

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

**TWENTIETH CONGRESS**  
First Regular Session

House Bill No. **2269**



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**INTRODUCED BY REPRESENTATIVE PM VARGAS**

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**AN ACT**  
**PROVIDING FOR THE MAGNA CARTA FOR PUBLIC DISASTER RISK**  
**REDUCTION AND MANAGEMENT WORKERS**

**EXPLANATORY NOTE**

Disaster Risk Reduction and Management (DRRM) Workers play a vital role in protecting people's lives and properties during disasters, especially in a country like the Philippines which is frequently hit by natural calamities annually. They are usually the first to respond in calamity-hit areas and the last to leave until such a time that victims have recovered or rehabilitated.

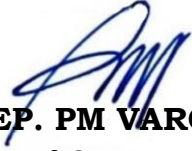
While the State has ensured that it has updated its legal foundations for disaster risk reduction and management by putting emphasis on response-centric interventions, along with prevention, preparedness, and mitigation activities, there is not enough focus placed on the DRRM workers as key players in disaster response.

The proposed "Magna Carta for Public Disaster Risk Reduction and Management Workers" is a complement to the government's efforts to strengthen the country's disaster risk reduction and management capabilities. It zeroes in on protecting and promoting the welfare of the DRRM workers, the improvement of their working conditions and terms of employment, facilitating their retention as well as attraction to be part of the sector, and promoting overall professionalism and ethical conduct in the DRRM sector.

This bill deems that DRRM workers are essential components of disaster-response in the country who remain in dangerous and challenging work

conditions and as such should be given the support and protection so they can continue to keep the country resilient in times of calamities.

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



**REP. PM VARGAS**

Fifth District of Quezon 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 “*Magna Carta for Public Disaster Risk Reduction and Management (DRRM) Workers*”.

**SECTION 2. Declaration of Policy.** - It shall be the policy of the State to:

- a. Uphold the People’s constitutional rights to life and property by addressing the root causes of vulnerabilities to disasters, strengthening the country’s institutional capacity for disaster risk reduction and management, and building the resilience of local communities to disasters including climate change impacts;
- b. Recognizing and strengthening the capacities of Local Government Units (LGUs) and communities in mitigating, preparing for, responding to, and recovering from the impact of hazards and disasters; and
- c. Enhance the implementation of RA 10121, otherwise known as the “*Philippine Disaster Risk Reduction and Management Act of 2010*” by enacting measures with special reference to the welfare of all Public DRRM Workers in the country.

Towards this end, this Act aims to:

- a. Promote and improve socioeconomic and psychological well-being of Public DRRM Workers, through the improvement of working conditions, environment, and terms of employment;
- b. Promote the development of skills and capabilities of Public DRRM Workers for them to be more responsive and better equipped for the delivery of DRRM services and programs; and

- c. Encourage those with proper qualifications and excellent abilities to join and remain in the government service and DRRM profession.

**SECTION 3. *Definition.*** - For purposes of this Act, “*Public DRRM Workers*” refers to all persons who are engaged in the performance of duties covering any or all Thematic Pillars of DRRM - Prevention and Mitigation, Preparedness, Response, and Rehabilitation and Recovery - employed by the government or any of its political subdivisions, instrumentalities, or agencies. The Public DRRM Worker may either be civilian personnel engaged in permanent, temporary, contractual, or casual employment or a Public DRRM Worker engaged through a Contract of Service (CoS) and Job Order (JO) and such other appointments, so long as their position or designation or actual work performed involves government service work and those functions provided under Section 5 of this Act.

**SECTION 4. *Certification.*** - The National Disaster Risk Reduction and Management Council (NDRRMC), shall be the certifying body to oversee the following: (i) That the DRRM functions or activities of an agency or LGU are authorized by law and/or proper authority; (ii) The positions are part of the authorized staffing of the organizational units performing the DRRM functions; and (iii) Monitor that the incumbents thereof are actually engaged in DRRM work.

**SECTION 5. *Classification of DRRM Activities.*** - The following DRRM activities shall be classified according to the risks involved based on the nature of work or location that they are working in:

- a. Low-Risk DRRM Activities - DRRM activities that subject a Public DRRM Worker to minimal exposure or lesser degree of occupational risks or perils to life, such as but not limited to, regular office or clerical work and those personnel that are not deployed for DRRM activities in high-risk areas.
- b. High-Risk DRRM Activities - DRRM activities that expose the Public DRRM Worker to occupational risks or perils to life, such as, but not limited to, search, rescue, and retrieval operations, management of the dead and missing, rapid damage needs assessment, post-disaster needs assessment, emergency response activities, post-disaster activities, health, and epidemic/pandemic response operations, and Low-Risk DRRM Activities in high-risk areas such as those Public DRRM workers deployed in identified activities under the different Thematic Pillars and in critical areas that are about to be affected, is affected, and during the early recovery from natural or human-induced hazards. Such activities shall also cover those that are to be performed in high-risk areas.

Low-Risk DRRM activities shall be considered as high-risk DRRM activities when the same is being performed in an affected area or in areas deemed high risk: *Provided*, That the determination of such classification shall be under the discretion of the respective heads of agencies concerned.

**SECTION 6. *Recruitment and Qualification.*** - Recruitment policy and minimum requirements with respect to the selection and appointment and/or assignment of Public DRRM Workers shall be developed by the NDRRMC, in accordance with the policies and standards of the Civil Service Commission (CSC) and implemented by the respective agencies concerned: *Provided*, That in the absence of qualified “eligibles” and it becomes necessary in the public interest to fill a vacancy, a temporary appointment shall be issued to the person, including persons with disability (PWD), who meets all the requirements for the position to which one is being appointed, except the appropriate civil service eligibility: *Provided, further*, That such temporary appointment shall not exceed twelve (12) months or less than (3) months, renewable only once thereafter but that the appointee may be replaced sooner if a qualified civil service eligible becomes available, or the appointee is found wanting in capacity or delivering poor performance or conduct unbefitting a government employee.

**SECTION 7. *DRRM Volunteers.*** - DRRM Volunteers shall not be covered by this Act, but shall otherwise be covered by the Guidelines on Accredited Community Disaster Volunteers (ACDV) and pursuant to Section 9(o) of RA 10121 and its implementing rules and regulations issued by the NDRRMC. For those that are not covered by the ACDV Guidelines, their respective organizations shall provide ample protection to their personnel volunteers, in consonance with the provisions of this Act.

**SECTION 8. *Non-Permanent Public DRRM Workers.*** - Non-permanent Public DRRM Workers engaged by the Government, such as Job Order, Contract of Service personnel, and consultants may be provided with such welfare benefits under Sections 25, 26, and 32 of this Act, in relation to the performance of their duties as premiums thereof should their contracts require or allow them to provide services that are deemed high risk in nature: *Provided*, That the Non-permanent Public DRRM Worker shall secure a certification from the head of the agency or its duly designated representative that one has performed either of the DRRM functions or activities as provided under Section 5 of this Act as a requirement to avail such benefits.

**SECTION 9. *Performance Evaluation and Merit Promotion.*** - All concerned agencies, in consultation under Section 39 of this Act, shall prepare a uniform career and personnel development plan applicable to all Public DRRM Workers, such career and personnel development plan shall include provisions on merit promotion, performance evaluation, in-service training grants, job rotation, and incentive and award system.

The performance evaluation plan shall consider foremost the improvement of individual employee efficiency and organizational effectiveness: *Provided*, That each employee shall be informed regularly by the supervisor of said performance evaluation.

The merit promotion plan shall be in consonance with the rules of the Civil Service Commission.

**SECTION 10. *Transfer or Geographical Reassignment of Public DRRM Workers.* –**

- a. Transfer is the movement of an employee from one organizational unit to another in the same department or agency, or from one department or agency to another that is of equivalent rank, level, or salary without a gap in service. On the other hand, Re-assignment is a movement of an employee across the organizational structure within the same department or agency which does not involve a reduction in rank, level, or salary. A transfer requires the issuance of an appointment while geographical re-assignment does not.
- b. A Public DRRM Worker shall not be transferred and/or reassigned, except when made in the interest of public service, in which case, the employee concerned shall be informed of the reasons therefor in writing. If the Public DRRM Worker believes that there is no justification for the transfer and/or reassignment, one may appeal the case to the CSC. In case of an appeal, the transfer/reassignment shall be held in abeyance and shall only take effect if the appeal is denied: *Provided*, That no transfer and/or reassignment shall be made for reasons merely of political affiliation: *Provided furthermore*, That the transfer/reassignment of Public DRRM Workers' nature of work shall remain to be DRRM in nature: *Provided finally*, That the necessary expenses of the transfer and/or reassignment of the Public DRRM Worker and the immediate family shall be paid for by the government.

**SECTION 11. *Married Public DRRM Workers.*** - Whenever possible, the proper authorities shall take steps to enable married couples, both of whom are Public DRRM Workers, to be employed or assigned in the same LGU or government agency, but not necessarily in the same office department or division.

**SECTION 12. *Security of Tenure.*** - In case of permanent employment of Public DRRM Workers, their services shall not be terminated, except for cause provided by law and after due process: *Provided*, That if a Public DRRM Worker is found by the CSC to be unjustly dismissed from work, Public DRRM Worker shall be entitled to reinstatement without loss of seniority rights and to back wages with applicable commensurate interest, subject to prevailing laws and policies computed from the time the compensation was withheld from up the time of reinstatement.

**SECTION 13. *Protection from Discrimination.*** - Public DRRM Worker shall be protected from discrimination, regardless of their sex, age, gender, sexual orientation, race, ethnicity, pregnancy, physical disability or characteristics, civil status, creed, religious and political beliefs, or any other status in the exercise of profession: *Provided*, That the disability of the Public DRRM

Worker shall not limit the effective performance of the DRRM profession which the Public DRRM Worker is hired and/or appointed to.

**SECTION 14. *Duties and Obligations.*** - The Public DRRM Workers shall:

- a. Perform their duty with utmost respect for life, race, sex, ethnicity, gender, sexual orientation, religion, nationality, party policies, and social status;
- b. Discharge their duty humanely with conscience and dignity;
- c. Be duty-ready at all times and prepared to be deployed in any kind of emergencies and disasters, adhering to all emergency protocols: *Provided*, that in the event where the family of the Public DRRM Worker is directly affected by the disaster, they shall first ensure their safety and well-being;
- d. Be properly trained and proficient in their assigned position and tasks;
- e. Always endeavor to maintain a level of health and fitness consistent with the demands of the DRRM profession;
- f. Actively participate in all in-service training, drills, and simulation exercises that will enhance their capacity in performing their functions as Public DRRM Workers;
- g. Be familiar with the Disaster Risk Reduction and Management Plan, Contingency Plans, and Public Service Continuity Plan of the agency or LGU to which they are employed or engaged, and contribute in their Occupational Safety and Health efforts;
- h. Conduct needs assessment as part of risk reduction and planning;
- i. Not consume liquor or any substances, legal or illegal, prior or while in the performance of duties that could impair their vigilance or judgement;
- j. Maintain an in-depth understanding of the emergency and DRRM procedures;
- k. Practice utmost safety and diligence in the performance of duty; and
- l. Always adhere that Disaster Prevention and Mitigation is first and foremost the most essential and that the same saves lives.

**SECTION 15. *Code of Conduct.*** - Within six (6) months from the approval of this Act, the NDRRMC, upon consultation with the appropriate agencies and instrumentalities of the government, and appropriate DRRM workers' organizations, shall formulate and prepare a Code of Conduct for Public DRRM Workers, in consonance with RA 6714 or the "*Code of Conduct and Ethical Standards for Public Officials and Employees*", which shall be disseminated as widely as possible.

**SECTION 16. *Administrative Charges.*** - Administrative charges against a DRRM Worker shall be heard by a committee created by the agency/office where the Public DRRM Worker belongs pursuant to the existing "*Revised Rules on Administrative Cases in the Civil Service (RRACCS)*". The committee shall submit its findings and recommendations to the head of the agency/office within thirty (30) days from the termination of the hearings.

The Committee shall be appointed by the Head of Agency or LGU and shall be composed of seven (7) members, including the Chairperson. It shall be composed of the following:

- a. Second highest ranking official, for NGAs, or Vice-Mayor for LGUs, or Vice-Governor for Provincial Level, as its Chairperson;
- b. The Head of Human Resources as its Vice-Chairperson;
- c. One (1) Division Chief with a salary grade of not lower than 22;
- d. Two (2) Section Chiefs or employees with salary grade not lower than 18;
- e. One (1) representative from a recognized Public DRRM Workers' association or its equivalent: *Provided*, That the said representative also belongs to the agency, in the absence thereof, an employee with a salary grade of not lower than 18; and
- f. One (1) representative from the legal section or division, or its equivalent.

The Head of Office may reorganize the composition of the Committee in such cases where one or more members of the Committee is/are the interested party or in cases necessary to discharge the functions of the Committee, such as when the prescribed composition of the Committee cannot be met due to insufficiency, unavailability, or absence of the position, rank, or office in the agency. In such a case, the Head of Office shall exercise diligence in choosing members in accordance with their ranks or functions consistent with the prescribed composition.

**SECTION 17. *Legal Support.*** - Public DRRM Workers shall be exempted from any liability as to damage to any property or injury to a person caused in the direct performance of their duty relative to disaster or emergency response and other related activities where the same is necessary in order to save lives or properties, in accordance with Art. 11, Par. 5 of the Revised Penal Code and/or other applicable laws and issuances. In any case, however, the Public DRRM Worker shall be afforded with appropriate assistance by their respective agency or LGU concerned in view that any conflict that may arise shall be resolved amicably or extra-judicially through commensurate and peaceful means.

In cases where injury or death is involved and a case has been filed against the Public DRRM Worker, the latter shall be afforded all possible legal assistance by the Agency or LGU concerned: *Provided*, That it is established by the Public DRRM Worker, through a Sword Affidavit, that the injury or death caused is in direct connection of their duty, without any criminal or malicious intent.

**SECTION 18. *Safeguards in Disciplinary Procedures.*** - In every disciplinary proceeding, the Public DRRM Worker shall have:

- a. The right to be informed, in writing, of the charges;
- b. The right to full access to the evidence in the case;

- c. The right to defend oneself and to be defended by a representative of one's choice and/or by the organization, with adequate time given to the Public DRRM Worker for the preparation of defense;
- d. The right to confront witnesses presented against the Public DRRM Worker and summon witnesses on its behalf;
- e. The right to appeal to designated authorities;
- f. The right to reimbursement of reasonable expenses incurred in their defense in case of exoneration or dismissal of the charges; and
- g. Other rights that will ensure fairness and impartiality during proceedings.

**SECTION 19. Normal Hours of Work.** - The normal hours of work of any Public DRRM Worker shall not exceed eight (8) hours a day or forty (40) hours a week.

Hours worked shall include:

- a. All the time during which a Public DRRM Worker is required to be on active duty or to be at a prescribed workplace; and
- b. All the time during which a Public DRRM Worker is placed in On-Call status: *Provided*, That a Public DRRM Worker particularly placed in "On call" status shall be entitled to an "On Call" pay equivalent to fifty percent (50%) of their regular wage: *Provided, further*, That no Public DRRM Worker shall be placed "On-Call" status beyond seven (7) days per month.

"On-Call" status refers to a status where a Public DRRM Worker not on active duty is called upon to respond to urgent or immediate need for response-related activities relative to emergencies such that the Public DRRM Worker cannot devote the time for the latter's own use.

**SECTION 20. Overtime Work.** - Where the exigencies of the service so require, any Public DRRM Worker may be required to render service beyond the normal eight (8) hours a day. In such a case, the workers shall be paid an additional compensation in accordance with existing laws and prevailing practices: *Provided*, That such compensation shall be subject to the same rates, conditions, and limitations applicable to qualified government personnel provided under relevant issuances of Civil Service Commission (CSC) - Department of Budget and Management (DBM).

**SECTION 21. Work During Rest Day.** -

- a. Where a Public DRRM Worker is made to work on its scheduled rest day, an additional compensation shall be paid, in accordance with existing laws.
- b. Where a Public DRRM Worker is made to work on any special holiday, an additional compensation shall be paid, in accordance with existing laws. Where such holiday work falls on the worker's scheduled rest day, the latter shall be entitled to an additional compensation as may be provided by existing laws.

**SECTION 22. *Night-Shift Differential.*** –

- a. Every Public DRRM Worker shall be paid a night-shift differential of then percent (10%) of its regular wage for each hour of work performed during the night-shifts;
- b. Every Public DRRM Worker required to work on the period covered after its regular schedule shall be entitled to regular wage plus the regular overtime rate and an additional amount of ten percent (10%) of such overtime rate for each hour of work performed between ten (10) o'clock in the evening to six (6) o'clock in the morning.

**SECTION 23. *Salaries.*** - In the determination of the salary scale of Public DRRM Workers, the existing applicable law on the salary scheme of government employees shall govern.

- a. Salary Scale for Local Public DRRM Worker - The salary scales of Public DRRM Workers whose salaries are appropriated by a municipality, city, or provincial government shall be based on the salary schedule being implemented by the LGU concerned.
- b. Salaries to be Paid in Legal Tender - Salaries of Public DRRM Workers shall be paid in legal tender of the Philippines or the equivalent in checks or treasury warrants; *Provided*, however, That such checks or treasury warrants shall be convertible to cash in any national, provincial, city or municipal treasurers' office or any banking institution operating under the laws of the Republic of the Philippines.
- c. Deductions Prohibited - No person shall make any deduction whatsoever from the salaries of Public DRRM Workers, except under specific provision of law authorizing such deductions: *Provided*, however, That upon written authority executed by the Public DRRM Worker concerned, a) lawful dues or fees owing to any organization/association where such Public DRRM Worker is an officer or a member; and b) premiums properly due all insurance policies, retirement and medicare, shall be considered deductible.

**SECTION 24. *Additional Compensation.*** - Notwithstanding Section 12 of RA 6758, also known as the "*Compensation and Position Classification Act of 1989*", Public DRRM Workers shall receive the following allowances: hazard allowance, subsistence allowance, reimbursement of allowable communication expense, longevity pay, laundry allowance, and quarters allowance.

**SECTION 25. *Hazard Allowance.*** - As provided under Section 5 of this Act, Public DRRM Workers, who are exposed to high risks or perils to life in the performance of their duties and responsibilities, shall be compensated with hazard allowance equivalent to not exceeding twenty-five percent (25%) of their daily basic salary, and at least five percent (5%) for Public DRRM Workers exposed in low-risk activities when deployed to or are working in affected areas: *Provided*, That Public DRRM Workers under low-risk DRRM activities shall be eligible to avail an increase hazard allowance equivalent to

that of high-risk DRRM Workers in the event that they are called to perform or are deployed for a limited period to high-risk DRRM activities, subject to appropriate computation of days rendered. The determination of the compensation of Hazard Allowance shall be based on the actual working days of exposure of the Public DRRM Worker to any given risks or perils to life.

**SECTION 26. *Transportation, Communication, and Subsistence Allowance.*** - Public DRRM Workers who are required to render service in the field during emergencies and disasters in order to make their services available to any and all times, shall be entitled to full subsistence allowance of three (3) meals, which may be computed in accordance with prevailing circumstances: *Provided, That*, no subsistence allowance shall be given in the event where the concerned agency has already prescribed meals for the Public DRRM Worker.

Public DRRM workers required to report outside of their regular workstations other than responding to disasters or emergencies shall be entitled to such transportation and travel expenses pursuant to E.O No. 77. S. 2019 or other existing budgeting, accounting and auditing guidelines, as well as reimbursement of allowable communication expenses.

**SECTION 27. *Longevity Pay.*** - A monthly longevity pay equivalent to five percent (5%) of the monthly basic pay shall be paid to a Public DRRM Worker for every five (5) years of continuous, efficient, and meritorious service rendered as certified by the chief of the office concerned, commencing with the Public DRRM Worker's service upon the effectivity of this Act.

Those entitled to Longevity Pay can no longer avail of the Step Increment benefit due to length of service.

**SECTION 28. *Laundry Allowance.*** - All Public DRRM Workers who are required to wear uniforms regularly shall be entitled to a laundry allowance equivalent to One Hundred Fifty Pesos (Php 150) per month: *Provided, That* this rate shall be reviewed periodically and increased accordingly by the NDRRMC in consultation with the appropriate government agencies concerned taking into account existing laws and prevailing practices.

**SECTION 29. *Housing.*** - All Public DRRM Workers who are on tour of duty and those who, because of unavoidable circumstances are forced to stay in their offices, shall be entitled to free living quarters within the office, or if such quarters are not available, shall receive quarters allowances, as may be determined by their respective agencies.

A qualified Public DRRM Worker who has no residence within a fifty (50) kilometer radius of such government facility or deployment area shall be granted quarters allowance at the local room rental rate in the area until free living quarters are available.

**SECTION 30. *Medical, Mental, and Psychosocial Examination.*** - Compulsory medical, mental, and psychosocial examination shall be provided

free of charge in all Public DRRM Workers before entering the service in the Government or its subdivisions, and shall be repeated once a year during the tenure of employment of all Public DRRM Workers, and after every deployment of Public DRRM Workers for more than three (3) days to seven (7) days in high-risk areas, as may be determined by the agency where the Public DRRM Worker belongs: *Provided*, That where medical examination shows the medical treatment, mental, or psychosocial intervention, and/or hospitalization is necessary for those already in government service, the treatment and/or hospitalization, including medicines shall be provided free either in a government or a private hospital by the government entity paying the salary of the Public DRRM Worker: *Provided, further*, That the cost of such medical examination and treatment shall be determined by the respective agency who the Public DRRM Worker is engaged with, and such amount be subject to process of the agency.

**SECTION 31. *Personal Protective Equipment, Vaccination, and other Prophylaxis.*** - Public DRRM Workers, as frontliners in disaster response, shall be provided with appropriate personal protective equipment, free vaccinations and other prophylactic medicines against common and present diseases in the locality where the Public DRRM Worker assigned. The Immediate family of the Public DRRM Workers deployed in high-risk areas who are exposed to any highly contagious disease/illness shall be entitled to vaccinations or any available immediate medical intervention.

**SECTION 32. *Compensation for Work-Related Injuries and Illnesses.*** - Public DRRM Workers shall be protected against the consequences of employment injuries or sickness in accordance with existing laws. Injuries or sickness incurred in line of duty shall be presumed work-connected.

**SECTION 33. *Leave Benefits for Public DRRM Workers.*** - Public DRRM Workers are entitled to such vacation, and sick leaves as provided by existing laws and prevailing practices: *Provided*, That in addition to the leave privilege now enjoyed by Public DRRM Workers - men and women Public DRRM Workers are entitled to such paternity and maternity leaves, respectively, provided by existing laws and prevailing practices: *Provided, further*, That upon separation of the Public DRRM Workers from the service, they shall be entitled to all accumulated leave credits with pay. Public DRRM Workers are also entitled to rehabilitation leave privileges for physical, mental, or emotional injuries/damage sustained in the performance of official duties, subject to the provisions under relevant issuances of CSC - DMB.

**SECTION 34. *Capacity Building, Scholarships, and Grants.*** - Public DRRM Workers shall undergo the necessary training and other capacity-building activities on a regular basis. They shall also be given the opportunity to avail of scholarship benefits and grants for pursuing graduate and post-graduate studies, in accordance with existing rules to be implemented by the concerned agencies or LGUs. Grantees of the program may study within the Philippines or abroad: *Provided*, That the concerned agency or LGU shall provide strict measures to ensure continuity and render service obligation.

The concerned agency shall give utmost preference to post-graduate DRRM-related studies in granting such benefits.

**SECTION 35. *Mandatory Issuance Coverage.*** - Public DRRM Workers shall be entitled to insurance coverage as provided by the Social Security System (SSS), as mandated under RA 8282, otherwise known as the “*Social Security Law*”; the Government Service Insurance System (GSIS) as provided by RA 8291, also known as “*The Government Service Insurance System Act of 1997*”; the Universal Health Care Act as mandated by RA 11223; and the Philippine Health Insurance (PhilHealth) as mandated by RA 7875, or the “*National Health Insurance Act of 1995*”, whichever is applicable.

**SECTION 36. *Highest Basic Salary Upon Retirement.*** - Three (3) months prior to compulsory retirement, the Public DRRM Worker shall automatically be granted one (1) salary range or grade higher than the basic salary, and the retirement benefit thereafter computed on the basis of the highest salary: *Provided*, That the age and fulfilled service requirements are met under existing laws.

**SECTION 37. *Right to Self-Organization.*** - Public DRRM Workers shall have the right to freely form, join or assist organizations or associations, to the extent allowable by law and/or existing policies, for purposes not contrary to law in order to defend and protect their mutual interests and obtain redress for their grievances through peaceful concerted activities.

**SECTION 38. *Freedom from Interference or Coercion.*** - It shall be unlawful for any person to commit any of the following acts of interference or coercion:

- a. To require as a condition of employment that a Public DRRM Worker shall not join a DRRM Workers’ organization, association, or union, or shall relinquish membership therein;
- b. To discriminate in regard to hiring or tenure of employment or any item or condition of employment, in order to encourage or discourage membership in any DRRM Workers’ organization, association, or union;
- c. To prevent Public DRRM Workers from carrying out duties laid upon them by their position in the organization, association, or union, or to penalize them for the action undertaken in such capacity;
- d. To harass or interfere with the discharge of the functions of the Public DRRM Worker when these are calculated to intimidate or to prevent the performance of duties and responsibilities; and
- e. To otherwise interfere in the establishment, functioning, or administration of DRRM Workers’ organizations or unions through acts designed to place such organization or union under the control of government authority.

**SECTION 39. *Consultation with Public DRRM Workers’ Organizations.*** - In the formulation of national policies governing the social security of Public DRRM Workers, professional and Public DRRM Workers’ organizations, the appropriate government agencies concerned shall be consulted by the

NDRRMC. For this purpose, Management-DRRM Workers' Consultative Councils for national, regional and other appropriate levels shall be established and operationalized.

**SECTION 40. *Human Resource Development/ Management Study.*** - The Human Resource Department/Division of respective concerned agencies shall conduct a periodic human resource development/management study into, among others, the following areas:

- a. Adequacy of facilities and supplies to render quality DRRM services to the client population;
- b. Opportunity for Public DRRM Workers to grow and develop their potential and experience a sense of worth and dignity in their work;
- c. Mechanisms for democratic consultation in government DRRM institutions;
- d. Appropriate organizational and Staffing patterns;
- e. Ways and means of enabling the rank-and-file workers to avail of educational opportunities for personal growth and development;
- f. Upgrading of working conditions, reclassification of positions and salaries of Public DRRM Workers to correct disparity vis-a-vis other professions such that positions requiring longer study be upgraded and given corresponding pay scale; and
- g. Assessment of the national policy on the exportation of skilled human resources to focus on how these resources could instead be utilized productively for the country's needs.

There is hereby created a Congressional Oversight Committee to review and assess human resource development, particularly on continuing education and training and other areas described above. The Committee shall be composed of five (5) members of the House of Representatives and (5) members of the Senate. It shall be co-chaired by the Chairpersons of the House Committee on Disaster Resilience and the Senate Committee on National Defense and Security, Peace, Unification and Reconciliation.

It shall render a report and recommendation to Congress which shall be the basis for policy legislation in the field of Disaster Resilience or DRRM. A congressional review shall be undertaken once every five (5) years.

**SECTION 41. *Implementing Rules and Regulations (IRR).*** - Within thirty (30) days from the effectivity of this Act, the NDRRMC, in consultation with appropriate government agencies and professional DRRM Workers' organizations or associations, shall formulate and prepare the IRR to implement the provisions of this Act.

Further, the DBM, in coordination with the NDRRMC, shall issue the guidelines on the grant of compensation-related benefits to Public DRRM Workers. Rules and Regulations issued pursuant to this Section shall take effect thirty (30) days after its publication in a newspaper of general circulation.

**SECTION 42. *Prohibition Against Double Recovery of Benefits.*** - Whenever other laws provide for the same benefits covered by this Act, the Public DRRM Worker shall have the option to choose which benefits will be paid. However, in the event that the benefit chosen are less than that provided under this Act, the worker shall be paid only the difference.

**SECTION 43. *Prohibition Against Elimination and/or Diminution.*** - Nothing in this law shall be construed to eliminate or in any way diminish benefits being enjoyed by Public DRRM Workers at the time of the effectivity of this Act.

**SECTION 44. *Appropriations.*** The amount needed for the implementation of this Act shall be determined by the concerned agencies and shall be included in the General Appropriations Act of the year following its enactment under the budgetary appropriations of concerned agencies or chargeable against local funds Local Government Units subject to Personal Service Limitations pursuant to Sec 325 of RA 7160 where applicable.

However, such special benefits, including injury and burial benefits as well as hazard pay may be sourced from the Local DRRM Fund of the agencies or LGUs.

**SECTION 45. *Separability Clause.*** - If any provision of this Act is declared invalid or unconstitutional, the remaining provisions shall continue to be in full force and effect.

**SECTION 46. *Repealing Clause.*** - All laws, decrees, executive orders, proclamations, rules and regulations, and issuances, or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed, amended, or modified accordingly.

**SECTION 47. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*