

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
FIRST REGULAR SESSION

House Bill No. 2692



INTRODUCED BY Rep. GREG G. GASATAYA

EXPLANATORY NOTE

The 1987 Philippine Constitution provides for the duty of the State to protect workers' rights and ensure fair working conditions. Article II, Section 9 of the 1987 Philippine Constitution pronounces that "The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all." Section 18 of the same Article of the 1987 Philippine Constitution also states that "The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare." Likewise, Article XIII, Section 3, paragraph 2 of the 1987 Philippine Constitution proclaims that "They [workers] shall be entitled to security of tenure, humane conditions of work, and a living wage."

Despite the abovementioned guarantees from the supreme law of our lands, data from the Civil Service Commission suggest that as of July 2016, 592,162 of 2.4 million government workers are still under fixed-term arrangements. Some if not most of the said employees have been serving the public for several years and are still not enjoying perks and benefits accorded regular workers despite possessing skills necessary for the government and having been repeatedly hired for their positions.

This representation believes that hardworking public servants must be protected and be given security of tenure and benefits. In order to provide the best kind of service to the Filipino people, we must invest in our core human resources as high employee morale will lead to better frontline and overall government services.

As such, passage of this Bill is earnestly sought.

A handwritten signature in black ink, appearing to be "Greg G. Gasataya".

REP. GREG G. GASATAYA
Lone District of Bacolod City

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AN ACT
PROVIDING FOR SECURITY OF TENURE AND BENEFITS FOR CASUAL,
CONTRACTUAL, AND JOB ORDER EMPLOYEES OF THE GOVERNMENT

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

SEC. 1. Declaration of Policy. – To fully utilize its core human resources, the State shall protect the rights of government workers and ensure and promote their welfare.

SEC. 2. Security of Tenure and Benefits for Long-Time Casual and Contractual Employees of the Government. – It is hereby mandated that all incumbent casual and contractual government employees who have rendered a minimum of five (5) years of continuous service in government as of the effectivity of this Act shall be entitled to security of tenure, privileges and the benefits of a permanent employee: Provided however that said continuous service may be waived if the service of the employees concerned prior to the completion of the said years was interrupted for not more than one (1) year taken cumulatively due to office reorganization.

SEC. 3. Positions. – Positions held by employees covered by this Act shall be deemed necessary and essential for the efficient and effective operation of the government and shall be marked co-terminus with the incumbent employees. The said positions may not be abolished unless vacated by their incumbents.

SEC. 4. Contract of Service/Job Order workers in the government entitled to receive insurance benefits, PhilHealth, and Pag-Ibig Contributions, 13th month pay, productivity bonuses and such other privileges enjoyed and being received by permanent government employees. – Contract of Service/Job Order workers in the government shall be entitled to receive insurance benefits, PhilHealth and Pag-Ibig Contributions, 13th month pay, productivity bonuses and such other privileges enjoyed and being received by permanent government employees, provided they meet the following qualifications:

- (a) They are directly hired or engaged by the government for a job or task to be performed on a daily basis for a period of at least one (1) year or have been performing the job or task for the same period;
- (b) They are earning monthly pay equivalent to or less than the computed Salary Grade 4 in the government service;

SEC. 5. *Implementing Rules and Regulations.* – Subject to the approval of the Secretary of Budget and Management, Civil Service Commission, and Commission on Audit.

SEC. 6. *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

SEC. 7. *Repealing Clause.* – All other laws, decrees, executive orders, proclamations, rules and regulations, or parts thereof inconsistent with provisions of this Act are hereby amended, repealed or modified accordingly.

SEC. 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days following completion of its publication in at least two (2) newspapers of general circulation.

APPROVED,