GUIDELINES ON THE MEMBERSHIP OF KASAMBAHAYS

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Pursuant to the approval of the Pag-IBIG Fund Board of Trustees in its 296th Board Meeting held last 24 July 2013, the following Guidelines on the Membership of Kasambahays are hereby issued:

A. OBJECTIVES

These guidelines aim to meet the following objectives:

- To promote the rights of the Kasambahays through mandatory coverage under Pag-IBIG Fund pursuant to R.A. 10361, or the Domestic Workers Act;

- To provide appropriate policies on the membership registration of Kasambahay and his employer;

- To set corresponding policies on the remittance of Mandatory Savings by the employer; and

- To align policies with R.A. No. 9679, or the Home Development Mutual Fund Law of 2009 and its corresponding Implementing Rules and Regulations.

B. DEFINITION OF TERMS

- Kasambahay or Domestic Worker - is someone who works within the employer’s household, whether on a live-in or live-out arrangement.

- Employer - refers to any person who engages and controls the services of Kasambahay and is a party to the employment contract.

- Live-out Arrangement - an arrangement whereby the kasambahay works within the employer's household but does not reside therein.

C. MEMBERSHIP COVERAGE

- Membership with the Fund shall be mandatory for the following Kasambahays:

1.1 General Household Helper;
1.2 Yaya (Nanny);
1.3 Cook;
1.4 Gardener;
1.5 Laundry Person;
1.6 Any Person who regularly performs domestic work in one household on an occupational basis (live-out arrangement).

- The following may still register with the Fund under voluntary coverage despite exclusion from Batas Kasambahay:

2.1 Service Providers;

2.2 Family Drivers;
2.3 Any other person who performs work occasionally or sporadically and not on an occupational or regular basis.

D. MEMBERSHIP REGISTRATION

- A Kasambahay shall be considered eligible for membership registration after rendering at least one (1) month of service to his employer.

- The Kasambahay shall be required to register with the Fund online through the Kasambahay Unified Registration System (Kasambahay URS) and shall accomplish the computerized Unified Registration Form for Kasambahays.

- The employer of the Kasambahay shall also register with the Fund online through the Kasambahay URS and shall accomplish the computerized Unified Registration Form for Employers. Said employer shall likewise be required to accomplish the computerized Household Employment Unified Report Form.

- In case of non-availability of the online Kasambahay URS, both the Kasambahay and the employer shall accomplish the Unified Registration Form in hard copy. The employer shall also accomplish the Household Employment Unified Report Form in hard copy. Said forms shall be submitted to the nearest Pag-IBIG Fund branch.

- Employers who have registered their Kasambahays with the Social Security System (SSS) or Philippine Health Insurance Corporation (PhiIHealth) through the Kasambahay URS are already considered registered with the Fund. The remittance of corresponding contributions for the said government agencies shall be in accordance with their respective policies.

E. MONTHLY MANDATORY SAVINGS

- The employer shall be required to remit the first monthly Mandatory Savings immediately after the employer and Kasambahay's membership registration with the Fund.

- The Monthly Mandatory Savings (MS) of a Kasambahay, whose monthly compensation is less than Five Thousand Pesos (P5,000.00) shall be based on the following rates, and shall be for the account of the employer:

Monthly Compensation

Total MS Rate to be Shouldered by Employer

P1,500 and below

3%

Over P1,500 to P4,999

4%

-

In case the Kasambahay's gross monthly compensation is at least Five Thousand Pesos (P5,000.00), the Kasambahay and his Employer shall pay their corresponding proportionate share in the Monthly Mandatory Savings (MS). The maximum monthly compensation to be used in computing the Kasambahay and corresponding employer share shall not be more than P5,000.00.

Monthly

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Compensation

MS Rate to be Shouldered
by Kasambahay

MS Rate to be
Shouldered by Employer

P5,000 and above

2.0%

2.0%

F. REMITTANCE OF MANDATORY SAVINGS

- Monthly mandatory savings shall be remitted by the employer to the nearest Pag-IBIG Fund Office or other Pag-IBIG Fund Accredited Payment Facilities on or before the 10th day of every month starting from the date of membership registration.

- The employer shall inform Pag-IBIG Fund of incidences that may affect Kasambahay's membership with the Fund such as, but not limited to:

2.1 Leave without pay;
2.2 Resignation;
2.3 Involuntary separation from employment; and
2.4 Death

G. PENALTY PROVISION

A penalty of 1/10 of 1% of the amount due per day of delay shall be charged to the employer in case of late remittances of monthly Mandatory Savings. If the employer fails to pay the amount due within the month, the said penalty shall be charged reckoned from the first day immediately following the date of full settlement.

H. OTHER PROVISIONS

- No penalty shall be charged to the employer if he registers his Kasambahay with Pag-IBIG Fund on or before 27 December 2013, provided that he shall remit the corresponding monthly Mandatory Savings due reckoned from the first month after the date of employment of the Kasambahay, or 04 June 2013, whichever comes later.

- If the employer registers his Kasambahay after 27 December 2013, he shall be charged with the corresponding penalties on the amount due in accordance with paragraph G hereof, reckoned from the first month after the date of employment of the Kasambahay, or 04 June 2013, whichever comes later, up to the actual date of settlement.

I. ESCALATION CLAUSE

Any issue that may arise in the interpretation and implementation of these guidelines shall be resolved by the Department Manager III or escalated to the next higher level of authority.

J. AMENDMENTS

The Management may amend, modify, revise and/or update the guidelines as needed; provided, the amendments, modifications, revisions and updates thereof, are in furtherance of the objectives of this Program and consistent

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with the mandate of Pag-IBIG Fund under its charter and existing laws.

K. EFFECTIVITY

This Circular takes effect immediately.

ATTY. DARLENE MARIE B. BERBERABE
Chief Executive Officer

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