

[REPUBLIC ACT NO. 9433, April 11, 2007]

AN ACT PROVIDING FOR A MAGNA CARTA FOR PUBLIC SOCIAL WORKERS

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

SECTION 1. *Title.* - This Act shall be known as the Magna Carta for Public Social Workers".

SEC. 2. *Declaration of Policy.* - The State shall promote and improve the social and economic well-being of public social workers, their living and working conditions, and terms of employment. It shall develop their skills and capabilities to make them more responsive to the needs and problems of their clients and better equipped in delivering social services and programs. The State shall likewise encourage those with proper qualifications and excellent abilities to apply and remain in social development work in the government service.

SEC. 3. *Definition of Terms.* - As used in this Act, the following terms shall mean as follows:

- a. 'Social Work' - refers to the profession which helps individuals, families, groups, and communities develop, improve, maintain or restore their capability for coping with the demands of their environment, through the use of social work methods and interventions;
- b. 'Registered Social Worker' - refers to a graduate of Bachelor of Science in Social Work or Master's Degree in Social Work and who has passed the social work licensure examination;
- c. 'Public Social Worker' - refers to registered social worker employed in the government service;
- d. 'Public Social Welfare and Development(b)Worker' - refers to those employed in government social welfare and development agencies;
- e. 'CSC' - refers to the Civil Service Commission;
- f. 'DSWD' - refers to the Department of Social Welfare and Development;
- g. 'DOLE' - refers to the Department of Labor and Employment;
- h. 'DILG' - refers to the Department of the Interior and Local Government;
- i. 'NLRC' - refers to the National Labor Relations Commission; and
- j. 'PRC' - refers to the Professional Regulations Commission.

SEC. 4. *Coverage.* - This Act shall cover all registered social workers employed in government service.

SEC. 5. *Recruitment and Qualifications.* - The selection and appointment of social workers shall be in accordance with the merit and fitness principle.

All government social work agencies and institutions shall be headed by registered social workers except for cabinet and non-career positions. Priority shall be given to registered social workers in filling up social work positions in the government.

SEC. 6. *Merit Promotion and Career System.* - A Social Work Management and Consultative Council shall be created to prepare a uniform career and personnel development plan applicable to public social workers. Such career and personnel development plan shall include provision on merit promotion, performance evaluation, in-service training grants, job rotation, incentive awards system and other policies that govern the social security of the social workers.

SEC. 7. *Composition.* - The Social Work Management and Consultative Council shall be composed of representatives of the DSWD, CSC, DILG, DOLE, Philippine Association of Social Workers, Inc. (PASWI), Association of Provincial/City and Municipal Social Welfare and Development Officer of the Philippines, Inc. (APCMSWDOPI), the League of Provinces, League of Cities and League of Municipalities. The Secretary of the DSWD or his/her representative shall be the head of the Council.

SEC. 8. *Classification of Social Work Personnel.* - The Social Work Management and Consultative Council shall develop a career ladder and classification system for all social work positions in government service: *Provided*, That all position classification shall carry Social Worker title.

SEC. 9. *Code of Conduct.* - All public social workers shall be guided by the Social Work Code of Ethics as adopted by the Board of Social Work and as approved by the PRC within six months from the effectivity of this Act.

SEC. 10. *Normal Hours of Work.* - The normal hours of work of any public social worker shall not exceed eight hours a day or forty (40) hours a week. Hours of work shall include:

- a. the time during which a public social worker is required to be on active duty or to be at a prescribed workplace;
- b. the time during which a public social worker is permitted to work; or
- c. the time during which a public social worker is required in a place other than prescribed workplace;

Provided, That, the time when a public social worker is placed on 'On Call' status shall not be considered as hours worked but shall entitle the public social worker to an 'On Call' pay equivalent to fifty percent (50%) of his/her regular wage. 'On Call' status refers to a condition when public social workers are called upon to respond to urgent or immediate need or relief work during emergencies such that he/she cannot devote the time for his/her own use: *Provided, further*, That, no public social worker shall be placed in 'On-Call' status beyond seven days per month. Public social workers can also teach or practice their profession after office hours.

SEC. 11. *Overtime Work.* - Where the exigencies of the service so require, any public social worker may be required to render service beyond the normal eight hours a day, inclusive of Saturdays, Sundays or nonworking holidays. In such a case, the public social worker shall be paid an additional compensation in accordance with existing laws.

SEC. 12. *Compensation.* - The existing law on the salary scale of government employees shall apply in determining the salaries of public social workers. In case of violations of this provision, the public social worker concerned shall file the necessary complaint to the CSC or NLRC through the Social Work Management and Consultative Council.

SEC. 13. *Leave Benefits.* - Public social workers shall be entitled to all leave benefits and privileges, such as but not limited to maternity, paternity, vacation and sick leaves, as provided for under existing laws: *Provided*, That upon separation of the public social workers from service, they shall be entitled to all accumulated leave credits with pay.

SEC. 14. *Highest Basic Salary Upon Retirement.* - Upon retirement, a public social worker shall automatically be granted an increase of one salary grade higher than his/her basic salary and his/her retirement benefits shall be computed on the basis of his/her highest salary received.

SEC. 15. *Other Benefits.* - Aside from the benefits received as required under existing laws and executive orders, the public social workers shall receive the following:

- a. *Hazard Allowance* - Public social workers and public social welfare and development workers assigned in remote and depressed areas, strife-torn or embattled areas, distressed or isolated stations, mental hospitals, leprosaria, areas declared under a state of calamity or emergency which expose them to great danger, volcanic activity/eruption, occupational risks or threats to life shall be compensated with hazard allowance equivalent to at least twenty per centum (20%) of the monthly basic salary.
- b. *Subsistence/Transportation Allowance* - Public social workers who are required to render services in communities, institutions, hospitals and other social work establishments in order to make their services available at all times, shall be entitled to daily full subsistence allowance for three meals which shall be computed according to prevailing circumstances. Those assigned out of their regular work stations shall be entitled to *per diem* in place of this allowance. Actual transportation allowance shall also be provided to public social workers on field work.
- c. *Housing and Living Quarters Allowance* - All public social workers who are transferred to another assignment due to the exigency of the service shall be entitled to free housing within the agency concerned: *Provided*, That, if living quarters are not available within the agency and the personnel has his/her residence outside of fifty (50) kilometers radius from such government facility, he/she shall receive a housing allowance, and: *Provided, further*, That the rate of such housing allowance shall be periodically adjusted for inflation.
- d. *Longevity Pay* - A monthly longevity pay equivalent to five per centum (5%) of his/her latest monthly basic pay shall be paid to a public social worker for every five years of continuous, efficient and meritorious service rendered as certified by the chief of office concerned, commencing with the service after approval of this Act.
- e. *Clothing Allowance* - All public social workers shall be entitled to a minimum of One thousand five hundred pesos (P1,500.00) clothing allowance annually, which amount shall be adjusted as needed.