

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

*Thirteenth Congress
First Regular Session*

House Bill No. 4652



Introduced by the Honorable Simeon A. Datumanong

EXPLANATORY NOTE

This bill seeks to exempt the Office of Ombudsman and its employees from the coverage of Republic Act 6578 (Salary Standardization Law), and to provide other benefits and incentives to its employees.

Article XI of the 1987 Philippine Constitution reposes upon the Office of the Ombudsman the enormous task of acting on complaints filed in any form or manner against public officials and investigating any act or omission when such act or omission appears to be illegal, proper or inefficient, and determine the cause of inefficiency, red tape, mismanagement, fraud and corruption in Government. Unfortunately, the present quality and quantity of manpower and legal resource of the Office of the Ombudsman is not yet commensurate to the immense responsibility placed upon it as the "Protector of the People."

The call of the times is for the present government to step up its efforts against graft and corruption because of the proven direct proportionality of worsening poverty to high incidence of corruption in the country.

At present, there are not enough Ombudsman prosecutors handling the almost 2,000 cases in the Sandiganbayan. Further, the Office of the Ombudsman has only a total of 88 field investigators watching a bureaucracy of around 1.5 million officials and employees. With the avalanche of cases coming in annually, the present number of prosecutors and field investigators is not enough to handle the same.

The present compensation of Ombudsman prosecutors pales in comparison with that of the private sector. For instance, senior prosecutors, with 10 years or more of law practice, earn only about P500,000.00 a year – same compensation for first year lawyers in major Makati law firms. Basically, said positions, which require high level qualifications (such as lawyers) are not attractive essentially due to low salary rates.

Further, it has been observed, in recent years, that several of the best employees and officials of the Office of the Ombudsman have resigned, for practical purposes, accepting more lucrative offers from private companies and other government agencies not covered by R. A. 6758. Some of those who remain seek to receive as much training as they can with their eyes set on an immediate transfer to the judiciary or to any other higher-paying government institutions, relegating the Office of the Ombudsman to a mere stepping stone for something other than long term career service within the institution.

Moreover, the work of an official or employee in the Office of the Ombudsman is, likewise, accompanied by a corresponding extremely high risk to life and limb because the very nature of the cases that are handled by the institution. The present direction of the Office of the Ombudsman is to aggressively go after corrupt high-ranking government officials some of whom might be willing to go to greater lengths even beyond verbal threats if only to escape prosecution. In view of this harsh reality, employees and officials of the

Office of the Ombudsman must receive compensation commensurate to the extremely grave risk attached to their work.

Finally, the fifty (50) most prominent and high impact cases presently handled by the Office of the Ombudsman at the Sandiganbayan involve high-ranking government officials who are represented by the best lawyers that money can buy. Thus, it may not be amiss to state that unless the Office of the Ombudsman can attract the best legal minds of this nation to prosecute these cases, the efforts at strengthening the prosecutorial arm of the Office of the Ombudsman to finally indict and successfully prosecute the elusive "big fish" may fail.

This measure aims to encourage the best human resources of our nation to join the war against graft and corruption by presenting to them financial incentives (such as exemption from R. A. 6758, free medical services and college education subsidy) commensurate to the importance, risk and urgency that the work of battling graft and corruption at this present time entails.

In view of the foregoing, the immediate enactment of this measure is earnestly requested.


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AN ACT
EXEMPTING THE OFFICE OF THE OMBUDSMAN FROM THE COVERAGE
OF REPUBLIC ACT NO. 6758, OTHERWISE KNOWN AS THE SALARY
STANDARDIZATION LAW AND PROVIDING OTHER BENEFITS, AND
FOR OTHER PURPOSES

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

SECTION 1. *Declaration of Policy.* – Public office is a public trust. It is the policy of the State to promote and ensure full public accountability in all areas of its endeavor and to discourage inefficiency and graft and corruption in all its forms. The State recognizes that the Office of the Ombudsman has been primarily mandated by the Constitution to address the problem of graft and corruption. The State further recognizes the need to channel resources, including adequate personnel, to anti-corruption efforts and encourage the citizens to join the fight against graft and corruption, specifically, by joining the Office of the Ombudsman. Towards this end, the State shall:

- (a) exempt the Office of the Ombudsman and its employees from the coverage of Republic Act No. 6758, otherwise known as the Salary Standardization Law; and

- (b) provide other benefits and incentives to its employees or their dependents.

SECTION 2. *Exemption from salary standardization.* – The Office of the Ombudsman is hereby authorized to formulate and approve reorganization, streamlining of its structure and operations, upgrading of its human resource component, and its own compensation and position qualification standards based on a comprehensive job analysis and audit of actual duties and responsibilities. The Office of the Ombudsman, therefore, shall be exempt from the coverage of the Republic Act. No. 6758, otherwise known as the Salary Standardization Law.

The compensation schedule implemented pursuant to this Act shall be subject to periodic review by the Office of the Ombudsman, in consultation with the Department of Budget and Management, not more than once every five (5) years, without prejudice to yearly merit reviews or increases based on productivity and efficiency.

SECTION 3. *Other benefits* – In order to achieve the goals of this Act, employees and officials of the Office of the Ombudsman shall be entitled to free medical services and expenses in public or State-owned hospitals.

Further, subject to admission requirements, the first three (3) children of employees or officials of the Office of the Ombudsman shall likewise be entitled to free and/or subsidized college education at State Colleges and Universities.

The enjoyment of the benefits provided in this Section shall be subject to the following schedule and qualifications:

Years in Office	Subsidy
3 to 5 years	15%
6 to 8 years	30%
9 to 11 years	45%
12 to 14 years	60%
15 to 17 years	75%
18 to 20 years	90%
Over 20 years	100%

SECTION 4. *Repealing Clause* - All laws, decrees, issuances, rules and regulations inconsistent with the provisions of this Act are hereby repealed.

SECTION 5. *Effectivity Clause*. - This Act shall take effect within fifteen days after its publication in the Official Gazette and in at least two (2) national newspapers of general circulation.

Approved.