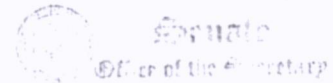


SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES

Second Regular Session



SENATE

P.S. Res. No. 546

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Introduced by Senator Poe

RECEIVED

RESOLUTION

URGING THE SENATE COMMITTEE ON EDUCATION, ARTS AND CULTURE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DEPARTMENT OF EDUCATION'S DIRECTIVE ALLOWING LOAN PAYMENTS TO BE DEDUCTED FROM SALARIES OF TEACHERS, EFFECTIVELY SHRINKING THE NET TAKE HOME PAY OF THE LATTER, WITH THE END GOALS OF FINDING SOLUTIONS TO THE IMPASSE, DETERMINING LONG-STANDING PROBLEMS PLAGUING THEIR SECTOR AND PROTECTING TEACHERS AND OTHER PERSONNEL FROM ARBITRARY IMPOSITIONS

WHEREAS, Section 1, Article 14 of the 1987 Constitution mandates that the State “shall protect and promote the right of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all”;

WHEREAS, Section 5 (4) of the same Constitutional provision, provides that it is the duty of the State to “enhance the right of teachers to professional advancement. Non-teaching academic and non-academic personnel shall enjoy the protection of the State”;

WHEREAS, Section 5 (5) of the same Constitutional provision, in addition 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”;

WHEREAS, under the precepts of these constitutional provisions, the government has always strived to provide quality education by heavily investing in the latter, hiring competent personnel and reviewing and overhauling the curriculum, but critical strides still fall short even after the United Nations took to task the Philippines and other member-nations in achieving the 4th sustainable development goal on quality education;

WHEREAS, under Section 47 of the General Provisions of Republic Act No. 10924 or the 2017 national budget, “in no case” shall mandatory contributions and loans by government employees from private and public lending institutions “reduce the employees’ monthly net take home pay to an amount lower than Php 4,000”;

WHEREAS, the DepEd reinforced this provision when it issued Department Order (DO) 12-2017 on March 6¹;

WHEREAS, however, it issued a “clarification” contained in DO 27-2017 released on May 22 that the Php 4,000 threshold will only apply to new deductions in view of “contractual agreements between Deped personnel and entities with which the former has outstanding financial obligations²”;

WHEREAS, the Department allegedly violated the law when it issued a subsequent order on July 31 under DO 38-2017 stating that automatic salary deductions already incorporated in the payroll shall be continued “even if this effectively reduces the NTHP to lower than the Php 4,000 threshold³”;

WHEREAS, the order also provided that premiums and loan payments due to state insurer Government Service Insurance System (GSIS) and the Home Development Mutual Fund (Pag-IBIG Fund) shall be prioritized over other contributions or loans;

WHEREAS, the latest directive is being blamed for allowing loan payments to be deducted from teachers’ salaries that result in shrunk take-home pay, according to the Alliance of Concerned Teachers partylist⁴ and the Teachers’ Dignity Coalition⁵;

WHEREAS, it has been reported that some teachers received only Php 300 to Php 600 for the previous month’s payroll;

WHEREAS, the DepEd defended its move, saying in its directive that “discontinuing or reducing existing deductions could result in the imposition of penalties upon borrowers that would be very disruptive, as it would require significant changes in the payroll system, and would also lead to unreasonable exercise of discretion as to which deductions should be retained or postponed”;

WHEREAS, total loan obligations of DepEd personnel with the GSIS are pegged at P23 billion⁶, or about 10 percent of total loan portfolio of the GSIS; it was also reported that the DepEd has a high default rate of almost 40%;

WHEREAS, as of December last year, loan receivables of DepEd-accredited private lending institutions amounted to Php 170.96 billion⁷, that is why the department wanted to teach “financial literacy” to resolve teachers from over borrowing;

¹ Signed by Education Sec. Leonor Magtolis-Briones (2017, March 6) DO 12, s. 2017 - Implementation of P4,000.00 Net Take Home Pay for Department of Education Personnel. DepEd website. Retrieved from <http://www.deped.gov.ph/orders/do-12-s-2017>

² DepEd website. Retrieved from <http://www.deped.gov.ph/orders/do-27-s-2017>

³ DepEd website. Retrieved from <http://www.deped.gov.ph/orders/do-38-s-2017>

⁴ Umil, A. M. (2017, October 24). Public school teachers slam loan deductions from salaries. Bulatlat news site. Retrieved from <http://bulatlat.com/main/2017/10/24/public-school-teachers-slam-loan-deductions-salaries/>

⁵ Cepeda, M. (2017, October 24). Teachers' group cries foul over loan deductions from take-home pay. Rappler Retrieved from https://www.rappler.com/nation/186218-teachers-protest-deped-order-loan-deductions-salaries?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+rappler+%28Rappler%29

⁶ Navales, R. (2017, September 6). GSIS chief tells teachers to prioritize payment of loans. Sunstar new site. Retrieved from <http://www.sunstar.com.ph/pampanga/local-news/2017/09/06/gsis-chief-tells-teachers-prioritize-payment-loans-562492>

⁷ DepEd website. Retrieved from <http://www.deped.gov.ph/press-releases/deped-highlights-financial-literacy-under-proposed-2018-budget>

WHEREAS, it is understandable that the DepEd is finding ways to help teachers and non-teaching personnel out of the mire of debt—in fact more than 23,000⁸ have retired without receiving a single centavo of their gratuity because even these are not enough to pay for the loans they have accumulated—but such orders should not be arbitrary;

WHEREAS, the starting salaries of public school teachers amounting to over Php 19,000, for instance, are not commensurate to the high demands of their profession, namely attending to voluminous paperwork; counseling, mentoring and coaching of students, which includes home visits; participating in various seminars, workshops and similar programs; and rendering of election duties, which are notwithstanding to the issues on delayed salaries and salary increments, among others;

WHEREAS, despite receiving the highest allocation in the bureaucracy's spending plan, the persistent lack of textbooks and other instructional materials still hound the sector, as teachers lament the additional and "out-of-pocket" expenses for purchasing teaching materials and reproducing copies of instructional aids that they distribute to students, and even cleaning materials for classrooms—money which they could have used for their own families;

WHEREAS, there is also a need to determine if indeed billions in maintenance and other operating expenses (MOOE) allocations supposedly intended for purchase of instructional and cleaning materials lodged under the annual DepEd budget were properly used; for next year, a total of P86.41 billion in MOOE is allocated under the proposed national budget;

WHEREAS, the State should remember that in building the lives of students, we are also building a nation;

WHEREAS, it is thus fitting that the country honors and recognizes the people who mold us and, by doing so, ensure that the country is in a constant supply of professionals, scholars and future leaders;

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the Senate of the Philippines, to direct the Senate Committee on Education, Arts and Culture to conduct an inquiry, in aid of legislation, on the Department of Education's directive allowing loan payments to be deducted from salaries of teachers, effectively shrinking the net take home pay of the latter, with the end goals of finding solutions to the impasse, determining long-standing problems plaguing their sector and protecting teachers and other personnel from arbitrary impositions.

Adopted,


GRACE POE

⁸ Mateo, J. (2017, October 29). DepEd finding ways to help teachers in debt. *PhilStar news site*. Retrieved from <http://www.philstar.com/headlines/2017/10/29/1753535/deped-finding-ways-help-teachers-debt>