

EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )

**SENATE**

Senate  
Office of the Secretary

S. No. 643

'19 JUL 22 P 1 :49

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**Introduced by SENATOR RAMON BONG REVILLA, JR.**



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

**EXPLANATORY NOTE**

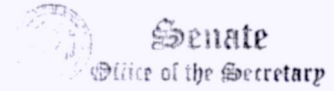
Presidential Decree No. 442 or the Labor Code of the Philippines, as amended, defines night shift differential as "not less than 10% of his regular wage for each hour of work performed between 10 o'clock in the evening and 6 o'clock in the morning." This wage-related benefit is given to private employees as mandated by the Labor Code.

However, not all government employees enjoy such benefit. Most of the government employees who work beyond the usual working hours are only paid overtime pay. Public sector employees also deserve the benefit we give to their private counterparts. This bill seeks to institutionalize the Night Differential Pay for government employees including government-owned or controlled corporations.

This proposed measure seeks to recognize government employees' unselfish service, and in this light, consideration of this bill is earnestly sought.

  
**RAMON BONG REVILLA, JR.**

**SENATE**



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*Be it enacted by the Senate and 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,  
3 contractual, temporary, or casual, shall be paid night shift differential at a rate not  
4 exceeding twenty percent (20%) of the hourly basic rate of the employee for each  
5 hour of work performed between ten 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  
7 way diminish whatever benefits and allowances being presently enjoyed by  
8 government 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  
12 eight (8) hours.

13

14 Sec. 2. The following government employees are not covered by this Act:

- 15 a) Public health workers who are already covered by Republic Act No. 7305;  
16 and

1           b) Government employees whose services are required, or are on call,  
2           twenty-four (24) hours a day such as uniformed personnel of the Armed  
3           Forces of the Philippines (AFP), the Philippines National Police (PNP), the  
4           Bureau of Jail Management and Penology (BJMP), and the Bureau of Fire  
5           Protection (BFP).

6  
7           Sec. 3. The Civil Service Commission (CSC), in coordination with the  
8           Department of Budget and Management (DBM), shall promulgate the necessary rules  
9           and regulations for the effective implementation of this Act.

10  
11          Sec 4. The amount necessary for the effective implementation of this Act shall  
12          be funded as follows:

- 13           a) For the National government entities, the initial amount shall be charged  
14           from the savings generated from the different departments, bureaus,  
15           offices, and agencies. Thereafter, such sum as maybe necessary for the  
16           continuous implementation of this Act shall be included in the annual  
17           General Appropriations Act (GAA);  
18           b) For local government units, the amount shall be charged against their  
19           respective funds; and  
20           c) For government-owned or controlled corporations and their subsidiaries, the  
21           amount shall come from their respective corporate funds.

22  
23          Sec. 5. *Separability Clause.* If any provision or part hereof, is held invalid or  
24          unconstitutional, the remainder of the law or the provision not otherwise affected shall  
25          remain valid and subsisting.

26  
27          Sec. 6. *Repealing Clause.* Any law, presidential decree or issuance, executive  
28          order, letter of instruction, administrative order, rule or regulation contrary to, or  
29          inconsistent with the provisions of this Act is hereby repealed, modified or amended  
30          accordingly.

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

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5            *Approved,*