



SENATE

'19 OCT -1 P5:24

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COMMITTEE REPORT NO. 13

Submitted Jointly by the Committees on Civil Service, Government Reorganization and Professional Regulation and Finance on **OCT - 1 2019**

Re: Senate Bill No. 643

Recommending its approval with amendments

Sponsor: Senator Ramon Bong Revilla, Jr.

MR. PRESIDENT:

The Committees on Civil Service, Government Reorganization and Professional Regulation and Finance to which was referred Senate Bill No. 643, introduced by Senator Ramon Bong Revilla, Jr., entitled:

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

have considered the same and have the honor to report it back to the Senate with the recommendation that it be approved with the following amendments:

1. On page 1 line 5 after the word "between", delete the phrase "ten o' clock in the morning" and in lieu thereof, insert the phrase **"THE HOURS OF 6:00 P.M. AND 6:00 A.M. OF THE FOLLOWING DAY";**
2. On the same page, line 16, delete the word "and" and insert a new paragraph that will read:

"B) GOVERNMENT EMPLOYEES WHOSE SCHEDULE OF OFFICE HOURS FALL BETWEEN 6:00 AM TO 6:00 PM. SERVICES RENDERED BEYOND THE REGULAR EIGHT HOUR WORK SCHEDULES ARE PAID OVERTIME PAY IN ACCORDANCE WITH EXISTING LAWS, RULES AND REGULATIONS; AND,"

3. On page 2, line 14, delete the phrase "from the savings generated from the different" and in lieu thereof insert, **"AGAINST EXISTING APPROPRIATIONS FOR THE PURPOSE OF";**
4. On the same page, line 15, after the word "agencies", insert the word **"CONCERNED";**
5. Renumber the subsections accordingly.

RESPECTFULLY SUBMITTED:

Chairpersons



SONNY ANGARA
Committee on Finance



RAMON BONG REVILLA, JR.
*Committee on Civil Service, Government
Reorganization and Professional Regulation;
Member, Committee on Finance*

Vice-Chairpersons



PIA S. CAYETANO
*Committee on Finance;
Member, Committee on Civil Service, Government
Reorganization and Professional Regulation*



JOEL VILLANUEVA
*Committees on Civil Service, Government
Reorganization and Professional Regulation;
and Finance*



PANFILO M. LACSON
Committee on Finance

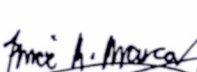


CYNTHIA A. VILLAR
Committee on Finance



RICHARD J. GORDON
Committee on Finance

WINA GATCHALIAN
Committee on Finance



IMEE R. MARCOS
Committee on Finance

*reserving the
right to interpellate*



CHRISTOPHER BONG GO
*Committee on Finance; Member, Committee on
Civil Service, Government Reorganization and
Professional Regulation*


RISA HONTIVEROS

Committee on Finance;

Member, Committee on Civil Service,
Government Reorganization and Professional Regulation

Members



MARIA LOURDES NANCY S. BINAY

Member, Committee on Finance



RONALD "BATO" DELA ROSA

Member, Committees on Civil Service, Government
Reorganization and Professional Regulation and
Finance



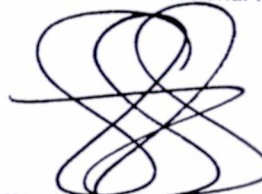
MANUEL "LITO" M. LAPID

Member, Committee on Finance



FRANCIS "TOL" N. TOLENTINO

Member, Committees on Civil Service, Government
Reorganization and Professional Regulation; and
Finance



EMMANUEL "MANNY" D. PACQUIAO

Member, Committee on Finance

AQUILINO "KOKO" PIMENTEL III

Member, Committee on Finance

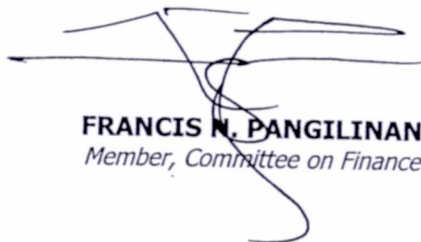
LEILA M. DE LIMA

Member, Committee on Finance



GRACE POE

Member, Committee on Finance



FRANCIS N. PANGILINAN

Member, Committee on Finance

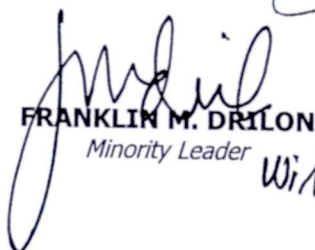
Ex-Officio Members:



RALPH G. RECTO
Senate President-Pro Tempore



JUAN MIGUEL F. ZUBIRI
Majority Leader



FRANKLIN M. DRILON
Minority Leader

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HON. VICENTE C. SOTTO III
President
Senate of the Philippines

EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

SENATE

S. No. 643

Senate
Office of the Secretary

19 JUL 22 P1:49

Introduced by SENATOR RAMON BONG 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

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

Senate
Office of the Secretary

S. No. 643

22 P1 50

Introduced by SENATOR RAMON BONG 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, 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.
31

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.
3
4

5 *Approved,*