

SEVENTEENTH CONGRESS
REPUBLIC OF THE PHILIPPINES
First Regular Session

)
)
)



Senate
Office of the Secretary

'16 JUL 19 AIO 34

SENATE

S.B. No. 441

RECEIVED BY: _____

Introduced by SENATOR LOREN LEGARDA

AN ACT AMENDING SECTIONS 1 AND 2 OF REPUBLIC ACT NO. 6850 OTHERWISE KNOWN AS AN ACT TO GRANT CIVIL SERVICE ELIGIBILITY UNDER CERTAIN CONDITIONS TO GOVERNMENT EMPLOYEES APPOINTED UNDER PROVISIONAL OR TEMPORARY STATUS WHO HAVE RENDERED A TOTAL OF SEVEN (7) YEARS OF EFFICIENT SERVICE, AND FOR OTHER PURPOSES

Explanatory Note

By virtue of the mandate of the Constitution, particularly, Section 2, paragraph 6, Article IX-B, which provides that, "Temporary employees in the government shall be given protection as may be provided by law," this bill seeks to provide protection to casual and contractual employees in government.

This bill seeks to amend sections 1 and 2 of Republic Act No. 6850, otherwise known as "An Act to Grant Civil Service Eligibility under Certain Conditions to Government Employees Appointed under Provisional or Temporary Status who have Rendered a Total of Seven Years of Efficient Service, and for Other Purposes." This legislative measure proposes to extend and grant civil service eligibility to casual or contractual employees in the government who have continuously served the government for at least five (5) years.

In spite of the long-standing years that they have devoted to government service, these non-permanent employees, more often than not, are poorly compensated, receive nominal bonuses, and are not well provided with comprehensive healthcare. It must be borne in mind that the implication of their continued service as condoned and allowed by the government, is that these employees have demonstrated competence, efficiency, and diligence in the performance of their duties.

Section 2 (2), Article IX-B of the Constitution requires that "appointments in the civil service shall be made according to merit and fitness to be determined, as far as practicable, and, except to positions which are policy determining, primarily confidential, or highly technical, by competitive examination." Just the same, it may be fair and justifiable to consider the employees' competence, efficiency, diligence, loyalty, length of service, educational attainment, and trainings attended as compliance with the standards of merit and fitness set forth in the Constitution.

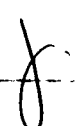
In view of the foregoing, the immediate approval of this measure is earnestly requested.

LOREN LEGARDA
Senator

16 JUL 19 AIO:34

SENATE

S.B. No. 441

RECEIVED BY: 

Introduced by SENATOR LOREN LEGARDA

AN ACT AMENDING SECTIONS 1 AND 2 OF REPUBLIC ACT NO. 6850 OTHERWISE KNOWN AS AN ACT TO GRANT CIVIL SERVICE ELIGIBILITY UNDER CERTAIN CONDITIONS TO GOVERNMENT EMPLOYEES APPOINTED UNDER PROVISIONAL OR TEMPORARY STATUS WHO HAVE RENDERED A TOTAL OF SEVEN (7) YEARS OF EFFICIENT SERVICE, AND FOR OTHER PURPOSES

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

1 **SECTION I.** Section 1 of Republic Act No. 6850 is hereby amended as
2 follows:

3
4 "Section 1. All government employees [as of the approval of this
5 Act] who are holding career civil service positions appointed
6 under [provisional or temporary] **CASUAL OR CONTRACTUAL**
7 status who have rendered at least a total of [seven (7)] **FIVE (5)**
8 years of **CONTINUOUS** efficient service [may be] **ARE HEREBY**
9 granted [the] civil service eligibility. [that will qualify them for]
10 **THEREAFTER, THEY ARE ENTITLED TO PERMANENT**
11 **APPOINTMENTS TO THEIR PRESENT POSITIONS OR TO**
12 **OTHER POSITIONS TO WHICH THE ELIGIBILITY**
13 **CONFERRED HEREIN QUALIFIES THEM AS DETERMINED**
14 **BY THE CIVIL SERVICE COMMISSION.**

15
16 [The Civil Service Commission shall formulate performance
17 evaluation standards in order to determine those temporary
18 employees who are qualified to avail themselves of the privilege
19 granted under this Act.

20
21 The civil service eligibility herein granted may apply to such
22 other positions as the Civil Service Commission may deem
23 appropriate.]"
24

25 **SECTION 2.** Section 2 of Republic Act No. 6850 is hereby amended as
26 follows

27
28 "Section 2. The Civil Service Commission shall promulgate **WITHIN**
29 **NINETY (90) DAYS AFTER THE EFFECTIVITY OF THIS ACT** the
30 **IMPLEMENTING** rules and regulations [to implement this Act]
31 consistent with the [merit and fitness principle] **PROVISIONS OF**
32 **THIS ACT** [within ninety (90) days after its effectivity]."

1 **SECTION 3.** All laws, decrees, executive orders, proclamations, rules and
2 regulations, or parts thereof inconsistent herewith are hereby repealed or
3 modified accordingly.

4
5 **SECTION 4.** If any provision of this Act is held invalid or unconstitutional,
6 the other provisions not affected hereby shall remain valid and subsisting.

7
8 **SECTION 5.** This Act shall take effect fifteen (15) days from the date of its
9 publication in at least two (2) newspapers of general circulation.

10
11 Approved,