

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

OFFICE OF THE CLERK

0 JUL -6 PM '12

SENATE

S. No. 326

OFFICE OF THE CLERK

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

One of the best values in employee benefits today is insurance. Providing insurance to employees is one notable means of prevention, early diagnosis and treatment of work-related illnesses. It alludes to an assurance of their safety and welfare.

However, there are employees, despite of existing precautionary measures, who still suffer an injury in the line of duty which causes them to be unable to perform their duties. Because of their diminished mobility and physical capability, a prompt and an uncomplicated assistance are essentially needed when an employee experiences a disability.

Considering the importance of offering such employees services and benefits that will protect them from the financial setbacks of a disability, this bill humbly acknowledges and understands the public employees undergoing such hardships who need accommodation without delay.

In view of the foregoing, immediate approval of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

SENATE

S. No. 326

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
PROVIDING BENEFITS TO PUBLIC EMPLOYEES WHO SUFFER ANY
INJURY IN THE LINE OF DUTY THAT LEADS TO DISABILITY

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 "*Public Employee*
2 *Disability Act of 2010*".

3

4 **SEC. 2. Definition of Term.** – For the purposes of this Act, the following terms
5 shall mean:

- 6 a) "eligible employee" – any part-time or full-time correctional officer or any other
7 full or part-time employee of the Bureau of Corrections, any full or part-time
8 employee of the Board of Pardons and Parole, any full or part-time employee
9 working within a penal institution or a mental health or developmental disabilities
10 facility, and any full-time law enforcement officer or full-time firefighter who is
11 employed by the government, any unit of local government, any government-
12 supported college or university, or any other public entity granted the power to
13 employ persons for such purposes by law;

1 b) “permanently disabled” – a diagnosis or prognosis of an inability to return to
2 current job duties by a physician licensed to practice medicine in all of its
3 branches.

4
5 **SEC. 3. Disability Benefit.** – a) Whenever an eligible employee suffers any injury
6 in the line of duty which causes him to be unable to perform his duties, he shall continue
7 to be paid by the employing public entity on the same basis as he was paid before the
8 injury, with no deduction from his sick leave credits, compensatory time for overtime
9 accumulations or vacation, or service credits in a public employee pension fund during
10 the time he is unable to perform his duties due to the result of the injury, but not longer
11 than one (1) year in relation to the same injury. However, no injury to an employee of the
12 Bureau of Corrections or the Board of Pardons and Parole working within a penal
13 institution or an employee working within a mental health or developmental disabilities
14 facility shall qualify the employee for benefits under this Act unless the injury is the
15 direct or indirect result of violence by inmates of the penal institution or residents of the
16 mental health or developmental disabilities facility.

17 (b) At any time during the period for which continuing compensation is required by this
18 Act, the employing public entity may order at the expense of that entity physical or
19 medical examinations of the injured person to determine the degree of disability.

20 (c) During this period of disability, the injured person shall not be employed in any other
21 manner, with or without monetary compensation. Any person who is employed in
22 violation of this paragraph forfeits the continuing compensation provided by this Act
23 from the time such employment begins. Any salary compensation due the injured person
24 from workers' compensation or any salary due him from any type of insurance which
25 may be carried by the employing public entity shall revert to that entity during the time
26 for which continuing compensation is paid to him under this Act. Any disabled person

1 receiving compensation under the provisions of this Act shall not be entitled to any
2 benefits for which he would qualify because of his disability.

3 (d) Any employee of the government who becomes permanently unable to perform the
4 duties of such employment due to an injury received in the active performance of his
5 duties as a government employee as a result of a willful act of violence by another
6 employee of the government, committed during such other employee's course of
7 employment, shall be eligible for benefits pursuant to the provisions of this Act.

8 (e) The compensation and other benefits provided to part-time employees covered by this
9 Act shall be calculated based on the percentage of time the part-time employee was
10 scheduled to work pursuant to his or her status as a part-time employee.

11

12 **SEC. 4. *Repealing Clause.*** – All laws, decrees, executive orders or parts thereof
13 inconsistent with the provisions of this Act are hereby repealed, amended or modified
14 accordingly.

15

16 **SEC. 5. *Separability Clause.*** – If any provision of this Act is held invalid or
17 unconstitutional, other provisions not affected shall continue to be in full force and effect.

18

19 **SEC. 6. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
20 complete publication in at least two (2) newspapers of general circulation.

Approved,