hospitals and
12 communities and affecting the services provided to the Filipino people. Despite the calls for
13 salary increase, the government paid deaf ears to the calls of the nurses;

14 **WHEREAS**, the Court in the same decision, however, did not grant the prayer of the
15 petitioners to compel the implementation of Sec. 32 of RA 9173 since its implementation
16 would necessarily require a law passed by Congress providing the necessary funds for it;
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18 **WHEREAS**, according to the initial computations of nurses in the Department of Health,
19 P1.5 billion is needed this year to implement the Salary Grade 15 for nurses;
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21 **WHEREAS**, the amounts necessary for the implementation for the Salary Grade 15 for
22 nurses in the government for FY 2019 shall be sourced from the Miscellaneous Personnel
23 Benefit Fund and other available funds. The funding requirements for the succeeding years
24 shall be included in the General Appropriations Act;
25

26 **NOW THEREFORE, BE IT RESOLVED** that the House of Representatives and the
27 Senate, mandate the appropriation of funds for the implementation of the Salary Grade 15 for
28 nurses in the government pursuant to Republic Act No 9173 or the Philippine Nursing Act of
29 2002.
30


31 *Adopted,*


REP. FERDINAND R. GAITE
BAYAN MUNA Partylist


REP. CARLOS ISAGANI T. ZARATE
BAYAN MUNA Partylist


REP. EUFEMIA C. CULLAMAT
BAYAN MUNA Partylist


REP. FRANCE B. CASTRO
ACT TEACHERS Party-List


REP. ARLENE D. BROSAS
GABRIELA Women's Party

REP. SARAH JANE I. ELAGO
KABATAAN Party-List