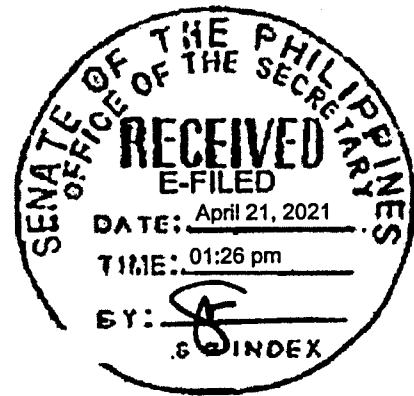


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE

Senate Bill No. 2142

Introduced by Senator FRANCIS N. PANGILINAN

AN ACT
AMENDING REPUBLIC ACT NO. 7305, OTHERWISE KNOWN AS THE MAGNA
CARTA OF PUBLIC HEALTH WORKERS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

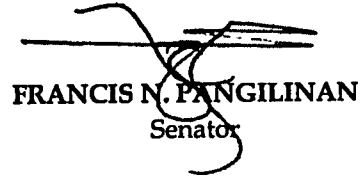
A year into the COVID-19 pandemic, the Philippines remains to be one of the most severely affected countries in the world, with daily recorded cases at their all-time high. The pandemic caused an unprecedented public health crisis that overwhelmed our already struggling healthcare system. It further revealed gaps in financing for healthcare and highlighted the shortage of healthcare workers who work tirelessly on the frontlines. They serve and save our people while risking their own lives and being grossly underpaid.

The Magna Carta of Public Health Workers (Republic Act No. 7305) was signed into law almost 30 years ago "to promote and improve the social and economic well-being of the health workers, their living and working conditions and terms of employment." Yet, in our battle against the pandemic, healthcare workers continue to carry the brunt of standing on the frontlines with meager compensation and delayed benefits. In late 2020, it was revealed that more than 16,000 healthcare workers were yet to receive their hazard pay under the *Bayanihan to Heal as One Act*. More than 15,000 have been infected with COVID-19, 82 of whom succumbed to the disease. According to the Department of Health, there is also an increase in the number of healthcare workers infected with COVID-19, as the country faces a new surge of infections. Many healthcare professionals and organizations are calling for assistance and intervention, as hospitals are already filled up and healthcare workers are overworked, with many of them needing to be isolated.

Integral to addressing the gaps and challenges in our healthcare system is providing the best working conditions for and protecting our health workers. Hence, this bill seeks to amend the Magna Carta of Public Health Workers and ensure that public health workers are appropriately compensated and provided with their well-deserved

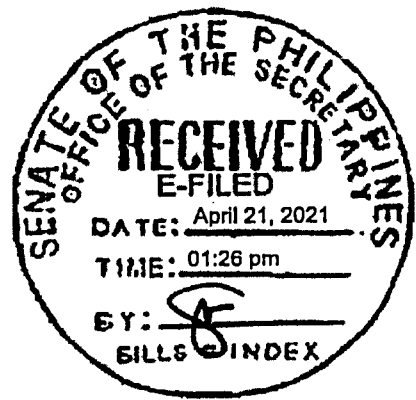
incentives and benefits. Such measures are crucial in assisting and protecting our health workers, thereby strengthening the better delivery of quality healthcare services for all.

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



FRANCIS N. PANGILINAN
Senator

EIGHTEENTH CONGRESS OF THE)
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SENATE

Senate Bill No. 2142

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AN ACT
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CARTA OF PUBLIC HEALTH WORKERS, AND FOR OTHER PURPOSES

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

1 SECTION 1. Section 9 of Republic Act No. 7305 is hereby amended to read as
2 follows:

3 SECTION 9. *Discrimination Prohibited.* – A public health worker shall not be
4 discriminated against with regard to SEX, SEXUAL ORIENTATION AND
5 gender IDENTITY, civil status, AGE, DISABILITY, [~~creed,~~] religious or
6 political beliefs AND AFFILIATIONS, [~~and ethnic groupings~~] OR
7 ETHNICITY in the exercise of his/her profession.

8 SEC. 2. Section 18 of Republic Act No. 7305 is hereby amended to read as follows:

9 SECTION 18. *Night Shift Differential.* – a) Every public health worker shall be
10 paid a night shift differential of [~~ten~~] TWENTY percent [(10%)] (20%) of
11 his/her regular wage for each hour of work performed during the night shifts
12 customarily adopted by hospitals.

13 b) Every health worker required to work on the period covered after his/her
14 regular schedule shall be entitled to his/her regular wage plus the regular
15 overtime rate and an additional amount of [~~ten~~] TWENTY percent [(10%)]
16 (20%) of such overtime rate for each hour of work performed between [~~ten~~
17 (~~10~~)] SIX (6) o'clock in the evening to six (6) o'clock in the morning.

18 Sec. 3. Section 21 of Republic Act No. 7305 is hereby amended to read as follows:

19 SECTION 21. *Hazard Allowance.* – [~~Public health workers in hospitals,~~
20 ~~sanitaria, rural health units, main health centers, health infirmaries, barangay~~
21 ~~health stations, clinics and other health-related establishments located in~~

1 ~~difficult areas, strife-torn or embattled areas, distressed or isolated stations,~~
2 ~~prisons camps, mental hospitals, radiation-exposed clinics, laboratories or~~
3 ~~disease-infested areas or in areas declared under state of calamity or~~
4 ~~emergency for the duration thereof which expose them to great danger,~~
5 ~~contagion, radiation, volcanic activity/eruption, occupational risks or perils to~~
6 ~~life as determined by the Secretary of Health or the Head of the unit with the~~
7 ~~approval of the Secretary of Health, shall be compensated hazard allowances~~
8 ~~equivalent to at least twenty-five percent (25%) of the monthly basic salary of~~
9 ~~health workers receiving salary grade 19 and below, and five percent (5%) for~~
10 ~~health workers with salary grade 20 and above.] BY NATURE OF THEIR~~
11 **WORK, WHICH SUBJECT THEM TO HEALTH HAZARDS AND**
12 **OCCUPATIONAL RISKS, ALL PUBLIC HEALTH WORKERS,**
13 **REGARDLESS OF THE DEGREE OF THEIR EXPOSURE TO SUCH**
14 **HAZARDS AND RISKS, SHALL BE ENTITLED TO A MONTHLY**
15 **HAZARD ALLOWANCE OF TEN THOUSAND PESOS (P10,000.00)**
16 **WITHOUT PREJUDICE TO AN INCREASE TO THIS AMOUNT AS MAY**
17 **BE DETERMINED IN THE FUTURE BY THE SECRETARY OF HEALTH.**

18 **Sec. 4. Section 22 of Republic Act No. 7305 is hereby amended to read as follows:**

19 ~~SECTION 22. *Subsistence Allowance.* — [Public health workers who are~~
20 ~~required to render service within the premises of hospitals, sanitarium, health~~
21 ~~infirmaries, main health centers, rural health units and barangay health~~
22 ~~stations, or clinics, and other health-related establishments in order to make~~
23 ~~their services available at any and all times, shall be entitled to full subsistence~~
24 ~~allowance of three (3) meals which may be computed in accordance with~~
25 ~~prevailing circumstances as determined by the Secretary of Health in~~
26 ~~consultation with the Management Health Workers' Consultative Councils, as~~
27 ~~established under Section 33 of this Act. *Provided,* That representation and~~
28 ~~travel allowance shall be given to rural health physicians as enjoyed by~~
29 ~~municipal agriculturists, municipal planning and development officers and~~
30 ~~budget officers.] ALL PUBLIC HEALTH WORKERS SHALL BE ENTITLED~~
31 **TO FULL SUBSISTENCE ALLOWANCE EQUIVALENT TO THREE**
32 **HUNDRED PESOS (P300.00) PER DAY FOR RENDERING ACTUAL**
33 **SERVICES WITHOUT PREJUDICE TO AN INCREASE TO THIS**
34 **AMOUNT AS MAY BE DETERMINED IN THE FUTURE BY THE**
35 **SECRETARY OF HEALTH.**

36 **Sec. 5. Section 24 of Republic Act No. 7305 is hereby amended to read as follows:**

37 ~~SECTION 24. *Laundry Allowance.* — All public health workers who are~~
38 ~~required to wear uniforms regularly shall be entitled to laundry allowance~~
39 ~~equivalent to [One hundred twenty-five pesos (P125.00)] FIVE HUNDRED~~
40 **PESOS (P500.00) per month: *Provided,* That this rate shall be reviewed**
41 **periodically and increased accordingly by the Secretary of Health in**
42 **consultation with the appropriate government agencies concerned taking into**
43 **account existing laws and prevailing practices.**

1 **Sec. 6.** Section 35 of Republic Act No. 7305 is hereby amended to read as follows:

2 **SECTION 35. Rules and Regulations.** — The Secretary of Health after
3 consultation with appropriate agencies of the Government as well as
4 professional and health workers' organizations or unions, shall formulate and
5 prepare the necessary rules and regulations to implement the provisions of
6 this Act[.], ~~WHICH [Rules and regulations issued pursuant to this Section]~~
7 shall take effect thirty (30) days after publication in a newspaper of general
8 circulation.

9 **Sec. 7. Separability Clause.** — If any part or provision of this Act shall be declared
10 unconstitutional and invalid, such declaration shall not invalidate other parts thereof
11 which shall remain in full force and effect.

12 **Sec. 8. Repealing Clause.** — All laws, executive orders, administrative orders, and
13 rules and regulations inconsistent with this Act are hereby repealed or amended
14 accordingly.

15 **Sec. 9. Effectivity Clause.** — This Act shall take effect fifteen (15) days after its
16 complete publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,