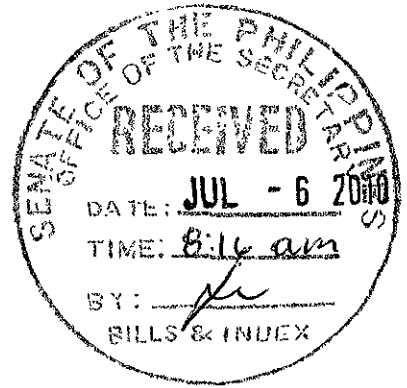


FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE

S. No. 161

Introduced by Senator JUAN MIGUEL F. ZUBIRI

EXPLANATORY NOTE

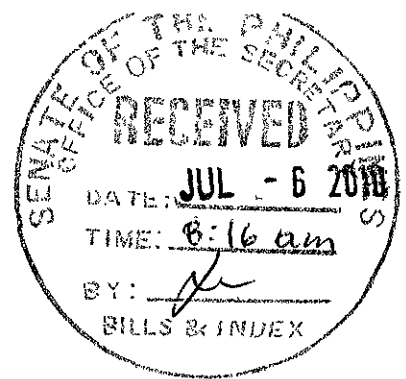
The 1987 Constitution as stated in Article IX-B, Section 2, paragraph 6, provides that "Temporary employees in the government shall be given protection as may be provided by law".

Pursuant to this mandate, 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 years. Non-permanent employees, more often than not, are poorly compensated, receive nominal bonuses, and are not well provided with comprehensive healthcare, in spite of the long number of years they have devoted to government office. This long service implies that these employees have demonstrated competence, efficiency and diligence in the performance of their duties.

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", as stated in Section 2, Paragraph 2, Article IX-B. Just the same, it may also 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 passage of this measure is earnestly sought.


JUAN MIGUEL F. ZUBIRI



SENATE

S. No. 161

Introduced by Senator JUAN MIGUEL F. ZUBIRI

AN ACT
GRANTING CIVIL SERVICE ELIGIBILITY TO GOVERNMENT EMPLOYEES, UNDER CERTAIN CONDITIONS, WHOSE STATUS OF APPOINTMENT IS EITHER CASUAL OR CONTRACTUAL AND WHO HAVE RENDERED A TOTAL OF FIVE YEARS OF EFFICIENT SERVICE

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

1 **Section 1. Declaration of Policy** - The State shall harness its human resources
2 to cope with the rapid economic development and population growth. Government
3 workers, being an important component of the State's human resources, shall be given
4 the equal opportunity to quality education, justice, and security of tenure.

5
6 **SEC. 2. Coverage** - Subject to the provisions of the Constitution and applicable
7 civil service laws, rules and regulations, all incumbent government employees, as of the
8 approval of this Act, who are holding casual or contractual positions in the first and
9 second levels and who have rendered continuous service for the last five (5) years shall
10 be granted civil service eligibility by the Civil Service Commission: *Provided, however*
11 *that they shall not be entitled to any promotion unless they obtain the appropriate*
12 *eligibility requirement for that position.*

13
14 **SEC. 3. Civil Service Performance Evaluation Standards.** - The Civil Service
15 Commission shall formulate performance evaluation standards to determine qualified
16 employees under this Act.

17
18 **SEC. 4. Implementing Rules and Regulations.** - The Civil Service Commission
19 shall prepare the necessary rules and regulations needed to implement the provisions
20 of this Act, and the same shall be promulgated within ninety (90) days after the approval
21 of this Act.

1 **SEC. 5. Separability Clause** - If any clause, sentence, paragraph or part of this
2 Act shall be declared unconstitutional or invalid, such judgment shall not affect
3 invalidate or impair any other part of this Act.

4
5 **SEC. 6. Repealing Clause** - All laws, decrees, executive orders, department or
6 memorandum orders and other administrative issuances or parts thereof which are
7 inconsistent with the provisions of this Act are hereby modified, superseded or repealed
8 accordingly.

9
10 **SEC. 7. Effectivity Clause** - This Act shall take effect fifteen (15) days after its
11 publication in at least two (2) newspapers of general circulation.

12
13 Approved.