

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 1326



Introduced by **HONORABLE RAMON JOLO B. REVILLA III,**
HONORABLE LANI MERCADO-REVILLA, and
HONORABLE BRYAN B. REVILLA

EXPLANATORY NOTE

This bill seeks to grant an automatic civil service eligibility for government employees who have rendered a total of 5 years of efficient service. It shall include those appointed as casual or contractual positions in the 1st and 2nd levels. It shall also mandate the Civil Service Commission (CSC) to formulate performance evaluation standards to determine the qualified employees.

The government is the one if not the biggest practitioner of contractualization or “endo” in the country. The continuing struggle of public servants employed under a Contract of Service (COS) and Job Orders (JOs) still hound our labor sector. Among the main challenges of our casual and contractual public servants are having secure and stable employment and social benefits that will protect their rights as workers.

Moreover, under CSC Memorandum Circular No. 40, series of 1998, mandates that COS and JOs do not establish an employer-employee relationship

thereby greatly severing the labor rights provided by Presidential Decree No. 442, also known as the “Labor Code of the Philippines.”

According to the Department of Budget and Management, there are 832,812 contractual employees in the government — most of them are working in local government units.¹ Around 580,323 or 69.68% belong in the local government; 173,227 or 20.8% work under national government agencies; 44,168 or 5.3% in state universities and colleges; 28,667 or 3.44% in government-owned and -controlled corporations; and 6,427 or 0.77% in local water districts.²

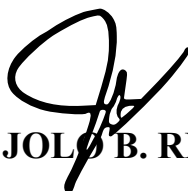
While we cannot undermine the principle of meritocracy, through the implementation of a civil service eligibility examination, as the core basis of qualification for a public servant, the fact that most of them have been rehired for the work and function for over many years is a true testament that they are qualified and befitting for such positions.

It is high time for the State to adhere to social justice, as an employer, and guarantee the tenets of our fundamental law on the security of tenure and the equal opportunity for all workers, regardless of their background or stature in life.

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

¹ GMA News. DBM: Government has over 832,000 contractual employees. Information retrieved from <https://www.gmanetwork.com/news/topstories/nation/917642/government-contractual-employees-dbm/story/>. Dated 20 August 2024

² Ibid.



RAMON JOLO B. REVILLA III



LANI MERCADO-REVILLA



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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 FIVE (5) YEARS OF EFFICIENT
GOVERNMENT SERVICE

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

1 **SECTION. 1. Declaration of Policy.** — It is hereby declared the policy of
2 the State to harness its human resources to cope with the rapid economic
3 decelopment and population growth in the country. Towards this end, government
4 workers, being an unequivocal component of the State’s human resources, shall
5 be given the equal opportunity to quality education, justice, and security of tenure.

6
7 **SEC. 2. Coverage.** — Subject to the provisions of the 1987 Constitution
8 and applicable civil service laws, rules and regulations, all incumbent government
9 employees, as of the approval of this Act, who are holding casual or contractual

1 positions in the first and second levels and who have rendered continuous service
2 for at least (5) five years will be granted civil service eligibility by the Civil
3 Service Commission (CSC). *Provided however*, That they shall not be entitled to
4 any promotion unless they obtain the appropriate eligibility requirement for that
5 position.

6
7 **SEC. 3. *Civil Service Performance Evaluation Standards.*** — The Civil
8 Service Commission shall formulate performance evaluation standards to
9 determine qualified employees under this Act.

10
11 **SEC. 4. *Implementing Rules and Regulations.*** — The Civil Service
12 Commission shall prepare and formulate the necessary rules and regulations to
13 impkement the provisions of this Act within ninety (90) days after the effectivity
14 of this Act.

15
16 **SEC. 5. *Retroactive Clause.*** — This Act shall be applied retroactively
17 pursuant with Section 2 thereof.

18
19 **SEC. 6. *Separability Clause.*** — If any provision of this Act is declared
20 unconstitutional or invalid, the other provisions not so declared shall remain in
21 full force and effect.

22
23 **SEC. 7. *Repealing Clause.*** — All laws, decrees, executive orders,
24 memorandum, and other administrative issuance or parts thereof which are
25 inconsistent with the provisions of this Act are hereby modified, superseded, or
26 repealed accordingly.

27
28 **SEC. 8. *Effectivity Clause.*** — This Act shall take fifteen (15) days afterw
29 its publication in the Official Gazette or in a newspaper or general circulation.

Approved,