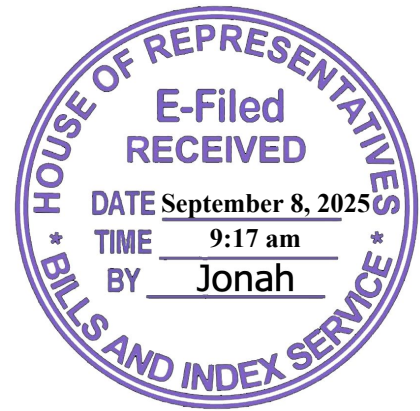


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 4382



Introduced by Representatives Bryan B. Revilla, Lani Mercado-Revilla, and Ramon Jolo Revilla III

EXPLANATORY NOTE

Achieving our shared vision for a digitally-competitive *Bagong Pilipinas*, depends on a skilled, motivated, and well-supported ICT workforce within the government as they serve as the backbone of our country's journey towards digital transformation.

However, the government currently faces a significant challenge in recruiting and retaining highly skilled ICT professionals. The private sector, both local and international, offers more competitive compensation, benefits, and opportunities for career advancement. This disparity leads to a constant "brain drain," where valuable expertise is lost from the public sector.

To remedy this, the government needs the creation of a compensation framework that is competitive with private sector standards, acknowledging the specialized and high-demand nature of ICT skills. This includes the establishment of minimum compensation standards and the exemption of critical ICT positions from standard salary grades.

Moreover, as the ICT-sector is characterized by rapid technological change. To remain effective and secure, government ICT professionals must constantly update their knowledge and skills. To ensure that this is achieved, there must be a supportive work environment that fosters productivity and long-term retention.

With these in consideration, the passage of the Magna Carta for ICT Workers in Government is earnestly sought as this is a strategic investment in the nation's digital future.

It is a proactive measure to build a resilient, skilled, and motivated government ICT workforce capable of driving national progress and ensuring that our *Bagong Pilipinas* is one that is also a *Bayang Digital*.

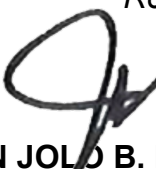
This measure was prepared in close collaboration with the Department of Information and Communications Technology (DICT). As such, the passage of this bill is earnestly sought.



REP. BRYAN B. REVILLA
Representative, AGIMAT Partylist



REP. LANI MERCADO-REVILLA
Representative, 2nd District of Cavite



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Representative, 1st District of Cavite

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HOUSE BILL NO. 4382

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AN ACT
PROVIDING FOR A MAGNA CARTA FOR INFORMATION AND COMMUNICATIONS
TECHNOLOGY (ICT) PROFESSIONALS IN GOVERNMENT, AND FOR OTHER
PURPOSES

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

CHAPTER 1

TITLE, DECLARATION OF PRINCIPLES, AND OBJECTIVES

SECTION 1. *Short Title.* - This Act shall be known as the "*Magna Carta for Information and Communications Technology (ICT) Professionals in Government.*"

SEC. 2. *Declaration of Policy.* - The foundational contribution of ICT professionals is indispensable to national progress. To this end, the State aims to prioritize research, development, and science and technology (S&T) education, promote Filipino labor and domestic industry competitiveness, and affirm the vital role of youth in nation-building.

The State is committed to actively supporting ICT professionals' welfare and development and seeks to guarantee their rights, provide incentives to boost productivity and innovation, and foster an environment that attracts, retains, and empowers them.

The State aims to enhance the Philippines' progress and competitiveness in the global digital arena, directly aligning with the constitutional principles of promoting national development and empowering its citizens.

1 **SEC. 3. Definition of Terms.** - For the purpose of this Act, the following terms shall be
2 construed as:

- 3 a. Continuing Professional Development (CPD) - embodies the ongoing, lifelong
4 process of actively maintaining and progressively enhancing the knowledge,
5 technical skills, professional competencies, and ethical standards of ICT
6 professionals.
- 7 b. Government ICT Professional refers to an ICT professional employed by any
8 branch, department, bureau, office, agency, or instrumentality of the national
9 government, government-owned or controlled corporations (GOCCs), state
10 universities and colleges (SUCs), and local government units (LGUs).
- 11 c. ICT Professional refers to an individual who, through formal education, specialized
12 training, relevant experience, or recognized professional certification, is engaged
13 in activities intrinsically related to and in support of ICT. This includes, but is not
14 limited to, roles in software development, network administration, cybersecurity,
15 data science, artificial intelligence, systems analysis and design, IT project
16 management, technical support, ICT education and training, and emerging ICT
17 specializations.
- 18 d. ICT Professional Organization signifies any association, society, or institute of ICT
19 professionals duly recognized and accredited by the appropriate government
20 agency.

21
22 **SEC. 4. Classification of ICT Professionals.** - For the effective implementation of the
23 benefits and incentives provided under this Act, ICT professionals shall be classified
24 analogous to those defined in Republic Act No. 8439, the "*Magna Carta for Scientists,*
25 *Engineers, Researchers and Other Science and Technology Personnel in Government,*"
26 as follows:

- 27
28 a. ICT Specialists are individuals who possess a high degree of expertise and
29 specialization in a specific field of Information and Communications Technology,
30 demonstrated by advanced education, professional certifications, significant
31 experience, and recognized contributions to their area of specialization. This may
32 include, but not be limited to, cybersecurity experts, data scientists, AI/Machine
33 Learning engineers, cloud architects, and senior software architects.
- 34 b. ICT Engineers are individuals who apply engineering principles and methodologies
35 to the design, development, implementation, and maintenance of ICT systems,
36 infrastructure, and solutions. This may include, but not be limited to, network
37 engineers, systems engineers, software engineers, and hardware engineers.
- 38 c. ICT Researchers are individuals who are primarily engaged in the conduct of
39 research and development activities aimed at advancing knowledge and
40 innovation in the field of Information and Communications Technology. This

1 includes those involved in basic and applied research in areas such as artificial
2 intelligence, cybersecurity, emerging technologies, and software engineering.

3 d. ICT Technologists are individuals who possess the technical skills and knowledge
4 to implement, operate, and maintain ICT systems and equipment. This may
5 include, but not be limited to, network administrators, systems administrators,
6 database administrators, and IT support specialists.

7 e. ICT Educators are individuals who are primarily engaged in the teaching and
8 training of ICT-related subjects in academic institutions, technical-vocational
9 schools, and training centers. This includes professors, instructors, and trainers in
10 various ICT fields.

11 f. Other ICT Professionals are individuals providing support services to the ICT
12 Personnel enumerated in the preceding subsections as certified by the Secretary
13 of the DICT, and as may be further defined in the Implementing Rules and
14 Regulations of this Act.

15
16 **SEC. 5. *Criteria for Classification.*** - The DICT, in consultation with the CSC and the
17 DBM, shall establish specific criteria and guidelines for the classification of ICT
18 professionals under the categories defined in the preceding section. These criteria shall
19 take into account factors such as educational attainment, professional certifications,
20 relevant experience, level of responsibility, and contributions to the ICT sector. The DICT
21 shall publish a Competency Framework for ICT Roles and require a National Registry of
22 Government ICT Professionals aligned with ICT industry standards, local and
23 international competency frameworks, and mutual recognition agreements.

24 25 **CHAPTER 2** 26 **EMPLOYMENT AND CAREER DEVELOPMENT**

27
28 **SEC. 6. *Fair Compensation, Comprehensive Benefits, and Incentives.*** -

29
30 a. Establishment of Minimum Compensation Standards.

31
32 The DICT, in close coordination with the CSC and the DBM, shall establish and
33 regularly review equitable minimum compensation standards for ICT professionals
34 across various specializations and experience levels, taking into account the
35 complexity of their responsibilities, the required specialized skills, the extent of their
36 professional experience, and prevailing equitable industry rates.

37
38 b. Provision of Comprehensive Benefits and Incentives.
39

Government agencies and institutions are strongly encouraged to provide a comprehensive package of additional benefits and meaningful incentives to their ICT professionals, including, but not limited to, performance-based bonuses, professional development allowances, comprehensive health insurance coverage, adequate retirement benefits, and facilitated opportunities for advanced education and specialized training.

c. **Guarantee of Equal Pay for Work of Equal Value.**

ICT professionals performing work of demonstrably equal value shall receive equal remuneration and benefits, without any form of discrimination based on gender or other irrelevant personal circumstances.

SEC. 7. Structured Career Progression and Opportunities for Specialization. -

Government agencies and institutions shall establish transparent and well-defined career progression pathways for ICT professionals, providing clear opportunities for professional advancement based on demonstrated performance, accumulated relevant experience, and commitment to continuous professional development. They shall also actively support specialization in emerging and critical ICT fields through the provision of relevant training programs, mentorship opportunities, and professional certification support.

SEC. 8. Mandatory and Accessible Continuing Professional Development (CPD). -

a. **Establishment of a Mandatory CPD Program.**

The DICT, in close collaboration with duly recognized relevant professional organizations, recognized locally or internationally, shall establish and implement a robust and mandatory CPD program for all ICT professionals to ensure the continuous updating and enhancement of their knowledge, technical skills, professional competencies, and ethical awareness.

b. **CPD Credit Units and Recognition of Diverse Learning Activities.**

ICT professionals shall be required to earn a specified number of CPD credit units within a defined period for the maintenance and renewal of their professional licenses or certifications, where such are applicable. The CPD program shall recognize a diverse range of learning activities, including formal training, seminars, workshops, online courses, research, publications, and professional practice such as but not limited to the following:

1. CompTIA, Cisco, AWS, Google, ISC2, PMI certifications; and
2. Participation in hackathons, innovation bootcamps, and coding academies.

c. Ensuring Accessible and Quality CPD Programs.

The government shall actively promote and provide substantial support for the development and widespread accessibility of affordable and high-quality CPD programs for ICT professionals throughout the nation, including the strategic utilization of online and blended learning methodologies to reach a wider audience.

SEC. 9. *Strategic Training and Scholarship Programs in ICT.* - The government shall establish and substantially support comprehensive training and scholarship programs across diverse and specialized fields of ICT, with a particular focus on emerging technologies and critical skills identified as essential for national development and global competitiveness. These programs shall be made accessible to deserving individuals from all socioeconomic backgrounds, including those from marginalized communities, to ensure equitable access to opportunities in the ICT sector.

CHAPTER 3

WORKING CONDITIONS, SOCIAL WELFARE AND BENEFITS

SEC. 10. *Standard Working Hours and Fair Overtime Compensation.* - The standard working hours for ICT professionals in government shall be governed by Executive Order 292, otherwise known as the Administrative Code of 1987, and by the CSC rules and regulations. Any work rendered beyond these standard hours shall be compensated fairly and promptly in accordance with applicable overtime pay regulations and industry standards.

SEC. 11. *Comprehensive Leave Benefits and Entitlements.* - ICT professionals shall be entitled to a comprehensive range of leave benefits, including, but not limited to, ample sick leave, generous vacation leave, full maternity leave, supportive paternity leave, and other special leaves as mandated by existing labor laws and the specific policies of their respective employers.

SEC. 12. *Guarantee of a Safe and Healthy Working Environment.* - Employers shall have a fundamental responsibility to ensure and maintain a safe, healthy, and ergonomically sound working environment for all ICT professionals. This includes the provision of necessary ergonomic equipment, adequate facilities, and comprehensive training on occupational safety and health protocols to mitigate workplace hazards.

1 **SEC. 13. *Robust Social Security and Comprehensive Welfare Benefits.*** - ICT
2 professionals shall be entitled to full coverage under the Government Service Insurance
3 System (GSIS) for government employees, as well as all other relevant social welfare
4 benefits as mandated and provided by existing laws, rules, and regulations.
5

6 **SEC. 14. *Facilitation of Housing and Transportation Assistance.*** - The government
7 agencies and institutions are strongly encouraged to facilitate access to affordable
8 housing options and provide adequate transportation assistance to ICT professionals,
9 particularly those working in geographically remote or economically disadvantaged areas,
10 to enhance their quality of life and reduce commuting burdens.
11

12 **SEC. 15. *Compensation and Benefits for ICT Professionals in Government.*** - To
13 recognize the unique expertise and evolving demands of Information and
14 Communications Technology (ICT) professionals in government service, an alternative
15 compensation framework shall be established, notwithstanding the provisions of Republic
16 Act No. 6758.
17

18 The Civil Service Commission (CSC) and the Department of Budget and Management
19 (DBM) shall jointly issue regulations governing the classification, compensation, and
20 benefits of ICT professionals, ensuring competitiveness with private sector standards
21 while maintaining fiscal responsibility.
22

23 ICT positions identified as critical to national security, digital infrastructure, and innovation
24 shall be exempt from standard salary grades under R.A. 6758, subject to CSC and DBM
25 approval. Such exemptions shall be based on industry benchmarks, specialized skill
26 requirements, and market conditions.
27

28 The CSC and DBM shall periodically review and adjust the compensation framework to
29 reflect technological advancements and labor market trends, ensuring the retention and
30 motivation of highly skilled ICT personnel in government service.
31

32 **SEC. 16. *Access to Psychological Support Services.*** - Agencies shall ensure ICT
33 Professionals in government access to the following:
34

- 35 a. On-site or partner mental health professionals for counseling and psychological
36 first aid;
- 37 b. Tele-mental health services for remote or field-based personnel; and
- 38 c. Peer support programs and mental health champions within the workplace
39

SEC. 17. *Highest Basic Salary Upon Retirement.* - Upon retirement, the ICT personnel concerned shall automatically be granted one (1) salary grade higher than his/her basic salary, and his/her retirement benefits shall be computed on the basis of his/her highest salary received.

CHAPTER 4

ROLE OF THE GOVERNMENT AND PROFESSIONAL ORGANIZATIONS

SEC. 18. *Enhanced Role and Responsibilities of the Department of Information and Communications Technology (DICT).* - The DICT shall serve as the primary government agency vested with the comprehensive responsibility for the effective implementation and rigorous enforcement of this Act. Its mandated responsibilities shall include, but not be limited to:

- a. Proactively formulating and strategically implementing policies and comprehensive programs designed to promote the overall welfare and continuous professional development of all ICT professionals in the Philippines.
- b. Establishing, regularly reviewing, and ensuring the enforcement of equitable minimum compensation standards and comprehensive guidelines for ICT professionals across all sectors, in close collaboration with the CSC, and duly recognized relevant professional organizations.
- c. Developing, implementing, and continuously improving a robust and accessible national CPD program that caters to the diverse needs and specializations within the ICT profession.
- d. Actively promoting and providing substantial support for the establishment and expansion of high-quality training and scholarship programs in critical and emerging fields of ICT.
- e. Facilitating the meaningful and substantive participation of ICT professionals, through their accredited professional organizations, in the critical processes of policy formulation, legislative review, and strategic decision-making that directly impact the ICT sector.
- f. Diligently monitoring and rigorously evaluating the effective implementation of this Act, identifying areas for improvement, and recommending necessary legislative or regulatory amendments to ensure its continued relevance and impact.
- g. Establishing clear criteria and procedures for the formal accreditation of professional organizations of ICT professionals, ensuring their active and constructive engagement in the sector's development.

SEC. 19. *Vital Role of Accredited Professional Organizations.* - Duly accredited professional organizations of ICT professionals shall play a vital and recognized role in:

- a. Effectively representing the collective interests of their members and actively advocating for the comprehensive protection and advancement of their rights, welfare, and professional standing.
- b. Collaborating closely and constructively with the DICT and other relevant government agencies in the strategic development, thorough review, and effective implementation of policies and programs that directly affect ICT professionals.
- c. Developing, actively promoting, and rigorously enforcing high ethical standards and comprehensive codes of professional conduct for their members, ensuring accountability and responsible practice.
- d. Proactively developing and delivering relevant and high-quality CPD programs and diverse professional development opportunities that cater to the evolving needs of their membership.
- e. Actively participating in the establishment and implementation of fair and transparent accreditation and certification processes for ICT professionals, where such mechanisms are deemed necessary and beneficial for the profession.

CHAPTER 5 RECOGNITION AND INCENTIVES

SEC. 20. *Establishment of National ICT Awards.* - The government shall establish a National ICT Awards program to recognize and honor outstanding ICT professionals, groundbreaking innovations, and significant contributions to the ICT sector and national development. These awards shall be conferred annually and shall carry appropriate prestige and incentives.

SEC. 21. *Incentives for Innovation, Research, and Development.* - The government shall provide meaningful incentives and substantial support for ICT professionals actively engaged in research and development, fostering innovation, and creating valuable intellectual property within the field of ICT. These incentives may include, but are not limited to, research grants, tax exemptions or credits, access to specialized facilities, and assistance in the commercialization of their innovations.

SEC. 22. *Non-DICT ICT Professional.* - ICT personnel not employed by the DICT, but is an employee of any executive, legislative, judicial and constitutional offices, including local government units (LGUs), state universities and colleges (SUCs), government-owned or -controlled corporations (GOCCs) and other instrumentalities, whether located in the Philippines or abroad may also avail benefits outlined in this bill, provided, that they are involved in ICT functions, provided in section. 4 of this Act, and secured certification from the DICT.

1 **SEC. 23. Consultancy Services.** - ICT personnel shall be allowed to render consultancy
2 services to the private sector and shall be entitled to receive such honorarium that may
3 be paid to them by the private entity concerned. Such payments shall be over and above
4 their salary from the government during the period of the consultancy and shall not be
5 considered as double compensation: Provided, That the consultancy work will not
6 compromise or adversely affect the operations or activities of his originating office:
7 Provided; further, That the Secretary of the DICT approves such consultancy
8

9 **SEC. 24. Detail to the Private Sector.** - ICT personnel who are employed on a regular
10 basis in the government shall be allowed secondment to any private entity whenever such
11 services are required: Provided, That the duration of such service with a private entity
12 shall not exceed one (1) year: Provided, further, That the detail or secondment of said
13 personnel will not hamper or adversely affect the operations or activities of his originating
14 office: Provided, finally, That the head of the agency approves such detail or secondment.
15

16 **CHAPTER 6**

17 **SCHOLARSHIPS AND GRANTS FOR ICT DEVELOPMENT**

18

19 **SEC. 25. Establishment of ICT Scholarship and Grant Programs.** - The government,
20 through the DICT in collaboration with DOST, CHED, TESDA, and other relevant
21 government agencies, shall establish and administer comprehensive scholarship and
22 grant programs to support the education, training, and professional development of ICT
23 professionals and individuals aspiring to enter the ICT sector.
24

25 **SEC. 26. Coverage of Scholarships and Grants.** - These programs shall cover various
26 aspects of ICT education and training, including but not limited to:
27

- 28 a. *Undergraduate and Graduate Degree Programs:* Scholarships for deserving
29 students pursuing bachelor's and postgraduate degrees in ICT-related fields in
30 accredited higher education institutions, both local and international, where
31 deemed strategic.
- 32 b. *Technical and Vocational Training:* Grants and financial assistance for individuals
33 undertaking technical and vocational courses in ICT skills identified as critical for
34 national development and industry needs, provided by TESDA-accredited
35 institutions.
- 36 c. *Specialized Skills Development:* Grants for ICT professionals seeking to acquire
37 advanced or specialized skills in emerging technologies and strategic ICT domains
38 through certificate programs, short courses, and industry-recognized certifications.

- 1 d. *Research and Development Grants*: Grants to support ICT professionals and
2 researchers engaged in innovative research and development projects that
3 contribute to the advancement of the ICT sector in the Philippines.
4 e. *Faculty Development Grants*: Grants to support the professional development of
5 ICT educators, including opportunities for further studies, research, and training in
6 emerging ICT fields.
7

8 **SEC. 27. *Funding and Administration.*** - The funds necessary for the implementation of
9 these scholarship and grant programs shall be sourced from the national budget and may
10 be augmented through partnerships with private sector entities, international
11 organizations, and other funding sources. The DICT shall be responsible for the overall
12 administration and monitoring of these programs, ensuring their effective and equitable
13 distribution.
14

15 **CHAPTER 7** 16 **MISCELLANEOUS PROVISIONS** 17

18 **SEC. 28. *Exemption from the Attrition Law and Civil Service Rule on Nepotism.*** -
19 Appointment of ICT personnel to positions of research assistant and upwards shall not
20 be covered by the Attrition Law and Civil Service Commission (CSC) rule on nepotism in
21 cognizance of the highly technical nature of their functions.
22

23 **SEC. 29. *Provision Against Double Benefits.*** - ICT personnel receiving the same
24 benefits under any other law shall not be allowed to avail of the benefits under this Act
25 unless they submit in writing their intention to withdraw the benefits already being
26 received and opt for those provided hereunder.
27

28 **SEC. 30. *Magna Carta Monitoring and Evaluation Committee.*** - To ensure the
29 effective implementation, continuous improvement, and accountability of this MC, a
30 Magna Carta Monitoring and Evaluation Committee (MCMEC) shall be established.
31

32 a. **Composition and Leadership**

33 The MCMEC shall be co-chaired by the Department of Information and
34 Communications Technology (DICT) and the Civil Service Commission (CSC),
35 with members from:

- 36 ● DBM
- 37 ● DOST
- 38 ● COA
- 39 ● PRC
- 40 ● DOH (for physical and mental health well-being)

- CESB
- Representative from the CSC-accredited Employees' Organization in the DICT
- Representative from ICT professional association

b. Mandate and Functions

The Committee shall:

- Monitor agency compliance with the provisions of this Magna Carta
- Evaluate the effectiveness of programs related to ICT workforce development, mental health, and professionalization
- Recommend policy enhancements and implementation strategies

c. Annual Reporting to Congress

The MCMEC shall submit an Annual Implementation Report to Congress, which shall include:

- Status of compliance by government agencies
- Participation rates in Continuing Professional Development (CPD) programs
- Data on the mental health and well-being of the ICT workforce
- Recommendations for legislative or administrative actions
- Transparency and Public Access - The annual report shall be made publicly accessible through the DICT website and other appropriate platforms to promote transparency and stakeholder engagement

SEC. 31. Administrative Penalties for Non-Compliance. - Government officials or personnel who willfully or negligently fail to implement or comply with the provisions of this Magna Carta shall be subject to appropriate administrative sanctions in accordance with existing Civil Service laws and regulations. These may include:

- a. Written reprimand for minor infractions;
- b. Suspension for repeated or moderate violations; and
- c. Dismissal from service for grave or willful neglect of duty.

The CSC, in coordination with the DICT, shall issue the implementing rules to guide the investigation and imposition of penalties. Agencies found to be non-compliant may also be subject to audit observations and recommendations by the COA, including possible disallowance of funds related to unimplemented benefits or programs.

SEC. 32. Appropriations. - The initial funding required for the effective implementation of this Act shall be charged against the current appropriations of the concerned government agencies. Thereafter, the necessary financial resources shall be included in

1 the annual General Appropriations Act to ensure the sustained and effective
2 implementation of its provisions.

3
4 **SEC. 33. Periodic Review.** - To ensure the continued relevance and effectiveness of this
5 Act in addressing the evolving needs and challenges of the ICT sector and its
6 professionals, the DICT, the CSC, the DBM, where applicable, accredited professional
7 organizations of ICT professionals, and other relevant stakeholders, shall conduct a
8 comprehensive review of this Magna Carta at least once every five (5) years from the
9 date of its effectivity.

10
11 **SEC. 34. Implementing Rules and Regulations.** - The DICT, in close coordination with
12 the CSC, DBM, and other relevant agencies, shall promulgate the comprehensive IRR
13 for this Act within ninety (90) days from the date of its effectivity.

14
15 **SEC. 35. Separability Clause.** - If any provision of this Act or the application thereof to
16 any person or circumstance is held invalid or unconstitutional, the remainder of this Act
17 and the application of such provision to other persons or circumstances shall not be
18 affected thereby.

19
20 *Approved,*