

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



SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **1490**

Introduced by HONORABLE LANI MERCADO-REVILLA

EXPLANATORY NOTE

This bill seeks to grant security of tenure to contractual and co-terminus government employees who have rendered at least five (5) years of continuous service in government agencies as of date of the approval of this Act.

At present, there are many hardworking government employees who have continuously rendered loyal service to the government but are not able not secure a permanent appointment in their respective offices for the mere fact that they lack the merit of appropriate civil service eligibility. It is unfortunate that these individuals, who have otherwise proven adept in their line of work be deemed ineligible for the very position and job that they have been doing for a long period. One examination that is accomplished in a couple of hours cannot accurately measure an individual's capacity or subsequent incapacity to work for our government. It is experience in the years ~~of~~ service that train and hone a person's skills and capabilities.

An individual who has continually worked in a government office for a period of at least five years should be considered proficient enough in his work and be given the security of tenure that he or she has earned.

It is for these reasons that passage of this bill is earnestly sought.


REP. LANI MERCADO-REVILLA
2nd District, Cavite

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Introduced by **HONORABLE LANI MERCADO-REVILLA**

AN ACT
PROVIDING FOR SECURITY OF TENURE FOR ALL CASUAL AND
CONTRACTUAL EMPLOYEES OF THE GOVERNMENT WHO HAVE RENDERED
AT LEAST FIVE (5) YEARS OF CONTINUOUS SERVICE IN GOVERNMENT
AGENCIES AND FOR OTHER RELATED PURPOSES

Be it enacted by the Senate and 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. Security of tenure for long-time casual and contractual employees; Coverage. Subject to the provisions of the Constitution and applicable civil service laws, rules and regulations, it is hereby mandated that all incumbent casual and contractual government employees who have rendered at least five (5) years of continuous service in government agencies as of date of the approval of this Act shall be entitled to security of tenure.

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 separated 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 vacated 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 (P100,000.00) or both, at the discretion of the judge, in addition to perpetual disqualification from public office. Said employees may also be administratively charged under existing civil service laws, rules and regulations.

SECTION 6. Separability Clause. If any provision of this Act is held as invalid or unconstitutional, the remaining provisions of this Act not otherwise affected shall remain valid and subsisting.

SECTION 7. Repealing Clause. All laws, decrees, executive orders, department or memorandum orders and other administrative issuance or parts thereof which are inconsistent with the provisions of this Act are hereby modified, superseded or repealed accordingly.

SECTION 8. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.