

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 9291



Introduced by:

HON. CHRISTOPHERSON "COCO" M. YAP

AN ACT
PROVIDING FOR A MAGNA CARTA FOR PROBATION AND PAROLE WORKERS,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Probation and parole workers play a vital role in the Philippine criminal justice system. They help supervise and guide individuals who are serving their sentences in the community, ensuring that they follow the law while working toward rehabilitation and reintegration. Their work promotes public safety and gives second chances to those willing to reform. However, this job often requires them to work in challenging and sometimes risky environments, dealing with complex social and behavioral issues.

Despite their important responsibilities, many probation and parole workers face difficulties such as limited benefits, lack of career growth opportunities, and insufficient recognition for the risks they take. These challenges can affect their morale and their ability to deliver effective services. There is a clear need to support and protect these workers so they can continue to perform their duties with professionalism and dedication.

This bill proposes a Magna Carta for Probation and Parole Workers to address these concerns. It seeks to provide fair compensation, hazard pay, and other benefits, as well as clear opportunities for career development and advancement. It also promotes proper working conditions, protection from harassment, and strong ethical standards to ensure accountability in public service.

By strengthening the welfare and professional development of probation and parole workers, this measure will improve the quality of community corrections in the country. In turn, it will help reduce reoffending, support rehabilitation, and make communities safer. Supporting these workers means strengthening the justice system as a whole.

In view of the foregoing, **ug sa ngalan sa SERBISYONG TINUORAY**, the undersigned respectfully requests the immediate passage of this measure.


CHRISTOPHERSON "COCO" M. YAP
Representative, Second District of Southern Leyte

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

SECTION 1. Short Title. — This Act shall be known as the “*Magna Carta for Probation and Parole Workers*.”

SECTION 2. Declaration of Policy. — It is the policy of the State to promote and improve the social, moral, and economic well-being of Probation and Parole Workers; enhance their living and working conditions and terms of employment; and strengthen and professionalize community corrections services for the benefit of probationers, parolees, pardonees, first-time minor drug offenders, and juveniles in conflict with the law under supervision.

SECTION 3. Definition of Terms. — As used in this Act, unless the context provides otherwise, the following terms shall be construed to mean as follows:

- (a) “***Probation and Parole Work***” — refers to all officials and employees of the Parole and Probation Administration (PPA) under the Department of Justice (DOJ), whether assigned in the central, regional, provincial, or city offices.

- (b) ***“Probation”*** — a disposition under which a defendant, after conviction and sentence, is released subject to conditions imposed by the trial court and to the supervision of the proper PPA officer.
- (c) ***“Parole”*** — the conditional release of an offender from confinement after serving the minimum period of the sentence, subject to the conditions of parole and to supervision; violation of such conditions may result in revocation and recommitment in accordance with law.
- (d) ***“Executive Clemency”*** — refers to reprieve, commutation of sentence, conditional pardon, or absolute pardon, which rests within the constitutional discretion of the President.
- (e) ***“Probationer, Parolee, Pardonee ”*** — refer to persons placed under probation, released on parole, or released under conditional pardon with supervision conditions, respectively.
- (f) ***“First-time minor drug offender and Juvenile in Conflict with the Law”*** — refer to persons placed under community-based rehabilitation and supervision pursuant to applicable laws and court dispositions.
- (g) ***“Trial Court”*** — the court which originally tried and decided the criminal case.

SECTION 4. Coverage. — This Act shall apply to all Probation and Parole Workers of the PPA-DOJ.

SECTION 5. Recruitment and Selection. — Recruitment and selection policies for Probation and Parole Workers shall be clearly defined and publicly issued by the PPA-DOJ, consistent with civil service laws, rules, and merit principles.

SECTION 6. Security of Tenure. — No Probation and Parole Worker holding a permanent position shall be removed, suspended, demoted, or otherwise disciplined except for cause and after due process, in accordance with the Constitution and applicable civil service laws and rules.

SECTION 7. Transfer or Reassignment. — No Probation and Parole Worker shall be transferred or reassigned except in the interest of the service and upon written notice stating the reasons therefor. Any Probation and Parole Worker who believes that a transfer or reassignment is unjustified may appeal to the Civil Service Commission

(CSC). No transfer or reassignment shall be made within three (3) months immediately preceding any local or national election, unless exigencies of the service clearly require otherwise and the reasons are stated in writing.

SECTION 8. Merit and Promotion and Career Development. — The PPA-DOJ shall maintain and periodically update a career and personnel development plan applicable to all Probation and Parole Workers, which shall include merit promotion, performance evaluation, in-service training and scholarships, and incentives and awards.

SECTION 9. Code of Conduct. — The Code of Ethics applicable to Probation and Parole Workers and Republic Act No. 6713 shall govern ethical standards and administrative discipline.

SECTION 10. Safeguards in Disciplinary Procedures. — In any administrative disciplinary proceeding, every Probation and Parole Worker shall have, at each stage, the right to:

- (a) be informed of the charges in writing;
- (b) access evidence on record, subject to lawful confidentiality;
- (c) be heard and to defend himself/herself personally and/or through counsel or a representative of choice;
- (d) confront and cross-examine witnesses, and present evidence and witnesses;
- (e) appeal to clearly designated authorities; and
- (f) reimbursement of reasonable expenses incurred in his/her defense in case of exoneration, subject to rules to be provided in the implementing regulations.

SECTION 11. Normal Hours of Work. — Normal hours of work shall not exceed eight (8) hours a day or forty (40) hours a week, subject to civil service rules and exigencies of service.

SECTION 12. Overtime Work and Compensatory Time-Off. — When exigencies of service require work beyond normal hours, including weekends and holidays, the Probation and Parole Worker shall be entitled to compensatory time-off (CTO) and/or other compensation in accordance with civil service and budgeting rules.

SECTION 13. Compensation. — The salary grades and compensation of Probation and Parole Workers shall be governed by existing compensation and position classification laws and rules. Any complaint arising from alleged violations of

compensation rights may be brought before the proper authority in accordance with civil service rules.

SECTION 14. Leave Benefits. — Probation and Parole Workers shall be entitled to leave benefits and privileges under existing laws and rules, including maternity, paternity, vacation, sick leave, and special privilege leave. Upon separation from service, they shall be entitled to the commutation of accumulated leave credits in accordance with law and applicable regulations.

SECTION 15. Retirement. — Retirement benefits of Probation and Parole Workers shall be governed by existing retirement laws. Any proposal for “automatic” upgrading of salary grade upon retirement shall be subject to existing compensation and retirement frameworks and shall be implemented only as may be provided by law and applicable rules.

SECTION 16. Additional Benefit. — In addition to benefits under existing laws, rules, and issuances, Probation and Parole Workers shall be entitled to the following, subject to budgeting, accounting, and auditing rules:

- a. Hazard Pay — Probation and Parole Workers who are exposed to occupational risks, threats to life, or danger in the performance of official duties shall receive hazard pay of not less than Two Thousand Five Hundred Pesos (Php2,500.00) per month, subject to standards to be prescribed in the implementing rules.
- b. Living Quarters or Living Quarters Allowance — The PPA-DOJ shall endeavor to provide living quarters to personnel assigned at least fifty (50) kilometers away from their place of residence. When living quarters cannot be provided, a living quarters allowance of not less than Three Thousand Pesos (Php3,000.00) per month shall be granted, subject to implementing standards.
- c. Longevity Pay — A monthly longevity pay equivalent to five percent (5%) of the latest monthly basic pay shall be granted for every five (5) years of continuous, efficient, and meritorious service, as certified by the head of office, commencing after the effectivity of this Act.
- d. Clothing Allowance — All Probation and Parole Workers shall be entitled to a minimum clothing allowance of Five Thousand Pesos (Php5,000.00) per year, subject to adjustment as may be necessary.

- e. Medical Allowance — All Probation and Parole Workers shall receive a medical allowance of not less than Five Hundred Pesos (Php500.00) per month, subject to adjustment as may be necessary.

SECTION 17. Compensation from Injuries. — Probation and Parole Workers shall be protected against work-related injuries in accordance with applicable labor, civil service, and compensation laws and rules.

SECTION 18. Rights of the Probation and Parole Workers. — Probation and Parole Workers shall have the right to:

- (a) protection from discrimination on account of sex, sexual orientation, age, political or religious beliefs, civil status, physical characteristics/disability, or ethnicity;
- (b) protection from interference, intimidation, harassment, or punishment in the performance of duties, including arbitrary reassignment;
- (c) join, organize, or assist organizations or unions for lawful purposes;
- (d) professional independence in applying appropriate interventions within the bounds of law and policy; and
- (e) opportunities for continuing professional growth and development.

SECTION 19. Human Resource Development. — The PPA-DOJ shall conduct periodic human resource development and management studies to ensure:

- (a) adequate facilities and resources for quality community corrections services;
- (b) continuing professional development and training opportunities;
- (c) democratic consultations and feedback mechanisms;
- (d) staffing patterns and standards to ensure quality service; and
- (e) upgrading of working conditions and rationalization of positions consistent with civil service and compensation laws.

SECTION 20. Appropriations. — The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act (GAA) for the year following its enactment and thereafter. The initial amount of Seventy Million Pesos (Php70,000,000.00) shall be programmed in the appropriate GAA, subject to existing budgeting, accounting, and auditing rules.

SECTION 21. Implementing Rules and Regulations. — Within six (6) months from effectivity, the PPA-DOJ, upon approval of the Secretary of Justice and after

consultation with stakeholders, shall promulgate the implementing rules and regulations not inconsistent with this Act.

SECTION 22. Penal Provisions. — Any person who willfully interferes with, restrains, coerces, intimidates, or harasses any Probation and Parole Worker in the lawful discharge of official duties, or who commits any act in violation of this Act or its implementing rules, shall, upon conviction, be punished by a fine of not less than Twenty Thousand Pesos (Php20,000.00) but not more than Forty Thousand Pesos (Php40,000.00), or imprisonment of not more than one (1) year, or both, at the discretion of the court. If the offender is a public officer, the court may impose the accessory penalty of disqualification from public office, as allowed by law.

SECTION 23. Separability Clause. — If any provision of this Act is declared invalid or unconstitutional, other provisions not affected shall remain in full force and effect.

SECTION 24. Repealing Clause. — All laws, rules, and regulations inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SECTION 25. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,