

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4503



Introduced by **HON. GUS S. TAMBUNTING**

AN ACT
GRANTING HAZARD PAY TO SUPPORT WORKERS IN PUBLIC HOSPITALS
DURING THE PUBLIC HEALTH EMERGENCY AS DECLARED IN PRESIDENTIAL
PROCLAMATION NO. 1021 S. 2020 AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

This proposed measure seeks to provide hazard pay to hospital support staff (such as sanitation workers, institutional workers, janitors, security guards, equipment, and building maintenance staff) employed in public hospitals who are directly in contact with COVID-19 patients. Under this measure, they are entitled to additional compensation which should not exceed twenty-five percent (25%) of their daily wage effective March 17, 2020.

This measure is proposed in recognition of the valuable contribution of hospital support staff in our nation's fight against the COVID-19 pandemic. As numerous measures have already been filed in recognition of the role of medical and allied medical frontliners, I believe it is only fitting that we also acknowledge the work of hospital support frontlines, whose work also largely contributes to our fight against the COVID-19 pandemic. Considering that most hospital support staff earn minimum wages, despite the significance of their work, I believe that it is important that they are given adequate support and commensurate compensation for the functions they perform and the risk they encounter daily.

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.

A handwritten signature in black ink, appearing to be "Gus S. Tambunting".

REP. GUS S. TAMBUNTING
2nd District, Parañaque City

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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 Support Workers in Public Hospitals Act".

Sec. 2. Declaration of Policy. – It is hereby a declared policy of the State that it shall protect the rights of workers and promote their welfare. Furthermore, the State recognizes that the COVID-19 pandemic is a national health emergency that has negatively impacted all its citizens especially the poor and the marginalized.

In line with this, the State shall ensure that just and equitable compensation be provided to all workers similarly situated.

Sec. 3. Definition of Terms. – As used in this Act:

- (a) "Support workers" refer to sanitation workers, housekeepers, food servers, institutional workers, janitors, security guards, equipment and building maintenance staff employed or deployed in public hospitals;
- (b) "Hazard pay" refers to the additional compensation paid to employees who are working under hazardous conditions or in extreme physical discomfort or distress;
- (c) "Public hospitals" refer to a hospital-owned, operated, or funded by the State, which may outsource the work performed by the hospital support workers to a non-government third-party agency; and
- (d) "Health emergency" refers to the covid-19 pandemic as declared in Presidential Proclamation No. 1021, series of 2020.

Sec. 4. Grant of the Covid-19 Hazard Pay. – All support workers as defined in Section 3 of this Act, employed or assigned in public hospitals, who are directly catering to or in contact with Covid-19 patients are entitled to the grant of Covid-19 hazard pay during the state of national emergency as declared by the President: Provided, that such support workers include those employed by the contract of service agencies and assigned to a public hospital.

Hospital support workers who are already entitled to hazard pay, hazardous duty pay, hazard allowance, or other similar benefits under existing laws, issuances, rules, and regulations shall continue to be entitled to such benefits or the Covid-19 hazard pay provided in this Act, whichever is higher.

Sec. 5. Rate of Hazard Pay. – The rate of the hazard pay shall not be more than twenty-five percent (25%) of the daily salary rate received by the hospital support worker, subject to the availability of funds. The hazard pay shall be based on the number of days the support worker physically reports to work in the Covid-19 section of the hospital during the national health emergency.

Sec. 6. Appropriations. – For 2020, the funds needed for the grant of the Covid-19 hazard pay authorized in this Act shall be charged against any savings of the National Government or the Contingent Fund under the General Appropriations Act for 2020, upon approval of the President of the Philippines: Provided, That government hospital may also grant such hazard pay using their available Maintenance and Other Operating Expenses (MOOE) allotments without need for prior authorization from the Department of Budget and Management (DBM): Provided, further, That all mandatory expenses shall have been paid first.

For 2021, the amount necessary for the implementation of this Act shall be Included in the 2021 General Appropriations Act.

Hospitals run by the local government units may grant hazard pay by this Act chargeable against available local funds.

Sec. 7. Retroactive Application. – The grant of the Covid-19 hazard pay shall be effective beginning March 17, 2020.

Sec. 8. Separability Clause. – Should any provision of this Act or any part thereof be declared invalid, the other provisions, insofar as they are separable from the invalid ones, shall remain in full force and effect.

Sec. 9. Repealing Clause. – All laws, decrees, letters of instruction, resolutions, orders, or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, modified, or amended accordingly.

Sec. 10. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or any national newspaper of general circulation.

Approved,

