



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



TWENTIETH CONGRESS
First Regular Session

House Bill No. 4132

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

The nation's ability to cope and recover profoundly relies on the uninterrupted operations of critical industries in the private sector. During times of widespread crisis, from natural calamities or public health emergencies, Workers in essential establishments such as hospitals, groceries, telecommunications, power generation and distribution, logistics, and food manufacturing consistently brave significant risks to ensure vital services remain accessible to the public. In turn, they are exposed to heightened dangers, contagion, or peril while enabling communities to endure and recover.

Despite these indispensable and often dangerous contributions, private-sector workers in critical industries frequently lack specific legal provisions for hazard pay during such national emergencies. This glaring absence fails to adequately acknowledge their extraordinary efforts and the significant risks they undertake. This oversight potentially impacts morale, retention, and, critically, the continuity of essential services precisely when they are most needed.

This proposed "*Hazard Pay for Critical Industry Workers Act*" directly addresses this fundamental oversight. By mandating the provision of hazard pay for workers in designated critical industries when a State of Calamity or Public Health Emergency is declared, this transformative measure aims to mandate the equitable provision of hazard pay for workers in designated critical industries, including those from third-party service contractors, during national emergencies; explicitly acknowledge the heightened risks and extraordinary efforts faced by these essential workers; ensure just compensation for their selfless service in maintaining crucial societal functions and supporting the public's well-being; and strengthen national resilience by safeguarding morale and ensuring the continuity of essential private sector operations during crises.

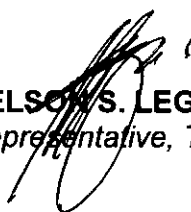
While various government issuances and laws, such as Republic Act No. 7305 (Magna Carta of Public Health Workers) and subsequent joint circulars from the Department of Budget and Management (DBM) and the Department of Health

(DOH), have set hazard pay rates for specific public sector roles, often at around 20% to 25% based on occupational risks, the situation during a widespread State of Calamity or Public Health Emergency presents extraordinary and systemic risks that transcend typical occupational hazards. The pervasive nature of danger, potential for large-scale contagion, and the immense pressure to maintain societal functions under duress warrant a higher level of compensation to be provided to our critical workers, in honor of the personal risks and sacrifices they make during the said events.

The proposed 30% hazard pay reflects the severe disruption to daily life, increased personal peril, and the crucial role these private sector workers play in national survival and recovery. It is a recognition that their courage and commitment during such extreme circumstances go above and beyond their standard duties.

This proposed measure builds upon legislative efforts for hazard pay during a state of calamity for workers in critical industries and the private sector undertaken during the 19th Congress by the following distinguished members of both Houses: from the House of Representatives, Gus S. Tambunting and Eduardo C. Villanueva; and from the Senate, Joel Villanueva.

The immediate passage of this bill sought to ensure that those who tirelessly keep our society functioning during its most challenging times are properly and justly compensated for their invaluable sacrifices.



NELSON S. LEGACION

Representative, Third District, Camarines Sur



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**AN ACT MANDATING THE GRANT OF HAZARD PAY TO WORKERS IN
CRITICAL INDUSTRIES IN THE PRIVATE SECTOR DURING A DECLARED
STATE OF CALAMITY OR PUBLIC HEALTH EMERGENCY, AND FOR OTHER
PURPOSES**

*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
Critical Industry Workers Act.*"

SECTION 2. Declaration of Policy. It is hereby declared the policy of the
State to recognize the invaluable contributions and extraordinary sacrifices of
workers in critical industries belonging to the private sector who continue to render
essential services during a declared State of Calamity or Public Health Emergency.
The State shall ensure their well-being by providing appropriate additional
compensation for the heightened risks, dangers, and perils they face in maintaining
vital societal functions during such crises.

SECTION 3. Coverage. This Act shall apply to all workers in critical
industries in the private sector who actually rendered service during a declared
State of Calamity or Public Health Emergency.

Provided, that for the purposes of this Act, *workers in critical industries*
refers to workers in critical establishments who are exposed to greater danger,
contagion, radiation, virus, disease, or peril caused by natural calamities or public
health emergencies, such as volcanic activity/eruption and typhoons. Epidemics
and other similar natural calamities and public health emergencies under R.A.
11332. These establishments include, but are not limited to, the following:

- (a) Hospitals, sanitaria, rural health units, main health centers, health infirmaries, barangay health stations, clinics, laboratories, and other health-related establishments;
- (b) Morgues and mortuaries;
- (c) Banks and other financial institutions providing money transfer services;
- (d) Groceries, supermarkets, and convenience stores;
- (e) Public markets;
- (f) Pharmacies or drugstores, or similar establishments authorized to dispense medicines;
- (g) Restaurants;
- (h) Logistics and warehouse establishments;
- (i) Food and medical manufacturing establishments;
- (j) Telecommunications companies;
- (k) Mass media companies, with respect to their reporters and similar personnel in-charge of delivering news;
- (l) Electric generation, transmission, and distribution companies;
- (m) Gasoline stations;
- (n) Oil companies, with respect to their tanker drivers;
- (o) Water distribution companies, including water delivery and refilling stations;
- (p) Companies engaged in sanitation, such as garbage collectors;
- (q) Hotels and similar establishments, upon such terms and conditions as the appropriate agencies overseeing the calamity, disaster, or public health emergency prescribe;
- (r) Mass public transportation companies;
- (s) Civil aviation and maritime transport-related companies; and
- (t) Such other establishments which may be considered critical in light of the nature of the state of calamity or emergency or public health concern, as may be declared by competent authorities.

Provided further, that workers of third-party service contractors, such as security guards and janitors, who are deployed to any of the aforementioned

establishments shall also receive the benefit provided under this Act for the duration of the calamity, emergency, or public health emergency.

SECTION 4. *Hazard Pay.* When a State of Calamity or emergency or a Public Health Emergency, as defined under Republic Act No. 11332 - Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act, has been declared, workers in critical industries who actually rendered service during the period of the declared state of calamity, emergency, or public health emergency, shall be compensated with hazard allowances equivalent to at least thirty percent (30%) of their respective daily basic salary for the duration thereof.

SECTION 5. *Non-Diminution of Benefits.* Nothing in this Act shall be construed to diminish existing benefits under present laws, company policies, and collective bargaining agreements.

SECTION 6. *Implementing Rules and Regulations (IRR).* Within ninety (90) days from the effectivity of this Act, the Department of Labor and Employment (DOLE), in coordination with the Department of Trade and Industry (DTI), the Department of Health (DOH), and other relevant government agencies and industry stakeholders, shall jointly promulgate the necessary rules and regulations for the effective implementation of this Act.

SECTION 7. *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 8. *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 9. *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,