

SENATE

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S. No. 1562

(In Substitution of Senate Bill No. 642)

RECEIVED BY: 

Prepared Jointly by the Committees on Civil Service, Government Reorganization and Professional Regulation and Finance with Senators Antonio "Sonny" F. Trillanes IV and Loren B. Legarda as authors

AN ACT
GRANTING NIGHT SHIFT DIFFERENTIAL PAY TO THE GOVERNMENT EMPLOYEES INCLUDING THOSE IN GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1.** Government employees, including those in government-owned or
2 controlled corporations, whether their nature of employment is permanent, contractual,
3 temporary or casual, shall be paid night shift differential at a rate not exceeding twenty
4 percent (20%) of the hourly basic rate of the employee for each hour of work performed
5 between ten o' clock in the evening and six o'clock in the morning; *Provided*, That the night
6 shift differential pay provided under this Act shall be in addition to and shall not in any way
7 diminish whatever benefits and allowances being presently enjoyed by government
8 employees.

9
10 "Hourly basic rate" refers to basic salary rate per hour derived by dividing the
11 monthly rate by twenty-two (22) working days and dividing the quotient derived by eight (8)
12 hours.

13
14 **SEC. 2.** The following government employees are not covered by this Act:

- 15
16 a) Public health workers who are already covered by Republic Act No. 7305; and
17
18 b) Government employees whose services are required, or are on call, twenty-four
19 (24) hours a day such as the uniformed personnel of the Armed Forces of the
20 Philippines (AFP), the Philippine National Police (PNP), the Bureau of Jail
21 Management and Penology (BJMP), and the Bureau of Fire Protection (BFP).
22

23 **SEC. 3.** The Civil Service Commission (CSC), in coordination with the Department
24 of Budget and Management (DBM), shall promulgate the necessary rules and regulations for
25 the effective implementation of this Act.
26

27 **SEC. 4.** The amount necessary for the effective implementation of this Act shall be
28 funded as follows:

- 1 a) For the national government entities, the initial amount shall be charged from the
2 savings generated from the different departments, bureaus, offices, and agencies.
3 Thereafter, such sum as maybe necessary for the continuous implementation of
4 this Act shall be included in the annual General Appropriations Act (GAA);
5
- 6 b) For local government units, the amount shall be charged against their respective
7 funds; and
8
- 9 c) For government-owned or controlled corporations and their subsidiaries the
10 amount shall come from their respective corporate funds.
11

12 **SEC. 5.** All laws, decrees, orders, rules and regulations, and other issuances or parts
13 thereof inconsistent with the provisions of this Act are hereby repealed or amended
14 accordingly.
15

16 **SEC. 6.** This Act shall take effect fifteen (15) days after publication in the Official
17 Gazette or in at least two (2) national newspapers of general circulation.

Approved,