



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 4125



Introduced by Representative Nelson S. Legacion
Third Congressional District, Camarines Sur

Frontline local government employees are indispensable to the daily functioning and well-being of our communities. Yet, despite this, many perform duties that inherently expose them to significant occupational hazards. In particular, garbage collectors, traffic enforcers, street sweepers, public market sanitation personnel, public cemetery workers, and certain public health workers regularly face risks in the course of their duties, including dangerous machinery, vehicular traffic, exposure to toxic substances, infectious agents, unsanitary conditions, environmental extremes, and even direct threats to personal safety.

Despite the critical nature of their work and the undeniable dangers encountered, the provision of hazard pay for these frontline Local Government Unit (LGU) employees remains inconsistent across LGUs. More often than not, job order, contract of service, or casual appointments, are unjustly excluded despite performing identical hazardous duties. This disparity undermines equitable compensation, neglects the welfare of those who bear significant occupational risks, and creates a two-tiered system that devalues essential public service.

While there is no fixed default percentage for all government hazard pay, existing legal frameworks and past administrative issuances for specific hazardous roles often set various percentages, commonly around 20% or 25%. These include Republic Act No. 7305 (Magna Carta of Public Health Workers), which authorizes hazard pay for health workers, and various Joint Circulars from the Department of Budget and Management (DBM) and the Department of Health (DOH) that define parameters for such benefits. The 25% minimum proposed here recognizes the inherent and pervasive risks faced by these local government frontline workers, ensuring more adequate compensation.

The proponent further points out the feasibility of the measure by proposing a mandatory appropriation from each LGU's General Fund, supplemented by National Government financial assistance for fiscally limited Local LGU's, and with clear criteria from DBM and the Department of Finance-Bureau of Local

Government Finance (DOF-BLGF) to serve as its source of funding. This ensures sustainable and equitable implementation across all LGUs.

This proposed *"Local Government Hazard Pay Act"* seeks to rectify this inequity by mandating consistent Hazard Pay for all LGU employees performing hazardous duties, regardless of employment status. It stipulates a minimum of twenty-five percent (25%) of their basic monthly salary.

This proposed measure builds upon legislative efforts for Hazard Pay undertaken during the 19th Congress by the distinguished House of Representatives member Rufus B. Rodriguez.

By institutionalizing this vital benefit, the bill aims to adequately compensate these essential workers, promote equitable treatment, enhance morale, and uphold the State's commitment to protecting public servants.

In view of the foregoing, immediate passage of this measure is sought.



NELSON S. LEGACION

Representative, Third District, Camarines Sur



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**AN ACT MANDATING LOCAL GOVERNMENT UNITS TO GRANT HAZARD
PAY TO LOCAL GOVERNMENT EMPLOYEES WHOSE WORK ENTAILS
INHERENT RISK OR DANGER TO THEIR HEALTH AND SAFETY,
REGARDLESS OF EMPLOYMENT STATUS, AND PROVIDING FUNDS
THEREFOR**

SECTION 1. *Short Title.* This Act shall be known as the "*Local Government Hazard Pay Act.*"

SECTION 2. *Declaration of Policy.* It is hereby declared the policy of the State to protect and promote the well-being of all its public servants, particularly those rendering essential services at the local government level who are regularly exposed to inherent risks, hazards, or dangers to their health and safety. The State shall ensure that these employees receive appropriate additional compensation in recognition of such occupational exposure, regardless of their employment status.

SECTION 3. *Definition of Terms.* For purposes of this Act, the following terms shall mean:

- a. *Hazard Pay* – refers to the additional compensation granted to qualified local government employees for the performance of duties that expose them to imminent danger, extreme difficulty, or health risks, which are over and above the usual risks in public service.
- b. *Local Government Unit (LGU)* – refers to a province, city, municipality, or barangay.
- c. *Local Government Employee* – refers to any official or employee of an LGU, regardless of employment status, whose primary duties, as determined by

the respective LGU in accordance with the implementing rules and regulations of this Act, inherently involve work entailing risk or danger to their health and safety.

d. *Work Entailing Risk or Danger* – refers to duties that regularly or intermittently expose an employee to:

- (1) Physical hazards such as dangerous machinery, vehicular traffic, unstable structures, or working at heights;
- (2) Chemical hazards such as toxic, corrosive, or flammable substances;
- (3) Biological hazards such as infectious agents, human or animal waste, or contaminated environments;
- (4) Environmental hazards, such as extreme weather conditions, pollution, or prolonged exposure to unsanitary outdoor environments; or
- (5) Situations involving direct threat to personal safety or life\ due to the nature of the work environment or interaction with the public in high-risk scenarios.

e. *Employment Status* – refers to any form of engagement with the LGU, including permanent, temporary, casual, contractual, contract of service, or job order positions.

SECTION 4. *Grant of Hazard Pay.* All Local Government Employees whose work entails inherent risk or danger to their health and safety, as determined by their respective LGU in accordance with the implementing rules and regulations of this Act, shall be entitled to Hazard Pay. This entitlement shall apply regardless of their employment status.

SECTION 5. *Amount and Release of Hazard Pay.* The Hazard Pay shall be equivalent to a minimum of twenty-five percent (25%) of the employee's basic monthly salary. This shall be granted monthly and concurrently with the employee's regular salary. The specific amount shall be determined by the respective LGU, taking into consideration the level of risk involved in the specific duties, provided it is not less than the prescribed minimum percentage.

SECTION 6. *Conditions for Entitlement.* Hazard Pay shall be granted only for actual services rendered by the qualified employee under the hazardous conditions. It shall not be considered as part of the employee's basic salary for purposes of computing other benefits, except for contributions to the Government Service Insurance System (GSIS) and Pag-IBIG Fund, if applicable, based on their employment status.

SECTION 7. *Funding.* The necessary funds for the continuous grant of Hazard Pay under this Act shall be sourced from the annual General Fund of the respective LGUs. Said units shall ensure the allocation and appropriation of sufficient funds for this purpose in their annual budgets, and consider this as a

mandatory expenditure item. For LGUs demonstrating insufficient fiscal capacity to fully implement this Act, the National Government, through the Department of Budget and Management (DBM), shall establish a mechanism for providing supplementary financial assistance. The DBM, in consultation with the Department of Finance-Bureau of Local Government Finance (DOF-BLGF), shall develop clear and objective criteria for assessing the fiscal capacity and compliance capability of the LGU, and determining the extent of national assistance, which shall be provided subject to the availability of funds as appropriated in the annual General Appropriations Act.

SECTION 8. *Implementing Rules and Regulations (IRR).* Within ninety (90) days from the effectivity of this Act, the Department of the Interior and Local Government (DILG), in coordination with the Department of Budget and Management (DBM), the Civil Service Commission (CSC), and the Department of Labor and Employment (DOLE), shall jointly promulgate the necessary rules and regulations for the effective implementation of this Act.

SECTION 9. *Separability Clause.* If any provision or part of this Act is declared unconstitutional or invalid, the validity of the other provisions shall not be affected by such declaration and shall remain in full force and effect.

SECTION 10. *Repealing Clause.* All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 11. *Effectivity.* This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,