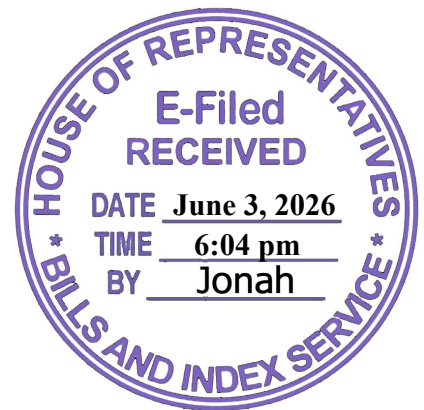


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **9764**



Introduced by **REPRESENTATIVE RICARDO S. CRUZ, JR.**

EXPLANATORY NOTE

The Constitution recognizes labor as a primary social and economic force and mandates the State to protect the rights and welfare of workers.

During the COVID-19 pandemic and other national emergencies, workers in critical industries continued to report for duty despite heightened risks to their health, safety, and well-being. These workers ensured the uninterrupted delivery of essential services such as healthcare, food supply, transportation, utilities, telecommunications, sanitation, and public safety.

While some public sector workers are granted hazard pay under existing laws, many employees in the private sector who face similar risks do not receive the same protection and compensation. This disparity highlights the need for a clear and uniform policy that recognizes the sacrifices of workers who remain on the frontlines during times of crisis.

This bill seeks to institutionalize the grant of hazard pay equivalent to at least twenty-five percent (25%) of the monthly basic salary of workers in critical industries during a declared state of calamity, emergency, or public health emergency. It likewise extends such benefit to workers engaged through service contractors who perform essential frontline functions.

By providing adequate compensation for extraordinary risks, this measure promotes social justice, protects workers' welfare, and helps ensure the continuous operation of vital services during national emergencies.

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


RICARDO S. CRUZ JR.

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TWENTIETH CONGRESS
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House Bill No. 9764

Introduced by **REPRESENTATIVE RICARDO S. CRUZ, JR.**

AN ACT
GRANTING HAZARD PAY TO WORKERS IN CRITICAL INDUSTRIES
DURING A STATE OF CALAMITY OR EMERGENCY OR PUBLIC HEALTH
EMERGENCY

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 Workers in Critical Industries Act.”

SECTION 2. Declaration of Policy. – This state shall promote the protection of all workers and ensure their health and safety during a state of calamity, or emergency, or public health emergency concern. Towards this end, workers in critical industries shall be provided with an additional benefit for the duration of these events, taking into account the nature of their functions and exposure to various hazards because of their functions.

SECTION 3. Coverage. – This Act shall apply to all workers in critical industries in the private sector. For this Act, "workers in critical industries" refers to workers in critical establishments, such as, but not limited to, the following:

- (a) Hospitals, sanatoria, 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, concerning their reporters and similar personnel in charge of delivering news;
- (l) Electric generation, transmission, and distribution companies;
- (m) Gasoline stations;
- (n) Oil companies, concerning their tanker drivers;
- (o) Water distribution companies, including water delivery and refilling stations;
- (p) Companies engaged in sanitation, such as garbage collectors;
- (q) Companies involved in the Philippine capital market, such as the Philippine Stock Exchange and Philippine Dealing and Exchange Corporation, among others;
- (r) Hotels and similar establishments, upon such terms and conditions as the appropriate agencies overseeing the calamity, disaster, or public health emergency prescribe;
- (s) Mass public transportation companies;
- (t) Civil aviation-related companies; and,
- (u) Such other establishments may be considered critical in light of the nature of the state of calamity, or emergency, or public health concern.

For the avoidance of doubt, workers of third-party service contractors, such as security guards and janitors, who are deployed to any of the foregoing 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, otherwise known as the “Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern,” has been declared, workers in critical industries shall be compensated with hazard allowances equivalent to at least twenty-five percent (25%) of their respective monthly 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. – Within sixty (60) days from the effectivity of this Act, the Department of Labor and Employment, in consultation with appropriate government agencies and other relevant stakeholders, shall formulate the rules and regulations to implement the provisions of this Act.

SECTION 7. Separability Clause. – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

SECTION 8. Repealing Clause. – All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to

or inconsistent with this Act are hereby revoked, repealed, or modified accordingly.

SECTION 9. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,