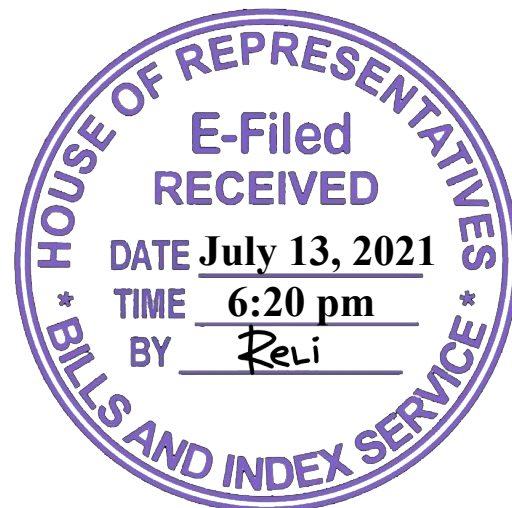


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House BILL NO. 9828



INTRODUCED BY HONORABLE NARCISO BRAVO, JR.

EXPLANATORY NOTE

There is a distinct class of workers among us that have kept the government, in every administration, running smoothly as a well-oiled machine, impervious to political changes and bureaucratic realignments. They walk the corridors of power serving elected leaders with extreme dedication and patriotism; they reach the far lengths of the archipelago executing the national agenda as public workers, division superintendents, regional directors, scientists, health professionals, district engineers, members of the defense establishment and law enforcement, immigration and customs officers, legal officers, or otherwise professionals in their respective fields. They are everywhere: in the Executive, Legislative, and Judicial branches of government. But they are not so ordinary, for they comprise the "third level" or managerial class of workers in government. They are the Career Executive Service professionals, or otherwise known as Career Executive Service Officers (CESOs).

The Career Executive Service (CES) was created under the Integrated Reorganization Plan as embodied in Presidential Decree (P.D.) No. 1 dated 24 September 1972, to form a continuing pool of well-selected and development-oriented career administrators who shall provide competent and faithful service.

Positions in the CES are as follows: Undersecretary, Assistant Secretary, Bureau Director, Assistant Bureau Director, Regional Director, Assistant Regional Director, Chief of Department Service and other officers of equivalent rank as may be identified by the Career Service Executive Board (CESB), all of whom are appointed by the President. (Section 7 [3], Chapter 2, Subtitle A, Title I, Executive Order [E.O.] No. 292, s. of 1987 or the Administrative Code of 1987)

A person who meets such managerial experience and other requirements and passes such examinations as may be prescribed by the CESB shall be included in the register of career service eligible and, upon appointment to an appropriate class in the CES, become an active member of the Service (Section 5[a], Article IV, IRP, P.D. No. 1)

36 Appointment to rank is necessary to complete one's membership in the CES
37 (Section 7[3], Chapter 2, Book V, E.O. No. 292, s. 1987, Section 5[c], Article IV, Part
38 III, IRP, P.D. No. 1)

39
40 Members of the CES shall be classified according to rank based on broad
41 levels of responsibility and on personal qualifications and demonstrated competence.
42 Salary and status shall be based on rank, not on the position occupied at any given
43 time. (Section 5[b], Article IV, IRP, P.D. No. 1, s. 1972)

44
45 As of 26 February 2020, the total number of occupied CES positions is 1,906
46 out of 2,672 available CES positions, and out of the 1,906 filled positions, only 986
47 are ranked career officers and third level eligible (Source: CES Occupancy Figures,
48 Career Service Executive Board, www.cesboard.gov.ph/occupancy). This means
49 that of the 1.6 Million workers in government (Inventory of Government Human
50 Resource as of August 2020, the Civil Service Commission), less than one thousand
51 (1,000) CES Officers indispensably take the role as managers and prime movers in
52 the bureaucracy to ensure the continuous, unhampered, efficient, and faithful
53 implementation of government programs and the national agenda. As members of
54 the CES, these officers remain faithful to their tenure in government service for the
55 rest of their professional careers until they reach the age of mandatory retirement.

56
57 Consistent with the original intent of P.D. No. 1 creating the CES, "[M]embers
58 of the CES shall be compensated according to rank and shall be provided with
59 attractive salaries, fringe benefits and reasonable allowances. The employing
60 agency shall provide the funds to pay the salary, fringe benefits and allowances of
61 the career executive assigned to it. (Section 5[d], Article IV, IRP, P.D. No. 1, s. 1972)

62
63 Moreover, it is a declared policy of the State to provide equal pay for
64 substantially equal work and to base differences in pay upon substantive differences
65 in duties and responsibilities, and qualification requirements of the positions.
66 (Section 2, Republic Act (R.A.) No. 6758 or the Salary Standardization Law)

67
68 Demonstrably, members of the CES, otherwise termed as CESOs possess
69 those rare qualities of competence, innovation, and development or career-
70 orientation. As a result of their sterling qualities, they are given more responsibilities,
71 work longer hours, attend more meetings and trainings, but unfortunately, at the end
72 of the day, receive equal pay as their peers who are non-CESOs with the same
73 salary grade.

74
75 It is therefore the intent of this measure to give due recognition to our hard-
76 working members of the Career Executive Service by giving them attractive salaries,
77 reasonable special allowances, retirement benefits and privileges commensurate to
78 their faithful and exemplary government service.

79
80 For these reasons, the immediate passage of this bill is earnestly requested.


NARCISO BRAVO JR.

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HOUSE BILL NO. 9828

INTRODUCED BY HONORABLE NARCISO BRAVO, JR.

AN ACT RECOGNIZING THE ROLE OF THE MEMBERS OF THE CAREER EXECUTIVE SERVICE (CES) IN EFFECTIVELY UPHOLDING, PURSUING, AND MAINTAINING GOOD GOVERNANCE AND ACCOUNTABILITY IN PUBLIC SERVICE BY GRANTING THEM SALARIES, SPECIAL ALLOWANCES, RETIREMENT BENEFITS, AND PRIVILEGES COMMENSURATE TO THEIR CES RANKS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

Section 1. *Title.* – This Act shall be known as the “*CES Recognition Act of 2021.*”

Section 2. *Declaration of Policy.* – It is hereby declared the policy of the State to maintain and keep a roster of qualified, committed, and efficient members of the Career Executive Service (CES) in the government by providing them with salaries, special allowances, retirement benefits and privileges commensurate to their CES ranks. (Sec.5 [d], Article IV, Integrated Reorganization Plan [IRP], PD No.1 s. 1972)

Section 3. *Members of the CES; Qualification Requirements.* – A person who meets such managerial experience and other requirements and passes such examinations as may be prescribed by the Career Executive Service Board (CESB) shall be included in the register of career service eligible and, upon appointment by the President of the Republic of the Philippines to an appropriate rank, shall become an active member of the CES. (Section 5[a], Article IV, IRP, PD No. 1 s.1972)

An incumbent of a CES position who does not possess the appropriate qualification shall undergo the CES eligibility process prescribed by the CESB, within one (1) year from appointment to qualify for the CES position and avail of the benefits provided under this Act.

The CESB shall ensure that only CES eligible and with appropriate ranks shall be given preference to occupy available CES positions.

Section 4. *Grant of Salaries Commensurate to CES Ranks.* – Members of the CES shall be compensated according to rank based on broad levels of responsibility and on personal qualifications and demonstrated competence, and shall be provided with salaries commensurate to their CES ranks, to be determined by the Department of Budget and Management (DBM), CESB, and the National Union of Career Executive Service Officers, Inc. (NUCESO). (Section 5 [b] & [d], Article IV, IRP, PD No. 1 s. 1972)

Section 5. *Grant of Step Increments Due to Meritorious Performance.* – Members of the CES shall be granted step increment(s) due to meritorious

performance in any given year, provided they have complied with the following performance ratings:

- “Outstanding” performance rating within a calendar year – two (2) step increments
- “Very Satisfactory” performance rating within a calendar year – one (1) step increment. (CESB Resolution No. 1353, dated 22 June 2017)

Section 6. *Grant of Automatic CESO Rank and One-Step Salary Adjustment.* – A CESO appointed to a higher CES position shall be automatically conferred by the President of the Republic of the Philippines, upon the recommendation of the CESB, with the appropriate CESO Rank commensurate to the position he/she has been appointed to, without undergoing the usual CES eligibility process for the promotion or adjustment of rank, and shall be entitled to one-step salary adjustment in the salary grade attached to his/her new position.

Section 7. *Effects of Subsequent Salary Increases.* – Upon implementation of any subsequent increases in the salary rates provided under Republic Act. No. 6758, as amended, all special allowances granted under this Act to the CES members shall be considered as an implementation of the said salary increases as may be provided by law. The special allowance equivalent to the increase in the basic salary as may be provided by law shall be converted as part of the basic salary. (Similar to Sec.4, RA 9279 [An Act Granting Additional Compensation for the Members of the National Prosecution Services and State Counsels in the DOJ])

Section 8. *Grant of Special Allowances.* – To carry out the declared policy of this Act, all CES members, with an eligibility and with a rank, shall be granted special allowances in the amount to be determined by the DBM, CESB and NUCESO.

The grant of special allowances shall not exceed one hundred percent (100%) of the basic salary of said CES members, as provided in Republic Act No. 6758, otherwise known as the Salary Standardization Law, as amended. (Similar to Sec.2, RA 9279)

Section 9. *Retirement Benefits.* – When a CES member, who has rendered at least fifteen (15) years of service in any branch of government, retires for having attained the age of sixty-five (65) years or resigns by reason of incapacity to discharge the duties of his/her office, he/she shall, during the residue of his/her natural life, in the manner hereinafter provided, receive a retirement pension based on the highest monthly salary, plus the highest monthly aggregate of transportation, living and representation allowances, which he/she was receiving at the time of his/her retirement or resignation.

When a CES member has attained the age of sixty (60) years and has rendered at least fifteen (15) years of service in government, he/she shall likewise be entitled to retire and receive during the residue of his/her natural life the same benefits provided for in this section: *Provided, however,* that those with less than fifteen (15) years of service in the government shall be entitled to a pro-rata pension computed as follows:

$$\frac{\text{No. of years In Government}}{15 \text{ years}} \times \text{Basic Pay Plus the Highest Monthly Aggregate of Transportation, Living and Representation Allowances}$$

(Similar to Section 21, RA 10071 [An Act Strengthening and Rationalizing the National Prosecution Service])

Section 10. *Automatic Increase.* – All pension benefits of retired CES member shall be automatically increased whenever there is an increase in the salary and allowance of the same position from which he/she retired. (Similar to Sec.23, RA 10071)

Section 11. *Limitations.* – A CES member shall not be entitled to special allowances and retirement benefits under this Act if he/she is already covered by any law providing the same allowances and benefits, unless the special allowances and retirement benefits under this Act are higher, in which case, he/ she shall receive the higher allowances and benefits. When a CES member covered under this Act shall assume an elective public office, he/she shall not, upon assumption of office and during his/her term, receive the monthly pension or any of the allowance due to him/her.

Section 12. *Retroactivity.* – The benefits mentioned in Sections 8 and 9 hereof shall be granted to all those who retired prior to the effectivity of this Act. (Similar to Section 24, RA 10071)

Section 13. *Implementing Rules and Regulations.* – The DBM, CESB, and NUCESO shall issue the necessary rules and regulations for the effective implementation of this Act not later than ninety (90) days from approval hereof.

Section 14. *Appropriations.* – The amount needed for the initial implementation of this Act shall be charged against the current year's appropriation of the concerned

agencies. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

Section 15. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected by such declaration shall remain in full force and effect.

Section 16. *Repealing Clause.* – All laws, presidential decrees, executive orders, administrative orders, and rules and regulations inconsistent with this Act are hereby repealed, modified or amended accordingly.

Section 17. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,