GUIDELINES ON THE GRANT OF HAZARD DUTY PAY

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1. PURPOSE

This Circular is being issued to rationalize the guidelines on the grant of Hazard Duty Pay as authorized under the pertinent provisions of the annual General Appropriations Act.

2. CONCEPT OF HAZARD DUTY PAY

Hazard Duty Pay is a compensation premium or allowance which is generally paid to officials and employees who, because of the nature and/or location of their work are exposed to hazards. However, exposure to hazards which affect the entire population in a locality as air, land and water borne and noise hazards are not compensable under the terms and conditions of this Circular.

3. COVERAGE

All government officials and employees, under permanent, temporary, or casual status, and contractual personnel whose employment is in the nature of a regular employee and whose compensation is charged from lump-sum for the purpose or from personal services component of a project fund, on full-time or part-time basis, of the national government, government-owned and/or -controlled corporations and government financial institutions.

4. EXEMPTIONS

4.1 All government officials and employees assigned or stationed to work areas where the entire population in a locality are also exposed to the same air, land and water borne, and noise hazards.

4.2 All government officials and employees entitled to Hazard Duty Pay under special laws, charters or enabling acts which are already being implemented.

5. DEFINITION OF TERMS

As used in this Circular hazardous work areas shall mean any of the following:

5.1 Difficult/distressed/isolated work areas or hardship posts characterized by distance, inconvenience of travel due to bad roads and conditions of the terrain, isolation, inaccessibility and extreme weather conditions as may be declared and duly certified as such by the department secretary concerned or equivalent officer in the case of the government-owned and/or -controlled corporations and government financial institutions;

5.2 Work areas affected by volcanic activity/eruption including subsequent flow of lahar and other pyroclastic materials, as may be solely declared and duly certified as such by the Secretary of Science and Technology upon recommendation of the Director of the Philippine Institute of Volcanology and Seismology;

5.3 Work areas which entail risks or danger to health and safety due to direct unavoidable exposure to radiation, communicable/contagious/infectious diseases; combustible, dangerous, noxious odor/toxic chemicals/gas/biological hazards and substances as may be solely declared and duly certified as such by the

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Secretary of Health upon recommendation of the inter-agency committee created for the purpose;

5.4 Work areas which entail risks or danger to health and safety due to direct unavoidable exposure to hazardous pollutants as may be solely declared and duly certified as such by the Secretary of Environment and Natural Resources upon recommendation of the inter-agency committee created for the purpose;

5.5 Institutions for mental health where exposure to bodily harm and risks from psychiatric patients actually exist as may be solely declared and duly certified as such by the Secretary of Health;

5.6 Prison camps/reservations or penal colonies without adequate police protection as may be declared and duly certified as such by the Secretary of Justice upon recommendation of the Director of the Bureau of Corrections;

5.7 Embattled or strife-torn work areas which refer to the site of armed encounters between government troops and enemy forces and/or enemy initiated attacks, raids or armed ambuscades; and work areas which entail risks or danger due to direct unavoidable exposure to explosives as may be solely declared and duly certified as such by the Secretary of National Defense. It is also an area where enemy concentration /training camps are reported to exist; and

5.8 Work areas where rescue operations/ evacuation had to be carried out due to natural calamities, where the rescuers are directly and actually exposed to harm, danger or occupational risks or perils to life in the course of performing their duties as may be solely declared and duly certified by the Chairman of the National Disaster Control Coordinating Council (NDCCC) upon recommendation of the Director of the Office of Civil Defense (OCD).

6. GENERAL GUIDELINES

6.1 Heads of national government agencies, including government-owned and/or -controlled corporations and government financial institutions, are hereby authorized to grant Hazard Duty Pay to their officials and employees in accordance with the rules prescribed in this Circular without the need for approval by the Department of Budget and Management (DBM).

6.2 Where more incentives are needed to attract qualified applicants to the government service, the rates authorized herein may be augmented subject, however, to the approval of the DBM.

6.3 The period of entitlement to hazard Duty pay shall be coterminous with the duration of the actual assignment of the official or employee in the work areas enumerated under Item 4 of this circular or with the existence of such danger or peril, but in no case shall it exceed three (3) months unless renewed and subsequent authority is granted therefor in accordance with the provisions of this Circular.

6.4 Part-time officials and employees shall receive half of the amount received by a full-time official or employee in the same situation.

6.5 The Hazard Duty Pay of officials and employees who are on full-time or part-time detail with another agency shall be paid by their mother agency.

6.6 Officials and employees, who due to the peculiar nature of their work, would appear to be entitled to more than one type of Hazard Duty Pay, shall be allowed to enjoy just one type of Hazard Duty Pay that is more advantageous to them.

6.7 Agencies concerned shall submit either to the Compensation and Position Classification Bureau (CPCB), Regional Coordination Service (RCS) or Regional Offices (ROs) of the DBM not later than fifteen (15) days after the end of each quarter of a fiscal year a list of officials and employees granted Hazard Duty Pay using the

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attached format (Annex A)[*]. Failure to submit the said list shall, pursuant to Section 57 of EO 292, subject agencies concerned with appropriate sanctions under existing budget rules and regulations.

6.8 Certifying officials mentioned herein may issue specific guidelines relative to the limits and period of exposure of officials and employees in hazardous work areas in addition to the general guidelines provided herein.

6.9 Said officials shall also immediately copy-furnish the CPCB/RCS/ROs of the DBM of any declaration and certification issued concerning hazardous work areas.

7. PRESCRIBED RATES

7.1 Officials and employees who are actually assigned or stationed in work areas defined under Item 5.1 to 5.7 hereof shall be entitled to Hazard Duty Pay at the following rates:

Period of Exposure	Monthly rates
1 to 10 days	P400
11 to 20 days	500
21 to 31 days	600

7.2 Officials and employees who are directly involved in rescue operations under Item 5.8 hereof shall be entitled to hazard Duty Pay at the maximum rate per month regardless of the period of exposure.

7.3 The above rates shall be subject to change in accordance with the annual General Appropriations Act.

8. LIMITATIONS

Officials and employees who are under the following instances for more than one (1) full calendar month shall not be entitled to Hazard Duty Pay:

8.1 those on vacation, sick or study leave with or without pay;

8.2 those on maternity or terminal leave;

8.3 those on summer vacation; and

8.4 those on full-time detail with another agency or special project of another agency, on attendance in training course/scholarship grant/ seminar or any other similar activity, and on official travel outside of their official

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station which is not among those enumerated in Item 5 hereof. Otherwise, they shall be authorized Hazard Duty Pay in accordance with the provisions of this Circular.

9. FUND SOURCE

The funding sources for the amounts necessary to implement the provisions of this Circular shall be as follows:

9.1 For national government agencies, the amount shall be charged against the specific appropriation for the purpose as provided in the Personal Services Itemization.

9.1.1 Where no funds are appropriated therefor, the amount shall be charged against savings from released allotment for current operating expenditures provided all authorized mandatory expenses shall have been paid first.

9.1.2 Any amount utilized out of savings from PS, whether or not realigned from MOOE, to cover payment of Hazard Duty Pay shall be deducted from any claims from Miscellaneous Personnel Benefits Fund (MPBF).

9.1.3 As a matter of policy, savings can only be determined after the third quarter.

9.2 For government-owned and/or -controlled corporations and government financial institutions, the amount shall be charged against their respective corporate funds.

10. RESPONSIBILITY OF THE HEAD OF AGENCY

The head of agency shall be responsible and held personally liable for any payment of Hazard Duty Pay not in accordance with the provisions of this Circular without prejudice, however, to the refund of any excess payment by the official or employee concerned.

11. RESOLUTION OF ISSUES

Cases not covered by the provisions of this Circular shall be submitted to the DBM for resolution.

12. REPEALING CLAUSE

This Circular supersedes National Compensation Circular No. 76 dated March 31, 1995.

13. EFFECTIVITY

This Circular shall take effect January 1, 1996.

Adopted: 14 March 1996

(SGD.) SALVADOR M. ENRIQUEZ, JR.
Secretary

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[*] Text available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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