



Thirteenth Congress
Third Regular Session

HOUSE BILL NO. 6107

Introduced by Honorable

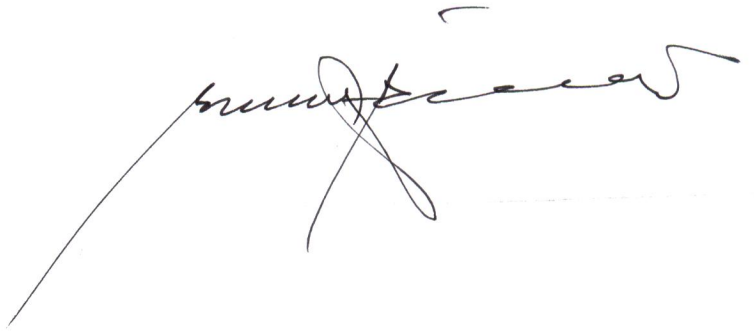
EXPLANATORY NOTE

This bill seeks to establish a Legislative Career Service to strengthen and rationalize the career service of the Congress of the Philippines.

Employees of Congress are entrusted with the great responsibility of providing the Members of the House of Representatives and the Senate with professional, technical and other services relative to legislation. Accordingly, these employees become responsible not only to the Congressmen and Senators but to the very people whom the legislators seek to represent – people who require the highest degree of efficiency and competence from government service. These expectations can be unequivocally met by the recruitment of the best and highly qualified manpower available. A well-revered institution as Congress must be able to offer its present and prospective employees a legislative career service which is tailored to guarantee professionalism in the service complete with an attractive compensation package and retirement scheme.

As a policy-making body, Congress deserves the best minds available. The establishment of a Legislative Career Service will allow the admission and training of competent and qualified civil servants in Congress.

To maintain the highest morale in the personnel assisting in the lawmaking process, and to commend these men and women behind the work of the Senators and Congressmen for their untiring support and dedication to this great political institution, approval of this bill is highly and earnestly recommended.

A handwritten signature in dark ink, appearing to read "M. J. [unclear]", with a long, sweeping horizontal line extending to the left.



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

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AN ACT

STRENGTHENING AND RATIONALIZING THE CAREER SERVICE
OF THE CONGRESS OF THE PHILIPPINES BY ESTABLISHING A
LEGISLATIVE CAREER SERVICE, PROVIDING BENEFITS FOR
ITS OFFICERS AND EMPLOYEES, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Legislative Career Service.* - There shall be established a
Legislative Career Service for Congress composed of the following:

(a) *The Legislative Career Service Officers (LCSO)* - to include the
positions of the Deputy Secretary of the Senate, Deputy Secretary General of
the House of Representatives, Deputy Secretary of the Commission on
Appointments, and their equivalents, Executive Director, Bureau Director,
Assistant Bureau Director, Service Chief, down to Director I Level, and

1 equivalent levels which involve professional and technical work in a
2 supervisory capacity;

3 (b) *The Legislative Career Service Employees (LCSE)* - to include
4 Legislative Staff Officer positions which involve professional and technical
5 work in a non-supervisory capacity;

6 (c) *The Legislative Sub-Career Service (LSCS)* - to include Legislative
7 Staff Assistant/Employee positions which involve clerical, trades, crafts and
8 custodial services in a non-supervisory capacity.

9 **SEC. 2. Coverage.** - The Legislative Career Service (LCS) shall include
10 the officers and employees of the Senate, the House of Representatives and the
11 Commission on Appointments.

12 **SEC. 3. Objective.** It is the purpose of this measure to professionalize,
13 upgrade and strengthen the work force of the Legislative Department to ensure
14 that Congress and its Members shall be provided with qualified, efficient and
15 effective legislative, administrative and security support services. Towards this
16 end, a continuing pool of competent and development-oriented legislative
17 career service officers and employees shall be established and maintained.

18 **SEC. 4. Legislative Career Service Board.** - There shall be a Legislative
19 Career Service Board, hereinafter referred to as the Board, to be composed of

1 the Secretary of the Senate and the Secretary General of the House, as Co-
2 Chairmen; one (1) Career Official to be designated by the President of the
3 Senate, one (1) Career Official to be designated by the Speaker of the House,
4 and the Chairman of the Civil Service Commission. The two (2) Career
5 Officials for both Houses shall serve for a term of three (3) years.

6 **SEC. 5. *Functions of the Board.*** - The Board shall-

7 (a) Determine and evaluate the qualification of the applicants for
8 LCSO positions;

9 (b) Prepare the examination questions for LCSO positions and conduct
10 the examination, correct and rate examination papers in coordination with the
11 Civil Service Commission and submit the results to the President of the Senate
12 and Speaker of the House;

13 (c) Conduct an annual review of the qualifications of LCSO and
14 recommend deserving officers for appointment to the rank of LCSO;

15 (d) Establish and conduct a performance evaluation system for LCSOs;

16 (e) Keep a roster of those who have passed the LCSO examinations; and

17 (f) Perform such other functions as may be assigned by the President of
18 the Senate or the Speaker of the House pursuant to its mandate.

19 **SEC. 6. *Legislative Career Service Officers (LCSO) Eligibility.*** -

20 LCSO eligibility shall be conferred by the Board to any person who meets

1 such managerial and legislative experience and competence, leadership
2 qualities and other relevant qualifications, and passes the examination
3 prescribed by the Board.

4 The examination shall consist of two stages: (a) Legislative/management
5 aptitude test, and (b) Assessment of managerial capability and competence.
6 Those who pass the managerial assessment will be subject to a validation
7 process involving their superiors in order to ascertain their on-the-job
8 performance. Successful completion of the managerial assessment and
9 favorable results of the validation process and a final interview by the Board
10 shall qualify the candidate for the grant of LCSO eligibility.

11 Any incumbent officer or employee who is a Career Executive Service
12 (CES) eligible prior to the effectivity of this Act shall automatically be
13 conferred LCSO eligibility.

14 **SEC. 7. *Qualification Requirements.*** - An applicant for LCSO
15 eligibility must possess the following qualifications:

- 16 (a) A Bachelor's degree;
- 17 (b) Not be over fifty-five (55) years of age;
- 18 (c) Must be a citizen of the Philippines; and
- 19 (d) Must not have been convicted by a court of competent jurisdiction of
20 a crime involving moral ^{twr} aptitude.

1 **SEC. 8. *Appointments.*** - Appointments to appropriate positions in the

2 Legislative Career Service shall be made by the President of the Senate, the
3 Speaker of the House of Representatives or the Chairman of the Commission
4 on Appointments, as the case may be.

5 No person shall be eligible for appointment to any position in the
6 Legislative Career Service unless he or she meets the qualification standards
7 approved by the Legislative Career Service Board (LCSB) which shall at least
8 be at par with the standards set by the Civil Service Commission.

9 **SEC. 9. *Incumbents.*** - Upon approval of this Act, an incumbent, or an
10 employee officially discharging the duties, of a regular career position herein
11 classified as an LCSO position shall be accorded LCSO eligibility and shall
12 enjoy security of tenure.

13 **SEC. 10. *Retirement Benefits.*** - Retirement shall be compulsory for an
14 officer or employee in the Legislative Career Service upon reaching the age of
15 sixty-five (65) years: *Provided*, That he or she has rendered at least fifteen (15)
16 years of service in the government, three (3) years of which have been
17 continuously rendered in the Legislative Department. If he or she has rendered
18 less than fifteen (15) years of service, he or she shall be allowed to continue in
19 service up to a maximum of one (1) year, subject to Civil Service rules and
20 regulations.

1 Upon compulsory retirement, an officer or employee shall be entitled to
2 a monthly pension for the duration of his or her natural life equivalent to the
3 salary of the incumbent of the position he was retired from and a lump sum
4 gratuity of five (5) years or sixty (60) months multiplied by two (2) months
5 salary plus the highest monthly aggregate of transportation, living and
6 representation allowances received at the time of retirement.

7 An officer or employee who has reached the age of sixty (60) years with
8 at least fifteen (15) years of service in government, the past three (3) years of
9 which have been continuously rendered in the Legislative Department, may opt
10 to retire under the compulsory retirement plan: *Provided*, That he or she shall
11 be entitled to a monthly pension only upon the lapse of five (5) years from
12 retirement.

13 Likewise an incumbent who has availed of any prior optional retirement
14 plan and has an accumulated thirty (30) years of service in government, three
15 (3) years of which have been continuously rendered in the Legislative
16 Department shall be given full credit for services rendered by him or her prior
17 to his or her reinstatement and shall receive the full benefits granted under this
18 Act if he or she retires under the compulsory retirement plan: *Provided*, That
19 he or she refunds all pensions and retirement benefits previously received.

20 All pension benefits of retired officers and employees of the legislative

1 department shall be automatically increased whenever there is an increase in
2 the salary of the same position from which he or she retired. Except for the
3 retirement benefits granted herein, officials and employees of the Legislative
4 Career Service shall remain covered by the compulsory life insurance program
5 of the Government Service Insurance System (GSIS), and shall therefore be
6 entitled to and may avail of GSIS benefits: *Provided*, That the corresponding
7 personal and employer share for the life insurance coverage is paid and
8 remitted.

9 **SEC. 11. *Survivorship Benefits.*** - Upon the death of an officer or
10 employee who has been retired, his or her surviving spouse and surviving
11 legitimate minor children shall receive in equal shares seventy percent (70%)
12 of the monthly retirement pay which he or she has been receiving at the time of
13 his or her death: *Provided*, That no payment under this Section shall be made
14 to the surviving spouse who remarries.

15 **SEC. 12. *Optional Retirement.*** - An officer or employee, who has
16 rendered an accumulated twenty (20) years of government service, the last
17 three (3) years of which have been continuously rendered in the Legislative
18 Department, may choose to retire from the service under the optional
19 retirement plan subject to the approval of the President of the Senate or the
20 Speaker of the House of Representatives, as the case may be.

1 Incumbents who have rendered at least ten (10) years of continuous
2 service in Congress at the time of the adoption of this Act may likewise avail
3 of the optional retirement. He or she shall be entitled to receive a lump sum
4 gratuity equivalent to two (2) months salary for every year of service plus
5 highest monthly aggregate of transportation, living and representation
6 allowances as of the date of his or her retirement.

7 A retiree under this Section shall not be eligible for appointment to or
8 employment in Congress whether on a permanent, temporary, casual or
9 emergency status within a period of three (3) years after retirement.

10 An officer or employee who has been separated from the service shall
11 be given full credit for services rendered by him prior to his reinstatement for
12 purposes of determining his or her retirement or separation benefits under this
13 Act: *Provided*, That he or she refunds all pensions and retirement benefits
14 previously received.

15 An officer or employee who shall retire under the compulsory or
16 optional retirement plan shall be entitled to a refund of GSIS personal
17 contributions and the corresponding share of the government with interest
18 earned. Likewise, all retiring officers and employees shall be entitled to the
19 commutation of unused vacation and sick leave in accordance with existing
20 rules and regulations.

1 **SEC. 13. *Separation Benefits.*** - When an officer or employee is
2 permanently incapacitated to discharge the duties of his or her office, or dies
3 while in the service or is otherwise separated from the service for reasons
4 beyond his or her control and who is not qualified for retirement under Section
5 10 hereof, he or she or his or her heirs shall be paid a lump sum equivalent to
6 two (2) months salary for every year of service, computed on the basis of the
7 last monthly salary plus the highest monthly aggregate of transportation, living
8 and representation allowances which he was receiving on the date of his
9 incapacity, death or separation from the service. This shall be properly certified
10 by the Secretary of the Senate, the Secretary General of the House of
11 Representatives or the Secretary of the Commission on Appointments, as the
12 case may be.

13 **SEC. 14. *Suspension or Deprivation of Benefits.*** - Benefits due under
14 this Act to any officer or employee shall be withheld if the officer or employee
15 has unliquidated accounts or any pending administrative, criminal or civil case
16 connected with his or her position. If the officer or employee is found guilty,
17 all benefits shall be forfeited, otherwise, the benefit shall be paid in full plus
18 interest as soon as the officer or employee is cleared of all charges.

19 **SEC. 15. *Retirement Benefits of the Secretary of the Senate, the***
20 ***Secretary General of the House of Representatives, the Sergeant-at-Arms of***
21 ***both Houses, the Secretary and the Sergeant-at-Arms of the Commission on***

1 *Appointment and Co-Terminous Employees.* - The Secretary of the Senate,
2 the Secretary General of the House of Representatives, the Sergeant-at-Arms
3 of both Houses, the Secretary and the Sergeant-at-Arms of the Commission on
4 Appointments, and co-terminus staff of the Members of Congress and of the
5 Commission on Appointments, with at least fifteen (15) years of service in the
6 government, the last three (3) years of which have been continuously rendered
7 in the Senate, the House of Representatives or the Commission on
8 Appointments, may avail of the retirement and separation benefits subject to
9 the conditions provided under Sections 10, 11, 12, and 13 hereof.

10 SEC. 16. *Enforcement of Retirement Benefits,* - The Senate of the
11 Philippines, the House of Representatives and the Commission on
12 Appointments, or their successors shall take charge of the enforcement and
13 operation of retirement benefits under this Act and no officer or employee of
14 Congress shall be entitled to receive any gratuity or pension herein provided
15 for unless from the month following the approval of this Act, in case of an
16 actual incumbent, or from the month following his or her appointment and
17 qualification as such, in case of a future appointment, he shall have contributed
18 to the retirement funds, by paying a monthly contribution equivalent to ten
19 percent (10%) of his or her basic monthly salary, three percent (3%) shall be
20 allotted for insurance premium and seven percent (7%) for retirement, with
21 employer counterpart of twelve percent (12%). The retirement fund shall be

1 held in trust by the Government Service Insurance System which fund shall be
2 made available for the payment of the benefits under this Act. In case of
3 deficiency in the fund, the deficiency shall be paid out of the appropriation of
4 either the Senate of the Philippines, the House of Representatives and the
5 Commission on Appointments, or their successors.

6 The President of the Senate or Speaker of the House of Representatives
7 may avail of management and technical assistance of the GSIS or enter into an
8 agreement concerning the administration and operation of the retirement funds
9 of their respective Houses. They may jointly or separately, authorize the GSIS
10 or any other government financing institution to invest the investible amounts
11 of the said retirement funds in accordance with existing laws and sound and
12 prudent investment policies and practices.

13 **SEC. 17. *Implementing Rules and Regulations.*** - Upon the
14 recommendation of the Secretary of the Senate and the Secretary General of
15 the House of Representatives, the President of the Senate and the Speaker of
16 the House of Representatives, shall jointly promulgate such rules and
17 regulations for the proper implementation of this Act.

18 **SEC. 18. *Appropriations.*** - The amount needed to carry out the initial
19 implementation of this Act shall be charged against the current year's
20 Appropriations for the Organizations Adjustment Fund and Miscellaneous

1 Benefits Fund. Thereafter, such sums as may be necessary for its continued
2 implementation shall be included in the annual General Appropriations Act.

3 **SEC. 19. *Separability Clause.*** - Any portion or provision of this Act
4 that may be declared unconstitutional shall not have the effect of nullifying
5 other portions or provisions thereof as long as such remaining portions can still
6 subsist and be given effect in their entirety.

7 **SEC. 20. *Repealing Clause.*** - All laws, orders, decrees, rules and
8 regulations, and other issuances, or parts thereof, inconsistent herewith, are
9 hereby repealed or modified accordingly.

10 **SEC. 21. *Effectivity.*** - This Act shall take effect after fifteen (15) days
11 following its publication in two (2) national newspapers of general circulation.