

## **Good News**

**Department of Labor and Employment**

**Bureau of Working Conditions**

**26 September 2017**

### **DOLE Upholds the Rights of Health Workers**

The Department of Labor and Employment has recently issued DO 182 s.2017 GUIDELINES GOVERNING THE EMPLOYMENT AND WORKING CONDITIONS OF HEALTH PERSONNEL IN THE PRIVATE HEALTHCARE INDUSTRY, mandating to terminate all “Volunteer Training Programs for Health Workers” and all similar or related programs, in all private hospitals in the Philippines.

The current practice of health workers “volunteering” in hospitals to gain ‘work experience’ and/or to obtain a certificate of work experience and for purposes of meeting requirements for employment abroad, is not consistent with the provisions of this law (Republic Act 9418: Volunteer Act of 2007).

Aside from this prohibition, the Order as a whole made clear the mandatory benefits health workers in the private sector are entitled to as working hours, overtime pay, night differential pay and the like. The mandatory OSH programs including the provision of PPE free of charge was reiterated in the DO as while these are compulsory requirements prescribed by law, health workers are somehow exploited as most of the benefits mentioned in the issuance were not enjoyed by all and through the years has become company prerogative.

But more than these mandatory requirements of the labor standards are the rights of health workers as security of tenure, right to self-organization and collective bargaining agreement was reiterated in the said DOLE issuance. The DOLE made clear that the Order is not a “class legislation” as argued by some since there was no provision in the said issuance that was outside the labor code. But sad to say, were not implemented by many to the disadvantage of the health workers in the private sector.

With this Order, it is hope that these long practice of exploitation in terms of false training as well as non-compliance to labor standards of some health care establishments will come to a stop. The Department Order will become effective fifteen days after its publication in a newspaper of general circulation.

-MASV-