

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10403



Introduced by **HON. JOY MYRA R. SALVADOR-TAMBUNTING**

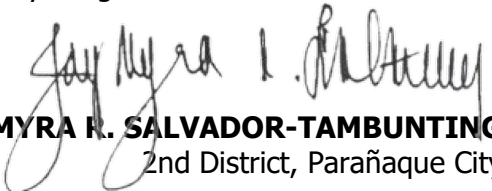
EXPLANATORY NOTE

The pandemic as proclaimed by the World Organization signifying a health emergency on or about January 2020 brought so much fear brought by the unseen COVID-19 virus. Our country is greatly impacted in such a way that repeated and enhanced community lockdowns were ordered by the local government. People are ordered to stay at home and can only go out for essential needs to buy food and medicine. Nonetheless, essential services and industries are open to operate and serve the needs of the people. Ample recognition should be given to those employees that are continuing to work braving the exposure because they have to, as part of the nature of their job, and because they have to earn for a living. Let us take for instance those primarily in the health-related services and those selling in the convenient stores or those taking care of the logistics of a warehouse for consumer goods. All of them although performing different jobs and skills are equally unprotected from the virus but continuing to work because duty calls.

The provision for this extra allowance or a hazard allowance is for the additional physical hardship or an avoidable distress on employees working during a state calamity. Our government through their employers should protect them too and be on their side to somehow to relieve them of such unnecessary burden.

This bill proposes to give a just amount of at least 25% of the monthly salary of an employee working in critical industries brought about the exposure of their employment during a state calamity or emergency.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


JOY MYRA R. SALVADOR-TAMBUNTING
2nd District, Parañaque City

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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

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.”

SEC. 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.

SEC. 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 in critical establishments, such as, but not limited to, the following:

- a) Hospitals, sanitarium, 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.

SEC. 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 twenty-five percent (25%) of their respective monthly basic salary for the duration thereof.

SEC. 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.

SEC. 6. 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.

SEC. 7. 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.

SEC. 8. 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.

SEC. 9. Effectivity Clause. – 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,