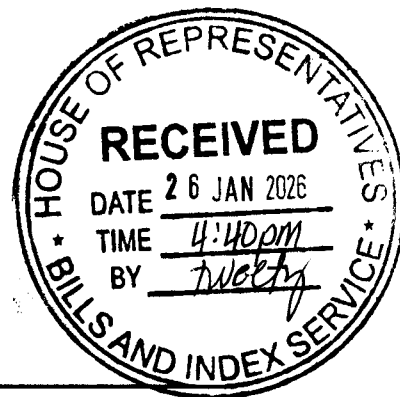


HOUSE OF REPRESENTATIVES

House Bill No. **7333**



Introduced by Representative FRANZ FERNANDEZ LEGAZPI

EXPLANATORY NOTE

Article II, Section 15 of the 1987 Constitution declares it a fundamental policy of the State to protect and promote the right to health of the people. Public Health Workers (PHWs) are the backbone of the Philippine health system and are essential to the delivery of preventive, promotive, curative, and rehabilitative health services, particularly in government health facilities, rural communities, and during disasters and public health emergencies.

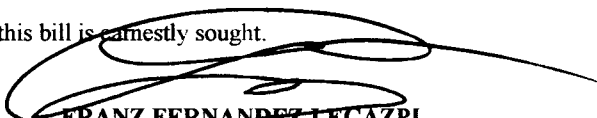
Republic Act No. 7305, otherwise known as the *Magna Carta of Public Health Workers*, was enacted to safeguard the welfare, rights, and professional development of PHWs. However, decades since its passage, many of its provisions have become inadequate in addressing present-day realities such as expanded employment arrangements, increased occupational risks, rising cost of living, and the heightened demands placed on health workers.

This proposed measure seeks to strengthen and modernize the *Magna Carta of Public Health Workers* by expanding coverage, enhancing benefits and incentives, and reinforcing protections for all public health workers, regardless of employment status. The bill broadens the definition of “health workers” to include permanent, temporary, casual, and contractual personnel employed in national government agencies, local government units, state universities and colleges, government-owned and controlled corporations, and government financial institutions. It further strengthens non-discrimination provisions by explicitly prohibiting bias based on sex, sexual orientation and gender identity, civil status, age, disability, or ethnicity, in line with constitutional guarantees of equality.

To better compensate PHWs for the demands and risks inherent in their work, the bill enhances statutory benefits, including increased night shift differential, standardized hazard allowance, improved subsistence and laundry allowances, and tax exemption of select allowances to ensure that benefits are fully enjoyed by recipients. These measures recognize the hazardous nature of health work and the economic realities faced by PHWs. The bill also promotes professional growth and workforce retention by institutionalizing salary step increments for postgraduate degree completion and length of service, while ensuring that such incentives are retained upon promotion or transfer.

As our health system is constantly tested by growing demands, recurring crises, and deep social inequities, the effective provision of public health services rests on the people who serve at its frontlines. This bill acknowledges the challenges faced by Public Health Workers and provides them with the adequate support, protection, and recognition. By enhancing their benefits, safeguarding their rights, and investing in their professional growth, we aim to strengthen not only PHWs’ welfare but the whole public health system itself.

For the foregoing reasons, the approval of this bill is earnestly sought.


FRANZ FERNANDEZ LEGAZPI
Representative, PINOY WORKERS PARTYLIST

HOUSE OF REPRESENTATIVES

House Bill No. **7333**

Introduced by Representative FRANZ FERNANDEZ LEGAZPI

AN ACT
ENHANCING THE STATUTORY BENEFITS AND INCENTIVES OF PUBLIC HEALTH
WORKERS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7305, OTHERWISE
KNOWN AS THE MAGNA CARTA OF PUBLIC HEALTH WORKERS

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

- 1
- SECTION. 1. *Section 3 of Republic Act No. 7305 is hereby amended to read as follows:*
- 2
- "Section 3. Definition. - For purposes of this Act, "health workers" shall mean all persons who
- 3
- are engaged in health and health-related work, and all persons employed in all hospitals, sanitaria,
- 4
- treatment and rehabilitation centers, health centers, rural health units, barangay health stations,
- 5
- clinics, health offices, agencies attached to the Department of Health and other health-related
- 6
- establishments owned and operated by the Government or its political subdivisions with original
- 7
- charters and shall include medical, allied health professionals, administrative and support
- 8
- personnel employed [regardless of their employment status] in national government agencies
- 9
- (NGAs), including state universities and colleges (SUCs), government-controlled corporations
- 10
- (GOCCs), government financial institutions (GFIs) and local government units (LGUs) holding
- 11
- permanent or temporary status, casual or contractual, whose salaries are charged against
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- personnel services (PS) lump sum appropriation, rendering services on full time or part time basis
- 13
- and whose positions are covered, or otherwise by R. A. 6758, "compensation and position
- 14
- classification act of 1989", as amended."
- 15
- 16
- SEC. 2. *Section 9 of Republic Act No. 7305 is hereby amended to read as follows:*
- 17
- "Section. 9. Discrimination Prohibited. - A Public Health Worker (PHW) shall not be
- 18
- discriminated against with regard to political or religious affiliations, sex, sexual orientation and
- 19
- gender identity, civil status, age, disability, or ethnicity in the exercise of his or her profession."
- 20
- 21
- SEC. 3. *Section 11 of Republic Act No. 7305 is hereby amended to read as follows:*
- 22
- "Section. 11. Administrative Charges. - Administrative charges against a national public health
- 23
- worker shall be heard by a committee or officer designated by the disciplining authority, or its
- 24
- delegated officer, or officers under its jurisdiction, in accordance with Executive Order 292, its
- 25
- implementing rules and regulations, and other pertinent civil service laws, rules and regulations.
- 26
- For local public health workers, administrative charges shall be heard by a committee or officer
- 27
- created or designated by the Provincial or City Health Board, in accordance with pertinent rules
- 28
- and regulations.
- 29
- The committee or hearing officer shall submit recommendation to the appropriate disciplining
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- authority within thirty (30) days from the termination of the investigation and hearings.
- 31
- Where the provincial health officer or head of health facilities has been determined to be an interested
- 32
- party, the members of the committee or the designated officer shall be appointed by the Secretary of
- 33
- Health."
- 34
- 35
- SEC. 4. *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, sanitaria, treatment and rehabilitation centers, 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 between six (6) o'clock in the evening to six (6) o'clock in the morning; provided, that the foregoing rules on night shift differential shall be subject to the provisions of R.A. 11701 or an Act granting night shift differential pay to government employees including those in government-owned or -controlled corporations and its rules and regulations."

SEC. 5. *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 Twenty Five Percent (25%) of their basic monthly salary across the board without prejudice to increase of this amount as may be warranted in the future by the Secretary of Health."

SEC. 6. *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 which shall not be less than Three Hundred Pesos (PhP 350.00) per day for rendering actual services. Provided, that after one (1) year from the effectivity of this Act, it shall be increased to four Hundred Pesos (PhP 400.00). Provided further, that after two (2) years from the effectivity of this Act, it shall be increased to Five Hundred Pesos (PhP 500.00). Provided finally, that it shall be reviewed every three (3) years and may be further increased by the Secretary of Health, in consultation with the Management-Health Worker's Consultative Councils"

SEC. 7. *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 One Thousand Pesos (Php 1,000.00) per month and shall be increased based on the prevailing economic circumstances as may be warranted in the future by the Secretary of Health in consultation with the Management-Health Workers Consultative Council"

SEC. 8. *Proposed New Section to read as follows:*

"Section xxx. Tax Exemption. - the hazard allowance, subsistence allowance, and laundry allowance received by covered public health workers under this Act, shall be exempt from application of income tax.

SEC. 9. *Section 34 (b) of Republic Act No. 7305 is hereby amended to read as follows*

xxx

(b) opportunity for health workers to genie and develop their potentials workers who undertake relevant post-graduate studies in a degree course shall be entitled for an upgrade in position or promotion, or a raise in pay: *Provided*, That it shall not be more often than every two (2) years: *Provided, further*, That upon promotion to a higher position, the public health worker shall carry over and retain the step increment in the position held before the upgrade in position or promotion, or a raise in pay."

xxx

SEC. 10. *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

1 of this Act which shall take effect thirty (30) days after publication in a newspaper of general
2 circulation."

3
4 **SEC. 11.** *Proposed New Section to read as follows:*

5
6 "Section xxx. Incentives for Length of Service and Post Graduate Degree Completion - there shall
7 be one salary step increment for every post graduate degree completion of PHW, provided that the
8 post graduate degree s completed during employment as PHW. The one salary step increment shall
9 be carried over during transfer and promotion; provided further, that the one salary step increment
10 shall not be more often than every two (2) years.

11
12 The grant of step increment due to length of service shall be granted in addition to the longevity
13 pay of PHW, provided that it shall be based on the salary grade allocation of the position in the
14 applicable salary schedule for the NGA, GOCC, or LGU concerned.

15
16 The shall be no step increment for PGW already at step 8 or the last step of the salary schedule for
17 the grant of longevity pay, length of service and post graduate degree completion."

18
19 **SEC. 12.** *Section 36 of Republic Act No. 7305 is hereby amended to read as follows:*

20
21 "Section. 36. Periodic Review of the Magna Carta - All provisions with monetary implications shall
22 be reviewed by the Council periodically to b recommended to the Secretary of Health for approval
23 in consultation with the appropriate government agencies concerned under existing laws, rules, and
24 regulations and prevailing practices."

25
26 **SEC. 13.** *Section 38 of Republic Act No. 7305 is hereby repealed and a new Section 38 shall be
27 inserted as follows:*

28
29 "Section. 38. Budget Estimates. - For National Government Agencies (NGAs) including SUCs: The
30 amounts required for the payment of Magna Carta benefits shall be charged against the respective
31 agency's appropriations or budget. The payment Magna Carta benefits of the public health workers
32 in the government shall be charged to the appropriations authorized in the General Appropriations
33 Act (GAA). Augmentation thereof from any available savings of the agency shall be subject to the
34 approval of the DBM.

35
36 The Magna Carta benefits for contractual and casual personnel shall be charged against the
37 respective agency lump sum appropriations from which their salaries or wages are drawn. For
38 GOCCs and GFIs, the amounts required shall be charged against their respective corporate funds in
39 the approved corporate operating budget."

40
41 **SEC. 14.** *Separability Clause.* - If any provision of this Act is declared unconstitutional, the
42 remainder of this Act or any provision not affected thereby shall remain in force and in effect.

43
44 **SEC. 15.** *Repealing Clause.* - All laws, presidential decrees, executive orders, and their
45 implementing rules, inconsistent with the provisions of this Act are hereby repealed, amended, or
46 modified accordingly.

47
48 **SEC. 16.** *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official
49 Gazette and in a newspaper of general circulation.

50
51 *Approved*