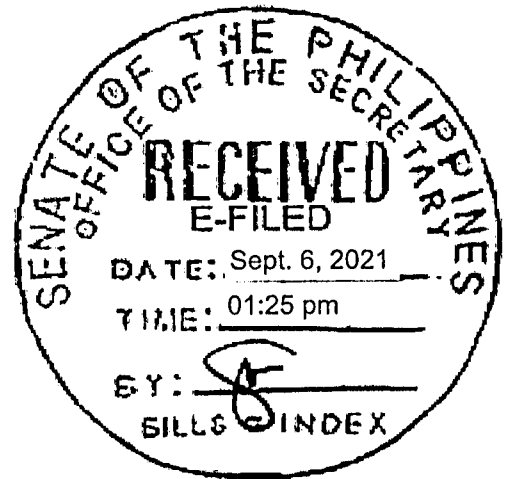


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

P.S. Res. No. 895

Introduced by **SENATOR LEILA M. DE LIMA**

RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE NON-PAYMENT OF SPECIAL RISK ALLOWANCE (SRA) AND OTHER BENEFITS TO HEALTH CARE WORKERS, WITH THE END VIEW OF IDENTIFYING MEASURES NECESSARY TO EXPEDITE THE SYSTEM FOR DISBURSING THE SRA AND OTHER BENEFITS TO WHICH HEALTH CARE WORKERS ARE ENTITLED TO RECEIVE AS MANDATED BY LAW

1 WHEREAS, Article II, Section 9 of the 1987 Constitution states that “[t]he State
2 shall promote a just and dynamic social order that will ensure the prosperity and
3 independence of the nation and free the people from poverty through policies that
4 provide adequate social services, promote full employment, a rising standard of living,
5 and an improved quality of life for all”;

6 WHEREAS, Article II, Section 18 of the same provides that “[t]he State affirms
7 labor as a primary social economic force. It shall protect the rights of workers and
8 promote their welfare”;

9 WHEREAS, Section 4(d) of Republic Act (R.A.) No. 11469 or the “Bayanihan to
10 Heal as One Act (Bayanihan 1)” ensures that all public health workers are protected by
11 providing them with “COVID-19 Special Risk Allowance,” in addition to the hazard pay
12 granted under R.A. No. 7305, otherwise known as the “Magna Carta of Public Health
13 Workers”;

14 WHEREAS, Section 4(h) of R.A. No. 11494 or the “Bayanihan to Recover as One
15 Act (Bayanihan 2)” authorizes the national government to grant Special Risk
16 Allowance (SRA) to all public and private health workers (HWs) directly catering to or

1 in contact with COVID-19 patients for every month that they are serving during the
2 state of national emergency as declared by the President;

3 WHEREAS, on March 8, 2020 the country was placed under a state of public
4 health emergency through Presidential Proclamation 922 (s. 2020) due to COVID-19;

5 WHEREAS, the country was placed under a state of calamity by Presidential
6 Proclamation 929 (s. 2020) for a period of six (6) months starting 16 March 2020. This
7 period was extended until 12 September 2021 by virtue of Presidential Proclamation
8 1021 (s. 2020);

9 WHEREAS, pursuant to the Bayanihan to Heal as One Act, Administrative
10 Order No. 28 (s. 2020) authorized the grant of a one-time COVID-19 SRA to Public
11 Health Workers (PHWs) equivalent to a maximum of 25% of the worker's monthly
12 basic salary which "shall be prorated on the number of days that PHWs physically
13 report for work during the period of the ECQ in their respective place of assignment,
14 reckoned not earlier than 17 March 2020";

15 WHEREAS, pursuant to the Bayanihan to Heal as One Act, Administrative
16 Order No. 36 (s. 2020) authorized the grant of COVID-19 SRA to private and public
17 health workers directly catering to or in contact with COVID-19 patients during the
18 state of national emergency with the amount not exceeding P5,000 each month from
19 15 September 2020 to 19 December 2020;

20 WHEREAS, pursuant to the Bayanihan to Recover as One Act, Administrative
21 Order No. 42 (s. 2021) authorized the continued grant of the COVID-19 SRA to private
22 and public health workers directly catering to or in contact with COVID-19 patients
23 during the state of national emergency from 15 September 2020 to 30 June 2021;

24 WHEREAS, pursuant to Administrative Order No. 42 (s. 2021), the Department
25 of Health (DOH) and the Department of Budget and Management (DBM) issued Joint
26 Circular No. 1 (s. 2021) prescribing the amended guidelines on the Continued Grant of
27 the COVID-19 SRA to public and private health care workers;

28 WHEREAS, Section 10 (a) of the Bayanihan to Recover as One Act allocates
29 P13.5 billion to the following health-related responses: (1) continuous employment
30 and hiring of Human Resource for Health (HRH); (2) augmentation for operations of

1 DOH hospitals; (3) SRAs for all public and private health workers directly catering to
2 or in contact with COVID-19 patients; (4) Actual Hazard Duty Pay (AHDP) for all
3 health workers serving in the front line; (5) Free life insurance and Meals,
4 Accommodation, and Transportation Benefits (MATB); and (6) Compensation for
5 health care workers (HCWs) who may contract mild or severe COVID-19 or die due to
6 COVID-19 infections in the line of duty;

7 WHEREAS, Joint Circular No. 2 (s. 2020) issued by the DBM-DOH states that
8 these enumerated benefits will be funded through the identified source mentioned in
9 Section 4 (pp), (qq), (rr), (ss), (sss), & (ttt) in relation to Sections 10 and 11 of the
10 Bayanihan to Recover as One Act subject to availability of funds;

11 WHEREAS, the DBM issued ₱9.02 billion in special allotment release order and
12 notice of cash allocation to meet the pending SRAs to the DOH on 30 June 2021. The
13 DBM stated that the allocation to the DOH will cover the period from 20 December
14 2020 to 30 June 2021 as authorized by President Duterte's Administrative Order No.
15 42 issued early in June;¹

16 WHEREAS, the DOH then announced that the ₱9 billion in SRA had been
17 distributed to regional offices and hospitals in advance of the Bayanihan 2 Act's
18 expiration on 30 June 2021;²

19 WHEREAS, after the inquiry conducted by the Senate Blue Ribbon Committee
20 regarding the Commission on Audit (COA) report on the DOH, the DBM, through the
21 Special Allotment Release Order (SARO), downloaded an additional ₱311 million
22 worth of SRA benefitting 20,208 HCWs to Centers for Health Development;³

23 WHEREAS, Secretary General Jocelyn Andamo of the Filipino Nurses United
24 (FNU) asserted that most of their members have yet to receive the SRA promised for
25 their work during the pandemic. In its own survey of public and private health

¹ Nicholas, B.D. (28 June 2021). *DBM releases P9-B SRA to DOH for health workers*. Retrieved from <https://businessmirror.com.ph/2021/06/28/dbm-releases-p9-b-sra-to-doh-for-health-workers/>

² GMA News. (15 August 2021). *2021 special risk allowance has not yet reached some health workers —nurses group, hospitals*. Retrieved from <https://www.gmanetwork.com/news/news/nation/799392/2021-special-risk-allowance-has-not-yet-reached-some-health-workers-nurses-group/story/>

³ Department of Health. (26 August 2021). *DOH SRA for 20,000 HCWs downloaded; working to provide SRA to more eligible HCWs*. Retrieved from <https://doh.gov.ph/press-release/DOH-SRA-FOR-20%2C000-HCWs-DOWNLOADED-WORKING-TO-PROVIDE-SRA-TO-MORE-ELIGIBLE-HCWs>

1 workers, 68% claimed to have not received their SRAs from September to December
2 2020 while 85% did not receive their SRAs between December 2020 and June 2021;⁴

3 WHEREAS, the Philippine Nurses Association estimated that approximately
4 40% of private hospital nurses have already resigned due to growing dissatisfaction
5 with the government's failure to disburse their promised benefits.⁵ While the Private
6 Hospitals Association of the Philippines (PHAPi) similarly noted that 40% of private
7 hospital nurses have quit last year as a result of new waves of infection and inadequate
8 government support;⁶

9 WHEREAS, the PHAPi attributed the delayed payment of SRA and hazard
10 compensation to the bureaucratic system. These benefits are alleged to be on hold in
11 the Department of Health's offices while others are routed through local government
12 units;⁷

13 WHEREAS, the PHAPi also refuted the allegations of the DOH that private
14 hospitals have not yet submitted the requirements for SRA and hazard pay causing the
15 dismal disbursement of these benefits. Contrarily, it noted that the DOH has yet to
16 come up with a Memorandum of Agreement (MOA) with private hospitals which is
17 required before these benefits can be released;⁸

18 WHEREAS, the COA flagged alleged irregularities in the spending of some
19 P67.32 billion in COVID-19 response funds by the DOH amidst the clamor for unpaid
20 benefits to health care workers;⁹

21 WHEREAS, the COA noted further that the DOH failed to spend P11.89 billion
22 authorized under the Bayanihan laws which remained unobligated as of 31 December
23 2020 as well as other funds sourced from foreign loans. The COA also observed that
24 the DOH has P4.8 million in "unpaid financial assistance to healthcare workers";¹⁰

⁴ Baclig, C. E. (11 August 2021). *2 things constant in PH COVID saga: Delayed pay, heavier burden for health care workers*. Retrieved from <https://newsinfo.inquirer.net/1472303/2-things-constant-in-ph-covid-saga-delayed-pay-heavier-burden-for-health-care-workers>

⁵ Ramos-Araneta, M. (16 August 2021). *Nurses resign en masse, says group, over unpaid benefits*. Retrieved from <https://manilastandard.net/index.php/news/top-stories/362457/nurses-resign-en-masse-says-group-over-unpaid-benefits.html>

⁶ Ratcliffe, R. (21 August 2021). *Raging Delta variant takes its toll as Philippines runs out of nurses*. Retrieved from <https://www.theguardian.com/world/2021/aug/21/raging-delta-variant-takes-its-toll-as-philippines-runs-out-of-nurses>

⁷ ABS-CBN News. (19 August 2021). *Private hospitals reject Duque claim they're to blame for delayed benefits*. Retrieved from <https://news.abs-cbn.com/news/08/19/21/private-hospitals-reject-doh-claim-on-delayed-benefits>

⁸ *Ibid.*

⁹ Cruz, R. G. (2021, August 18). *Makabayan bloc seeks probe of unpaid benefits for health workers*. Retrieved from <https://news.abs-cbn.com/news/08/18/21/probe-sought-over-unpaid-benefits-for-health-workers>

¹⁰ Domingo, K. (2021, August 20). *DOH Private hospitals 'accountable' for late release of health workers' COVID-19 benefits health workers*. Retrieved from <https://news.abs-cbn.com/news/08/18/21/doh-blames-hospitals-for-late-release-of-benefits-for-health-workers>

1 WHEREAS, there are discrepancies in the computation and actual amount in
2 SRA distributed to health care workers as per several reports. For one, Jocelyn
3 Andamo, secretary general of the FNU, noted that some health care workers only
4 received ₱3,000 in SRA instead of the expected ₱5,000 allowance a month as per their
5 understanding.¹¹ In another, computation of SRA in other hospitals were based on the
6 number of minutes/hours that a health worker has been exposed to a COVID patient
7 contrary to the number of days specified under Administrative Order No. 42;¹²

8 WHEREAS, the administrative inefficiency of the DOH to promptly deliver the
9 benefits due to health care workers further inflicts agony that adds to the exhaustion
10 of being on the front lines of the fight against COVID-19;

11 WHEREAS, the distribution of SRA only to health workers “directly catering to
12 or in contact with COVID-19 patients” should be reevaluated given the adverse labor
13 conditions affecting all hospital employees;

14 WHEREAS, the DOH should consider liberalizing their interpretation of the
15 guidelines and extend monetary benefits to other hospital workers not directly tending
16 to COVID patients but are still exposed to the same hazardous conditions nonetheless;

17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, to direct the
18 appropriate Senate Committee to conduct an inquiry, in aid of legislation, on the non-
19 payment of Special Risk Allowance (SRA) and other benefits to health care workers,
20 with the end view of identifying measures necessary to improve the system for
21 disbursing SRA and other benefits to which health care workers are entitled to receive
22 as mandated by law.

Adopted,


LEILA M. DE LIMA

¹¹ Baclig, C. E. (11 August 2021). *2 things constant in PH COVID saga: Delayed pay, heavier burden for health care workers*. Retrieved from <https://newsinfo.inquirer.net/1472303/2-things-constant-in-ph-covid-saga-delayed-pay-heavier-burden-for-health-care-workers>

¹² Cruz, R.G. (18 August 2021). *Makabayan bloc seeks probe of unpaid benefits for health workers*. Retrieved from <https://news.abs-cbn.com/news/08/18/21/probe-sought-over-unpaid-benefits-for-health-workers>