



Republic of the Philippines
OFFICE OF THE SECRETARY
Elliptical Road, Diliman
1100 Quezon City

ADMINISTRATIVE ORDER

No. 09
Series of 2022

**SUBJECT: GUIDELINES ON PAYMENT OF HAZARD ALLOWANCE TO
DEPARTMENT OF AGRICULTURE S & T PERSONNEL UNDER REPUBLIC
ACT NO. 8439, AS AMENDED BY REPUBLIC ACT NO. 11312**

WHEREAS, the Department of Agriculture (DA) employs scientists, engineers, researchers, and other S&T Personnel to pursue R&D in modernizing and industrializing Philippine agriculture through increase productivity and income of the Filipino farmers;

WHEREAS, under Section 9 of Joint Circular No. 1, series of 2013 of the Department of Science and Technology (DOST) and Department of Budget and Management (DBM), providing for the "Rules and Regulations on the Grant of Compensation-Related Magna Carta Benefits to Scientists, Engineers, Researchers, and other Science and Technology (S&T) Personnel" pursuant to Republic Act (R.A.) No. 8439 known as "Magna Carta for Scientists, Engineers, Researchers and Other Science and Technology Personnel in the Government", S&T Personnel whose nature of duties and responsibilities, actual services, and location of work expose them to great danger, occupational risks, perils to life, and physical hardships, may be granted Hazard Allowance, but only during periods of actual exposure to hazards and hardships;

WHEREAS, the DOST issued revised guidelines on payment of hazard allowance through DOST AO No. 10 s. 2013 and provided the processing and payment of hazard allowance of their S&T personnel involved in Scientific and Technological Activities (STA) under Republic Act (R.A.) No. 8439;

WHEREAS, R.A. No. 11312, "An Act Strengthening the Magna Carta for Scientists, Engineers, Researchers, and Other Science and Technology Personnel in the Government, Amending for the Purpose Republic Act No. 8439" that S&T personnel not employed by the DOST, who are involved in STA, may avail of the benefits under R.A. No. 8439 upon certification of the Head of the agency that they are involved in research and development or other scientific and technological activities. Provided, that the Heads of agencies shall abide by the guidelines promulgated by DOST for the certification of non-DOST personnel involved in STA:

WHEREAS, Administrative Order (A.O.) 14 Series of 2021 of the DA, "Implementing Guidelines in the Certification of Eligibility of the Department of Agriculture S&T Personnel under Republic Act No. 8439, as amended, provides procedure and qualifications in certifying the DA S&T Personnel involved in STA to avail the benefits provided under R.A. No. 8439, as amended:

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WHEREAS, Special Order No. 983 Series of 2021 of the Department of Agriculture, provides the creation and composition of DA Hazard Allowance Committee for DA qualified S&T Personnel which shall formulate the guidelines as basis in the processing and payment of Hazard Allowance of DA personnel engaged in STA, in accordance with R.A No. 8439, as amended by R.A. No. 11312; and

WHEREAS, the DA aims to provide additional compensation to its S&T personnel for performing hazardous duties and for enduring physical hardships in the course of performance of duties, hence, recognizes the need to harmonize their benefits with other S&T personnel in other government institutions as provided by law.

NOW THEREFORE, to facilitate the processing and payment of hazard allowance to Department of Agriculture S&T Personnel under R.A. No. 8439, as amended, this Administrative Order is hereby issued to serve as guide of the DA offices on the procedures and qualifications for the entitlement to benefits under this Act.

I. OBJECTIVE

These guidelines shall provide the procedures in the processing of certification of eligibility and payment of hazard allowance to Department of Agriculture (DA) S&T personnel involved in Scientific and Technological Activities (STA) to avail of the benefits provided under R.A. No. 8439 known as Magna Carta for Scientists, Engineers, Researchers and Other S & T Personnel in the Government, as amended.

II. DEFINITION OF TERMS

- A. Hazard Allowance is an additional compensation for performing hazardous duties and for enduring physical hardships in the course of performance of duties.
- B. Hazard Allowance may be granted to S&T personnel if they are at high risk or low risk to hazards as defined below.
 - 1. High Risks to Hazards – S&T personnel that are at high risk to hazards are those that have direct and unavoidable exposure in the following areas:
 - a. Work areas including laboratories and service workshops that pose risks or dangers to health and safety due to dangerous working conditions or environmental elements such as: contaminants; ionizing radiation; electromagnetic radiation, zoonotic diseases; combustible, explosive, reactive, corrosive, and toxic chemicals and biological substances; absence of adequate supply of safe and potable water; and operation of hazardous equipment;
 - b. Remote areas, depressed areas, and hardships posts characterized by difficult terrain, distance, inconvenience of travel due to bad roads and conditions of the terrain, isolation, inaccessibility, and extreme weather conditions;
 - c. Embattled or strife-torn which are sites of armed encounters between government troops and enemy forces and/or enemy-

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- initiated attacks, raids, or ambushes, as may be declared by the Department of National Defense;
 - d. Work areas under state of calamity or emergency where there are: earthquake, tsunami, volcanic activity/eruption, lahar and pyroclastic flows, floods, landslides and other natural hazards; and
 - e. Work areas that are considered natural danger zones.
2. Low Risks to Hazards – S&T personnel that are at low risk to hazards are those exposed to less degree of:
- a. Occupational risks, perils to life, or physical hardships such as: in work areas in prison camps, drug rehabilitation centers and mental health institutions;
 - b. In frequent interaction with employees working in the laboratory or highly hazardous areas.
- C. Head of Agency refers to the Secretary of Department of Agriculture
- D. Head of Office refers to the head of bureaus, attached agencies, attached corporations, and regional field offices under the Department of Agriculture.

III. QUALIFICATION REQUIREMENTS

Hazard Allowance shall be granted to all DA personnel as enumerated below, and with valid certification of eligibility for Magna Carta benefits from the Secretary provided that they conform with the requirements under Item 3 of A.O. 14 s. of 2021 of DA and are exposed to hazards due to the nature and/or location of their work. Also, the applicant shall not have any existing application for Hazard Allowance from another agency.

- A. The office where the S&T personnel is employed must be actively doing any or all of the S&T Activities (STA):
- 1. Research for Development (R4D)
 - 2. Scientific and Technological Services (STS)
 - 3. Scientific and Technical Education and Training (STET)
- B. The applicant must be an S&T Personnel holding an S&T position:
- 1. S&T Managers, Supervisors, and Planners
 - 2. Members of the Scientific Career System
 - 3. Scientists, Engineers, and Researchers
 - 4. Personnel of R4D Institutions provided that:
 - a. the STA and S&T-related functions of the office are authorized by law or competent authority;
 - b. the personnel is actually involved in STA, benefitting the agri-fisheries sector and its stakeholders; and
 - c. the concerned personnel's position is part of the authorized staffing pattern of the organizational unit performing STA

- C. The applicant must hold a Science, Technology, Engineering, and Mathematics (STEM) degree or courses listed under the Scientific Career System: and
- D. The applicant and the division/unit where he/she is assigned should be directly involved in the conduct of one or a combination of S&T activities.

IV. ALLOWABLE AMOUNT OF HAZARD ALLOWANCE

The Hazard Allowance for a month shall be based on the degree of risk to hazards as specified in II B, and the number of workdays of actual exposure over 22 workdays in a month, at rates not to exceed 30% of monthly basic salary. In case of exposure to both high risk and low risk to hazards, the Hazard Allowance for the month shall be based on only one risk level, whichever is more advantageous to the S&T Personnel.

Actual Exposure	Level of Risk	
	High Risk	Low Risk
15 or more days	30% of monthly basic salary	15% of monthly basic salary
8 to 14 days	23% of monthly basic salary	12% of monthly basic salary
Less than 8 days	15% of monthly basic salary	10% of monthly basic salary

V. OFFICE LEVEL SCREENING COMMITTEE

The Heads of Bureaus, Attached Agencies, and DA Regional Field Offices (RFOs) shall create a Department of Agriculture (DA) Office Hazard Allowance Committee (DA-OHAC) in their respective units composed of one Chairperson and at least two members, one from HR, and one rank and file employee nominated by the employee's association, subject to the approval of the Head of Office.

The (DA-OHAC) shall do the initial screening and evaluation of the applicants in their respective agencies. The screening and evaluation shall look into the extent of risks to hazards as specified in II B. The supporting documents, report and recommendation of the DA-OHAC shall be signed by all committee members and endorsed by the Head of Office to the DA Hazard Allowance Screening Committee.

VI. DA SCREENING COMMITTEE

The Department of Agriculture (DA) Hazard Allowance Committee (DA-HAC), created through S.O. 983 S. of 2021, shall be in charge of final evaluation of applications of certified DA S&T Personnel for the coverage of grant of hazard allowance under R.A. No. 8439, as amended. The committee and shall be composed of the following:

Chairperson: Director, Bureau of Agricultural Research (BAR)

Vice-Chairperson: Director, Field Operations Service (FOS)

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Members: Director, Administrative Service
Assistant Director, Bureau of Agriculture and Fisheries Standards (BAFS)
Assistant Director, Bureau of Agriculture and Fisheries Engineering (BAFE)
Assistant Director, Agricultural Training Institute (ATI)
Association President, DA-Employees Association (DAEA)

Secretariat: Bureau of Agricultural Research (BAR)

The functions, duties, and responsibilities of the DA Hazard Allowance Committee are:

1. Review and update, as appropriate, existing guidelines based on the feedback/comments in accordance with R.A. No. 8439, as amended, its IRR and other issuances by the DOST and other agencies related to R.A. No. 8439.
2. Review the applications for hazard allowance and evaluate the hazard exposure of the S&T Personnel (high risk or low risk) as defined in the IRR of R.A. No. 8439, as amended.
3. Submit its recommendation to the DA Secretary for approval
4. Perform other related tasks as instructed by the Secretary.

The report and recommendation of the DA-HAC shall be signed by all committee members and endorsed by the BAR Secretariat to the Secretary for approval.

VII. GENERAL PROCEDURES FOR APPLICATION, SCREENING/EVALUATION, AND APPROVAL/DISAPPROVAL AND APPEAL

- A. Hazard Allowance Application from individual S&T Personnel shall be submitted to the DA-Office Hazard Allowance Committee (DA-OHAC) for initial screening and evaluation. Documentary requirements are as follows:
 1. Application Letter addressed to Head of Office
 2. Copy of Certification of Eligibility for Magna Carta Benefits as provided in RA 8439, as amended by RA 11312
 3. Functions of the Division/Unit/Section where the personnel belong
 4. Description of actual duties and responsibilities
 5. Other relevant document that may be required by the DA-OHAC
- B. The DA-OHAC shall screen and determine the DA S&T Personnel entitled to high risk or low risk and the length of actual exposure to hazard and recommend to the Head of Office for approval using DA Hazard Allowance Form A (Annex 1) within seven (7) days from the set deadline of submission. Hence, the Head of Office shall set deadlines in harmony with the set deadline of DA-HAC;
- C. The Head of Office shall officially endorse the recommended S&T Personnel to the DA Hazard Allowance Committee (DA-HAC) through the Committee Chair. The endorsement shall include the Office functions and individual functions of the applicants with their individual degree of risk to hazard and

with their actual hazard exposure. Attached in the endorsement is the valid certification of eligibility for Magna Carta benefits, duly accomplished Form A and relevant raw data/information used in screening process for reference of DA-HAC;

- D. The DA Hazard Allowance Committee (DA-HAC) shall convene a meeting within seven (7) days from receipt of the endorsement to screen, evaluate and validate the hazard exposure of the S&T personnel;
- E. The DA-HAC in coordination with DA-OHAC Chair may conduct an ocular inspection in the work areas of the applicants and/or require the submission of additional documents as deemed necessary;
- F. The results and evaluations of the DA-HAC through its Secretariat shall submit to the Secretary for approval/disapproval not later than January 15;
- G. The Secretary through the DA-HAC Secretariat issues the Certificate of Hazard Allowance Eligibility to qualified S&T Personnel within twenty (20) days from receipt of the results and evaluations of the DA-HAC. Otherwise, a Notice of Denial shall be issued to inform the applicant, detailing the grounds or reasons for the non-approval of application;
- H. The affected applicant may file an appeal with the DA-HAC through the Secretariat to reconsider the decision, attaching substantial documentation to show compliance to the requirements within 15 calendar days from the receipt of notification of non-approval of application. The DA HAC shall review, evaluate and recommend the decision to the Secretary. The Secretary shall decide on the filed appeal based on the assessment report within 20 calendar days from receipt of appeal.
- I. Official reports of each employee who received the actual hazard allowance will be sent by respective Offices to the DA-HAC using Hazard Allowance Form B (Annex 2) at the end of the fiscal year. The overall process flow is provided in Annex 3.
- J. A system/portal shall be created to centralize and contain the received applications.

VIII. FUNDING

The Secretary and Head of Office shall ensure sufficient funding for Magna Carta benefits. Payment for Magna Carta benefits under R.A. No. 8439 shall be sourced out from the budget of the S&T Personnel's originating office, subject to the provisions of the DBM-DOST Joint Circular No.1 s. of 2013 and such other issuances that DBM and DOST may promulgate, and applicable accounting and auditing rules and regulations.

IX. OTHER PROVISIONS

- A. The entitlement to Hazard Allowance shall be co-terminus with the assignment of the personnel in the hazardous work or work areas where payment shall be based on the level of risks and actual exposure to hazards;
- B. Level of Risks to Hazards as defined under Item 1 and 2 may be reclassified by the Office and the rates of Hazard Allowance shall be adjusted when necessary. Additional hazard pay allowance shall be received by the employee in the following month after the request has been approved by DA-OHAC.
- C. Entitlement of Hazard Allowance to S&T Personnel who are on vacation, sick, maternity or study leave shall not be allowed. S&T Personnel, however, on study leave whether full-time or part-time who conduct laboratory research that pose risks or dangers to health and safety due to dangerous working conditions as defined in Item 1 shall be entitled to this allowance, as duly certified by the school authority and validated by the DA-OHAC;
- D. The declaration of the hazardous work areas shall be duly certified by the Secretary upon recommendation of the Head of Office through the DA HAC. The Secretary may refer to the appropriate authorized office for the necessary certification.
- E. Applicants that have existing application for hazard allowance under Republic Act 7305: Magna Carta for Public Health Workers shall not be eligible for the benefits under RA 8439 as amended by RA 11312

X. EFFECTIVITY

For newly certified DA S&T Personnel, effectivity date of entitlement to hazard allowance shall be upon the date of certification of the Secretary.

This order shall take effect immediately upon approval of the Secretary.

Done this 14 day of April, 2022.


WILLIAM D. DAR, Ph.D.
Secretary

DEPARTMENT OF AGRICULTURE

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ANNEX 1**FORM A: LIST OF DA PERSONNEL TO RECEIVE HAZARD ALLOWANCE**

DA Office:

Division/Unit:

Division/Unit Function/s (pls. specify):

Name of Personnel	Position	Location of Work Area	Individual Functions	Hazard Exposure (refer to legend for Hazard Exposure)	Level of Risk to Hazards		Actual Days of Exposure		
					High	Low	15 or more	8 to 14	Less than 8

Prepared by:

Approved by:

Chairperson

DA-Office Hazard Allowance Committee

Head

Name of Office



LEGENDS:

A. High Risks to Hazards (S&T personnel that are at high risk to hazards are those that have direct and unavoidable exposure in the following areas)

Code	Hazards Exposure
A.1	Work areas including laboratories and service workshops that pose risks or dangers to health and safety due to dangerous working conditions or environmental elements such as: contaminants; ionizing radiation; electromagnetic radiation, communicable and contagious diseases; combustible, explosive, reactive, corrosive, and toxic chemicals and biological substances; absence of adequate supply of safe and potable water; and operation of hazardous equipment;
A.2	Remote areas, depressed areas, and hardships posts characterized by difficult terrain, distance, inconvenience of travel due to bad roads and conditions of the terrain, isolation, inaccessibility, and extreme weather conditions;
A.3	Embattled or strife-torn which are sites of armed encounters between government troops and enemy forces and/or enemy-initiated attacks, raids, or ambushes, as may be declared by the Department of National Defense;
A.4	Work areas under state of calamity or emergency where there are: earthquake, tsunami, volcanic activity/eruption, lahar and pyroclastic flows, floods, landslides and other natural hazards; and
A.5	Work areas that are considered natural danger zones.

B. Low Risks to Hazards (S&T personnel that are at low risk to hazards are those exposed to less degree of:)

Code	Hazards Exposure
B.1	Occupational risks, perils to life, or physical hardships such as: in work areas in prison camps, drug rehabilitation centers and mental health institutions;
B.2	In frequent interaction with employees working in the laboratory or highly hazardous areas.



ANNEX 2

FORM B: ACTUAL HAZARD ALLOWANCE RECEIVED BY OFFICE PERSONNEL FOR FY_____

DA Office:

Name of Personnel	Position	Salary	Percentage Rate	Period Covered	Total Amount

Prepared by:

Noted by:

Approved by:

Administrative Officer
(Human Resource Unit)

Accountant

Chairperson
DA-Office Hazard Allowance
Committee

Head
Name of Office



ANNEX 3: Procedures in Applying for Hazard Allowance of Department of Agriculture S&T Personnel

Activity	Documentary Requirements	Person Responsible
Submits application to the DA Office Hazard Allowance Committee (DA-OHAC)	<ul style="list-style-type: none"> ○ Application Letter addressed to Head of Office ○ Copy of Certification of Eligibility for Magna Carta Benefits ○ Functions of the Division/Unit/Section where the personnel belong ○ Description of actual duties and responsibilities ○ Other relevant document that may be required by the Screening Committee 	Applicant
Checks the completeness of documents and evaluates the qualifications of each applicant		DA-OHAC
Submits evaluation report and recommendation to the Head of Office	<ul style="list-style-type: none"> ○ Signed Form A ○ Recommendation letter 	DA-OHAC
Submits the endorsement letter and application documents of the employees to the DA Hazard Allowance Committee (DA-HAC)	<ul style="list-style-type: none"> ○ Endorsement letter signed by the Head of Office ○ Report of the DA-OHAC, which includes duly accomplished Form A and relevant documents used in the screening process ○ Certificate of Eligibility for Magna Carta benefits of each applicant ○ Application documents of each applicant 	Head of the Requesting Office
Acknowledges the receipt of the application		DA-HAC Secretariat
Checks completeness of the documents. <ul style="list-style-type: none"> - If the documents are complete, forwards the documents to the DA-HAC - If the documents are incomplete, prepares letter for signature of the DA-HAC Chair informing the head of the requesting office 		DA HAC Secretariat

of applicants who do not comply with the documentary requirements		
Evaluates the following: <ul style="list-style-type: none"> - Office's mandates - Division's/Section's functions - Individual applicant's functions - Qualifications of applicants - Degree of risks to hazards and length of exposure - Other relevant documents 		DA-HAC
Prepares the following: <ul style="list-style-type: none"> - Report/matrix for signature of the members of the DA-HAC - Documents for the final recommendation to the Secretary for his consideration and approval 		DA-HAC
Signs the final matrix of approved/disapproved applicants and the recommendation letter to the Secretary	<ul style="list-style-type: none"> ○ Signed report matrix ○ Recommendation letter 	DA-HAC
Acts on the DA Screening Committee recommendation		DA Secretary
Sends the letter to the applicant, through the Head of Office re: <ul style="list-style-type: none"> - Status of Application - Certificate of Hazard Allowance eligibility/notice of disapproval 		DA-HAC Secretariat
Send official reports of each employee who received the actual hazard allowance at the end of fiscal year	<ul style="list-style-type: none"> ○ Cover letter signed by Head of Office ○ Form B 	DA-OHAC