

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

04 JUN 30 12:15

SENATE

S. NO. 43

RECEIVED BY: 

Introduced by Senator Flavier

EXPLANATORY NOTE

Offices of politicians are always flooded with numerous letters seeking letters of recommendation for employment whether in the government service and the private sector, as if they are the best judge of one's fitness for office.

This is a sad phenomena for it is a reflection of the kind of system that drives our country.

Service to the people is a noble endeavor that should be undertaken by those who are worthy and qualified for government service. The efficiency of the bureaucracy is largely dependent on the men and women that compose it.

We are always hearing complaints from the people about the inefficiency of the government bureaucracy in responding to their needs.

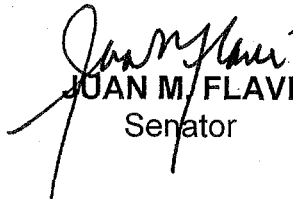
This problem has been recognized by the government that it has considered reengineering of the bureaucracy as one of its major agenda.

But efficiency in government is not only in terms of number or quantity. It is also about the quality of men and women who are servicing the people.

To this end, this bill seeks to lessen, if not eradicate, interference of national and local officials in the appointment, hiring and promotion of officials or employees regardless of the nature of employer, whether private or public.

If this bill is passed, elected or appointed national and local officials shall be prohibited from issuing recommendation letters. Heads of government agencies, government owned or controlled corporations as well as private enterprises are likewise prohibited from requiring and considering recommendation letters in the appointment, hiring or promotion of employees and officials.

For this reason, the passage of this bill is being asked.


JUAN M. FLAVIER
Senator

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

84 JUN 30 12:15

SENATE

S. NO. 43

RECEIVED BY: 

Introduced by Senator Flavier

**AN ACT
PROHIBITING ELECTED OR APPOINTED NATIONAL OR LOCAL OFFICIALS
FROM ISSUING RECOMMENDATION LETTERS FOR THE APPOINTMENT,
HIRING OF AN EMPLOYEE OR OFFICIAL IN GOVERNMENT AGENCIES
INCLUDING GOVERNMENT OWNED OR CONTROLLED CORPORATIONS
AND PRIVATE COMPANIES FROM REQUIRING THE SAME**

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

SECTION 1. Title. – This Act shall be known as the “Non Political
Interference Act”.

SEC. 2. Statement of Policy. – It is hereby declared the policy of the
State to prohibit interference of public officials in the human resource
management of the Philippine bureaucracy and to encourage appointment, hiring
and promotions based on merit and fitness.

SEC. 3. Prohibition on National and Local Government Officials. –
Elected or appointed national and local government officials are hereby
prohibited from issuing recommendation letters for employment, hiring or
promotions of government employees or officials, including those in government
owned or controlled corporations and private companies.

**SEC. 4. Prohibition on government Agencies, Government Owned or
controlled corporations and Private Entities.** – government agencies,
government owned or controlled corporations and private entities are hereby
prohibited from any applicant, seeking employment or from any employees
seeking promotion, any recommendation letter from any elected or appointed
national or local officials.

SEC. 5. Penalties. – Any national or local official or head of the government owned or controlled corporations and officers of private entities found guilty for violation of this Act shall be penalized as follows:

First Offense - Reprimand

Second Offense - Suspension for 15 days for public officials or 15 day imprisonment for officers and fine of P10,000.00 for their companies.

Third Offense - Suspension for 30 days for public officials or 30 day imprisonment for officers and fine of P20,000.00 for their companies.

Fourth Offense - Dismissal from office for public official or revocation of business license and fine of P30,000.00 for private companies and 60 days imprisonment for their officers.

SEC. 6. Implementing Rules and Regulations. – the Commission on Civil Service is hereby authorized to draft the implementing rules and regulations of this Act within 90 days from its effectivity.

SEC. 7. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or two (2) publications of general circulation.

Approved,