

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **7091**



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

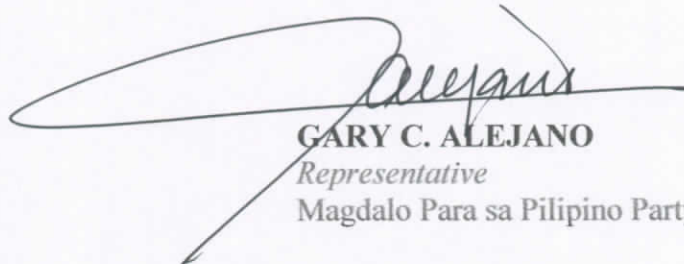
EXPLANATORY NOTE

One of the best values in employee benefits today is insurance. Providing insurance to employees is one notable means of prevention, early diagnosis and treatment of work-related illnesses. It alludes to an assurance of their safety and well-being.

However, there are employees, despite of existing precautionary measures, who still suffer an injury in the line of duty which makes them unable to perform their assigned functions. Because of their diminished mobility and physical incapability, an immediate and accessible assistance is essentially needed.

Considering the importance of offering such services and benefits that will protect employees from the financial setbacks of a disability, this bill humbly acknowledges and understands the plight of public employees undergoing such hardships and needs accommodation without delay.

In view of the foregoing, immediate approval of this bill is earnestly sought.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
PROVIDING BENEFITS TO PUBLIC EMPLOYEES WHO SUFFER ANY INJURY IN
THE LINE OF DUTY THAT LEADS TO DISABILITY

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

1 **SECTION 1. Short Title.** - This Act shall be known as the "*Public Employee Disability*
2 *Act of 2017*".

3
4 **SEC. 2. Definition of Term.** - For the purposes of this Act, the following terms shall
5 mean:

- 6
7 a) "Eligible employee" - any part-time or full-time correctional officer or any other full
8 or part-time employee of the Bureau of Corrections, any full or part-time employee of
9 the Board of Pardons and Parole, any full or part-time employee working within a
10 penal institution or a mental health or developmental disabilities facility, and any full-
11 time law enforcement officer or full-time firefighter who is employed by the
12 government, any unit of local government, any government-supported college or
13 university, or any other public entity granted the power to employ persons for such
14 purposes by law; and
15
16 b) "Permanently disabled" - a diagnosis or prognosis of an inability to return to current
17 job duties by a physician licensed to practice medicine in all of its branches.

18
19 **SEC. 3. Disability Benefit.** —

- 20
21 a. Whenever an eligible employee suffers any injury in the line of duty which causes him to
22 be unable to perform his duties, he shall continue to be paid by the employing public
23 entity on the same basis as he was paid before the injury, with no deduction from his sick
24 leave credits, compensatory time for overtime accumulations or vacation, or service
25 credits in a public employee pension fund during the time he is unable to perform his
26 duties due to the result of the injury, but not longer than one (1) year in relation to the
27 same injury. However, no injury to an employee of the Bureau of Corrections or the
28 Board of Pardons and Parole working within a penal institution or an employee working
29 within a mental health or developmental disabilities facility shall qualify the employee
30 for benefits under this Act unless the injury is the direct or indirect result of violence by
31 inmates of the penal institution or residents of the mental health or developmental
32 disabilities facility.
33
34 b. At any time during the period for which continuing compensation is required by this Act,
35 the employing public entity may order at the expense of that entity physical or medical
36 examinations of the injured person to determine the degree of disability.
37

- 1 c. During this period of disability, the injured person shall not be employed in any other
2 manner, with or without monetary compensation. Any person who is employed in
3 violation of this paragraph forfeits the continuing compensation provided by this Act
4 from the time such employment begins. Any salary compensation due the injured person
5 from workers compensation or any salary due him from any type of insurance which may
6 be carried by the employing public entity shall revert to that entity during the time for
7 which continuing compensation is paid to him under this Act. Any disabled person
8 receiving compensation under the provisions of this Act shall not be entitled to any
9 benefits for which he would qualify because of his disability.
10
11 d. Any employee of the government who becomes permanently unable to perform the duties
12 of such employment due to an injury received in the active performance of his duties as a
13 government employee as a result of a willful act of violence by another employee of the
14 government, committed during such other employee's course of employment, shall be
15 eligible for benefits pursuant to the provisions of this Act.
16
17 e. The compensation and other benefits provided to part-time employees covered by this
18 Act shall be calculated based on the percentage of time the part-time employee was
19 scheduled to work pursuant to his or her status as a part-time employee.
20

21 **SEC. 4. Repealing Clause.** - All laws, decrees, executive orders or parts thereof
22 inconsistent with the provisions of this Act are hereby repealed, amended or modified
23 accordingly.
24

25 **SEC. 5. Separability Clause.** - If any provision of this Act is held invalid or
26 unconstitutional, other provisions not affected shall continue to be in full force and effect.
27

28 **SEC. 6. Effectivity.** - This Act shall take effect fifteen (15) days after its complete
29 publication in at least two (2) newspapers of general circulation.

Approved,