

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



16 OCT -4 P4:11

SENATE

S. No. **1184**

RECEIVED BY: *[Signature]*

In Substitution of Senate Bill Nos. 59, 283, 441 taking into consideration Proposed Senate Resolution No. 77

Prepared by the Committee on Civil Service, Government Reorganization and Professional Regulation with Senators Pangilinan, Trillanes IV, Legarda and Recto as authors

AN ACT
PROVIDING FOR SECURITY OF TENURE FOR ALL CASUAL AND CONTRACTUAL EMPLOYEES 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

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

1 **SECTION 1. Declaration of Policy.** – The State shall harness its human
2 resources to cope with the rapid economic development and population growth.
3 Government workers, being very important components of the State’s human
4 resources, shall be given the equal opportunity to quality education, justice and
5 security of tenure.

6
7 **SEC. 2. – Security of tenure for long-time casual and contractual**
8 **employees; Coverage.** – Subject to the provisions of the Constitution and applicable
9 civil service laws, rules and regulations, it is hereby mandated that the all incumbent
10 casual and contractual government employees who have rendered at least five (5)
11 years of continuous service in the case of national government agencies or a total of
12 ten (10) years of continuous service in the case of local government units as of the
13 date of the approval of this Act shall be entitled to security of tenure: *Provided*, That
14 said requirement of continuous service may be waived if the service of the
15 official/employee concerned prior to the completion of the said years, was interrupted
16 by not more than three (3) years, taken cumulatively, due to either abolition of his

1 position, reorganization of the office wherein he was phased out, or reduction in
2 force: *Provided, further,* That in the case of officials/employees who have been
3 previously employed in the same government agency in any capacity, the said
4 requirement of continuous service may likewise be waived if the interruption of their
5 service is not more than eighteen (18) months, taken cumulatively, so long as the
6 minimum required period is met.

7
8 **SEC. 3. *Status of covered employees and affected positions.*** – All of the
9 positions affected by this Act currently held by the covered employees shall be
10 deemed necessary and/or desirable for the efficient operation of the government and
11 shall be marked as co-terminus with the incumbent. All covered employees may not
12 be separated or terminated from the said positions except for just or lawful cause and
13 with due process of law nor can their positions be abolished except when the same are
14 vacated by their incumbents.

15
16 **SEC. 4. *Implementing Rules and Regulations.*** – The Civil Service
17 Commission, in consultation with the Department of Budget and Management, shall
18 issue the rules and regulation necessary to implement the provisions of this Act. Said
19 implementing rules and regulations shall be promulgated within ninety (90) days after
20 the approval of this Act.

21
22 **SEC. 5. *Penal Provisions.*** – Any government employee who shall apply for
23 entitlement to security of tenure under the provisions of this Act on the basis of false
24 claims and/or documents as well as any government officer or employee who will
25 make or issue false certifications, attestations, endorsements and/or spurious
26 documents in relation to any such application shall suffer the penalty of imprisonment
27 of one (1) to three (3) years or a fine in amount up to one hundred thousand pesos
28 (P100,000.00) or both, at the discretion of the judge, in addition to perpetual
29 disqualification from public office. Said employees may also be administratively
30 charged under existing civil service laws, rules and regulations.

31
32 **SEC. 6. *Separability Clause.*** – If any provision of this Act is held as invalid
33 or unconstitutional, the remaining provisions of this Act not otherwise affected shall
34 remain valid and subsisting.

1 **SEC. 7. *Repealing Clause.*** – All laws, decrees, executive orders, department
2 or memorandum orders and other administrative issuance or parts thereof which are
3 inconsistent with the provisions of this Act are hereby modified, superseded or
4 repealed accordingly.

5

6 **SEC. 8. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after
7 its publication in at least two (2) newspapers of general circulation.

Approved,