

Republic of the Philippines  
HOUSE OF REPRESENTATIVE  
Quezon City, Metro Manila

SIXTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. 152



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Introduced by ANG NARS Party List  
Representative Leah Primitiva G. Samaco - Paquiz

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#### EXPLANATORY NOTE

The Philippine Constitution guarantees the right of working people to security of tenure consistent to the Universal Declaration of Human Rights which include among others work as fundamental right of people.

It is, however, very alarming and unfortunate that in the entire bureaucracy, precarious work has become pervasive. Job orders, casuals, contractual, contract of service, honorarium-based employees, memorandum of agreement workers, including use of forced volunteers proliferate in national government agencies, local government units, government owned and controlled corporations and in local and state universities and colleges. These employees are performing not piece work, not intermittent, seasonal or project-based jobs. They are performing necessary, essential and desirable jobs which enable the various public institutions to fulfill their respective mandates. Their pay and working conditions are a far cry from the decent work framework that the government has adopted.

With the Kasambahay law now effective, the domestic workers are far more protected and secured than the thousands of non-regular employees who are in the forefront of delivering public goods and services.

The government as an employer must be a model and abiding of both local and international labor laws, covenants and standards.

It is high time we put to a stop to these exploitative and precarious types of work, give justice to employees and restore the dignity of the women and men in the public sector.

In view of the foregoing, immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read "Leah Primitiva G. Samaco-Paquiz".

Honorable Leah Primitiva G. Samaco-Paquiz  
ANG NARS Representative

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AN ACT PROVIDING FOR SECURITY OF TENURE FOR ALL NON-  
REGULAR EMPLOYEES OF THE GOVERNMENT INCLUDING  
NATIONAL GOVERNMENT AGENCIES, LOCAL GOVERNMENT  
UNITS, STATE UNIVERSITIES AND COLLEGES, GOVERNMENT  
OWNED AND CONTROLLED CORPORATIONS AND ALL OTHER  
GOVERNMENT INSTRUMENTALITIES, WHO HAVE RENDERED AT  
LEAST TWO (2) YEARS OF CONTINUOUS SERVICE,  
AND FOR OTHER RELATED PURPOSES

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

Section 1. **Short Title** – This act shall be known as the “Security of Tenure for Government Employees of 2013”.

Section 2. **Declaration of Policy** – The State shall harness its human resources to cope with the rapid economic development and population growth. Government workers, being very important components of the State’s human resources, shall be given the equal opportunity to quality education, justice and security of tenure.

Section 3. **Security of Tenure for Long-Time Non-Regular Government Employees** - As used in this Act, the term “non-regular employee” shall refer to a rank and file employee that is not considered permanent such as casual, contractual, memorandum of agreement, temporary, job order, honorarium-based, volunteer and coterminous employees. Subject to the provisions of the Constitution and applicable civil service laws, rules and regulations, it is hereby mandated that all incumbent non-regular government employees who have rendered at least two (2) years of continuous service in national government agencies, local government units, state universities and colleges, government owned and controlled corporations and all other government instrumentalities as of the date of approval of this Act shall be entitled to security of tenure.

Section 4. **Status of Covered Employees and Effective Position** – All positions, covered by this Act, shall be deemed necessary and/or desirable for the efficient operation of the government. All covered employees may not be separated or terminated from the said position except for just or lawful cause and with the due process of law.

Section 5. **Implementing Rules and Regulations** – The Civil Service Commission, in consultation with the public sector trade unions, and the Department of Budget and Management, shall issue the rules and regulation necessary to implement the provisions of this Act. Said implementing rules and regulations shall be promulgated within the ninety (90) days after approval of this Act.

Section 6. **Final Provisions**- Any government employee who shall apply for entitlement to security of tenure under the provision of this Act on the basis of false claims and/or documents as well as any government officer or employee who will make or issue false certification, attestations, endorsements and/or spurious documents in relation to any such application shall

suffer the penalty of imprisonment of one (1) to three (3) years or a fine in an amount up to One Hundred Thousand Pesos (Php100,000.00) or both, at the discretion of the judge, in addition to perpetual disqualification from public office. Said employees may also be administratively charge under existing civil service laws, rules and regulations.

Section 7. **Separability Clause-** If any provision of this Act be declared invalid or unconstitutional, the remaining provisions of this Act not otherwise affected shall remain valid and subsisting.

Section 8. **Repealing Clause** – All laws, decrees, executive orders, department or memorandum orders and other administrative issuance or parts thereof which are inconsistent with the provisions of this Act are hereby modified, superseded or repealed accordingly.

Section 8. **Effectivity Clause**–This Act shall take effect fifteen (15) days after its publication at least two (2) newspapers of general circulation.

**Approved.**