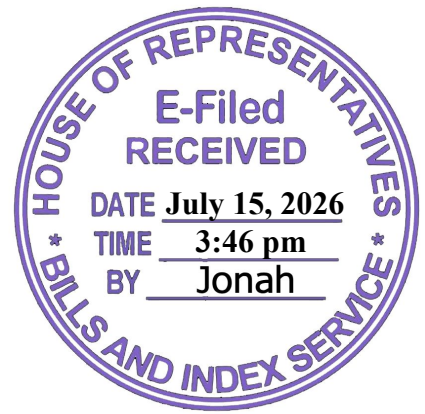


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. **10082**



Introduced by **Representative ERIC G. YAP**

EXPLANATORY NOTE

This bill seeks to expand the statutory benefits and incentives granted to public health workers. It amends Republic Act (RA) No. 7305, otherwise known as the "*Magna Carta of Public Health Workers*", to guarantee increased compensation for overtime work, and work performed during rest days and special holidays.

Public health workers continuously provide their indispensable services despite long working hours, hazardous working conditions, and public health emergencies. Despite the enactment of RA 7305, the benefits provided fail to adequately match the demands and risks inherent in public health service.

This measure requires overtime, rest day, and special holiday work to be compensated exclusively in cash. It also increases the night shift differential, hazard, subsistence, and laundry allowances to accurately reflect the amount needed by our public health workers on the ground.

The provision of adequate compensation is essential to protect the welfare of public health workers, improve workforce retention, and sustain an efficient and resilient public healthcare system. Ensuring that those who safeguard the nation's health receive benefits that reflect their current needs is a necessary investment in the quality and continuity of public health services.

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


HON. ERIC G. YAP

Republic of the Philippines
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TWENTIETH CONGRESS
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House Bill No. **10082**

Introduced by **Representative ERIC G. YAP**

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,” AND FOR OTHER PURPOSES

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

Section 1. Section 16 of Republic Act No. 7305, otherwise known as the “*Magna Carta for Public Health Workers*”, is hereby amended as follows:

“SEC. 16. *Overtime Work.* – Where the exigencies of the service so require, any public health worker may be required to render service beyond the normal eight (8) hours a day. In such a case, the workers shall be paid an additional compensation **EXCLUSIVELY IN THE FORM OF CASH**, [in accordance with existing laws and prevailing practices] **COMPUTED IN ACCORDANCE WITH APPLICABLE OVERTIME RATES.**”

SEC. 2. Section 17 of the same Act is hereby amended as follows:

“SEC. 17. *Work During Rest Day AND SPECIAL HOLIDAYS.* –

a. Where a public health worker is made to work on his/her scheduled rest day, he/she shall be paid an additional compensation **EXCLUSIVELY IN THE FORM OF CASH** [in accordance with existing laws].

b. Where a public health worker is made to work on any special holiday, he/she shall be paid an additional compensation **EXCLUSIVELY IN THE FORM OF CASH** [in accordance with existing laws]. Where such holiday work falls on the worker’s scheduled rest day, he/she shall be entitled to

an additional compensation **EXCLUSIVELY IN THE FORM OF CASH** [in accordance with existing laws].”

SEC. 3. Section 18 of the same Act is hereby amended to read as follows:

“SEC. 18. *Night-Shift Differential.* –

“(a) Every public health worker shall be paid a night-shift differential of [ten] **TWENTY** percent ([1]20%) of his/her regular wage for each hour of work performed during the night-shifts customarily adopted by hospitals, **BIRTHING CLINICS, AND OTHER HEALTH FACILITIES OPERATING ON A 24/7 SHIFT, AS WELL AS DURING DECLARED STATES OF CALAMITY, 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 [ten] **TWENTY** percent ([1]20%) of such overtime rate for each hour of work performed between [ten (10)] **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 REPUBLIC ACT NO. 11701, ENTITLED “AN ACT GRANTING NIGHT SHIFT DIFFERENTIAL PAY TO GOVERNMENT EMPLOYEES INCLUDING THOSE IN GOVERNMENT-OWNED OR -CONTROLLED CORPORATIONS AND APPROPRIATING FUNDS THEREFOR”, AND ITS RULES AND REGULATIONS.**”

SEC. 4. Section 21 of the same Act is hereby amended to read as follows:

“SEC. 21. *Hazard Allowance.* – **BY THE NATURE OF THEIR WORK, WHICH SUBJECT THEM TO HEALTH HAZARDS AND OCCUPATIONAL RISKS, ALL** Public health workers in hospitals, sanatoria, rural health units, main health centers, health infirmaries, barangay health stations, clinics and other health-related establishments located in difficult areas, strife-torn or embattled areas, distressed or isolated stations, prisons camps, mental hospitals, radiation-exposed clinics, laboratories or disease-infested areas, [or in areas declared under state] **REGARDLESS** of [calamity or emergency for] the [duration thereof which expose them to great danger, contagion, radiation, volcanic activity/eruption, occupational risks or perils to life as determined by the Secretary] **DEGREE** of [Health or] the [Head of the unit with the approval of the Secretary of Health, shall be compensated hazard allowances equivalent] **EXPOSURE** to [at least

twenty-five percent (25%) of the] A monthly [basic salary] **HAZARD ALLOWANCE of TEN THOUSAND PESOS (P10,000.00) WITHOUT PREJUDICE TO THE INCREASE OF THIS AMOUNT AS MAY BE WARRANTED IN THE FUTURE BY THE SECRETARY OF [h]Health** [workers receiving salary grade 19 and below, and five percent (5%) for health workers with salary grade 20 and above].”

SEC. 5. Section 22 of the same Act is hereby amended to read as follows:

“SEC. 22. *Subsistence Allowance.* - **ALL** Public health workers who are required to render service within the premises of hospitals, sanitarium, health infirmaries, main health centers, rural health units and barangay health stations, or clinics, and other health-related establishments in order to make their services available at any and all times, shall be entitled to full subsistence allowance of [three (3) meals] **ONE HUNDRED FIFTY PESOS (P150.00) PER DAY, WITHOUT PREJUDICE** [which may be computed in accordance with prevailing circumstances as determined by the Secretary of Health in consultation with the Management-Health Worker's Consultative Councils, as established under Section 33 of this Act: provided, that representation and travel allowance shall be given] to **THE INCREASE OF THIS AMOUNT** [rural health physicians] as **MAY BE WARRANTED IN THE FUTURE BY THE SECRETARY OF HEALTH** [enjoyed by municipal agriculturists, municipal planning and development officers and budget officers].”

SEC. 6. Section 24 of the same Act is hereby amended to read as follows:

“SEC. 24. *Laundry Allowance.* - All public health workers who are required to wear uniforms regularly shall be entitled to laundry allowance equivalent to [One] **FIVE** hundred [twenty-five] pesos (P[12]500.00) per month[: provided, that this rate shall be reviewed periodically and increased accordingly by] **WITHOUT PREJUDICE TO the INCREASE OF THIS AMOUNT AS MAY BE WARRANTED IN THE FUTURE BY THE** Secretary of Health [in consultation with the appropriate government agencies concerned taking into account existing laws and prevailing practices].”

SEC. 7. Section 35 of the same Act is hereby amended to read as follows:

“SEC. 35. *IMPLEMENTING 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 of this Act[. Rules and regulations issued pursuant to this Section] **WHICH** shall take effect thirty (30) days after publication in a newspaper of general circulation.”

SEC. 8. Section 38 of the same Act is hereby amended to read as follows:

“SEC. 38. [*Budgetary Estimates*] **APPROPRIATIONS.** - The [Secretary of Health shall submit annually the] **AMOUNT** necessary [budgetary estimates to implement] **FOR** the **IMPLEMENTATION OF THE** provisions of this Act [in staggered basis of implementation of the proposed benefits until] **SHALL BE CHARGED AGAINST** the **CURRENT YEAR AVAILABLE APPROPRIATIONS** [total] of [Nine hundred forty-six million six hundred sixty-four thousand pesos (P946,664,000.00) is attained within five (5) years.

Budgetary estimates for] the **DEPARTMENT OF HEALTH (DOH). THEREAFTER,** [succeeding years should be reviewed and increased accordingly by] the **AMOUNT NECESSARY FOR ITS CONTINUOUS IMPLEMENTATION SHALL BE INCLUDED** [Secretary of Health] in [consultation with the Department of Budget and Management and] the [Congressional Commission on Health (HEALTHCOM)] **ANNUAL GENERAL APPROPRIATIONS.”**

SEC. 9. *Separability Clause.* - If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 10. *Repealing Clause.* - All laws, presidential decrees, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 11. *Effectivity.* - This Act shall take effect fifteen days (15) after its publication in the Official Gazette or in a national newspaper of general circulation.

Approved,