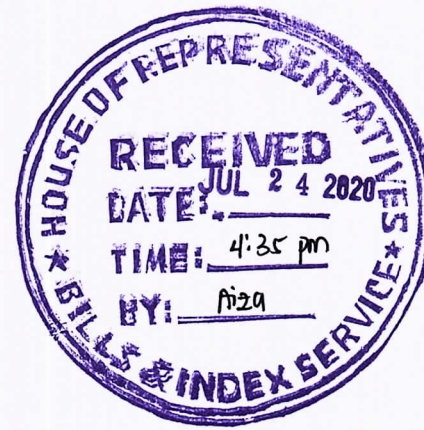


Republic of the Philippines  
**House of Representatives**  
Quezon City, Metro Manila

**EIGHTEENTH CONGRESS**  
Second Regular Session

House Bill No. 7176



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**INTRODUCED BY**  
**REP. ALFRED VARGAS**

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**AN ACT**  
**GRANTING HAZARD PAY TO WORKERS IN CRITICAL**  
**INDUSTRIES DURING A STATE OF CALAMITY OR EMERGENCY OR**  
**PUBLIC HEALTH EMERGENCY**

**EXPLANATORY NOTE**

The World Health Organization has declared the COVID-19 pandemic as an international public health concern as early as January of 2020. It has already affected millions of people and has shaken economies worldwide to the point that many businesses have closed down or have been debilitated. Yet, countries are also able to move forward with the help of their noble workers who have continued to provide essential services to their communities despite the great risks of infection.

This bill seeks to uphold the rights of Filipino workers to occupational safety and health especially during a state of calamity or emergency or public health emergency. This measure also seeks recognize the invaluable commitment and sacrifices of workers to provide essential services for their community and for the country in desperate times. The hazard pay shall be equivalent to at least thirty percent (30%) of the basic salary of the worker in critical industries.

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

  
**ALFRED VARGAS**

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**AN ACT  
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PUBLIC HEALTH EMERGENCY**

*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 “Hazard Pay for Workers in Critical Industries Act.”

**SECTION 2. *Declaration of Policy.*** – The State shall promote the protection of all workers and ensure their health and safety during a state of calamity or emergency or public health emergency concern. Towards this end, workers in critical industries shall be provided with additional benefit for the duration of these events, taking into account the nature of their functions and exposure to various hazards by reason of their functions.

**SECTION 3. *Coverage.*** – This Act shall apply to all workers in critical industries in the private sector.

For the purposes of this Act, “workers in critical industries” refers to workers who are exposed to greater danger, contagion, radiation, virus, disease, or peril from natural calamities, such as volcanic activity/eruption and typhoons. Workers in critical industries or establishments, include but are not limited to, the following:

- (a) Hospitals, sanatoria, rural health units, main health centers, health infirmaries, barangay health stations, clinics, laboratories, and other health-related establishments;

- (b) Morgues and mortuaries;
- (c) Banks and other financial institutions providing money transfer services;
- (d) Groceries, supermarket, and convenience stores;
- (e) Public markets;
- (f) Pharmacies or drugstores, or similar establishments authorized to dispense medicines;
- (g) Restaurants;
- (h) Logistics and warehouse establishments;
- (i) Food and medical manufacturing establishments;
- (j) Telecommunications companies;
- (k) Mass media companies, with respect to their reporters and similar personnel in charge of delivering news;
- (l) Electric generation, transmission and distribution companies;
- (m) Gasoline stations;
- (n) Oil companies, with respect to their tanker drivers;
- (o) Water distribution companies, including water delivery and refilling stations;
- (p) Companies engaged in sanitation, such as garbage collectors;
- (q) Companies involved in the Philippine capital market, such as the Philippine Stock Exchange and Philippine Dealing and Exchange Corporation, among others;
- (r) Hotels and similar establishments, upon such terms and conditions as the appropriate agencies overseeing the calamity, disaster or public health emergency prescribes;
- (s) Mass public transportation companies;
- (t) Civil aviation-related companies; and
- (u) Such other establishments which may be considered critical in light of the nature of the state of calamity or emergency or public health concern;

For the avoidance of doubt, workers of third-party service contractors, such as security guards and janitors, who are deployed to any of the foregoing establishments shall also receive the benefit provided under this Act for the duration of the calamity, emergency or public health emergency.

**SECTION 4. Hazard Pay.** – When a state of calamity or emergency or a public health emergency, as defined under Republic Act No. 11332 otherwise known as the Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern, has been declared, workers in critical industries shall be compensated with hazard allowances equivalent to at least thirty percent (30%) of their respective monthly basic salary for the duration thereof.

**SECTION 5. *Non-Diminution of Benefits.*** – Nothing in this Act shall be construed to diminish existing benefits under present laws, company policies, and collective bargaining agreements.

**SECTION 6. *Appropriations.*** – The amount necessary for the initial implementation of this Act shall be sourced against any applicable appropriation items under the current General Appropriations Act. Subsequent amount needed to continue the implementation of this Act shall be included in the succeeding appropriations.

**SECTION 7. *Implementing Rules and Guidelines.*** – Within sixty (60) days from the effectivity of this Act, the Department of Labor and Employment, in consultation with appropriate government agencies and other relevant stakeholders, shall formulate the rules and regulations to effectively implement the provisions of this Act.

**SECTION 8. *Separability Clause.*** – Any portion or provisions of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions and provisions hereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

**SECTION 9. *Repealing Clause.*** – All laws, decrees, executive orders, proclamations and administrative regulations, or any parts thereof inconsistent with the provisions of this Act are hereby revoked, repealed or modified accordingly.

**SECTION 10. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in at least two (2) national papers of general circulation or in the Official Gazette.

*Approved,*