

Republic of the Philippines  
**House of Representatives**  
Quezon City, Metro Manila

**EIGHTEENTH CONGRESS**

First Regular Session

House Bill No. 6045



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**INTRODUCED BY  
REP. ALFRED VARGAS**

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**AN ACT  
PROVIDING FOR SECURITY OF TENURE FOR ALL JOB ORDER AND  
CONTRACT OF SERVICE WORKERS OF THE GOVERNMENT WHO HAVE  
RENDERED THE PRESCRIBED YEARS OF SERVICE IN THE NATIONAL  
GOVERNMENT AGENCIES AND THE LOCAL GOVERNMENT UNITS AND  
FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The Philippine Government remains to be the largest employer in the country with exactly 2,397,988 workers distributed geographically across the nation, according to data from the Civil Service Commission as of May 2019.

About 669,347 or 28% of the government's total workers are under job order and contract of service status. While the current figure is lower than the 2016 data of 31% contractual workers, contractualization remains true. Now that the administration is continuously pushing for its abolition, it is high time for the government to take the lead in institutionalizing the reform.

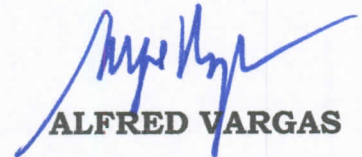
The Constitution also guarantees full protection to labor and promote full employment and equal opportunities for all. It further says that the State shall assure the rights of all workers, as they are entitled to security of tenure, humane conditions of work, and a living wage.

Under the existing set-up, job order and contract of service workers are hired for a short duration of not exceeding six months. They are not covered by the Civil Service Law, rules and regulations. They do not have the benefits

enjoyed by regular government employees. There is no employer-employee relationship, and their tenure is not considered as government service.

This Bill pushes for the regularization of all job order and contract of service workers of the government.

In view of the foregoing, the passage of this Bill is earnestly sought.



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*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

**SECTION 1. Declaration of Policy.** - The State shall harness its human resources to cope with the rapid economic development and population growth. Government workers, being very important components of the State's human resources, shall be given the equal opportunity to quality education, justice and security of tenure.

**SECTION 2. Coverage.** - Subject to the provisions of the Constitution and applicable civil service laws, rules and regulations, it is hereby mandated that the all incumbent job order and contract of service government employees who have rendered at least five (5) years of continuous service in the case of national government agencies or a total of ten (10) years of continuous service in the case of local government units as of the date of the approval of this Act shall be entitled to security of tenure. *Provided*, That the said requirement of continuous service may be waived if the service of the official/employee concerned prior to the completion of the said years, was interrupted by not more than three (3) years, taken cumulatively, due to either the abolition of his position, reorganization of the office wherein he was phased out, or reduction in force: *Provided*, further, That in the case of officials/employees who have been previously employed in the same government agency in any capacity, the said requirement of continuous service may likewise be waived if the interruption of

their service is not more than eighteen (18) months, taken cumulatively, so long as the minimum required period is met.

**SECTION 3. *Status of Covered Employees and Affected Positions.*** - All of the positions affected by this Act currently held by the covered employees shall be deemed necessary and/or desirable for the efficient operation of the government and shall be marked as co-terminus with the incumbent. All covered employees may not be operated or terminated from the said positions except for just or lawful cause and with due process of law nor can their positions be abolished except when the same are vacant by their incumbents.

**SECTION 4. *Implementing Rules and Regulations.*** - The Civil Service Commission, in consultation with the Department of Budget and Management, shall issue the rules and regulations necessary to implement the provisions of this Act. Said Implementing rules and regulations shall be promulgated within ninety (90) days after the approval of this Act.

**SECTION 5. *Penal Provisions.*** - Any government employee who shall apply for entitlement to security of tenure under the provisions of this Act on the basis of false claims and/or documents as well as any government officer or employee who Will make or issue false certifications, attestations, endorsements and/or spurious documents in relation to any such application shall suffer the penalty of imprisonment of one (1) to three (3) years or a fine in amount up to one hundred thousand pesos (Php 100,000.00) or both, at the discretion of the judge, in addition to perpetual disqualification from public office. Said employees may also be administratively charged under civil service laws, rules and regulations.

**SECTION 6. *Repealing Clause.*** - All laws, decrees, executive orders, rules and regulations or parts thereof contrary to, or inconsistent With this Act, are hereby modified or repealed accordingly.

**SECTION 7. *Separability Clause.*** - If any provision of this Act is held as invalid or unconstitutional, the remaining provisions of this not otherwise affected shall remain valid and subsisting.

**SECTION 8. *Effectivity Clause.*** - -- This Act shall take effect fifteen (15) days following its complete publication in any national newspaper of general circulation or in the Official Gazette.

*Approved,*