

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6166



Introduced by Representative Joseph Gilbert F. Violago

EXPLANATORY NOTE

Government employees play an important role in our society. They provide public service while setting aside their personal interests and are expected to work professionally with integrity and honesty. In contrast to regular appointed government workers with permanent positions who are entitled to emoluments and benefits without the need for contract renewal, those under temporary, casual, and contractual positions have limited benefits and are required to renew their contract every six months, depending on the nature of their job, in order to be reinstated in their respective positions.

Article II, Section 18 of the 1987 Constitution provides for the policy of the State to affirm labor as a primary social economic force and to promote the welfare of the labor sector. Hence, there is a need to recognize the years of service of all temporary, casual, and contractual government workers as a way of showing appreciation for their invaluable contribution in the service of the Filipino people, affirming their consequential significance to our country.

The approval of this bill shall increase the purchasing power of non-regular government workers, boost their morale, and ideally result in higher productivity in the workplace. It seeks to provide for the security of tenure for all temporary, casual, and contractual workers of the government who have rendered the prescribed years of service in the national government and agencies and the local government units.

This laudable bill had been filed in the past Congresses and the present proponent is acknowledging the wisdom and hard work of his predecessors.

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


JOSEPH GILBERT F. VIOLAGO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6166

Introduced by Representative Joseph Gilbert F. Violago

AN ACT
PROVIDING FOR SECURITY OF TENURE TO ALL
TEMPORARY, CASUAL, AND CONTRACTUAL WORKERS OF THE
GOVERNMENT WHO HAVE RENDERED THE PRESCRIBED YEARS OF
SERVICE IN THE NATIONAL GOVERNMENT AGENCIES AND THE
LOCAL GOVERNMENT UNITS AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as the “Security of Tenure for Temporary, Casual, and Contractual Government Workers Act”.

SECTION 2. *Declaration of Policy.* – The State shall harness its human resources to cope with the rapid economic development and population growth. Government workers, being very important components of the State's human resources, shall be given the equal opportunity to quality education, justice and security of tenure.

SECTION 3. *Coverage.* – Subject to the provisions of the Constitution and applicable civil service laws, rules and regulations, it is hereby mandated that the all incumbent temporary, casual, and contractual government employees who have rendered at least five (5) years of continuous service in the case of national government agencies or a total of ten (10) years of continuous service in the case of local government units as of the date of the approval of this Act shall be entitled to security of tenure. *Provided,* That the said requirement of continuous service may be waived if the service of the official/employee concerned prior to the completion of the said years, was interrupted by not more than three (3) years, taken cumulatively, due to either the abolition of his position, organization of the office wherein he was phased out, or reduction in force: *Provided further,* That in the case of officials/employees who have been previously employed in the same government agency in any capacity, the said requirement of continuous service may likewise be waived if the interruption of their service is not more than eighteen (18) months, taken cumulatively, so long as the minimum required period is met.

SECTION 4. *Status of Covered Employees and Affected Positions.* – All of the positions affected by this Act currently held by the covered employees shall be deemed necessary and/or desirable for the efficient operation of the government and shall be marked as co-terminus with the incumbent. All covered employees may not be operated or terminated from the said positions except for just or lawful cause and with due process of law nor can their positions be abolished except when the same are vacant by their incumbents.

SECTION 5. *Implementing Rules and Regulations.* – The Civil Service Commission, in consultation with the Department of Budget and Management, shall issue the rules and regulations necessary to implement the provisions of this Act. Said implementing rules and regulations shall be promulgated within ninety (90) days after the approval of this Act.

SECTION 6. *Penal Provisions.* – Any government employee who shall apply for entitlement to security of tenure under the provisions of this Act on the basis of false claims and/or documents as well as any government officer or employee who will make or issue false certifications, attestations, endorsements and/or spurious documents in relation to any such application shall suffer the penalty of imprisonment of one (1) to three (3) years or a fine in amount up to One Hundred Thousand Pesos (Php100,000.00) or both, at the discretion of the judge, in addition to perpetual disqualification from public office. Said employees may also be administratively charged under civil service laws, rules and regulations.

SECTION 7. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations or parts thereof contrary to, or inconsistent with this Act, are hereby modified or repealed accordingly.

SECTION 8. *Separability Clause.* – If any provision of this Act is held as invalid or unconstitutional, the remaining provisions of this not otherwise affected shall remain valid and subsisting.

SECTION 9. *Effectivity.* – This Act shall take effect fifteen (15) days following its complete publication in the Official Gazette or in any national newspaper of general circulation

Approved,