



SENATE

S. No. 643

INTRODUCED BY SENATOR REVILLA JR.

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 House of Representatives of
the Philippines in Congress assembled:*

1 SECTION 1. Government employees under Salary
2 Grade 1 to Salary Grade 24, including those in
3 government-owned or -controlled corporations, whether
4 their nature of employment is permanent, contractual,
5 temporary, or casual, shall be paid night shift differential
6 at a rate not exceeding twenty percent (20%) of the hourly
7 basic rate of the employee as determined by the head of the
8 agency for each hour of work performed between the hours

1 of 6:00 p.m. and 6:00 a.m. of the following day: *Provided,*
2 That the night shift differential pay provided under this
3 Act shall be in addition to, and shall not in any way
4 diminish whatever benefits and allowances being presently
5 enjoyed by the government employees.

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

10 SEC. 2. The following government employees are not
11 covered by this Act:

12 (a) Government employees whose schedule of office
13 hours fall between 6:00 a.m. to 6:00 p.m. Services rendered
14 beyond the regular eight hour work schedules are paid
15 overtime pay in accordance with existing laws, rules and
16 regulations; and

17 (b) Government employees whose services are
18 required, or are on call, twenty-four (24) hours a day such
19 as uniformed personnel of the Armed Forces of the
20 Philippines (AFP), the Philippine National Police (PNP),

1 the Bureau of Jail Management and Penology (BJMP), the
2 Bureau of Fire Protection (BFP), and other similarly
3 situated, as may be determined by the Civil Service
4 Commission (CSC) and the Department of Budget and
5 Management (DBM).

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

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

13 (a) For the national government entities, the initial
14 amount shall be charged against existing appropriations
15 for the purpose of departments, bureaus, offices, and
16 agencies concerned. Thereafter, such sum as maybe
17 necessary for the continuous implementation of this Act
18 shall be included in the annual General Appropriations Act
19 (GAA);

1 (b) For local government units, the amount shall be
2 charged against their respective funds; and

3 (c) For government-owned or -controlled corporations
4 and their subsidiaries, the amount shall come from their
5 respective corporate funds.

6 SEC. 5. *Separability Clause.* – If any provision or part
7 hereof, is held invalid or unconstitutional, the remainder of
8 the law or the provision not otherwise affected shall
9 remain valid and subsisting.

10 SEC. 6. *Repealing Clause.* – Any law, presidential
11 decree or issuance, executive order, letter of instruction,
12 administrative order, rule or regulation contrary to, or
13 inconsistent with the provisions of this Act is hereby
14 repealed, modified or amended accordingly.

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

Approved,