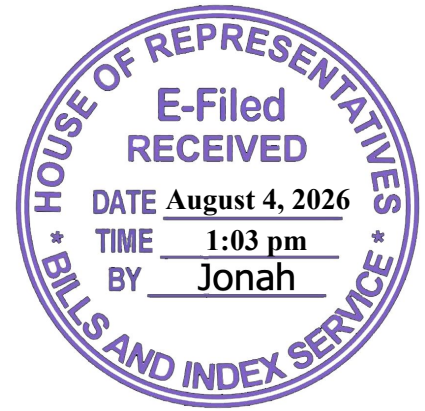


Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
Second Regular Session

House Bill No. 10569



INTRODUCED BY REP. PATRICK MICHAEL “PM” D. VARGAS

AN ACT
PROVIDING FOR SECURITY OF TENURE FOR ALL JOB ORDER AND
CONTRACT OF SERVICE WORKERS OF THE GOVERNMENT WHO HAVE
RENDERED THE PRESCRIBED YEARS OF SERVICE IN THE NATIONAL
GOVERNMENT AGENCIES AND THE LOCAL GOVERNMENT UNITS AND
FOR OTHER PURPOSES

EXPLANATORY NOTE

The Philippine Government remains one of the largest employers in the country. According to the Philippine Statistics Authority (PSA), total employment in the public administration and defense sector alone reached approximately 2.1 million workers as of 2023, reflecting the continued expansion of the public workforce. Meanwhile, data from the Department of Budget and Management (DBM) indicate that funded positions in the national government have steadily increased, exceeding 1.9 million authorized positions in recent years.¹

Despite this, a significant portion of the government workforce remains under non-regular employment arrangements. The Civil Service Commission (CSC) has consistently reported that hundreds of thousands of workers in government are engaged under Job Order (JO) and Contract of Service (COS) arrangements. Based on DBM and CSC estimates, JO and COS workers in government agencies have ranged from approximately 600,000 to 700,000 in

¹ Department of Budget and Management Budget Expenditures and Sources of Financing, Fiscal Year 2024

recent years, accounting for roughly 25% to 30% of the total government workforce.²

This persistent reliance on contractual and short-term workers has led to the characterization of the government as one of the largest “endo employers,” mirroring the very labor practices it seeks to regulate in the private sector. While efforts to address contractualization have been initiated in previous administrations—including policy pronouncements and executive issuances promoting security of tenure—the absence of a comprehensive legislative solution continues to leave many government workers in precarious employment conditions.

The 1987 Constitution explicitly guarantees full protection to labor, promotes full employment, and ensures equal work opportunities regardless of status. It mandates the State to uphold the rights of workers to security of tenure, humane conditions of work, and a living wage. These constitutional guarantees must extend equally to all workers in government, regardless of employment classification.

Under the current framework, JO and COS workers are engaged for short-term periods, typically not exceeding six months per contract, and are excluded from the coverage of the Civil Service Law, rules, and regulations. They are not entitled to standard benefits such as leave credits, retirement benefits, and other social protections enjoyed by regular government employees. Moreover, their service is not considered government service for purposes of tenure and career progression, and no employer-employee relationship is recognized.

This bill seeks to address these longstanding inequities by promoting the regularization of qualified Job Order and Contract of Service workers in government. It aims to uphold the constitutional mandate of security of tenure, ensure fair and humane working conditions, and set an example for the private sector by institutionalizing just labor practices within the public sector.

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


REP. PATRICK MICHAEL “PM” D. VARGAS
Fifth District, Quezon City

² Commission on Civil Service Reports on Non-Permanent Employment and DBM BESF 2023–2024

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

SECTION 1. Short Title. - This Act shall be known as the “*Security of Tenure Act*”.

SECTION 2. Declaration of Policy. - The State shall harness its human resources to cope with the rapid economic development and population growth. Government workers, being very important components of the State's human resources, shall be given equal opportunity to quality education, justice, and security of tenure.

SECTION 3. Coverage. - Subject to the provisions of the Constitution and applicable civil service laws, rules and regulations, it is hereby mandated that the all incumbent job order and contract of service government employees who have rendered at least five (5) years of continuous service in the case of national government agencies or a total of ten (10) years of continuous service in the case of local government units as of the date of the approval of this Act shall be entitled to security of tenure. *Provided*, That the said requirement of continuous service may be waived if the service of the official/employee concerned prior to the completion of the said years, was interrupted by not more than three (3) years, taken cumulatively, due to either the abolition of his position, reorganization of the office wherein he was phased out, or reduction in force:

Provided further, That in the case of officials/employees who have been previously employed in the same government agency in any capacity, the said requirement of continuous service may likewise be waived if the interruption of their service is not more than eighteen (18) months, taken cumulatively, so long as the minimum required period is met.

SECTION 4. *Status of Covered Employees and Affected Positions.* - All of the positions affected by this Act currently held by the covered employees shall be deemed necessary and/or desirable for the efficient operation of the government and shall be marked as co-terminus with the incumbent. All covered employees may not be operated or terminated from the said positions except for just or lawful cause and with due process of law, nor can their positions be abolished except when the same are vacated by their incumbents.

SECTION 5. *Implementing Rules and Regulations.* - The Civil Service Commission, in consultation with the Department of Budget and Management, shall issue the rules and regulations necessary to implement the provisions of this Act. Said Implementing Rules and Regulations shall be promulgated within ninety (90) days after the approval of this Act.

SECTION 6. *Penal Provisions.* - Any government employee who shall apply for entitlement to security of tenure under the provisions of this Act on the basis of false claims and/or documents as well as any government officer or employee who Will make or issue false certifications, attestations, endorsements and/or spurious documents in relation to any such application shall suffer the penalty of imprisonment of one (1) to three (3) years or a fine in amount up to one hundred thousand pesos (Php 100,000.00) or both, at the discretion of the judge, in addition to perpetual disqualification from public office. Said employees may also be administratively charged under civil service laws, rules and regulations.

SECTION 7. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations or parts thereof contrary to, or inconsistent with, this Act are hereby modified or repealed accordingly.

SECTION 8. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, the remaining provisions of this Act not otherwise affected shall remain valid and subsisting.

SECTION 9. *Effectivity.* - This Act shall take effect fifteen (15) days following its complete publication in any national newspaper of general circulation or in the Official Gazette.

Approved,