

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7532



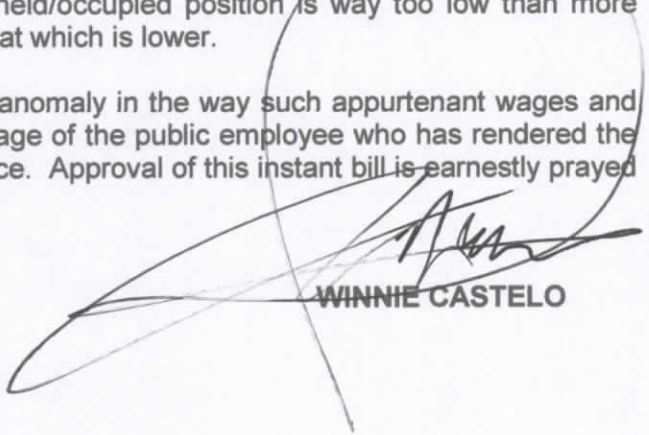
Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

Every worker in government dedicates his/her life to rendering public service over a long period of time. Throughout that span of time, s/he experiences an opportunity loss like a much better package of wages and benefits that a counterpart in the private sector has to offer. But public service being what it is requires of every public servant to be committed to doing their tasks in order to serve a lot of people well. With this, it is only fitting and proper that when they later decide to separate or otherwise retire, these government employees should likewise receive the wages and benefits due them in accordance with sound governmental policy as that the Government Service Insurance System should aptly provide.

However, there seems to be an overarching concern in the manner such separation or retirement benefit is being computed. This is that the computation is based rather arbitrarily on the employee's last position held or occupied entirely disregarding or shelving other relevant consideration during the span of his/her service or record of service in government especially on the matter of various positions held or occupied. For example, if Employee A has served so and so years as to qualify for retirement and yet the last position s/he could have held is much lower than previous ones, s/he is computed a separation or retirement benefits based on last held/occupied position. So when such last held/occupied position is way too low than more previous ones, the computation is based on that which is lower.

This instant bill aims to correct this apparent anomaly in the way such appurtenant wages and benefits are being computed to the disadvantage of the public employee who has rendered the corresponding number of years in public service. Approval of this instant bill is earnestly prayed for, hence this submission.


WINNIE CASTELO

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AN ACT
RATIONALIZING THE COMPUTATION OF SEPARATION OR RETIREMENT BENEFITS FOR EVERY WORKER IN GOVERNMENT SERVICE, IMPOSING APPROPRIATE SANCTIONS FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES

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

SECTION 1. This Act shall be known as the Government Service Retirement Benefits Act."

SEC. 2. It shall be a sound policy of the State to insure that every worker in government service shall be accorded just fair and corresponding wages, allowances, and pecuniary benefits in accordance with what shall accrue and due her/him holding or occupying such position. This extends up to time when s/he separates or retires from the service.

SEC. 3. In no instance shall the computation of separation or retirement benefits takes in isolation her/her last position held or occupied at the time s/he may have applied for the same but should include all other previous positions held or occupied to which s/he had been paid the corresponding wages, allowances and pecuniary benefits to which the appropriate taxes for the government have also been deducted in the computation thereof.

SEC. 4. The Government Service Insurance System shall insure that every employee of government who separates or retires from public service gets her/his corresponding, appropriate and justly-computed rates of separation or retirement benefits based not just on last position held or occupied but based likewise on such other previous or earlier positions wherein s/he may have held or occupied higher position and therefore higher rates of wages and allowances. All these variables should be factored and incorporated into the computation of his/her separation or retirement benefits when the same is applied for.

Provided Further That, it shall be deemed arbitrary to effect payment of separation or retirement benefits that is merely or conveniently based on last position held or occupied thereby discrediting all the attendant values that may be taken into account from her/his employment record or history in government service which carries computable refunds or returns or premiums as just and corresponding gratuity benefits.

SEC. 6. For any or all violations of the principles under this Act, appropriate sanctions shall be imposed upon the concerned agency found remiss in the compliance of the provisions of this Act set herewith.

SEC. 7. This Act shall take effect upon its approval, its publication in the Official Gazette, and in at least three (3) newspapers of general circulation.

Approved,