

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

NINETEENTH CONGRESS  
First Regular Session

House Bill No. **1514**



---

*Introduced by TUCP Party-List*  
Rep. RAYMOND DEMOCRITO C. MENDOZA

---

#### EXPLANATORY NOTE

The lack of security of tenure of “endo” workers in the private sector is also a widespread problem among the public sector workers. In fact, the private sector employers have repeatedly raised “double standards” and “unfairness” with the Department of Labor and Employment (DOLE) enforcing compliance with the Constitutional guarantee on the security of tenure and right to self-organization while the national government agencies (NGAs) including DOLE, local government units (LGUs), state universities and colleges (SUCs), government-owned and controlled corporations (GOCCs), government financial institutions (GFIs), Congress, judiciary and the Constitutional bodies are not complying on the pretext that by law, there are only two (2) ways of becoming a public employee — by appointment or by-election. Hired personnel in government service are declared not government employees and has no security of tenure. They are workers in the Government but with no employer. Their job contracts have stipulations providing the absence of an employer-employee relationship with the office that hires, pays their wages, disciplines, and exercises control on the manner and method of carrying out their work.

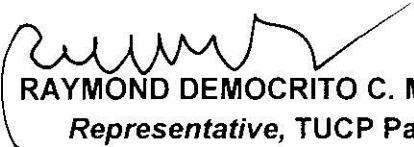
The non-employees in the government service are the 660,390 job orders (JOs), contract of service (COS), or Memorandum Order or Understanding (MOU) personnel, as indicated in the 2017 CSC Inventory of Government Human Resources (IGHR). This is an increase of 65,228 personnel from 595,162 in 2016. Their contract provides no employer-employee relationship with the agency/office that hired them despite repeated hiring or working in the agency/office for three (3) years or more.

In the 2017 IGHR, the bulk of the 660,390 JOs/COS can be found in the Local Government Units (LGUs) with 463,551 personnel, the National Government Agencies (NGAs) come second with 120,273, Government-Owned and Controlled Corporations (GOCCs), State Universities and Colleges (SUCs), and the Local Water Districts (LWDs) have 36,249; 31,639; and 8,678 JOs/COS personnel, respectively. In addition, the 2017 IGHR also indicated 96,456 casual and 39,578 contractual employees. In sum, almost a million public sector employees, or 796,424 to be exact, are in insecure work arrangements in various sectors of the Government.

Contractualization in the Government is a serious problem. This affects the quality of public service, the proliferation of the political patronage system, and corruption. But the CSC-DBM-COA Joint Circular No. 1, Series of 2017, offered solutions are proven problems in the private sector. Individual contracting as the work arrangement until 2020 does not address the vulnerability of the employees, exploitations, and the lack of security of tenure, nor would the use of contractors/agency-supplied workers.

It is incumbent upon the Government to be the model in promoting decent work and job security. The Government must observe social justice as an employer, and the Constitutional guarantee on the security of tenure, full protection, and full employment is sacrosanct.

Given the preceding, the passage of this Bill is earnestly sought.



**RAYMOND DEMOCRITO C. MENDOZA**  
*Representative, TUCP Party-List*

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

NINETEENTH CONGRESS  
First Regular Session

House Bill No. 1514

---

*Introduced by*  
REP. RAYMOND DEMOCRITO C. MENDOZA  
Trade Union Congress Party (TUCP PARTYLIST)

---

AN ACT  
PROVIDING CIVIL SERVICE ELIGIBILITY AND PERMANENT APPOINTMENT TO  
ALL GOVERNMENT CASUAL AND CONTRACTUAL EMPLOYEES UNDER JOB  
ORDERS, CONTRACT OF SERVICE, MEMORANDUM OF  
AGREEMENT/MEMORANDUM ORDER OR UNDERSTANDING AND OTHER  
SIMILAR CONTRACTS WHO HAVE RENDERED AT LEAST THREE (3) YEARS  
OF OUTSTANDING GOVERNMENT SERVICE

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

**Section 1. *Declaration of Policy.*** The State upholds the Constitutional guarantee on the right to security of tenure of all workers in private and public sectors and shall afford full employment opportunity, social protection and decent work to public sector employees.

**Section 2. *Coverage.*** - Subject to the provisions of the Constitution and applicable civil service laws, rules, and regulations, all incumbent casual and contractual government employees in the first and second levels who have rendered at least five (5) years of continuous and very satisfactory government service as of the date of approval of this Act shall be considered civil service eligible and be provided a permanent appointment to the current or similar position or posting; Provided, that continuous service shall mean repeated contract engagement whether for a long or short duration at intervals of not more than one (1) year; Provided further, that very satisfactory government service rating shall be for at least two (2) consecutive performance evaluation cycle based on approved performance standards set. Contractual government employees shall refer to those engaged as Job Orders

(JOs), Contract of Service (COS), Memorandum of Agreement or Understanding, and similar contracts.

**Section 3. *Implementing Rules and Regulations.*** The Civil Service Commission, with full participation of public sector confederations or organizations, shall issue the Implementing Rules and Regulations for this Act within ninety (90) days after approval of this Act.

**Section 4. *Separability Clause.*** If, for any reason, part of this Act shall be rendered unconstitutional or invalid, other parts or provisions hereof which are not thereby affected shall continue to be in effect and full force.

**Section 5. *Repealing Clause.*** All orders, rules and regulations, issuances or any part thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

**Section 6. *Effectivity Clause.*** This Act shall take effect fifteen (15) days after publication in the Official Gazette or in at least (2) newspapers of general circulation.

***Approved,***