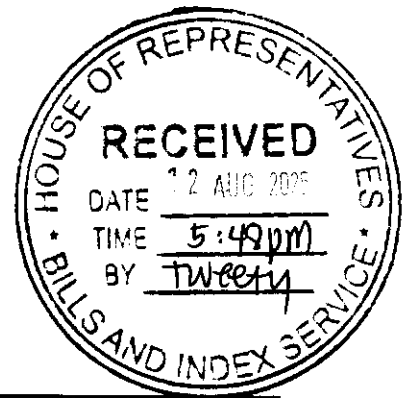


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **3610**



Introduced by Honorable Dr. Edwin Ledesma Cruzado, M.D.

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

EXPLANATORY NOTE

This measure is filed with the strong endorsement of the National DOH Employees Association (NADEA), representing the collective voice of thousands of public health workers nationwide.

The Magna Carta for Public Health Workers¹ was enacted 33 years ago with the primary objective of promoting and improving the social and economic well-being of health workers, as well as enhancing their living and working conditions and terms of employment. Among its provisions, the law mandated the payment of various benefits and allowances, including night shift differential, hazard pay, subsistence allowance, and laundry allowance, among others.

However, the nominal amounts prescribed in the law have remained unchanged for three decades, despite shifts in economic conditions and the steady rise in the cost of living.² Consequently, the real value of these benefits has been significantly diminished, undermining the very intent of the law to safeguard the welfare of public health workers.

This proposed amendment seeks to address this long-standing gap by increasing the nominal amounts of the mandated benefits, thereby ensuring improved living conditions and greater financial security for our public health workers, particularly crucial as the nation continues to navigate the socioeconomic effects of the COVID-19 pandemic.³

The bill likewise expands the definition of "health worker" to include those deployed beyond traditional health facilities, such as personnel assigned to health offices, State Universities and Colleges, Government-Owned and Controlled Corporations, Local Government Units, and other relevant institutions. This expansion is projected to benefit approximately 150,000 health workers in the public sector.

¹ Supreme Court e-library information at your fingertips. RSS. (n.d.).
<https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/2/3194>

² Increased by 178.2% based on 1992 CPI (45.9) and 2025 CPI (127.7). The CPI of 1992 and 2025 was based on 2018 = 100

³ Elbehri, A., Temel, T., Burcu Ceylan, F., Mittal, S., Kularatne, D. and Dawe, D., 2022.
COVID-19 pandemic impacts on Asia and the Pacific: A regional review of socioeconomic, agrifood and nutrition impacts and policy responses. Food & Agriculture Org..

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As we endeavor to close the gaps in our public health system and strengthen the delivery of healthcare services, our health workers should be compensated with not only a living wage but also with benefits sufficient to sustain their well-being and ensure dignity in their service to the Filipino people.⁴

Given the foregoing, the immediate passage of this measure is earnestly sought.


Hon. Edwin Ledesma Cruzado, M.D.
Representative, 1st District of Cotabato

⁴ Henderson, L.N. and Tulloch, J., 2008. Incentives for retaining and motivating health workers in Pacific and Asian countries. *Human resources for health*, 6(1), p.18.

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**AN ACT AMENDING REPUBLIC ACT NO. 7305, OTHERWISE KNOWN AS THE
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. 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, such as resident physicians, nurses, nutritionists, dieticians, pharmacists, social workers, laboratory technicians, paramedical technicians, psychologists, midwives, attendants and all other hospital or clinic personnel and all persons employed in all hospitals, sanatoria, treatment, and rehabilitation centers, health centers, rural health units, barangay health stations, clinics, health offices, agencies attached to the Department of Health 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 regardless of their employment status in national government agencies (NGAs), including state universities and colleges (SUCs), government-owned and controlled corporations (GOCCs), government financial institutions (GFIs) and local government units (LGUs) holding permanent or temporary status, casual or contractual, including those 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 Republic Act 6758."

Section 2. Section 9 of Republic Act No. 7305 is hereby amended to read as follows:

"Section. 9. Discrimination Prohibited. - A Public Health Worker (PHW) 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 or her profession."

Section 3. 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, or its delegated officer, or officers under its jurisdiction, following Executive Order 292, its implementing rules and regulations, and other pertinent civil service laws, rules, and regulations."

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42 For local public health workers, administrative charges shall be heard by a committee
43 or officer created or designated by the Provincial or City Health Board, following
44 pertinent rules and regulations.

45
46 The committee or hearing officer shall submit a recommendation to the appropriate
47 disciplining authority within thirty (30) days from the termination of the investigation
48 and hearings.

49
50 Where the provincial health officer or head of health facilities has been determined to
51 be an interested party, the members of the committee or the designated officer shall be
52 appointed by the Secretary of Health.”

53
54 **Section 4.** Section 18 of Republic Act No. 7305 is hereby amended to read as follows:

55
56 “Section 18. Night Shift Differential. - (a) Every public health worker shall be paid a
57 night shift differential of twenty percent (20%) of his/her regular wage for each hour
58 of work performed during the night-shifts customarily adopted by hospitals, sanatoria,
59 treatment and rehabilitation centers, birthing clinics and other health facilities
60 operating in a 24/7 shift and during calamities, disasters and public health
61 emergencies. (b) Every health worker required to work on the period covered after
62 his/her regular schedule shall be entitled to his/her regular wage plus the regular
63 overtime rate and an additional amount of twenty percent (20%) of such overtime rate
64 for each hour of work performed between six (6) o'clock in the evening to six (6)
65 o'clock in the morning: provided, that the foregoing rules on night shift differential
66 shall be subject to the provisions of r.a. 11701 or an act granting night shift differential
67 pay to government employees including those in government-owned or -controlled
68 corporations and its rules and regulations.”

69
70 **Section 5.** Section 21 of Republic Act No. 7305 is hereby amended to read as follows:

71
72 “Section 21. Hazard Allowance. - By the nature of their work, which subject them
73 to health hazards and occupational risks, all public health workers regardless of the
74 degree of their exposure to such hazards and risks shall be entitled to a monthly hazard
75 allowance of Twenty Five Percent (25%) of their basic monthly salary across the board
76 without prejudice to increase of this amount as may be warranted in the future by the
77 Secretary of Health.”

78
79
80 **Section 6.** Section 22 of Republic Act No. 7305 is hereby amended to read as follows:
81

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82 “Section 22. Subsistence Allowance. - All Public Health Workers shall be entitled to
83 full subsistence allowance, which shall not be less than Three Hundred Pesos (PhP
84 350.00) per day for rendering actual services. Provided that after one (1) year from the
85 effectivity of this Act, it shall be increased to four Hundred Pesos (PhP 400.00).
86 Provided further, that after two (2) years from the effectivity of this Act, it shall be
87 increased to Five Hundred Pesos (PhP 500.00). Provided finally, that it shall be
88 reviewed every three (3) years and may be further increased by the Secretary of Health,
89 in consultation with the Management-Health Workers’ Consultative Councils.”
90

91 **Section 7.** Section 24 of Republic Act No. 7305 is hereby amended to read as follows:
92

93 “Section. 24. Laundry Allowance. - All Public Health workers who are required to
94 wear uniforms regularly shall be entitled to a laundry allowance equivalent to One
95 Thousand Pesos (Php 1,000.00) per month and shall be increased based on the
96 prevailing economic circumstances as may be warranted in the future by the Secretary
97 of Health in consultation with the Management-Health Workers Consultative
98 Council.”
99

100 **Section 8.** Insert a new section on tax exemption to read as follows:
101

102 “Section xxx. Tax Exemption. – The hazard allowance, subsistence allowance, and
103 laundry allowance received by covered public health workers under this act shall
104 be exempt from application of income tax.”
105

106 **Section 9.** Section 34 (B) of Republic Act No. 7305 is hereby amended to read as follows:
107

108 xxx
109

110 “b.) opportunity for health workers to grow and develop their potential and
111 experience a sense of worth and dignity in their work. Public health workers who
112 undertake relevant post-graduate studies in a degree course shall be entitled for an
113 upgrade in position or promotion, or a raise in pay: Provided, That it shall not be more
114 often than every two (2) years: Provided, further, That upon promotion to a higher
115 position, the public health worker shall carry over and retain the step increment in the
116 position held before the upgrade in position or promotion, or a raise in pay.”
117

118 xxx
119

120 **Section 10.** Section 35 of Republic Act No. 7305 is hereby amended to read as follows:
121

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122 “Section 35. Rules and Regulations. - The Secretary of Health, after consultation
123 with appropriate agencies of the Government as well as accredited professional and
124 health workers' organizations or unions, shall formulate and prepare the necessary rules
125 and regulations to implement the provisions of this Act, which shall take effect thirty
126 (30) days after publication in a newspaper of general circulation.”
127

128 **Section 11.** Section 40 to read as follows:
129

130 “Section 40. Incentives for Length of Service and Post Graduate Degree Completion.
131 There shall be one salary step increment for every post graduate degree completion
132 of PHW, provided that the post graduate degree is completed during employment as
133 PHW. The one salary step increment shall be carried over during transfer and
134 promotion, provided further that the one salary step increment shall not be more often
135 than every two (2) years.
136

137 The grant of step increment due to length of service shall be granted in addition to the
138 longevity pay of PHW, provided that it shall be based on the salary grade allocation of
139 the position in the applicable salary schedule for the NGA, GOCC, or LGU concerned.
140

141 There shall be no step increment for PHW already at step 8 or the last step of the salary
142 schedule for the grant of longevity pay, length of service, and post graduate degree
143 completion.”
144

145 In effect, renumbering the following as:
146

147 “SEC. 41. Separability Clause. - If any provision of this Act is declared invalid, the
148 remainder of this Act or any provision not affected thereby shall remain in force and
149 effect.”
150

151 “SEC. 42. Repealing Clause. - All laws, presidential decrees, executive orders and their
152 implementing rules, inconsistent with the provisions of this Act are hereby repealed,
153 amended or modified accordingly.”
154

155 “SEC. 43. Effectivity. - This Act shall take effect fifteen (15) days after its publication
156 in at least two (2) national newspapers of general circulation.”
157

158 **Section 12.** Section 36 of Republic Act No. 7305 is hereby amended to read as follows:
159

160 “Section. 36. Periodic Review of the Magna Carta - All provisions with monetary
161 implications shall be reviewed by the Council periodically to be recommended to the
162 Secretary of Health for approval in consultation with the appropriate government

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agencies concerned under existing laws, rules, and regulations, and prevailing practices.”

Section 13. Section 38 of Republic Act No. 7305 is hereby repealed, and a new Section 38 shall be inserted as follows:

“Section. 38. Budget Estimates. - For National Government Agencies (NGAs) including SUCs:

The amounts required to pay Magna Carta benefits shall be charged against the respective agency’s appropriations or budget. The payment benefits of the Magna Carta for public health workers in the government shall be charged to the appropriations authorized in the General Appropriations Act (GAA). Augmentation thereof from any available savings of the agency shall be subject to the approval of the DBM.

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 budget.”

Section 14. Separability Clause. - If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

Section 15. Repealing Clause. - All laws, presidential decrees, executive orders, and their implementing rules, inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Section 16. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette and a newspaper of general circulation.

Approved,