

23 APR 26 P12 :34

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

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SENATE
Senate Bill No. 2099

Introduced by: **Senator Raffy T. Tulfo**

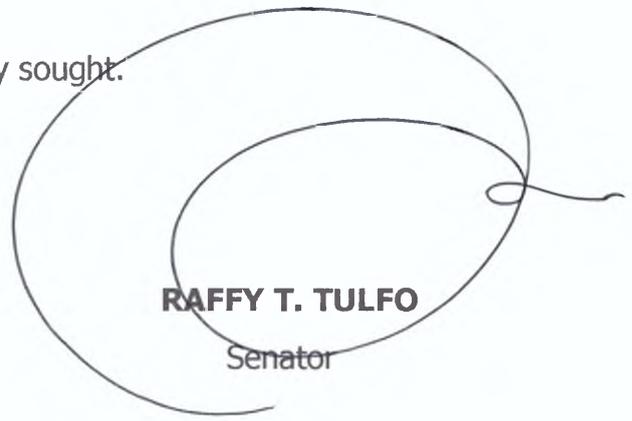
AN ACT
PROVIDING FOR ADDITIONAL RIGHTS AND BENEFITS TO KASAMBAHAYS
UNDER REPUBLIC ACT NO. 10361, ENTITLED *AN ACT INSTITUTING POLICIES*
***FOR THE PROTECTION AND WELFARE OF DOMESTIC WORKERS*, OTHERWISE**
KNOWN AS THE *"DOMESTIC WORKERS ACT " OR "BATAS KASAMBAHAY"*,
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

It is the policy of the state to give highest prioritization in formulating policies that will protect the rights of people especially in the reduction of social, political and economic inequalities. The *Kasambahays* are part of every household and they provide extra care to our family.

However, it has been reported that they are often underpaid. The purpose of this bill is to ensure that our *kasambahays* not only have easy access to alternative learning systems but also have Philhealth coverage.

The passage of this measure is thus earnestly sought.



RAFFY T. TULFO
Senator



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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "Enhanced Batas Kasambahay
2 Act of 2023".

3

4 **SECTION 2. *Declaration of Policy.*** - It is the policy of the State to protect and promote
5 the right to health of the people while affirming labor as a primary social economic force-
6 -protecting the rights of workers and promoting their welfare. It is therefore the
7 responsibility of the State to provide social benefits for the labor force and the
8 underprivileged. The Constitution also encourages non-formal, informal, and indigenous

1 learning systems, as well as self-learning, independent, and out-of-school study programs
2 particularly those that respond to community needs.

3
4 The Congress shall give highest priority to the enactment of measures that protect
5 and enhance the right of all the people to human dignity, and reduce social, economic,
6 and political inequalities. The provision of additional benefits and access to education,
7 especially to the disadvantaged citizens of our society, works to this end.

8
9 By providing their services, kasambahays play a vital role in the basic unit of our
10 society. Therefore, it is necessary that the State promote and protect their rights by
11 providing them access to social services and benefits, consistent with the principle of
12 raising the quality of life for all, especially the underprivileged.

13
14 **SECTION 2. *Definition of Terms.*** - For purposes of this Act, the following terms are
15 hereby defined as follows:

- 16 a. "Kasambahay" refers to any person engaged in domestic work as defined under
17 Section 4(d) of Republic Act No. 10361 or the Batas Kasambahay.
18 b. "Alternative learning systems" refers to a learning system that provides for a
19 substitute or option to formal education through practical means.
20 c. "Maintenance drugs or medicines" refer to medications taken regularly or on a
21 recurring basis prescribed to treat chronic and/or long-term illnesses or diseases.
22 d. "Outpatient drugs or medicines" refer to medications that are obtained outside
23 of a hospital.

24
25 **SECTION 3. *Continuing Education.*** - Without prejudice to Section 20 of Republic Act No.
26 10361, otherwise known as the Batas Kasambahay, each kasambahay shall have at least
27 one (1) hour per day, or six (6) hours per week, for continuing alternative or skills
28 education which hours shall be considered as compensable working hours.

29

1 To make online learning accessible to kasambahay, the Department of Labor and
2 Employment (DOLE) shall institute a program to make internet-enabled devices accessible
3 to kasambahay.
4

5 **SECTION 4.** *Access to Alternative Learning Systems.* - The Technical Education and Skills
6 Development Authority (TESDA), Department of Education (DepEd), and Commission on
7 Higher Education (CHED) shall provide equal opportunities and access to all kasambahays
8 through alternative learning systems, as well as applications and online content designed
9 to enable and encourage participation, interaction, and development, for upskilling and/or
10 further study.
11

12 **SECTION 5.** *Kasambahay Education Inter-Agency Committee* - There is hereby created
13 a Kasambahay Education Inter-Agency Committee, hereinafter referred to as the
14 Committee, for the formulation of effective alternative learning framework for all
15 kasambahays. The Committee shall be composed of the Secretary of Labor Employment
16 as Chairman, or any official as may be appointed by him, and the respective heads of
17 TESDA, DeEd, and CHED, or any official as may be appointed by them, as members.
18

19 The Committee shall have the following mandate:

- 20 a. Formulate a practical module for the alternative learning of kasambahays;
- 21 b. Study efficient terms and conditions for the access of kasambahays to
22 alternative learning taking into consideration the right of both employers and
23 kasambahays;
- 24 c. Provide efficient access to alternative learning considering that kasambahays
25 may not have the necessary tools or gadgets to access online education; and
- 26 d. Such other functions as may be deemed necessary for the implementation of
27 the alternative learning of kasambahays.
28

29 **SECTION 6.** *Free Maintenance Medicine for Kasambahays.* - Maintenance medicine of
30 kasambahays for illnesses such as diabetes, hypertension, asthma, tuberculosis, and such

1 other chronic illnesses to be determined by the DOH shall be purchased by the Local
2 Government Units of their workplace. Such maintenance medicine purchased shall be
3 legally chargeable and covered by the National Health Insurance Program implemented
4 by PhilHealth. A delivery system must be put in place for monthly or quarterly regular
5 deliveries of such maintenance medicines to kasambahays.

6 Such coverage shall be distinct from in-patient drugs provided during and right after
7 confinement due to the aforementioned illnesses and diseases.

8
9 **SECTION 7. *Implementing Rules and Regulations.*** - Within thirty (30) days upon
10 approval of this Act, the Kasambahay Education Inter-Agency Committee and PhilHealth
11 shall promulgate rules and regulations for the effective implementation of the provisions
12 of this Act.

13
14 **SECTION 8. *Separability Clause.*** -If, for any reason, any portion or provision of this Act
15 shall be held unconstitutional or invalid, the remaining provisions not affected thereby
16 shall continue to be in full force and effect.

17
18 **SECTION 9. *Repealing Clause.*** - All laws, executive orders, proclamations, rules,
19 regulations and other issuances or parts thereof which are inconsistent with the provisions
20 of this Act are hereby repealed or amended accordingly.

21 **SECTION 10. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication
22 in the Official Gazette or in any newspaper of general circulation.

Approved,