

[DBM CIRCULAR LETTER NO. 98-18, November 27, 1998]

HAZARD DUTY PAY (HDP)

1.0 Under RA 8250 or the FY 1997 General Appropriations Act (GAA), the provision which grants HDP to government personnel assigned in certain posts and work areas was vetoed by the President. Moreover, under RA 8522 or the FY 1998 GAA, the grant of HDP to the said government personnel is no longer provided. Hence the grant of said benefit has no more legal basis.

2.0 Government agencies therefore have no authority to grant in FYs 1997 and 1998 HDP to their personnel except those agencies specifically authorized to pay such benefit under special laws like RA 7305 or the Magna Carta of Public Health Workers (PHWs).

3.0 However, the grant of new or increased benefits under RA 7305 which include the HDP is suspended under DOH Circular No. 5 dated January 11, 1995 pursuant to Administrative Order No. 170 dated December 13, 1994 of the Office of the President unless there is prior consultation with Local Government Units (LGUs) as to their capability to extend the same benefits to locally-paid workers. Until said consultation is completed/worked out and a joint circular of the Department of Health, Department of the Interior and Local Government is issued relative to the payment of such benefits, the said suspension still holds.

4.0 Prior to devolution and to the enactment of RA 7305, there were PHWs who were previously granted HDP by law. These PHWs are those in government hospitals administering treatment for infectious diseases, those assigned in mental hospitals, those who are exposed to radiation and those exposed to chemical/toxic substances in the laboratories and the like.

5.0 The HDP already granted and received by these PHWs before is not covered by the Presidential veto. As such, the grant of HDP to said eligible PHWs may be continued at an amount not exceeding P600 per month.

6.0 Funding Source

6.1 For DOH, the amounts required shall be charged against funds obligated by DOH retained hospitals.

6.2 For National Government Hospitals outside DOH, it shall be charged against savings from Personnel Services (PS).

6.3 For LGUs, it shall be charged from their respective local funds subject to the 45%/55% PS limitation provided under RA 7160.