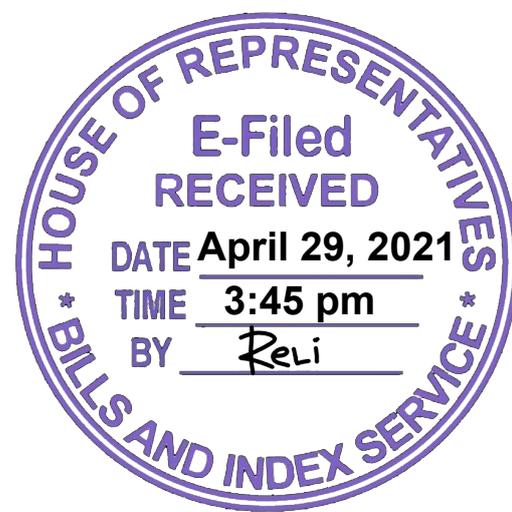


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
Second Regular Session

**House Bill No. 9279**



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**Introduced by the Honorable Precious Hipolito Castelo**

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#### **EXPLANATORY NOTE**

The COVID-19 pandemic has forced most businesses to shift their provision of goods through delivery services, mostly via the use of mobile applications of Transportation Network Companies (TNCs). Food and non-food essentials can now be easily ordered through bookings made using mobile phones. Delivery services have now become indispensable in the operations of certain business establishments. It is undeniable that the “new normal” way of retailing is done through delivery.

The sudden increase of demand for delivery services essentially makes delivery workers as frontliners in the fight against the pandemic. Delivery workers help keep certain businesses afloat by providing a platform that can connect them to the consumers.

Most recently, there was much ruckus on whether or not a food item is considered “essential” so as to be allowed entry at a checkpoint. One thing is for sure, the debacle has put to light the plight of delivery workers who never stopped working amid the pandemic.

While delivery workers are considered essential workers, this classification does not necessarily translate to mandatory statutory benefits. Most delivery workers are considered as independent contractors of their principals. This means that the provision of workers’ benefits as mandated by the Labor Code and other relevant laws do not apply to them unless their principals provide them with these benefits voluntarily.

Thus, it is the intention of this measure to mandate the provision of certain benefits to delivery riders. It is only right and just to provide them with tangible and direct benefits in recognition of their important role in the fight against the global pandemic.

In view of the foregoing, immediate consideration and passage of this bill is earnestly sought.

  
**PRECIOUS HIPOLITO CASTELO**

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**AN ACT**

**PROVIDING MANDATORY STATUTORY BENEFITS TO ALL DELIVERY RIDERS,  
MESSENGERS AND COURIERS**

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

SECTION 1. *Short Title.* – This Act shall be known as the “Mandatory Statutory Benefits for Delivery Riders Act of 2021”.

SEC. 2. *Declaration of Policy.* – The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all. Towards this end, the State shall implement policies which will alleviate the burden of its citizens, especially the frontline workers such as delivery riders, messengers and couriers, due to the economic and public health consequences brought about by the COVID-19 pandemic.

SEC. 3. *Scope and Limitation.* – This Act applies to delivery riders, messengers and couriers who handle point-to-point transfers of goods as booked or arranged either by the sender or the recipient.

SEC. 4. *Benefits to Delivery Riders, Messengers and Couriers* – Independent contractors who are delivery riders, messengers and couriers and who are not otherwise eligible to receive mandatory statutory benefits under the Labor Code of the Philippines and other relevant laws shall be eligible to receive these benefits from their principals.

SEC. 5. *Prohibition against elimination or diminution of benefits.* – Nothing in this Act shall be construed to eliminate or in any way diminish supplements or other benefits being enjoyed by delivery riders, couriers and messengers at the time of the promulgation of this Act.

SEC. 6. *Specific benefits to be granted.* – The Department of Labor and Employment (DOLE) shall identify the specific benefits and the computation of the said benefits to be granted under this Act.

SEC. 7. *Implementing Rules and Regulations.* – Within sixty (60) days from the approval of this Act, DOLE, in consultation with the affected businesses in the private sector, shall formulate and promulgate the necessary rules and regulations to implement the provisions of this Act.

SEC. 8. *Separability Clause.* – If, for any reason, any part, section or provision of this Act is held invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in force and effect.

SEC. 9. *Repealing Clause.* – All laws, decrees, executive orders, proclamations, rules and regulations and other issuances, or part or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

*Approved,*