



## **Magna Carta for Science & Tehnology Personnel: Bridging the Gap to Keep the Filipino S&T Workers<sup>1</sup>**

Albert P. Aquino, Aleta Belissa D. Correa, Anita G. Tidon and Princess Alma B. Ani<sup>2</sup>

### **Introduction**

Brain drain is a phenomenon wherein skilled professionals emigrate to another country most commonly where remuneration is higher and benefits are better. In the Philippines, the number of Filipino science and technology (S&T) workers who migrated abroad more than doubled in the last 12 years. The S&T workers leaving the country reached to 24,504 in 2009 from only 9,877 in 1998 (CTUHR, 2013). For a less developed country like the Philippines, the exodus of its scientists, engineers, researchers and other S&T personnel can adversely impact national growth and development.

To address the pressing issue of the anemic number of Filipino S&T workers, an incentive system was crafted to give additional benefits to S&T employees in the government. The Republic Act (R.A.) No. 8439, also known as the “Magna Carta for Scientists, Engineers, Researchers, and Other S & T Personnel in the Government” or simply “Magna Carta for S & T Personnel” was signed into law by President Fidel V. Ramos on December 22, 1997.

### **Magna Carta for S & T Personnel**

Primarily, RA 8439 recognizes the role of S & T in achieving economic growth. It provides for a program of human resources development in S & T to achieve and maintain the necessary reservoir of talent and manpower that will sustain its drive for total S & T mastery (Section 2).<sup>3</sup> The law sets out the incentives for pursuing careers in S & T.

***Classification of S&T Personnel.*** S & T Personnel may be classified in the following categories: (a) S&T managers, supervisors, and planners; (b) members of the Scientific Career System; (c) scientists, engineers, and researchers; and (d) Department of Science and Technology (DOST) technicians and related S&T personnel (Section 5). Non-DOST personnel engaged in S&T programs and activities may avail of the benefits after they were duly certified as S&T personnel by the DOST Secretary.

---

<sup>1</sup> A short policy paper submitted to the Food and Fertilizer Technology Center (FFTC) for the project titled “Asia-Pacific Information Platform in Agricultural Policy”. Short policy papers, as corollary outputs of the project, describe pertinent Philippine laws and regulations on agriculture, aquatic and natural resources.

<sup>2</sup> Philippine Point Person to the FFTC Project on Asia-Pacific Information Platform in Agricultural Policy and Director, Science Research Specialist II, and Senior Science Research Specialists, respectively, of the Socio-Economics Research Division-Philippine Council for Agriculture, Aquatic and Natural Resources Research and Development (SERD-PCAARRD) of the Department of Science and Technology (DOST), Los Baños, Laguna, the Philippines.

<sup>3</sup> Sections refer to R.A. 8439, unless indicated.

**Types of Benefits.** Aside from the salaries, S & T personnel are entitled to the following additional benefits: honorarium, share in royalties, hazard allowance, subsistence allowance, laundry allowance, housing and quarter allowance, longevity pay, and medical examination. (Sections 6 and 7)

### **RA 8439: Implementing Rules and Regulations (IRR)**

After 15 years of implementation, issues and concerns on the coverage and the amount of benefits to be given to each S & T personnel were encountered. The first IRR, dated March 20, 1998 and signed by Secretary William G. Padolina, was amended by Secretary Estrella F. Alabastro, to effectively implement the law. However, since the budget to fund the additional benefits needs the approval of the Department of Budget and Management (DBM), the amended IRR and all existing provisions of circulars or issuances on the grant of compensation-related Magna Carta benefits to S & T Personnel were superseded by the DBM and DOST Joint Circular (J.C.) No. 1, Series of 2013. The J.C., signed by DBM Secretary Florencio B. Abad and DOST Secretary Mario G. Montejo on June 25, 2013, was crafted to ensure equity and uniformity in the granting of remuneration and enforce rules on the use of government funds.

### **Joint Circular No. 1, Series of 2013<sup>4</sup>**

The J.C. prescribes the newly approved and implemented DBM and DOST rules and regulations on the grant of the following compensation-related Magna Carta benefits to scientists, engineers, researchers, and other S & T personnel (Section 2):

1. **Honoraria for assignment in special projects.** S & T personnel may be assigned to designated positions (e.g. Project Manager, Team Member, Administrative Staff, etc.) in DOST special projects and are entitled to honorarium, with rates depending on the position and duration of assignment (Section 4);
2. **Honoraria for Lecturers, Resource Persons, Coordinators, and Facilitators.** These are given if the preparation and conduct of seminars and training are not part of the regular duties and responsibilities of the S & T personnel. Computation of minimum and maximum rates that may be provided to the S & T personnel is provided in the J.C. (Section 5);
3. **Honoraria/Compensation for Consultancy Services Rendered to the Private Sector.** There are specific instances allowed when the consultancy services may be rendered to the private sector. Moreover, the S & T personnel should possess the qualifications; and abide by the conditions on the rendition of consultancy services, period of consultancy services, reportorial requirements, and other conditions, to be granted with honoraria (Section 6);
4. **Compensation for Secondment to the Private Sector.** The same instances for consultancy are followed for the secondment of the S&T personnel to the private sector. Moreover, the S & T personnel must be qualified, and follow the period of secondment allowed, the responsibilities of the parties concerned (S & T personnel, private sector, and agency head), and other conditions to be given the compensation due to secondment (Section 7);

---

<sup>4</sup> All succeeding sections refer to DBM-DOST J.C. No. 1, s. 2013.

5. **Compensation for Membership in Governing Boards of NGAs Under the DOST and in Inter-Agency Committees Created by Law or Executive Issuance.** Honoraria/per diem per meeting shall be granted to the chair, vice-chair, and members of a governing board and may be given for a maximum of two meetings per month (Section 8);
6. **Hazard Allowance (HA).** This is an additional compensation for performing hazardous duties and for enduring physical hardships in the course of performance of duties. Rates of hazard allowance depends on the level of risk (high or low), the actual exposure in terms of number of days, and the monthly basic salary of the S & T personnel (Section 9);
7. **Subsistence Allowance (SA).** It is given to S & T personnel who render services within the premises of offices, laboratories, field operations centers, research and development (R & D) centers, and other S & T facilities; and make their services available at any and all times. Subsistence allowance is P150 for each day (8 hours) of actual full time service; and P75 for each half-day (4 hours) of actual service (Section 10);
8. **Laundry Allowance (LA).** An S & T personnel who rendered actual service on all workdays in a month may be granted the prescribed Laundry Allowance. The total LA entitlement will be based on the actual number of workdays rendered;
9. **Free Living Quarters or Quarters Allowance.** S & T personnel on duty in laboratories, R & D centers, and other S & T facilities, shall be entitled to Free Living Quarters, within government facilities where they are stationed, or Quarters Allowance at the prevailing rental rate in the locality (if Free Living Quarters are not available), provided, that their residences are outside of the 50-kilometer radius from such government facilities (Section 12);
10. **Longevity Pay (LP).** A monthly Longevity Pay equivalent to five percent (5%) of the current monthly basic salary shall be paid to S & T personnel for every 5 years of continuous and meritorious services as determined by the DOST Secretary (Section 13).
11. **Salary Increase for Retirement Benefit and Terminal Leave Benefit Purposes.** Upon retirement, S&T personnel shall automatically be granted one salary grade higher than his/her basic salary, and retirement benefits shall be computed on the basis of the highest salary received (Section 14).

The J.C. covers the following personnel in National Government Agencies (NGAs), including State Colleges and Universities (SUCs), and Government-Owned or -Controlled Corporations (GOCCs) holding regular, contractual, or casual positions, which are either covered or not covered by R.A. No. 6758 (“Compensation and Position Classification Act of 1989”, dated August 21, 1989): (1) personnel under the DOST and its attached agencies; (2) personnel under the DOST and other government agencies appointed to the ranks of Scientist I to V under the Scientific Career System; and (3) S & T personnel and technical support personnel under other government agencies outside of the DOST who are engaged in S & T program and project planning and policy work, and S & T activities, who are certified as S & T personnel by the DOST on a yearly basis (Section 3).

The grant of compensation-related Magna Carta benefits to S&T personnel shall be subject to availability of funds. In case of insufficiency or lack of funds, the benefits may be granted at lower rates, which shall be applied uniformly, or proportionately to all S & T personnel concerned in an

agency. The agency head shall determine the priority benefits that can be supported by available funds (Section 15).

## **Conclusion**

Given the better opportunities abroad, the Magna Carta for S & T Personnel, is one way to keep our pool of experts to work in government agencies. It provides incentives and motivation to our scientists and researchers to work with enthusiasm, with the end in view, of making our country better and not left behind. The intent of the law is very noble, however, several issues and concerns have been encountered in its implementation. The most critical is the availability of funds. Given the new Joint Circular by DBM and DOST, its optimum implementation is deemed achievable, with funds readily available to provide the prescribed benefits on-time and give what is due to our country's S & T personnel.

## **References:**

Amended Implementing Rules and Regulations of Republic Act No. 8439. Accessed in August 2013.  
[http://records.dost.gov.ph/index.php?option=com\\_docman&task=doc\\_details&gid=70&Itemid=2](http://records.dost.gov.ph/index.php?option=com_docman&task=doc_details&gid=70&Itemid=2)

Center for Trade Union and Human Rights. Crisis for the workers, poor aggravate under Aquino. Accessed in September 2013. <http://ctuhr.org/crisis-for-the-workers-poor-aggravate-under-aquino/>

DBM and DOST Joint Circular (J.C.) No. 1, Series of 2013. Accessed in August 2013.  
<http://www.dbm.gov.ph/wp-content/uploads/Issuances/2013/Joint%20Circular%202013/Joint%20Circular1-DBM-DOST2013%20.pdf>

Implementing Rules and Regulations of Republic Act No. 8439. Accessed in August 2013.  
<ftp://ftp.dost.gov.ph/PUB/DOSTCO/RECORDS/FREQUENTLY%20REQUESTED%20RECORDS/Magna%20Carta/IRR%201998.pdf>

Republic Act No. 8439. Accessed in August 2013.  
[http://www.dost.gov.ph/index.php?option=com\\_joomdoc&task=doc\\_details&gid=188&Itemid=45](http://www.dost.gov.ph/index.php?option=com_joomdoc&task=doc_details&gid=188&Itemid=45)

Date submitted: December 6, 2013

Reviewed, edited and uploaded: December 9, 2013