

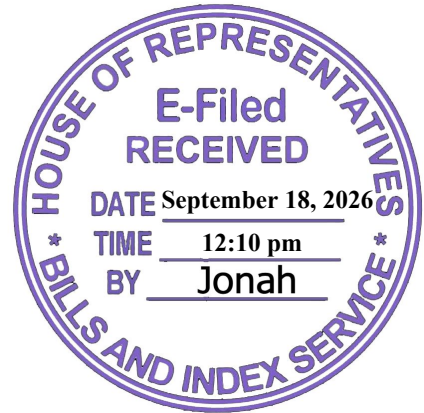


Republic of the Philippines
House of Representatives
Quezon City

TWENTIETH CONGRESS

Second Regular Session

House Bill No. 11382



Introduced by Representative Jernie Jett V. Nisay

EXPLANATORY NOTE

When calamity strikes, most people are told to stay home for safety. There are, however, workers who cannot simply “stay home”. While communities seek safety, these workers continue to report for duty, keep hospitals operating, deliver food and medicine, maintain essential utilities, transport people and goods, and ensure that vital services continue.

These workers face greater risks to their health and safety precisely when their services are most needed. Their families also bear the worry and uncertainty of having a loved one leave home to serve others during dangerous conditions.

Hence, this proposed measure seeks to grant hazard pay equivalent to at least twenty five percent (25%) of the worker's daily basic salary to qualified workers in critical industries who actually render service during a state of calamity, emergency, or public health emergency. The State must, in turn, recognize the sacrifice of those who continue to serve the public in these trying times. Those who keep our communities running in times of calamity and emergency should not be left without additional protection and compensation. Their service is essential, and so is their safety.

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


REP. JERNIE JETT V. NISAY
Pisong Pinoy Partylist



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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 the 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.”

SEC. 2. Declaration of Policy. — The 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 additional benefit for the duration of these events, taking into account
the nature of their functions and exposure to various hazards by reason of their
functions.

SEC. 3. Coverage. — This Act shall apply to all workers in critical industries in the
private sector.

For the purposes of this Act, “workers in critical industries” refers to workers in
critical establishments such as, but not limited to, the following, who are exposed to
greater danger, contagion, radiation, virus, disease, or peril from natural calamities,
such as volcanic activity/eruption and typhoons:

- 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;

- 1 c) Banks and other financial institutions providing money transfer services;
- 2 d) Groceries, supermarket, and convenience stores;
- 3 e) Public markets;
- 4 f) Pharmacies or drugstores, or similar establishments authorized to dispense
- 5 medicines;
- 6 g) Restaurants;
- 7 h) Logistics and warehouse establishments;
- 8 i) Food and medical manufacturing establishments;
- 9 j) Telecommunications companies;
- 10 k) Mass media companies, with respect to their reporters and similar personnel in-
- 11 charge of delivering news;
- 12 l) Electric generation, transmission and distribution companies;
- 13 m) Gasoline stations;
- 14 n) Oil companies, with respect to their tanker drivers;
- 15 o) Water distribution companies, including water delivery and refilling stations;
- 16 p) Companies engaged in sanitation, such as garbage collectors;
- 17 q) Companies involved in the Philippine capital market, such as the Philippine Stock
- 18 Exchange and Philippine Dealing and Exchange Corporation, among others;
- 19 r) Hotels and similar establishments, upon such terms and conditions as the appropriate
- 20 agencies overseeing the calamity, disaster or public health emergency prescribe;
- 21 s) Mass public transportation companies;
- 22 t) Civil aviation and maritime transport related companies; and
- 23 u) Such other establishments which may be considered critical in light of the nature of
- 24 the state of calamity or emergency or public health concern.

25 For the avoidance of doubt, workers of third-party service contractors, such as
26 security guards and janitors, who are deployed to any of the foregoing establishments
27 shall also receive the benefit provided under this Act for the duration of the calamity,
28 emergency or public health emergency.

1 **SEC. 4. Hazard Pay.** — When a state of calamity or emergency or a public health
2 emergency, as defined under Republic Act No. 11332, otherwise known as the
3 Mandatory Reporting of Notifiable Diseases and Health Events of Public Health
4 Concern, has been declared, workers in critical industries who actually rendered service
5 during the state of calamity or emergency or public health emergency, shall be
6 compensated with hazard allowances equivalent to at least twenty-five percent (25%)
7 of their respective daily basic salary for the duration thereof.

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

11 **SEC. 6. Implementing Rules and Guidelines.** — Within sixty (60) days from the
12 effectivity of this Act, the Department of Labor and Employment (DOLE), in consultation
13 with the appropriate government agencies and other relevant stakeholders, shall
14 formulate the rules and regulations to effectively implement the provisions of this Act.

15 **SEC. 7. Separability Clause.** — Any portion or provisions of this Act that may be
16 declared unconstitutional or invalid shall not have the effect of nullifying other portions
17 and provisions hereof as long as such remaining portions or provisions can still subsist
18 and be given effect in their entirety.

19 **SEC. 8. Repealing Clause.** — All laws, decrees, executive orders, proclamations
20 and administrative regulations, or any parts thereof inconsistent with the provisions of
21 this Act are hereby revoked, repealed or modified accordingly.

22 **SEC. 9. Effectivity Clause.** — This Act shall take effect fifteen (15) days after its
23 publication in the Official Gazette or in at least two (2) newspapers of general
24 circulation.

25
26 *Approved,*