

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
Second Regular Session

House Bill No. **8864**



Introduced by

SPEAKER FERDINAND MARTIN G. ROMUALDEZ
HON. YEDDA MARIE K. ROMUALDEZ
and
HON. JUDE A. ACIDRE

AN ACT
AMENDING REPUBLIC ACT NO. 7305, OTHERWISE KNOWN AS "THE
MAGNA CARTA OF PUBLIC HEALTH WORKERS"

EXPLANATORY NOTE

Republic Act No. 7305, otherwise known as the Magna Carta of Public Health Workers, was enacted to promote and improve the social and economic well-being of public health workers and to encourage them to join and remain in government service. They are responsible for protecting and improving the health of people and their communities and their role in delivering healthcare to the public was especially highlighted during the pandemic. However, in addition to the law being enacted thirty (30) years ago and no longer commensurate with the present situation, the country's healthcare workforce is overworked yet underfunded and under-compensated. Some healthcare workers have resigned due to low compensation while some go to work without benefits and hazard pay, despite the heightened health risks and threats.

To address these concerns and to carry out the mandate of the State to promote their welfare, this bill seeks to redefine health workers, prohibit discrimination against age and disabilities, provides for different administrative

charges for national and local public health workers, and increase and expand the coverage of night-shift differentials and overtime rates as well as allowances including hazard, subsistence, and laundry allowances.

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



Rep. FERDINAND MARTIN G. ROMUALDEZ
Representative, First District, Leyte



Rep. YEDDA MARIE K. ROMUALDEZ
Representative, Tingog Sinirangan



Rep. JUDE A. ACIDRE
Representative, Tingog Sinirangan

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

Section 1. *Short Title.* – This Act shall be known as the “*Amended
Magna Carta of Public Health Workers.*”

Section 2. Section 3 of Republic Act No. 7305 is hereby amended to
read as follows:

SECTION 3. *Definition.* - For purposes of this Act, “health
workers” shall mean all persons who are engaged in health and health-
related work, and all persons employed in all hospitals, sanitarium,
treatment and rehabilitation centers, health centers, rural health units,
barangay health stations, clinics, **HEALTH OFFICES**, and other health-
related establishments owned and operated by the Government or its
political subdivisions with original charters and shall include medical,
allied health professionals, administrative and support personnel

employed in national government agencies (NGAs), including SUCs, GOCCs, GFIs, and LGUs holding permanent or temporary status; casual or contractual whose salaries are charged against Personnel Services (PS) lump sum appropriation, rendering services on full-time or part time basis and whose positions are covered or otherwise by R.A. 6758, also known as the “Compensation and Position Classification Act of 1989”, as amended.

Section 3. Section 9 of Republic Act No. 7305 is hereby amended to read as follows:

SECTION 9. *Discrimination Prohibited.* – A Public Health Worker shall not be discriminated against with regard to **political or religious affiliations, sex, sexual orientation and gender identity, civil status, age, disability, or ethnicity** in the exercise of his/her profession.

Section 4. SECTION 11 of Republic Act No. 7305 is hereby amended to read as follows:

SECTION 11. *Administrative Charges.* – Administrative charges against a **national public health worker shall be heard by a committee or officer designated by the Disciplining Authority and/or its delegated officer or officers under its jurisdiction, in accordance with Executive Order No. 292, its implementing Rules and Regulations, and other pertinent civil service rules and regulations.**

For local public health workers, administrative charges shall be heard by a committee or officer created/designated by the Provincial Health Board in cases where the administrative

complaint is filed against a public health worker stationed in provinces, municipalities or component cities, or by the City Health Board in cases where the administrative complaint is filed against a public health worker stationed in highly-urbanized cities or independent component cities, in accordance with pertinent rules and regulations. The committee/hearing officer shall submit recommendation to the appropriate disciplining authority within thirty (30) days from the termination of the investigation/hearings.

Section 5. SECTION 18 of Republic Act No. 7305 is hereby amended to read as follows:

SECTION 18. *Night Shift Differential.* – (a) Every Public Health Worker shall be paid a night shift differential of **twenty** percent (**20%**) of his/her regular wage for each hour of work performed during the night-shifts customarily adopted by hospitals, **birthing clinics, and other health facilities operating in a 24/7 shift and during calamities, disasters, and public health emergencies.**

(b) Every health worker required to work on the period covered after his/her regular schedule shall be entitled to his/her regular wage plus the regular overtime rate and an additional amount of **twenty** percent (**20%**) of such overtime rate for each hour of work performed **STRENGTHENING THE TRADITIONAL AND COMPLEMENTARY MEDICINE SYSTEM** between **six (6)** o'clock in the evening to six (6) o'clock in the morning.

Section 6. SECTION 21 of Republic Act No. 7305 is hereby amended to read as follows:

SECTION 21. *Hazard Allowance.* – **By the nature of their work, which subject them to health hazards and occupational risks,**

all public health workers regardless of the degree of their exposure to such hazards and risks shall be entitled to a monthly hazard allowance of Ten Thousand Pesos (Php 10,000.00), without prejudice to the increase of this amount as may be warranted by the Secretary of Health.

Section 7. SECTION 22 of Republic Act No. 7305 is hereby amended to read as follows:

SECTION 22. *Subsistence Allowance.* – All Public Health Workers shall be entitled to full subsistence allowance equivalent to Php 150.00 per day for rendering actual services, without prejudice to the increase of this amount as may be warranted by the Secretary of Health.

Section 8. SECTION 24 of Republic Act No. 7305 is hereby amended to read as follows:

SECTION 24. *Laundry Allowance.* – All Public Health workers who are required to wear uniforms regularly shall be entitled to laundry allowance equivalent to **Five Hundred Pesos (500.00) per month without prejudice to the increase of this amount as may be warranted by the Secretary of Health.**

Section 9. SECTION 35 of Republic Act No. 7305 is hereby amended to read as follows:

SECTION 35. *Rules and Regulations.* – The Secretary of Health after consultation with appropriate agencies of the Government as well as **ACCREDITED professional and health workers' organizations or unions, shall formulate and prepare the necessary rules and regulations**

to implement the provisions of this Act, which shall take effect thirty (30) days after publication in a newspaper of general circulation.

Section 10. SECTION 36 of Republic Act No. 7305 is hereby amended to read as follows:

Section 36. All provisions with monetary implications shall be reviewed by the council periodically to be recommended to the Secretary of Health for approval in consultation with the appropriate government agencies concerned considering existing laws and prevailing practices.

Section 11. SECTION 38 of Republic Act No. 7305 is hereby amended to read as follows:

SECTION 38. *Budget Estimates.* – For NGAs including SUCs: The amounts required for payment of Magna Carta Benefits shall be charged to the respective agency appropriations/budgets. The use of agency savings for the purpose shall be subject to approval of the DBM pursuant to Republic Act No. 11518, otherwise known as the General Appropriations Act Fiscal Year 2021.

In succeeding years, the requirement for Magna Carta benefits of PHWs in national government agencies and local government units concerned shall be provided for in the budget and prioritized. The Magna Carta benefits for contractual and casual personnel shall be charged against the respective agency lump sum appropriations from which their salaries or wages are drawn. For GOCCs and GFIs, the amounts required shall be charged against their respective corporate funds in the approved corporate operating budgets.

Section 12. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

Section 13. *Repealing Clause.* – All laws, ordinances, rules, regulations, other issuances, or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

Section 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,