



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

'22 JUL -7 P3 :02

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SENATE

S. B. NO. 131

Introduced by **SENATOR JOEL VILLANUEVA**

**AN ACT  
PROVIDING FOR A PERMANENT APPOINTMENT TO ALL CASUAL  
AND CONTRACTUAL EMPLOYEES OF THE GOVERNMENT WHO  
HAVE RENDERED THE PRESCRIBED YEARS OF SERVICE AND FOR  
OTHER PURPOSES**

**EXPLANATORY NOTE**

The 1987 Constitution explicitly provides that workers shall be entitled to security of tenure, humane conditions of work, and a living wage (Article XIII, Section 3). This is a fundamental right guaranteed by the 1987 Constitution for all workers.

Despite this constitutional guarantee, the right to security of tenure is one that has yet to be fully realized by all Filipino workers, both in the private and public sectors.

With regard the public sector, according to the Civil Service Commission (CSC), the Philippine Government, the largest “employer” in the country, employs at least 25% of its 2.3 million government workers, or 582,378 as “job order” (JO) or “contract of service” (COS) employees as of August 2021.<sup>1</sup>

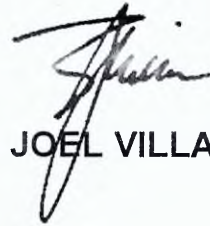
Previously, the Commission on Audit, CSC, and the Department of Budget and Management issued Joint Administrative Order (JAO) No. 1, Series of 2017, as amended by JAO No. 1, Series of 2018, which regulates the hiring of workers hired under the category of “job orders” and “contracts of service,” and allows agencies to renew existing contracts until December 31, 2020. It further provides that existing qualified contract of service and job order workers must be considered for appointment

<sup>1</sup> Civil Service Commission, Inventory of Government Human Resource – JO/COS Data (as of AUGUST 31, 2021); Civil Service Commission, Inventory of Government Human Resource – Career and Non-Career (as of AUGUST 31, 2021); *accessible at* [http://csc.gov.ph/2014-02-21-08-28-23/pdf-files/category/1809-ighrs\\_2021.html](http://csc.gov.ph/2014-02-21-08-28-23/pdf-files/category/1809-ighrs_2021.html).

by the government agencies to their vacant positions subject to existing Civil Service Laws and rules and agency CSC-approved Merit Selection Plan.

Despite these efforts, however, a considerable number of workers in the government still experience "endo" and the Constitutional guarantee to security of tenure remains elusive to them. This bill seeks to address this issue by ensuring that casual and contractual employees of the government who have rendered exemplary service are given security of tenure. Under this bill, all incumbent casual and contractual government employees who have rendered at least five (5) years of exemplary and continuous service in the national government and six (6) years of service in the case of local government units, shall be entitled to permanent appointment and an automatic grant of civil service eligibility, subject to the requirements of the Constitution, other relevant civil service laws, and the Merit Selection Plan of the concerned agency.

The immediate passage of this bill is earnestly sought.



**SENATOR JOEL VILLANUEVA, JR.**



Senate

Office of the Secretary

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**HAVE RENDERED THE PRESCRIBED YEARS OF SERVICE AND FOR**  
**OTHER PURPOSES**

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

- 1 **SECTION 1. Short Title.** – This Act shall be known as the “Civil Service Security of
- 2 Tenure Act.”
- 3
- 4 **SEC. 2. Declaration of Policy.** – The State shall harness its human resources to cope
- 5 with the rapid economic development and population growth. Government workers, being
- 6 very important components of the State’s human resources, shall be given equal
- 7 opportunity to quality education, justice, and security of tenure.
- 8
- 9 **SEC. 3. Permanent Appointment for Long-Time Casual and Contractual Employees**
- 10 **of the National Government Agencies and Local Government Units.** – Subject to the
- 11 provisions of the 1987 Constitution and applicable civil service laws, rules and regulations
- 12 and the provisions of this Act, all incumbent casual and contractual government
- 13 employees who have rendered at least five (5) years of continuous, exemplary and
- 14 outstanding service in the case of national government agencies, or a total of six (6) years
- 15 of continuous, exemplary and outstanding service in the case of local government units
- 16 as of the date of the approval of this Act shall be entitled to security of tenure.
- 17
- 18 **SEC. 4. Automatic Grant of Civil Service Eligibility.** – An automatic grant of civil service
- 19 eligibility shall be given to a casual or contractual employee who has obtained at least a
- 20 satisfactory rating for at least (3) years.
- 21

1 **SEC. 5. Computation of Length of Service.** – The requirement of continuous service  
2 shall be waived if the service of the official/employee concerned prior to the completion of  
3 the said years was interrupted by not more than two (2) years, taken cumulatively, due to  
4 either abolition of his/her position, reorganization of the office wherein he/she was phased  
5 out, or reduction in force: Provided, further, That in the case of officials/employees who  
6 have been previously employed in the same government agency in any capacity, the said  
7 requirement of continuous service may likewise be waived if the interruption of their  
8 service is not more than six (6) months, taken cumulatively, so long as the minimum  
9 required period is met.

10  
11 **SEC. 6. Selection Process of Casual and Contractual Employees.** – Casual and  
12 contractual employees who meet the requisite length of service shall undergo the  
13 screening process as prescribed in the Merit Selection Plan of the agency or as  
14 determined by the pertinent selection board or hiring authority.

15  
16 **SEC. 7. Security of Tenure of Covered Employees and Affected Positions.** – All  
17 covered employees may not be separated or terminated from the said positions, except  
18 for just or lawful cause as provided under applicable laws and issuances, and with due  
19 process of law, nor can their positions be abolished except when the same is vacated by  
20 their incumbents or due to a bona fide rationalization plan; Provided, That nothing herein  
21 shall prevent the concerned national government agency or local government unit from  
22 assigning or transferring its employees, or otherwise decide on personnel movement and  
23 other actions.

24  
25 **SEC. 8. Implementing Rules and Regulations.** – The Civil Service Commission, in  
26 consultation with the Department of Budget and Management and the Commission on  
27 Audit, and other relevant stakeholders, shall issue the rules and regulations necessary to  
28 implement the provisions of this Act within ninety (90) days from the approval of this Act.

29  
30 **SEC. 9. Penal Provisions.** – Any government employee who shall apply for entitlement  
31 to security of tenure under the provisions of this Act on the basis of false claims and/or  
32 documents, and any government officer or employee who shall make or issue false  
33 certifications, attestations, endorsements, and/or spurious documents in relation to any  
34 such application shall suffer the penalty of imprisonment of one (1) year to three (3) years  
35 or a fine of up to One Hundred Thousand Pesos (Php100,000.00), or both, at the  
36 discretion of the court, without prejudice to any criminal, civil, or administrative action that  
37 may be filed against him/her. The concerned government employee shall also suffer the  
38 accessory penalty of absolute perpetual disqualification from public office.

39  
40 **SEC. 10. Separability Clause.** – If any provision of this Act is held invalid or  
41 unconstitutional, the remaining provision of this Act not otherwise affected shall remain  
42 valid and subsisting.

43  
44 **SEC. 11. Repealing Clause.** – All laws, decrees, executive orders, department or  
45 memorandum orders, and other administrative issuance or parts thereof which are  
46 inconsistent with the provisions of this Act are hereby modified, superseded or repealed  
47 accordingly.

48  
49 **SEC. 12. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its  
50 publication in the Official Gazette or in at least two (2) newspapers of general circulation.

51  
52 **Approved,**

53