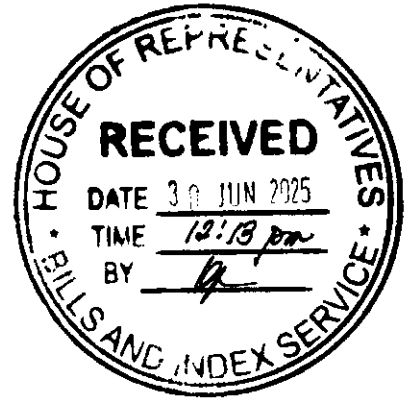


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 93



Introduced by TUCP Partylist Representative
HON. RAYMOND DEMOCRITO C. MENDOZA

EXPLANATORY NOTE

The TUCP Party-list proposes the Civil Service Equivalency bill, to automatically grant civil service eligibility as well as plantilla positions for government workers with at least three years of government service without the need of passing the civil service exam. We cannot end ENDO if the Government is the biggest ENDO employer with nearly one million non-plantilla government workers who, despite not being formally recognized by civil service and having no security of tenure, still devoted their lives to public service, even doing the frontline work, legwork, and heavy lifting in their respective agencies. More than executive action, legislation should stamp out this injustice that has no place in a fairer and more equitable society where we should couple their decent work with job security.

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 have 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.

There are 939,771 job order (JO) and contract of service (COS) workers as indicated in the CSC Inventory of Government Human Resources (IGHR) as of 30 June 2024. This is an increase of 344,609 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.

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.

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


HON. RAYMOND DEMOCRITO C. MENDOZA
TUCP Partylist Representative

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**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 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 three (3) 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,