



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 35

AUTHORIZING THE GRANT OF ACTIVE HAZARD DUTY PAY TO HUMAN RESOURCES FOR HEALTH SERVING IN THE FRONTLINES DURING THE STATE OF NATIONAL EMERGENCY

WHEREAS, Proclamation No. 922 (s. 2020) declared a State of Public Health Emergency in recognition of the COVID-19 public health event as a threat to national security, and prompted a whole-of-government approach in addressing the COVID-19 outbreak in the country;

WHEREAS, pursuant to Republic Act (RA) No. 11469 or the "*Bayanihan* to Heal as One Act," Administrative Order No. 26 authorized the grant of COVID-19 Hazard Pay to government personnel;

WHEREAS, RA No. 11494 or the "*Bayanihan* to Recover as One Act," affirmed the existence of a continuing national emergency in view of the unabated spread of COVID-19 and the economic disruption ensuing from it;

WHEREAS, Section 4(w) of RA No. 11494 authorized the national government to grant Active Hazard Duty Pay (AHDP) (also referred to in the same law as Actual Hazard Duty Pay) to all Human Resources for Health (HRHs), such as medical and allied medical staff, serving in the frontlines during the COVID-19 state of emergency; and

WHEREAS, HRHs, whose services are essential in our fight against COVID-19, and who physically report to the frontlines in the fulfilment of their duties, are inevitably exposed to health risks and hazards;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Grant of the COVID-19 AHDP. National government agencies, government-owned or -controlled corporations and local government units (LGUs) are hereby authorized to grant AHDP up to ₱3,000 per month to frontline HRHs, which shall be in addition to any Hazard Pay, Hazardous Duty Pay, Hazard Allowance, Special Risk Allowance or other similar benefits under existing laws, issuances, rules and regulations, and shall be exempt from income tax.

THE PRESIDENT OF THE PHILIPPINES

For purposes of this Order, "frontline HRHs" shall refer to medical, allied medical and other personnel in the public sector, who are involved in the national health care response to mitigate the transmission of COVID-19 and prevent further loss of lives.

Section 2. Conditions on the Grant of the COVID-19 AHDP. The following conditions shall be observed in the grant of the AHDP to frontline HRHs:

- a. The frontline HRHs are either: (i) civilian employees occupying regular, contractual or casual positions, whether full or part-time; or (ii) workers engaged through contract of service (COS) or job order (JO), including duly accredited and registered Barangay Health Workers (BHWs), who are assigned to hospitals, laboratories, or medical and quarantine facilities, and whose official duties and responsibilities are directly related to the health care response of the government to COVID-19. In the case of LGUs, the list of frontline HRHs, including BHWs, shall be determined by their respective local health boards;
- b. The frontline HRHs physically report for work at their assigned work stations on the prescribed official working hours, as authorized by the head of agency/office during the state of national emergency; and
- c. The grant of the COVID-19 AHDP shall be pro-rated based on the number of days that the frontline HRHs physically report for work in a month, reckoned from 15 September 2020 until 19 December 2020, as follows:

$$\text{COVID-19 AHDP} = \frac{\text{₱3,000}}{22 \text{ days}} \times \text{number of days physically reporting for work during the month}$$

Section 3. Exclusion from the Grant of the COVID-19 AHDP to Frontline HRHs. Those engaged without employer-employee relationship and funded from non-Personnel Services (PS) appropriations/budgets are excluded, except as authorized under Section 2 of this Order, from the grant of the AHDP, such as the following:

- a. Consultants and experts engaged for a limited period to perform specific activities or services with expected outputs;
- b. Laborers engaged through job contracts (pakyaw) and those paid on piecework basis;
- c. Student workers and apprentices; and
- d. Individuals and group of individuals whose services are engaged through COS or JO, including BHWs, who are not assigned to hospitals, laboratories or medical and quarantine facilities.

Section 4. Funding. The amounts required for the implementation of this Order shall be sourced from the ₱13.5 Billion appropriated under Section 10(a) of RA No. 11494 for health-related responses to COVID-19. The DBM shall release the funds for the payment of the AHDP, consistent with existing budgeting, accounting and auditing laws, rules and regulations.

Section 5. Guidelines on the Grant of the COVID-19 AHDP. The DBM, in coordination with the DOH, shall issue the guidelines necessary for the effective implementation of this Order.

Section 6. Separability. If any provision of this Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

Section 7. Repeal. All issuances, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Order are hereby repealed or modified accordingly.

Section 8. Effectivity. This Order shall take effect immediately following its publication in the Official Gazette or in a newspaper of general circulation.

DONE in the City of Manila this **16th** day of **November** in the Year of Our Lord, Two Thousand and Twenty.



R Duterte

By the President:

[Signature]
SALVADOR C. MEDIALDEA
Executive Secretary

