

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 843



INTRODUCED BY **REP. KRISTINE ALIXIE B. TUTOR**
THIRD DISTRICT, BOHOL

Explanatory Note

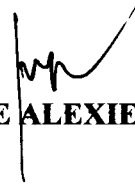
The 1987 Philippine Constitution provides protection on the security of tenure of civil service officers and employees even during reorganization of government agencies without sacrificing the need to promote morale and efficiency in the civil service.

The passage of Republic Act (R.A.) No. 11201 creating the Department of Human Settlements and Urban Development and Executive Order No. 58, Approving the merging of the Home Guaranty Corporation and the Philippine Export-Import Credit Agency (PHILEXIM) and further renaming the same as Philippine Guarantee Corporation as well as the inflow of numerous initiatives from Congress proposing bills on the creation and/or merging of government agencies into one department, there is a need to revisit and amend pertinent provisions of R.A. No. 6656 to provide opportunity for existing personnel holding permanent appointments to be placed to higher positions from their present positions during a government reorganization.

Section 4 of R.A. No. 6656 explicitly expresses the preference provided to officers and employees holding permanent appointments during the placement to the new positions in the approved staffing pattern on a bonafide government reorganization. The said provision prohibits the hiring of new employees until all those holding permanent appointments have been appointed and extending to those holding temporary and casual appointments who possess the necessary qualification requirements of the positions in the approved staffing pattern except for positions that are policy-determining, primarily confidential or highly technical in nature.

This bill seeks to amend Section 4 of the same Act requiring agencies to exhaust all possible means to place in the approved reorganized structure the existing personnel in accordance with the order of preference. The proposed amendment shall allow placement of personnel to comparable positions or to positions that are next higher in rank than their previous positions or in case there are not enough comparable positions or next higher in rank positions, to positions next lower in rank provided that safety measures are in place to ensure the security of tenure of government personnel. Placement shall be done in phases in accordance with the Implementing Rules and Regulations promulgated by the Civil Service Commission.

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

A handwritten signature in black ink, appearing to read 'Kristine', written over a vertical line that separates the signature from the printed name.

REP. KRISTINE ALEXIE B. TUTOR

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HOUSE BILL NO. 843

INTRODUCED BY **REP. KRISTINE ALIXIE B. TUTOR**

THIRD DISTRICT, BOHOL

AN ACT
PROVIDING PREFERENTIAL APPOINTMENT TO APPOINTIVE OFFICERS AND
EMPLOYEES HOLDING VALID APPOINTMENTS TO THE NEW POSITIONS IN THE
APPROVED STAFFING PATTERN FOLLOWING A GOVERNMENT
REORGANIZATION, AMENDING FOR THE PURPOSE, SECTION 4 OF REPUBLIC
ACT NO. 6656

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

1 **SECTION 1.** Section 4 of Republic Act No. 6656, entitled, An Act to Protect the
2 Security of Tenure of Civil Service Officers and Employees in the Implementation of
3 Government Reorganization, is hereby amended to read as follows:

4
5 **"Section 4. APPOINTIVE** officers and employees holding [permanent] **VALID**
6 appointments shall be given preference for appointment to the new positions in the
7 approved staffing pattern **OF** comparable **RANK** to their former **OR THE NEXT HIGHER**
8 **RANK** position. In case there are not enough comparable **POSITIONS OR POSITIONS**
9 **NEXT HIGHER IN RANK, THEY SHALL BE GIVEN PREFERENCE TO APPOINTMENT**
10 to positions next lower in rank: **PROVIDED, THAT PLACEMENT SHALL BE MADE IN**
11 **ACCORDANCE WITH THE REVISED IMPLEMENTING RULES AND REGULATIONS**
12 **OF THIS ACT.**

13
14 No new employees shall be taken in until all permanent officers and employees
15 have been appointed, including temporary and casual employees who possess the
16 necessary qualification requirements, among which is the appropriate civil service
17 eligibility, for permanent appointment to positions in the approved staffing pattern, in case
18 there are still positions to be filled, unless such positions are policy-determining, primarily
19 confidential, or highly technical in nature."

1 **SEC. 2.** Within sixty (60) days after the effectivity of this Act, the Civil Service
2 Commission shall promulgate the necessary rules and regulations to implement this Act.
3

4 **SEC. 3.** All laws, rules, regulations, other issuances or parts thereof, which are
5 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.
6

7 **SEC. 4.** This Act shall take effect fifteen (15) days after its publication in the *Official*
8 *Gazette* or in a newspaper of general circulation.

Approved,