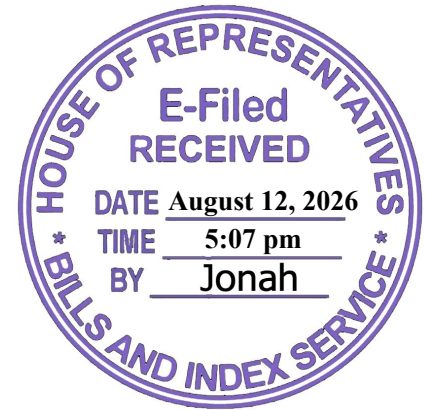




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
Second Regular Session

House Bill No. **10757**



Introduced by **Representative ALFREDO “ALBEE” B. BENITEZ**

AN ACT
PROVIDING FOR OPTIONAL EARLY RETIREMENT FOR GOVERNMENT
EMPLOYEES WITH DISABILITIES, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 8291, OTHERWISE KNOWN AS THE “GOVERNMENT
SERVICE INSURANCE SYSTEM ACT OF 1997”, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Persons with disabilities continue to make invaluable contributions to the Philippine civil service despite facing barriers and additional disability-related costs throughout their careers. Many government employees with disabilities devote decades of public service while managing expenses for rehabilitation, medicines, assistive devices, accessible transportation, personal assistance, and other support necessary to perform their duties and participate fully in society.

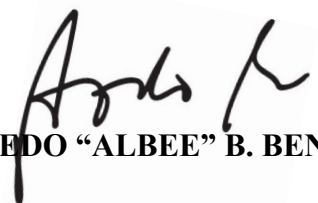
While the Government Service Insurance System provides retirement benefits to qualified government employees, existing retirement laws do not recognize the distinct circumstances faced by persons with disabilities who often experience greater physical, financial, and health-related demands over the course of their employment. As more persons with disabilities enter and remain in government service through inclusive employment policies, there is a corresponding need to ensure that the country’s retirement system likewise becomes more responsive to their circumstances.

This proposed measure seeks to provide qualified government employees with disabilities the option of early retirement upon reaching fifty-five (55) years of age and rendering at least ten (10) years of government service. The measure is entirely voluntary and does not compel retirement. Rather, it provides an additional retirement option for those who, after years of dedicated public service, choose to retire earlier in recognition of the unique circumstances associated with disability.

The bill likewise reflects the Philippines' commitment under the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which calls upon States Parties to adopt appropriate measures that promote equality, inclusion, and social protection for persons with disabilities. By recognizing disability-responsive retirement as a reasonable and equitable social protection measure, the State affirms that equality sometimes requires policies that respond to different circumstances rather than treating everyone identically.

This proposed legislation honors the dedication and sacrifices of government employees with disabilities by providing them greater flexibility and security as they transition from public service. It strengthens the government's commitment to inclusive employment, responsive social protection, and the dignity and well-being of persons with disabilities.

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



ALFREDO "ALBEE" B. BENITEZ



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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 “*Optional Early Retirement for Government Employees with Disabilities Act*”

Section 2. *Declaration of Policy.* – It is hereby declared the policy of the State to uphold the dignity, promote the well-being, and protect the rights of persons with disabilities pursuant to the Constitution, Republic Act No. 7277, otherwise known as the *Magna Carta for Persons with Disabilities*, as amended, and the United Nations Convention on the Rights of Persons with Disabilities.

The State recognizes the valuable contributions of persons with disabilities in public service and affirms their right to equal employment opportunities, reasonable accommodation, social protection, and meaningful participation in nation-building.

Towards this end, the State shall establish responsive retirement policies that recognize the unique circumstances of qualified government employees with disabilities by providing an option for early retirement after long years of public service, while ensuring the sustainability of the Government Service Insurance System.

Section 3. *Definition of Terms.* – As used in this Act:

- a) *Disability*: is an evolving concept that results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others;
- b) *Disability Assessment and Determination*: means the process by which disability of an individual is officially recognized for the purpose of eligibility determination to diverse entitlements. It is based on a human rights model of disability, with a focus on functional limitations, support requirements and barriers restricting inclusion and participation;
- c) *Disability-related needs*: Disability-related needs include disability-related medical supplies (e.g., medicines, catheters, diapers), medical-related services (e.g., rehabilitation services, etc.) assistive products, personal assistance, sign language interpreter, higher cost of accessing services because of lack of accessibility (e.g., transportation cost), and others;
- d) *Persons with Disabilities*: include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others. Persons who may fall in this definition are, but not limited to, the following: persons with psychosocial disability, person with autism, person with down syndrome, person who are blind, person with low vision, person with hard of hearing, deaf, person with rare diseases, and all other person who will be certified under the disability assessment and determination system or as may be defined or classified by the Department of Health;
- e) *Reasonable accommodation*: means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;

Section 4. Coverage. – This Act shall apply to all civilian officials and employees of the National Government, including government-owned or controlled corporations with original charters, state universities and colleges, constitutional commissions, the Judiciary, and local government units, who are covered by the Government Service Insurance System (GSIS), regardless of whether their appointment is permanent, temporary, casual, coterminous, substitute, as may be recognized under existing civil service and GSIS laws, rules, and regulations. Uniformed personnel of the Armed Forces of the Philippines, the Philippine National Police, the Bureau of Fire Protection, the Bureau of Jail Management and Penology, and other government personnel covered by separate retirement laws shall not be covered by this Act.

Section 5. Optional Early Retirement. – Qualified government employees with disabilities who are members of the Government Service Insurance System may, at their option, retire and receive the retirement benefits provided under Section 13 of Republic Act No. 8291, subject to the following qualifications:

- a) Has rendered at least ten (10) years of government service;
- b) Is certified as a person with disability by the appropriate government authority; and
- c) Has reached at least fifty-five (55) years of age.

Retirement under this Act shall be without prejudice to other benefits granted under existing laws.

Section 6. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Government Service Insurance System, in coordination with the Civil Service Commission, the National Council on Disability Affairs, the Department of Health, the Department of Budget and Management, and other relevant government agencies and organizations of persons with disabilities, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

Section 7. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall remain in full force and effect.

Section 8. *Repealing Clause.* – All laws, decrees, executive orders, rules, and regulations inconsistent with this Act are hereby repealed or modified accordingly.

Section 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,