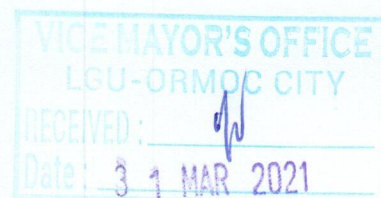


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON MARCH 30, 2021



PRESENT:

Leo Carmelo L. Locsin, Jr.
Benjamin S. Pongos, Jr.,
Roiland H. Villasencio,
Nolito M. Quilang,
Eusebio Gerardo S. Penserga,
Jasper M. Lucero,
Peter M. Rodriguez,
Vincent L. Rama,
Gregorio G. Yrastorza III,
Lalaine A. Marcos,
Esteban V. Laurente,

City Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader

SP Member
SP Member
SP Member
SP Member
SP Member
SP Member
SP Member
SP Member

Joan Marbie C. Simbajon,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

Ex-Officio SP Member, Chapter President,
Liga ng mga Barangay ng Ormoc
Ex-Officio SP Member, Chapter President,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON LEAVE:

Tomas R. Serafica,

SP Member

RESOLUTION NO. 2021-080

A RESOLUTION AMENDING THE MEMORANDUM OF AGREEMENT (MOA) UNDER RESOLUTION NO. 2020-418, ENTITLED: "A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) TO BE ENTERED BY AND BETWEEN THE LOCAL GOVERNMENT UNIT OF ORMOC AND THE DEPARTMENT OF HEALTH-EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT RELATIVE TO THE GRANT OF THE COVID-19 SPECIAL RISK ALLOWANCE (SRA) TO PUBLIC AND PRIVATE HEALTH WORKERS" TO INCLUDE THEREIN AN AGREEMENT FOR THE PROVISION OF ACTIVE HAZARD DUTY PAY (AHDP) TO THE SECOND PARTY'S ELIGIBLE HEALTH WORKERS.

WHEREAS, this Fifteenth Sangguniang Panlungsod was in receipt of an Indorsement dated December 14, 2020 from the Office of the City Mayor, endorsing a request for the issuance of a Resolution granting the City Mayor or Acting City Mayor the authority to sign the Memorandum of Agreement (MOA) to be entered by and between the Local Government Unit of Ormoc and the Department of Health-Eastern Visayas Center for Health Development relative to the grant of the COVID-19 Special Risk Allowance (SRA) to public and private health workers. Further, requesting that this matter be treated as EXTREMELY URGENT, a copy of the MOA is hereto attached as "ANNEX A" and made an integral part hereof;

WHEREAS, in an Annotation dated March 29, 2021, the City Legal Office finds the MOA nothing legally objectionable therein. The same is not contrary to law, morals, good customs, public policy, and public order much less detrimental to the best interest of the City;

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

WHEREAS, RA 11494 known as "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, pursuant to section 4(h) of RA No. 11494, Administrative Order No. 36 was issued by the Office of the President authorizing the grant of COVID-19 Special Risk Allowance (SRA) to private and public health workers directly catering to or in contact with COVID-19 patients during the state of national emergency;

WHEREAS, pursuant to Section 4(w) of the same Act, Administrative Order No. 35 was issued by the Office of the President authorizing the grant of active hazard duty pay (AHDP) to Human Resource for Health (HRHs) serving in the frontlines during the state of national emergency;

WHEREAS, the Department of Health (DOH) and the Department of Budget and Management (DBM) issued Joint Circular No. 2 s. 2020 dated November 25, 2020, providing the guidelines on the grant of COVID-19 SRA to eligible health workers;

WHEREAS, under Section 6.1.2 of the Joint Circular, the Department of Health-Eastern Visayas Center for Health Development (DOH-EV CHD) shall enter into a Memorandum of Agreement (MOA) for the transfer of funds for the COVID-19 SRA;

WHEREAS, The 15th Sangguniang Panlungsod issued Resolution No. 2020-418 authorizing the City Mayor or Acting City Mayor to enter into a MOA with the Department of Health Eastern Visayas Center for the grant of COVID-19 Special Risk Allowance (SRA) to public and private health workers;

WHEREAS, there is a need to execute another MOA with the Department of Health-Eastern Visayas Center for Health Development to cover the grant of active hazard duty pay to public and private health workers which MOA clearly and plainly encapsulate the terms and conditions of the agreement of the parties thereto, including their specific roles and obligations towards the attainment of the lofty ends of the same, and this Sanggunian, upon thorough review, finds that the same is entered into for the best interests of the City and its constituents, and therefore, is most deserving of this august Body's prompt and favorable consideration;

WHEREFORE, on joint motion of SP Member Eusebio Gerardo S. Penserga, Chairman, Committee on Health and Sanitation and SP Member Benjamin S. Pongos, Jr. Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Gregorio G. Yrastoraza III, Joan Marbie C. Simbajon, Vincent L. Rama and Lalaine A. Marcos; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION AMENDING THE MEMORANDUM OF AGREEMENT (MOA) UNDER RESOLUTION NO. 2020-418, ENTITLED: "A RESOLUTION GRANTING AUTHORITY TO THE CITY MAYOR RICHARD I. GOMEZ OR THE ACTING CITY MAYOR TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) TO BE ENTERED BY AND BETWEEN THE LOCAL GOVERNMENT UNIT OF ORMOC AND THE DEPARTMENT OF HEALTH-EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT RELATIVE TO THE GRANT OF THE COVID-19 SPECIAL RISK ALLOWANCE (SRA) TO PUBLIC AND PRIVATE HEALTH WORKERS" TO INCLUDE THEREIN AN AGREEMENT FOR THE PROVISION OF ACTIVE HAZARD DUTY PAY (AHDP) TO THE SECOND PARTY'S ELIGIBLE HEALTH WORKERS;

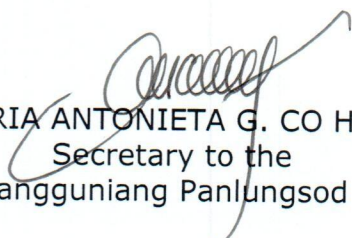
ADOPTED, March 30, 2021.

RESOLVED, FURTHER, that a copy of the final notarized Memorandum of Agreement (MOA) be submitted to this Sanggunian for its information and files;

RESOLVED, FINALLY, to furnish copies of this resolution each to the City Mayor of Ormoc, Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal officer, Atty. Josephine Mejia-Romero; the City Health Department; DOH-EV CHD; the City Local Government Operations Officer-DILG; and other offices concerned for their information and guidance;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
City Vice Mayor & Presiding Officer

Annex A

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENT:

This AGREEMENT is entered into and executed by and between:

The **DEPARTMENT OF HEALTH –EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT**, a national government agency responsible for ensuring access to basic public health services to all Filipinos through the provision of quality health care and regulation of health goods and services, with office address at Government Center, Candahug, Palo, Leyte, herein represented by **EXUPERIA B. SABALBERINO, MD, MPH, CESe**, in her capacity as OIC, Regional Director of DEPARTMENT OF HEALTH –EASTERN VISAYAS CENTER FOR HEALTH DEVELOPMENT, and hereafter referred to as **“FIRST PARTY”**;

- and -

The **LOCAL GOVERNMENT UNIT OF ORMOC CITY**, likewise a government agency created and existing under the laws of the Philippines, with office address at Aunubing St., Brgy. Cogon, Ormoc City, represented herein by Mayor **RICHARD I. GOMEZ, DPA**, hereinafter referred to as the **“SECOND PARTY”** as authorized under **SP Resolution No.2020-418**

(hereafter collectively referred to as **“Parties”**)

WITNESSETH:

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

WHEREAS, Republic Act (RA) 11494 known as *“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, pursuant to Section 4(w) of RA No. 11494, Administrative Order No. 35 was issued by the Office of the President authorizing the grant of active hazard duty pay (AHDP) to human resources for health (HRHs) serving in the frontlines during the state of national emergency;

WHEREAS, pursuant to Section 4(h) of the same Act, Administrative Order No. 36 was issued by the Office of the President authorizing the grant of COVID-19 special risk allowance (SRA) to private and public health workers directly catering to or in contact with COVID-19 patients during the state of national emergency;

WHEREAS, the Department of Health (DOH) and the Department of Budget and Management (DBM) issued Joint Circular (JC) Nos. 1 and 2, both series of 2020 and dated November 25, 2020, providing the guidelines on the grant of AHDP and COVID-19 SRA to eligible health workers, respectively;

WHEREAS, under Section 6.1.2 of the Joint Circulars, the First Party shall enter into a Memorandum of Agreement (MOA) for the transfer of funds for the AHDP and COVID-19 SRA to the Second Party;

WHEREAS, under Regional Special Order No. 279 s.2020, the FIRST PARTY shall transfer funds in the total amount of _____ to the SECOND PARTY to cover the cost of the grant of AHDP and COVID-19 SRA chargeable against the Maintenance and Other

HON. RICHARD I. GOMEZ, DPA

City Mayor

EXUPERIA B. SABALBERINO, MD, MPH, CESe

OIC, Director IV

ORMOC CITY LEGAL OFFICE

Approved

Separate Opinion

Drafted by CLO

Not contrary to laws, public

policy, moral.

Atty. Josephine A. Mejia-Bonera
City Legal Officer

BY:

DATE:

2020/12/01

Operating Expenses (MOOE) Quick Response Fund (QRF under SARO No. BMB-B-20-0018566 dated November 04, 2020.

NOW THEREFORE, in consideration of the foregoing premises, the parties hereby agree as follows:

SECTION I. ROLES AND RESPONSIBILITIES OF THE PARTIES

- A. The **FIRST PARTY** shall transfer funds to and/or reimburse the **SECOND PARTY** in the amount of _____ for the 4-month payment of AHDP and COVID-19 SRA, reckoned from September 15 2020 to December 19, 2020, for the **SECOND PARTY**'s eligible health workers, as determined by the **SECOND PARTY** in accordance with Joint Circular Nos. 1 and 2, s. 2020.
- B. The **SECOND PARTY** shall perform all of its responsibilities set forth in Section 6.4 of the Joint Circulars, as well as any other related guidelines that may be issued by the **FIRST PARTY**.
- C. The **SECOND PARTY** shall submit to the **FIRST PARTY** a fund utilization report, together with the following requirements in said Section 6.4, on or before the 10th day of the month following its recording in the Monthly Statement of Allotment and Obligation and Balance:
1. Reports on the number of the COVID-19 patients attended to, and list of eligible frontline HRHs indicating their positions, compensation/s entitled to, and days physically present;
 2. Certification attesting to the truthfulness of the contents of the report and adequate consent for sharing of data has been obtained from the personnel involved. The certification must be signed by the head of human resource or personnel division (if such division is in the structure) and the head of health facility, clearly indicating his/her designation or position; and
 3. Financial and accomplishment reports for monitoring such as signed payroll and other documents, in accordance with pertinent accounting and auditing rules and regulations.
- D. Transferred funds must be utilized for the intended purpose by December 31, 2020. Unutilized funds shall be returned to the QRF of the **FIRST PARTY** after the termination of this Agreement.
- E. The **SECOND PARTY** shall submit a liquidation report in accordance with pertinent accounting rules and regulations within 30 days from termination of this Agreement.

HON. RICHARD I. GOMEZ, DPA
City Mayor

EXUPERIA B. SABALBERINO, MD, MPH, CESE
OIC, Director IV

REVIEWED

ORMOC CITY LEGAL OFFICE

Approved:

Separate Opinion

Drafted by CLO

Not contrary to laws, public policy, moral.

Amendments/Revisions

Atty. Josephine A. Mejia-Romero
City Legal Officer

BY: DATE: 1/11/2021

Any subsequent fund transfer is subject to proper liquidation of the previously transferred funds.

The **PARTIES** shall at all times ensure processing of sensitive and personal information in accordance with the Republic Act 10173 (Data Privacy Act of 2012) and all other related issuances of the National Privacy Commission.

comment on page 1

SECTION II. TERM OF AGREEMENT

This Agreement shall remain effective from the date of its execution until December 31, 2020 unless terminated earlier for justifiable cause, exhaustion of transferred funds and when funds have become insufficient or unavailable.

Violation by the SECOND PARTY of this Agreement or any of the relevant issuances of the FIRST PARTY may be a ground for termination of this Agreement, without prejudice to other courses of action and remedies available under the circumstances.

Obligations that by their nature shall continue after the termination shall survive such termination.

SECTION III. AMENDMENT

This agreement shall not be modified except by mutual agreement of both parties expressed in writing. Notwithstanding, relevant issuances shall apply suppletorily as applicable without need of any amendment.

SECTION IV. INTERPRETATION

In case of doubt or dispute in the interpretation of this agreement, the parties shall, in good faith, exert earnest efforts to resolve the same. Should there be conflict between the provision of this Agreement and any of the issuances, the latter shall prevail.

SECTION V. SETTLEMENT OF DISPUTES

Without prejudice to the FIRST PARTY's rights under Section II, the parties shall exert every effort to amicably resolve disputes in connection with this Agreement. In case of failure to reach an amicable settlement, redress may be sought in accordance with applicable laws.

SECTION VI. LIMITATION OF LIABILITY

The SECOND PARTY shall defend and hold the FIRST PARTY harmless from any liability, claim or suit arising from this Agreement, except to the extent that the FIRST PARTY has been shown to cause or contribute to the liability or claim through its gross negligence or misconduct.

SECTION VII. SEPARABILITY

Any provision in this Agreement that is found to be invalid or unenforceable shall not affect the remaining provisions that can otherwise be validly enforced.

Approved _____
Separate Opinion _____

Drafted by CLO _____

Not contrary to laws, public
policy, moral. _____

Amendments/Revisions _____

Atty. Josephine A. Mejia-Romero
City Legal Office

BY: _____ DATE: 2/28/2021

comments on page 1

IN WITNESS WHEREOF, all parties have signed this Memorandum of Agreement on _____ at _____.

FIRST PARTY

By:

SECOND PARTY

By:

EXUPERIA B. SABALBERINO, MD, MPH, CESe
OIC, Director IV- DOH- EVCHD

HON. RICHARD I. GOMEZ, DPA

City Mayor

As per SP Resolution No. 2020-418

SIGNED IN THE PRESENCE OF:

EDMUND B. KIERULF, MD, MPH
City Health Officer II

MS. DARBY LUMBRES
Accountant III

ACKNOWLEDGMENT

Republic of the Philippines)
_____) S.S

BEFORE ME, a Notary Public, this _____ day of _____, 2020 in _____, personally appeared the following persons:

NAME	Government Issued I.D.	Place/Date of Issue
EXUPERIA B. SABALBERINO, MD, MPH, CESe		
HON. RICHARD I. GOMEZ, DPA City Mayor		

Both known to me to be the same persons who executed the foregoing Memorandum of Agreement, duly signed by their witnesses, and who acknowledge to me that the same is their own free and voluntary act and deed as well as the agency they represent.

This contract consists of _____ pages, including this page, where the acknowledgment is written, and signed on each page by the parties and respective witnesses.

WITNESS MY HAND AND SEAL this _____ in _____.

Doc No. _____
ORMO CITY LEGAL OFFICE

Page No. _____

Book No. _____

Approved _____
Series of 2020.

Separate Opinion

Drafted by CLO

Not contrary to laws, public
policy, moral.

Amendments/Revisions

Atty. Josephine A. Mejia-Romero
City Legal Officer

BY: _____ DATE: 3/29/20

comments on page 1



Department of Budget and Management
Department of Health



Joint Circular No. 1, s. 2020
November 25, 2020

TO : Heads of Departments, Bureaus, Offices, and Agencies of the National Government, Including Constitutional Offices Enjoying Fiscal Autonomy, State Universities and Colleges (SUCs), and Government-Owned or -Controlled Corporations (GOCCs); Local Water Districts (LWDs); Local Government Units (LGUs); and All Others Concerned

SUBJECT : Guidelines on the Grant of the COVID-19 Active Hazard Duty Pay

1.0 Background

1.1 Administrative Order (AO) No. 35¹ dated November 16, 2020 authorizes the grant of an **Active Hazard Duty Pay (AHDP)** not exceeding **P3,000 per month** to frontline Human Resources for Health (HRHs) whose services are essential in the fight against COVID-19 and are exposed to health risks and hazards due to the pandemic.

1.2 AO No. 35 is in line with Republic Act (RA) No. 11494 or the "Bayanihan to Recover as One Act", which affirmed the existence of a continuing national emergency in view of the unabated spread of the COVID-19 virus and the ensuing economic disruption therefrom.

Among others, Section 4(w) of RA No. 11494 authorized the national government to grant AHDP to all HRHs, such as medical and allied medical staff, serving in the frontlines during the COVID-19 state of national emergency.

The AHDP shall be in addition to the Hazard Pay granted under RA No. 7305 or the "Magna Carta of Public Health Workers" and the COVID-19 Special Risk Allowance provided under AO No. 36².

Moreover, the AHDP for frontline HRHs shall be exempt from income tax.

¹ Authorizing the Grant of Active Hazard Duty Pay to Human Resources for Health Serving in the Frontlines During the State of National Emergency

² Authorizing the Grant of COVID-19 Special Risk Allowance to Private and Public Health Workers Directly Catering to or in Contact With COVID-19 Patients During the State of National Emergency

5

2.0 Purpose

This Joint Circular is issued to prescribe the guidelines on the grant of the COVID-19 AHDP pursuant to AO No. 35.

3.0 Definition of Terms

As defined under Section 1 of AO No. 35, **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.

For this purpose, **health care response** shall refer to activities involving prevention, detection, isolation, and treatment of COVID-19 towards the goal of reducing the number of cases and death.

4.0 Guidelines and Conditions on the Grant of the COVID-19 AHDP

The grant of the COVID-19 AHDP shall be subject to the following guidelines and conditions:

4.1 The frontline HRHs are either:

- (i) civilian employees occupying regular, contractual, or casual positions, whether full-time or part-time, or
- (ii) workers directly engaged by agencies concerned through contract of service (COS) or job order (JO) basis, including duly accredited and registered Barangay Health Workers (BHWs).

In the case of LGUs, the list of frontline HRHs, including BHWs, shall be determined by their respective local health boards.

4.2 The frontline HRHs are assigned in hospitals, laboratories, or medical and quarantine facilities.

4.3 The official duties and responsibilities of the frontline HRHs are directly related to the healthcare response of the government to COVID-19.

4.4 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.

4.5 The grant of the COVID-19 AHDP shall be pro-rated based on the number of days that frontline HRHs physically report for work in a month, as certified by the head of hospital, laboratory, or medical and quarantine facility, or his/her authorized representative, reckoned from September 15, 2020 until December 19, 2020, as follows:

$$\text{COVID-19 AHDP} = \frac{\text{P3,000}}{22 \text{ days}} \times \text{Number of Days Physically Reporting for Work During the Month}$$



- 4.6 For purposes of rationalizing the grant of the COVID-19 AHDP, one (1) day shall be equivalent to eight (8) working hours.

Hence, for facilities adopting a 12-hour or 24-hour shift as their prescribed official working hours for the duration of the state of national emergency, the computation of the COVID-19 AHDP shall be adjusted proportionately, subject further to Item 4.5 hereof.

- 4.7 The COVID-19 AHDP of frontline HRHs hired on part-time basis in one or more agencies shall be in direct proportion to the services rendered, provided that the total COVID-19 AHDP received from all sources shall not exceed P3,000 per month.

- 4.8 The COVID-19 AHDP of the frontline HRHs on detail to another government agency shall be granted by the parent agency.

- 4.9 A frontline HRH who is a compulsory retiree, on service extension, may be granted the COVID-19 AHDP, subject to the pertinent conditions and guidelines under this Joint Circular.

5.0 Exclusion from the Grant of the COVID-19 AHDP to Frontline HRHs

Those engaged without employer-employee relationship and funded from non-Personnel Services appropriations/budgets are excluded from the grant of the AHDP, except those authorized under Item 4.0 of this Joint Circular, namely:

- 5.1 Consultants and experts engaged for a limited period to perform specific activities or services with expected outputs;

- 5.2 Laborers engaged through job contracts (*pakyaw*) and those paid on piecework basis;

- 5.3 Student workers and apprentices; and

- 5.4 Individuals and group of individuals whose services are engaged through COS or JO, including BHWs, who are not assigned in hospitals, laboratories, or medical and quarantine facilities.

6.0 Roles and Responsibilities

6.1 Department of Health (DOH)

- 6.1.1 The DOH Central Office, through the Administrative Service-Personnel Administrative Division of the Administration and Financial Management Team (AFMT), shall:

- a. Prepare and release guidelines for the sub-allotment or transfer of funds for the COVID-19 AHDP to Centers for Health Development (CHDs), Ministry of Health-Bangsamoro Autonomous Region in Muslim Mindanao (MOH-BARMM),



- DOH hospitals, specialty hospitals, and the Philippine General Hospital (PGH); and
- b. Consolidate the reports received from the CHDs, MOH-BARMM, DOH hospitals, specialty hospitals, and the PGH.

6.1.2 The DOH CHDs shall:

- a. Coordinate with LGUs and other government health facilities within their jurisdiction;
- b. Enter into a Memorandum of Agreement (MOA) with LGUs and other health facilities for the transfer of funds and the payment of the COVID-19 AHDP to eligible frontline HRHs;
- c. Evaluate and process claims for the grant of the COVID-19 AHDP to eligible frontline HRHs;
- d. Submit reports to the DOH-AFMT on the number of the COVID-19 patients attended to, and list of eligible frontline HRHs indicating their positions, amount of the AHDP, and days physically present;
- e. Submit to the DOH-AFMT a certification attesting to the truthfulness of the contents of the report and adequate consent for sharing of data has been obtained from the frontline HRHs involved. The certification must be signed by the head of human resource or personnel division (if such division is in the structure) and the head of health facility, clearly indicating his/her designation of position; and
- f. Submit to the DOH-AFMT the financial and accomplishment reports for monitoring, in accordance with pertinent accounting and auditing rules and regulations.

6.2 **MOH-BARMM**

- a. Coordinate with LGUs and other government health facilities within its jurisdiction;
- b. Enter into a MOA with LGUs and other health facilities for the transfer of funds and payment of the COVID-19 AHDP to eligible frontline HRHs;
- c. Evaluate and process claims for the grant of the COVID-19 AHDP to eligible frontline HRHs;
- d. Submit reports to the DOH-AFMT on the number of COVID-19 patients attended to, and list of eligible frontline HRHs indicating their positions, amount of the AHDP, and days physically present;
- e. Submit to the DOH-AFMT a certification attesting to the truthfulness of the contents of the report and adequate consent for sharing of data has been obtained from the frontline HRHs involved. The certification must be signed by the head of human resource or personnel division (if such division is in the structure) and the head of health facility, clearly indicating his/her designation of position; and

- f. Submit to DOH-AFMT the financial and accomplishment reports for monitoring, in accordance with pertinent accounting and auditing rules and regulations.

6.3 DOH Hospitals, Specialty Hospitals, Drug Treatment and Rehabilitation Centers, and the PGH shall:

- a. Facilitate the payment of the COVID-19 AHDP to eligible frontline HRHs;
- b. Submit to the DOH-AFMT reports on the number of the COVID-19 patients attended to, and list of eligible frontline HRHs indicating their positions, amount of AHDP, and days physically present;
- c. Submit to the DOH-AFMT a certification attesting to the truthfulness of the contents of the report and adequate consent for sharing of data has been obtained from the frontline HRHs involved. The certification must be signed by the head of human resource or personnel division (if such division is in the structure) and the head of agencies/operations, clearly indicating his/her designation or position; and
- d. Submit to the DOH-AFMT the financial and accomplishment reports for monitoring, in accordance with pertinent accounting and auditing rules and regulations.

6.4 LGUs and Other Health Facilities concerned shall:

- a. Facilitate the payment of the COVID-19 AHDP to eligible frontline HRHs;
- b. Submit to the DOH-CHD reports on the number of the COVID-19 patients attended to, and list of eligible frontline HRHs indicating their positions, compensation/s entitled to, and days physically present;
- c. Submit to the DOH-CHD a certification attesting to the truthfulness of the contents of the report and adequate consent for sharing of data has been obtained from the personnel involved. The certification must be signed by the head of human resource or personnel division (if such division is in the structure) and the head of health facility, clearly indicating his/her designation or position; and
- d. Submit to DOH-CHD the financial and accomplishment reports for monitoring, in accordance with pertinent accounting and auditing rules and regulations.

6.5 Department of Budget and Management (DBM)

Upon request, the DBM shall issue the corresponding fund release documents to the DOH to implement the grant of the COVID-19 AHDP to frontline HRHs, pursuant to RA No. 11494, in accordance with the



existing government budgeting, accounting and auditing rules and regulations.

7.0 Funding Source

Funds for the implementation of this Joint Circular shall be sourced from identified savings pursuant to Section 4 (pp), (qq), (rr), (ss), (sss) and (ttt), in relation to Sections 10 and 11 of RA No. 11494, subject to the availability of funds.

8.0 Reporting

The DOH, in coordination with the DBM, shall submit periodic reports to the Office of the President on the implementation of this Joint Circular, including, but not limited to, the number of frontline HRHs provided with compensation and amount utilized for this purpose.

9.0 Responsibilities of Agencies

Agencies shall be responsible for the proper implementation of the provisions of this Joint Circular. The responsible officers shall be held liable for any payment not in accordance with the provisions hereof without prejudice to the refund by the employees concerned of any excess or unauthorized payments.

10.0 Resolution of Cases

Cases not covered by the provisions of this Joint Circular shall be referred to the DBM or the DOH, as appropriate, for resolution.

11.0 Effectivity

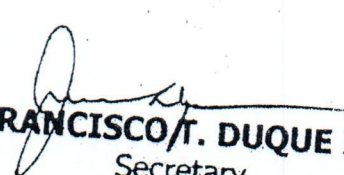
This Joint Circular shall take effect immediately.


WENDEL E. AVISADO

Secretary

Department of Budget and Management



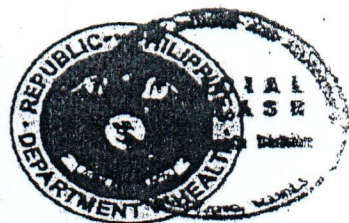

FRANCISCO T. DUQUE III

Secretary

Department of Health



Department of Budget and Management
Department of Health



Joint Circular No. 2, s. 2020
November 25, 2020

TO : Heads of Departments, Bureaus, Offices, and Agencies of the National Government, and Government-Owned or -Controlled Corporations (GOCCs); Local Government Units (LGUs); and All Others Concerned

SUBJECT : Guidelines on the Grant of the COVID-19 Special Risk Allowance to Public and Private Health Workers

1.0 Background

1.1 Administrative Order (AO) No. 36¹ dated November 16, 2020 authorizes the grant of a **COVID-19 Special Risk Allowance (SRA)** not exceeding **P5,000 per month** to public and private health workers (HWs) who are directly catering to or are in contact with COVID-19 patients in recognition of the heroic and invaluable contributions of HWs throughout the country who bravely and unselfishly risk their lives and health by being at the forefront of the national effort to address the public health emergency.

1.2 AO No. 36 is in line with Republic Act (RA) No. 11494 or the "Bayanihan to Recover as One Act", which affirmed the existence of a continuing national emergency in view of the unabated spread of the COVID-19 virus and the ensuing economic disruption therefrom.

Among others, Section 4(h) of RA No. 11494 authorized the national government to grant SRA to all public and private HWs directly catering to or in contact with COVID-19 patients for every month that they are serving during the state of national emergency as declared by the President.

In the case of the public HWs, the SRA shall be in addition to the Hazard Pay granted under RA No. 7305 or the "Magna Carta of Public Health Workers" and the COVID-19 Active Hazard Duty Pay provided under AO No. 35.

Moreover, the SRA for the public and private HWs shall be exempt from income tax.

¹ Authorizing the Grant of COVID-19 Special Risk Allowance to Private and Public Health Workers Directly Catering to or in Contact With COVID-19 Patients During the State of National Emergency

2.0 Purpose

This Joint Circular is issued to prescribe the guidelines on the grant of the COVID-19 SRA pursuant to AO No. 36.

3.0 Definition of Public and Private HW

For purposes of the grant of the COVID-19 SRA, the public and private HWs, as defined under Section 1 of AO No. 36, shall refer to medical, allied-medical, and other personnel who directly provide treatment and support care to COVID-19 patients.

4.0 Guidelines and Conditions on the Grant of the COVID-19 SRA

The grant of the COVID-19 SRA to qualified public and private HWs shall be subject to the following guidelines and conditions:

4.1 The public HWs are either:

- (i) civilian employees occupying regular, contractual, or casual positions, whether full-time or part-time; or
- (ii) workers engaged through contract of service (COS) or job order (JO) basis, including duly accredited and registered Barangay Health Workers (BHWs).

In the case of LGUs, the list of public HWs, including BHWs, shall be determined by their respective local health boards.

4.2 The public HWs are assigned in hospitals, laboratories, or medical and quarantine facilities.

4.3 The private HWs are assigned in the designated COVID-19 units of hospitals, laboratories, or medical and quarantine facilities as certified by the DOH.

4.4 The public and private HWs provide critical and urgent services to respond to the public health emergency during the state of national emergency.

4.5 The public and private HWs 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, which place them in direct contact with COVID-19 patients.

4.6 The grant of the COVID-19 SRA shall be pro-rated based on the number of days that public and private HWs physically report for work in a month, as certified by the head of hospital, laboratory, or medical and



quarantine facility, or his/her authorized representative, reckoned September 15, 2020 until December 19, 2020, as follows:

$$\text{COVID-19 SRA} = \frac{\text{P5,000}}{22 \text{ days}} \times \text{Number of Days Physically Reporting for Work During the Month}$$

- 4.7 For purposes of rationalizing the grant of the COVID-19 SRA, one (1) day shall be equivalent to eight (8) working hours.

Hence, for facilities adopting a 12-hour or 24-hour shift as their prescribed official working hours for the duration of the state of national emergency, the computation of the COVID-19 SRA shall be adjusted proportionately, subject further to Item 4.6 hereof.

- 4.8 The COVID-19 SRA of personnel hired on part-time basis in one or more agencies shall be in direct proportion to the services rendered, provided that the total COVID-19 SRA received from all sources shall not exceed P5,000 per month.

- 4.9 The COVID-19 SRA of an employee on detail to another government agency shall be granted by the parent agency.

- 4.10 A compulsory retiree, on service extension, may be granted the COVID-19 SRA, subject to the pertinent conditions and guidelines under this Joint Circular.

5.0 **Exclusion from the Grant of the COVID-19 SRA to Public HWs**

Those engaged without employer-employee relationship and funded from non-Personnel Services appropriations/budgets are excluded from the grant of the COVID-19 SRA, except as authorized in Item 4.0 of this Joint Circular, namely:

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

6.0 **Roles and Responsibilities**

6.1 **Department of Health (DOH)**

- 6.1.1 The DOH Central Office, through the Administrative Service-Personnel Administrative Division of the Administration and Financial Management Team (AFMT), shall:



- a. Prepare and release guidelines for the sub-allotment or transfer of funds for the COVID-19 SRA to Centers for Health Development (CHDs), Ministry of Health-Bangsamoro Autonomous Region in Muslim Mindanao (MOH-BARMM), DOH hospitals, specialty hospitals, and the Philippine General Hospital (PGH); and
- b. Consolidate the reports received from CHDs, MOH-BARMM, DOH hospitals, specialty hospitals, and the PGH.

6.1.2 The DOH CHDs shall:

- a. Coordinate with LGUs, other government health facilities, and the Regional Offices (ROs) of the Department of Labor and Employment (DOLE) for private health facilities within their jurisdiction;
- b. Enter into a Memorandum of Agreement (MOA) with LGUs and other health facilities for the transfer of funds and the payment of the COVID-19 SRA to eligible HWs;
- c. Evaluate and process claims for the grant of the COVID-19 SRA to eligible public and private HWs;
- d. Submit reports to the DOH-AFMT on the number of the COVID-19 patients attended to, and list of eligible HWs indicating their positions, amount of the COVID-19 SRA, and days physically present;
- e. Submit to the DOH-AFMT a certification attesting to the truthfulness of the contents of the report and adequate consent for sharing of data has been obtained from the HWs involved. The certification must be signed by the head of human resource or personnel division (if such division is in the structure) and the head of health facility, clearly indicating his/her designation of position; and
- f. Submit to the DOH-AFMT the financial and accomplishment reports for monitoring, in accordance with pertinent accounting and auditing rules and regulations.

6.2 **MOH-BARMM**

- a. Coordinate with LGUs, other government health facilities, and the ROs of the DOLE for private health facilities within its jurisdiction;
- b. Enter into a MOA with LGUs and other health facilities for the transfer of funds and the payment of the COVID-19 SRA to eligible HWs;
- c. Evaluate and process claims for the grant of the COVID-19 SRA to eligible public and private HWs;
- d. Submit reports to the DOH-AFMT on the number of the COVID-19 patients attended to, and list of eligible HWs indicating their positions, amount of SRA, and days physically present;
- e. Submit to the DOH-AFMT a certification attesting to the truthfulness of the contents of the report and adequate consent for sharing of data has been obtained from the HWs involved. The certification must be signed by the head of human resource or personnel division

- (if such division is in the structure) and the head of health facility, clearly indicating his/her designation of position; and
- f. Submit to the DOH-AFMT the financial and accomplishment reports for monitoring, in accordance with pertinent accounting and auditing rules and regulations.

6.3 DOH Hospitals, Specialty Hospitals, Drug Treatment and Rehabilitation Centers, and the PGH shall:

- a. Facilitate the payment of the COVID-19 SRA to eligible public and private HWs;
- b. Submit to the DOH-AFMT reports on the number of the COVID-19 patients attended to, and list of eligible health workers indicating their positions, amount of SRA, and days physically present;
- c. Submit to the DOH-AFMT a certification attesting to the truthfulness of the contents of the report and adequate consent for sharing of data has been obtained from the HWs involved. The certification must be signed by the head of human resource or personnel division (if such division is in the structure) and the head of agencies/operations, clearly indicating his/her designation or position; and
- d. Submit to the DOH-AFMT the financial and accomplishment reports for monitoring, in accordance with pertinent accounting and auditing rules and regulations.

6.4 LGUs and Other Health Facilities concerned shall:

- a. Facilitate the payment of the COVID-19 SRA to eligible public and private HWs;
- b. Submit to the DOH-CHD reports on the number of the COVID-19 patients attended to, and list of eligible health workers indicating their positions, compensation/s entitled to, and days physically present;
- c. Submit to the DOH-CHD a certification attesting to the truthfulness of the contents of the report and adequate consent for sharing of data has been obtained from the personnel involved. The certification must be signed by the head of human resource or personnel division (if such division is in the structure) and the head of health facility, clearly indicating his/her designation or position; and
- d. Submit to the DOH-CHD the financial and accomplishment reports for monitoring, in accordance with pertinent accounting and auditing rules and regulations.

6.5 Department of Budget and Management (DBM)

Upon request, the DBM shall issue corresponding fund release documents to the DOH to implement the grant of COVID-19 SRA to public and private HWs, pursuant to RA No. 11494, in accordance with the existing government budgeting, accounting and auditing rules and regulations.

7.0 Funding Source

Funds for the implementation of this Joint Circular shall be sourced from identified savings pursuant to Section 4 (pp), (qq), (rr), (ss), (sss) and (ttt), in relation to Sections 10 and 11 of RA No. 11494, subject to the availability of funds.

8.0 Reporting

The DOH, in coordination with DBM, shall submit periodic reports to the Office of the President on the implementation of this Joint Circular, including, but not limited to, the number of health workers provided with compensation and amount utilized for this purpose.

9.0 Responsibilities of Agencies

Agencies shall be responsible for the proper implementation of the provisions of this Joint Circular. The responsible officers shall be held liable for any payment not in accordance with the provisions hereof without prejudice to the refund by the employees concerned of any excess or unauthorized payments.

10.0 Resolution of Cases

Cases not covered by the provisions of this Joint Circular shall be referred to the DBM or the DOH, as appropriate, for resolution.

Conversely, all issues arising from the grant of COVID-19 SRA to private HWs shall be resolved exclusively by the DOH.

11.0 Effectivity

This Joint Circular shall take effect immediately.

WENDEL E. AVISADO

Secretary

Department of Budget and Management



FRANCISCO T. DUQUE III

Secretary

Department of Health