

Admin-RM-2024-456

Republic of the Philippines
Department of Education
REGION IV-A CALABARZON

26 June 2024

Regional Memorandum
No.456 s.2024

**GUIDANCE ON THE GRANT OF HAZARD PAY AND OTHER
MAGNA CARTA BENEFITS TO SCHOOL HEALTH PERSONNEL**

TO: Schools Division Superintendents
All Others Concerned

1. Attached is Memorandum OM-OUOPS-2024-09-01259 dated March 11, 2024, relative to the grant of hazard pay and other Magna Carta benefits to DepEd's school health personnel.
2. Attention is invited to the penultimate paragraph of the abovementioned Memorandum, directing all RDs and SDSs to ensure the grant of hazard pay and related benefits to all qualified personnel as provided by law.
3. For information, guidance, and strict compliance.

ATTY. ALBERTO T. ESCOBARTE, CESO II
Regional Director

8

08/ROA1



Address: Gate 2, Karangalan Village, Cainta, Rizal
Telephone No.: 02-8682-2114
Email Address: region4a@deped.gov.ph
Website: depedcalabarzon.ph



Certificate No. PHP QMS
22 02 0005



Records-DM01-2024-140

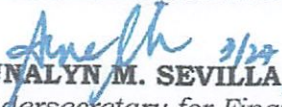
Republika ng Pilipinas
Department of Education


OFFICE OF THE UNDERSECRETARY FOR OPERATIONS

MEMORANDUM

OM-OUOPS-2024-09 - 01259

TO : REGIONAL DIRECTORS
SCHOOLS DIVISION SUPERINTENDENTS

FROM :  ANNALYN M. SEVILLA
Undersecretary for Finance

 Atty. REVSEE A. ESCOBEDO
Undersecretary for Operations

SUBJECT : GUIDANCE ON THE GRANT OF HAZARD PAY AND OTHER
MAGNA CARTA BENEFITS TO SCHOOL HEALTH PERSONNEL

DATE : March 11, 2024

This pertains to the concerns raised to the Operations Strand, through the Bureau of Learner Support Services-School Health Division (BLSS-SHD), regarding the grant of hazard pay and other magna carta benefits to DepEd's school health personnel in the Central Office (CO), Regional Offices (ROs), and Schools Division Offices (SDOs), as well as certain schools that also have qualified health personnel.

For the guidance of all concerned, the Operations and the Finance Strands would like to share the following information that emanate from BLSS-SHD's coordination with the DepEd's Legal and Legislative Affairs (LLA) Strand and the Department of Health (DOH) regarding this matter:

1. The LLA Strand, through its memorandum dated December 4, 2023, with subject *Request for Legal Opinion on the Entitlement of Hazard Pay of Officials and Employees (Annex A)*, assents **that the previously DepEd Orders regarding the matter** (i.e., DO 61, s. 2016; DO 3, s. 2014; DO 82, s. 2007; and DO 74, s. 2003) **"indeed bolster the legality of the practice** [of granting hazard pay to DepEd's school health personnel]."
2. The LLA Strand, in the same memorandum, recommended that **"an updated certification** signed by the Secretary of Health or the Head of the unit with the approval of the Secretary of Health, as specifically **be secured**, to comply with the provisions of law, **before the payment of their hazard pay**" and that a directive be issued to the field to this effect.



However, the DOH, through a correspondence to BLSS-SHD (**Annex B**), reiterates that “the certifications issued by the [National Management Health Workers’ Consultative Council (NMHWCC)] are **sufficient to be bases in payment of hazard pay and other applicable Magna Carta benefits of Public Health Workers.**” Per the DOH-Department Personnel Order No. 2019-3490 with the subject *Reconstitution of the National Management-Health Workers’ Consultative Council [NMHCCW]* states that the Chairperson of the NMHWCC is vested with authority to sign all administrative documents and other official communications pertaining to the Council’s operations including certifications attesting employees’ eligibility to receive Magna Carta benefits.

With this, the LLA Strand, in a more recent memorandum dated February 6, 2024, with subject *Legal clearance for the disbursement of Hazard Pay - Letter from the Department of Health (DOH) regarding the request for updated certification signed by the DOH Secretary (Annex C)*, “notes that the **recommendations provided in the December 4, 2024 Memorandum (OULLA-2023-485) have been fulfilled.**”

The LLA Strand also reiterates its previous legal opinion that “...DepEd Order No. 61, s. 2016, DepEd Order No. 3, s. 2014, DepEd Order No. 82, s. 2007, and DepEd Order No. 74, s. 2003, **indeed bolster the legality of the practice that the entitlement to hazard pay shall be granted** upon the parameters laid down... and a compliance with the requirements....”

The Operations and Finance Strands furnish all Regional Directors (RDs) and Schools Division Superintendents (SDSs) copies of the aforementioned documents to guide them on the grant of hazard pay and other relevant benefits to the health and nutrition personnel in their respective jurisdictions. As practiced, applications for certifications, as needed (e.g., for new personnel), shall be endorsed directly to the DOH and need not be coursed through the DepEd Central Office.

All RDs and SDSs are directed to ensure that hazard pay and related benefits be granted to all qualified personnel as provided by law.

For more information, questions, or concerns on the above-mentioned subject, please contact **Dr. Maria Corazon C. Dumlao**, Chief Health Program Officer, or **Dr. Lilibeth P. Miranda-Gonzales**, Supervising Health Program Officer, BLSS-SHD, through (02) 8632-9935 or email at blss.shd@deped.gov.ph.

For immediate dissemination and proper guidance.






Republic of the Philippines
Department of Education
OFFICE OF THE UNDERSECRETARY FOR LEGAL AND LEGISLATIVE AFFAIRS

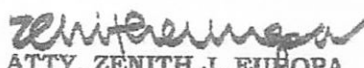
MEMORANDUM
OULLA-2023-485

TO : **DR. DEXTER A. GALBAN**
Assistant Secretary for Operations

NENNETH ESPLANA-ALAMA, PHD
Director IV, Bureau of Learner Support Services

MARIA CORAZON C. Dumlao, MD, MPH, DBHI
Chief Health Program Officer

FROM : 
ATTY. OMAR V. ROMERO
Undersecretary for Legal and Legislative Affairs


ATTY. ZENITH J. EUROPA
Executive Assistant IV
Officer-in-Charge
Legal Service - Office of the Director


ATTY. RODEL JAMES R. PULMA
Chief, Legal Division

SUBJECT : Request for Legal Opinion on the Entitlement for Hazard Pay of Officials and Employees

DATE : DEC 04 2023

This Office reports on the request of the Office of the Assistant Secretary for Operations for a legal opinion on the captioned matter.

By way of background, under Republic Act (RA) No. 7305, or the "Magna Carta of Public Health Workers," health workers¹ are entitled to receive hazard pay, *to wit*:

Section 20. Additional Compensation. - Notwithstanding Section 12 of Republic Act No. 6758, public health workers shall receive the following allowances: **hazard allowance**, subsistence allowance, longevity pay, laundry allowance and remote assignment allowance. *(Emphasis ours).*

¹ RA No. 7305, or the "Magna Carta of Public Health Workers" provides the definition of health workers as follows:

Section 3 Definition. - For purposes of this Act, "health workers" shall mean all persons who are engaged in health and health-related work, and all persons employed in all hospitals, sanitaria, health infirmaries, health centers, rural health units, barangay health stations, clinics, and other health-related establishments owned and operated by the Government or its political subdivisions with original charters and shall include medical, allied health professional, administrative and support personnel employed regardless of their employment status.



Address: 3F Mabini Bldg., DepEd Complex Meralco Avenue, Pasig City
Telephone Nos.: (02) 86338925/ (02) 86374611
Email Address: oula@deped.gov.ph
Website: www.deped.gov.ph

Doc. Ref. Code	OM-OULLA	Rev	00
Effectivity	09.01.23	Page	1 of 2



Certificate No. PHP
QMS 22 93 0085

The entitlement of health workers to hazard pay is further qualified under Section 21 of the same law, as follows:

Section 21. Hazard Allowance. - Public health workers in hospitals, sanitarium, rural health units, main health centers, health infirmaries, barangay health stations, clinics and other health-related establishments located in difficult areas, strife-torn or embattled areas, distressed or isolated stations, prisons camps, mental hospitals, radiation-exposed clinics, laboratories or disease-infested areas or in areas declared under state of calamity or emergency for the duration thereof which expose them to great danger, contagion, radiation, volcanic activity/eruption, occupational risks or perils to life as **determined by the Secretary of Health or the Head of the unit with the approval of the Secretary of Health**, shall be compensated hazard allowances equivalent to at least twenty-five percent (25%) of the monthly basic salary of health workers receiving salary grade 19 and below, and five percent (5%) for health workers with salary grade 20 and above. *(Emphasis ours)*.

In the aforementioned provision, it is clear that the entitlement to hazard allowance under Section 21 of RA No. 7305 shall be determined by: (1) the Secretary of Health (SOH) or (2) (a) the Head of the unit **(b) with the approval of the Secretary of Health**. However, upon scrutiny of the certifications attached herein, the July 18, 2023 Recertification is noncompliant therewith considering that (1) it was not signed by the SOH or (2) by the Head of the unit with the approval of the SOH. Said certification was signed by Ma. Carolina Vidal-Taiño, Undersecretary of Health and Chairperson. Assuming arguendo that Hon. Vidal-Taiño is the head of the unit, Sec.21 of RA No. 7305 requires the approval of the SOH. However, it is worthy to note that there no showing that her certification was in any way approved by the SOH.

While this Office assents that the Department Orders cited in the query, i.e., DepEd Order No. 61, s. 2016, DepEd Order No. 3, s. 2014, DepEd Order No. 82, s. 2007, and DepEd Order No. 74, s. 2003, indeed bolster the legality of the practice that the entitlement to hazard pay shall be granted upon the parameters laid down by the above-cited directives, **this Office still recommends that an updated certification signed by the Secretary of Health or the Head of the unit with the approval of the Secretary of Health, as specifically be secured, to comply with the provisions of the law, before the payment of their hazard pay.**

Moreover, to ensure that public health workers applying for said DOH certification are indeed within the category of qualified personnel under Sec. 21 of RA No. 7305, **this Office likewise recommends the issuance of a directive that all applications for said DOH certifications should be endorsed by the ExeCom lead, Regional Director, and Schools Division Superintendent for personnel of the Central Office (CO), Regional Office (RO), AND Schools Division Office (SDO), respectively.**

This legal review was made in consideration of the facts herein presented and information available to us on the date of endorsement to this Office. Inasmuch as this Office can only provide legal review and recommendations on the matter, we defer the technical and procedural matters to the concerned offices/strands.

For your consideration.

OK

Copies furnished:

ANA MARIE C. CALAPIT
Director IV
Finance Service (FS)

MA. RHUNNA L. CATALAN
Chief Accountant
FS-Accounting Division



Address: 3F Mabini Bldg., DepEd Complex Meralco Avenue, Pasig City
Telephone Nos.: (02) 86338925/ (02) 86374611
Email Address: oula@deped.gov.ph
Website: www.deped.gov.ph

Doc. Ref. Code	OM-OULLA	Rev	00
Effectivity	09.01.23	Page	2 of 2



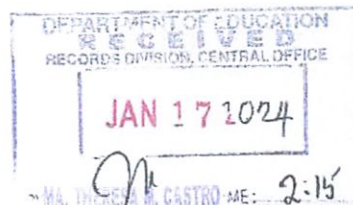
Certificate No. PHP
DMS 22 93 0085



Republic of the Philippines
Department of Health
OFFICE OF THE SECRETARY

December 29, 2023

DR. MARIA CORAZON C. DURLAO
Chief Health Program Officer
Bureau of Learner Support Services-School Health Division
Department of Education
blss.shd@deped.gov.ph



Dear **Dr. Dumlao**:

This pertains to your email dated December 13, 2023 requesting for recertification that the personnel of the Bureau of Learner Support Services-School Health Division (BLSS-SHD) Department of Education are public health workers **signed by the Secretary of Health** or the Head of the unit with the approval of the Secretary of Health.


Relevant to this is the DOH-Department Personnel Order No. 2019-3490 with the subject Reconstitution of the National Management-Health Workers Consultative Council which states that *“the Chairperson, National Management Health Workers’ Consultative Council (NMHWCC) is vested with authority to sign all administrative documents and other official communications pertaining to the Council’s operations including certifications attesting employees’ eligibility to receive Magna Carta benefits”* copy attached.

In view of the said Department Personnel Order, may we reiterate that the certifications issued by the NMHWCC are sufficient to be the bases in payment of hazard pay and other applicable Magna Carta benefits of Public Health Workers.

Hoping that this response will guide you accordingly.

Thank you.

Very truly yours,


MA. CAROLINA VIDAL-TAIÑO, CPA, MGM, CESO I
Undersecretary of Health and Chairperson
National Management-Health Workers’ Consultative Council

Copy furnished:

Rodley Desmond Daniel M. Carza
OIC-Director IV
Health Promotion Bureau
dsuy@doh.gov.ph

101367
nl-TRACK-PAD-12-473



Republic of the Philippines
Department of Health
OFFICE OF THE SECRETARY

July 18, 2023

DEXTER A. GALBAN, RN, RBP, MD, MBA, MPM

Assistant Secretary
Office of the Assistant Secretary for Operations
Department of Education
Pasig City
blss.shd@deped.gov.ph

Dear Assistant Secretary Galban:

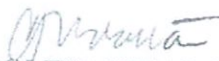
This has reference to your letter dated May 23, 2023 requesting for a *recertification* that the following personnel currently working at the Bureau of Learner Support Services-School Health Division (BLSS-SHD) Department of Education are public health workers and therefore are entitled to payment of Hazard Pay and other applicable Magna Carta benefits:

- | | | |
|------------------------------------|---|--------------------------------------|
| 1. Maria Corazon C. Dumlao | - | Chief Health Program Officer |
| 2. Lilibeth M. Gonzales | - | Supervising Health Program Officer |
| 3. Ann P. Quizon | - | Supervising Health Program Officer |
| 4. Cynthia D. Coronado | - | Dentist II |
| 5. Magdalene Portia T. Cariaga | - | Senior Education Program Specialist |
| 6. Girlie G. Azurin | - | Senior Education Program Specialist |
| 7. Mei-ling V. Duhig | - | Health Education Program Officer III |
| 8. Phanny S. Ramos | - | Health Education Program Officer III |
| 9. Belinda C. Beltran | - | Nutritionist Dietitian III |
| 10. Gian Erik M. Adao | - | Education Program Specialist II |
| 11. Vonerich B. Berba | - | Education Program Specialist II |
| 12. Christine Isabel B. Buenvenida | - | Health Education Program Officer II |
| 13. Dorothy K. Nunez | - | Administrative Assistant V |
| 14. Dave R. Velasco | - | Administrative Assistant V |
| 15. Shirley T. Laurel | - | Administrative Assistant II |
| 16. Mariblanca Cornelia Piatos | - | Medical Officer IV |
| 17. Ma. Lee L. Alpuerto | - | Nurse II |

Please be informed that the certifications issued on November 28, 2016, March 10, 2017, January 10, 2018, August 22, 2018, October 9, 2020, March 9, 2021 and April 27, 2022 still stand in effect. The said certifications are sufficient to be the bases in the payment of hazard pay and other applicable Magna Carta benefits of Public Health Workers currently working in the BLSS-SHD, Department of Education.

Thank you.

Very truly yours,


MA. CAROLINA VIDAL-TAIÑO, CPA, MGM, CESO I
Undersecretary of Health and Chairperson
National Management-Health Workers' Consultative Council

Building 1, San Lazaro Compound, Rizal Avenue, Sta. Cruz, 1003 Manila • Trunk Line 651-7800 local 1113, 1108, 1135
Direct Line: 711-9502; 711-9503 Fax: 743-1829 • URL: <http://www.doh.gov.ph>; e-mail: dohoscc@doh.gov.ph



Republic of the Philippines
Department of Health
OFFICE OF THE SECRETARY

June 25, 2019

DEPARTMENT PERSONNEL ORDER
No. 2019 - 3490

SUBJECT: Reconstitution of the National Management-Health Workers' Consultative Council

In the interest of the service and in view of Department Personnel Order (DPO) No. 2018-3627 entitled "**Designation of Undersecretaries and Assistant Secretaries as Team Leaders of the DOH Functional Management Teams for the Implementation of the FOURmula One Plus for Health Strategic Framework**", the National Management-Health Workers' Consultative Council (NMHWCC) created under Administrative Order No. 31, s. 1994 and mandated by Section 33 of Republic Act (R.A.) 7305 is hereby reconstituted to be composed of the following:

Chairperson

- Undersecretary
- Administration and Financial Management Team

Vice-Chairperson

- Assistant Secretary
- Health Policy and Systems Development Team

Members

- President/Authorized Representative
Association of Hospital Administrators
- President/Authorized Representative
League of Provinces of the Philippines
- Director IV/Authorized Representative
Department of National Defense
- President/Authorized Representative
Provincial Health Officers' Association of the
Philippines
- President/Authorized Representative
Association of Municipal Health Officers of the
Philippines

- **President/Authorized Representative**
Philippine League of Government and Private Midwives, Inc.
- **President/Authorized Representative**
National Department of Health Employees Association
- **President/Authorized Representative**
Alliance of Health Workers
- **President/Authorized Representative**
Philippine Public Health Association
- **President/Authorized Representative**
Unyon ng mga Kawani ng Kagawaran ng Kalusugan Sentral
- **Assistant Secretary**
Department of Budget and Management
- Alternate- Authorized Representative*
Organization, Position Classification and Compensation Bureau
- **State Counsel V/Authorized Representative**
Department of Justice
- **Director II/Authorized Representative**
Civil Service Commission-DOH Field Office
- **Local Government Operations Officer VI/Authorized Representative**
Department of Interior and Local Government
- **Director IV/Authorized Representative**
DOH Regional Office CALABARZON
- **Director IV/Authorized Representative**
Financial and Management Service
- **Director IV**
Legal Service
- Alternate- Attorney VI*
Legal Service
- **Director IV**
Administrative Service

Secretariat

- PAD:

Supervising Administrative Officer
Human Resource Management Officer II
Administrative Assistant III
Administrative Aide I

The Council is the policy making body of R.A. 7305, otherwise known as the Magna Carta of Public Health Workers. It also serves as a forum for a continuing dialogue among and between government health workers, the relevant government agencies and non-government organizations concerning issues/concerns arising from the implementation of the provision of the Act.

The Council shall perform the following functions:

1. Formulate, review and recommend policies/strategies for social security and welfare of public health workers to the Secretary;
2. Establish and maintain coordinative linkages with other concerned government and non-government agencies, and other entities at all levels;
3. Provide technical assistance in the implementation of the provisions of the law;
4. Promote Magna Carta issues and concerns through advocacy activities;
5. Participate in the resolution of issues, concern and grievances of public health workers, specifically those that affect their social well-being, their living conditions and term of employment;
6. Monitor and evaluate the implementation of the provisions of the law and its Implementing Rules and Regulations; and
7. Submit quarterly accomplishment report to the Office of the Secretary through the Health Policy Development and Planning Bureau.

The Secretariat shall perform the following functions:

1. Provide administrative support to the Council;
2. Organize and make necessary arrangement for the Council meetings;
3. Attend Council meetings as secretary;
4. Prepare minutes of the Council meetings;
5. Take custody of Magna Carta of Public Health Workers documents; and
6. Be the central channel of communications for Magna Carta of Public Health Workers, other government agencies and the general public.

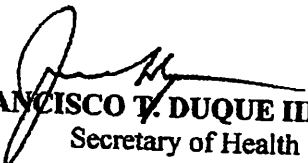
Likewise, the Chairperson, NMHWCC is vested with authority to sign all administrative documents and other official communications pertaining to the Council's operations including certifications attesting employees' eligibility to receive Magna Carta benefits.

Under this Order, the Council shall meet quarterly at a scheduled date decided upon by its members. The Council members and secretariat shall be entitled to honoraria for every Council meeting or function attended.

policies and guideline implementation, production of advocacy/IEC materials, as well as travelling expenses, per diem and other incidental expenses shall be charged against the funds of the Office of the Secretary, subject to the availability of funds and the usual accounting and auditing rules and regulations.

All issuances that are inconsistent with this Order are hereby repealed/rescinded.

This Order shall take effect immediately.


FRANCISCO T. DUQUE III, MD, MSc
Secretary of Health



Republic of the Philippines
Department of Education

OFFICE OF THE UNDERSECRETARY FOR LEGAL AND LEGISLATIVE AFFAIRS

MEMORANDUM
OULLA-2024- 136

TO : **MARIA CORAZON C. DURLAO, M.D., M.P.H., D.B.H.I.**
 Chief Health Program Officer
 School Health Division
 Bureau of Learner Support Services

Maria Corazon C. Durlao

FROM : **ATTY. OMAR V. ROMERO**
 Undersecretary for Legal and Legislative Affairs

Omar V. Romero

ATTY. ZENITH J. EUROPA
 Executive Assistant IV⁺
 Officer-in-Charge
 Office of the Director for Legal Service

ATTY. RODEL JAMES R. PULMA
 Chief, Legal Service-Legal Division

SUBJECT : Legal clearance for the disbursement of Hazard Pay - Letter from the Department of Health (DOH) regarding the request for updated certification signed by the DOH Secretary

DATE : FEB 06 2024

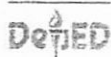
This is in reference to the request of the Office of the Chief Health Program Officer for legal clearance of the captioned matter.

Upon perusal of the January 11, 2024 School Health Division Memorandum and its attachments, **this Office notes that the recommendations provided in the December 4, 2023 Memorandum (OULLA-2023-485) have been fulfilled.**

Accordingly, the officials and employees under scrutiny in the original query presented in the May 23, 2023 School Health Division Memorandum have appropriately obtained the requisite certification from the "Secretary of Health or the Head of the unit with the approval of the Secretary of Health," as established in Section 21 of Republic Act (RA) No. 7305 to be the determining authority for a public health worker's entitlement to hazard pay. **Be it that the designation of the officials and employees are compliant with the restrictions laid down by RA No. 7305, this Office is of the view that these officials and employees are qualified to receive hazard pay.**

This Office assents that the Department Orders cited in the query, i.e., DepEd Order No. 61, s. 2016, DepEd Order No. 3, s. 2014, DepEd Order No. 82, s. 2007, and DepEd Order No. 74, s. 2003, indeed bolster the legality of the practice that the entitlement to hazard

ID 1303



Address: 3F, Mabini Building, DepEd Complex, Meralco Avenue, Pasig City, 1600
 Telephone Nos.: (02) 8633-8925; (02) 8637-4611
 Email Address: oula@deped.gov.ph

Doc. Ref. Code	OM-OULLA	Rev	00
----------------	----------	-----	----



pay shall be granted upon the parameters laid down by the above-cited directives and a compliance with the requirements thereto listed.

For your information and consideration. *one*

Copy furnished:

Atty. Revsee Escobedo
Undersecretary for Operations

Dr. Dexter A. Gablan
Assistant Secretary for Operations

Nenneth Espalana-Alama, PhD.
Director IV, Bureau of Learner Support Services

Ana Marie C. Calapit
Director IV, Finance Service

Ma. Rhunna L. Catalan
Chief Accountant
Finance Service-Accounting Division

LD 97426 NTA

1D1303



Address: 3F, Mabini Building, DepEd Complex, Meralco Avenue, Pasig City, 1600
Telephone Nos.: (02) 8633-8925; (02) 8637-4611
Email Address: oula@deped.gov.ph

Doc. Ref. Code	01M-DULLA	Rev	00
----------------	-----------	-----	----

