



Republic of the Philippines
Department of Education

29 JAN 2014

DepEd ORDER
No. **3**, s. 2014

IMPLEMENTING GUIDELINES ON THE GRANT OF HAZARD PAY AND OTHER BENEFITS TO SCHOOL HEALTH AND NUTRITION PERSONNEL UNDER THE MAGNA CARTA FOR PUBLIC HEALTH WORKERS (R.A. NO. 7305)

To: Undersecretaries
Assistant Secretaries
Bureau Directors
Directors of Services, Centers and Heads of Units
Regional Directors
Schools Division Superintendents
Heads, Public and Private Elementary and Secondary Schools

1. On June 17, 2009 the Senate and House of Representatives passed a Joint Resolution (JR) No. 4 entitled *Grant of Compensation-related Magna Carta Benefits to Public Health Workers (PHWs) Needs to be Rationalized to Ensure Equity and Uniformity in Remuneration*. In connection with this, there is a need to balance and harmonize the implementation of the provisions of Republic Act (RA) No. 7305 entitled *Implementing Guidelines on the Grant of Hazard Pay and Other Benefits to School Health and Nutrition Personnel Under the Magna Carta for Public Health Workers* and the Implementing Rules and Regulations (IRR) on the grant of the said benefits, subject to the availability of government financial resources and the imperative to enforce the rules on the use of funds, particularly savings.
2. Pursuant to the compensation principles espoused in the Joint Resolution (JR), the Department of Health-Department of Budget and Management (DOH-DBM) issued the Joint Circular (JC) No. 1, s. 2012 entitled *Prescribing the Rules and Regulations on the Grant of Compensation-related Magna Carta Benefits for Public Health Workers*.
3. In line with this, the Department of Education (DepEd) hereby issues the **Implementing Guidelines on the Grant of Hazard Pay and Other Benefits to School Health and Nutrition Personnel under the Magna Carta for Public Health Workers**, as stipulated in sub-item No. 17.2 under Section 17.0, responsibilities of agency heads, which states that *they may issue Magna Carta Benefit as supplement to JC No. 1, s. 2013*. Enclosed for reference are the implementing guidelines for adoption of the DepEd.
4. All regional directors (RDs) and schools division superintendents (SDSs) and other concerned officials are directed to grant benefits and other incentives due to school health and nutrition workers in accordance with the provisions of these guidelines and the JC.
5. Immediate dissemination of and strict compliance with this Order is directed.


BR. ARMIN A. LUISTRO FSC
Secretary

(Enclosure to DepEd Order No. 3, s. 2014)

IMPLEMENTING GUIDELINES ON THE GRANT OF HAZARD PAY AND OTHER BENEFITS TO SCHOOL HEALTH AND NUTRITION PERSONNEL

1. Rationale

In order to set the policy, which shall serve as basis in claiming the hazard pay of health workers exposed to risks by nature of their respective duties, workplace and clientele, this department hereby issues these guidelines pursuant to sub-item No. 17.2 under Section 17.0, that states "...Agency Heads may issue internal guidelines providing specific criteria and administrative procedures on the grant of each Magna Carta benefit as supplement to Joint DBM/DOH Circular No. 1, s. 2013".

2. Coverage

These guidelines shall cover all health and nutrition personnel who are employed in the Department of Education (DepEd) who are engaged in health and health-related work and whose salaries are derived from the Personal Services fund.

3. Entitlement of personnel at various levels

3.1. **Central and Regional Office** - Due to the nature of the functions of the Central and Regional Offices, Health Personnel at the Central Office and Regional Offices shall be considered as employees with low-risk hazards and less than 6 days of exposure, thus they are entitled to a hazard pay of 5% of their monthly basic salary.

3.2. **Division Office** - Health personnel holding health clinics in the Division level are still considered employees with low-risk hazards. Computation of their hazard pay will be based on the number of workdays of actual exposure which will not exceed 14% of their monthly basic salary.

The Central Office Health Clinic functions as a Division Health Clinic and therefore should have the same computations as those for the Division Health Clinic.

3.3. **School** - Health personnel assigned in schools, whose Plantilla items belong to the school where they serve, are still considered with low-risk hazards. Computation of hazard pays will be based on the level of risks and actual exposures as shown in the table below.

Rate of Hazard Pay

Level of Risk Actual Exposure	High Risk	Low Risk
12 or more days	25% of monthly basic salary	14% of monthly basic salary
6 to 11 days	14% of monthly basic salary	8% of monthly basic salary
Less than 6 days	8% of monthly basic salary	5% of monthly basic salary

4. Exemptions

4.1. School Health Personnel whose positions are at SG 20 and above will be entitled to a Hazard Pay accounting for 5% of their monthly basic salaries for all days of exposure to high-risk and/or low-risk hazards.

- 4.2. Central, Regional, Division and School Health Personnel who may be deployed to calamity/disaster-hit areas may claim their high risk hazard pay, which must not exceed 25% of their monthly basic pay during the month when they are deployed, provided that they submit proper documents indicating their Order of Deployment, Services Rendered, and the Number of Days Spent in the calamity-hit area.(Sub item 7.1.1.8 of JC No. 1, s. 2012)
- 4.3. Personnel with SG 20 and above who are deployed to disaster/calamity-hit areas and who are exposed to high-risk hazards for more than 12 days may be entitled to a fixed amount of P4, 989.75. (Sub item No. 7.2.2 of JC No. 1, s. 2012)
- 4.4. Health personnel who are assigned in embattled or strife-torn areas, which are sites of armed encounters between government troops and enemy forces and/or enemy-initiated attacks, raids, or ambushes, as declared and certified by the Department of National Defense authorities concerned, shall be classified as at high-risk. (Sub-item 7.1.1.12 of JC No 1, s. 2012).

5. General Conditions of the Grant of Magna Carta benefits

- 5.1. The grant for the compensation - related Magna Carta benefits to school health personnel shall be subject to availability of funds. In case of insufficiency or lack of funds, the benefits may be granted at lower rates, which shall be applied uniformly or proportionately to all concerned.
- 5.2. The prohibition on double compensation under Section 8, Article IX – B of the Philippine Constitution and the prohibition against double recovery of benefits under Section 36 of RA No. 7305 shall be complied with.

6. Fund Source

- 6.1. For FY 2013, the amounts required for payment of Magna Carta benefits shall be charged to agency savings which shall be subject to the approval of DBM pursuant to Section 41 of the General Provisions of R.A. No. 10352, the FY 2013 General Appropriations Act (GAA).
- 6.2. For 2014 and onwards, the requirement for payment of Magna Carta benefits of health personnel in the Department shall be provided for in the budget. In case of deficiency of funds, the requirements shall be charged against savings of the agency, following approval of the DBM pursuant to Section 50 of the General Provisions of R.A. No. 10633, the FY 2014 General Appropriations Act (GAA).

7. **Prioritization of Payment** - Magna Carta benefits for Public Health Workers are one of the recognized mandatory benefits expressed by Law. Thus, payment of these mandatory benefits should be complied with before savings is used for monetization payments.
8. **Saving Clause** - other provisions on the grant of other benefits not covered by these guidelines may be referred to the Joint Circular.
9. **Repealing Clause** - all other existing provisions of circulars or issuances on the grant of compensation-related Magna Carta benefits, which are inconsistent with these guidelines and the provisions of the Joint Circular No. 1, s. 2012, are repealed or superseded accordingly.

10. **Effectivity** - this Order shall take effect immediately.