

Department of Education

NATIONAL CAPITAL REGION



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April 16, 2024

REGIONAL MEMORANDUM

No3 7 9,s. 2024

: Schools Division Superintendents To

All Others Concerned

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

- 1. This has reference to Memorandum OM-OUOPS-2024-01-01259 from the Office of the Undersecretary for Finance and Operations dated March 11, 2024, titled "Guidance on the Grant of Hazard Pay and Other Magna Carta Benefits of School Health Personnel".
- 2. In view thereof, to ensure that all qualified school health personnel are granted hazard pay and related benefits as required by law, please refer to the enclosed documents as a guide.
- For any clarifications or queries, you may contact Dr. Maria Corazon Dumlao, Chief Health Program Officer, or Dr. Lilibeth P. Mirando-Gonzales, Supervising Health Officer, BLSS-SHD, through 8632-9935 Program (02)or email blss.shd@deped.gov.ph.
- 4. Immediate dissemination and strict compliance with this Memorandum is desired.

JOCELYN DR. ANDAY Director IV







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Doc. Ref. Code	RO-ORD-F004	Rev	00
Effectivity	01.26.23	Page	1 of 2



Republic of the Philippines

Department of Education

NATIONAL CAPITAL REGION



April 16, 2024

REGIONAL MEMORANDUM No. 7 9,s. 2024

: Schools Division Superintendents To All Others Concerned

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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:

- 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. Mirando-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.

BLSS-SHD/GMA



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, rødel 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 workers 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).

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.





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² RA No. 7305, or the "Magna Carta of Public Health Workers" provides the definition of health workers as follows:

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, sanitaria, rural health units, main health centers, health infirmaries, barangay health stations, clinics and other health-related establishments located in difficult areas, strift-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 aforcmentioned 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.

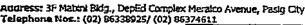
Copies furnished:

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

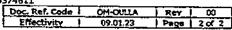
MA. RHUNNA L. CATALAN Chief Accountant FS-Accounting Division







Email Address: oda@dened.oov.ph Website: www.dened.gov.ph







Republic of the Philippines Department of Health OFFICE OF THE SECRETARY

December 29, 2023

DR. MARIA CORAZON C. DUMLAO

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

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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:

L. 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	316	Dentist II
5. Magdalene Portia T. Cariaga	196	Senior Education Program Specialist
6. Girlie G. Azurin	-	Senior Education Program Specialist
7. Mei-ling V. Duhig	100	Health Education Program Officer III
8. Phanny S. Ramos	546	Health Education Program Officer III
9. Belinda C. Beltran	(5)	Nutritionist Dietitian III
10. Gian Erik M. Adao	(+)	Education Program Specialist II
11. Vonerich B. Berba	+	Education Program Specialist II
12. Christine Isabel B, Buenvenid	a -	Health Education Program Officer II
13. Dorothy K. Nunez	196	Administrative Assistant V
14. Dave R. Velasco	150	Administrative Assistant V
15. Shirley T. Laurel	1.50	Administrative Assistant II
16. Mariblanca Cornelia Piatos	le:	Medical Officer IV
17. Ma. Lee L. Alpuerto	20	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



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

Description of the second

- 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

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 form 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:

- 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 entitles 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 characterly are accounted to honoraria.

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-_i3[

TO

: MARIA CORAZON C. DUMLAO, M.D., M.P.H., D.B.H.I.

Chief Health Program Officer School Health Division

Bureau of Learner Support Services

FROM

ATTY. OMAR V. ROMERO

Undersecretary for Legal and Legislative Affairs

Executive Assistant IV+

Officer-in-Charge

Office of the Director for Legal Service

ATTY. RODEÁ es R. Pulma Chief, Legal'S zice-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 202L

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



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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.



Copy furnished:

Atty. Revsee Escobedo
Undersecretary for Operations

Dr. Dexter A. Gabian
Assistant Secretary for Operations

Nenneth Espalana-Alama, PhD.

Director IV, Bureau of Learner Support Services

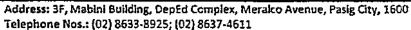
Ana Marie C. Calapit
Director IV, Finance Service

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

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