

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

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 00000 226

INTRODUCED BY HON. AMADO S. BAGATSING

EXPLANATORY NOTE

This bill seeks to grant civil service eligibility to government workers and employees as guaranteed under Sec. 9, Article II, of the Constitution which states that "the State shall promote a just and dynamic 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." In the same Article, Sec. 18, "The State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare." It guarantees equal access to opportunities for public service, afford protection to labor, promote full employment and equality in employment and ensure equal work opportunities.

It has been observed that the hiring of government workers and employees to fill in much needed personnel for special projects and programs, and/or other exigencies had always been under fortuitous conditions. This appears to be a normal practice in our bureaucracy. Time and again, accommodated applicants end up either as casual/contractual or co-terminus employees under provisional or temporary appointment status. Most of them manage to retain their position and continue to remain as part of the civil service. By reasons of their educational qualification, experience, capability and effectiveness to handle sensitive and dynamic positions some of them even occupy regular government key positions that require career professional civil service eligibility. The same is true with personnel under the employ of elective officials and holding co-terminus appointments who are also deprived of the opportunity to occupy permanent positions in government offices despite the fact that they continuously serve for a considerable number of years with loyalty and dedication.

It should be recalled that in 1990, Republic Act No. 6850, An Act granting Civil Service Eligibility to Government Employees with Provisional or Temporary Appointment who have Continuously Rendered Seven (7) Years of Government Service, was passed by Congress. However, it is sad to note that the author of the Act, despite her noble intent, failed to include casuals/contractual, co-terminus and other legitimate regular plantilla position such as office utility aide, office utility assistant and/or their equivalents which would have expanded the benefits to other employees much deserving of similar recognition and which would have been an

opportunity for them to improve their welfare. Likewise, Republic Act No. 7883 was also enacted into law, An Act Granting Civil Service Eligibility to Barangay Health Workers who Have Rendered Five Years of Continuous Service. It is therefore just fair and highly commendable that this bill's objective is to grant civil service eligibility to these underprivileged government workers and employees who have continuously rendered ten (10) years of service to the bureaucracy as they deserve equal treatment and care.

There is no reason therefore why Congress should not enact this measure if only to give flesh to the Constitutional mandate that will address the need to provide this opportunity for advancement needed by the marginalized workers and employees of our government.

The passage of this bill therefore is earnestly requested.

A handwritten signature in black ink, appearing to read 'Amado S. Bagatsing', with a stylized flourish extending from the end.

AMADO S. BAGATSING

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Quezon City

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Introduced by: Representative AMADO S. BAGATSING

AN ACT
GRANTING SECURITY OF TENURE UNDER CERTAIN CONDITIONS TO
GOVERNMENT EMPLOYEES WHOSE NATURE OF APPOINTMENT IS
EITHER TEMPORARY OR CONTRACTUAL AND WHO HAVE
RENDERED A TOTAL OF TEN YEARS OF EFFICIENT SERVICE

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

1 **SECTION 1. – Declaration of Policy.** – The State shall harness its human
2 resources to cope with the rapid economic development and population growth.
3 Government workers, being an important component of the State's human resources,
4 shall be given the equal opportunity to quality education, justice, and the security of
5 tenure of employment.

6 **SEC. 2. Coverage.** – Subject to the provisions of the Constitution and
7 applicable civil service laws, rules and regulations, all incumbent government
8 employees, as of the approval of this Act, who are holding contractual and/or
9 temporary positions in the first and second levels and who have rendered continuous
10 service for the last ten (10) years shall be given regular positions with permanent
11 appointments by their respective offices: *Provided, however,* That, they shall not be
12 entitled to any promotion until such time that they shall have obtained the appropriate
13 eligibility requirement for that position.

14 **SEC. 3. Civil Service Performance Evaluation Standards.** – The Civil
15 Service Commission shall formulate performance evaluation standards to determine
16 qualified employees under this Act.

1 **SEC. 4. *Implementing Rules and Regulations.*** – The Civil Service
2 Commission shall promulgate rules and regulations within ninety (90) days after the
3 approval of this Act.

4 **SEC. 5. *Separability Clause.*** - If any part, section or provision of this Act is
5 declared invalid or unconstitutional, other provisions not affected therein shall remain
6 in force and effect.

7 **SEC. 6. *Repealing Clause*** - All laws, decrees, and executive orders
8 inconsistent with this Act are hereby repealed or modified accordingly.

9 **SEC. 7. *Effectivity Clause*** - This Act shall take effect fifteen (15) days after
10 its publication in at least two (2) newspapers of general circulation.

11 Approved.