

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

10 JUL 13 PM 2011

SENATE
S.B. No. 1400

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

By virtue of the mandate of the Constitution, particularly, Section 2, paragraph 6, Article IX-B, which provides that, "Temporary employees in the government shall be given protection as may be provided by law," this bill seeks to provide protection to casual and contractual employees in government.

This bill seeks to amend sections 1 and 2 of Republic Act No. 6850, otherwise known as "An Act to Grant Civil Service Eligibility under Certain Conditions to Government Employees Appointed under Provisional or Temporary Status who have Rendered a Total of Seven Years of Efficient Service, and for Other Purposes." 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 (5) years.

In spite of the long-standing years that they have devoted to government service, these non-permanent employees, more often than not, are poorly compensated, receive nominal bonuses, and are not well provided with comprehensive healthcare. It must be borne in mind that the implication of their continued service as condoned and allowed by the government, is that these employees have demonstrated competence, efficiency, and diligence in the performance of their duties.

Section 2 (2), Article IX-B of 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." Just the same, it may 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 immediate approval of this measure is earnestly requested.



LOREN LEGARDA
Senator

10 JUL 13 PM 11

S E N A T E
S.B. No. 1400

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AN ACT
AMENDING SECTIONS 1 AND 2 OF REPUBLIC ACT NO. 6850
OTHERWISE KNOWN AS AN ACT TO GRANT CIVIL SERVICE
ELIGIBILITY UNDER CERTAIN CONDITIONS TO GOVERNMENT
EMPLOYEES APPOINTED UNDER PROVISIONAL OR TEMPORARY
STATUS WHO HAVE RENDERED A TOTAL OF SEVEN (7) YEARS OF
EFFICIENT SERVICE, AND FOR OTHER PURPOSES

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

1 SECTION I. Section 1 of Republic Act No. 6850 is hereby amended as follows:

2
3 "Section 1. All government employees [as of the approval of this Act]
4 who are holding career civil service positions appointed under
5 [provisional or temporary] **CASUAL OR CONTRACTUAL** status
6 who have rendered at least a total of [seven (7)] **FIVE (5)** years of
7 **CONTINUOUS** efficient service [may be] **ARE HEREBY** granted [the]
8 civil service eligibility. [that will qualify them for] **THEREAFTER,**
9 **THEY ARE ENTITLED TO permanent appointments to their present**
10 **positions OR TO OTHER POSITIONS TO WHICH THE**
11 **ELIGIBILITY CONFERRED HEREIN QUALIFIES THEM AS**
12 **DETERMINED BY THE CIVIL SERVICE COMMISSION.**

13
14 [The Civil Service Commission shall formulate performance evaluation
15 standards in order to determine those temporary employees who are
16 qualified to avail themselves of the privilege granted under this Act.

17
18 The civil service eligibility herein granted may apply to such other
19 positions as the Civil Service Commission may deem appropriate.]"
20

1 **SECTION 2.** Section 2 of Republic Act No. 6850 is hereby amended as follows

2
3 "Section 2. The Civil Service Commission shall promulgate **WITHIN**
4 **NINETY (90) DAYS AFTER THE EFFECTIVITY OF THIS ACT** the
5 **IMPLEMENTING** rules and regulations [to implement this Act] consistent
6 with the [merit and fitness principle] **PROVISIONS OF THIS ACT**
7 [within ninety (90) days after its effectivity]."

8
9 **SECTION 3.** All laws, decrees, executive orders, proclamations, rules and
10 regulations, or parts thereof inconsistent herewith are hereby repealed or modified
11 accordingly.

12
13 **SECTION 4.** If any provision of this Act is held invalid or unconstitutional,
14 the other provisions not affected hereby shall remain valid and subsisting.

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16 **SECTION 5.** This Act shall take effect fifteen (15) days from the date of its
17 publication in at least two (2) newspapers of general circulation.

18
19 Approved,