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SENATE
S.B. No. 1621

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Introduced by Senator Ramon Bong Revilla, Jr.

**AN ACT
PROVIDING 13TH MONTH PAY TO GOVERNMENT CONTRACTUAL AND JOB
ORDER PERSONNEL**

EXPLANATORY NOTE

Ensuring the welfare of government workers is a vital component of nation-building. The State shall ensure the promotion of their rights and welfare and the faithful performance of their duties and functions, through the recognition of their rights as civil servants and the provision of remuneration, benefits, allowances and other entitlements commensurate to the service they render to the country.

Contract of service (COS) and job order (JO) personnel play a vital role in government service. They perform their duties and responsibilities as diligently and as faithfully as those with *plantilla* positions in government, but they do not receive the same benefits, allowances and other entitlements. A lot of these JOCOS personnel have been in service to the government for years, it is often said that the Government is the top 'endo' violator.

The 13th month pay is a form of monetary benefit equivalent to the monthly basic compensation received by an employee, computed pro-rata according to the number of months within a year that the employee has rendered service to the employer. The 13th Month Pay is made official and mandatory by PD 851, a decree that was passed by then President Ferdinand E. Marcos in 1976. The decree states that employers are required to provide their employees a 13th Month Pay before the

24th of December of every year, after meeting certain requirements. The government and any of its political subdivision, including government-owned and controlled corporations, except those corporations operating essentially as private subsidiaries of the government, are exempted to pay the 13th month benefit under PD 851. However in lieu of the 13th Month Pay, employees of the government get a year-end bonus equivalent to an employee's one month basic pay.

According to the Inventory of Government Human Resources as of June 30, 2022, there are a total of 2,462,534 workers in the government and 642,077 or roughly 26% of the total government workforce is comprised of Job Order and Contract of Service (JOCOS) personnel.

Amid the rising prices of oil and basic commodities, government workers are expected to be responsive, to prioritize their public duties at all times, and to make necessary sacrifices in the exigency of service, particularly during times of crisis and disaster. The 13th Month pay will augment the earnings of our JOCOS as a major source of additional funding to be able to afford basic commodities during Christmas season, a well-deserved reward for them.

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


RAMON BONG REVILLA, JR.

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



Senate
Office of the Secretary

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**AN ACT
PROVIDING 13TH MONTH PAY TO GOVERNMENT CONTRACTUAL AND JOB
ORDER PERSONNEL**

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

1 SECTION 1. *Short Title.* - This Act shall be known as the "13th Month Pay Law
2 for Contractual and Job Order Personnel. "

3
4 Sec. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to
5 ensure the welfare of government workers and recognize their role as a vital
6 component of nation-building, regardless of their status of employment. The State
7 shall ensure the promotion of their rights and welfare and the faithful performance of
8 their duties and functions, through the recognition of their rights as civil servants and
9 the provision of remuneration, benefits, allowances and other entitlements
10 commensurate to the service they render to the country.

11
12 Sec. 3. *Coverage.* - This Act shall cover all government employees, regardless
13 of their employment status, contractual or job order personnel: *Provided,* That they
14 have completed at least one contract (minimum of three months) with the government
15 before July 1 of the current fiscal year, prior to the granting of the 13th Month Pay.

16

1 Sec. 4. *Mandatory Payment of 13th Month Pay.* – All government employees
2 regardless of their employment status, contractual or job order personnel, shall be
3 entitled to 13th month pay every year.
4

5 Sec. 5. *Minimum Amount* – The minimum amount of the 13th-month pay for
6 contractual and job order personnel shall not be less than one-half of the monthly
7 salary of the employee based on the current contract with the government.
8

9 Sec. 6. *Implementing Rules and Regulations (IRR).* – Within sixty (60) days
10 from the enactment of this law, the Department of Budget and Management (DBM)
11 shall promulgate the guidelines for this Act.
12

13 Sec. 7. *Separability Clause.* If any provision or part hereof, is held invalid or
14 unconstitutional, the remainder of the law or the provision not otherwise affected shall
15 remain in full force and effect.
16

17 Sec. 8. *Repealing Clause.* Any law, presidential decree or issuance, executive
18 order, letter of instruction, administrative order, rule or regulation contrary to, or
19 inconsistent with, the provisions of this Act is hereby repealed, modified or amended
20 accordingly.
21

22 Sec. 9. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its
23 publication either in the Official Gazette or in at least two (2) newspapers of general
24 circulation in the Philippines.

Approved.