



**EXCERPTS FROM THE MINUTES OF THE
FIRST (1ST) REGULAR COMMISSION MEETING
EMPLOYEES' COMPENSATION COMMISSION (ECC) AND
OCCUPATIONAL SAFETY AND HEALTH CENTER (OSHC), SERIES OF 2019**
*Convened at the 5TH Floor, ECC Board Room, 355 Sen. Gil Puyat Ave., Makati City
Wednesday, 06 March 2019 at 12:00 NN*

BOARD RESOLUTION NO. 19-03-05

***Promulgating the Policy on Expanding the Coverage of the Employees'
Compensation Program (ECP) to the Self-Employed Compulsory
Members of the SSS***

WHEREAS, Article II, Section 18 of the 1987 Constitution provides:

"The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare." (emphasis supplied)

WHEREAS, Article 174 of P.D. No. 626, as amended, partly provides:

"ART. 174. Compulsory coverage. - Coverage in the State Insurance Fund shall be compulsory upon all employers and their employees not over sixty years of age..."

WHEREAS, Article 173 (g) of PD No. 626, as amended, partly provides:

"ART. 173. Definition of terms. - xxx (g) "Employee" means xxx xxx any person compulsorily covered by SSS under Republic Act Numbered Eleven Hundred Sixty-One, as amended." (emphasis supplied)

WHEREAS, Republic Act (R.A.) No. 1161 was amended by RA No. 8282, otherwise known as the "Social Security Law of 1997," which took effect on May 24, 1997;

WHEREAS, Section 8 (d) of R.A. No. 8282 ("Social Security Law of 1997") partly states:

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Dianne Lilibeth S. Bautista
Board Secretary III

"SEC. 8. Terms Defined. xxx

***"(d) Employee. Any person who performs services for an employer xxx
Provided, That a self-employed person shall be both employee and
employer at the same time. (emphasis supplied)***

WHEREAS, Section 9-A of R.A. No. 8282 provides:

***"SEC. 9-A. Compulsory coverage of the
Self-employed. - Coverage in the SSS shall be compulsory
upon such self-employed persons as may be determined
by the Commission under such rules and regulations as it
may prescribe, including but not limited to the following:***

1. *"All self-employed professionals;*
2. *"Partners and single proprietors of businesses;*
3. *"Actors and actresses, directors, scriptwriters and news correspondents who do not fall within the definition of the term "employee" in Sec. 8 (d) of this Act;*
4. *"Professional athletes, coaches, trainers and jockeys; and*
5. *"Individual farmers and fishermen.*

xxx xxx

WHEREAS, considering that under P.D. No. 626, as amended, self-employed persons who are compulsorily covered under the prevailing SSS law are also covered under the ECP;

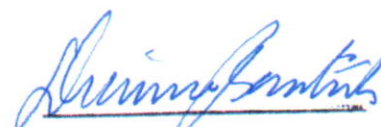
WHEREAS, the SSS has conducted an Actuarial Study on the possible ECP coverage of the self-employed compulsory members of the SSS which reveal positive results without adversely affecting the viability of the State Insurance Fund (SIF) in the private sector and without need for an increase in EC contribution;

NOW THEREFORE, ON MOTION DULY MADE AND SECONDED

This Commission RESOLVES as it hereby RESOLVED to promulgate the policy of expanding the ECP coverage to all self-employed compulsory members of the SSS;

RESOLVED FURTHER, that the guidelines for the implementation of this benefit shall be prepared by the Secretariat in coordination with the SSS.

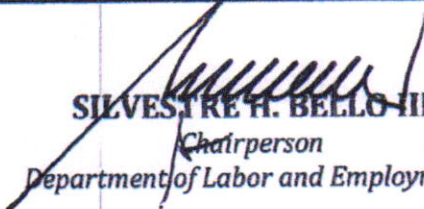
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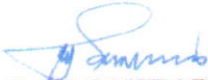
**Dianne Lilibeth S. Bautista
Board Secretary III**

RESOLVED FINALLY, that this resolution shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

DONE, this 6th day of March 2019, in Makati City, Philippines.


SILVESTRE H. BELLO III
Chairperson
Department of Labor and Employment

Dept. of Labor & Employment
Office of the Secretary

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ELVIRA G. ALCANTARA-RESARE
Member-Designate
Social Security System


NORA M. MALUBAY
Member-Designate
Government Service Insurance System

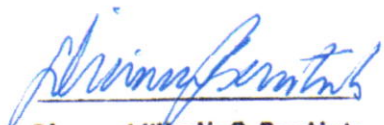
CARLITO P. ROBLE
Member
Employers' Sector

VACANT
Member
Employers' Sector


DENNIS S. MAS
Member-Designate
Philippine Health Insurance Corporation


STELLA ZIPAGAN-BANAWIS
Member
Employees' Compensation Commission - Secretariat

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Dianne Lilibeth S. Bautista
Board Secretary III