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Teachers' Dignity Coalition

"Unity of Teachers to Regain the Dignity of the Profession"
SEC Registration Number: UN 2007-10645

12 November 2018

DR. MAY B. ECLAR

Regional Director
Department of Education-CAR
Wangal, La Trinidad, Benguet

Madam;

Greetings of Peace!

We would like to formally furnish you the attached copy of our letter-position paper sent to the Office of the Secretary dated November 6, 2018. The letter narrates the TDC's experience in pushing for the 'six-hour workday' since year 2006 and finally appeals for the full implementation of DepEd Memorandum 291, s. of 2008 and DepEd Order No. 16, s. 2009, both issued in accordance to CSC Resolution 080096, a resolution interpreting Section 13 of Magna Carta for Public School Teachers (RA 4670).

The resolution clearly says that teachers are not exempted from the 'eight-hour workday' required for government employees, but it also resolves that teachers should not be compelled to stay for eight hours in school. The CSC recognizes the peculiarity of the roles and tasks of public school teachers- entirely different from those of other government employees. While this is being implemented in some areas, especially in NCR, CALABARZON and Central Luzon, school officials in most divisions have different ways of implementing the order. Thus, we have consistently brought the matter to the attention of the DepEd officials in a series of dialogues and formal letters.

We appreciate the earlier response made by the DepEd Central Office thru an official statement dated September 24, the DepEd said:

"Due to the continuing clamor to strictly implement the six-hour workday for teachers, DepEd will release a DepEd Memorandum (DM) reiterating provisions stated in DM No. 291 s. 2008 and DepEd Order (DO) No. 16, s. 2009, with specific instructions that:

- Teachers who choose to render the remaining two hours of work outside the school premises must not be subjected to salary deductions
- Teachers should not be required to submit means of verification (MOVs) as proof of services completed during the remaining two hours of work rendered outside the school premises.

The said DM will also direct key offices to monitor the strict and uniform execution of this policy."

We are still waiting for the issuance of the said memorandum within this school year and we are hoping that this will end the different interpretations employed in the field offices and will give way to the uniform implementation of teachers' working hours.

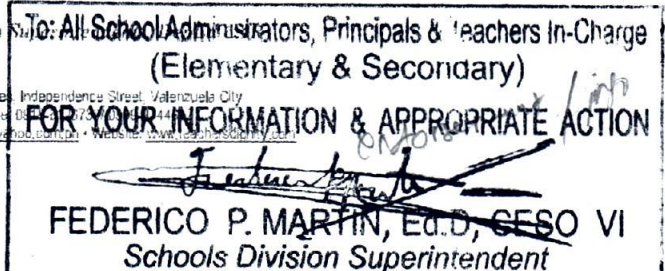
In this light, may we ask for a meeting to tackle this issue. Our leaders in the region as well as the entire organization are more than willing to render our cooperation and assistance to the DepEd for this particular matter.

Thank you very much and we anticipate your most favorable response!

Respectfully yours,

BENJO G. BASAS
National Chairperson

Copy furnished: Respective Schools Division Superintendents



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Teachers' Dignity Coalition

"Unity of Teachers to Regain the Dignity of the Profession"
SEC Resolution No. 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

06 November 2008

HON. LEONOR MACOLIS-BRIONES

Secretary
Department of Education
Dept'd Complex, Pasig City

2008
1/6/09
2:10 p.m.

Madam,

Greetings of Peace!

Public school teachers are not required to spend the whole eight hours in school. This was clarified through a Civil Service Commission (CSC) resolution as early as the year 2008. In the said resolution, the CSC recognizes the peculiarity of the roles and tasks of public school teachers—entirely different from those of other government employees. While teachers are not exempted in the eight-hour workday rule for state workers, we have the right to stay in our workplace for only six hours a day.

According to Magna Carta for Public School Teachers:

"Any teacher engaged in actual classroom instruction shall not be required to render more than six hours of actual classroom teaching a day, so scheduled as to give him time for the preparation and correction of exercises and other work incidental to his normal teaching duties; Provided, however, that where the exigencies of the service so require, any teacher may be required to render more than six hours but not exceeding eight hours of actual classroom teaching a day upon payment of additional compensation at the same rate as his regular remuneration plus at least twenty-five per cent of his basic pay." (Section 13 of RA 4670 Magna Carta for Teachers)

Thus, the TDC since year 2006 has closely coordinated with the Dept'd in the hopes that this provision will be implemented in a manner that is most favorable to our teachers. This was particularly discussed during the first dialogue with then Secretary Josel A. Lapus in August of 2006 that resulted to a resounding position of the Dept'd that was formally brought to the CSC.

In a letter petition to the CSC, Lapus said:

"Considering that the Magna Carta for Public School Teachers (RA 4670) is a law enacted by Congress for the welfare and protection of Public School Teachers nationwide, it is quite ironic if we interpret the law in a manner that is prejudicial and disadvantageous to their interests." (Letter to CSC, September 2007)

In response, the CSC on January 29, 2008 ruled that teachers may only perform six-hour-work within the school. The two hours needed to complete the eight-hour workday may be spent outside or anywhere convenient to teachers. The resolution further mandated the Dept'd to provide pertinent guidelines for its implementation.

The CSC said:

"The Commission further recognizes that the work of public school teachers is distinct if not vital from the rest of other government employees. As the main contributor in molding the minds of the country's most valuable resource, its people, they are expected to perform with utmost commitment, effectiveness and competence. This maybe none if their needs are responded to in a manner that is most favorable to them but still within the parameters of existing rules." (CSC Resolution 12007)

Thus, the Dept'd Memorandum 291 was signed on June 13, 2008 and was publicly prescribed by Secretary Lapus the following Monday, June 16 during TDC's mass action held in Dept'd, the first of its kind. Its issuance was very much anticipated by the teachers and the media and was consistently tackled in TV news before and during the first week of opening of classes for that school year. News about this linked protest in all papers, broadsheet and tabloid, on June 17, 2008. Some of the interviews with Sec. Lapus

clearly state the DepEd's basis and intention for issuing the memorandum like this one which appeared in the Philippine Star:

"After 42 years, the DepEd will now implement the six-hour actual teaching and a day for four teachers as provided in the Magna Carta. The move of the DepEd and CSC will allow our public school teachers to have more time to innovate and enhance classroom teaching." (Phil. Star, June 17, 2008 by Reporter, Ellen Bantao)

And another one from the Philippine Daily Inquirer:

"We are hoping this will lead to a better quality of teaching. Now they can do it better what they can do in the schools." (Philippine Daily Inquirer, June 17, 2008 by Beverly Natividad)

It was indeed a victory both for DepEd and the teachers. Since 1966, it is only this time that a department secretary stood in favor of the teachers and actually issued a memorandum for this specific provision. But, the sad part of the story is the way the field treated this memorandum. In many cases, it is being disregarded as if nothing was issued. In several areas, administrators had a hard time implementing the guidelines.

The clamor in the field whether teachers will be allowed to leave the school premises after they have served for six hours and with no deductions has caused further confusion and conflicts, prompting the DepEd Central Office to issue the DepEd Order No. 16, s. 2009 the following year.

The so-called six-hour workday has been a practice in Metro Manila for several decades now. Recently, due to clamor of CALABARZON teachers headed by the Regional Chapter of TDC, the Regional Director Dr. Diosdado San Antonio has released the Regional Memorandum 550, s. 2018 (partly a reiteration of a 2015 memorandum). The memorandum clearly recognizes that teachers may stay for only six hours within the school and the remaining two hours to complete the eight-hour workday may be spent outside. Additionally, there is no need for means of verification (MOVs) for the said two hours, still a recognition that the duty of teachers beyond classroom work is more than two hours.

Likewise, several schools division superintendents from other regions, specifically DepEd Region III, have also ordered the schools to observe the DepEd Memorandum 291, s. 2008 and DepEd Order 16, s. 2009 after a stakeholders' dialogue held on October 2, 2017, where division officials, TDC division chapter leaders and representatives of Civil Service Commission (CSC) and Commission on Audit (COA) are present. The dialogue is the response of then Regional Director Dr. Malcolm Gamma to TDC-Central Luzon request for clarification on working hours.

Despite this, many field officials failed to implement the memorandum and order. In some schools for instance, teachers were not allowed to leave school premises after their six-hour classroom duty and even made to stay for another hour supposedly for lunch break. But after the lunch break, they were still required to stay for another two hours purportedly to complete the eight-hour workday, even if their actual classes were fit in six-hour schedule. Worse, teachers in some areas were given options if they will stay for six hours or eight hours, those who opted to stay for only six hours are required to submit reports or means of verification, with the outputs related to "all" the enumerated list of tasks in DepEd Memorandum 291. This is a clear effort to make it appear that the "six-hour workday" is not a privilege, but rather a burden for teachers.

We have been receiving reports that in some schools, authorities conveniently evade its implementation by invoking the "agreement of teachers, administrators, students and SOG," as if this is the sole or final requirement prior to implementation. Yet in other cases, deductions due to "undertime" were made to teachers who have rendered even the full six hours actual classroom teaching.

These practices run contrary to the letters and very intention of the Magna Carta, the CSC Resolution and the DepEd Issuances.

The nationwide implementation of the six-hour workday is one of our Seven Demands that was presented formally and by other means to your office; this is also one of the reasons why we decide to hold mass actions that lead to a 12-day picket in front of the DepEd Central Office. However, we appreciate the response made by your office thru an official statement dated September 23, the DepEd said:

"Due to the continuing demand to strictly implement the six-hour schedule for teachers, DepEd will release a DepEd Memorandum (DM) regarding provisions stated in DM No. 291, s. 2008 and DepEd Order (DO) No. 16, s. 2009, with specific instructions that:

- Teachers who choose to render the remaining two hours of work outside the school premises must not be subjected to salary deductions.
- Teachers should not be required to submit means of verification (MOVs) as proof of services completed during the remaining two hours of work rendered outside the school premises.

The said DM will also direct key offices to monitor the strict and uniform execution of this policy."

After more than a month since the issuance of said statement, teachers are still waiting for the said memorandum. It would be better if the order will be implemented for the second semester of this school year if possible. Nevertheless, in case there would be time constraint or any practical consideration, an assurance that it will be fully enforced by next school year would be enough for now. Finally, being directly involved in this particular issue, our group is willing to render our assistance to the DepEd technical people for your consideration.

We anticipate your most prompt and favorable response.

Thank you very much!

Respectfully yours,


BENJO G. BASAS
National Chairperson

Copy furnished:

Hon. Josephine G. Maribojoc, Undersecretary for Legal
Hon. Annalyn M. Sevilla, Undersecretary for Finance
Hon. Jesus L.R. Mateo, Undersecretary for Regional Operations
Hon. Tamsita M.C. Umali, Undersecretary for Legislative Liaison Office

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