

appellate justices be discriminated against? In this session of Congress, therefore, an amendment to remedy the inequity in Republic Act 1802 on the Judges of the Court of First Instance so as to place them insofar as seeking leaves is concerned on the same plane with justices of the Court of Appeals and the Supreme Court ..”

Mr. President, I fully concur with this bill and the sponsorship of the distinguished gentleman.

Senator DIOKNO. Mr. President, if there are no further questions, I move that we go to the period of amendments and announce that the Committee has no amendments.

The PRESIDENT PRO TEMPORE. We are now in the period of amendments.

Senator DIOKNO. Mr. President, there being no amendments, I move that the bill be approved on second reading.

APPROVAL ON SECOND READING OF HOUSE BILL 9235

The PRESIDENT PRO TEMPORE. We shall now vote on the bill on second reading. Those in favor of this bill may please say *Aye*. (*Several Senators: Aye.*) Those who are against may please say *Nay*. (*Silence.*) The bill is approved on second reading.

Senator TOLENTINO. Mr. President.

The PRESIDENT PRO TEMPORE. The Majority Floor Leader is recognized.

CONSIDERATION OF SENATE BILL NO. 627

Senator TOLENTINO. I move that we consider Senate Bill No. 627, to be sponsored by the distinguished lady from Batangas, Senator Katigbak.

The PRESIDENT PRO TEMPORE. Consideration of Senate Bill No. 627 is now in order. The Secretary will please read the bill.

The SECRETARY:

AN ACT TO REGULATE THE PRACTICE OF SOCIAL WORK AND THE OPERATION OF SOCIAL WORK AGENCIES IN THE PHILIPPINES AND FOR OTHER PURPOSES.

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

ARTICLE I. Definition of Terms

SECTION 1. As used in this Act, the following terms shall mean:

(a) Social Work is the profession which is primarily concerned with organized social service activity aimed to facilitate and strengthen basic social relationships and the mutual adjustment between individuals and their social environment for the good of the individual and of society.

(b) A social worker is a practitioner who by accepted academic training and social work professional experience possesses the skill to achieve the objectives as defined and set by the social work profession, through the use of the basic methods and techniques of social work (casework, group work, and community organization) which are designed to enable individuals, groups, and communities to meet their needs and to solve the problems of adjustment to a changing pattern of society and, through coordinated action, to improve economic and social conditions.

(c) A social work agency is a person, corporation or organization, private or governmental, that engages mainly and generally, or represents itself to engage in social welfare work, whether casework, group work, or community work, and obtains its finances, either totally or in part, from any agency or instrumentality of the government, and/or from the community by direct or indirect solicitations and/or fund drives, and/or private endowment.

ARTICLE II. Organization of the Board of Examiners for Social Workers.

SEC. 2. Name and composition of the Board. —

Within sixty days after the approval of this Act, there shall be created a Board of Examiners for Social Workers hereinafter to be referred to as the Board, composed of a Chairman and four members who shall be appointed by the President of the Philippines with the consent of the Commission on Appointments, from among social workers of recognized standing in the Philippines, and who, at the time of their appointment shall:

- (a) Be a citizen and resident of the Philippines;
- (b) Be at least thirty years of age and of good moral character;
- (c) Possess a Master's degree of Social Work, (M.S.S.W., M.S.S., M.A.S.W,) conferred by a reputable and legally constituted school, college or university;
- (d) Have had at least five years of practice in a social work agency after receiving a Master's degree in social work, two years of which may be experience in teaching social work at the graduate level;
- (e) Be a registered social worker duly qualified to practice social work under this Act: **Provided**, however, That this qualification shall not be required of the first appointees to the Board under this Act; and
- (f) Not be a member of the faculty of any school, college, or university at the time of appointment; nor during the year immediately preceding the appointment to be a member of the Board conferring the Bachelor's and/or Master's degree in social work, or shall have any direct or indirect pecuniary interest in such institution.

SEC. 3. Functions and duties of the Board. —
The Board shall have the following functions and duties:

- (a) To administer the provisions of this Act;
- (b) To administer oaths in connection with the administration of this Act;
- (c) To prepare the official seal of the Board;
- (d) To issue, suspend, and revoke certificates of registration for the practice of social work;
- (e) To look into the conditions affecting the practice of social work in the Philippines, and, whenever necessary, adopt such measures as may be deemed

proper for the maintenance of the good standing and the ethics of the profession of social work; and

(f) To investigate such violations of this Act or of the rules and regulations issued thereunder as may come to the knowledge of the Board, and, for this purpose, to issue subpoenas and subpoenas duces tecum to secure the appearances of witnesses and the production of documents in connection therewith.

SEC. 4. Term of Office. —

The members of the Board shall hold office for a term of three years or until their successors shall have been appointed and duly qualified: **Provided**, That the members of the first Board appointed under this Act shall hold office for the following terms, chairman for three years, two members for two years, and two members for one year, which shall be specified in their appointment. Any vacancy occurring within the term of a member shall be filled for the unexpired portion of the term only. Each member of the Board shall qualify by taking the proper oath of office prior to entering upon the performance of his or her duties.

SEC. 5. Executive officer and Secretary of the Board. —

The Commissioner of Civil Service shall be the Executive Officer of the Board and he shall conduct the examinations given by it according to the rules and regulations promulgated by the Board and approved by the President of the Philippines. The members shall elect a Secretary among them, who shall take charge of the records. All the records of the Board, including examination papers, minutes of deliberations, and records of administrative proceedings and investigations shall be kept by the Bureau of Civil Service.

SEC. 6. Compensation of Board members—

The chairman and members of the Board shall each receive as compensation the sum of ten pesos for each applicant examined.

SEC. 7. Removal of Board members.—

Any member of the Board may be removed by the President of the Philippines upon the recommendation of the Commissioner of Civil Service for continued neglect of duty, incompetence, unprofessional, unethical, immoral, or dishonorable conduct, for commission

or toleration of irregularities in the examination, after having been given the opportunity to defend himself in a proper administrative investigation.

SEC. 8. Rules and Regulations. —

Subject to the approval of the President of the Philippines and with the advice of the Commissioner of Civil Service, the Board shall set ethical and professional standards for the practice of social work in general, and adopt the such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 9. Annual Report. —

The Board shall submit an annual report to the President of the Philippines after the close of the fiscal year, giving a detailed account of the proceedings of the Board during the year and embodying such recommendations as the Board may desire to make.

**ARTICLE III. Examination and Registration
of Social Workers.**

**SEC. 10. Practice of Social work and appointment
as Social Worker. —**

Unless exempt from registration, no person shall practice or offer to practice social work in the Philippines as defined in this Act, or be appointed as a social worker or to any position calling for social worker in any social work agency whether private or governmental, without holding a valid certificate of registration as a social worker issued by the Board of Examineers for Social Workers: *Provided*, That registration shall not be required of recognized social workers or authorities on social work who are residents and/or citizens of other countries called in for consultations in an agency or working with the United Nations and/or similar international social agencies: *Provided, further*, That no provision of this Act shall be construed to prejudice regularly appointed social workers who are employed in social work agencies at the date of the approval of this Act, except those in government social work agencies whose salaries may not be increased or adjusted until they shall have passed the civil service examination and qualified as social workers in accordance with the provisions of this Act.

SEC. 11. Holding of examinations. —

Except as otherwise specifically allowed under the

provisions of this Act, all applicants for registration as social workers shall be required to undergo a written examination which shall be given by the Board annually in Manila at such time and place as may be fixed by it, subject to the approval of the Commissioner of Civil Service and the President of the Philippines. Written or printed notices of such examination shall be mailed to each candidate who has filed his name and address with the Secretary of the Board at least thirty (30) days prior to the date of the examination.

SEC. 12. Qualifications of applicants. —

In order to be admitted to take the social work examination, an applicant must, at the time of filing his or her application therefor, establish to the satisfaction of the Board that:

(a) He or she is a citizen of the Philippines;

(b) He or she is at least twenty-one years of age;

(c) He or she is in good health and is of good moral character;

(d) He or she has received a diploma as holder of a bachelor's degree in social work from an institution, college, or university duly accredited and legally constituted; and

(e) He or she has completed a minimum period of one thousand case hours of practical training in an established social work agency under the direct supervision of a fully trained and qualified social worker.

SEC. 13. Scope of examination.

The examination for the practice of social work in the Philippines shall consist of a written test, the scope of which shall be determined and prescribed by the Board, taking into consideration the curriculum of all the social work courses offered in schools legally constituted in the Philippines: *Provided*, That no change or alteration in or addition to the subjects for examination shall be made within two years from the date of the promulgation of said subjects. It shall be the duty of the Board to prepare the schedule of subjects for examinations and to submit the same to the President of the Philippines for approval through the Commissioner of Civil Service, and to publish the same, as approved, at least three months before the date of the examination wherein they are to be used. Any

alteration or amendment that may be made in said schedule shall likewise be approved by the President of the Philippines.

SEC. 14. Ratings in the examination. —

In order to pass the examination, a candidate must obtain a general rating of seventy per cent in the written test, with no rating below sixty per cent in any subject.

SEC. 15. Report of results of examination. —

The Board of Examiners for Social Workers shall, within one hundred twenty days after the examination, report the ratings obtained by each candidate to the Commissioner of Civil Service, who shall, with his recommendation, submit such ratings to the President of the Philippines for approval

SEC. 16. Oath of Social Workers. —

All successful examinees shall be required to take a professional oath before the Board or before any person authorized to administer oaths, prior to entering upon the practice of social work in the Philippines.

SEC. 17. Issuance of Certificates. —

Certificates of registration as a social worker shall be issued to all applicants who pass the examination, after approval of her or his ratings by the President of the Philippines, and upon payment of the required fees. Every certificate of registration shall show the full name of the registrant and serial number, and shall bear the signatures of the members of the Board, attested to by the Secretary of the Board, and duly authenticated with the official seal of the Board of Examiners for Social Workers.

The issuance of a certificate of registration by the Board to the registrant shall be evidence that the person named therein is entitled to all the rights and privileges of a registered social worker until said certificate, for just cause, is revoked temporarily or cancelled.

SEC. 18. Privileged communication. —

A social worker cannot, without the consent of his client, be examined as to any communication or information made by the client to him, or on the advice

he had given thereon in the course of his professional services.

SEC. 19. Registration by reciprocity. —

A certificate of registration may be issued without examination to social workers registered under the laws of any foreign state or country: **Provided**, That the requirements for the registration or licensing of social workers in said foreign state or country, are substantially the same as those required and contemplated by this Act: **And Provided**, further, That the laws of such state or country grant the same privileges to Filipino social workers on the same basis as the subject or citizens of such foreign state or country.

SEC. 20. Fees for examination and registration.—

Applicants for examination for the social work profession shall pay an examination fee of fifty pesos. Successful applicants shall pay a registration fee of thirty pesos. All such fees shall be paid to the disbursing officer of the Bureau of Civil Service, and such officer shall pay from the receipts thereof, all the authorized expenses of the Board, including the compensation of its Chairman and members.

SEC. 21. Refusal to issue certificates in certain cases. —

The Board of Examiners for Social Workers shall refuse to issue a certificate of registration to any person convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude, and to any person guilty of immoral or dishonorable conduct, or to one of unsound mind or suffering from an incurable or infectious diseases. The Board shall give the applicant a written statement setting forth the reason or reasons for its action, which statement shall be incorporated in the records of the Board.

SEC. 22. Revocation and suspension of certificates.—

The Board shall also have the power to revoke or suspend the validity of a certificate of registration of a social worker for any of the causes mentioned in the preceding section, or for unprofessional conduct, malpractice, incompetency, or serious ignorance of or negligence in the practice of social work, or for making use of fraud, deceit, or falsity to obtain a certificate of registration.

SEC. 23. Reissue of revoked certificate and replacement of lost certificates. —

The Board may, for reasons of equity and justice, and upon proper application and explanation therefore, issue another copy of the certificate upon payment of ten pesos.

A new certificate of registration to replace any certificate lost, destroyed, or mutilated may be issued subject to the rules of the Board and upon payment of ten pesos.

ARTICLE IV — Registration of Social Work Agencies.

SEC. 24. Registration with the Social Welfare Administration. —

No social work agency as defined herein shall operate and be accredited as such unless it shall first have registered with the Social Welfare Administration which shall then issue the corresponding registration certificate: Provided, That existing social work agencies at the time of approval of this Act shall have a period of one year within which to secure the corresponding certificate of registration.

Before any social work agency shall be duly registered, the following requirements must have been complied with to the satisfaction of the Social Welfare Administration:

1. That the applicant must be engaged mainly or generally in social work activity;
2. That the applicant has employed a sufficient number of duly qualified and registered social workers to supervise and take charge of its social work functions in accordance with accepted social work standards;
3. That the applicant must show in a duly certified financial statement that at least 60% of its funds are disbursed for direct social work services; and
4. That the applicant keeps a social work record of all cases and welfare activities handled by it.

SEC. 25. Financial Aid by Government Agency or Instrumentality. —

No Government agency or instrumentality shall give financial or other aid to any social work agency unless the agency has been duly registered with the

Social Welfare Administration in accordance with the preceding section.

SEC. 26. Revocation of Certificate of Registration.—

The Certificate of Registration issued to any social work agency may be revoked if, after due investigation, the Social Welfare Administration finds, that it has failed to perform the function as social work agency, or it has violated existing laws, rules and regulations.

ARTICLE V — Sundry Provisions Relative to the Practice of Social Work.

SEC. 27. Penal Provisions. —

The following shall be punished by a fine of not less than five hundred pesos nor more than two thousand pesos, or imprisonment for not less than one month nor more than two years, or both, in the discretion of the court:

- (a) Any person who shall practice or offer to practice social work in the Philippines without being registered or exempted from registration in accordance with the provisions of this Act;
- (b) Any person presenting or attempting to use as his own, the certificate of registration of another;
- (c) Any person who shall give any false or fraudulent evidence of any kind to the Board or any member thereof in obtaining a certificate of registration as social worker;
- (d) Any person who shall impersonate any registrant of like or different name;
- (e) Any person who shall attempt to use a revoked or suspended certificate of registration;
- (f) Any person who shall in connection with his or her name, otherwise assume, use, or advertise any title or description tending to convey the impression that he or she is a social worker without holding a valid registration;
- (g) Any person who shall violate any provision of this Act;
- (h) Any person or corporate body who shall violate the rules and regulations of the Board or orders

promulgated by it, duly approved by the President of the Philippines, for the purpose of carrying out the provisions of this Act; or

(i) Any person, corporation or entity operating as a social work agency without the corresponding Certificate of Registration issued by the Social Welfare Administration.

SEC. 28. Separability Clause. —

If any provision of this Act or the application of such provision to any person or circumstance is declared invalid, the remainder of the Act or the application of such provision to other persons or circumstances shall not be affected by such declaration.

SEC. 29. Repealing Clause. —

All Acts, executive orders, rules or regulations or part thereof inconsistent with the provisions of this Act are hereby repealed.

SEC. 30. Effectivity. —

This Act shall take effect upon its approval.

The PRESIDENT PRO TEMPORE. The lady Senator from Batangas is recognized.

Senator KATIGBAK. Mr. President, Senate Bill No. 627 is concerned with regulations not only of the practice of social work but also of the operation of social work agencies in the Philippines. It seeks to regulate the practice of social work by requiring social workers to pass a civil service examination before they can engage in the practice of their profession or occupy positions calling for social workers. It also seeks to regulate the operation of social work agencies.

Social work, Mr. President, is a specialized profession as it calls for techniques and skills to achieve the universal goal of helping people to help themselves, which is a slow and delicate process needing human insight, trust, confidence, and the establishment of rapport between client and professional, the keeping of technical records

for the purpose of continued evaluation, a system of follow-up for eventual rehabilitation or treatment. It is a noble calling, Mr. President, and it is therefore sought that it be given recognition in this bill.

In many progressive countries, the trend in the practice is the replacement of lay leadership and participation in social welfare work by technically trained professionals. However, in our dear country we still accept and employ a great number of so-called "social workers" who do not possess the accepted professional qualifications nor the basic fundamental concepts now considered necessary for this career.

Social work is now recognized as an important and vital field of specialization and study. In the Philippines, we already have schools, colleges and universities offering both undergraduate and graduate courses leading to the academic degree in social work, among these, the University of the Philippines, the Philippine Women's University, the Centro Escolar University, the University of Santo Tomas, and other small colleges. It is therefore timely and essential that the government now give due recognition to social welfare work by elevating the standards of this new profession of social work in the Philippines and regulating it.

The passage of this bill will certainly be a decisive step forward in this direction. The requirement to pass a civil service examination before the accreditation and the practice of social work as this bill provides will serve to eliminate many pseudo-social workers that now lay claim to this honorable title on the basis of only good intentions and a charitable generous heart and/or a short period of in-service lectures and conferences intended to cover for their lack of academic knowledge and professional skills.

This bill also regulates social welfare agencies because they use government and private funds

for welfare work. Sometimes it happens, Mr. President, that in the guise of social work many things are done. There is now a need to regulate and standardize such welfare agencies for the above reasons which I consider very, very good. I hope the Chamber will approve this bill. I ask for the approval of this bill, Mr. President.

Senator RODRIGO. Mr. President, will the lady Senator yield to a few questions?

The PRESIDENT PRO TEMPORE. The lady Senator may yield if she so desires.

Senator KATIGBAK. With pleasure.

Senator RODRIGO. Mr. President, I understand the concern of the sponsor and author of this bill to protect those who have spent money and time to learn social work in colleges and universities. I also understand the objective of this measure to eliminate pseudo-social workers who take advantage of people, let us say, to make a little money. However, I have a little misgiving about this bill: that it may discourage even the purely charitable and good intentioned social workers because social work is something that is done by some people on a voluntary, philanthropic basis; they want to serve society and so they engage in social work either full time or part time without compensation, they just want to do their bit for society. We have, let us say, nuns, we have priests, we have ministers of different sects, we have ladies, who engage in social work without having gone to any university or college, voluntarily at a sacrifice to themselves without any hope of any material compensation. Under this bill, Your Honor, cannot these voluntary social workers who do it for love of people, who do it for charity, who do it because they want to serve society, continue performing this charitable work unless they pass the examination, if this bill becomes a law?

Senator KATIGBAK. Your Honor, we are

qualifying social workers who should occupy items in the government calling for social workers.

Senator RODRIGO. Well, if that were the only extent of the definition of social work in this bill, I would have no misgiving about this bill, but this bill goes further than that and it has a penal provision, Section 27, which states as follows:

"The following shall be punished by a fine of not less than five hundred pesos nor more than two thousand pesos, or imprisonment for not less than one month nor more than two years, or both, in the discretion of the court:

"(a) Any person who shall practice or offer to practice social work in the Philippines without being registered or exempted from registration in accordance with the provisions of this Act."

Now, this paragraph (a), for example, does not limit the definition of social work and, therefore, does not limit the penal provision to merely a permanent employment in the government or in a social service agency. Section 27 further states:

"(b) Any person presenting or attempting to use as his own, the certificate of registration of another;

"(c) Any person who shall give any false or fraudulent evidence of any kind to the Board or registration as social worker;

"(d) Any person who shall impersonate any registrant of like or different name."

Well, but paragraph (a) — let us confine our discussion first to paragraph (a) — covers not only those social workers who seek employment in the government or in a social service agency or organization, but any person who shall practice or offer to practice social work. Will this embrace some ladies we know, prominent ladies who go to social work voluntarily?

Senator KATIGBAK. Your Honor, if you will excuse me, I think Your Honor is referring to a different feature of the term "social work," the work of a social worker. Precisely, Your Honor, the term "social work" has been misunderstood, such that, anybody going around collecting funds and giving rice and fish out of the generosity of her heart is called a social worker. A social worker conceived in this bill is a social worker who practices case work, who will open a social welfare clinic on the basis of, say, family counseling and community guidance and leadership. There is, Your Honor, a definite technical and, shall we say, accepted term for what is known as social welfare work and this is what we mean in this bill. It is not the voluntary, generous, charitable activities of many persons which are laudable in themselves, but which are not considered in the strict sense as social welfare work. Precisely, because there is that misconception, we are defining what is a social welfare worker. One can be a charitable worker, a voluntary worker, a very generous worker and an active one without being, technically, a social welfare worker.

Senator RODRIGO. Your Honor, social work is defined in Section 1, paragraph (a). It says:

"Social work is the profession which is primarily concerned with organized social service activity aimed to facilitate and strengthen basic social relationships and the mutual adjustment between individuals and their social environment for the good of the individual and of society."

Then paragraph (b) defines worker as follows:

"A social worker is a practitioner who by achieve the objectives as defined and set by the fessional experience possesses the skill to achieve he objectives as defined and set by the x x x."

Well, Your Honor, the definition of social work

in paragraph (a) is quite good and then this phrase "social work" is the basis of the penal clause in Section 27. It says, "Any person who shall practice or offer to practice social work in the Philippines x x x." So, social work in Section 27, which is the penal clause, means social work as defined in paragraph (a) of Section 1; and I am afraid, Your Honor, that social work as defined in paragraph (a) of Section 1 will cover many persons who, otherwise, are doing this out of the goodness of their heart, or are doing this voluntarily for the good of society. But if we will force them to take an examination and if they will find out that there is a law which will even penalize them with fine or imprisonment, or both, if they continue with this work first passing this examination, I am a little afraid that we might be discouraging some of the well-intentioned people whose work for society comes within the definition of social work in Section 1, paragraph (a).

Senator KATIGBAK. Now, Your Honor, the social work as conceived must be connected with an organized social service activity. As conceived, Your Honor, and as accepted, a social worker must be connected with a social welfare agency. For example, if I should be doing a lot of charitable work, but I am not connected legally with any of the established or recognized social welfare organizations, then I would not be qualified social worker, not having met the legal requirements for the position. That is why the concept of a social worker is that one should possess all the professional requirements necessary for the position.

Senator RODRIGO. Well, Your Honor, let us take a particular example. Let us say that the Jaycees decide to undertake social work in Sapan Palay in order to rehabilitate and help out in the livelihood and the "social relationships and mutual adjustment" — I am using the words of the definition — of the squatters who were

removed from Manila and Quezon City and taken to Sapang Palay, in my homeprovince of Bulacan. Let us say that the Jaycees of Malolos decide to undertake a program to help rehabilitate these squatters. Well, this is organized social work. If this bill becomes a law, would the Jaycees not be prevented from doing this, unless one of them or the leader has passed the examination?

Senator KATIGBAK. Your Honor, that is not an organized social welfare agency. I think the confusion lies in that we are accepting certain terms which the layman has not been quite conversant with. I can see the point, Your Honor, why there should be this confusion in the mind of the gentleman from Bulacan. What is conceived as a social worker here is that one must be definitely connected with a permanent social welfare agency. Now, in the case that Your Honor has described, it is an organization undertaking a charitable project. A social welfare project, Your Honor, has continuity; it conducts surveys and researches, and interview people on a long-range basis. It must not be confused with sporadic charitable projects concerned with calamities and accidents. The aim of social work is always to rehabilitate, and that is why the social worker should be prepared for such long-range case work process.

Senator RODRIGO. So in that case, in that example I gave of the Jaycees undertaking this work, you would not consider this under the definition of "social work" in this bill?

Senator KATIGBAK. No, Your Honor, because the Jaycee is not a social welfare agency.

Senator RODRIGO. But, Your Honor, in the definition the word "agency" does not appear. It says, "Social work is the profession which is primarily concerned with organized social service activity x x x," not agency. Now, this is a social service activity.

Senator KATIGBAK. Maybe, we can eliminate that to cover social welfare agency if Your Honor would like to limit the term.

Senator RODRIGO. Yes. Now, I think that since this is a semi-penal statute — there is a penalty — we must be very concise in our definition. I know that the Rotary Club, the Lions Club, the Jaycees and the Knights of Columbus are civic organizations. We have other organizations that are charitable organizations. We have other organizations that are religious organizations. Now, is there a clear distinction or dividing line between "civic work" and "social work", between "charitable work" and "social work" so much so that, if a member of the Jaycee organization engages in social work activity, we can tell him, "No, you cannot do that because you are already invading the field of social work. You must confine yourself to civic work." Is there a clear dividing line between the two fields of service?

Senator KATIGBAK. Your Honor, in our concept, yes. Of course, to us social workers the difference is very clear and it hinges primarily on the long-range and permanency of a project. A case in point is the present Christianization project, which is not a social work. A fund-raising project is not a welfare work.

Senator RODRIGO. Well, I will give another example. Let us take the case of the Good Shepherd nuns.

Senator KATIGBAK. That is a social welfare agency.

Senator RODRIGO. Social?

Senator KATIGBAK. Yes, Your Honor.

Senator RODRIGO. So that comes within this definition?

Senator KATIGBAK. Yes, Your Honor.

Senator RODRIGO. So the nuns must pass

the examination before they can continue with this work?

Senator KATIGBAK. Yes, Your Honor, all those who are directly taking care of social welfare work must do so. It is like in medical practice. The doctor who will operate must be a doctor. The worker who handles a client must be a social worker, but the person who may give her clothes or cook her foods or attend to the general supervision of the house need not be a social worker. The one who handles the psychological report in order to rehabilitate a person morally and physically, especially in mental outlook, is a social worker.

Senator RODRIGO. So once this bill becomes a law, then the Good Shepherd sisters must either pass the examination, otherwise they cannot continue with their work.

Senator KATIGBAK. The bill, Your Honor, provides that those occupying the positions at present are exempted. It is the new appointees that must comply. You will be surprised, Your Honor, how many sisters in the Good Shepherd are social workers professionally.

Senator RODRIGO. Yes, but they have not passed the examination because there is no examination yet.

Senator KATIGBAK. But they have had their degrees from the University of Sto. Tomas.

Senator RODRIGO. I know that these sisters in the Good Shepherd are very well qualified and I have seen their work. Of course, I know about the provision of the bill that those who are already recognized now will be extended the privilege to continue.

Senator KATIGBAK. Yes.

Senator RODRIGO. But let us say that afterwards some of the sisters go abroad or go back

home or die. The sister who will take their place cannot engage in this work of the Good Shepherd unless they pass this examination.

Senator KATIGBAK. The particular social welfare part of the work, yes, Your Honor. The particular part of the agency work which concerns rehabilitation of the client must be done by the social worker. It is one of the tragedies of social work that most claimants think that it is simple matter. We are precisely trying to stress the fact that social work which concerns the rehabilitation of the client must have technical background.

Senator RODRIGO. Yes. I want to raise the standards for this, but at the same time we do not want to discourage the well-intentioned people who want to engage in this kind of work. They might not do much good, but certainly, they are not doing any harm unless they ask for money or use this social work as a racket. But if there is somebody who is willing to do this social work, who does not have the real qualifications, well, he might not do much good but, at least, I don't think he will do any harm.

Senator KATIGBAK. I would like to argue that out Your Honor, because it is not always true that a handout does no harm. Of course, I am aware that the permanency of a parasitic feeling on the part of the indigents usually arises from doles given by charitable institutions so much so that these people come over and over again for alms, there being no complete planning for their own rehabilitation to enable them to stand on their own feet. Yes, direct handouts can do harm, Your Honor, specially if a feeling of dependence on the part of the indigents is encouraged by charitable institutions. In social work, that is a crime.

I know what Your Honor means. Precisely, it is that kind of approach to help the indigents that we are trying to cure. There will never

be enough money in the whole world to satisfy the needs of the unfortunates, if no efforts is exerted to rehabilitate them. This is the primary objective of social work, and not just giving charity for the atonement of our own sins.

Senator RODRIGO. But then, Your Honor, these people who give this charity will not come under the purview of the definition of social work. Your Honor said there is a difference between social work and civic activity. So, anyway, this bill, if it becomes a law, cannot prevent people from giving charity, because it is not within the purview of any law.

Senator KATIGBAK. That is not against social work.

Senator RODRIGO. So, if we are against handouts, it is because that is in another sphere. That is charity. So, this bill, if it becomes a law, cannot remedy the situation in any way. Those who give handouts and those who are engaged in charity, giving alms, will not come within the purview of this bill, because they are not doing social work; they are doing charitable work.

Senator KATIGBAK. No, this bill can remedy the situation mentioned by Your Honor, because when charitable people understand the distinction between social work and charity, we are going to present to them a channel through which their charity can be made more effective. It is the practice in other countries wherein charitable people channel their contributions through social work agencies because they know that it has a more permanent effect. It is a common practice, for example, for birthday celebrants to receive checks from their favorite benefactors, because the donors channel their donations through charitable institutions that pool the money in a fund

Senator RODRIGO. Does Your Honor mean to say that even the workers for charity will come within this measure?

Senator KATIGBAK. No, no Your Honor.

Senator RODRIGO. How can we control them if they are outside the provisions of this bill?

Senator KATIGBAK. Because they will be encouraged to channel their donations through the proper social work agency. For example, Your Honor would like to take care of the poor and the unfortunate children, without the aid of any social work agency. Your Honor will probably have five or six orphanages to take care of. Now, there are social welfare agencies; for example, St. Anthony on Legarda, and others.

Senator RODRIGO. How would Your Honor classify Hospicio de san Jose?

Senator KATIGBAK. It is a social welfare agency.

Senator RODRIGO. Who is running this Hospicio?

Senator KATIGBAK. The sisters of charity.

Senator RODRIGO. The sisters of charity. So, if this bill becomes a law, those sisters, if they are already recognized, can continue. But once somebody else takes their place that one must have to take the examination.

Senator KATIGBAK. No, Your Honor, the professional workers will have to plan the social work in that institution.

Senator RODRIGO. Either one of them takes the examination, or if they have no professional social workers, they will have to get the services of a professional social worker who has passed the examination.

Senator KATIGBAK. Let us go further into that example. In the Hospicio de San Jose, there are sisters of charity that have a grant from the government. The sisters of the Hospicio de San

Jose are financed by a grant from the King of Spain of lands which are principally around the Binondo Church, the income of which supports this charitable institution. There are many social welfare agencies without professional workers. Under this bill, inasmuch as they are classified as social welfare agencies, they must have some professional workers in proportion to the number of cases being handled by them. It is conceded and accepted that one social worker can go only so far, but in the Hospicio de San Jose, social work is done by the sisters who, as Your Honor said, have probably not taken the examination. The researchers in the Hospicio de San Jose, for example, would show that in that agency, there is an old, old man's home, there is an old ladies' home, there are orphans, and there are many kinds of people there. There are the aged people, and those who board and lodge under some financial arrangement. If there is not a social worker there, there could not be any professionalism in that institution. We can assure Your Honor that with the employment in the Hospicio of three or four real social workers, there could be an effective planning in that institution. It does not mean, Your Honor, that the sisters there are dislodged. It means that the management of the institution will be radically changed in the sense that not only prayers and embroidery and the sewing of personal garments will be the sole activity of those nuns.

Senator RODRIGO. Well, as I said, Your Honor, I see the objective of the bill, but I want Your Honor to see the other side. I believe that we can sit down and try to have a more concise definition of social work so that it does not embrace the well-intentioned people who want to do civic work, or charitable work. Thank you very much.

Senator KATIGBAK. It does not embrace charitable workers. The plight of the social worker in this country calls for recognition and acceptance. It is well-known that the social work

profession is what is known as in the pioneering stage.

Senator ROY. Mr. President, will the gentle-lady yield to some questions?

The PRESIDENT PRO TEMPORE. The gentle-lady may yield if she so desires.

Senator KATIGBAK. Gladly.

Senator ROY. I would like to state at the outset, gentle-lady from Batangas, that I am in full accord with the objectives of the measure, for I am one of those who realize the need of regulating the practice of social work, a profession which is of popular acceptance, specially during this time or period that numerous graduates from universities who have finished courses in social work could not be given permanent positions in the government for lack of civil service eligibility. Now, my question, gentle-lady, will refer mainly to the qualifications of persons who may be appointed to the board of examiners for social workers. We have here on page 2, beginning from line 18, the following qualifications:

"(a) Be a citizen and resident of the Philippines;

(b) Be at least thirty years of age and of good moral character;

(c) Possess a Master's degree in Social Work, (M.S.S.W., M.S.S., M.A.S.W.) conferred by a reputable and legally constituted school, college or university";

Now, I come to paragraph (d) on line 24, that aside from all those qualifications we have this additional qualifications:

"(d) Have had at least five years of practice in a social work, two years of which may be experience in teaching social work at the graduate level";

Does not Your Honor believe that this additional qualification, that of requiring at least five years of practice in a social work agency after receiving a Master's degree, is rather a very stringent qualification and that unless we relax a little this qualification we may not find persons qualified to be appointed to the board, especially if we have these other requirements that he or she should:

"Not be a member of the faculty of any school, college, or university at the time of appointment; nor during the year immediately preceding the appointment to be a member of the Board conferring the Bachelor's and/or Master's degree in social work, . . ."

Senator KATIGBAK. I would welcome an improvement on that, Your Honor.

Senator ROY. I would suggest, before I propose amendments, the following, that two years of practice in a social work agency after receiving a Master's degree in social work, in my humble opinion, may be sufficient.

Senator KATIGBAK. Your Honor, I do not disagree. But I just would like to stress the philosophy of social work, that it needs maturity because of the confidential nature of the work involved.

Senator ROY. I agree, Your Honor, that it would be better that the board screen their qualifications. But this is a new profession which we are regulating for the first time, and I am afraid there may be difficulty in finding persons who may be qualified to sit in the board, especially if we require here that he or she should not be connected with any school before his appointment. This would be a case of one who finishes a Master's degree and who, generally, would easily find a position in the university, especially if the Master's degree had been obtained abroad. He can easily obtain an appointment in a private school. And so, one who aspires to be in the board, in anticipation of being appointed, has to

resign one year before. Does not Your Honor realize that difficulty?

Senator KATIGBAK. Yes, membership in the faculty being usually an appendage to a Master's degree might deter us from appointing many good social workers.

Senator ROY. And we have also this qualification on line 26, that is, following the requirement of five years of practice:

"x x , two years of which may be experience in teaching social work at the graduate level;"

Senator KATIGBAK. This means that the five years need not be all professional practice. It could be partly teaching practice.

Senator ROY. This, to me may be a very hard qualification, because aside from having finished the Master's degree the applicant, for membership in the board shall still be required to have five years of practice, two years of which must be experience in teaching social work at the graduate level. Is Your Honor referring to graduate course?

Senator KATIGBAK. No, I am referring to teaching experience, that is, one need not stay completely five years in an agency.

Senator ROY. Yes, and that is, within five years experience two years of which . . .

Senator KATIGBAK. Could be teaching experience.

Senator ROY. Well, I would suggest that we just require two years, one year of which may be experience in teaching social work, without providing for the graduate level.

Senator KATIGBAK. Your Honor, there is a great difference between social work on a graduate level and social work on an under-graduate level.

Senator ROY. May I know the difference?

Senator KATIGBAK. The degree on social work in the United States and in England is not an undergraduate degree; it is a graduate degree. In other words, a social worker must have an M.A. to be a social worker. In our country, precisely because it is a new profession, we are accepting the Bachelor's degree on social work. But most of our social work colleges, knowing that it is a graduate course, continue granting the graduate degree, the philosophy being that social work is based on mature experience. How can one go into counseling on family relationship when one is too young? That is the philosophy why they require this long course.

Senator ROY. So, do I understand that teaching at the graduate level means teaching in a course leading to a Master's degree?

Senator KATIGBAK. Yes, in social work. I can see Your Honor's point that we might be a little too stringent and so I would rather, Your Honor, that we remove entirely the qualification about teaching.

Senator ROY. That is correct.

Senator KATIGBAK. Because one can mature faster through contact with people specially in seeing their hardship, than he can by just teaching.

Senator ROY. Not only that, Your Honor, he or she may not be able to find a position to teach at the graduate level.

Senator KATIGBAK. Yes. The philosophy behind this is to be sure that we get mature men and women and not just people in their idealistic stage.

Senator ROY. Another thing, Your Honor. Can we not provide here that a holder of a Bachelor's

degree in social work with five years experience be sufficient qualification for one to be in the board?

Senator KATIGBAK. I am afraid we will part ways, Your Honor. In fact, even the association of social workers wishes to consider only people who have a Bachelor's degree in social work because the accepted standard in a Bachelor's degree. But this one is different. This is for the board. That is why we are providing for a higher qualification.

Now, I have tried also to see that this being a new provision, and here in the Philippines it being so expensive to go into the graduate level, many of our social workers have gone into accepting jobs after obtaining their bachelor's degree. But I believe, Your Honor, that for the board of examiners who might have to examine graduate students . . .

Senator ROY. Precisely, Your Honor, being a new profession, we should not be very strict or stringent in providing very high qualifications for members of the board. Perhaps in the future, we can amend the law. I have this suspicion, Your Honor, and I would like to be frank with you, that the draft of this bill must have been prepared by a group of persons who are holders of master of arts degrees. That has been my experience since I have been in Congress for 19 years. Whenever we receive a draft of a bill with respect to qualifications, the qualifications written on the draft of the bill are qualifications for only small class of persons — and that we should avoid. I have taken part in deliberations and in the preparation of bills regulating the practice of several professions when I was in the Committee on Revision of Laws in the House of Representatives, and it is very rarely, Your Honor, that we have required as qualification the holding of a master's degree; because one who holds the degree of Bachelor of Science in Social Work

with five years experience, Your Honor, may be better qualified than one who has finished his master's degree with only two years' experience. Don't you think so, Your Honor?

Senator KATIGBAK. You are right, Your Honor, except that the concept of social work from the very beginning was for a five-year course. The progression of the technique really was for a five-year course. That is why it has always been considered a graduate course, because a bachelor's course is four years. When the school authorities made the curriculum, they really conceived it for five years. That is why it is called a graduate degree. In fact, in other countries, there is no in-between; the students go right on to five years and they graduate with a master's degree. It is only here that we have a bachelor's degree in social work.

Senator ROY. So, it is safe to say that this bill is patterned after those of other countries like in the United States.

Senator KATIGBAK. Yes, Your Honor.

Senator ROY. And that is precisely my point, that this profession has not been well developed yet. It is a new profession. So, we should be careful in writing in our statute books stringent qualifications, because we have provided here qualifications for membership in the board to the effect that the members must not be connected with any school and at least they must be separated from a school one year before their appointment. Now, how can we attract holders of master degrees to sit in the board, if we require them to resign one year in advance in anticipation of their appointment, when teaching in a university will be much more profitable than just being a member of the board, which may be for a term only of one or two years?

Senator KATIGBAK. I see your point, Your Honor. I think it is very well taken.

Senator ROY. Yes. I am afraid that there

may be no person who will qualify for membership in the board.

Senator KATIGBAK. If Your Honor thinks that we should go down to the bachelor's degree even for the board of examiners, we will have to increase their maturity experience, Your Honor.

Senator ROY. Well, what about the five years' experience? I think five years' experience would be sufficient.

Senator KATIGBAK. Yes. But I am sure, Your Honor sees my point that we cannot have both the bachelor's degree and then two years' experience only.

Senator ROY. Yes.

Senator KATIGBAK. If Your Honor will allow holders of a bachelor's degree to become members of the board, I think that, to increase their maturity, we should have them practice social work for at least five years.

Senator ROY. Yes.

Senator KATIGBAK. And we might even go further and say that this practice could be either teaching or practising social welfare work.

Senator ROY. I know that hundreds of young women have obtained their bachelor of science degree in social work. They have been working in the field, in the government service, but they have no time, perhaps through poverty, to finish their course leading to the master's degree. To require them to first be holders of master's degrees before they could be appointed to the board would naturally take much time for these poor young women to go through the formality of resigning and then enrolling again in school to secure a master's degree. Perhaps, Your Honor, we could insert this provision later on.

Senator KATIGBAK. I can see Your Honor's point. Then we can perhaps upgrade the qualifications of the members of the board later on when the community is prepared for it. What really matters, Your Honor, is to raise the standard of the social work profession. That is all that matters in this bill, that there be recognition for people who have at least five years' experience and are holders of a bachelor's degree in social work.

Senator ROY. You know, Your Honor, I remember very well that in several professions like law and engineering, there is no requirement for a master's degree in order to qualify as a member of the board. A lawyer without a master's degree can be appointed CFI judge after five years of private practice, or he can be appointed as justice of the peace after one year of private practice.

Senator KATIGBAK. But, Your Honor, when they are considered for membership in the board of examiners, the length and quality of service are considered.

Senator ROY. That is true.

Senator KATIGBAK. This is for the board of examiners. It is not just the practice of the profession. But I can see Your Honor's point. And, naturally, people who love the profession of social work are ever anxious to upgrade it. It is also very natural that those who do not practice this profession do not realize the importance of raising its standard. So we are willing to compromise until such time as this profession is very well established.

Senator ROY. Yes, Your Honor. Besides, the appointing power will have discretion to make the selection if there are many who are qualified to sit in the board.

Senator KATIGBAK. Yes, I can see Your Honor's point.

Senator ROY. And there are those holding a master's degree.

Senator KATIGBAK. Their number is limited.

Senator ROY. Yes. I am agreeable to a provision here, Your Honor, that in the absence of persons holding a master's degree, five years' experience or practice, in addition to holding a bachelor's degree, shall be sufficient.

Senator KATIGBAK. I agree, Your Honor. I can see the point. I would not want to destroy our own laudable aims if we set a very high standard at the beginning.

Senator ROY. Right, Your Honor. So, when we come to the period of amendments, I will propose the amendment.

Senator KATIGBAK. Mr. President, if there are no more interpellations . . .

Senator GANZON. Mr. President.

The PRESIDENT PRO TEMPORE. The gentleman from Iloilo.

Senator GANZON. May I ask from the sponsor whether this bill has been the subject of a public hearing?

Senator KATIGBAK. No, Your Honor. But we have consulted the professional associations which have held their own hearings and meetings.

Senator GANZON. Are those consultations in the record of the Senate?

Senator KATIGBAK. We can include them in the record, Your Honor. They are here.

Senator GANZON. Well, to begin with, Mr. President, I really feel that this bill should not have been referred to the Committee on Revision of Laws, but instead, to the Committee on Civil Service because it touches on the civil service.

But be that as it may knowing the importance of the bill that the lady sponsors, and if it is acceptable to her, as Chairman of the Committee, I would call a public hearing and furnish all senators who are unable to attend the hearing with transcripts of the stenographic notes taken thereon. This is very important, and so I feel that a public hearing should be held. Therefore, I insist that as Chairman of the Committee on Civil Service, I should take cognizance of this bill by calling a public hearing and getting the views of the public sector on the bill, then make a report thereon in due time for proper consideration. What is the pleasure of the sponsor on my idea?

Senator TOLENTINO. Mr. President.

The PRESIDENT PRO TEMPORE. The Majority Floor Leader.

Senator TOLENTINO. With the permission of the distinguished colleagues on the floor, may I make a very brief statement on the matter raised. This bill, Mr. President, is a bill seeking to regulate a profession. Considering social work as a profession, the bill regulates the profession and on how people can be admitted to the practice of the profession. Bills like this have always been referred to the Committee on Revision of Laws. This does not touch on government employees. This does not refer to the service in the government. It refers to a profession. That is why I suppose the Chair referred this to the Committee on Revision of Laws and that has been the practice. All bills regulating a profession have been referred by the Chair to the Committee on Revision of Laws. And as to public hearing, well, that would depend, I suppose, to the Chairman of the Committee.

Senator GANZON. Mr. President, I realize the import of the statement of the Floor Leader, but I think that this matter should be referred also to the Committee on Civil Service because we are

conducting an examination here by the Civil Service.

All right, I concede giving up that point in view of the manifestation of the Floor Leader. But I must ask that a public hearing should be held to get the views of the other members or of responsible persons on this important matter.

Senator KATIGBAK. Mr. President.

The PRESIDENT PRO TEMPORE. Lady from Batangas and Iloilo.

Senator KATIGBAK. Your Honor, with due respect to your desire for a more conscientious work, I would like to point out in all modesty that this bill went through the proper organization concerned. They held their own meetings on this and in fact, they held several such meetings and they furnished me with their comments.

There is a recognized association of social workers not only locally but internationally. And there is also an association of social welfare agencies' supervisors. So that, Your Honor, if we would have a public hearing, they would be the same people who would come. I am sure Your Honor will not begrudge me the concern which is Your Honor's also.

Senator GANZON. That is precisely the reason why I seek to share the views of those persons who were invited. Now, in view of this, Mr. President, may I ask that consideration of this measure be postponed until Monday so that we can study all these alleged reports and views. And I raise the question of a quorum.

The PRESIDENT PRO TEMPORE. The gentleman is presenting that as a motion?

Senator GANZON. Yes, Your Honor.

Senator TOLENTINO. Then I ask that we suspend the session for a while.

SUSPENSION OF THE SESSION

The PRESIDENT PRO TEMPORE. The session is suspended for one minute.

It was 7:39 p.m.

RESUMPTION OF THE SESSION

The session was resumed at 7:41 p.m.

The PRESIDENT PRO TEMPORE. The session is resumed.

Senator GANZON. Mr. President.

The PRESIDENT PRO TEMPORE. Gentleman from Iloilo.

Senator GANZON. I forgot that the lady Senator is from Iloilo like me. So, I just ask that the latter part of my motion be deleted, the matter of a quorum, and I ask for the suspension of the consideration of the bill until Monday. Besides, I don't fight ladies, Mr. President. Thank you very much.

The PRESIDENT PRO TEMPORE. Is there any objection? (*Silence.*) The Chair hears none. The motion is approved.

CONSIDERATION OF SENATE
BILL NO. 481

Senator TOLENTINO. Mr. President, I move that we consider Senate Bill No. 481 to be sponsored by the distinguished gentleman from Pangasinan and Manila, Senator Padilla.

The PRESIDENT PRO TEMPORE. The Secretary will please read the bill.

The SECRETARY:

AN ACT TO FURTHER AMEND REPUBLIC ACT NUMBERED NINE HUNDRED AND TEN AS AMENDED BY REPUBLIC ACT NUMBERED TWO THOUSAND SIX HUNDRED AND FOURTEEN.

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

SECTION 1. Sections two and three of Republic Act Numbered Nine hundred and ten, as amended by Republic Act Numbered Two thousand one hundred fourteen, are hereby further amended to read as follows:

SEC. 2. In case a Justice of the Supreme Court or of the Court of Appeals OR A JUDGE OF THE COURTS OF FIRST INSTANCE, INDUSTRIAL RELATIONS, AGRARIAN RELATIONS, TAX APPEALS OR JUVENILE AND DOMESTIC RELATIONS dies while in actual service, his heirs shall receive a lump sum equivalent to five years salary based upon the salary that said Justice OR JUDGE was receiving at the time of his death, if by reason of his length of service in the government he was already entitled to the benefits of this Act [: and as to a Judge of the Court of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, or Juvenile and Domestic Relations who dies in actual service before he shall have attained the age of seventy years, the lump sum allowable for death benefit shall be only for three years based on the decedent's last salary which shall be payable to his heirs in three equal annual installments, otherwise his heirs shall only receive a lump sum equivalent to his last salary for two years payable in two equal annual installments in addition to a reimbursement of all premiums that he may have paid under this Act]. The same benefits provided in this section shall be extended according to the foregoing schedule to any incumbent Justice of the Supreme Court or of the Court of Appeals or a Judge of the Court of First Instance, Industrial Relations, Agrarian Relations, Tax Appeals, or Juvenile and Domestic Relations, as the case may be, who, without having attained the length of service required in Section one hereof shall have to retire upon reaching the age of seventy years, or for other causes, such as illness, to be certified to by the tribunal to which the Justice concerned belongs, or by the Secretary of Justice in case of an incumbent Judge of the Court of First Instance and other similar Courts of Records, which render him incapacitated to continue in his position."

"SEC. 3. Upon retirement, a Justice of the Supreme Court or of the Court of Appeals OR A JUDGE OF THE COURTS OF FIRST INSTANCE, INDUSTRIAL RELATIONS, AGRARIAN RELATIONS, TAX APPEALS OR JUVENILE AND DOMESTIC RELATIONS shall be automatically entitled to a lump sum payment of