

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

**NINETEENTH CONGRESS**  
**First Regular Session**

House Bill No. **4358**



---

**Introduced by Representative Hon. Christopher “Toff” V.P. de Venecia**

---

**AN ACT**  
**STRENGTHENING THE PROTECTION AND PROVIDING FURTHER BENEFITS**  
**TO PUBLIC SCHOOL TEACHERS AMENDING FOR THE PURPOSE REPUBLIC**  
**ACT NO. 4670 OR “THE MAGNA CARTA FOR PUBLIC SCHOOL TEACHERS”**

EXPLANATORY NOTE

Section 5, paragraph 5 of Article XIV of the 1987 Constitution provides that, “The State shall assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment.”

This bill seeks to provide more benefits and greater protection to teachers and non-teaching personnel all over the country by strengthening and amending certain provisions of Republic Act No. 4670 or the Magna Carta for Public School Teachers which was passed in 1966, and has not been amended since.

To stress their importance to society, teachers are given substitute and special parental authority under our laws. In law, the principle in *loco parentis* means “in place of the parent.” It is also defined as being “charged factitiously with a parent’s rights, duties, and responsibilities.” Teachers assume the status of a child’s parents in school and wield as much power as is necessary to carry out their responsibilities, i.e., to educate the child.

Despite the responsibility of our teachers in molding the futures of our young learners, they remain as one of the most underpaid professions in our country.

To truly create an empowered and globally competitive people that will help establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society, there must be greater increases in the salaries, benefits, and allowances of teachers.

This bill seeks to promote the professionalization of the teaching profession; guarantee broader protection with respect to their rights, benefits and leave as may be provided by existing and pertinent laws; and heavier penalties for violation of any of the provisions of this measure.

It is imperative, therefore, that we afford the best protections and benefits to our teachers, who, for the longest time, have been some of the most underappreciated professions in our country.

In lieu of the foregoing, immediate passage of this bill is earnestly sought.



**HON. CHRISTOPHER "TOFF" V.P. DE VENECIA**

*Fourth District, Pangasinan*

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

**NINETEENTH CONGRESS**  
**First Regular Session**

House Bill No. **4358**

---

**Introduced by Representative Hon. Christopher “Toff” P. de Venecia**

---

**AN ACT**  
**STRENGTHENING THE PROTECT AND PROVIDING FURTHER BENEFITS TO**  
**PUBLIC SCHOOL TEACHERS AMENDING FOR THE PURPOSE REPUBLIC ACT**  
**NO. 4670 OR “THE MAGNA CARTA FOR PUBLIC SCHOOL TEACHERS”**

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

**SECTION 1.** The Title of Republic Act 4670 is hereby amended to read as “The Magna Carta **OF** [For]Public School Teachers.”

**SEC. 2.** Section 10 is hereby amended to read as follows:

“Section 10. **DISCRIMINATION PROHIBITED.** – A PUBLIC SCHOOL TEACHER SHALL NOT BE DISCRIMINATED AGAINST WITH REGARD TO GROUNDS SUCH AS SEX, SEXUAL ORIENTATION, GENDER IDENTITY AND EXPRESSION, CIVIL STATUS, CREED, RELIGIOUS OR POLITICAL BELIEF OR AFFILIATION, ETHNIC GROUPINGS, OR ANALOGOUS REASONS. There shall be no discrimination whatsoever in entrance to the teaching profession, or during its exercise, or in the termination of services based on any ground other than professional consideration: **PROVIDED, THAT UNDER NO CIRCUMSTANCE THAT THE LICENSE OF PUBLIC SCHOOL TEACHERS BE SUSPENDED, REVOKED, OR INVALIDATED FOR REASONS NOT RELATED TO THE PERFORMANCE OF THE TEACHING PROFESSION SUCH AS BUT NOT LIMITED TO NONPAYMENT OF**

**OBLIGATIONS OR DEFAULT THEREIN AND PERSONAL CONFLICTS.”**

**SEC. 3.** Section 19 is amended to read as follows:

**“Section 19. *Special Hardship Allowances.* – TEACHERS EXPOSED TO HARDSHIP OR EXTREME DIFFICULTY IN THE PLACE OF WORK, TEACHERS ASSIGNED TO HANDLE MULTI-GRADE CLASSES, MOBILE TEACHERS, AND ALTERNATIVE LEARNING SYSTEM (ALS) COORDINATORS shall be compensated special hardship allowances BASED ON THE CRITERIA PRESCRIBED BY THE DEPARTMENT: *PROVIDED,***

**(1) THAT PRIORITY SHALL BE GIVEN TO TEACHERS ASSIGNED TO HARDSHIP POSTS CHARACTERIZED BY HAZARDS TO LIFE AND HEALTH, A STATE OF CALAMITY, TRANSPORT INACCESSIBILITY OR INCONVENIENCE, AND OTHER HAZARDS PECULIAR TO THE PLACE OF EMPLOYMENT; AND**

**(2) THAT THE AGGREGATE AMOUNT OF ALLOWANCE TO BE GIVEN TO SAID TEACHERS SHALL NOT BE LESS THAN TWENTY-FIVE PERCENT OF THEIR TOTAL BASIC PAY SALARY FOR THE YEAR.”**

**SEC. 4.** Section 29 is hereby amended to read as follows:

**“Section 29. *[National] Teachers’ Organizations.* – National teachers’ organizations shall be consulted in the formulation of national educational policies and professional standards, and in the formulation of national policies governing the social security of the teachers.**

**UNIONS OF PUBLIC SCHOOL TEACHERS WHICH ARE GRANTED THE STATUS AS SOLE AND EXCLUSIVE NEGOTIATING AGENT (SENA) SHALL HAVE THE RIGHT TO REPRESENT ALL PUBLIC SCHOOL TEACHERS IN THEIR RESPECTIVE NEGOTIATING UNITS IN**

**NEGOTIATIONS WITH THE DEPARTMENT FOR TERMS AND CONDITIONS OF EMPLOYMENT OR IMPROVEMENTS THEREOF, EXCEPT THOSE THAT ARE FIXED BY LAW. FOR THE PURPOSES OF THIS ACT, THE SENA REFERS TO ANY REGISTERED EMPLOYEES' ORGANIZATION WHICH HAS BEEN ACCREDITED BY THE CIVIL SERVICE COMMISSION AS THE NEGOTIATING AGENT OF ALL PUBLIC SCHOOL TEACHERS IN A GIVEN NEGOTIATING UNIT, IN ACCORDANCE WITH ITS PERTINENT RULES AND REGULATIONS.**

**THE DEPARTMENT SHALL ACCORD THE SENA, AS WELL AS ITS OFFICERS AND MEMBERS, ALL RIGHTS AND BENEFITS NECESSARY AND PERTINENT TO THE PERFORMANCE OF ITS DUTIES AND FUNCTIONS, SUCH AS REPRESENTATION OF TEACHERS IN ALL BODIES FOR POLICY MAKING AND TRIBUNALS FOR THE DISCIPLINE OF TEACHERS, AMONG OTHERS.”**

**SEC. 5.** A new Section 30 is hereby inserted after the renumbered Section 29 to read as follows:

**“Section 30. *Rights and Benefits of Teachers under Other Laws.* –** A teacher shall be accorded rights and benefits under other laws and rules on labor standards and relations, social security, among others, including but not limited to Republic Act 9710 or “The Magna Carta of Women,” Republic Act 9262 or the “Anti-Violence against Women and their Children Act,” and Republic Act 8792 or the “Solo Parents’ Welfare Act of 2000,” as they are applicable.”

**SEC. 6.** Section 30 is hereby renumbered as Section 31 and amended to read as follows:

**“Section 31. *Rules and Regulations.* – THE DEPARTMENT, IN CONSULTATION WITH UNIONS AND ORGANIZATIONS OF PUBLIC SCHOOL TEACHERS, shall formulate and prepare the necessary rules and regulations to implement the provisions of this Act**

within sixty days after its effective date. Rules and regulations issued pursuant to this Section shall take effect thirty days after publication in a newspaper of general circulation and by such other means as the Secretary of Education deems reasonably sufficient to give interested parties general notice of such issuance.”

**SEC. 7.** Section 31 is hereby renumbered as Section 32 and amended to read as follows:

“**Section 40. *Budgetary Estimates.*** – The Secretary of Education shall submit to Congress annually the necessary budgetary estimates to implement the provisions of the Act concerning the **MONETARY AND NON-MONETARY** benefits herein granted to public school teachers under the employ of the National Government. **THE DUTY TO PRESENT THE ANNUAL FUNDING REQUIREMENTS FOR THE BENEFITS UNDER THIS ACT SHALL BE DISTINCT FROM THE PRESENTATION OF THE BUDGET OF THE DEPARTMENT AND THUS MAY BE FULFILLED DURING OR BEFORE THE DELIBERATIONS FOR THE ANNUAL GENERAL APPROPRIATIONS.**”

**SEC. 8.** Section 32 is hereby renumbered as Section 33 and amended to read as follows:

“**Section 41. *Penal Provision.*** – A person who shall willfully interfere with, restrain, or coerce any teacher in the exercise of his **OR HER** rights **OR THE RIGHTS OF TEACHERS’ UNIONS AND ORGANIZATIONS** guaranteed by this Act, or who shall in any other manner commit any act to defeat any of the provisions of this Act shall, upon conviction, be punished by **IMPRISONMENT OF NOT LESS THAN SIX MONTHS, OR** a fine of not less than **ONE HUNDRED THOUSAND PESOS BUT NOT MORE THAN TWO HUNDRED THOUSAND PESOS, OR BOTH,** at the discretion of the court.

If the offender is a public official, the court shall order his or her dismissal **WITH PERPETUAL DISQUALIFICATION** from

government service. **THIS PROVISION SHALL COVER THE ISSUANCE OF RULES CONTRARY TO THIS ACT OR WHICH LEAD TO THE DEFEAT OR DIMINUTION OF RIGHTS AND BENEFITS PROVIDED HEREIN.**

**THE LIABILITIES UNDER THIS SECTION SHALL BE WITHOUT PREJUDICE TO CIVIL AND ADMINISTRATIVE LIABILITIES AND OTHER PENAL LIABILITIES UNDER OTHER APPROPRIATE LAWS.”**

**SEC. 9. *Separability Clause.*** – If, for any reason, any provision of this Act is held unconstitutional, all other provisions not affected thereby shall continue to be in full force and effect.

**SEC. 10. *Repealing Clause.*** – All laws, decrees, rules and regulations, and other issuances inconsistent with this act are hereby repealed or modified accordingly.

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

*Approved,*