

PROVIDING FOR COMPENSATORY BENEFITS TO DISASTER VOLUNTEER WORKER ENGAGED IN EMERGENCY OPERATIONS

EXECUTIVE ORDER NO. 948, April 23, 1984

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WHEREAS, it is the policy of the state to develop and promote self-reliance by encouraging the spirit of self-help and mutual assistance among the local officials and their constituents;

WHEREAS, there is an urgent need to enhance the people's participation in emergency operations of the government as the state alone with its meager resources can hardly be expected to achieve desired results;

WHEREAS, to achieve this end, the state shall encourage the participation of the people in the government's disaster control operations through their voluntary involvement in the activities of the disaster coordinating councils particularly during disaster or emergency operations;

WHEREAS, the people's voluntary involvement in this government undertaking can only be achieved and made truly effective by making them aware of their responsibilities and as supportive groups to the existing disaster organizations of the community, and providing them compensatory benefits for injuries or death sustained while in the performance of work in disaster operations;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and obtain:

ARTICLE 1

DEFINITION OF TERMS

Section 1. Definition of Terms. – When used in this Executive Order, the term:

- a. "Disaster Volunteer Worker" hereinafter referred to as the DVW refers to a duly accredited member of any of the task units of a local disaster coordinating council.
- b. "Local Disaster Coordinating Council" refers to a group of persons at the provincial, municipal, or barangay level, duly organized pursuant to PD 1566.
- c. "Disaster Operations" means any effort by one or more agencies, government and/or otherwise, to provide emergency assistance in relief to persons who are victims of a disaster or calamity. Specific aid and assistance that may be provided in disaster operations include, among others: issuance of medical supplies and equipment and emergency medical treatment; food, water and shelter, rescue and firefighting services; police protection; route clearance and traffic control; prevention of panic, communications and restoration of facilities.
- d. "Legal Dependents", "total and permanent disability", and "permanent partial disability" refer to the definition as provided for in the Workers Compensation Act, as amended.

ARTICLE 2

COMPENSATORY BENEFITS

Section 2. Compensatory Benefits. – The following compensatory benefits shall be paid to a disaster volunteer worker or his legal dependents in the amounts as herein specified:

- a. For death resulting in the performance of work in disaster operations – Five Thousand Pesos (P5,000.00) or in the current rate of GSIS or SSS law, whichever is higher.
- b. For injury resulting in total and permanent disability – Five Thousand Pesos (P5,000.00).
- c. For injury resulting in permanent partial disability – Three Thousand Pesos (P3,000.00).
- d. For injury requiring hospitalization for more than fifteen (15) days – Two Thousand Pesos (P2,000.00).
- e. For injury requiring hospitalization for more than five (5) days but not more than fifteen (15) days – One Thousand Pesos (P1,000.00).
- f. For injury requiring hospitalization for more than one day but not more than five (5) days – Three Hundred Pesos (P300.00).

Section 3. Free Medical Care. – In addition to the compensatory benefits provided for in the foregoing section, the disaster volunteer worker who suffers injury while in the performance of his duties as such shall be entitled to a free medical care in any government hospital or institution.

Section 4. The Local DCC. – The local government through its disaster coordinating council shall serve as the principal body to hear and decide all claims for compensatory benefits under this Executive Order. For this purpose, the DCC shall be governed by the rules and regulations issued by the Ministry of Local Government to implement the provisions of this Executive Order.

ARTICLE 3

PROCEDURE FOR CLAIMS OF COMPENSATION

Section 5. Notice of the Injury and Claim for Compensation. – No compensatory benefits under this Executive Order shall be paid unless the local government through the Disaster Coordinating Council has been given notice of the injury as soon as possible after the same is received or contracted, verified and attested to by the rural health doctor of the area, and unless a claim for compensation is made not later than two (2) weeks after the date of the injury or death, regardless of whether or not the compensation is claimed by the DVW himself.

Section 6. Form of Notice and Claim: – The notice and claim shall be in writing and the notice shall contain: the name and address of the DVW; the name of the disaster coordinating council and the particular task unit where he/she belongs and the time, place, nature and cause of the injury or death signed by the DVW or any person in his behalf.

Section 7. Delivery of Notice and Claim. – The notice provided for in this Executive Order shall be served on the Chairman of the disaster coordinating council or his representative through the leader of the task unit where the DVW is assigned. The notice shall be served by personal delivery or courier to the official address of the DCC.

Section 8. Sufficient Notice. – Any notice given in accordance with the provisions of Section 6 of this Executive Order shall not be considered invalid or insufficient by reason of the incorrectness in the statement of time, place, nature or cause of the injury or death, unless it be shown that the local DCC has been actually misinformed respecting the injury. Failure to or delay in giving notice shall not be a bar to the proceeding provided herein, if it

is shown that any of the members of the DCC concerned had knowledge of the accident.

Section 9. Roster of RVW. – The provincial, city or municipal government through their respective DCC shall maintain a roster of DVW in their locality, copies of which shall be furnished to the nearest local Civil Defense Office and the OCD main office at Camp General Emilio Aguinaldo, Quezon City for verification and accreditation purposes.

Section 10. Source of Fund. – The payment of compensatory benefits for DVW as herein specified shall be chargeable against the national calamity fund subject to the provisions of the current General Appropriations Act, executive orders or other legislations that may hereinafter be issued for the purpose. For this purpose, an initial amount of P1M shall be released to the MLG at the start of the fiscal year to be replenished whenever the need arises. All unobligated balances shall revert to the general fund at the end of each year.

Section 11. Procedure for Fund Release. – To effectuate the provisions of the preceding section, the provincial, city or municipal government, as the case may be, shall enact a supplemental budget in the same manner as provided for in PD 477 and subject to the limitations provided for in Sections 28 and 44 of the said Decree.

Section 12. Rules and Regulations. – The Ministry of Local Government shall issue the rules and regulations to implement this Executive Order.

Section 13. Separability Clause. – If, for any reason or reasons, any part or provisions of this Executive Order shall be held to be unconstitutional or invalid, other part or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 14. Repealing Clause. – Except as otherwise provided herein, all laws, acts, decrees, executive orders, proclamations and administrative regulations, or part or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 15. Effectivity Clause. – Unless otherwise specifically provided herein, this Executive Order shall take effect upon its publication in a newspaper of general circulation in the Philippines.

Done in the City of Manila, this 23rd day of April, in the year of our Lord, Nineteen Hundred and Eighty-Four.

(SGD.) FERDINAND E. MARCOS

President of the Philippines

By the President:

(SGD.) JUAN C. TUVERA

Presidential Executive Assistant

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