



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

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

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

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

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

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

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 ~~[(10%)]~~ **(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.

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

*SECTION 21. Hazard Allowance.* – ~~[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~~

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, sanitaria, 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,*