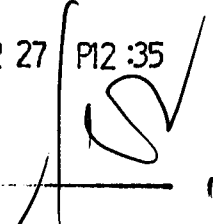


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



Senate  
Office of the Secretary

SENATE  
S. B. NO. 1453

20 APR 27 P12:35  
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Introduced by **SENATOR JOEL VILLANUEVA**

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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**

**EXPLANATORY NOTE**

On March 20, 2020, it was reported that 150 doctors and staff of a private hospital was placed under quarantine due to their exposure to severe acute respiratory syndrome coronavirus 2 (SARS-COV-2), the virus which causes the coronavirus disease (COVID-19).<sup>1</sup> The following day, or on March 21, 2020, a doctor tending to a patient infected with SARC-COV-2 died.

COVID-19 was declared by the World Health Organization as a public health emergency of international concern as early as January 30, 2020. As of 4:00 PM of March 21, 2020, a total of 307 patients in the Philippines have been confirmed positive with COVID-19.<sup>2</sup> As of the same date, it has also infected 284,566 persons in 166 countries all over the world.<sup>3</sup>

Meanwhile, due to the increasing number of confirmed COVID-19 patients, the Philippines was placed under enhanced community quarantine as of midnight of March 17, 2020. However, even while most people are advised to stay home, workers in critical industries, such as health care workers, airport personnel, grocery store staff, among others, continue to report to work to provide essential services to those in need. But despite the increased risk to their lives, no appropriate additional compensation is given to them.

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<sup>1</sup> 2020, March 20. 150 doctors, staff at The Medical City under quarantine for COVID-19 exposure: president. ABS-CBN. Available at <https://news.abs-cbn.com/news/03/20/20/150-doctors-staff-at-the-medical-city-under-quarantine-for-covid-19-exposure-president> (date last accessed: March 21, 2020).

<sup>2</sup> Updates on Novel Coronavirus (COVID-19). DOH. Available at <https://www.doh.gov.ph/2019-nCoV> (date last accessed: March 21, 2020).

<sup>3</sup> Coronavirus COVID-19 Global Cases. Johns Hopkins University and Medicine. Available at <https://coronavirus.jhu.edu/map.html> (date last accessed: March 21, 2020).

This bill seeks to recognize the hard work and the invaluable service rendered by these workers in critical industries by mandating that they are given hazard pay for the duration of a state of calamity, emergency or public health emergency, such as the COVID-19 pandemic. The hazard pay shall be equivalent to at least 25% of the basic salary of the affected worker. Workers in critical industries refer to workers in establishments, such as Hospitals, sanitaria, rural health units, main health centers, health infirmaries, barangay health stations, clinics, laboratories, and other health-related establishments, banks and other financial institutions providing money transfer services, groceries, supermarket, and convenience stores, logistics and warehouse establishments, and civil-aviation related companies, among others, who are exposed greater danger, contagion, radiation, virus, disease, or peril from natural calamities, such as volcanic activity/eruption and typhoons.

Given the extraordinary and invaluable service of these workers in critical times, such as what we are facing today with the COVID-19 pandemic, it is just and right that we give them proper benefits.

Thus, the immediate passage of this bill is earnestly sought.

  
**SENATOR JOEL VILLANUEVA**

EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
First Regular Session



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20 APR 27 12:35

SENATE

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Introduced by **SENATOR JOEL VILLANUEVA**

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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 House of Representatives of the Philippines in Congress assembled:*

1 **SECTION. 1. Short Title.** – This Act shall be known as the “Hazard Pay for Workers  
2 in Critical Industries Act.”  
3

4 **SEC. 2. Declaration of Policy.** – The State shall promote the protection of all  
5 workers and ensure their health and safety during a state of calamity or emergency  
6 or public health emergency concern. Towards this end, workers in critical industries  
7 shall be provided with additional benefit for the duration of these events, taking into  
8 account the nature of their functions and exposure to various hazards by reason of  
9 their functions.

10  
11 **SEC. 3. Coverage.** – This Act shall apply to all workers in critical industries in the  
12 private sector.

13  
14 For the purposes of this Act, “workers in critical industries” refers to workers in critical  
15 establishments, such as, but not limited to, the following:  
16

- 17 a) Hospitals, sanitarium, rural health units, main health centers, health infirmaries,  
18 barangay health stations, clinics, laboratories, and other health-related  
19 establishments;  
20 b) Morgues and mortuaries;  
21 c) Banks and other financial institutions providing money transfer services;  
22 d) Groceries, supermarket, and convenience stores;  
23 e) Public markets;

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

24  
25 who are exposed to greater danger, contagion, radiation, virus, disease, or peril from  
26 natural calamities, such as volcanic activity/eruption and typhoons.

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

32  
33 **SEC. 4. Hazard Pay.** – When a state of calamity or emergency or a public health  
34 emergency, as defined under Republic Act No. 11332 otherwise known as the  
35 Mandatory Reporting of Notifiable Diseases and Health Events of Public Health  
36 Concern, has been declared, workers in critical industries shall be compensated  
37 with hazard allowances equivalent to at least twenty-five percent (25%) of their  
38 respective monthly basic salary for the duration thereof.

39  
40 **SEC. 5. Non-Diminution of Benefits.** – Nothing in this Act shall be construed to  
41 diminish existing benefits under present laws, company policies, and collective  
42 bargaining agreements.

43  
44 **SEC. 6. Implementing Rules and Guidelines.** – Within sixty (60) days from the  
45 effectivity of this Act, the Department of Labor and Employment, in consultation with  
46 appropriate government agencies and other relevant stakeholders, shall formulate  
47 the rules and regulations to effectively implement the provisions of this Act.

48  
49 **SEC. 7. Separability Clause.** – Any portion or provisions of this Act that may be  
50 declared unconstitutional or invalid shall not have the effect of nullifying other

1 portions and provisions hereof as long as such remaining portions or provisions can  
2 still subsist and be given effect in their entirety.

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

6  
7 **SEC. 9. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its  
8 publication in at least two (2) national papers of general circulation or in the *Official*  
9 *Gazette*.

10  
11 **Approved,**