

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

SEVENTEENTH CONGRESS
Third Regular Session

H.B. No. 8178



Introduced by: HON. LORD ALLAN JAY Q. VELASCO

"AN ACT AMENDING SECTIONS 4 AND 8 OF REPUBLIC ACT NO. 6758, OTHERWISE KNOWN AS THE 'COMPENSATION AND POSITION CLASSIFICATION ACT OF 1989', AS AMENDED, THEREBY EXEMPTING THE JUDICIARY FROM SAID LAW, AND FOR OTHER PURPOSES"

EXPLANATORY NOTE

One of the main issues that keep hounding the Judiciary is the low disposition rate of cases in its dockets and the continuous non-filling of vacant positions in the Judiciary. Due to these circumstances, the credibility and the integrity of the Judiciary is under question given its slow adjudication of cases and the apparent absence of a genuine justice system. It remains to be seen when the dockets will clear up and when will the adjudication process speed up to provide justice to all the parties who go to courts seeking immediate relief.

Clearing the cases in its dockets will require hardwork and sustained effort from the Judiciary. However, without doubt, hardwork and sustained effort must also go hand-in-hand with sufficient and competent personnel who can support this endeavor. To attract new employees and to keep its current crop, it is necessary to make the salaries of Judiciary personnel proportional to the workload that these vacant and unfilled positions offer. Therefore, increasing the salary of these Judiciary positions will be more than reasonable and justified given the circumstances prevailing in the institution. Along with that, the greater goals of reducing the delays in trials and case work and serving speedy administration of justice will be achieved. Certainly, this will only help the institution gain

a better image in the eyes of the public and in turn, the people of this country will have a renewed sense of confidence and trust in the courts.

Furthermore, in a time of rising prices of goods and services, the personnel in the Judiciary, given their tireless and diligent work ethic, will more than welcome the hope of receiving increased paychecks. For most Filipinos, they work because they want to be able to provide something at home; they aim to contribute to their families and reduce the financial struggles that they may be facing right now. This concept surely applies even to the employees in the Judiciary. Just because they are working in the government does not mean that they are already immune to the constant financial conundrums of society.

Hence, the circumstances of the present times: the low disposition rate of the courts in this country, the necessity of a fresh crop of employees in the Judiciary, the high inflation rate and the consequential rising prices of goods and services, have brought to light this current measure. This proposed bill seeks to exempt the Judiciary from the provisions of Republic Act No. 6758, otherwise known as the "Compensation and Position Classification Act of 1989," as amended. The approval and passage of this measure will mitigate and address the aforementioned issues and will only redound to the benefit of the entire Filipino people.

In a time of effervescent changes in the nation, it is high time that the Judiciary be strengthened and revitalized through its exemption from the provisions of the Salary Standardization Law.

For the foregoing reasons, the immediate approval of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'Allan Jay Q. Velasco', written in a cursive, flowing style.

LORD ALLAN JAY Q. VELASCO

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

1 **Section 1. Short Title.** - This Act shall be known as the "Judiciary Exemption
2 from Salary Standardization Act of 2018."

3
4 **Sec. 2. Declaration of Policy.** - It is hereby declared the policy of the State to
5 provide equal pay for substantially equal work and to base differences in pay upon
6 substantive differences in duties and responsibilities, and qualification requirements
7 of the positions.

8
9 The State duly recognizes and adheres to the Constitutional mandate that the
10 Judiciary shall enjoy fiscal autonomy. Moreover, the State acknowledges that the
11 appointment of all officials and employees of the Judiciary, as well as the
12 administrative supervision over all courts and personnel thereof, are within the
13 Constitutional powers of the Supreme Court.

14
15 It is the State's desire to enable the Supreme Court to effectively fill the
16 authorized positions in the Judiciary by enhancing and strengthening its fiscal

1 autonomy for it to set salaries commensurate to the extraordinary workload of its
2 courts and personnel thereof.

3
4 **Sec. 3. *Exemption of the Judiciary from Salary Standardization Laws.*** – Section
5 4 of Republic Act (R.A.) No. 6758, otherwise known as the “Compensation and
6 Position Classification Act of 1989”, as amended, shall be amended to read as follows:

7
8 Section 4. *Coverage.* – The Compensation and Position Classification System
9 herein provided shall apply to all positions, appointive or elective, on full
10 or part-time basis, now existing or hereafter created in the government,
11 including government-owned or controlled corporations and government
12 financial institutions.

13
14 The term “government” refers to the Executive[,] AND the Legislative [and
15 the Judicial] Branches and the Constitutional Commissions and shall
16 include all, but shall not be limited to, departments, bureaus, offices,
17 boards, commissions, courts, tribunals, councils, authorities,
18 administrations, centers, institutes, state colleges and universities, local
19 government units, and the armed forces. The term “government-owned or
20 controlled corporations and financial institutions” shall include all
21 corporations and financial institutions owned or controlled by the National
22 Government, whether such corporations and financial institutions perform
23 governmental or proprietary functions.

24
25 **THE JUDICIAL BRANCH OF THE GOVERNMENT SHALL BE**
26 **EXEMPTED FROM THIS ACT AND ALL OTHER SALARY**
27 **STANDARDIZATION LAWS. PURSUANT TO SECTION 5 (6) AND**
28 **SECTION 6 OF ARTICLE VIII OF THE 1987 PHILIPPINE**
29 **CONSTITUTION, AS WELL AS SECTION 3 OF THE SAME ARTICLE,**
30 **THE SUPREME COURT, IN COORDINATION WITH THE**
31 **DEPARTMENT OF BUDGET MANAGEMENT, SHALL TAKE**

1 **CHARGE IN FORMULATING THE COMPENSATION AND**
2 **POSITION CLASSIFICATION SYSTEM IN THE JUDICIARY.**

3
4 **Sec. 4.** – Section 8 of R.A. No. 6758 shall be amended to read as follows:

5
6 Section 8. *Salaries of Constitutional Officials and their Equivalent.* – Pursuant
7 to Section 17, Article XVIII of the Constitution, the salary of the following
8 officials shall be in accordance with the Salary Grades indicated hereunder:

9
10 The Department of Budget and Management is hereby authorized to
11 determine the officials who are of equivalent rank to the foregoing Officials,
12 where applicable, and may be assigned the same Salary Grades based on
13 the following guidelines:

14
15 GRADE 33 – This Grade is assigned to the President of the Republic of the
16 Philippines as the highest position in the government. No other position in
17 the government service is considered to be of equivalent rank.

18
19 GRADE 32 – This Grade is limited to the Vice-President of the Republic of
20 the Philippines and those positions which head the Legislative [and
21 Judicial Branches] **BRANCH** of the government, namely: the Senate
22 President[,] **AND THE** Speaker of the House of Representatives [and Chief
23 Justice of the Supreme Court]. No other positions in the government service
24 are considered to be of equivalent rank.

25
26 GRADE 31 – This Grade is assigned to Senators and Members of the House
27 of Representatives and those with equivalent rank as follows: the Executive
28 Secretary, Department Secretary, Presidential Spokesman, Ombudsman,
29 Press Secretary, Presidential Assistant with Cabinet Rank, Presidential
30 Adviser, National Economic and Development Authority Director General,
31 [Court of Appeals Presiding Justice, Sandiganbayan Presiding Justice,]

1 Secretary of the Senate, Secretary of the House of Representatives, and
2 President of the University of the Philippines.

3
4 An entity with a broad functional scope of operations and wide area of
5 coverage ranging from top level policy formulation to the provision of
6 technical and administrative support to the units under it, with functions
7 comparable to the aforesaid positions in the preceding paragraph, can be
8 considered organizationally equivalent to a Department, and its head to
9 that of a Department Secretary.

10
11 GRADE 30 - Positions included are those of Department Undersecretary,
12 Cabinet Undersecretary, Presidential Assistant, Solicitor General,
13 Government Corporate Counsel, [Court Administrator of the Supreme
14 Court], Chief of Staff of the Office of the Vice-President, National Economic
15 and Development Authority Deputy Director General, Presidential
16 Management Staff Executive Director, Deputy Ombudsman, [Associate
17 Justices of the Court of Appeals, Associate Justices of the Sandiganbayan,]
18 Special Prosecutor, University of the Philippines Executive Vice-President,
19 Mindanao State University President, Polytechnic University of the
20 Philippines President and President of other state universities and colleges
21 of the same class.

22
23 Heads of councils, commissions, boards and similar entities whose
24 operations cut across offices or departments or are serving a sizeable
25 portion of the general public and whose coverage is nationwide or whose
26 functions are comparable to the aforesaid positions in the preceding
27 paragraph, may be placed at this level.

28
29 The equivalent rank of positions not mentioned herein or those that may
30 be created hereafter shall be determined based on these guidelines.

1 The Provisions of this Act as far as they upgrade the compensation of
2 Constitutional Officials and their equivalent under this section shall,
3 however, take effect only in accordance with the Constitution: Provided,
4 That with respect to the President and Vice-President of the Republic of the
5 Philippines, the President of the Senate, the Speaker of the House of
6 Representatives, the Senators, and the Members of the House of
7 Representatives, no increase in salary shall take effect even beyond 1992,
8 until this Act is amended: Provided, further, That the implementation of
9 this Act with respect to Assistant Secretaries and Undersecretaries shall be
10 deferred for one (1) year from the effectivity of this Act and for Secretaries,
11 until July 1, 1992: Provided, finally, That in the case of Assistant Secretaries,
12 Undersecretaries and Secretaries, the salary rates authorized herein shall
13 be used in the computation of the retirement benefits for those who retire
14 under the existing retirement laws within the aforesaid period.

15
16 **Sec. 5. *Transitory Provision.*** - The Supreme Court, in coordination with the
17 Department of Budget Management, shall formulate the compensation and position
18 classification system in the Judiciary within ninety (90) days from the effectivity of this
19 Act. In the meantime, the existing salary standardization laws shall continue to be in
20 force.

21
22 **Sec. 6. *Separability Clause.*** - If for any reason any section or provision of this
23 Act is declared to be unconstitutional or invalid, the other sections or provisions
24 thereof which are not affected thereby shall continue to be in full force and effect.

25
26 **Sec. 7. *Repealing Clause.*** - All laws, decrees, orders, rules or regulations or parts
27 thereof inconsistent with the provisions of this Act are hereby repealed, amended, or
28 modified accordingly.

29
30 **Sec. 8. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication
31 in a newspaper of general circulation.

32 *Approved.*