



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

MEMORANDUM ORDER

No. 39

Series of 2022

SUBJECT : GRANT OF HAZARD PAY TO REGISTERED CHEMISTS AND REGISTERED CHEMICAL TECHNICIANS WHO ARE ENGAGED THROUGH CONTRACT OF SERVICE (COS) AND OTHER FORMS OF CONTRACT TO WORK IN THE DEPARTMENT OF AGRICULTURE'S (DA) CHEMICAL TESTING LABORATORIES

I. Background


Section 42 of Republic Act (R.A.) No. 10657, otherwise known as the Chemistry Law of the Philippines provides that registered chemists and registered chemical technicians who are exposed to chemicals as part of their regular responsibilities are entitled to hazard pay commensurate to the risk involved to be provided by the employer/laboratory for whom the work was performed.

Pursuant to the General and Special Provisions of Professional Regulatory Board of Chemistry Resolution No. 11, Series of 2018 or the Guidelines on the Grant of Hazard Pay to Registered Chemists and Registered Chemical Technicians, as amended by the Professional Regulation Commission Memorandum Circular No. 01, Series of 2019, hazard pay shall be provided regardless of the employment status of the Chemist or Chemical Technician.

The payment of hazard pay for registered chemists and registered chemical technicians who are permanent employees of the Department of Agriculture is already provided by R.A. No. 8439 or the Magna Carta for S & T Workers. The payment of hazard pay for registered chemists and registered chemical technicians engaged without employer – employee relationship was not yet provided.

II. Scope

This Memorandum Order is applicable to all registered chemists and registered chemical technicians who are engaged by the DA or any of its bureaus, regional field offices, or attached agencies/corporations through COS or other forms of contract without employer-employee relationship and who are exposed to chemicals as part of their regular work and responsibilities (Sec. 42 of R.A. No. 10657 and Sec. 50, Rule XII, General Provisions of IRR of R.A. No. 10657 (Chemistry Profession Act), Professional Regulatory Board of Chemistry Resolution No. 07, Series of 2015).


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III. Rate of Hazard Pay

In accordance with the Professional Regulatory Board of Chemistry Resolution No. 11, Series of 2018, as amended, the rate of hazard pay shall be as follows:

A. For personnel with direct exposure to chemicals (i.e. those directly responsible on the analytical results)

Number of Days of Exposure per Month	Risk Factor Level	SSS Contribution (PhP)	Monthly Hazard Pay (PhP)
15 days or more	1.00	2,400.00	2,400.00
8-14 days	0.80	2,400.00	1,920.00
7 or less	0.60	2,400.00	1,440.00

B. For personnel without direct exposure to chemicals (i.e. those who are not directly responsible on the analytical results but with constant interaction with the personnel directly exposed)

Number of Days of Exposure per Month	Risk Factor Level	SSS Contribution (PhP)	Monthly Hazard Pay (PhP)
15 days or more	0.50	2,400.00	1,200.00
8-14 days	0.35	2,400.00	840.00
7 or less	0.25	2,400.00	600.00

IV. Automatic Amendment of the Rate of Hazard Pay

The rate of hazard pay shall be automatically amended when the risk factor or the SSS Contribution is amended.

V. Source of Fund

The payment of hazard pay shall be charged against appropriate agency's fund subject to availability thereof.

VI. Effectivity

This Memorandum Order shall take effect immediately upon approval.

Done this 20th day of May 2022.


WILLIAM D. DAR, Ph.D.
Secretary



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