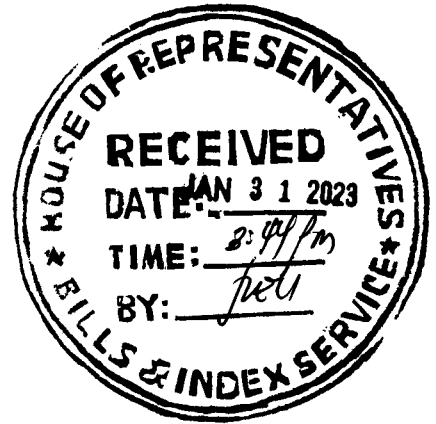


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

H. B. No. **7002**

Introduced by Representative Ralph G. Recto

AN ACT
UPHOLDING THE SECURITY OF TENURE IN GOVERNMENT SERVICE,
GRANTING PERMANENT APPOINTMENT TO QUALIFIED CIVIL SERVANTS
UNDER CASUAL, CONTRACTUAL, CONTRACT-OF-SERVICE, JOB ORDER AND
OTHER SIMILAR WORK ENGAGEMENTS WITH GOVERNMENT AGENCIES
AND INSTRUMENTALITIES, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Government workers in casual, contractual, contract-of-service, job order and other similar arrangements are indispensable in government operations, especially in providing essential and emergency services and in lending technical and professional expertise. As of June 2022, the Philippine government has hired 127,321 casual and contractual employees as well as 642,077 job order and contract of service workers, comprising almost a third of the 2.46 million government workforce¹.

While hiring casual, contractual, job order, and contract-of-service workers have been critical in ensuring the efficient provision of services, such work engagements are nonetheless vulnerable to abuse. Casual, contractual, contract-of-service, job order and other similar work arrangements have been chronically exploited by government agencies as a workaround in addressing the mismatch vis-à-vis the stagnating number of available regular *plantilla* positions and the ever-growing government clientele and corollary workload – so much so that workers, in the exigency of the service, have

¹ Civil Service Commission. (2022) *Inventory of Government Human Resource*. Civil Service Commission Website.
<https://www.csc.gov.ph/downloads/category/313-2022>

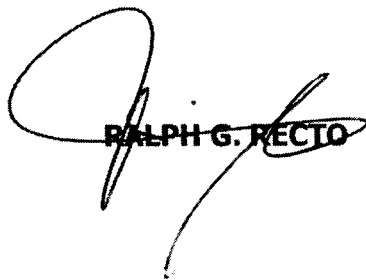
been employed by the government on such work status for years, if not decades. Additionally, these work arrangements have been misused by government officials to funnel money from public coffers for their own personal gain – hiring “ghost employees” that never or do not regularly report for work but receive full remuneration.

This bill seeks to address these two concerns. First, it seeks to uphold the principle of equal pay for equal work, by ensuring that competent and dedicated civil servants are afforded the remuneration, benefits and tenurial security of regular appointment. Second, the proposed measure seeks to espouse the principles of good governance, by making sure that government funds are used in a manner that is transparent and accountable.

The budgetary requirements for the change to permanent status of non-*plantilla* personnel may not be substantial since their basic compensation are generally already included in the existing budgets of their respective agencies.

Ultimately, the bill seeks to contribute in the realization of a government staffed with competent and dedicated civil servants who pave the way towards the attainment of government outcomes and eventually national development.

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



RALPH G. RECTO

/mdg

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

H. B. No. 7002

Introduced by Representative Ralph G. Recto

AN ACT

**UPHOLDING THE SECURITY OF TENURE IN GOVERNMENT SERVICE,
GRANTING PERMANENT APPOINTMENT TO QUALIFIED CIVIL SERVANTS
UNDER CASUAL, CONTRACTUAL, CONTRACT-OF-SERVICE, JOB ORDER AND
OTHER SIMILAR WORK ARRANGEMENTS WITH GOVERNMENT AGENCIES
AND INSTRUMENTALITIES, AND FOR OTHER PURPOSES**

*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 “Regularization of Work
2 Engagement in Government Service Act”.

3 Sec. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
4 uphold the right of every civil servant to security of tenure. In line with this declared
5 policy, and in recognition of the role of government employees in the delivery of
6 government services and the realization of national development, the State shall grant
7 permanent appointment status to qualified individuals under casual, contractual,
8 contract-of-service, job order and other similar work engagements with national
9 government agencies (NGAs), government -owned and -controlled corporations
10 (GOCCs) with original charters, state universities and colleges (SUCs) or local
11 government units (LGUs).

12 Sec. 3. *Definition of Terms.* – For the purposes of this Act:

13 (a) *Casual Appointment* shall refer to an appointment issued to a person to
14 perform essential and necessary services when there are not enough
15 regular staff to meet the demands of the service and for emergency cases
16 and intermittent period not exceeding one (1) year;

- 1 (b) *Contractual Appointment* shall refer to an appointment issued to a person
2 whose employment is in accordance with a contract to undertake locally-
3 funded or foreign-assisted programs or projects, or to perform a specific
4 work or a job requiring special or technical skills that are not available in
5 the employing agency, to be accomplished within a specific period;
- 6 (c) *Contract of Service* shall refer to the engagement of the services of a public
7 agency or a private individual or organization as a consultant, learning
8 service provider or technical expert to undertake a special project or a job
9 within a specific period;
- 10 (d) *Contractor or Service Provider* shall refer to an individual, a government
11 agency or a private or a non-government entity that is duly-registered and
12 recognized by authorized government agencies to provide services in their
13 respective field of expertise or business;
- 14 (e) *Job Order* shall refer to piece work (*pakyaw*) or intermittent or emergency
15 jobs and other manual/trades and crafts services to be performed within a
16 short duration of time and to be paid according to an agreed contract
17 amount for the piece of work or on a daily wage basis;
- 18 (f) *Regular Appointment* shall refer to an appointment issued based on the
19 authorized positions found in the Plantilla of Personnel or Lump Sum
20 appropriation under Personnel Services, or those occupying the positions in
21 the contractual staffing pattern of the NGA or LGU concerned, duly
22 approved by the Department of Budget and Management (DBM) and
23 submitted to the Civil Service Commission (CSC) for attestation; and
- 24 (g) *Temporary Appointment* shall refer to an appointment issued to a person
25 who satisfies the requirements for the position to which the person is being
26 appointed to, except for the appropriate civil service eligibility, which shall
27 be valid for a period not exceeding one (1) year.

28 Sec. 4. *Regularization of Qualified Public Sector Workers.* – Subject to
29 applicable laws, rules and regulations, qualified individuals who has rendered at least
30 five (5) years of continuous service in the case of NGAs, GOCCs with original charters
31 and SUCs, or at least ten (10) years of continuous service in the case of LGUs, under
32 a casual, contractual, contract-of-service, job order, or other similar work

1 arrangement with the government agency or LGU concerned shall be appointed to
2 permanent *plantilla* positions within their respective agencies.

3 Sec. 5. *Staffing Modifications.* – The NGA, GOCC with original charter, SUC or
4 LGU concerned shall submit a request for staffing modification for the approval of the
5 DBM or the GCG as the case may be, taking into account the number of workers
6 qualified for regular or temporary appointment and considering further the operational
7 requirements of the agency: *Provided*, That in the case of LGUs, staffing modification
8 shall be submitted to DBM during its review process of the LGU budget: *Provided*,
9 *further*, That the LGU funding requirement for additional permanent *plantilla* items
10 shall consider the limitations on appropriations for personnel services as provided in
11 Section 325(a) of Republic Act No. 7160, otherwise known as the Local Government
12 Code of 1991.

13 Sec. 6. *Automatic Conferment of Civil Service Eligibility.* – Individuals who have
14 rendered at least five (5) years of continuous service in the case of NGAs, GOCCs with
15 original charters and SUCs, or at least ten (10) years of continuous service in the case
16 of LGUs, under a casual, contractual, contract-of-service, job order, or other similar
17 work arrangement with any government agency or LGU shall be automatically
18 conferred with civil service eligibility commensurate to the position held or
19 responsibilities undertaken, subject to applicable laws, rules and regulations, and
20 standards.

21 Sec 7. *Appropriations.* — The amount necessary to carry out the provisions of
22 this Act shall be charged against the Contingent Fund, the Miscellaneous Personnel
23 Benefits Fund, and other applicable current appropriations. Thereafter, the amount
24 needed for the effective implementation of this Act shall be included in the annual
25 General Appropriations Act and local appropriations ordinances.

26 Sec. 8. *Implementing Rules and Regulations.* — Within ninety (90) days from
27 the effectivity of this Act, the CSC and DBM shall promulgate the necessary rules and
28 regulations for the effective implementation of this Act.

29 Sec. 9. *Separability Clause.* – The provisions of this Act are hereby declared to
30 be separable. If any provision of this Act shall be held unconstitutional, the remainder
31 of the Act not otherwise affected thereby shall remain in full force and effect.

1 Sec. 10. *Repealing Clause.* – All laws, executive orders, rules and regulations,
2 or parts thereof, inconsistent herewith are hereby repealed, amended or modified
3 accordingly.

4 Sec. 11. *Effectivity Clause.* – This Act shall take effect within fifteen (15) days
5 from its publication in at least two (2) national newspaper of general circulation or in
6 the *Official Gazette*.

 Approved,