



SIXTEENTH CONGRESS OF THE REPUBLIC }  
OF THE PHILIPPINES }  
Third Regular Session }

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SENATE

RECEIVED BY: 

P.S. Res. No. 1677

Introduced By Senator JUAN PONCE ENRILE

**A RESOLUTION**

**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE INEFFICIENCIES AND INCONSISTENCIES IN THE IMPLEMENTATION OF THE PROVISIONS OF R.A. NO. 7305, OTHERWISE KNOWN AS THE MAGNA CARTA OF PUBLIC HEALTH WORKERS, SPECIFICALLY THE PAYMENT OF ALLOWANCES AND BENEFITS TO PUBLIC HEALTH WORKERS, WITH THE END IN VIEW OF ADDRESSING THESE POLICY GAPS AND ADOPTING PROGRAMS OF ACTION TO MAKE THE LAW EFFECTIVE**

Whereas, Art. II, Sec. 18 of the Philippine Constitution provides that “[t]he State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare”;

Whereas, in March 1992, Republic Act No 7305 or the Magna Carta for Public Health Workers was enacted into law in order to promote and improve the social and economic well-being of the public health workers, their living and working conditions and terms of employment, to develop their skills and capabilities to be more responsive in the delivery of quality health service and to encourage those with proper qualifications to join and remain in the government service;

Whereas, Under RA 7305, public health workers are entitled to the following allowances and benefits, among others:

- Sec. 21 – “Hazard Allowance”
- Sec. 22 – “Subsistence Allowance”
- Sec. 23 – “Longevity Pay”
- Sec. 24 – “Laundry Allowance”
- Sec. 25 – “Remote Assignment Allowance”

Whereas, In addition to the provision of monetary incentives, the law also mandates non-monetary benefits like housing and medical examination and recognizing the rights of health workers to self-organization;

Whereas, in July 1992, pursuant to the provisions of the Magna Carta of Public Health Workers, the Implementing Rules and Regulations (IRR) for said law was promulgated. Provisions contained guidelines to implementing the payment of the above mentioned benefits. The IRR was later on revised in 2009;



Whereas, several Circulars have been issued by the DBM jointly with the DOH and the CSC, further outlining the procedures and qualifications in the payment of the above-mentioned benefits under the Magna Carta of Public Health Workers;

Whereas, the Philippine Public Health Association, Inc. filed a class suit against the government agencies that issued the circulars regulating the payment of the benefits under the Magna Carta of Public Health Workers, specifically the provisions on the hazard pay, subsistence pay and the longevity pay for illegally diminishing their benefits;

Whereas, the Supreme Court partially granted the petition insofar as it lowers the hazard pay at rates below the minimum prescribed by the law and the IRR, and was deemed invalid. Insofar as it provides that an official or employee authorized to be granted Longevity Pay under an existing law is not eligible for grant of Step Increment Due to Length of Service, it was declared unenforceable;

Whereas, there are several personal accounts, recounted to this representation by concerned public health workers of the PNP General Hospital, that they do not receive any benefits under the Magna Carta of Public Health Workers, even if there is an item specific for this under the General Appropriations Act of the PNP;

Whereas, several studies done on the implementation of the provisions of RA 7305 show that there are inconsistencies and discrepancies with regards to the payment of the above mentioned benefits. These reports show that not all government agencies are implementing the law nor is it being fully implemented among agencies due to the insufficiency of funds. Monitoring of policy implementation has also been generally weak. Contrary to the intent of the law, public health workers remain undervalued, underdeveloped but over-utilized since RA 7305 was passed into law;

Whereas, there is a need to revisit the provisions of RA 7305 and its IRR to determine which provisions need amending in order to plug the loopholes causing these inconsistencies or discrepancies, thereby ensuring that our public health workers are properly compensated, which will in turn benefit our people in the delivery of quality health care service;

**NOW, THEREFORE, BE IT RESOLVED**, to direct the appropriate Senate Committee to conduct an inquiry, in aid of legislation, into the implementation of the provisions of RA 7305, otherwise known as the Magna Carta of Public Health Workers, with the end in view of instituting immediate reforms or amendments to the law for the efficient and fair implementation of the law.

*Adopted.*

  
JUAN PONCE ENRILE  
Senator