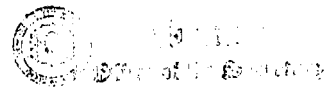


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



'18 MAY 15 P 4:13

RECEIVED

SENATE

S.B. No. 1805

Introduced by Senator **SONNY ANGARA**

AN ACT
STRENGTHENING AND RATIONALIZING THE CAREER SERVICE
OF THE CONGRESS OF THE PHILIPPINES BY ESTABLISHING A LEGISLATIVE
CAREER SERVICE, PROVIDING BENEFITS FOR ITS OFFICERS AND
EMPLOYEES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

Former Senate President Senator Neptali A. Gonzales once said:

"Congress, particularly the Senate, has become a great and strong institution of representative democracy. Because of the broad national mandate granted by the Constitution to Congress, it becomes the task of the Secretariat of both Houses to give their unqualified and professional support to senators and congressmen."

This bill seeks to create and maintain a pool of strong, dedicated and competent public servants in the field of legislation to ensure that our elected Senators and congressmen are provided the much-needed administrative and technical support to carry out their roles in a representative democracy.

There is no doubt that the functions of Congress have gone beyond that of plenary work. Committee hearings and legislative inquires have to be conducted on various socio-economic and political issues that confront our nation. Legislative research, bill drafting and administrative management have to be undertaken to complement the lawmaking duties of our legislators. The role of the Secretariat as a support system in the Congress, therefore, becomes unique and specialized. The qualification standards of legislative personnel must be specific and must conform not only to the Civil Service rules but also to parliamentary rules, precedents,

practices, and traditions. Hence, the establishment of a Legislative Career Service is necessary for the admission and training of competent and qualified civil servants in Congress.

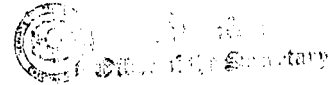
This proposed measure likewise seeks the creation of a Legislative Career Service Board to ensure the recruitment and training of a service-wide pool of properly selected and development-oriented legislative corps and devises a retirement scheme for all officers and employees in the Legislative Career Service.

As we acknowledge the men and women behind the work of the senators and representatives of the people, we earnestly seek the swift passage and enactment of this measure.

A handwritten signature in black ink, appearing to be 'SONNY ANGARA', written in a cursive style.

SONNY ANGARA

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



'18 MAY 15 P4:13
RECEIVED
[Signature]

SENATE
S.B. No. 1805

Introduced by Senator **SONNY ANGARA**

AN ACT
STRENGTHENING AND RATIONALIZING THE CAREER SERVICE
OF THE CONGRESS OF THE PHILIPPINES BY ESTABLISHING A LEGISLATIVE
CAREER SERVICE, PROVIDING BENEFITS FOR ITS OFFICERS AND
EMPLOYEES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES

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

- 1 **SECTION 1. Legislative Career Service.** – There shall be established a
2 Legislative Career Service for Congress composed of the following:
- 3 (a) The Legislative Career Service *Officers (LCSO)* - to include the positions
4 of the Deputy Secretary of the Senate, Deputy Secretary General of the
5 House of Representatives, Deputy Secretary of the Commission on
6 Appointments, and their equivalents, Executive Director, Bureau Director,
7 Assistant Bureau Director, Service Chief, down to Director I Level, and
8 equivalent levels which involve professional and technical work in a
9 supervisory capacity;
- 10 (b) The Legislative Career Service Employees (*LCS€*) - to include Legislative
11 Staff Officer positions which involve professional and technical work in a
12 non-supervisory capacity;
- 13 (c) The Legislative Sub-career Service (*LSCS*) - to include Legislative Staff
14 Assistant Employee positions which involve clerical, trades, crafts and
15 custodial services in a non-supervisory capacity.

1 **SEC. 2. Coverage.** – The Legislative Career Service (LCS) shall include the
2 officers and employees of the Senate, the House of Representatives and the
3 Commission on Appointments.

4 **SEC. 3. Objective.** – It is the purpose of this measure to professionalize,
5 upgrade and strengthen the work force of the Legislative Department to ensure that
6 Congress and its Members shall be provided with qualified, efficient and effective
7 legislative, administrative and security support services. Towards this end, a
8 continuing pool of competent and development oriented legislative career service
9 officers and employees shall be established and maintained.

10 **SEC. 4. Legislative Career Service Board.** – There shall be a Legislative
11 Career Service Board hereinafter referred to as the Board, to be composed of the
12 Secretary of the Senate and the Secretary General of the House, as Co-Chairmen;
13 one (1) Career Official to be designated by the President of the Senate, one (1)
14 Career Official to be designated by the Speaker of the House, and the Chairman of
15 the Civil Service Commission. The two (2) Career Officials for both Houses shall
16 serve for a term of three (3) years.

17 **SEC. 5. Functions of the Board.** – The Board shall:

- 18 (a) Determine and evaluate the qualification of the applicants for LCSO
19 positions;
- 20 (b) Prepare the examination questions for LCSO positions and conduct the
21 examination, correct and rate examination papers in coordination with the
22 Civil Service Commission and submit the results to the President of the
23 Senate and Speaker of the House;
- 24 (c) Conduct an annual review of the qualifications of LCSO and recommend
25 deserving officers for appointment to the rank of LCSO;
- 26 (d) Establish and conduct a performance evaluation system for LCSOs;
- 27 (e) Keep a roster of those who have passed the LCSO examinations; and
- 28 (f) Perform such other functions as may be assigned by the President of the
29 Senate or the Speaker of the House pursuant to its mandate.

1 **SEC. 6. Legislative Career Service Officers (LCSO) Eligibility.** – LCSO
2 eligibility shall be conferred by the Board to any person who meets such managerial
3 and legislative experience and competence, leadership qualities and other relevant
4 qualifications, and passes the examination prescribed by the Board.

5 The examination shall consist of two stages: (a) Legislative/management aptitude
6 test; and (b) Assessment of managerial capability and competence. Those who pass
7 the managerial assessment will be subject to a validation process involving their
8 superiors in order to ascertain their on-the-job performance.

9 Successful completion of the managerial assessment and favorable results of the
10 validation process and a final interview by the Board shall qualify the candidate for
11 the grant of LCSO eligibility.

12 Any incumbent officer or employee who is a Career Executive Service (CES)
13 eligible prior to the effectivity of this Act shall automatically be conferred LCSO
14 eligibility.

15 **SEC. 7. Qualification Requirements.** – An applicant for LCSO eligibility must
16 possess the following qualifications:

17 (a) A Bachelor's degree;

18 (b) Not be over fifty-five (55) years of age;

19 (c) Must be a citizen of the Philippines; and

20 (d) Must not have been convicted by a court of competent jurisdiction of a
21 crime involving moral aptitude.

22 **SEC. 8. Appointments.** – Appointments to appropriate positions in the
23 Legislative Career Service shall be made by the President of the Senate, the
24 Speaker of the House of Representatives or the Chairman of the Commission on
25 Appointments, as the case may be.

26 No person shall be eligible for appointment to any position in the Legislative
27 Career Service unless he/she meets the qualification standards approved by the
28 Legislative Career Service Board (LCSB) which shall at least be at par with the
29 standards set by the Civil Service Commission.

1 **SEC. 9. Incumbents.** – Upon approval of this Act, an incumbent, or an employee
2 officially discharging the duties, of a regular career position herein classified as an
3 LCSO position shall be accorded LCSO eligibility and shall enjoy security of tenure.

4 **SEC. 10. Retirement Benefits.** – Retirement shall be compulsory for an officer
5 or employee in the Legislative Career Service upon reaching the age of sixty-five
6 (65) years: *Provided*, That he/she has rendered at least fifteen (15) years of service
7 in the government, three (3) years of which have been continuously rendered in the
8 Legislative Department. If he/she has rendered less than fifteen (15) years of
9 service, he/she shall be allowed to continue in Service up to a maximum of one (1)
10 year, subject to Civil Service rules and regulations.

11 Upon compulsory retirement, an officer or employee shall be entitled to a monthly
12 pension for the duration of his/her natural life equivalent to the salary of the
13 incumbent of the position he was retired from and a lump sum gratuity of five (5)
14 years or sixty (60) months multiplied by two (2) months salary plus the highest
15 monthly aggregate of transportation, living and representation allowances received
16 at the time of retirement.

17 An officer or employee who has reached the age of sixty (60) years with at least
18 Fifteen (15) years of service in government, the last three (3) years of which have
19 been continuously rendered in the Legislative Department, may opt to retire under
20 the compulsory retirement plan: *Provided*, That he/she shall be entitled to a monthly
21 pension only upon the lapse of five (5) years from retirement.

22 Likewise an incumbent who has availed of any prior optional retirement plan and
23 has an accumulated thirty (30) years of service in government, three (3) years of
24 which have been continuously rendered in the Legislative Department, shall be given
25 full credit for services rendered by him/her prior to his/her reinstatement and shall
26 receive the full benefits granted under this Act if he/she retires under the compulsory
27 retirement plan: *Provided*, That he/she refunds all pensions and retirement benefits
28 previously received.

29 All pension benefits of retired officers and employees of the Legislative
30 Department shall be automatically increased whenever there is an increase in the
31 salary of the same position from which he/she retired.

32 Except for the retirement benefits granted herein, officials and employees of the
33 Legislative Career Service shall remain covered by the compulsory life insurance

1 program of the Government Service Insurance System (GSIS), and shall therefore
2 be entitled to and may avail of GSIS benefits: *Provided*, That the corresponding
3 personal and employer share for the life insurance coverage is paid and remitted.

4 **SEC. 11. Survivorship Benefits.** – Upon the death of an officer or employee
5 who has been retired, his/ her surviving spouse and surviving legitimate minor
6 children shall receive in equal shares seventy percent (70%) of the monthly
7 retirement pay which he/she has been receiving at the time of his/her death
8 *Provided*, That no payment under this Section shall be made to the surviving spouse
9 who remarries.

10 **SEC. 12. Optional Retirement.** – An officer or employee, who has rendered an
11 accumulated twenty (20) years of government service, the last three (3) years of
12 which have been continuously rendered in the Legislative Department, may choose
13 to retire from the service under the optional retirement plan subject to the approval of
14 the President of the Senate or the Speaker of the House of Representatives, as the
15 case may be.

16 Incumbents who have rendered at least ten (10) years of continuous service in
17 Congress at the time of the adoption of this Act may likewise avail of the optional
18 retirement. He/she shall be entitled to receive a lump sum gratuity equivalent to two
19 (2) months salary for every year of service plus highest monthly aggregate of
20 transportation, living and representation allowances as of the date of his/her
21 retirement.

22 A retiree under this Section shall not be eligible for appointment to or employment
23 in Congress whether on a permanent, temporary, casual or emergency status within
24 a period of three (3) years after retirement. An officer or employee who has been
25 separated from the service shall be given full credit for services rendered by him
26 prior to his reinstatement for purposes of determining his/ her retirement or
27 separation benefits under this Ad: *Provided*, That he/she refunds all pensions and
28 retirement benefits previously received.

29 An officer or employee who shall retire under the compulsory or optional
30 retirement plan shall be entitled to a refund of GSIS personal contributions and the
31 corresponding share of the government with interest earned. Likewise, all retiring

1 officers and employees shall be entitled to the commutation of unused vacation and
2 sick leave in accordance with existing rules and regulations.

3 **SEC. 13. Separation Benefits.** – When an officer or employee is permanently
4 incapacitated to discharge the duties of his/her office, or dies while in the service or
5 is otherwise separated from the service for reasons beyond his/her control and who
6 is not qualified for retirement under Section 10 hereof, he/she or his/her heirs shall
7 be paid a lump sum equivalent to two (2) months salary for every year of service,
8 computed on the basis of the last monthly salary plus the highest monthly aggregate
9 of transportation, living and representation allowances which he was receiving on the
10 date of his incapacity, death or separation from the service. The Secretary of the
11 Senate shall properly certify this, the Secretary General of the House of
12 Representatives or the Secretary of the Commission on Appointments, as the case
13 may be.

14 **SEC. 14. Suspension/Deprivation of Benefits.** – Benefits due under this Act to
15 any officer or employee shall be withheld if the officer or employee has unliquidated
16 accounts or any pending administrative, criminal or civil case connected with his or
17 her position. If the officer or employee is found guilty, all benefits shall be forfeited;
18 otherwise, the benefit shall be paid in full plus interest as soon as the officer or
19 employee is cleared of all charges.

20 **SEC. 15. Retirement Benefits of the Secretary of the Senate, the Secretary**
21 **General of the House of Representatives, the Sergeant-at-Arms of both**
22 **Houses, The Secretary and the Sergeant-at-Arms of the Commission on**
23 **Appointments, and Co-Terminus Employees.** – The Secretary of the Senate, the
24 Secretary General of the House of Representatives, the Sergeant-at-Arms of both
25 Houses, the Secretary and the Sergeant-at-Arms of the Commission on
26 Appointments, and co-terminus staff of the Members of Congress and of the
27 Commission on Appointments, with at least fifteen (15) years of service in the
28 government, the last three (3) years of which have been continuously rendered in the
29 Senate, the House of Representatives or the Commission on Appointments, may
30 avail of the retirement and separation benefits subject to the conditions provided
31 under Sections 10, 11,12, and 13 hereof.

1 **SEC. 16. Enforcement of Retirement Benefits.** – The Senate of the Philippines,
2 the House of Representatives and the Commission on Appointments, or their
3 successors shall take charge of the enforcement and operation of retirement benefits
4 under this Act and no officer or employee of Congress shall be entitled to receive
5 any gratuity or pension herein provided for unless from the month following the
6 approval of this Act, in case of an actual incumbent, or from the month following
7 his/her appointment and qualification as such, in case of a future appointment,
8 he/she shall have contributed to the retirement funds; by paying a monthly
9 contribution equivalent to ten percent (10%) of his/her basic monthly salary, three
10 percent (3%) shall be allotted for insurance premium and seven percent (7%) for
11 retirement, with employer counterpart of twelve percent (12%). The retirement fund
12 shall be held in trust by the Government Service Insurance System which fund shall
13 be made available for the payment of the benefits under this Act. In case of
14 deficiency in the fund, the deficiency shall be paid out of the appropriation of either
15 the Senate of the Philippines, the House of Representatives and the Commission on
16 Appointments, or their successors.

17 The President of the Senate and/or Speaker of the House of Representatives
18 may avail of management and technical assistance of the GSIS or enter into an
19 agreement concerning the administration and operation of the retirement funds of
20 their respective Houses. They may jointly or separately, authorize the GSIS or any
21 other government financing institution to invest the investible amounts of the said
22 retirement funds in accordance with existing laws and sound and prudent investment
23 policies and practices.

24 **SEC. 17. Implementing Rules and Regulations.** – Upon the recommendation
25 of the Secretary of the Senate and the Secretary General of the House of
26 Representatives, the President of the Senate and the Speaker of the House of
27 Representatives, shall jointly promulgate such rules and regulations for the proper
28 implementation of this Act.

29 **SEC. 18. Appropriations.** – The amount needed to carry out the initial
30 implementation of this Act shall be charged against the current year's Appropriations
31 for the Organizations Adjustment Fund and Miscellaneous Benefits Fund. Thereafter,

1 such sums as may be necessary for its continued implementation shall be included
2 in the annual General Appropriations Act.

3 **SEC. 19. *Separability Clause.*** – Any portion or provision of this Act that may be
4 declared unconstitutional shall not have the effect of nullifying other portions or
5 provisions thereof as long as such remaining portions can still subsist and be given
6 effect in their entirety.

7 **SEC. 20. *Repealing Clause.*** – All laws, orders, decrees, rules and regulations,
8 and other issuances, or parts thereof, inconsistent herewith, are hereby repealed or
9 modified accordingly.

10 **SEC. 21. *Effectivity.*** – This Act shall take effect after fifteen (15) days following
11 its publication in two (2) national newspapers of general circulation.

Approved,