

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **6675**



Introduced by HONORABLE LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

EXPLANATORY NOTE

"We make a living by what we get, we make a life by what we give."
- Winston Churchill

On the regular, government employees work eight (8) hours a day somewhere between 6 a.m. to 6 p.m. Services rendered beyond those eight (8) hours is considered overtime and are therefore eligible for overtime pay in accordance with existing laws, rules, and regulations. However, there remain government employees whose work hours fall between 6:00 pm to 6:00 am: the night shift workers who are mostly in security and the medical field. They are eligible for overtime pay but there is yet a law securing night-shift differential pay.

It is commonly accepted that night work is more strenuous than work done during the day. It is physically demanding to stay awake at night as it disrupts the biological rhythm of the body. Restlessness, sleepiness, fatigue, decreased focus and disruption of the body's metabolic process are common symptoms of those among the night-shift work force.¹ Sleeping disorders such as excessive sleepiness or insomnia are caused and common among night shift workers. Night work is also recorded to increase risk in heart disease and cancer.² Besides medical risks to the worker other mental faculties are subject to greater stress at night. A number of studies have found a link between fatigue from prolonged work hours or being called into work in the middle of the night to poor decision making.³ Simply put, lapses in judgment and impaired motor skills are more frequent in the wee hours.

From all the health risks involved, it is only fair for night shift government employees to receive compensation for their strenuous work and hours. Work performed during

¹ Price M., "The Risks of Night Work," *Science Watch*, The American Psychological Association, Vol. 42, No. 1 (January 2011) Retrieved from: <http://www.apa.org/monitor/2011/01/night-work.aspx>

² Violanti, Vila et. al, *Policing*, The American Psychological Association, Vol. 30, No. 2

³ Price, *Night Work*

the night is exceptional compared to that of the day and are only ever conducted because of necessity. Hygienic, medical, moral, cultural, and socio-biological reasons, moreover, show that night work entails various inconveniences. It is only just that the laborer be compensated for inconvenience.

This re-filed version of the bill seeks to provide government employees, including those in government-owned and controlled corporations, a night shift differential pay at a rate not exceeding twenty per centum (20%) of the hourly basic rate of the employees for each of work performed between ten o'clock in the evening and six o'clock in the morning. The pay shall not diminish whatever benefits and allowances government employees presently enjoy. It is a means to reward duty and good service.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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Introduced by HONORABLE LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

AN ACT
GRANTING NIGHT SHIFT DIFFERENTIAL PAY TO THE GOVERNMENT
EMPLOYEES INCLUDING THOSE IN GOVERNMENT-OWNED OR
CONTROLLED CORPORATIONS AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. Government employees, including those in government-owned or controlled corporations, whether their nature of employment is permanent, contractual, temporary or casual, shall be paid night shift differential at a rate not exceeding twenty percent (20%) of the hourly basic rate of the employee for each hour of work performed between ten o'clock in the evening and six o'clock in the morning; *Provided*, That the night shift differential pay provided under this Act shall be in addition to and shall not in any way diminish whatever benefits and allowances being presently enjoyed by government employees.

"Hourly basic rate" refers to basic salary rate per hour derived by dividing the monthly rate by twenty-two (22) working days and dividing the quotient derived by eight (8) hours.

SEC. 2. The following government employees are not covered by this Act:

- a) Public health workers who are already covered by Republic Act No. 7305; and
- b) Government employees whose services are required, or are on call, twenty-four (24) hours a day such as the uniformed personnel of the Armed Forces of the

Philippines (AFP), the Philippine National Police (PNP), the Bureau of Jail Management and Penology (BJMP), and the Bureau of Fire Protection (BFP).

SEC. 3. The Civil Service Commission (CSC), in coordination with the Department of Budget and Management (DBM), shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 4. The amount necessary for the effective implementation of this Act shall be funded as follows:

- a) For the national government entities, the initial amount shall be charged from the savings generated from the different departments, bureaus, offices, and agencies. Thereafter, such sum as may be necessary for the continuous implementation of this Act shall be included in the annual General Appropriations Act (GAA):
- b) For local government units, the amount shall be charged against their respective funds; and
- c) For government-owned or controlled corporations and their subsidiaries the amount shall come from their respective corporate funds.

SEC. 5. All laws, decrees, orders, rules and regulations, and other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 6. This Act shall take effect fifteen (15) days after publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,